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'Subbed-Titles': Hollywood, the Art House Market and the Best Foreign Language Film Category at the Oscars

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A thesis submitted in partial fulfillment of the requirements for the degree in Master of Arts

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'SUBBED-TITLES': HOLLYWOOD, THE ART HOUSE MARKET AND THE BEST
FOREIGN LANGUAGE FILM CATEGORY AT THE OSCARS

MONOGRAPH

by

Kyle William James Tabbemor

Graduate Program In Film Studies

A thesis submitted in partial fulfillment
of the requirements for the degree of
Masters of Arts

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Abstract

This thesis provides a history of the Best Foreign Language Film category at the Oscars between 1926 and 2013. It examines the category through an industrial approach, historicizing the category's symbiotic relationship with the Hollywood studios and examining how its financial, political and cultural parameters have been affected by changes within Hollywood studio corporate structure and the Hollywood studios' practice of importing foreign-language films from Europe and around the world. Documenting this practice allows for the category to be structured in three sections: the period of European Art Cinema, the period of European commercial cinema, and the current period, which focuses on commercialized films that can be distributed worldwide. This study will ultimately suggest that the category acts as a prism that can be used to understand the industrial conditions and contexts of various forms of art and niche cinema at a global level.

Keywords

Best Foreign Language Film Category, Oscars, Academy Awards, A.M.P.A.S., Hollywood, Film Industries, Art House, Art Cinema, Film Festivals, Europe, European Film, Miramax, Sony Pictures Classics, *Life Is Beautiful*, Perren, Tzioumakis, Gomery, Mazdon

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Introduction

The aim of this project is to provide a history of the Best Foreign Language Film category at the Oscars between 1926 and 2013. The major focus of this process will historicize the category's symbiotic relationship with the Hollywood studios and examine how its financial, political and cultural parameters have been affected by changes within Hollywood studio corporate structure and the Hollywood studios' practice of importing foreign-language films from Europe and around the world. Documenting this practice allows us to see the category in four distinct sections: the period of time between the birth of the Academy and the creation of the annual award (1926 to 1946), the period of 'European Art Cinema' (1947 until roughly 1988), the period of 'European Commercial Cinema' (1989 to 1997), and the modern period, which focuses on commercialized films that can be distributed worldwide (1998 to present). This study will ultimately suggest that the category acts as a prism that can be used to understand the industrial conditions and contexts of various forms of art and niche cinema at a global level.

It is important to note that the genesis of this project came from my desire to analyze representations of nation and national identity within the category's winning films. However, as the research for this project progressed, it became clear that the investigation of such representations was dependent on contextualizing each filmic text within a larger industrial narrative. What I discovered was that the story of the Best Foreign-Language film category is inseparable from Hollywood's practice of importing foreign-language cinema. As a result of this realization, the focus of this project was gradually repositioned towards the broader task of outlining the creation of the category and situating it as a site that makes visible the political, financial and cultural strands that make up the complex relationship between the Hollywood studios, the art house/niche market and other national film industries.

In his article "The New Film History" (1986), Thomas Elsaesser explains how film theorists Douglas Gomery and Robert C. Allen suggest that "the basic problems about doing film history are the same as with any other form of history: what is the object of study, what counts as evidence and finally, what is being explained" (Elsaesser 247). Elsaesser states that, to his surprise, in Allen and Gomery's book on the methodology of film history, *Film History, Theory and Practice* (1985), the films themselves are not the object of study. To

quote Elsaesser, “It is true that for one narrow form of film historical inquiry, prints of films are the only valid data. However, for broader and more interesting questions, we think non-filmic materials prove invaluable” (Elsaesser 247). This project embraces this belief wholeheartedly: an analysis of the Academy of Motion Picture Arts and Sciences (A.M.P.A.S), the organization that governs the Oscars and the Foreign Language Film category, requires the weaving together of multiple areas within film studies research. This project intertwines historical research on the shifting structure of the Hollywood film industry and on the rise of global ‘art cinema’ and independent film production in North America; it looks at the commercialization of ‘niche markets’ within the domestic exhibition industry and at theories of national cinemas and the effects of globalization on foreign-language film production. This will be augmented by an approach informed by ‘Media Industry Studies’, which places a strong emphasis on the value of empirical data such as box office statistics, advertising materials and other industry-related tools of research. While a thorough discussion of the winning films is not possible within the scope of this project, brief but pertinent examples of the aesthetic and thematic concerns of particular films will be presented alongside the many facets of research. I will make reference to a wide scope of winning and nominated films from across the history of the category, however, the majority of the corpus of this project focuses on the winners between 1989 and 2001¹. This will allow for a more thorough examination of industrial and political circumstances in the later chapters of this thesis.

Much of the research that constituted the start of this project stemmed from the minute amount of writing available on both A.M.P.A.S. and the category. The majority of published work on the Academy, as well as on the Oscars and its specific categories, has been contained to journalistic discourses. The Academy’s connection to international film industries and contemporary global political events has only recently begun to be studied in an academic context, and there is not much published work on the Academy’s influence on foreign language film production, distribution and exhibition. Historically, scholarly research and Film Studies as a discipline have focused primarily on investigating the aesthetic and narrative content of the winning films, only briefly contextualizing the films within the film industry. The role that the Oscars have played in the distribution, exhibition and reception of these films has remained undocumented: there are few published books and articles devoted

¹ For a detailed list of films that make up the corpus of this thesis, please see Appendix A.

to detailing the history, internal make-up and industrial influence of the organization. Richard Shale's *The Academy Awards Index: The Complete Categorical and Chronological Record* (1993) is one of the few scholarly sources that sets forth in detail the initial creation of the Academy and contextualizes the role that its creation played within the Hollywood film industry. This type of academic work stands opposed to books such as *Oscar Fever: The History and Politics of the Academy Awards* (2001) by Emmanuel Levy and *Behind the Oscar: The Secret History of the Academy Awards* (1993) by Anthony Holden, which focus almost solely on the Oscars telecast and serve more as a breeding ground for Hollywood gossip and behind-the-scenes trivialities than for detailed study of A.M.P.A.S and the way in which it dialogues with domestic and international film industries. It is within the past five years that the Academy has been represented within serious academic research, usually in the context of the changes occurring within Hollywood studio structure at the end of the 1980s and early 1990s, although it is never the main focus of study.

Historically, the majority of the available information on the Academy and the Foreign Language category has been published mostly in English in American and British trade publications. As early as the 1950s, most trades have framed the Oscars (and the foreign language category) from a Hollywood-centric perspective. Primary coverage is given to films produced in Hollywood that appear to be strong contenders for Oscar nominations and wins. This strength is based on gauging which films contain the presence of recognizable Hollywood stars, previously awarded directors or auteurs, and are produced and distributed by studios with successful track records during awards season. Secondary coverage is given to national film industries and the foreign language films that they produce. Articles focused on national film industries are centered on nations that have traditionally had a strong presence in the Foreign Language Film category, particularly European film industries with high levels of commercial output.

Most of this information has been published in trades such as *Variety*, *Screen*, *The Hollywood Reporter*, and more recently, in film focused magazines such as *Entertainment Weekly* and the now defunct *Talk* and *Premiere*, many of which have been controlled by Hollywood studio executives and the media conglomerates who own various Hollywood

Studios². The trade publications are essential to my research, and I have utilized both printed and online copies of this material. The trades are useful because they very clearly illuminate six ways in which the category and its films have been written about and serve as guiding posts for the construction of the grand narrative of the category. The first is in relation to the threat that other national film industries posed to Hollywood between the 1920s and the 1950s. The second, which gained increased attention with the rise of American independent cinema, regards how these films affect studio structure and expansion in the global marketplace. Corporate entities such as Miramax, Sony Pictures Classics (SPC), Fox Searchlight, Paramount Vantage, Focus Features and The Weinstein Company dominate the discussion, and most articles frame the films in relation to these minor studios and how each establishes further control of the global marketplace through an increased hand in distribution, international co-production deals and film festival award winners.

The third area of concern details the process of how national film industries select which film will represent their nation at the Oscars. This is tied to the fourth area, which focuses on the difficulties that foreign films face with the ever-changing and often restrictive rules of the American Academy, including changes in Academy membership and revisions to the official eligibility document. This also includes potential ineligibilities based on a film's failure to adhere to language, production and exhibition requirements that many critics suggest promote unnecessarily rigid and outdated conceptions of 'nation' or 'national identity'. The fifth area of interest is box office and advertising, meaning the ways in which admission into the Foreign Language Film category affects the box office potential of these films, and how this increases domestic and international profits for the studios as well as the home nation's film industry. The last area of concern centers on critical reception of these films, and how published reviews and word-of-mouth-screenings influence audience and Academy perspectives on each film. This project will engage with and comment on all six of these outlined areas. In addition to the trade publications, I will also refer to specialized cinema magazines such as *Sight + Sound*, *Cineaste* and *Film Comment*, as they partially cover industry news, although mostly frame these films around critical and audience reception.

² For a complete list of Trade publications (and their bibliographical information) used in this project, please see Appendix B

Beginning around the midway point of the 2000's, there has been a shift towards Academy and awards coverage online, with Oscar-centric websites and blogs providing detailed and immediate coverage of changes within the Academy. These websites, most notably *Incontention*, *Indiewire*, *Hitfix*, *Awards Daily* and *Hollywood Elsewhere*, are managed by long-time, Hollywood-industry journalists who specialize in Oscar-oriented blogs³. As well, newspapers such as *The Guardian* and *The New York Times* provide noteworthy daily columns on the Awards race, its contenders and international Oscar news. The most prominent names in this niche market include Kristopher Tapley, Guy Lodge, Ann Thompson, Sasha Stone and Jeff Wells. These writers specialize in comprehensive awards coverage that focuses on the entire Oscar process, beginning with off-season changes to Oscar rules and regulations, distribution deals at major international film festivals, discussion of which films have potential chances for nominations and wins in all categories once released stateside, how these films are perceived and then received by the Academy and why, and ultimately finishing coverage with the ceremony itself. Most work is done in blog format, but also includes specialized events such as audio and video podcasts, live broadcasts from film festivals detailing immediate critical response and industrial reactions to potential nominees, round-table discussions hosted by trade publications with studio executives on monetary and critical potential for major releases, and finally traditional editorial pieces akin to critical reviews which address aesthetic and thematic content.

Given these trends, the majority of writing on the Academy and the category is cyclical, taking place between May and February, yearly. Articles generally begin to appear in the trades coinciding with the Cannes Film Festival, focusing on distribution deals and early potential for awards merit. This points again to the strong industrial focus of Academy and awards coverage. There is increased output on international or foreign language titles that compete in the Foreign Language Film category during other International Film Festivals such as Berlin, Venice, Telluride, Toronto, New York and Los Angeles. These festivals are continuously framed as the initial showcase for international cinema and Foreign Language Film category competitors, and are essential in securing distribution deals for these films in

³ For a list of websites dedicated to Oscar coverage (and their bibliographical information), please see Appendix C.

North America and abroad⁴. As the nomination process begins in early November and carries on through January, reporting on foreign language films continues as they are screened for the Academy and appears mostly as anecdotal accounts from journalists familiar with Academy members. This continues through to the Oscar telecast in late February or early March. From March to May, there is little published on both the Academy and the categories beside speculation on potential nominees for the next year.

As previously stated, historical data gleaned from the trade papers and other non-filmic sources makes up a significant portion of this project's research. The second component of my research focuses on establishing an accompanying theoretical framework that documents and accounts for the social forces and shifts within Hollywood, the Academy and the foreign language category. The work of film historians such as Gomery, Tino Balio, Kristin Thompson, Wheeler Winston Dixon and Gwendolyn Audrey Foster will be used to contextualize the early history of the category (between 1926 and 1956) and examine how its creation was fostered by changes in studio structure within Hollywood, as well as to cater to the needs of emerging niche markets and audiences. This project will also make extensive use of the work of film scholars Alisa Perren, Greg Berra and Yannis Tzioumakis, three authors who situate their analysis of Hollywood and the niche film industry in the 1980s and 1990s in what Perren terms 'media industry studies'⁵. She suggests that work in this field calls for historical specificity, "and its emphasis on empirical research makes it a productive means through which to conduct an analysis" (Perren 5) of the Hollywood studios and their shifting corporate structure. My work will take a similar approach and it will employ box office data as well as interviews and trade publications to document the role that Miramax and Sony Pictures Classics played in directing the category towards its commercialization. This project will also engage with the recent work of film theorists such as Stephen Crofts, Steve Neale, Lucy Mazdon and Ulf Hedetoft in discussions of nation, national identity and the process of globalization. I aim to use this combination of journalism and theory to create a grand narrative for the category that will suggest three eras that help define the category: that of its origins, that of its shift towards the mainstream, and that of its commercialization

⁴ The increasing reliance on the International Film Festival circuit will be investigated in greater depth in chapter three of this thesis.

⁵ These three authors all refer to one another's writings and implement each others' ideas in their respective published work, suggesting the limited scope of analysis of this particular topic.

and globalization. This definition will establish a starting point for research on the topic and will be this investigation's contribution to knowledge.

The first chapter, entitled "The First Period: 'European Art Cinema'", contextualizes the history of A.M.P.A.S., the Oscars and the category within the Hollywood film industry and its practice of importing foreign-language films. Included in this chapter will be an examination of the conditions within the global film market that fostered the creation of the category, an outline of how the category was used by Hollywood to bring attention to European art cinema, and Hollywood's use of the category to promote and profit from the emerging niche market of art house cinema. The second chapter of this project, entitled "The Second Period: 'European Commercial Cinema'", will demonstrate how the changing financial conditions of the art house/niche industry in the 1980s and early 1990s gave birth to the 'specialty divisions', subsections of the Hollywood conglomerates that were created in an attempt to promote imported foreign-language films and other niche products to a wider, more mainstream audience. This will be in service of suggesting that the Best Foreign Language Film category during this period transitioned from a space used by the Academy to recognize European art cinema to a space used by the Hollywood studios to promote European commercial cinema for their own financial profit.

Chapter Three, entitled "The Third Period: The Commercialization of the Category", is concerned with the category's commercialization and move towards globalization by the Hollywood specialty studios. I will discuss the financial crisis faced by the specialty studios and their parent conglomerates as audience interest in art house and niche products began to decline. I will then present the solutions that the industry adopted in order to sustain mainstream audience interest in both the domestic market and at the global level. The strategies that will be looked at include the industry's returned emphasis on the use of film festivals to promote foreign-language fare, and a renewed interest in branding the art film '*auteur*'. The effectiveness of these strategies will be examined in relation to the nominated and winning films represented within the category.

The fourth and final chapter, entitled "The Rules and Requirements of Eligibility", focuses on how the specialty studios were forced to contend with the numerous cultural, political and financial requirements that must be observed in order for a film to be admitted

into competition within the category. This chapter will also outline the many criticisms aimed by industry analysts at the divisive and often controversial requirements governed by the official Academy document, which will lead to the detailing of the makeup of the category's voting branch as well as their voting procedures. This section will suggest that the Academy wields an enormous amount of influence on foreign-film production, forcing non-Hollywood film industries to reinforce the concept of 'nation' and 'nationality' within these films due to specific cultural requirements, production requirements and distribution requirements. To conclude the project, I will probe the current 'opening' of the category to new national cinemas and the industrial politics associated with this increasingly inclusive practice.

Chapter 1

The First Period: 'European Art Cinema'

The first chapter of this project provides a historical contextualization for the Best Foreign Language Film category at the Oscars. This serves to establish that the category has, historically, been used by Hollywood to promote the foreign-language films that are imported into the U.S. exhibition industry for a variety of financial motivations. Though the category was not established until 1956, the first aim of this chapter is to outline the origins of A.M.P.A.S. and the category in relation to various crises that the Hollywood studio system faced almost thirty years earlier. The second aim is to define the 'art cinema' represented within the category that arose after World War II, and to set forth how this type of filmmaking became an integral part of the U.S. exhibition industry known as the art house market. The third aim of this chapter is to detail how the Hollywood studios utilized the Best Foreign Language Film category as a means of promoting art house product. The fourth aim of this chapter is to convey the conditions within the industry that led to the decline of the art house market in the 1970s. To begin, I would like to emphasize the role that the Hollywood studio system played in the creation of A.M.P.A.S. and outline the initial reasons for the establishment of this unifying body.

1.1 Hollywood and the Academy

Contrary to popular belief, A.M.P.A.S. was not originally created for the sole purpose of awarding and promoting films produced within Hollywood: its birth in 1927 was inspired by massive financial, structural and artistic reorientation within the Hollywood studio system. While Hollywood in the early 1920s had seen a number of large production studios compete against a myriad of smaller, independent production companies for market share (Shindler 5), the industry's transition from silent to sound cinema solidified the power of the major studios that had the financial means to diffuse the technology "quickly and smoothly" (Gomery, "Coming" 22). While many of the most prominent studios within Hollywood had found economic stability from established global distribution networks, (Gomery, *Hollywood* 13), the enormous costs of the swift transition to sound forced them to create alliances with

the Eastern investment banks (Shindler 5)⁶. The resulting funding, alongside the profits gained due to the overwhelming popularity of sound pictures, cemented the studios' power and created monopolistic conditions within the industry. As Gomery notes in his seminal study of the period, *The Hollywood Studio System* (1986), "Five firms dominated: Paramount, Loew's, Warner Bros., Fox and RKO. Each of the 'Big Five' owned substantial production facilities in Southern California, a worldwide distribution network and a sizeable theater chain" (6) that gave them complete control over production, distribution and exhibition. These five powerful firms were then joined by what was known as the 'Little Three', made up of Universal, Columbia and United Artists, although these smaller studios only consisted of production and distribution units (Gomery, *Hollywood* 6). This coalescing of eight major powers within the industry then fostered the creation of a unifying, governing body that would unite the studios and combat a second burgeoning problem, that of 'unionization'.

The Academy's close relationship to the studios, and its ties to the issue of unionization and technological advancement, suggest that it was born out of the industry's perception of the need for self-preservation. In *The Academy Awards Index: The Complete Categorical and Chronological Record* (1993), film historian Richard Shale notes that the idea for the Academy came to fruition over dinner with Louis B. Mayer, who was at the time the head of MGM studios⁷. Mayer and four other industry insiders including actor Conrad Nagel and director Fred Niblo had the idea for an organization that would unify the different factions of workers among the major studios, and effectively combat the increasing desire of industry workers for unionization that would protect them against exploitative labor conditions due to the monopolistic hold that these studios now possessed (Shale 3)⁸. After the

⁶ As Colin Shindler notes in his book *Hollywood in Crisis: Cinema and American Society 1929-1939*, it was not just the cost of upgrading movie theatres to sound-capable systems that proved financially challenging for the studios: production budgets also "virtually doubled as production schedules expanded to incorporate the extra time necessitated by the use of the new cumbersome technical equipment" (5).

⁷ MGM, incidentally, was not yet considered one of the 'major Eight', possibly suggesting motive for Mayer to want to link his studio with the other, more powerful production companies in Hollywood through the creation of A.M.P.A.S.

⁸ The Academy's early history is littered with disagreements over unionization and labor disputes between the many industry factions that cohered into the single unit known as A.M.P.A.S.. Disputes between the organization's governing board and various factions within the Academy led to a constant change in legislation of policy and of membership. Many disputes were unable to be resolved and resulted in the creation of the other Hollywood 'Guilds' that represented members of the industry who no longer wished to be a part of the Academy. These guilds include the Screen Actors Guild, the Writers Guild and the Directors Guild of America,

Academy was “granted a charter as a non-profit corporation by the state of California on May 4, 1927” (Shale 2), the Academy publicly released a ‘statement of aims’ that outlined the directives of the organization. Shale suggests that “despite the positive and nobly stated purposes of the Academy, critics would later charge that the organization was nothing more than a company union conceived by the wily Mayer as a means by which the producers could control the talent groups and forestall unionization” (2), lending weight to Shale’s suggestion that the Academy’s initial purpose was a mode of control implemented by the studios to maintain financial prosperity.

The creation of the Academy also served to combat the artistic challenges presented by the switch to sound film production. Despite being the last of the objectives listed, the Academy placed emphasis on their desire to “encourage the improvement and advancement of the arts and sciences of the profession by the interchange of constructive ideas and by awards of merit for distinctive achievements” (Shale 2). It was embraced by the organization on multiple fronts, most notably through the creation of technical research facilities and filmmaking workshops that helped to preserve the studio system’s mode of production, distribution and exhibition. These workshops and the eventual creation of a category at the Oscars for “Scientific or Technical Achievement” in 1929 ensured that the Academy could dictate specific aesthetic attributes of film production that would ensure the continuation of profit and allow Hollywood to remain the dominant filmmaking force at the global level.

This strategy was also carried out at the level of public education programs. Shale notes that “several universities began their cinema departments with help from the Academy, and the practice of assisting college students and faculty members is continued today” (7). Accordingly, it is possible to suggest that the Academy’s involvement with these film schools allowed for the indoctrination of emerging filmmakers into the Hollywood studio style of filmmaking. These educational programs situated the Academy as gatekeeper to the access of film knowledge as well as of job positions within the industry. In short, the Academy asserted control over film production by promoting the growth of local talent at film schools and then rewarding this talent for their participation in the system by allowing them access into the industry. This educational agenda was then furthered through the

which continue to thrive today: their yearly award ceremonies now comprise important events on the ‘Awards Circuit’ that has now become the precursors to the Oscar ceremony after the International Film Festival circuit has concluded in October (Shale 2-4).

creation of entities such as ‘The Academy Foundation’, which was “created in the early 1940s to oversee education and cultural activities of the motion picture industry” (Shale 8). Shale states that “one of the first and most valuable projects of the Foundation was the restoration of the Library of Congress Paper Prints Collection” (8), again pointing towards the organization’s control of film knowledge within the U.S. by being the appointed body to preserve important films and essentialize films of value that should and would be studied. This education-based strategy extended to outside nations as well. The Academy’s involvement in national film industries outside of America demonstrates the organization’s want for Hollywood standards to emanate outwards, with Shale also offering that “scholarships and grants are given both in the United States and abroad to encourage the development of film schools” (9) by the Academy. Despite this productive and widespread mode of institutionalizing the Hollywood studio system within the public sphere, the Academy’s statement of aims was ordered in a way that points towards a reason for the organization’s birth other than the financial, structural and artistic changes occurring within the industry: Hollywood’s fear of ‘outside attack’.

The statement of aims begins with “The Academy will take aggressive action in meeting outside attacks that are unjust” (Shale 2), and as Shale suggests, this may or may not refer to the ongoing public demand during the late 1920s for censorship. However, I believe that the vague wording and use of the phrase ‘meeting outside attacks’ can also be read in the context of the desire to protect the Hollywood model of production and distribution from competition from other national film industries like Germany and France, both of which were flourishing during the 1920s. These industries had begun to show the potential for accruing profit within the United States film market: Steven Neale notes in his article “Arties and Imports, Exports and Runaways, Adult Films and Exploitation” (2012) that it was the financial success of *Passion (Madame Dubarry)* [Lubitsch, 1919] and the critical success of *The Cabinet of Dr. Caligari* [Wiene, 1920] in the U.S. in 1921 that prompted independent studios and distributors to import more films from Europe in the 1920s (400)⁹. While most of these films played in smaller theatres, Hollywood was very aware of the possibility of this trend continuing on a greater scale. Kristin Thompson notes in her book *Exporting*

⁹ Dates for European films within citations of an author’s work may differ from the dates in the filmography at the end of this thesis. This is due to multiple release dates for these films. I have left these dates as per how they appear in the author’s work. The dates in the filmography come from IMDB.com.

Entertainment: America in the World Film Market 1907-34 (1985) that due to the success of these two films within the United States, “some factions of the American industry were convinced that a German invasion was underway” (105).

The notion of Hollywood protecting itself from an ‘outside attack’ can also be viewed in terms of the resistance to colonization that other nations and their film industries showed to Hollywood at the end of the 1920s. The aggressive expansion of American film product into international marketplaces is one of the most written about topics in the historiography of early Hollywood: it is noted that in 1914, “90 per cent of the films shown throughout the world were French; by 1928, 85 per cent of them were American” (Neale, “Art Cinema” 16). In their book *A Short History of Film* (2008), Winston Wheeler Dixon and Gwendolyn Audrey Foster offer that in the 1920s and 1930s, the Hollywood film industry “exported a way of life, set of values and expectations, and a social order to the rest of the world, with the implicit suggestion that Hollywood’s cultural dominance was yet another example of manifest destiny” (136). The practice of exporting films provided the studios with a stable and much needed source of profit, but beginning in the mid 1920s, the European market began to change. Nations like Germany, France and England began to draft policies that would prevent this ideology from threatening their unique cultural identity as well as the financial interests of their own national film industries. As a result, Hollywood faced changing policies on trades, tariffs and regulations when exporting films internationally that threatened to interfere with their dominance within the European market (Gomery, *Hollywood* 13). Dixon and Foster note that in the twenties “in England, the Hollywood film rose to such cultural dominance that the government enacted the Protectionist Cinematographic Films Act of 1927 (P.C.F.A.), mandating that a percentage of all films screened in England had to have been produced within the country” (87). Up until this point, “Britain had fallen so thoroughly under American control that little capital was forthcoming for production; until the British quota of 1927, the USA continued to supply close to 90% of that country’s film consumption” (Thompson 105). England would not be the only nation to commence such protective measures.

Neale notes in his article “Art Cinema as Institution” (1981) that despite the French film industry producing pictures in the 1920s that “fed into the notion of a national cinema of quality (especially and obviously those produced within the industry itself)” (17), Hollywood

films were incredibly popular with French audiences. However, “the arrival of sound markedly changed the structure of the French Film industry and ensured the disappearance” (18) of the many smaller film production companies and made “private sponsorship and patronage almost impossible” (18). As a result, the French film market became overrun with Hollywood films, with some estimates stating that only 25 per cent were produced annually within the French domestic industry (18). Accordingly, France also began to pass more rigid quotas like the PCFA of 1927 after years of intense battle and negotiation with Hollywood¹⁰. To counter England and France’s moves towards self-preservation, Hollywood began to negotiate by offering to fund a particular percentage of their films and guarantee their distribution within the United States. Many of these negotiations failed, resulting in far less desirable distribution/exhibition percentage quotas going into effect. As a result, the percentage of American features distributed abroad in other European nations began to shrink due to French and German film industries exporting their films to surrounding European nations (Thompson 113). While the percentage of American films exported to European nations still remained high, the declines were worrisome to the Hollywood studios¹¹.

European nations’ new policies were based on the fact that Hollywood’s stronghold within the exhibition market meant that no “European market could sustain lavish film-making on the basis of domestic receipts alone” (Thompson 105). As a result of this inability to finance higher budget, higher quality films, a variety of producers in “a number of different countries began to try and co-operate internationally within Europe to create a continental market which could perhaps rival that of the USA” (105). This coalition was referred to as ‘Film Europe’, and as Thompson states, “members of the American trade...were worried” (114). As such, in 1924, “in response to the ‘Film Europe’ movement, the American industry took steps to protect its position abroad” (117). One of these steps was the creation of a special Motion Picture Section within the Bureau of Foreign and Domestic Commerce that promoted the American Studio System at the international level through press releases in publications such as *Commerce Reports* and *Trade Information Bulletin*

¹⁰ For more on the France-American quota battle, see Ulf-Møller, Jens. *Hollywood's Film Wars With France : Film-Trade Diplomacy and the Emergence of the French Film Quota Policy*. Rochester: University of Rochester Press, 2001. Print.

¹¹ This worry continued despite the fact that Hollywood managed to find ways around the quota system “by setting up facilities in England (such as Paramount British, Warner’s British and MGM British) to create program pictures, running little more than an hour and produced for 5000 pounds or less, which became derisively known as ‘quota quickies’ (Dixon and Foster 87).

series (118). This special Motion Picture Section also gathered information “from 44 foreign offices of the Department as well as from 300 Consular offices” (118) regarding the world film markets in order for the American film industry to have a more fully rounded understanding of their holdings abroad. Such strategies resulted in middling successes for Hollywood, as negotiations with France began to deteriorate and the imposition of harsher quotas and tariffs were instituted. By 1927, Hollywood was at a crossroads. It was in this moment that the Academy and the Oscar awards became two of the most prominent means by which Hollywood could promote its product at the domestic level and also maintain advantageous relationships with foreign markets.

I have situated the Academy’s birth in relation to a historical moment when Hollywood was searching for a means to create order in the wake of chaotic financial, structural and artistic transitions. I have also suggested that with essential European markets showing resistance to the dissemination of Hollywood films, the Academy was created as a unifying body that declared the studios’ intent to protect themselves against the ‘unjust’ outside ‘attacks’ of other national film industries. While the Academy did not play a central role in the distribution practices of the studios at this time, and therefore did not actively address the encroaching European resistance to Hollywood films, an additional way in which the Academy aided the studios was by legitimizing and recognizing their films as important, cultural products¹². In this manner, the birth of the Oscars were, like the previously discussed aspects of the Academy’s origins, firmly linked to the Hollywood studios’ desire to profit from the distribution of their films. Shale notes, “when the Academy of Motion Picture Arts and Sciences was organized in 1927, among the several general committees formed was one named ‘Awards of Merit’” (9)¹³. The committee was spearheaded by prominent figures of the studio system, including directors such as D.W. Griffith and exhibition tycoon Sid Grauman, who organized the voting procedures. The board “authorized awards in twelve categories and, anticipating that the contest would become a yearly event, decided to limit the

¹² In a similar manner as Shale, Gomery suggests that A.M.P.A.S. was “designated as a clearinghouse for information relating to production problems” (“Coming” 22).

¹³ When the Academy was formed in 1927, it consisted of five main branches: actors, directors, producers, technicians and writers. These five branches were granted equal status, whereas the Board of Directors, which ran the organization, was made up of three representatives from each branch and was granted a higher level of power within the organization (Shale 2). Originally, five boards of judges, one for each Academy branch, “were appointed to consider the nominations made by the general membership” (9). In order to counteract the ongoing labor problems plaguing both the industry and the Academy, the selection process was broadened in 1936 to promote a more democratic and inclusive atmosphere to the general membership.

nominations to achievements in pictures released in a specific twelve month period” (9). Originally the awards were presented in 1928, and voted on by a “central board of judges consisting of one member from each branch” (10).

The relationship between the Hollywood studios and the actual awards is only reinforced by the fact that in the early years of the Academy the banquet ceremonies were paid for by the studios themselves (13). This financial involvement suggests the studios’ recognition of the potential of the awards to generate profit, and Shale helps point towards the studios’ motivations to fund the awards when offering that while the first banquet drew limited coverage in the media, the second ceremony “caused enough interest to prompt Los Angeles radio station KNX to broadcast” (13) an hour of the ceremony. Media coverage of the event then fostered a public interest that grew steadily throughout the 1930s, and eventually grew so high that the entire ceremony was broadcast on the ABC network in 1945.

During the first twenty-years of the Academy’s existence, when the Oscars recognized only films produced within the U.S. and the Hollywood studio system, profits in the domestic market were enormous: the conversion to sound pictures and the emergence of what has since been termed Classical Hollywood cinema were driving audiences into movie theatres. The conversion to sound raised studio profits by as much as 600 percent (Gomery, “Coming” 22), and as Gomery notes, by 1940, “collectively, the majors controlled more than 70 per cent of all the first run theaters in the ninety-two largest cities in the US [and] effectively [harnessed] the market for exhibition in the United States during the studio era” (*Hollywood* 13). However, the practice of exporting Hollywood product to European markets continued to decline during the 1930s, as European theaters were ill equipped to handle the transition from silent pictures. European nations also continued to fight the colonialist efforts of Hollywood by attempting to create their own sound film systems, which reduced Hollywood’s profits in key territories such as Germany, France and Britain (Gomery, *Economic* 25-36). With foreign profits accounting for almost half of a Hollywood film’s final gross, the studios’ faced further crisis when World War II threatened to disrupt grosses through the loss of access to key European and Asian territories. I believe that the Academy’s sudden shift towards rewarding films from non-Hollywood film industries in 1947, twenty years after the birth of the organization and its awards of merit, correlates directly to this

moment when the studios sought ways in which to profit from foreign imports, while facing another period of financial crisis that occurred directly after World War II¹⁴.

1.2 Art Cinema and the Art House Market

When World War II ended in 1945, the film market in the United States was once again shifting: “patterns of distribution were changing, and international films were having an increasing artistic and financial impact at the [domestic] box office” (Dixon and Foster 167). As the War dealt a blow to Hollywood’s global distribution networks, the American studios “reported that their overseas income of \$125 million was virtually identical to their overall net profits – a situation that many in the industry considered ideal, with the domestic market on a break-even basis and overseas income amounting to essentially pure profit” (Neale, “Arties” 399). The disruptive force of the War ensured that this equilibrium could not be maintained, and the foreign revenues that were so essential to the studios continued to decline. Neale affirms this when noting that “foreign revenues [for Hollywood] amounted to an estimated \$120 million in 1947 and an estimated \$100 million in 1948 and 1949” (401). In addition to the problem of the loss of overseas profits, Hollywood films began to face competition in the domestic market from a cross-section of European film industries that were regaining traction after a decade of instability.

With the war over, Britain, Italy and France began to see an increase in the productivity and popularity of their film industries, and as such began to export films to the U.S. domestic market and found unexpected success. The British film industry had begun to flourish during the war and had moved towards a period of revitalization due to the efforts of producer J. Arthur Rank. As Dixon and Foster recount, “in 1935, Rank embarked on an aggressive campaign of vertical integration, buying production facilities, film processing laboratories, theater chains and distribution exchanges” (149). Ten years later in 1945, his company the Rank Organization was a major force within the British film industry, “with more than a thousand theatres and half of England’s film studios under its direct control”

¹⁴ Shale notes that when “the Academy was founded in 1927, Conrad Nagel proposed that it be named the Academy of Motion Picture Arts and Sciences International” (277). However, the last word of his suggestion was dropped, and it would be a full twenty years before the Academy would truly recognize the worldwide nature of film through a foreign film award.

(149). While the majority of the films that the Rank Organization produced catered to the public's popular tastes, the company also provided financial aid and distribution help to the production company owned by Michael Powell and Emeric Pressburger, who created "lavishly mounted films of epic scale and quality" (149), including Sir Lawrence Olivier's *Henry V* (1944) and *Black Narcissus* (Powell and Pressburger, 1947). Through Rank's efforts, British films exemplified a marked increase in quality, and gained popularity among British audiences. Emmanuel Levy notes in his detailed historical account of the Oscars and its various ceremonies, *Oscar Fever* (2001), that it was during this post-war period that "British films began to make a real impact on the Academy and the American movie market" (83). *Henry V* found immense financial success within America: the film "was such a box office hit in New York, that it ran for forty-six consecutive weeks" (83).

Concurrently, Italy also began to rebuild its film industry and produce films that proved immensely popular with global audiences. During WWII, many of the great Italian directors who would find immense critical success in the 1950s and 1960s received an education in filmmaking at Mussolini's state-run school, including Vittorio De Sica, Michelangelo Antonioni, and Roberto Rossellini. Rossellini was the first of this Italian movement to present a film to the world. He directed *Rome, Open City* (1945), "an anti-Fascist film that was made in absolute secrecy in the last days of the war" (Foster and Dixon 161). Dixon and Foster state, "the raw realism of *Open City* – shot for the most part in the streets, apartments, garages and cellars of Rome, using ordinary light bulbs...and featuring superb performances from a cast that comprised for the most part nonprofessionals – astounded audiences worldwide" (161). The film kick-started the Neorealist film movement, "in which cinema accurately reflected the concerns and vicissitudes of everyday life in stark newsreel fashion" (161).

The Neorealist films were primed to be accepted by American audiences: during World War II, production companies began to fund travelling road-shows that trekked across America in order to bring foreign-language films to the masses. These road-shows exhibited films from France, Italy and Russia, among others, and their popularity stemmed from American citizens' desires to see how people lived in countries that were allied with the U.S. during the War (Koff 28). Some of these road-shows were so popular that there were reports of entire cities turning up for the screenings, with some communities having the largest

turnout for public exhibitions of movies, regardless of genre, in the history of the town (28). These road-shows demonstrated that American audiences had begun to seek out films that embodied a higher level of cultural taste and that provided a window into international cultures, much like the Neorealist films that embodied a more humanistic approach to cinema.

As a result of this interest in the films produced by the European Allies, Italian films began to experience success in the American market. Steve Neale offers that in 1946, when *Rome, Open City* began playing in American theatres, the success was unprecedented. He points out that the film ran for nearly two years and was “subsequently released in a number of mainstream cinemas as well as in other art houses; and it reportedly grossed \$5 million” (Neale, “Arties” 400), a record for a foreign-language film in the U.S. market. Film critics had begun to take note as well: groups such as The New York Film Critics Circle (N.Y.F.C.C.), and journalists from publications such as *The New York Times* began to award international films with prestigious recognitions¹⁵. Coupled with the success of *Henry V*, it was clear that foreign films were beginning to gain popularity in the U.S, and can be read as the beginning of the ‘art house market’ (Balio, 6). It was at this moment that the Academy took note that critics’ groups were showing willingness to award ‘outside’ films and that the general public was beginning to attend foreign language films in commercial and art-house theatres. Levy puts forth that a major turning point for foreign produced films came in 1946, when *Henry V* secured an Oscar nomination for Best Picture. While British actors had been receiving Oscar nominations since the 1930s, they had almost exclusively been rewarded for their work in American-made films. *Henry V*’s awarding of a Best Picture nomination can also be seen as a major turning point in the history of the Academy Awards (Levy 83). The timing points towards the Academy’s acknowledgement of the impressive box office numbers that foreign language films, or ‘art cinema’, were now accruing within the American market. While the film did not win the Oscar, the Academy acknowledged its incredible success by awarding a special award to Lawrence Olivier at the 1946 ceremony.

Henry V’s nomination for Best Picture and Olivier’s honorary Oscar was interpreted by some of the major studio heads as “acts of treason” (83). With the studios still possessing

¹⁵ The N.Y.F.C.C. awarded *Rome, Open City* with a Best Foreign Language Film honor in 1946 (Neale, “Arties” 400).

a fair amount of power within the Academy, it is not entirely coincidental that the Award for Best Picture that same year was awarded to *The Best Years of Our Lives* (Wyler, 1946). The film is a quintessentially American story about World War II veterans struggling to reintegrate into a changed American society, and its subject matter can possibly be read as an affirmation by the Academy to reward and promote American films about American subjects, struggles and values. As well, the film embodied Hollywood's new 'problem film', an emerging type of film that tackled issues such as alcoholism, racism, mental illness and other issues that had yet to be addressed onscreen. The 'problem film' was seen as a direct response to the "increasing artistic and financial impact" (Dixon and Foster 167) that foreign films were having at the American box office. However, the trend of awarding films from outside nations continued the next year when the Academy awarded a special Oscar to Italian neo-realist film *Shoeshine* (De Sica, 1946) in 1947.

Unfortunately for Hollywood, in the "years after World War II ...film attendance declined" (Wilinsky 2). In an attempt to recoup these lost profits, the studios "demanded a hefty percentage of the box office, often a 90-10 split in their favor for the first week of a major attraction" (Dixon and Foster 173). However, "despite this bargaining advantage, the studios were being backed into a corner by a combination of rising costs, shrinking markets and new legal restrictions on their method of doing business" (173). Performing in an opposite manner to domestic pictures, foreign-language imports were increasing in popularity at the box office. In her book *Sure Seaters: The Emergence of Art House Cinema* (2001), author Barbara Wilinsky recounts the case of New York City theatre owner Charles Skouras. She writes that in 1947 Skouras is quoted in *Variety* magazine claiming that customer demand for foreign language films became so avid that his theatre would begin to pair foreign language films with Hollywood features in a double bill. *Variety* notes that "acceptance of these films by his customers...indicates a rise in the general American taste, because the hallmark of these pictures is quality, naturalism and realism and not glamour, elemental sensation or the photographic spectacular" (Wilinsky 91)¹⁶. Here, *Variety* points to the direct contrast between the formal and aesthetic differences of Classical Hollywood cinema and the art house films emanating out of Europe and previously shown to American

¹⁶ Skouras himself "associated interest in foreign films, which in those years ranked high on critics' lists of the best films, with improved taste and rising standards" (Wilinsky 91).

audiences who desired for a greater understanding of how various allied nations lived during the Second World War. What is of particular interest in this interview is the pairing of a Hollywood film with a foreign language in a double-bill. With interest rising in international cinema, combining the two types of films together into one screening fostered a mutually beneficial relationship as opposed to competition. The pairing drove domestic audiences into theatres and allowed both the struggling studios and the independent producers to profit at the same time.

With an emerging audience in the U.S. embracing foreign-language cinema, Academy president Jean Hersholt called for an annual award for foreign-language films after *Shoeshine* received special recognition at the Oscars in 1947. In his announcement, Hersholt stated, “An international award, if properly planned and carefully administered... would promote a closer relationship between American film craftsmen and those of other countries” (Shale 277). This statement suggests that the category would serve as a means to further not only the technical and educational agenda present in the Academy’s statement of aims, but also as means of allowing Hollywood to reignite relationships with foreign national cinemas that had been deteriorating for the past two decades. This also can be read as an acknowledgement of the foreign films that were luring spectators into theaters. With this announcement, it appeared as though the conditions were present for the Academy to use the category as a means of promotion. However, the following year Hollywood would face another crisis, one that eliminated the mutually beneficial relationship that foreign-language imports in the domestic market could provide for the major studios.

The Paramount decision of 1948, a legal judgment brought against Hollywood by the U.S. Supreme Court, forced the studios to sell their theatres. This effectively ended the studios’ monopolistic hold over the distribution and exhibition markets and significantly diminished their profits. In the decision, the Supreme Court also declared “that the long-approved practice of block-booking, in which a studio could force an exhibitor to take an entire slate of films, many of them inferior, in order to get more desired films, violated federal anti-trust laws” (Dixon and Foster 172). This dictated that, “each film had to be sold solely on its individual merits. The distribution strong-arm tactics that had served the studios so well for nearly half a century were suddenly outlawed” (172). As a result of these required changes, “the studios cut back on production, making fewer films but with higher budgets

and production values, signaling the beginning of the end of the ‘B’...feature” (172). In effect, this placed more importance on the financial success of high priced, A level films. As well, the studios were no longer in a position to profit from imported foreign films that were paired with commercial cinema in double bills in smaller theaters.

Thus, the Paramount Decision can be seen as having played a role in the creation of conditions that led to the establishment of the art house market. In his comprehensive book *The Foreign Film Renaissance on American Screens: 1946-1973* (2010), Tino Balio puts forth that the “art house expansion did not reflect a sudden affection for foreign fare on the part of American exhibitors but rather harsh economic realities” (79). As the now autonomous theater owners had the freedom to book any type of films that they wanted, many began to “turn to independent producers who offered more favorable terms and reacted swiftly to fill the power vacuum left by the studios’ loss of power” (Dixon and Foster 173). To fill this demand, the independent producers began to import an increasing number of foreign language films, which Neale confirms when noting, the number of imports was increasing “from 118 in 1947 to 123 in 1949, including Italian films such as *Shoeshine* and *Paisan (Paisa)* (1948), British films such as *Passport to Pimlico* and *Tight Little Island (Whiskey Galore)* (both 1949), and French films such as *Beauty and the Beast (La Belle et la Bête)* (1947) and *Devil in the Flesh (Le Diable Du Corps)* (1949)” (Neale, “Arties” 401). Yet, despite this increase in product, the art house market was not dependably profitable.

While foreign-language imports such *Open City* showed potential for healthy financial grosses, the art house market could also ruin a distributor if a film failed. As many of the distributors were independently financed, they had little to no funds dedicated for promoting films. As a result, the most successful imports grossed roughly \$200,000 (Balio 8), which was a sum far removed from the considerable profits generated by commercial films. A 1948 edition of *Variety* reports that the average foreign film grossed around \$75 000 for its distributor, a low sum for any film showing in the American market. However, films such as *Open City* and the double feature of *Passionelle* (Gréville, 1947) and *Torment* (Sjöberg, 1944) did gross up to \$200,000 for the distributors. *Open City* was even shown in a record 3500 theatres (“Sexacious” 2). Despite these success stories, if producers aimed to graduate a film from the niche market and into a commercial release, it needed “to prove [itself] with a phenomenally successful art house run before heading into more mainstream

theatres” (Wilinsky 31). What I believe is important to note is that at this time, the establishment of art house theatres was leading foreign imports to gross higher amounts than ever before. Films were also being released with the highest saturated theatre counts in the history of the practice of importing foreign-language films. While not every film turned a profit for the independent distributors, a steady number of successful exceptions began to demonstrate that after the War, the desire of American audiences for higher-minded, culturally elite fare was rising, and patrons were beginning to steadily support an alternative cinema to Hollywood. To better understand the art cinema that was circulating within the niche market, I would like to briefly examine the aesthetic, narrative and industrial traits of these types of films that were being imported into the U.S.

Steve Neale notes that in the 1940s when this type of foreign-language filmmaking rose to popularity, “there was never any systematic attention given to art cinema as an institution. There was never any systematic analysis of its texts, its sources of finance, its modes and circuits of production, distribution, exhibition it’s relationship to the state, the nature of the discourses used to support and promote it” (Neale, “Art Cinema” 13). Indeed, many of the trades published in the late 1940s, such as *Variety*, *Billboard* and *The Hollywood Reporter*, focused on the financial implications of the rise of art cinema in the domestic market, and framed this type of filmmaking as being “hostile to Hollywood” (15). By writing about it in this way, the trades ignored the formal and industrial aspects of the production of these films. Film scholars such as David Bordwell (“The Art Cinema as a Mode of Film Practice”, 1979), Neale (“Art Cinema as Institution”, 1981), Stephen Crofts (“Reconceptualizing National Cinema/s”, 2003), Barbara Wilinsky in the 1990s (“A Thinly Disguised Art Veneer Covering a Filthy Sex Picture: Discourses on Art Houses in the 1950s”, 1996), among others, have defined art cinema by outlining its stylistic and industrial characteristics, but they have also contextualized art cinema in relation to the U.S. art house circuit. It is their work that I will use to help define this type of filmmaking and outline its place within this exhibition market.

Determining a definition of ‘art cinema’ is difficult, as this type of filmmaking has shifted over time, much like Hollywood cinema. Wilinsky suggests the two ways in which art cinema has been defined by film scholars: “academic and industrially applied meanings” (12). First, it has been defined through the scholarly examination of its various formal and

aesthetic qualities, “such as editing, mise-en-scene, and narrative” (13). Neale offers that “Art films tend to be marked by a stress on visual style...by a suppression of action in the Hollywood sense, by a consequent stress on character rather than plot and by an interiorisation of dramatic conflict” (Neale, “Art Cinema” 13). In his essay “Reconceptualizing National Cinema/s” (1993), Stephen Crofts furthers this when noting that “features such as the psychological characterizations, narrational ambiguity and objective verisimilitude” (29) have been used by film scholars like Bordwell to define art cinema as well.

As has been previously put forth in this chapter, art cinema played a key role in the revitalization of the film industries after the Second World War, most notably within Britain, Italy, France and Japan. This points to the second way in which art cinema has been defined, which is through a ‘diachronic view’, which considers the art cinema historically. Neale notes that these formal and aesthetic qualities served as a way for non-Hollywood film industries “to counter American domination of their domestic markets in film. Art is thus the space in which an indigenous cinema can develop and make its critical and economic mark” (“Art Cinema” 14). This suggests that a manner to categorize the art cinema historically is through the lens of a specific nationality or national identity. Due to its existence as a ‘reaction’ *against* Hollywood, as well as due to the increased state support of European film industries from liberal-democratic governments after WWII, Neale sees art cinema as participating “actively and systematically in the construction and reconstruction of particular national identities, while the marks of nationality with which they are inscribed serve further to differentiate them from the films produced in Hollywood” (35). Agreeing with Neale, Crofts argues that the art films rising to prominence at this time embody the ‘European-Model Art Cinema’, and serve as “the best known form of national cinema” (27), one that “aims to differentiate itself textually from Hollywood, to assert explicitly or implicitly an indigenous product, and to reach domestic and export markets through those specialist distribution channels and exhibition venues usually called ‘arthouse’” (28). Ultimately, these films were situated as alternatives to mainstream Hollywood cinema by playing in non-commercial theatres that allowed audiences to distinguish themselves from regular filmgoers.

With the Paramount decision stripping the studios’ ability to share in the profits of the independently owned art house theaters, I suggest that the decision to acknowledge art

cinema by the Academy (and, due to their role as judge and jury of the award, the studios) can be read as a strategy implemented to cultivate wider interest in art cinema as Hollywood prepared to enter into the business of importing and distributing such product. With Hersholt's announcing the birth of the honorary awards in 1947, the Academy began to present trophies for special achievement to foreign-language films in 1948 and continued this trend until 1955¹⁷. Winners were chosen by a committee that included representatives from each major Hollywood studio, showcasing the continued control that the studios had within the Academy (Debruge A7) and their interest in rewarding films from outside of Hollywood.

In effect, the studios took on the role of deciding which national film industries would be rewarded and which would not and it is clear that they desired to award those that were the most financially successful within the domestic U.S. art house market. The Academy awarded French films *Monsieur Vincent* (Cloche, 1947) and *Forbidden Games* (Clement, 1952), Italian neorealist film *The Bicycle Thief* (De Sica, 1948) and critically acclaimed and commercially successful Japanese features, *Rashomon* (Kurosawa, 1950) and *Gate of Hell* (1953) (A7)¹⁸. In the midst of the Academy awarding these films, Hollywood slowly began to import and distribute art cinema: RKO released *Rashomon* (1951) and Edward Harrison distributed *Gate of Hell* (1953) (Neale, "Arties" 403), while Italian and French films such as *Bitter Rice* (De Santis, 1950) and *The Wages of Fear* (1953) were initially shown in art house theatres and then were dubbed and released by the studios to a wider audience in commercial cinemas. After four years of testing the waters of the art house market, Hollywood was ready to push forward into the market. In 1956, the Academy decided that it would create a new category at the Oscars that would reward the 'Best Foreign Language Film of the year'. At this key moment in 1956, there were four reasons as to why the Academy would be willing to recognize art cinema in a more serious and official capacity, and all demonstrate why Hollywood was motivated to enter the art house market in a more dominant capacity. These reasons will be presented and discussed in the following section.

¹⁷ Britain, of course, was ineligible for this award due to their films sharing the same language as Hollywood cinema, English. With the British film industry providing the most competition towards Hollywood's dominance in the domestic market, it is possible to suggest that the implementation of the category's language requirement was another means of attempting to limit the attention given to this rival industry, as British films played in commercial theaters and foreign language films did not.

¹⁸ These films had also all won awards at international film festivals in Europe such as Cannes and Berlin, which, as Neale notes, "had become key sites for the emergence of art and adult trends" (Neale, "Arties" 403). Chapter Three of this project includes an expanded section on the importance of film festivals during this period in relation to the practice of importing and promoting foreign-language films.

1.3 Hollywood, the Art House Market and the Category

The first reason for Hollywood to enter into the art house market was that there was an immense and untapped audience for art films. At the time, *Variety* identified these spectators as the ‘Lost Audience’, which consisted of mature sophisticated adults who were intellectual in nature, well versed in both the arts and culture and who were knowledgeable of current political and social issues. *Variety* argued that this audience was primed to be tapped due to the studios’ consistent marketing of most of its product at the ‘lowest level’, a level below the intellectual and cultural standards of these spectators (Balio 81), who were no longer going to commercial cinemas regularly. This type of American spectator was rising due to the “interaction of social factors such as the emergence of the cold war, the growing and conflicted youth culture, and the rising popularity of television [combined] with the shifting economics of US society” (Wilinsky 2). As Neale also notes, the increase in audiences for foreign films within the U.S. also related to a major shift in cultural attitudes towards human sexuality and adults receiving higher education, both reflective of the general sense of postwar liberalism (Neale, “Arties” 402). During this time, the American public was also gaining access to foreign films and art cinema through television (Dixon and Foster 183), furthering the studios’ interest in foreign imports in order to remain competitive against the threat of TV.

The second reason was that foreign language imports performed much differently than commercial films at the box office. While commercial films were often what was referred to as ‘front loaded’, meaning, that a large portion of their profits were made in the first phase of a film’s release, art house films were steady box office performers. Audiences did not rush out on opening weekend to see these films, but these films also did not experience the type of large drops in revenue that commercial films experienced. Foreign imports and art house films were very steady at the box office and could be relied upon by the studios to gross profit consistently over a long period of time if the film was popular (Balio 81). The third reason for Hollywood’s interest was that the art house and foreign import business had appealing profit sharing practices. With the Paramount decision forcing the studios to divest from their theatres, the industry heavyweights were no longer receiving the 90-10 % split of profits with exhibitors. However, foreign film import distributors rented their films to exhibitors based on this percentage. 90% went to the distributors because they

needed to offset the financial risk of bringing an untested film to the market. While the art house and foreign import films would not gross anywhere near the same level of the commercial films in the marketplace, a 90% share in a modest art house hit was extremely alluring to the major studios (90). The fourth reason for Hollywood's interest was that the cost of importing these films was extremely low. Most independent distributors were afraid to invest large sums to secure rights to a film and therefore, the cost of acquiring art cinema product was usually between \$15,000 and \$20,000, far below the typical cost of a commercial film (85). With the potential for a film to gross ten times its acquisition cost, these products were very financially appealing to the studios.

Recognizing these four conditions for success, Hollywood entered into the art cinema market. Balio makes the important statement that this "venture into art films has to be seen as part of the American film industry's postwar efforts to reestablish its hegemony over international distribution" (227). Releasing art films was only part of this effort: Hollywood shifted some production of films to Europe in an attempt to take advantage of subsidies that were made available by European governments. This also allowed Hollywood to invest in European filmmakers, which allowed for the "discovering and absorbing [of] new talent wherever it could be found" (228). I believe that the Academy's creation of the official Best Foreign Language Film award in 1956 was a continuation of this effort to reestablish hegemony over other national film industries and provide a space for the promotion of art cinema to the American public, as well as worldwide. The category was originally structured by the Academy inviting any nation to submit one film. A screening committee narrowed the choices down to five candidates and then films would then be shown to the general membership. The general membership could then vote on their favorite film regardless if they had seen all five nominees (92). It is implausible to suggest that the Academy would be able to dictate or control the outcome of the award. By opening up the category to the voting practices of the general membership, the margin for variation was great. However, the implementation of the screening committee allowed the Academy and the studios to curate a revolving catalogue of filmmakers and national cinemas that could be rewarded and then figured as essential viewing for audiences of the art house market.

One strategy of art cinema that Neale notes uses "the mark of the author...as a kind of brand name, to mark and to sell the filmic product" (Neale, "Art Cinema" 15), much in line

with the auteur theory that was being set forth in the prestigious cinema magazines in Europe at the time. Federico Fellini's *La Strada* (1956) won in the category in 1956¹⁹ and the director subsequently won again in 1957 for *The Nights of Cabiria*²⁰. Sweden also won two years in a row for Bergman's *The Virgin Spring* (1960) and *Through a Glass Darkly* (1961) (Debruge A7). Fellini and Bergman's dominance during this time demonstrates how the Academy and the Hollywood industry used the category to reward filmmakers that they considered important artists who could draw American audiences into art-house cinemas. In addition to branding art cinema through the use of the auteur label, by organizing entrants into the category by nation, the Academy effectively used 'nationality' in a similar way. Alongside the Italian and Swedish films of Fellini and Bergman, France won in the category in both 1958 and 1959 for *Mon Oncle* (Tati, 1958) and *Black Orpheus* (Camus, 1959). This trend of rewarding these specific national cinemas continued until 1964.

It was almost immediately after the creation of the official category, in 1957, that the majors began to distribute art cinema. First, members of the 'Little Three', Columbia and United Artists, ventured into the market, followed by Universal Pictures and Allied Artists. By 1962, the Big Five began the practice of importing. Balio notes that "Hollywood's motives were transparent. Foreign films – especially those that depicted sex in ways forbidden by the Production Code – were attracting customers and the majors wanted a part of the business. These majors also wanted to exploit the European pop culture scene [...] to attract young adults" (227). The 'Big Five' enjoyed a large advantage over independent distributors by bidding aggressively on imports and attracting promising auteurs with production deals" (14). Independent distributors could not afford to compete with the majors for distribution rights, and with European filmmakers looking to secure larger production deals and budgets for films, the independents essentially died out as Hollywood absorbed new and exciting talent. Hollywood also began to produce its own version of European Art Cinema: the 'Big Five' began to distribute what was known as 'Euro-American' films, which were pictures that attempted to blend the aesthetic and narrative traits of the European Art Film, such as ambiguity and a focus on character psychology, and attempted to sell these

¹⁹ It is interesting to note that this win came after the film played for over thirty weeks and grossed consistent sums within the art house circuit, further evidence that the most commercially popular films and filmmakers were rewarded for their achievements.

²⁰ Debruge notes that the second year of competition saw the category expand with five new countries participating (A7).

films to mainstream commercial audiences through the use of American stars in recognizable genres (241). As Wilinsky pointedly notes, after a decade of the art-house industry quietly luring audiences into theatres, Hollywood “discovered this potentially successful market and usurped it as its own” (4)²¹.

It was at this moment in 1962 as Hollywood took control of the expansion of the art house market that, as Debruge notes, “a curious thing began to happen. Questionable winners [into the category] started to sneak in” (A7). The Academy began to stray from rewarding films with artistically challenging material that had received critical acclaim from festivals and film reviewers and were also profitable at the box office, and instead began to reward only films that had been overwhelmingly commercially successful within American art-house theatres and lacked the usual cache of critical acclaim. In 1962, French melodrama *Sundays and Cybele* (Bourguignon, 1962), “a stateside hit” (A7) that was distributed by Columbia, triumphed in the category over Francois Truffaut’s *Jules et Jim* (1962). Two years later in 1964, the renowned and profitable De Sica won in the category again for his film *Yesterday, Today and Tomorrow* (1963), succeeding over the critically acclaimed Japanese film *Woman in the Dunes* (Teshigahara, 1964).

Debruge comments on this trend by noting that “the category was fast devolving into a popularity contest, with the [box office] sensations beating what many thought was their more deserving competition” (A7)²². For most of the 1960s, the category fulfilled its function of promoting art house cinema that was now being controlled and distributed by the majors, and for much of this period, the art house market saw booming returns, with the most notable examples being Fellini’s films *La Dolce Vita* (1960) and *8 ½* (1963), which were the two highest grossing foreign language films in the U.S. domestic market of all time up to that point. Then, as suddenly as the art house market had opened up, it began to wane. The

²¹ To help expand the art house market, Hollywood also began to construct and remodel niche theaters in major centers like New York City and Chicago (Balio 246): as a result, the amount of art-house cinemas rose in America from 80 in 1950 to 450 in 1963 (2).

²² This trend of rewarding commercially successful European films continued in the 1970s with Italy and France winning a combined eleven times within the seventeen-year period of 1962 to 1978. There are a few notable exceptions. Non-European nations such as the U.S.S.R., Algeria and the Ivory Coast won between 1968 and 1980, but exist as anomalies that would require a more in-depth investigation into the aesthetic and narrative content of these films, as well as the general tenor of Hollywood at the time, that exceeds the scope of this chapter/project. As well, some films were rewarded with a win in the category when they crossed over into the main categories, such as Costa-Gavras’ Best Picture nominee *Z*, or, if they were directed by previously rewarded auteurs such as Akira Kurosawa for the U.S.S.R.’s 1975 winning film *Dersu Uzala*.

decline of popularity of European art cinema and of the art house market was connected to yet another financial crisis that the industry faced.

1.4 The Decline of the Art House Market

The recession of 1969 saw Hollywood's domestic revenues drop drastically, and the studios lost more than \$200 million in that year alone (Cook 9). After the enormous and unexpected successes of *The Graduate* (Nichols, 1967) and *Bonnie and Clyde* (Penn, 1967), both of which demonstrated style that had "clear antecedents in some of the better known art films of the early 1960s" (Rosenbaum 138) by filmmakers such as Truffaut, Godard, Antonioni and Fellini, the Motion Picture Association of America (M.P.A.A.) commissioned a study to determine viewing habits among the general public. The results of the study that showed that 48% of box office revenues in 1968 were from spectators classified as 'Youth', which was a shock to studio executives but also helped to "explain the healthy \$6.9 million [gross] of *Blow Up* (Antonioni, 1966), MGM's racy and enigmatic European pickup set in 'swinging London'" (Cook 67). The studios accordingly shifted focus from producing family oriented fare and also began to cater to the emerging youth market. As opposed to importing more foreign films to appeal to younger spectators, Hollywood began to expand the scope of violent and sexual content in mainstream films. This was a move that was only made possible by the abolishment of the Production Code in 1968, which ironically, had occurred largely in part due to the emergence of the art house market and films that contained sexual content. The studios began to fund inexpensive pictures made by a new generation of American filmmakers that the industry had recruited directly out of film schools. These young artists were well informed of, and influenced by, the European art cinema from the 1950s and 1960s (6) and blended many of the same stylistic traits into their films²³.

Also affecting the decline of the art house market was that the majority of art cinema of the late 1960s and early 1970s began to coalesce into a coherent, permanent entity, as historically it was uniformly seen as "a series of unstable and short-lived movements (expressionism, Poetic Realism, Neo-Realism, the New Wave)" (Neale, "Art Cinema" 33).

²³ This traits included the use of discontinuity editing and fragmented chronology, visually communicating the subjectivity of its main protagonists, the use of first-person camera and perhaps most importantly, a use of onscreen nudity (Rosenbaum 138-141).

European art cinema “stabilized itself around a new genre: the soft-core art film” (33), exemplified by films such as *Belle de Jour* (Buñuel, 1967) and later *The Decameron* (Pasolini, 1971), *Immoral Tales* (Borowczyk, 1974) and *Private Vices, Public Virtues* (Jancsó, 1976). This move towards narratives that featured highly sexual content at first generated a steady level of interest in the niche market but the allure of this type of risqué foreign import was short lived due to the popularity of the new breed of commercial films that Hollywood was releasing into the marketplace. With this new renaissance of American talent bringing youth oriented, inexpensive and profitable films to the screen, and with the Production Code no longer in effect, “the majors no longer needed their art film subsidiaries, which they soon dismantled” (Balio 249). The art house industry reverted back to a small, marginally profitable market run by independent distributors catering to niche tastes.

With Hollywood no longer interested in the practice of distributing art cinema, the state of the category began to decline. The soft-core art films that were distributed at the time were not embraced by the conservative Academy members responsible for deciding which films would compete within the category. The category in the 1970s saw traditional stalwarts Italy and France continue to dominate, with the heavy presence of the world’s foremost auteurs winning the award, including De Sica for *The Garden of the Finzi Continis* (1970) in 1971, Buñuel for *The Discrete Charm of the Bourgeoisie* (1972) in 1972, Truffaut for *Day For Night* (1973) in 1973, Fellini for *Amarcord* (1973) in 1974 and Kurosawa for *Dersu Uzala* (1975) in 1975. Despite the activity of these high-profile artists and the exposure that the category brought to their films, foreign-language cinema was no longer providing financial support for the Hollywood studios. Perren notes in her book *Indie Inc.: Miramax and the Transformation of Hollywood in the 1990’s* (2012) that box office returns for many foreign-language films in the North American market up until 1980 “had been bleak for quite some time” (182). As such, the Foreign-Language category was no longer fulfilling the function of promoting films to the domestic niche market as it had in the 1950s and 1960s.

This preceding history of the origins of the Academy and of the Best Foreign Language Film category has served to reinforce the concept that the Hollywood film industry had desired to profit from European art cinema, and used the creation and implementation of the foreign language film category as a means to drive audiences into theatres. The 1980s saw a period of even lesser regarded films winning the trophy, with the Academy expanding

its focus and rewarding a new group of nations including Hungary, Spain, Switzerland and Argentina. Debruge suggests that during this time, there had been a noted “coziness between committee members and potential nominees, with voters being invited to parties at the various consulates, mingling with the filmmakers and accepting” bribes (A7). This period of corruption and instability marks what some journalists such as Debruge and authors such as Alisa Perren and Yannis Tzioumakis consider the low point of the category, where financial motivations had completely overtaken the desire to reward films that demonstrated both commercial and critical appeal. The second chapter of this project will now explore the second period of the category, which is concerned with Hollywood’s renewed interest of the financial capabilities of the category at the end of the 1980s. The chapter will ultimately suggest that this interest gave rise to a new studio structure within Hollywood that was focused upon once again commercializing art house cinema within the U.S. exhibition marketplace.

Chapter Two

The Second Period: 'European Commercial Cinema'

The first chapter of this project has demonstrated that the origins of A.M.P.A.S. and the Best Foreign Language Film category were inspired by various artistic, financial and social crises that posed serious threats to the Hollywood film industry from the 1920s to the mid 1970s. As has been suggested, one of the methods employed by Hollywood in terms of achieving financial stability in the domestic industry from the 1950s to the mid 1970s was the use of the art house film market, which catered to a changing American audience eager to experience other national cinemas and to engage with a 'higher quality' level of art cinema. This strategy was aided through the creation of the Best Foreign Language Film category at the Oscars in 1956, with the award serving as a means of promoting commercially viable foreign-language films within the domestic American market until the collapse of the art house industry in the mid 1970s. The goal of this second chapter is to convey the shifting artistic and financial rhythms of the art house/niche industry from the late 1970s to the early 1990s in order to demonstrate how the Best Foreign Language Film category transitioned from being used by the Hollywood studios to promote European art cinema, to serving as a means of promoting European commercial cinema.

The first aim of this chapter is to outline the tumultuous and often unstable artistic and economic landscape of the art house market in the 1980s, and point to how 'specialty' distributors focused on art cinema distribution emerged out of this instability. The second aim will then be to set forth how one of these specialty distributors, Miramax Films, achieved a level of success within this market and the Best Foreign Language Film category that inspired the major studios to create 'specialty divisions' in order to focus on the economic potential of once again distributing art cinema. The third aim of this chapter is to examine the conditions within the European film industry after the fall of communism in 1989 and outline a style of European commercial filmmaking that emerged to combat these conditions. I will begin this study of the second period of the category by briefly outlining the structural and financial changes that occurred within Hollywood and the art house market during the 1970s and early 1980s.

2.1 The Art House Market in the 1980s

During the mid to late 1970s, the art house market had reverted back to serving a small segment of the movie-going public. Independent distributors were once again the dominant force importing foreign-language films into the domestic U.S. market and their profits were minute and unpredictable. As much of European art cinema consisted of the soft-core films mentioned in chapter one, and with the remaining European *auteurs* that had been so active in the previous decades seeing their creative output dwindle, demand for art cinema within the U.S. market was at an all time low. By the mid 1980s, “not even 1% of box office dollars went to foreign-language films annually” (Perren 183). However, this downturn in interest in foreign cinema did not present itself as a crisis to Hollywood, as the studios simply no longer required the financial help the art house market had provided during the mid 1950s, 1960s and early 1970s.

In his book *Hollywood's Indies: Classics Divisions, Specialty Labels and the American Film Market* (2012), Tzioumakis notes that by the 1980s, “all Hollywood studios had become divisions of diversified entertainment conglomerates or had diversified themselves by branching out into other media industries” (13). The process of horizontal integration had become a Hollywood standard during the mid to late 1970s, with the majors now focused on the production of ‘blockbuster cinema’ and other forms of filmic branding spurred by the massive commercial success of *Jaws* (Spielberg, 1975, \$1 billion adjusted domestic gross), *Star Wars* (Lucas, 1977, \$1.4 billion adjusted domestic gross) and *E.T.: The Extra Terrestrial* (Spielberg, 1982, \$1.1 billion adjusted domestic gross)²⁴. The studios began to merge with larger media companies that solidified their financial assets, and, as a result, no longer relied on or desired the profits generated by art house theatres that had provided financial support.

Demonstrating that the artistic and economic conditions of the Best Foreign Language Film category are somewhat dependent on the state of the foreign film import business within the U.S. market at any given time, film critics had begun to perceive the category as lacking in artistic urgency. The category was also failing to provide any significant economic boost for films that entered into the competition. Of the winners

²⁴ Information courtesy of Box Office Mojo. Used with Permission.

between 1980 and 1986, only *Fanny and Alexander* (Bergman, 1983) grossed a significant amount in the U.S. market (an estimated \$6 million), and was seen as having achieved this based on the strength of director Bergman's status as a once essential *auteur*. Few films nominated within the category at this time were considered essential and important, with the noted exception of *Fanny and Alexander* and Argentina's first winning entry, *The Official Story* (Puenzo, 1985): the Spanish language film featured a story that powerfully addressed the horrific political crimes of the country's corrupt government in the 1970s and 1980s, and its win in the category can be read as an extension of the mending political relationship between Argentina and the U.S. that was occurring after the Falkland wars in 1982. Many of the high profile films that won were less than financially profitable: *The Official Story* was critically championed but only played for one weekend within the domestic market and grossed a miniscule \$29,700. The following year saw the category winner fare even worse, with *The Assault* (Rademakers, 1986) from The Netherlands, which was also relatively well received, only grossing \$512,721²⁵. Critical and audience interest was clearly waning in foreign-language art cinema within the U.S. marketplace.

Concurrently, a new style of niche filmmaking had begun to emerge within the art house circuit. This type of filmmaking has been labeled by film scholars as 'American independent cinema', and as Tzioumakis suggests, it "was perceived [by its filmmakers] from the beginning as a 'movement', and as a concerted effort to create a sustained alternative paradigm to Hollywood cinema" (2). In order to create an alternative mode of representation, the filmmakers aimed to "support alternative aesthetic, cultural and political ideologies (in other words, to exist outside the Hollywood film industry and its players)" (2). In these terms, it is possible to see the parallel between the emerging American independent filmmaking movement and the foreign-language art cinema of the 1940 and 1950s. American independent cinema and European art cinema both provided an alternative to commercial films by differing in "casting, pace, cinematic style and social and moral vision...countering big stars with fresh faces, big deals with intimate canvasses and big studios with regional authenticity" (3). In the case of American independent cinema, the filmmakers brought a unique sense of aesthetics and theme to the screen, by treating "inherently American concerns with a primarily European style" (3). The independent movement also aimed to

²⁵ Information courtesy of Box Office Mojo. Used with Permission

construct an important industrial context, “to exclude in the process all other forms of independent filmmaking that had points of contact with Hollywood and its practices” (2). As such, it was only natural for the independent distributors to incorporate American independent films and foreign-language imports into their slate of products and release both into the same niche market.

With the art house market now expanding to include this new type of independent filmmaking, the industry saw a rapid increase in these types of distribution companies, known as ‘specialty distributors’. Tzioumakis notes that Gomery further defines specialty studios by clarifying that large major studios involve “producing-distributing and producing-distributing-exhibition organizations that consistently controlled the film industry from the 1920 till the 1950s” (14) whereas the specialized companies were distributing organizations that serviced independent producers (14). Among the most notable specialty distributors releasing films at this turning point within the marketplace were New Yorker Films, The Samuel Goldwyn Company, First Run Features, New World Pictures, Pickman Films, Fine Line and Orion Classics²⁶, many of which found “substantial financial success” (3)²⁷. While generating a much smaller amount of revenue than a Hollywood studio film, audience interest in the low-budget independent pictures was consistent, and the films could be counted on to gross between \$1 to \$2 million, demonstrating that “this type of filmmaking seemed to have a solid commercial basis from which it could expand and become a sustained alternative to Hollywood” (3).

Despite the temperamental nature of the art house industry, a small distribution company named Miramax Films found modest success by maintaining a release slate of only a few films per year. Instead of hyper saturating the marketplace with its own product, the company extracted as much revenue as possible out of each title (Berra 166). This distribution strategy has been the focus of the majority of scholarly work done on the origins of independent American cinema. As Tzioumakis claims, “for the majority of most researchers, the main focus of American Independent cinema has been what was labeled in

²⁶ Orion Pictures, and subsequently its specialty division Orion Classics, was co founded/owned by Warner Bros and United Artists, and was not a truly independent company until the late 1980s when the studio sold it to an independent financier.

²⁷ Examples of these success stories include *My Dinner with Andre* (L. Malle, 1981), *Chan is Missing* (W. Wang, 1982), *El Norte* (G Nava, 1983), *Stranger Than Paradise* (J. Jarmusch, 1984.), and *The Kiss of the Spider Woman* (H. Babenco, 1985) (Tzioumakis 3).

retrospect the ‘Sundance-Miramax era’” (6). While this project will not discuss the Sundance Film Festival due to the annual event placing a primary focus on English language cinema, it would be relevant to note that the festival played a major role in the cultivation and popularization of the new American independent cinema, and set the tone for the studios to use other major film festivals as points of acquisition for films in the 1990s²⁸. Instead, I have chosen to outline Miramax’s corporate strategies in greater depth, suggesting how and why the company’s success in distributing independent and foreign-language cinema triggered a massive shift in Hollywood studio structure by bringing a renewed interest in the financial prospects of the art house market and of the foreign-language film category.

2.2 Miramax, Sony Pictures Classics and the Art House Market in the 1990s

Miramax rose to prominence in the early 1980s by releasing documentary and foreign acquisitions that were inexpensive to purchase and market to art house audiences. The company’s success was originally mild, but as Perren notes, of all of the specialty distributors competing for the limited amount of business within the niche market at the time, Miramax became an industry leader by being the “most consistent in acquiring and releasing films that expanded beyond a core art-house crowd to attract a wider audience” (3). In his book *Declarations of Independence: American Cinema and the Partiality of Independent Production* (2008), John Berra further elaborates on this strategy when he evokes Pierre Bourdieu’s notions of ‘distinction’, ‘quality art’ and what type of audiences this art is marketed towards. Following Bourdieu, Berra argues that there are three ways in which to conceive ‘quality’ art and the audiences who receive it. The first is that a sense of legitimacy is bestowed upon art by “the set of producers who produce for other producers” (Berra 170). With this, he means that artists legitimize art as a valuable cultural product through their own ‘informed’ opinions. The second way is that there “is a principle of legitimacy corresponding to the ‘bourgeois’ taste and to the consecration bestowed by the dominant factions of the dominant class” (170). Third, Berra evokes Bourdieu’s idea that “there is the principle of legitimacy which its advocates call ‘popular’, i.e., the consecration bestowed by the choice of ordinary consumers, the mass audience” (170). Berra then pledges that Miramax “operates

²⁸ This trend will be discussed in greater depth in chapter three of this project.

within the first of Bourdieu's three markets, specializing in highbrow product for an elite community of artists and critics" (170). It is important to note, however, that the Weinstein's furthered the profitability of their company by taking "works from that [first] community and promoting them towards the second of Bourdieu's markets, the middlebrow audience that possess substantial spending power and a need for novelty" (170). It is this model, in my opinion, that defines the importance of Miramax in this new era in 'niche' marketing.

Miramax spent the late 1980s developing this strategy through the acquisition and release of *Pelle the Conqueror* (August, 1987) and Errol Morris' controversial documentary *The Thin Blue Line* (1988), two films that they purchased for roughly \$50,000 and promoted "to their niche markets to achieve grosses of \$1.5-\$2 million each" (165). The strategy was perfected in 1989 when Miramax owners Harvey and Bob Weinstein acquired director Steven Soderbergh's *sex, lies and videotape* (1989). The company effectively harnessed word of mouth and strategic platform releasing by expanding its engagements from four screens in August of 1989 to 534 screens in Oct 1989²⁹. The result was a gross twenty-four times that of its \$1 million production costs. For the Weinsteins', *sex, lies and videotape's* commercial success "established a formula for Miramax – the acquisition of a film by an established filmmaker or new talent, followed by festival and critical exposure, then a limited release to capitalize on niche markets, followed by a wider release once the film had entered the mainstream" (167). This crossover marketing and exhibition strategy situated Miramax in opposition to many of the other specialty divisions and allowed them to distribute one hit after another, as other companies continued to import and release art house fare such as the 'British heritage films' that grew increasingly less popular with U.S. art house audiences as the 1980s came to a close³⁰. Miramax's strategy was established for and by the release of American independent films, but the company soon adapted it to encompass foreign-language imports as well.

One of the key elements of Miramax's attempts to implement this strategy for foreign-language imports was to renew the technique of utilizing the Best Foreign Language

²⁹ Information courtesy of Box Office Mojo. Used with permission

³⁰ While Orion Classics, a division of the larger Orion Pictures independent film label, was widely seen as one of the leading independent cinema/foreign language film distributors in the 1980s, Miramax solidified their role as the leading art house distributor by aggressively acquiring foreign films and positioning them within the Best Foreign Language Film category in order to generate revenue.

Film category at the Oscars to promote a film to a mass audience. While general receipts for foreign-language pictures were down, a direct connection was slowly beginning to grow between winning the category and box office revenue: between 1987 and 1993, the winners saw a rise in box office receipts ranging from 54% to 2000% (Perren 186)³¹. Coming off of their first win in the category with *Pelle the Conqueror*, the Weinsteins' purchased the distribution rights to the Italian historical melodrama *Cinema Paradiso* (Tornatore, 1988) and pursued a nomination in the category through an aggressive marketing campaign. The film's eventual win generated notable success, grossing \$12 million in the domestic market, which was almost triple the usual gross for a category winner. The film also saw a significant increase in international revenue. Lending credit to the idea that "the nomination for a foreign language Oscar is the most important endorsement for a non-English language film" (Klady 4), the award "was deemed the primary reason for the film's favorable commercial reception in Italy, after two failed releases" (4). As well, the film played for eighteen months in Britain, released in February of 1990 and grossing almost \$2 million dollars in that territory alone (Moore 10). *Cinema Paradiso*'s success demonstrated that Miramax was able to take a film acquired for a low sum and then aggressively market it both domestically and internationally to maximize profits at a level previously unseen by the Hollywood studios.

Cinema Paradiso's success caught the attention of other specialty distributors eager to replicate the same level of profits with art cinema releases. As a result, the process of bidding for distribution rights to foreign-language films intensified. Leonard Klady, from the trade publication *Screen International*, clearly states that films that were actively in release in U.S. markets, or, films that had distribution deals with U.S. based companies set in place before the Oscars, tended to have a notable advantage in terms of awards consideration (4). In turn, foreign distributors began to spend large sums on acquiring films in hopes of replicating Miramax's success within the category, with some companies paying upwards of \$3.5 million for distribution rights, often within just one territory (Moore and Brown 13). This practice became exceedingly dangerous: if a film failed at the box office, it had the

³¹ Nominees, including *Women on the Verge of a Nervous Breakdown* (Almodóvar, 1988, Spain, Orion Classics, \$7.1 million), *Babette's Feast* (Axel, 1988, Denmark, Orion Classics, \$4.3 million), *Pelle the Conqueror* (August, 1987, Denmark, Miramax, \$2 million), *Salaam Bombay!* (Nair, 1988, India, Cinecom, \$2.08 million), and *Camille Claudel* (Nuytten, 1988, France, Orion Classics, \$3.3 million), all grossed notable sums based off the strength of their appearance in the Oscar field. Information courtesy of Box Office Mojo. Used with permission.

potential to ruin these small companies, particularly as the marketplace suddenly saw a major downturn in audience interest in foreign product.

This downshift in demand for foreign-language imports was immediately visible in the year following *Cinema Paradiso*'s win in 1989. One of the highest profile financial failures was *Journey of Hope* (Koller, 1990), winner of the Best Foreign Language Film Oscar in 1990 and distributed by Miramax. The film was markedly different from many of the foreign language melodramas that had proven so successful for the company in the 1980s. The film's no frills aesthetics and tragic ending led to the box office returns being minimal, only grossing \$200,000 in the North American market (Perren 187). Despite being similar in look and feel to some of the American independent films that were gaining in popularity at the time, the film failed to appeal to the mainstream, unsurprising considering that the majority of the foreign-language imports that became crossover hits opposed contemporary content and aesthetics. Foreign imports that could cross over into the mainstream were more classical in style and more conservative in politics (179). One of the most prominent examples was France's *Cyrano de Bergerac* (Rappeneau, 1990). Released by Orion Classics, the film was a handsomely mounted historical epic that benefited from the attention gained by securing other nominations besides its Best Foreign-Language Film nomination at the Oscars, as well as the presence of recognizable lead actor Gerard Depardieu. The picture grossed close to \$6 million³², which, according to Miramax marketing executive Mark Gill, was a level that designated a foreign-language import a 'big hit' in the U.S. market (189). Despite the relative instability of the art house market, the success of historically focused crossover films such as *Bergerac*, *Cinema Paradiso*, as well as the American independent films that Miramax distributed, helped reignite Hollywood's interest in the art house market at a time when the major studios were seeking a way to offset the rising costs of the production and distribution of their own domestic product.

By the early 1990s, Hollywood was once again looking for solutions to their financial problems. At this time, the major studios were showing an "increased emphasis on ultra-expensive event films, [which] created a space for smaller pictures, as the excessive production and marketing costs of the studios' blockbusters meant that only a few of them could be made every year" (Tzioumakis 13). As such, studios needed less expensive films to

³² Information courtesy of Box Office Mojo. Used with permission.

supplement the increasingly ‘global distribution pipelines’ that were “in need of a constant flow of product, and with the studios supplying only a fraction of it, smaller films became essential for the healthy operation of the industry” (13). Miramax had proven that art house fare was profitable not just within the U.S., but also internationally. Subsequently, to replicate this success on a larger scale, the major studios began to create ‘specialty divisions’ that could cultivate these smaller films and then distribute them in a similar manner to the established Miramax strategy. Sony Pictures opened Sony Pictures Classics (SPC) in 1992, with the Turner Broadcasting System (TBS) taking over New Line Cinema (and Fine Line) two years later in 1994. Most importantly, and emblematic of how impressive and notable the company’s success was, the Walt Disney company struck a deal with the Weinsteins that saw the entertainment giant purchasing Miramax for \$60 million in 1993 (9). Miramax’s stronghold on the niche industry was challenged with this sudden boom of specialty divisions, particularly with the creation of SPC, an offshoot of Sony entertainment. *Screen International* reported that the birth of the specialty division at the hands of the now defunct Orion Classics executives would breathe “life back into foreign film distribution in the U.S.” (Brown, “Sony” 1). SPC emerged as a contender to push art house product into the commercial marketplace. From its inception, the company recognized the economic potential of the art house market both within the domestic U.S market, but also internationally, and became Miramax’s most dangerous competition.

SPC found success very early after its creation, crafting a strong presence within the U.S. film market, with worldwide audiences and within the Best Foreign Language Film category, despite implementing what was viewed by rival specialty divisions as a low-risk style of distribution. The foreign language films that SPC imported were seen to be “stylistically ambitious and narratively complex” (Perren 192), and situated the company’s identity firmly as a distributor who acquired films that targeted an upscale audience that was seeking higher brow fare, such as literary adaptations or films that dealt with historical subject matters, including those produced by Merchant Ivory³³. Executives acquired a substantial amount of this filmic product, yet instead of aggressively promoting selected

³³ The previous Orion Executives who moved to SPC had brought the rights to the Merchant Ivory production *Howard’s End* (Ivory, 1992) from their previous company, and as a result the new upstart had its first major hit with the E.M. Forster adaptation. The film grossed an astonishing \$25 million dollars and received nine Oscar nominations, including three wins (Perren 192).

films in hopes of finding a large hit to offset the costs of the acquisitions and marketing campaigns of all of the company's other releases (much like Miramax was now doing under the control of Disney), SPC instead sought a small amount of profit from each film. They strived to take each filmic property and maximize its potential revenue through patient distribution practices. What marked the company as truly different from other specialty distributors was that the SPC's executives' time spent running Orion Classics had imbued them with extensive experience marketing foreign-language films (Tzioumakis 109-111). This experience allowed SPC to maintain positive relationships with high profile foreign filmmakers such as Almodóvar, Zhang Yimou and Wim Wenders (Perren 191) that had global appeal. The company's patience and experience also crafted an image within the global film industry of a company that fostered creativity within the filmmakers they chose to work alongside. These corporate practices stood opposed to those of Miramax, with Harvey Weinstein's notoriously disruptive and controlling behavior affecting most of the films that the company produced and distributed.

However, Miramax was known as a studio able to distribute and market a film in such a manner that it could potentially provide spectacular box office returns. Many of the films that Miramax acquired came from major film-producing countries including China, Spain, France, Italy, and Japan, which the Weinstein's targeted as 'desirable' nations with which to build profitable relationships. Acquisitions were less about inspiring creative partnerships, as was SPC's practice, and more about Miramax widening its international reach. They also targeted films that made the largest box office grosses within their home film markets (Perren 192), although, SPC soon began to compete by acquiring a type of historical film that was becoming exceedingly popular within Europe, and then aggressively promoting these films for competition within the category.

Perren comments on the importance of the birth of these specialty divisions when noting that "the key point here is that these conglomerates [most importantly Disney and Sony] restructured their operations in a way that shifted the production and distribution of a large number of niche-oriented films to separate subsidiaries. Significantly, a heightened emphasis on niche targeting was evident" (6). These new 'indie divisions' of the larger studios were seen "as one of the most effective means by which conglomerates could increase overall output, cultivate new talent and build libraries, especially since the cost of producing and

releasing events films continued to skyrocket” (180). What Perren stresses in her research is that these new specialty divisions attempted to shift the appeal of specialty products from the art house to the mainstream marketplace³⁴. With this change, the specialty divisions managed to do the same to the category, transferring attention away from the awarding of ‘European art cinema’ to that of ‘European commercial cinema’. With the conditions of the art house market between 1980 and the early 1990s now outlined, and after demonstrating how Miramax solidified a distribution strategy that was adopted by the studios and implemented by their newly constructed specialty divisions, particularly SPC, I will refer next to how these conglomerate-owned distribution arms focused on importing foreign-language films from Russia and other European film industries that were recovering from political, economic and social change at a moment when Hollywood desired to aggressively expand its global distribution channels.

2.3 European Film Industries and the ‘Historical Film’

In the late 1980s, Europe entered a period of immense change. While documenting the political, social and historical changes within each European nation is beyond the scope of this project, it is possible to outline the general tenor of the continent through a brief explanation of the events of the period by focusing on the nations that were represented and/or won within the category between 1989 and 1997. Many European nations were moving towards a historical break: after years, and in some cases decades of oppression by communist governments, the former East Germany, Czechoslovakia and a host of others had entered a period of liberation marked by hard fought protests and governmental reshuffling. In this transitional moment, governmental infrastructures across the Eurasian continent were crumbling, and numerous countries were faced with the task of forging new political, social and economic orders. In this politically and economically unstable period of growth, many established film industries began to dissolve mainly due to three interrelated reasons.

The first reason was that within countries that had experienced changes in their political regimes, such as Germany, Czechoslovakia and Russia, economic support of the arts

³⁴ Referring back to Berra and his evocation of Bourdieu, it is possible then to think of this in terms of the studios taking product from Bourdieu’s first audience and attempting to promote it to both the second and third tiers.

by the state was no longer available. Filmmakers now had to navigate a complex system of securing funds with little knowledge of how such a system worked. In his *The New York Times* article “Uneasy Freedom For Filmmakers Once Fettered” (1997), writer Alan Riding notes that in these types of film industries, “in the past, governments determined movie budgets; now independent producers must put together complex packages involving domestic and Western European investors, the Council of Europe’s Eurimages Fund, and above all, newly affluent television companies” (18). The second reason for the decline was what Shohini Chaudhuri, in her book *Contemporary World Cinema* (2005), labels Hollywood’s ‘blockbuster release strategy’. This strategy saw the dissemination of Hollywood product into the European and other global markets to an extent greater than ever before. Many of the strict regulations that had previously been implemented to monitor the amount of Hollywood product that was imported were now lifted or unmaintained. As a result, European and Russian markets became open for Hollywood to increase its exports and effectively decrease exhibition space for domestic films. The Hollywood studios also intensified an already aggressive campaign to expand the number of multiplexes within these regions in an attempt to exhibit a greater amount of Hollywood films (Chaudhuri 4)³⁵. Those European films that were able to navigate the difficult task of finding funds from either public or private sources now faced a significantly increased amount of competition from popular North American films.

The third reason that contributed to the decline of some previously well established European film industries was that most audiences within the former communist countries were either unwilling to attend non-Hollywood films, or were just financially unable to attend movie theatres. The rise of the popularity and availability of television decreased the need for spectators to visit the multiplexes, forcing many European produced films to fail to recoup their production budgets. As well, television allowed many older films to be rescreened at a much lower cost for spectators, and audiences, particularly in the former Soviet Union, were hungry for the images of the past contained within these films. The aesthetic and ideological content fed into the desire for a sense of nostalgia that was widespread after the death of the old, familiar social and political structures that had recently been shed (Beumers, *History* 216). Compounding the problem further was an increase in the

³⁵ Hollywood had previously achieved this in most of Western and Central Europe.

amount of home video piracy, which was particularly rampant in Russia. With film production and exhibition practices in a state of turmoil, European filmmakers adapted by creating films that would appeal to a broad, international audience. This was achieved through the creation of films that contained historical content that was contextualized into a more accessible style of filmmaking than that of the traditional European art cinema.

In his essay “Reconceptualizing National Cinemas” (1993), Stephen Crofts offers that this type of accessible cinema, which he terms “European Commercial Cinema”, targets a sector somewhat distinct from European-model art cinema, and thus shares similar aesthetic and narrative traits with Hollywood films. These shared traits point towards its populist nature, crafted to appeal to a broad cross-section of audiences through the use of recognizable genres such as comedy, suspense and melodrama. Financial backing came from private funding that was most readily available for films that were directed by recognizable auteurs. This was due to European and North American investors hoping to market films to art house circuits based on these recognizable artistic figures (Crofts 33-34). The combination of an appealing visual aesthetic, a clearly demarcated genre and the built in appeal of recognizable directors made European commercial cinema a highly desirable commodity for the Hollywood specialty divisions, as it appealed to both the niche and mainstream audiences in the domestic market, but also worldwide. With *Cinema Paradiso* emblematic of films that depict a period of history alongside a dose of nostalgia, and having been awarded the trophy for Best Foreign Language Film in 1989, the Academy had already begun to demonstrate a shift away from rewarding traditional European art cinema. Accordingly, films that centered on historical events, that were aimed to engage European spectators by appealing to their nostalgia for a lost era and that encouraged audiences to confront the traumatic events of the past and in effect forge new cultural and/or national identities, became a distinctive selling point for the specialty studios looking to replicate the success of *Cinema Paradiso*. Through the use of the work of writer Robert Rosenstone, it is possible to better understand the strategies used to achieve this effect within this type of films.

As Rosenstone argues, during the politically tumultuous period of the early 1990s, filmmakers all over the world were struggling

to find new ways of coming to grips with the burden of the past. Their efforts have produced works that, in form and content, are far different from the Hollywood ‘historical’, a costume drama that uses the past solely as a setting for romance and adventure, and far different too, from the typical documentary, a mixture of old images and recent talking heads (Rosenstone 4).

This new type of historical film originated in communities or nations that were in need of establishing, or re-establishing, a connection to the past. Examples include postcolonial nations, nations where political systems had been fragmented or were in a current state of turmoil, minorities within nations who were searching to reconnect with their heritage, and, most directly related to many of the films represented in the Best Foreign Language Film category, from societies emerging from the control of totalitarian regimes or the trauma of war. In order to fully communicate the complex meanings of the past, the films created characters, situations, images and metaphors that stood in for actual historical figures and events that had been recorded by historians or encased within the collective memory of the citizens of the nation. (4-7). The intent of these types of films, as opposed to the more traditional Hollywood version, was not only to entertain but to also allow the audience to understand the past and come to terms with its meaning. These films achieved this by setting the narrative in the early 20th Century and creating recognizable parallels between the horrors of the past events and the political turmoil that had occurred within contemporary Europe. Filmmakers crafted different conceptions of the past by using three strategies that Rosenstone has noted in this type of cinema: by ‘Visioning history’, ‘Revisioning’ history and ‘Contesting history’. I will outline these strategies by demonstrating how they function within four of the most acclaimed winning pictures that the specialty divisions acquired and entered into the category between 1992 and 1996.

A historical film that ‘visions history’ presents the past in terms of how individual lives are altered by larger events, or even abstract processes such as Stalinism, the World Wars or other political and social movements (10). Film historian Birgit Beumers, in her book *A History of Russian Cinema* (2009) suggests that films coming from Russia immediately after the collapse of the communist regime delved into the past, and were particularly interested in portraying the political turmoil of the 1930s. Nikita Mikhalkov’s film *Burnt By The Sun* (1994), which won the Best Foreign Language Film award at the

Oscars in 1995³⁶, is emblematic of this trend and functions as a means of providing spectators with a ‘progressive’, reconstructed Russian national identity. The film examines the horrors of the Stalinist regime by “dismantling the aesthetic principles and styles that covered and contradicted the horror of the period” (Beumers 219). The imagery appealed to the audience’s appetite for the old Soviet identity but its dismantling also provided the necessary pathos that allowed for the creation of a national identity that was comfortably progressive, and unhinged from the weight of the past. This was achieved through the film’s appealing Hollywood-inspired aesthetics and its use of overt symbolism, framed within a melodramatic narrative that was easily recognizable to Russian audiences.

The most notable sequence within *Burnt By The Sun* that uses such strategies involves the performance of a play within the rural vacation home of aging Soviet general Sergey Kotov (played by Mikhalkov himself.) Mitya (Oleg Menshikov), the ex lover of Kotov’s young wife Marusya (Ingeborga Dapkunayte), mysteriously arrives at the dacha after years of political exile, an exile arranged by Kotov in a veiled attempt to remove Mitya from Marusya’s life. Kotov’s six year old daughter Nadya (Nadya Mikhalkov) is immediately intrigued with this enigmatic stranger, and in the film’s centerpiece scene, Mitya recounts to the girl and her family a thinly veiled version of the events of his traumatic past using her toys as actors. While there are no direct reaction shots of the family/audience, insert shots of Marusya’s hands trembling and of Kotov turning his head to directly stare into the camera suggest that they grasp the play’s meaning, that of Mitya’s helplessness. The machinations of the corrupt nation had taken control and it was too late to change his fate.

By revealing the character’s helplessness, the film makes it possible for the individual spectator “to accept the past rather than reject those terrible years of terror and the purges, which are often wiped from official history as if there had been neither life nor love in the 1930s” (Beumers, *Nikita* 113). As a film that ‘visions’ history, *Burnt by the Sun*’s resolution has “nothing to do with the honoring of the dead or learning collectively from this event [the Stalinist purges] and everything to do with how the individual must come to grips with the traumas history inevitably inflicts” (Rosenstone 10). This complicated process is made

³⁶ The film’s win came as a surprise to many film journalists at the time. In a March 1995 issue of the trade paper *Film Comment*, *Burnt By The Sun* was predicted to place ‘fourth’ out of the five films competing within the category (“Oscar Predix” 7), with Macedonian film *Before the Rain* (Manchevsky, 1994) and *Eat Drink, Man Woman* (Lee, 1994) being seen as the frontrunners in the category.

palatable for commercial audiences through the use of Hollywood-caliber cinematography and editing techniques, creating a handsomely mounted picture filled with visual effects sequences and a bombastic score that emulates the Hollywood films that Crofts notes were direct competition for European produced pictures³⁷.

Other, more politically and economically stable European film industries also produced films that ‘visioned’ the past in order to evoke a ‘cohesive’ national identity for its spectators. One such nation was France, who continued to release expensive films that achieved widespread financial success despite the general tenor of uncertainty in the country at the time. In 1992, much of France was weary of the approaching unification of Europe by way of the Maastricht Treaty, a move that half of the nation’s elected government did not approve. French citizens were also publicly expressing anxieties over the potential for economic crisis, and the sudden increase in immigrant workers (Blum 65). At this same time, a series of films featuring stories and imagery that instilled in its audience “feelings of intense nostalgia and exoticism” (60) for France’s colonialist past were produced by French filmmakers. *Indochine* (R Warnier, 1992), a historical melodrama that was awarded the Best Foreign Language film Oscar in 1993 and starring legendary French actress Catherine Deneuve, is one of the films from this period that utilizes such a strategy.

The film is set during the colonialist conflict between France and Vietnam in the 1930s, and juxtaposes Vietnam’s struggle for liberation from French rule with the personal story of Deneuve’s character, Elianne and her half Vietnamese daughter, Camille (Linh Dan Pham). Elianne is a French expat who runs a plantation in Vietnam, and as the war looms, she engages in a love affair with a young, handsome French soldier named Jean-Baptiste (Vincent Perez). Complicating their relationship is his burgeoning attraction to Camille. This torrid, multi-generational love triangle results in mother and daughter being torn apart, as the young woman is captured by French forces after she wanders the countryside looking for Jean-Baptiste. Camille is held in an internment camp for five years, where she is

³⁷ Chaudhuri notes that historical films were also a major trend in Czech cinema at this time. She suggests that these films “generally focus on the two World Wars, the Holocaust and the Stalinist era” (Chaudhuri 28), and tended to fall into two categories: those that vision history and those that revision history. *Kolya* (Sverak, 1996), Best Foreign Language Film winner in 1996, is a film that visions history through the same nostalgic viewpoint as *Burnt By The Sun*, exemplifying the common tendency of the genre “to humanize the former colonizers, the Russians, turning them into vulnerable beings, like the little boy that the older Czech man must take care of when his marriage of convenience falls apart” (28). The emotionalizing of their relationship acts as a catalyst for healing and acceptance of the past in the spectator.

indoctrinated into the communist party, and upon her release at the end of the war, the young woman refuses to rejoin her French mother. Instead, she allows Deneuve's character to raise her newborn, half Vietnamese/half French son in her place, choosing instead to stay in her homeland. This ending to the film exemplifies Elianne's 'French' maternal strength and Camille's stubbornly neglectful sense of national/communist pride, allowing French audiences to identify and agree with the film's inability to oppose "the inherent oppression of the French colonialist regime" (60). In this way, *Indochine* justifies "the superiority of the French through its use of nostalgic rhetoric (60), and celebrates "a moment of splendor necessary to maintain the myth of France" (65) during a time of national disunity.

In the same vein as films that 'vision history' are films that 'revision' history. Rosenstone offers that "history on film has generally adapted the same mode of presentation: the codes of representation that mark the classic Hollywood motion picture – camera position, continuity editing, lighting, acting, story – are all designed to make it seem as if the screen is a window through which we observe a world that replicates our own" (11). However, films that revision history carry this act of representation further, by pointing to themselves as a construction, attempting to move beyond the realism constructed by the cinematographic tools at the disposal of the filmmaker. They embrace innovative modes of representation including surrealism and expressionism (11). While not as popular with audiences or the Academy as films that vision history, revisionist films did find their place with critics and within the marketplace. Category winner *Belle Époque* (Trueba, 1992) is a film that "flaunts an upside-down topsy-turvy world within which traditional social institutions of authority are subverted and a nostalgic history of conservative 1931 Spain is (re)created" (Gasta 177). The film is playful with history, using elements of the carnivalesque to allow its characters to question authority by gender bending and reversing traditional gender power relations. In doing so, the film conflates the period in which it is set, the 1930s, with the more liberal minded, socially progressive attitudes of Spain in the 1990s when the film was made. In doing so, Trueba is attempting to construct the setting of the film (the early stages of the republican revolution right before the Franco regime took hold of the country) as freethinking and as progressive as the other most liberal moment in the country's history, the 1980s and early 1990s (181). Through pastiche and the carnivalesque, Trueba constructed a film that gave Spanish spectators the chance to reconnect and re-evaluate a

time of crisis that so many had wanted to forget, and pointed them towards the untamable spirit of play and progress inherent in Spanish identity (183), giving hope to Spanish spectators in the face of an uncertain future in the face of the creation of the European Union.

It is essential to note that these two categories that Rosenstone sets forth are in many ways fluid, and therefore it is difficult, and perhaps even unnecessary to situate a single film in relation to one specific manner of how it negotiates with history: many of the historical pictures produced at this time, which are represented within the category, borrow liberally from each other, resulting in complex depictions and deconstructions of the past. Existing as a third and final way in which Rosenstone suggests that historical films represent that past on screen, are films that ‘contest’ history. These films take

the abstractions that are generally associated with the written recording of history, such as social and economic factors, and then challenge them by using the film’s narrative to make history more personal and private, emotionalizing the broad historical facts that audiences’ have internalized regarding the events of history. When these emotions are presented in a serious and intelligent way, they have the ability to contest the traditional historiography of a given event or experience (Westwell 103).

Films that contest history do not fit into the European commercial cinema model, as they often include filmic techniques that are closer in style to the neo-realist films of the 1940s than to Hollywood features. *Journey of Hope* is a prime example of a film that attempts to contest history. The film’s unsettling naturalistic aesthetic and politically and emotionally charged content contrasts with the vibrant cinematography and comforting nostalgia of the European commercial cinema films that became popular worldwide after 1989. The film’s failure at the North American box office perhaps points to how narratives that contest history often lack commercial appeal. *Journey of Hope*’s dismal box office gross supports the fact that the Hollywood specialty studios largely refrained from acquiring these types of films for the rest of the 1990s, resulting in their absence from the category until *No Man’s Land*’s

(Tanovic, 2001) surprising win at the Oscars over global blockbuster *Amélie* (Jeunet, 2001) in March of 2002³⁸.

This outlining of films that vision, revision and contest history has been to demonstrate that between 1989 and 1997, the Best Foreign Language Film category can be defined by the overwhelming presence of European commercial films concerned with reworking the past during a time of global political and economic transformation. *Cinema Paradiso*, *Mediterraneo* (Salvatores, 1991), *Indochine*, *Belle Époque*, *Burnt By The Sun*, *Antonia's Line* (Gorris, 1995), *Kolya* and *Character* (van Diem, 1996) all negotiate with representations of the past, offering reparative notions of national and cultural identity and using commercial filmmaking techniques to appeal to domestic spectators already familiar with the representation of these specific national histories. As a result of this combination, these films were successful within their own domestic film industries and presented themselves as ideal products to be imported by the specialty studios. *Indochine* was immensely popular with French audiences: despite opening in Paris against competitive Hollywood films such as *Hook* (Spielberg, 1991) and *The Addams Family* (Sonnenfeld, 1991) (Ludemahn 22), the film managed to entice 136,141 French patrons in its first week (22), and 950,000 by May of that same year (Avincola 10). *Belle Époque* experienced similar grosses: the film was a smash in its domestic market, grossing over \$3 million dollars in the first eight weeks of release in Spain alone (“Belle Époque” n.p). *Burnt By The Sun* more that recouped its production budget of \$3.6 million due to an intricate marketing and exhibition campaign carried out by Mikhalkov himself and, in effect, it kick-started the revitalization of the Russian film industry (Larsen 491-493)³⁹. *Kolya* was also a hit within the Czech Republic, but was an even larger success worldwide, grossing an astonishing \$13 million dollars (Riding 18), suggesting to Miramax and SPC that foreign-language imports had potential for high grosses outside of a film’s domestic market and the North American art house circuit. This turn towards the importance of international profits is the central focus of the third period of the category, which is the subject of the next chapter of this thesis.

³⁸ *No Man's Land's* win in the category is a topic that is rife for examination, but is beyond the scope of this project. It is of my opinion that the film triumphed over the popular French romantic comedy due to the political climate that arose after the events of 9/11.

³⁹ For more on *Burnt By The Sun* and Mikhalkov’s efforts within the Russian film industry, see Larsen’s essay “National Identity, Cultural Authority and the Post-Soviet Blockbuster: Nikita Mikhalkov and Aleksei Balabanov.” *Slavic Review*. 62.3 (Autumn 2003): 491-511. Online. *MLA International Bibliography*.

European commercial cinema established a symbiotic relationship between European filmmakers with the specialty studios. While the films were immensely popular in their own markets and, in many cases, stabilized many flailing film industries, the films that won within the category were also successful within the U.S. market due to Miramax and SPC's marketing strategies. Miramax followed up *Cinema Paradiso* with the \$4.5 million success of *Mediterraneo*, and \$5.8 million for *Kolya*. SPC promoted films to a win in the category four times between 1989 and 1997, with both *Indochine*, and *Belle Époque* smash hits at the North American box office, grossing \$5.6 million and \$5.4 million respectively. *Burnt By The Sun* also grossed a respectable \$2.3 million with only *Character* failing to connect with U.S. audiences (Perren 189). What makes these grosses even more notable, as Perren offers, was that “between 1990 and 1995, the total box office for all foreign-language films in any given year ranged from \$30 million to \$50 million” (183), which was only 0.75 percent of the entire domestic box office⁴⁰, down from 1% in the 1980s⁴¹. These category winners are notable due to the fact that they were grossing significantly larger amounts of revenue than other foreign imports which were not nominees within the category. As such, the category was once again positioned as an essential financial asset for the specialty studios in the face of a declining art house market.

⁴⁰ Perren also indicates that the majority of this money came from a limited number of art house theatres located in select few major North American cities: New York, Los Angeles, Montreal and Toronto as the main hubs, with other cities such as Boston, Chicago, Seattle, San Francisco and Minneapolis providing the rest of the notable financial grosses (183).

⁴¹ A definitive reason for this remains vague for film scholars, but Perren and Tzioumakis point to the studios' focus on marketing American independent cinema to both niche and mainstream audiences as taking away from the emphasis placed on foreign imports. An alternate possibility was the sudden “collapse in cultural sophistication of the domestic movie audience” (Perren 187). Sony Pictures Classics co-president Michael Barker notes that there was a shift from a focus on foreign imports to independent cinema because the ancillary values (home video and broadcast rights) of foreign language films could not begin to approach those of English-language films (182).

Chapter Three

The Third Period: The Commercialization of the Category

Chapter two of this project has discussed how 1989 marked a critical point when national parameters across Europe began to be redefined, and how amidst these shifts, Hollywood and other European film industries began to renegotiate their relationships to one another. Hollywood once again began to aggressively colonize European film markets in the aftermath of the continent's political turmoil. Simultaneously, various European film industries adapted to the change in conditions for film production by adopting a commercial style of filmmaking that could compete with Hollywood product domestically and also be exported around the world. 'Specialty divisions', companies such as Miramax and SPC, began to focus on importing this type of product with the intent to distribute it within the niche market. Playing a key role in the promotion of this product was the Best Foreign Language Film category at the Oscars.

This third chapter of this project will examine the third period of the category, that of its commercialization and move towards globalization by the Hollywood specialty studios. The first aim of this chapter is to outline how and why the niche film market continued to decline in the late 1990s. The second aim of this chapter is to examine the solutions that the industry adopted to sustain mainstream audience interest in art cinema and foreign-language film product both in the domestic market and at the global level. Such strategies included the industry's returned emphasis on the use of film festivals to promote foreign-language fare, and once again placing value on the art film *auteur*. The effectiveness of these strategies will be examined in relation to the nominated and winning films represented within the category.

3.1 The Declining Art House Market

With the major Hollywood studios noticing the success that Miramax had achieved at the end of the 1980s, the conglomerates created specialty studio divisions that focused on providing a wealth of art cinema/foreign-language product to both the niche and commercial markets. Concurrently, between 1989 and 1997, the European film industry faced a widespread decrease in funding for the arts due to the political and economic changes that

had occurred on the continent. This lack of public funding for the arts severely debilitated film production. With struggling European producers seeking distribution deals from any source that would fund their films, they formed mutually beneficial deals with the American specialty studios. These helped the Hollywood studios fill a gap in their programming slate, which was heavily focused on the expensive production and distribution of blockbuster cinema. As well, these deals fostered a rise in a commercial style of European cinema that was then imported by the specialty divisions due to its aesthetic similarities to Hollywood historical films. Through heavy promotion by Miramax and Sony Pictures Classics, this commercial style became the dominant mode of filmmaking represented in the Best Foreign Language category during this period. Subsequently, some of these nominated and winning films found success within the domestic U.S. exhibition market. However, these small triumphs were short lived: a sudden decline of the niche market, caused by a series of different factors which I will address next, was potentially disastrous for the conglomerates, as they had spent enormous sums of money opening up specialty divisions and were continuing to pay rising costs to import foreign-films. The decline in the market was a direct result of Hollywood's attempt to push niche product into the mainstream, exacerbated by three clear factors: over saturation of product, increased advertising costs and technological advancements that made art house cinema more easily available to spectators.

The first reason was simply that there was too much product available to consumers with too little demand. With the onslaught of specialty divisions now funneling American independent cinema and foreign-language product into the exhibition market, the industry was over-saturated with releases. In his article "Internationalization vs. Globalization of the Film Industry" (2007), economist Mark Lorenzen sets forth that in any film market, including niche or commercial, a sense of "uncertainty grows with market size" (350). This uncertainty was clearly visible by 1997: despite the increase of foreign product in the domestic market, only "0.5 percent of the annual box office went to foreign-language fare" (Perren 183), down from the 0.75% market share only five years earlier. For every box office winner such as *Mediterraneo*, *Antonia's Line* and *Kolya*, there was an immense amount of product that sustained financial losses for the studios. 1997 Best Foreign Language Film winner *Character* was one of the most notable failures, only grossing \$624,000 despite its appealingly Dickensian narrative and resembling the handsome historical pictures that had

proven to be popular with niche audiences only a few years before. The competitive marketplace was even rendering the exposure lent by the category irrelevant. At this time, “271 films were released on a limited basis (ie: 600 screens or fewer). A growing number of titles coming from a bigger field of competitors translated into films having less time to find an audience” (176). It was this need to distinguish a film amongst the crowded marketplace that led to a second reason for the decline of the market: increased advertising and marketing costs.

The specialty studios were eager to produce and distribute art films that grossed similar amounts to that of major studio releases (Sequin 36). To do so, and to compete with the sudden spike in English-language niche product in the market (which included American independent cinema success stories such as Quentin Tarantino’s and Kevin Smith’s), specialty divisions were forced to take on the burden of increased marketing costs. This had not been custom in the past: traditionally, art houses and art film distributors had relied on spectator word of mouth, newspaper ads and reviews in trades such as *Variety* and those of *The New York Times* critic Bosley Crowthers (whose reviews were the single most important blessing bestowed to a foreign-language import in the 50s and 60s) to generate interest in the small amount of films circulating on the art house scene (Balio 6). However, with increased competition from rival distributors and specialty divisions, marketing became a key component for the divisions to distinguish their film from the myriad of other independent and foreign-language features suddenly available to the audience. This framed the Best Foreign Language Film category as an even more essential tool for the specialty studios to promote their foreign-imports, but even this reliance on the category had its drawbacks. Campaigning for a spot within the category was expensive, and the competition between Miramax and SPC was developing at a rapid pace. By 1997, SPC had won the award four times in six years, with Miramax having only won with *Kolya* in 1996. As a result, both companies began spending increasing sums of money on film promotion and on wooing Academy members’ votes. By 1996, SPC was spending over \$1 million per film to promote their awards season hopefuls. Miramax had already become a master of Oscar campaigning: in 1994, the studio received 22 different nominations, including main-category support for

foreign-language import *Three Colours: Red* (Kieslowski, 1993) (Brown, “Marketing” 38)⁴². However, spending large sums on campaigning was a strategy that would be met with backlash from some members of the industry and was often financially irresponsible given the unpredictable nature of the marketplace and Academy voters’ tastes.

The third reason for the collapse of the niche market was the increasingly widespread reach of technology and its ability to immediately bring culture to audiences in their homes. Journalist Denis Sequin, in his 1997 article entitled “Plight of the Intruder” agreed that “foreign-language film distribution in North America [was] in a state of suspended free-fall” (36) due to oversaturation of the market and a shifting audience. He furthers this argument by suggesting that the state of the niche industry in 1997 was mirroring the conditions of the market in the 1970s: spectators that had supported art house cinema in the late 1980s and early 1990s had now moved to the suburbs, and younger viewers who were being weaned on the increasingly spectacular and expensive blockbuster cinema of Hollywood had not acquired a taste for art cinema. He also notes audiences’ lack of curiosity in the content of these films. The popularity of foreign-language cinema in the U.S. market was originally driven by curiosity in discovering and experiencing foreign cultures (a concept touched upon in chapter one of this project). However, in the age of digital and global media sources, it was easy to see “a news report from Afghanistan on CNN in your hotel room in Moscow” (36). With instant access to news and culture available for many viewers, there was a direct lack of interest in the types of fictional historical films that were being imported by the specialty studios for theatrical release.

As well, in an attempt to push the art house further into the mainstream, many of the conglomerates were focused on creating cable and satellite film channels that could provide audiences with in-home access to foreign-language films, particularly those of established *auteurs* such as Bergman, Bertolucci, Fellini and Kurosawa (Brown, “US” 6). While the original intentions were to increase audience awareness and interest and in effect ‘brand’ world cinema through television specialty channels, this strategy only provided audiences with an additional option that did not promote a trip to the local theatre. Compounding the problem was the uninterested mainstream audience, a trend that should not have completely

⁴² The closing film in Kieslowski’s revered *Three Colors* trilogy received nominations for its screenplay, cinematography, and director.

come as a surprise to Hollywood, considering the art house market had, as has been established in chapter one of this project, been historically structured around the idea of ‘distinction’ and the notion of high, ‘valuable’ art. The current crop of more commercial foreign imports lacked the overtly sexual content that dominated many of the art films that had helped the movement rise to prominence in the late 1960s. As well, many nations seen as foreign-language filmmaking powerhouses, such as Italy and France, were failing to produce meaningful artistic work. Sequin makes a point to note that domestic U.S. audiences, either niche or mainstream, were simply unwilling to engage with products that they viewed as mediocre, or, that were unable to offer anything exciting or new (36). Yet, specialty studio heads such as the Weinsteins and October Films co-president Bingham Ray felt that the commercialization of art house products were necessary to best appeal to the mainstream audience, despite the arguments and critiques presented by Sequin and his contemporaries in the trade papers (Perren 196).

3.2 Globalization and ‘Motilic Strategies’

I would like to argue that it was during this period of economic downturn that the Hollywood specialty studios (most notably Miramax and SPC) began to apply practices to further commercialize the distribution of art house and niche products and secure widespread profitability not just in the domestic market, but also on a global level. While a detailed account of the rise of globalization as a concept and practice is beyond the scope of this project, defining its meaning and significance is productive for a discussion of the specialty studios’ practice of disseminating contemporary foreign-language acquisitions worldwide. Lorenzen defines globalization as “not just the spread of product, people or practices from one or a few countries, [but] it also entails interconnectedness between a multitude of countries, leading to their integration into one (or several) global economic, cultural and to some extent also political systems or networks” (352). Within this definition, Lorenzen isolates two key components of interest to the global film market. The first is the spread of product across geographic and cultural spaces, and the second is the idea of the interconnectedness between a multitude of countries through specific systems and networks. It has been argued that Hollywood cinema has always existed as a form of ‘globalization’, having spread its own product across national and cultural borders and established dominance in the film industry at the global level since the 1920s. Perren also puts forth that

the globalization of Hollywood had been especially “accelerating since the 1970’s because of a growing emphasis by production companies on procuring outside financing through presales. Investors from around the world increasingly developed motion pictures with the international market in mind from the outset” (184)⁴³.

As Ulf Hedetoft notes in her article “Between Cultural Globalization and National Interpretation” (2000), contemporary cinema, more so than any other form of mass communication, “is increasingly embedded in the discourses of globalization” (278). She argues that the swelling financial importance of the global film market ensures that imported and exported films that travel across geographical borders must continually navigate a system of distribution that forces a film to negotiate with three complex ‘interactions’: the national and local contexts in which they were created, the “homogenizing tendencies represented by the global village” (278) (read: the global film market) and the way in which films are received through the spectator, who (re)interprets a film according to his/her own set of national or cultural ideals/values. Key to the success of this herculean task was for the specialty studios to find methods to increase the ‘mobility’ and ‘motility’ of the films that were being imported, allowing them to travel with ease between these three contexts of the global distribution system.

Theories of mobility and motility put forth by cultural theorists Vincent Kauffman, Manfred Max Bergman and Dominique Joye’s in their article “Motility: Mobility as Capital” (2004)⁴⁴ explain how the increase in ‘globalization’ affects the dissemination of various physical and non-physical entities such as film. They suggest that at the turn of the Twenty-First Century, physical entities were becoming increasingly mobile as they were being moved across greater distances at faster rates of speed. The accelerated movement of these entities denotes an increase in their ‘Spatial Mobility’, meaning, the “movement of entities from an origin to a destination along a specific trajectory that can be described in terms of

⁴³ By the mid-1990s, the conglomerates’ had even attempted to brand themselves through the use of global TV channels through satellite in which American product was dubbed into foreign languages and then broadcast in places such as Latin America and India (Amdur 69).

⁴⁴ Applying theories of mobility and motility to film was an idea that was developed in an essay written for a graduate level seminar in 2012. The essay, entitled “‘Cannes’ Goods: The International Film Festival Circuit as a Route Of Migration” was then adapted into a short conference paper co-written with Prof. Janina Falkowska titled, “Motility and Routes of Migration: How Do Films Produced By Small Nations Acquire International Fame”. It was presented at the NECS conference in Prague in June 2013.

space and time” (Kauffman, Bergman, Joye 746). Regardless of an entity’s shape or form, the focus on increasing the potential for spatial mobility has had “a profound effect on the status of such entities” (745). They note that it is because of this increase that an entity experiences changes in status, value, meaning and importance. These changes can include physical transformations, but can also result in a transformation of their cultural or monetary values (746). These ideas can be clearly applied to filmic commodities and are especially relevant to the practice of importing foreign-language cinema, as I shall discuss next

Kaufmann, Bergman and Joye go on to suggest that the study of mobility in commodities involves the investigation of how these objects can be transformed while in a state of motion, and what types of change in value or importance occur during the act of movement. When importing a foreign film into any given market, both the cultural and thematic meanings of a film have the potential to change as they travel out of the original context and are then received by a new audience: as Elizabeth Ezra and Terry Rowden offer, “transnational distribution in its many forms unmoors films from their immediate contexts” (7). This was one of the biggest problems that the specialty divisions were facing when importing from Europe and is emblematic of the type of negotiation that Hedetoft notes: with a majority of the foreign-language imports focusing on political content and often negotiating with ambiguous European and other national identities, there was hesitation from North American audiences to engage with many of these films due to an unfamiliarity with the cultural significance of the films. This could directly effect the products’ monetary ‘value’: despite many of the specialty divisions importing films that were immensely financially profitable within their own domestic markets, most grossed less in North America, even when they were situated as winners within the Best Foreign Language Film category.

Hollywood needed to look for solutions to find ways in which the films that they imported *increased* in value while in transit. To address this possibility, Kauffman, Bergman and Joye outline what they term ‘Motility’, defined “as the capacity of entities [...] to be mobile in social and geographic space, or the ways in which entities access and appropriate the capacity [...] for mobility according to their circumstances” (750). With the global economy placing emphasis on the importance of maximizing spatial mobility of entities across an increasingly interconnected world, the focus for the specialty studios shifted to finding *specific* films that could become increasingly mobile and increase in value as they

travelled. The specialty studios had already looked to import films that showed a high level of mobility when adopting the European commercial model of cinema and its historically centered films as its primary focus. Unfortunately, these films were losing traction in the marketplace.

I think that in addition to acquiring films that already exhibited commercially marketable traits, the specialty studios used three specific strategies to increase the motility of their products in order to succeed in an increasingly global system of film distribution. The first was a renewed interest in and use of the ‘International Film Festival Circuit’ as a system for a film to travel across cultural and geographic borders, and as a system used to attach cultural cache to a foreign-import. The second then saw the specialty studios heavily mask a foreign-language film’s ‘cultural’ content in its marketing campaign as a means of maximizing appeal to mainstream commercial audiences. This was used in conjunction with a renewed focus on promoting foreign-language *auteurs*. These three strategies then culminated in a film receiving entry into the Best Foreign Language Film category. I will discuss these three strategies in greater depth, and then demonstrate how Miramax’s acquisition of Italian WWII Holocaust melodrama and category winning film *Life is Beautiful* (Benigni, 1997) embodied the implementation of this three-pronged approach to commercializing foreign-language imports.

3.3 The International Film Festival Circuit

Hollywood’s use of film festivals to promote, purchase and distribute film product began long before the specialty divisions were searching for strategies to increase the commerciality of their imports. Hollywood’s involvement with this practice reaches back to 1939 and the first annual Cannes Film Festival. The opening night selection was the U.S. produced *The Hunchback of Notre Dame* (Dieterle, 1939), indicating that, “for Hollywood the festival would be a way of continuing its global domination, using the platform of the festival to highlight its incorporation of the world...under an American umbrella” (Broe 39). This outward dispersal of Hollywood product remained a key focus of the industry’s use of film festivals. With the emergence of the art house boom in the 1940s, 50s and 60s, Hollywood then began to use festivals as marketplaces to purchase potentially desirable imports. As well, the industry trade papers covered film festivals such as Cannes and The

New York Film Festival in detail, allowing art house/niche theatre owners to use these reports to decide which films they wished to show on their screens (Balio 15). As film festival writer Dennis Broe suggests, “much of the activity of the festival, the competition, the prizes, and the overt politics, is about raising consciousness of the film to the point where it will get a distributor or secure distribution for territories that it has not yet conquered” (42). This continued for almost forty years until the 1990s brought a shift in strategy: the industry began to utilize film festivals to increase the mobility and motility of their foreign-language import films, and in effect make them more commercial, not just through specific festival events such as Cannes, but, through the prolonged exposure generated by the ‘International Film Festival Circuit’.

This circuit consists of a series of events held in major European and North American cities between May and February of each year and served (and still serves) as “an alternative distribution network” (Turan 8). Film Festival researchers vary in opinion on which festivals are the most important, and which are considered a part of the major circuit. It is my opinion that the circuit begins with the Cannes Film Festival in May and continues with the Venice International Film Festival in August, the Telluride Film Festival in Colorado and the Toronto International Film Festival in September, and the New York and Los Angeles film festivals in October and November. The circuit unofficially culminates with the annual Academy of Motion Pictures Arts and Sciences ‘Oscar’ ceremony in Los Angeles in February⁴⁵. In her essay “Transnational ‘French’ Cinema: The Cannes Film Festival” (2007), Lucy Mazdon argues that the festivals “construct a canon of ‘quality cinema whose reputation is extended as it travels across the international circuit” (14). In this way, the circuit has been structured by the industry so that each festival adds a different type of ‘value’ to a film in an attempt to increase its mobility and motility, and make it a more commercial product: however, “all festivals are not equal; some, like Cannes, bear far more cultural importance than their less well-known others” (Stringer qtd. in Mazdon, 15)⁴⁶. The

⁴⁵ While it is not accurate to label the Oscars as a ‘film festival’, the ceremony and surrounding media coverage acts as a site of ‘completion’ for films that travel on the Circuit due to the international exposure that the ceremony provides.

⁴⁶ See Stringer, Julian. “Global cities and the international film festival economy.” *Cinema and the City: Film and Urban Societies in a Global Context*. Eds. M. Shiel and T. Fitzmaurice. Oxford: Blackwell, 2001. 137. Print. qtd. in Mazdon 15

way in which the circuit is ordered impacts a film's transformation from cultural commodity to a critically renowned and financially profitable product.

Beginning the circuit with Cannes “allows a film to possess a temporary uniqueness and exclusivity. Rather than being dropped into the marketplace as just another product, a movie in Cannes is given, through the most elaborate and involved of rituals, the opportunity to enter history. Or fail to” (Kehr 15). As Mazdon offers, “in the case of Cannes, the screenings themselves are not open to the public, thus reserving the films for an ‘elite’ audience of journalists, critics and professionals, and reinforcing the attempt to bestow and create cultural capital” (17). If a film is deemed by critics and industry professionals as being artistically or economically valuable, it will then travel to the festival in Telluride. Telluride is an exclusive, industry-oriented event that allows critics within America to publish reviews that identify key films and their commercial and critical prospects at the beginning of ‘Awards Season’⁴⁷.

Film journalist Kristopher Tapley of the Awards Blog *Incontention* offers how important Telluride is to critics and industry analysts in his article “Fall Fests Sets Off The Oscar Starting Gun” (2012). He notes, “A few studios have a long history of playing Telluride, Sony Pictures Classics in particular. I think we could safely assume we'll see Cannes carry-over...Palme d'Or winner *Amour* from Michael Haneke there” (Tapley n.p.). Tapley's mention of Michael Haneke's French feature *Amour* (2012) as the Palme D'Or winner at Cannes is particularly of note due to its eventual win in the Best Foreign Language Film category at the Oscars in February 2013, but also its reception of an Oscar nomination for Best Picture, a rarity for a foreign-language film, with only eight foreign language films having ever been nominated for the most prestigious award at the ceremony (Barraclough A10). The cache that *Amour* built through its migration across the circuit meant a much larger audience, and, larger box office grosses, with the film bringing in \$19 million dollars worldwide against a \$9 million budget⁴⁸. From Telluride, a film travels to the Toronto International Film Festival, which is the world's largest public festival. Unlike many other festivals, Toronto provides access to film screenings to the general public. As a result, the

⁴⁷ Awards season can be defined as a period focused on the promotion and celebration of ‘quality’ and ‘profitable’ films released between September and the Oscar ceremony the following February.

⁴⁸ Information courtesy of Box Office Mojo. Used with permission.

most prestigious recognition that can be awarded to a film is the ‘People’s Choice Award’. The recipient of this award becomes a focus of the industry, as it signals both critical success, but more importantly, that the winning film has ‘popular’ support that may increase its economic chances at the box office. From Toronto, a film is aimed forward towards the awards presented by the various Hollywood guilds and the critics groups. The ultimate goal of this circuit is for a film to generate critical recognition that results in Oscar nominations, which, as outlined earlier in this project, provides the potential to increase grosses for a film⁴⁹.

There are two elements that are important to note about the limitations of this process. The first is that using the festival circuit to add ‘value’ to a film as a means of commercialization ultimately removes a film “from some degree from their rooted, social identities” (Mazdon 18). This turns films into what Mazdon refers to as “hybrid or transnational artefacts” (18), appealing to many audiences with different cultural backgrounds and nationalities who congregate at these festivals scattered around Europe and North America. The varied receptions by diverse audiences have the potential to remove much of the intended meaning originally present in a given film. While many festivals’ goal is almost always to reward the ‘best’ films with important critical awards, they function equally as a means for studios and distributors to find the most universally appealing films, which are then marked as valuable products for the studios to acquire, import to America and export abroad⁵⁰. An editorial in *Sight and Sound* magazine noted in the June 2001 issue that this process promoted the production of “a wave of Euro-American blockbusters, of global McMovies, free from the blemishes of national cultures” (“Own Goals All Around” 3). As a result of this, in many cases the politically leaning national committees that were responsible for submitting films into the category often preferred to put forth a film that offered a strong

⁴⁹ This use of the International Film Festival circuit as a means of building a film’s commercial viability is also augmented by the use of smaller, more local European festivals that were/are less attended and covered by the media. These festivals have been used by Hollywood and the European producers and hosting festivals to scout new filmmaking talent that could, after some careful training in government funded workshops reminiscent of the educational outreach programs offered by the Academy in the 20s through the 50s, be pushed towards the International Circuit. This is in hopes of artists building recognition with each film entered into competition, with the goal of securing a spot in a larger competition such as Cannes or Venice which would gain the filmmaker, and his or her domestic film industry, interest from Hollywood producers and distributors (Holdsworth A7).

⁵⁰ For more on how film festivals now host ‘marketplaces’ for distributors to congregate, bid and purchase films at the festival, see Cindy Hing-Yuk Wong’s *Film Festivals: Culture, People and Power on the Global Screen*. New Jersey: Rutgers University Press, 2011. Print.

image or conception of their particular national identity as opposed to a commercial hit in their domestic market⁵¹. The second element that is important to note is that entry into the category often relied on strict guidelines that dictate(d) mandatory cultural and national content be present both within films and in their process of production. The specialty studios were then forced to acquire films that struck a balance between universally appealing aesthetics and narratives, and a level of cultural and national content that could appease the category's official rules and regulations document.

3.4 Marketing and a Return to the 'Auteur'

After employing the strategy of using the festival circuit to add 'value', the studios then needed to market the film to commercial audiences. This meant that the studios needed to temper a festival film's aura of 'high art' with a commercial marketing campaign. The second strategy that the specialty studios used to increase motility of their films was to situate them as commercial products through the removal of any aesthetic traits or narrative content that bared a resemblance to the European art films in their marketing campaigns. This was achieved by blurring or deleting the more nuanced cultural contexts of a film: instead of emphasizing the local aspects and selling a film's unique cultural identity, studios placed a strong emphasis on a definable plot, exoticized foreign locales through the presentation of vistas that spectacularized a film's 'otherness', and heightened the visibility of universal themes that would insert a film into a more recognizable and sellable genre. According to October Films president Bingham Ray, the most financially profitable foreign-language hits during the 1990s were 'emotional stories, usually with lush, romantic vistas, or sentimental stories told on a delicate or precious scale, not films that [were] trying to accomplish something challenging or edgy' (Perren 196). This strategy was implemented for the studios' European commercial cinema imports. *Indochine*, *Belle Époque*, and *Kolya*, three of the biggest art house hits of the early 90s, conveyed these homogenous aesthetic and

⁵¹ This also works the other way, with nations' trying to increase their chance of a win in the category by submitting a commercially successful film with universal themes as opposed to a film that was a success on the circuit and that was seen to have artistic integrity. The most recent occurrence of this happened in 2012 with France submitting worldwide box office phenomenon *The Intouchables* (Nakache and Toledano, 2011) as opposed to Cannes friendly art film *Rust and Bone* (Audilard, 2012) (Feinberg n.p). Unsurprisingly, and in accordance with their distribution strategies, Miramax repped commercial hit *Intouchables*, while SPC was distributing the elegiac *Bone*.

narrative traits in their marketing campaigns, but at the expense of masking their important historical content and political agendas⁵².

The theatrical poster for *Indochine* is a prime example of this strategy. The film tells the story of the tumultuous French-Indochinese war, yet in print materials, the film makes few references to the film's historiophotical nature. Instead, the one-sheet poster suggests that the film will focus more on the spectacle of actress Catherine Deneuve's beauty and class: there is no context linking either to a specific sense of French colonial past. Instead, the poster highlights Deneuve's star status by situating her as an element of spectacle that is equal to that of the location of the narrative. The actress is centered within the image wearing a provocative and flamboyant red dress and situated overtop of a huddled crowd of peasants. Her positioning communicates that this will be a story of a powerful and beautiful woman in an exotic land, and frames the personal against an epic backdrop. Yet, her role as a colonial plantation owner is not conveyed either: she is presented as an object of beauty equal to the enormous temple that rises above her, suggesting that this story will be hers, as opposed to her communist daughter Camille, who, is missing from the majority of marketing materials.

This imagery fulfills all of the requirements that Ray mentions in regards to what makes a successful cross-over import, and such a strategy became a template for other foreign imports. *Belle Époque* conveys the more generic elements of its lusty plot with the playfully sexual image of three women (including the then little known in the U.S. Penelope Cruz) fighting over a handsome young man while standing in a heap of brightly colored flowers. *Kolya*'s marketing conveyed the sentimental elements of a plot by emphasizing the

⁵² This was a strategy used by Miramax for almost all of its imported products, particularly with Hong Kong action cinema. Martial Arts cinema had quietly become a cult phenomenon within the U.S.. After Miramax staple Quentin Tarantino introduced the Weinsteins to the genre, the company purchased the distribution rights to martial arts films. They targeted films that had been successful in their domestic markets, contained recognizable martial arts stars that would attract the most dedicated Hong Kong film fans, and that were commercial 'enough' to attract the uninitiated. These films were then given "marketing campaigns designed to highlight the action and hide the 'foreignness' of the films" (Dombrowski n.p). These "Americanized releases lacked much of the cultural specificity inherent to their original versions" (Dombroski, np), which often angered die-hard fans of Hong Kong cinema. Instead of being released into niche or art house theatres that would attract that type of cult fandom, the films were released into multiplex theatres in an attempt to attract a higher number of action genre fans. To complete the makeover, Miramax "adopted a strategy of dubbing, re-scoring, re-editing and often re-titling its Hong Kong theatrical and video/DVD releases in order to make them more appealing to mainstream American audiences" (Dombrowski n.p). This strategy was furthered by the success of *Crouching Tiger, Hidden Dragon*, which is discussed later in this chapter. As a result, by 2001, martial arts imports were regularly used to generate small but reliable profits for Miramax.

relationship between an older Czech man and his initially unwanted adopted Russian son through a generic ‘candid’ snapshot depicting the two interacting in play. These visual tropes skillfully sidelined any of the more challenging political references to history and ‘problematic’, hybrid European identities. Most importantly, these generic images allowed companies such as Miramax and SPC to appeal to multiple markets at once.

While visual spectacle and universal themes such as power, love and ‘History’ were abundant in European commercial cinema, one quality that the style did lack was the presence of recognizable *auteurs*. Hollywood had originally promoted art house films using the iconic status of names such as Fellini, De Sica, Truffaut and Bergman, artists with recognizable filmmaking styles that served as a means of branding. In the 1990s, many of the films that were imported to the U.S. (and that won in the category) were directed by known and respected filmmakers within Europe, yet, there was little to no attempt by Hollywood to use these directors as a component in the marketing campaign, or to coerce them to move to Hollywood with lucrative production deals⁵³. The majority did not project a media-ready personality that could be commodified and sold to North American audiences as an essential component of the film’s ‘experience’. It was with Miramax’s acquisition and distribution of WWII Holocaust melodrama *Life is Beautiful* that demonstrated the culmination of these strategies “previously undertaken with such films as *Cinema Paradiso* (...) *Il Postino* [and] *Kolya*” (Perren 192). The Weinstein’s deft handling of the film solidified the use of all three strategies outlined above to commercialize foreign-language imports, particularly through the use of the Best Foreign Language Film category.

3.5 The Category’s Moment – *Life is Beautiful*

Miramax acquired *Life is Beautiful* when it was at the peak of its popularity in Italy in February of 1998. The film had grossed more than \$35 million during its initial nine weeks of release, a staggering amount of money for that territory (Perren 195). This acquisition was emblematic of Miramax’s trusted strategy of picking up films that were box office sensations in their domestic markets. The Weinsteins then fought for the film to secure a spot in

⁵³ Trueba was one of the few foreign directors who did make the journey to Hollywood, directing the 1995 critical and financial failure *Two Much*. The film starred Trueba’s compatriot Antonio Banderas, a recognizable star in North America at the time, yet only grossed an apocalyptic \$1 million.

competition at the 1997 Cannes film festival in order to bring critical attention to their acquisition. Positioning the film at the festival was a masterstroke. Despite the reservations of the festival organizers, who felt that the film's often comedic tone inappropriately misrepresented the horrors of the Holocaust, the film's debut in the south of France kick-started an 'industrial narrative' that was key to the film's overarching success⁵⁴.

The film did not win the Palme D'or, the festival's coveted prize for best-in-competition. Instead, Benigni's film took the Grande Prize, the equivalent of the runner-up award. This was an unimportant detail. As Kenneth Turan notes in his study of film festivals, *From Sundance To Sarajevo* (2002), "a direct line could probably be traced from Benigni's effusive behavior that night, running on stage and passionately kissing jury president Martin Scorsese's feet, to its eventual status as a triple Oscar winner and the then highest grossing foreign-language film in U.S. history" (29-30). With the public attention that the film's win and Benigni's behavior wrought, and the film's domination of the David di Donatello awards in Italy (that nation's version of the Oscars) in July of 1998, the Weinsteins' confidently entered the film in the Toronto International Film Festival where it won the coveted Audience Award. The film translated these early successes (and public interest in Benigni's effusive behavior) into widespread awards season attention, capturing wins at key industry event The Palm Springs International Film Festival and other global awards events such as the B.A.F.T.A's (British Academy of Film and Television Arts) that act as 'precursors' to the Oscars. With these major circuit milestones, the film was situated to receive widespread Oscar recognition and to succeed as a commercial product that appealed to a broad commercial audience. However, in addition to its melancholic sense of 'whimsy', the film focused on the horrors of the Holocaust. It was here that the Weinsteins demonstrated that they had perfected their acquisition strategy by manipulating the film's marketing content to not only situate the film as 'outside of history', but also to create a must-see movie event.

The first aspect of the marketing campaign that was of note was the return to the practice of using the appeal of *auteurs* to fuel interest in filmic commodities. This was achieved by structuring director Roberto Benigni as an essential component of the film's

⁵⁴ 'Industrial narrative' is a term used by journalists to explain any elements from a film's production, distribution and exhibition that become the 'story' presented to spectators by the media. A film's industrial narrative often plays a key role in generating audience interest, as was the case of *Life is Beautiful*. However, industrial narratives may also be negative, and often have an adverse effect on a film's box office grosses.

commercial appeal. The actor/director's onstage antics had become a source of amusement for many in the film industry, and this translated to the marketing campaign. The actor/director's long history as being the 'treasure of Italy' was presented in film trailers, print articles and various interviews with the Weinsteins, and as the film built critical and financial momentum, the Weinsteins introduced the importance of providing a foreign-language import with a clear and appealing 'industrial narrative' for audiences to grasp hold of: the film's must-see appeal hinged on the story of Benigni's incredible trajectory from relative 'obscurity' in North America to serving as its new lovable jester-come-auteur⁵⁵.

The second aspect was that the historically and potentially upsetting narrative content was muted in promotional materials. Instead, the Weinsteins' placed a focus on the comedic, fairytale-esque elements of the narrative (Perren 178-184). The film's one-sheet theatrical poster features a similarly composed portrait of a family participating in the joyful act of family bonding. Benigni's character, his wife and his son are presented huddled close together riding a bicycle, their bodies framed by the charming architecture of early Twentieth Century Italy. The family is removed from any sense of impending doom that the Holocaust presented, and future ancillary products such as the DVD and Blu-ray covers present a similar image that features the family portrait framed by a thick black border: the family is literally cropped out of any historical context⁵⁶.

These strategies proved remarkably financially successful. The film opened in the North American market on October 23rd 2008 and in its first weekend of release, it grossed \$119,000 on only 6 screens. The company then relied on word of mouth and an expansion strategy that saw the film grow to 685 screens in North America immediately following the Oscar nominations at the end of January. At this point, the film had grossed a staggering \$22 million dollars, but following the film's three key Oscar wins, including Best Actor for Benigni, the film was released wide to almost 1200 screens. While the film's success to this

⁵⁵ This was a formula that would be repeated with other directors and imports in the years to come.

⁵⁶ Taking this concept even further, the success of the film led to new, problematic practices in foreign language film production and distribution. The success of *Life is Beautiful* gave the Weinsteins an overwhelming amount of power over filmmakers and their projects. To repeat the success that they achieved during the 1998-1999 awards season, the company began the practice of re-editing a film in order to reshape the narrative and any problematic representations of a film's characters in an attempt to make foreign-language imports more commercial and consumer friendly to North American audiences and additional foreign markets (Dombrowski, n.p).

point was notable, it is essential to recognize how these strategies culminated with the use of the Oscars. After winning in the category and with the acting win for Benigni, the film almost tripled its gross in the North American market, finishing with over \$57 million grossed over the course of 33 weeks in release and in effect became the single highest grossing foreign-language film in the history of the U.S. domestic market. The culmination of these three strategies allowed Miramax to promote the film to a worldwide total gross of over \$200 million, and once again position themselves as leaders in the art house and niche market⁵⁷.

3.6 A New Template

This is where the research style of Perren, Tzioumakis and Berra, which focuses on the value of empirical evidence and industry numbers, is able to convey the significance of this moment for foreign-language film production, the practice of importing and exporting these films and how the category now often functions as a showcase for the most commercially viable products that world cinema has to offer. It is possible to claim that Benigni's film's success hinged solely on the erratic behavior of its Italian director. However, when examining award nominations and box office figures, it becomes clear that Miramax and SPC were able to effectively utilize these motilic strategies that were adopted during the *Life is Beautiful* campaign and translate them into other successes over the next four years. 1999 saw SPC publicly declare that they would attempt to replicate the success that Miramax had found in 1998 by using the festival circuit and focusing on the strong authorial stamp of the director to push Almodóvar's *All About My Mother* (1999) to a worldwide gross of \$67 million, including almost \$9 million in the U.S. market (Goodridge, "Cannes" 1). The most notable example came in 2000, with Ang Lee's Taiwanese martial arts drama, *Crouching Tiger, Hidden Dragon*.

Kenneth Turran notes that "key to the unprecedented success of Sony's *Crouching Tiger, Hidden Dragon* [...] was its shrewd use of film festival exposure, starting with a

⁵⁷ Information courtesy of Box Office Mojo. Used with permission. It is also of interest to note that on boxofficemojo.com, arguably the premiere box office tracking analysis website in the world, the majority of *worldwide* stats for foreign language films do not begin until 1998, coinciding with *Life is Beautiful*'s incredible global success.

rapturous world premier at Cannes, a brief stop at Telluride, the opinion-makers favorite, and then a bravura capturing of the coveted audience award at Toronto” (8). SPC then built a custom marketing campaign for the film, spending \$15 million dollars on advertising that targeted five segments of the audience specifically: art cinema attendees, young people, women, action fans and mainstream moviegoers” (Dombrowski n.p.), and tailored materials accordingly. In January of 2001, the film received 10 Oscar nominations, including for Best Picture and Best Foreign Language Film. Accordingly, Lee’s picture tripled its current grosses, going on to make \$128 million in North America, eclipsing *Life Is Beautiful* as the highest grossing foreign-film of all time (a record it still holds to date)⁵⁸. The film was not treated as an art house feature, and instead received the serious promotional heft of a commercial blockbuster (Roddick 9). *Crouching Tiger, Hidden Dragon*’s success proved that the specialty divisions had succeeded in bringing the foreign-language import business into the mainstream. The category saw nominees and winning films begin to gross blockbuster level sums in the worldwide market, with thirteen of the top twenty highest grossing foreign-imports of all time coming directly after *Life is Beautiful*’s industry changing success, and nine of those thirteen films receiving nominations within the Foreign Film category. While no film has managed to achieve the same level of success as *Crouching Tiger, Hidden Dragon*, these motilic strategies used to gain entry into the category have opened up the global film market for high grosses for foreign-language films, with international receipts often now accounting for 75% of a foreign import’s gross.

Despite finding success with these films, the specialty studios have often faced difficulties in securing entry into the Oscar race. With films becoming increasingly reliant on co-funding, and with the studios and filmmakers looking to create and distribute products with universal content that can travel across national and cultural borders, it has become difficult for any single ‘nation’ to claim ownership of a film. As a result, the complex set of rules and regulations that the Academy enforces to govern entry into the category, which are largely structured around the ideas of the ‘nation’ and the ‘national’, are increasingly difficult for filmmakers and the specialty studios to navigate and abide. To conclude this project, I will examine how the category’s official rules and regulations of eligibility document has

⁵⁸ The film grossed an additional \$85 million dollars in international box office receipts, and another \$112 mill in ancillary sales (Dombrowski n.p), proving that subtitled films could in fact sell VHS/DVD’s. This was all achieved against a mere \$17 million production budget.

entered into a period of revision and contestation, and how it provides challenges to filmmakers who are not situated within commercial film industries seeking entry into the category.

Chapter Four

Rules and Requirements of Eligibility

In the early 1990s, as new nations emerged and the world order was being reconfigured, film critics, scholars, members of the Hollywood community and other national film industries began to direct criticism towards the category's official rules and regulations document, criticism that continues to be aimed at the document today⁵⁹. Most critiques have addressed the policies regarding national and cultural requirements that filmmakers and distribution companies must abide by in order to gain acceptance into the competition. With the process of film production becoming heavily globalized over the past twenty-five years, it has become more difficult for filmmakers and distributors to follow the rigid policies that the Academy enforces. To address these concerns, the Academy has revised and redrawn the parameters of the official document multiple times, a process that has been feverishly covered by the trade papers. This document, entitled "Rule Thirteen: Special Rules for the Foreign Language Film Award", is now separated into six sections, with each one consisting of multiple subsections that outline the specific guidelines that a film's producers must follow for submission into the category. Despite the changes to this document, the Academy continues to inadequately structure the rules of eligibility of the category in a manner that acknowledges the interconnected nature of the global film industry. To conclude this thesis, it is pertinent to outline the parameters of this document and suggest the way in which Hollywood's commercialization of the art house industry now conflicts with the Academy's rules of eligibility for the category.

The goal of this final chapter is to describe the submission process for entry into the Best Foreign Language Film category between 1989 and 2012, as well as to detail the main

⁵⁹ Balio notes that criticism of the category's rules and regulations began as early as 1960, when the "IFIDA asked the Academy to change the rules to allow all foreign films released in the United States in the previous calendar year to be eligible for consideration. Speaking for IFIDA, Richard Brandt, president of Trans-Lux Entertainment, said, 'Under the current system the best foreign films have little chance even for consideration for awards. The winning pictures is neither the best film made abroad during the year, nor the best film seen by American audiences'"(Balio 92). The Academy declined the request, stating that it was motivated by self-financial interest. (92). This was just the first in a long line of criticisms lobbied at the rules and regulations document that will be discussed within this chapter.

criticisms aimed at this divisive, and often controversial rules of eligibility document. I will focus on this specific period for two reasons. First is that a close examination of these twenty-three years allows for a better understanding of how the restructuring of national and cultural borders and the process of globalization have affected gaining entry into the foreign-language category during the era of the specialty divisions. The second is that it was during this period that the trade publications began to adamantly trace the many changes to the official document. As such, the trades serve as a means of following the trajectory of these changes and allow for the cataloguing of the many criticisms aimed at the document. The first aim of this chapter will be to explain the process of submission, beginning with the various national committees that submit a film for eligibility into the category. I will also outline the Academy's voting procedures that determine the short list of nominees. The second aim of this chapter is to outline how the official rules of eligibility document enforces national and cultural requirements through a correlation between language and 'nation'. The third aim of the chapter is to demonstrate how the document enforces strict technological requirements that favor films coming from well established and relatively solid film industries. Discussion of these three areas will set out the challenges of submitting a film for consideration, a process that has traditionally begun in a film's country of origin.

4.1 Committees

The process of submitting a film to the Best Foreign Language Film category typically begins in a film's home nation. As Balio notes, upon the category's official inception in 1956, the rules set forth by A.M.P.A.S. stated, "that the Academy invites each country to submit one film each year, and from these films its screening committee selects five candidates...Then these five candidates are screened for members of the Academy in Hollywood" (Balio 92). This original structure is essentially still in place: currently, in the third section of the official Rules and Regulations document it states, "Each country shall be invited to submit its best motion picture to the Academy. Selection of that picture shall be made by one organization, jury, or committee that should include artists and/or craftspeople from the field of motion pictures" ("Rule Thirteen" n.p.). This first step in the process of submitting a film limits the submission process to nations with film industries successful enough to justify the existence of a governing organization, jury or committee in the same vein as A.M.P.A.S.. Thus, this requirement excludes smaller countries that do not have

academies or established film industries and ensures that films submitted to the category contain commercial aesthetics that mimic production values set as standard by the Hollywood industry.

This rule in the document's third section also does not set forth any requirements for the composition of these national film committees. While these organizations are often similar to A.M.P.A.S., this is not always the case. The Japanese panel consists of a "seven member committee that selects Japan's Oscar entry under the aegis of the 'Motion Picture Producers Association of Japan'. Headed by Yukichi Shinada, the committee consists of film world elders who have typically opted for more mainstream, humanistic fare, including the 2008 nominee and eventual winner, Yojiro Takita's *Departures*" (Schilling A5). The concern over these national committees is heightened when considering the official document's rule III:B: "Only one picture will be accepted from each country" ("Rule Thirteen" n.p.). British journalist Guy Lodge suggests that "handing national committees the responsibility of selecting one film to represent their country in the race is...fairer on smaller industries that might otherwise be drowned out by world cinema powerhouses like France" (n.p). However, he continues by suggesting that this also places a worrisome amount of artistic trust in such committees, whose members may have "political motives, questionable taste, or both" (Lodge n.p). In the case of Japan, only seven members speak for the entire Japanese film industry, and as *Variety* writer Mark Schilling notes, their tastes are focused towards mainstream, universal fare. This narrows the possibility of avant-garde or potentially controversial films being selected for submission to the category. It also does not always allow for the rewarding of the highest quality of films. As journalist Phil Hoad offers, "Not only does the one-country, one-nomination system eliminate quality work if...a nation should produce more than one heavyweight film in a year, it also discriminates against the international co-productions that are an increasingly integral part of the global weave of cinema" (n.p.). *Variety* writer Ali Jaafar furthers this point when noting that this confusion "raises a bigger issue...As filmmaking involves more global cooperation, it's becoming harder to cite any film as coming from a particular country" (50).

Dictating that a nation can only submit one film can also allow for a committee to select a film based on cultural, political or financial motives. This rule has encouraged the favoring of films with universal themes as opposed to films with potentially controversial or

confrontational political content. In opposition to this type of political censoring, films that act as political propaganda have also been endorsed by national committees: countries such as Russia, Germany and China have put forth films that attempt to bring positive, world-wide attention to a national image they think may be in need of rehabilitation. Mainland China has never won the foreign language film award, but in 2000, Taiwanese director Ang Lee's *Crouching Tiger, Hidden Dragon* was victorious, in addition to winning three competitive Oscars in the main categories. As journalist Clifford Coonan states, Lee's "successes were warmly welcomed in China as great national achievements, but with a certain reserve. As a Taiwanese helmer, his pedigree is less polished. Beijing would love to see a 'pure' Chinese move from Mainland China – in Chinese with Chinese actors – win the kudos" (A3). This desire for a film that embodies a positive and strong national identity resulted in China submitting a poorly reviewed documentary in 2008 about the Beijing Olympics entitled *Dream Weavers: Beijing 2008* (Jun Gu) in hopes that "good will generated by the Olympics could translate into positive sentiment from the Academy" (A3). Coonan offers that the reason is that "helmers in China, as everywhere else, hope their movies will gain international exposure and believe that winning the Oscar is the way of achieving that" (A7). Many Chinese film critics have noted how difficult it is to win the Best Foreign Language Film category with a documentary and suggest that the committee's decision resulted in more deserving and critically acclaimed Chinese films being overlooked that year.

Another way that a selection committee can attempt to achieve widespread recognition for the film industry that it is representing is by diversifying their submissions through the promotion of different, although not as deserving filmmakers. In her article "Playing on Global Stage" (2011), Christy Grosz notes that in many cases, "national film boards prefer to spread the Oscar wealth in order to bring attention to multiple local filmmakers" (21) in an attempt to show the wide range of talent emanating out of a specific country, and to possibly anoint a new filmmaker as the next successful star of a national film industry. She details that in 2011 "when Spain announced its official Oscar selection as Agustin Villaronga's *Black Bread*...most observers wondered why multiple Oscar winner and world-renowned Pedro Almodóvar's genre-bending *The Skin I Live In* didn't get the country's official nod" (21). Almodóvar's producer, Agustín Almodóvar, contextualizes this decision further when declaring that this system of submission to the Best Foreign Language

Film category at the Oscars “is designed to deliver a box office bump plus prestige to the finalist films” (27). Almodóvar is widely seen as one of the most recognizable auteurs in the world: Michael Barker, a distributor for SPC, the company responsible for distributing ten of Almodóvar’s films, notes that the legendary Spanish filmmaker is “the first guy in 36 years with a foreign film to win the best screenplay Oscar. He has that profile that Fellini had, or Ingmar Bergman” (21). Due to this profile, many within the Spanish industry see Almodóvar’s films as able to profit off of his auteur status alone, and are not in need of the prestige that the Oscar nomination would bring. Submitting *Black Bread* allows for an increase in potential box office for a director who is less known internationally, and increase attention for the Spanish film industry in general.

These national committees and their selection process often pose problems for filmmakers and the specialty divisions. When filmmakers with recognizable brand names are not chosen for submission into the category, distributors are still able to use the filmmakers’ status as an *auteur* to promote a film. However, films that have less marketable qualities, such as a less known filmmaker or a lack of recognizable stars, may either have trouble acquiring distribution, or, if already picked up by the specialty divisions, have less of a chance to receive a wide release if a national committee does not push it forward for contention within the category. This is just as troubling for the film’s producers as it is the distributors: while not every film acquired by the specialty divisions is intended for an awards push, acquisitions at film festivals are often based on a film’s awards potential. A national committee deciding to push another film forward into the category can leave the specialty divisions stuck with commercially unappealing products that were intended to be marketed as awards films, but now have to be marketed on their own terms to a smaller niche audience.

An additional concern is the question of who governs these committees. Many of the national film organizations are not forced to account for the make up of their membership or their reasoning for the selection of specific films. This allows for a high probability of corruption at the national level. In Russia, 1995 Best Foreign Language Film trophy winner Nikita Mikhalkov governs the submissions committee. This has raised concerns by other film artists working within Russia due to Mikhalkov’s films consistently being selected for submission for competition within the category. Grosz offers

While some have criticized Spain's selection process, it's crystal clear compared to that of Russia, where the film community is broadly divided into camps that are either for Nikita Mikhalkov...or against him. In fact, the process is so opaque that [in 2011] even the chairman of the Oscar selection committee, Vladamir Menshov, abstained from the vote (27).

This proves even more problematic when examining the two dominant organizations within the Russian film industry. Menshov, the director who won an Oscar for his 1980 *Moscow Does Not Believe in Tears*, supports the Kino Soyuz (Cinema Union), an organization that has a drastically smaller amount of members with 188, as compared to the 6000 members that make up the Soyuz Kinematografistov (Union of Cinematographers), which is governed by Mikhalkov (27). The Cinema Union's main criticism of the process stems from the decision by Mikhalkov's Union of Cinematographers to put forth his own poorly reviewed sequel to *Burnt By The Sun*, entitled *Burnt By The Sun: Citadel* (2011). Unfortunately, the 188 members of the Cinema Union are unable to officially protest this selection due to their lack of status as the selected governing entity that the official Academy rules and regulations dictates must submit the film. This situation within the Russia film industry suggests that the process of having an unmonitored national film committee select one film for consideration works against Chairman of the Foreign Language category committee Mark Johnson's sentiment that "a nod in the foreign-language film category brings pride to the national film industry...It helps engender governmental support of the film arts" (Stewart A6). Instead, it provides the potential to engender the political and financial agendas of a nation's film industry, or, a dictatorial figure like Mikhalkov, who governs said industry.

The national film committee that has received perhaps the largest amount of criticism for its often unmonitored and at times unexplainable decisions is the Academy's own foreign language film "Selection Committee". Chaired by Johnson (who is not employed by the Academy, but serves the committee on a 'volunteer' basis), this group has been responsible for much of the outrage and concern from members of the press who take aim at the convoluted, at times incomprehensible voting procedure that has led to the omission of critically acclaimed and, importantly for the studios, financially successful films. In a 2012 interview with *The Hollywood Reporter*, Johnson addressed the numerous concerns from critics that the voting process has been biased and at times has not reflected what critics and

audiences have considered to be representative of the ‘best’ foreign language films in a given year (Gilchrist n.p). I will here outline the current voting practices of the Academy, and again catalogue some of the most direct criticism and potential deficiencies in the voting procedure.

After a film has been submitted to the Academy by its home nation, the “Selection Committee” votes in three major stages until there are five final films that the general membership of the Academy vote on for an eventual winner. The first portion of the voting process involves the “Phase One” membership, which is made up of 200 to 300 academy members whose purpose is to screen the films submitted to the category and then vote for which films will be sent to the next stage of voting. This stage separates the films into four random groups and splits the general membership into four groups as well. Any member of the Academy who wishes to sit through the submitted films is eligible to attend Academy sanctioned screenings and vote to push films on to the next round. In order to vote, a member must see 80 per cent of $\frac{1}{4}$ of the 60 plus films that are submitted each year (Gilchrist n.p). This only ensures that each “volunteer see 15-16 foreign films in a short amount of time” (Burlingame, Frankel, Grey, 48), an aspect of the voting process that critics have cited does not allow for a fair assessment of the group of films as a whole. Members then give points to each film and the top six selections from the 60 plus films enter the next stage.

Perhaps the most widely criticized aspect of this stage is that the Academy members who make up this branch are older, usually retired and not currently at work within the industry. They have more time to attend screenings, and, “are more attracted to the dinner than to foreign films” (49). As well, due to their age, this group is also known within the industry to be resistant to more avant-garde selections, instead favoring “features that aren’t necessarily the most daring and tend to go for films that have a big emotional or narrative component and a significant crossover appeal” (Keslassy and Vivarelli 26). This voting blocks’ preference for films that embody crossover appeal is ideal for the specialty divisions that are funneling films into the awards race in hopes of pushing a film out of the art house circuit and into the mainstream. This is a criticism that Johnson addressed when in 2006, “the branch implemented its two-tier voting system in an attempt to involve ‘younger Academy members’” (Stewart A6) in order to be able to push more challenging, controversial and experimental films onto the shortlist. This group of younger Academy members is known as the “Executive Committee” and is made up of twenty members selected by Johnson from the

general membership of 300. Another criticism of this process is that Johnson selects the members of the “Executive Committee” himself, allowing for his personal bias to work its way into the process. Their job is to add three films that have been considered to be ‘overlooked’ to the top six candidates that were selected by the first committee (Gilchrist n.p).

When the list of nine films has been finalized, the “Phase 2” committee (also known as the “Super Committee”) convenes to vote for the short list. This group is made of up 30 members of the film industry, including ten Academy members based in New York and twenty Academy members based in Los Angeles. These thirty members selected by Johnson are foreign film enthusiasts who are also actively working within the film industry⁶⁰. The Super Committee was another strategy enacted by Johnson to counter the biases provided by the older members of the “Phase One” committee, and the general membership at large. These members who are knowledgeable in art and world cinema re-watch the nine films put forward by the “Phase One” committee and then select the final five nominees for the short list. This process occurs over a three-day weekend in which the members watch three films per day to avoid exhaustion and discomfort, another change from the uncomfortable schedule of the initial voting. With the list of five films set, the 6000 Academy members then vote on the one winning film with two pre-conditions: each member must have seen all five films and prove that they have seen these films in writing, and, they must prove that they have seen each film in a movie theatre (Gilchrist n.p).

This final requirement has received perhaps the most vicious criticism from members of the press. Films competing in all other categories (minus the documentary categories) are able to distribute what is known as ‘screener copies’ to members of the Academy, allowing voters to view these films in the comfort of their home. The no-screener rule for the foreign language category exists to counteract the fact that some nations may not have the finances to craft and distribute DVD’s for the 6000 members of the Academy. However, this rule also has potential to discriminate against the smaller films that the three committees have pushed through and that may not have received distribution deals and are only showing at the limited screenings sanctioned by the Academy. As well, with many of the studios’ prestige

⁶⁰ As an example, Johnson states in an interview with *The Hollywood Reporter* that in 2011, actor Ryan Gosling and director Julian Schnabel took part in the Super Committee process (Gilchrist n.p.).

Hollywood pictures being released into theatres at the end of the year, and with many of those same films suddenly available on screener copy, voters may not have the opportunity to attend the public foreign-language screenings and meet the two requirements for voting (Gray 54). With all of these factors combined, the category quickly becomes a hodgepodge of interests and tastes that veer wildly from phase to phase, shaped first by older members with select or limited tastes, then altered by a group of liberal minded members looking to boost the category's artistic pedigree, and then finally shaped by the limited number of voters who seek out all five final nominees.

4.2 Language and Nation

While the submission process is indeed convoluted and ineffectively shaped by the tastes of voters with specific political, financial or social interests, before a film makes it to the "Selection Committee", it first must meet a wide array of production, distribution and cultural requirements set forth by the Academy in the official rules and regulations document. This is the second major criticism that is aimed at the official eligibility document: the rules and regulations are structured to enforce specific conceptions of nation and national identity. One of the most prominent ways in which these preconceived and static forms of national identity are enforced is through the Academy's equating of language with nation. This is communicated most directly (and simplistically) through the category's name of 'Best Foreign Language Film' instead of 'Best Foreign Film'. The Academy defines what constitutes a foreign-language film in the opening section of the official document. The first clause states, "A foreign-language film is defined as a feature-length motion picture produced outside the United States of America with a predominantly non-English dialogue track" ("Rule Thirteen" n.p.). This has proven problematic for many films submitted to the category. One of the most prominent examples of this rule affecting the eligibility of an acclaimed film occurred in 1990, when South African feature *Mapantsula* (Schmitz, 1987) was "disqualified from the running...because its dialogue is predominantly in English" ("Mapantsula" 4). This enforcement of the language rule was especially notable due to English being one of the eleven official languages of South Africa. Through the enforcement of this rule, the Academy's strict language policy suggested that a South African film in English is not South African 'enough' to be considered 'foreign' and eligible. Yet, the 2005 winner from South Africa, *Tsotsi*, which features a dialogue track in Tsotsitaal and

Afrikaans, qualified for eligibility despite the film embracing the traditional narrative conventions of the Hollywood gangster film and much of the cinematography and editing echoing gangster-rap films produced by Hollywood in the early 1990s.

The criticisms aimed at this correlation between language and nation has led to the revision of the rules numerous times since 1989. In 1990, during the period of turmoil in Europe referred to in the other chapters of this project, and the same year that *Mapantsula* was disqualified, the Academy changed the rule to accept “films shot in a non-English language other than that of their country of origin as long as the story justifies the use” (4). This again proved problematic, as it situated the Academy as a body allowed to dictate what they believed to be justifiable cultural use of a language within a given nation, especially problematic given that many of these nations were in the process of redefining their cultural and political borders. As film director Joshua Marston, “whose 2004 drug mule film *Maria Full of Grace* was disqualified for not being Colombian enough” (Hoad n.p.) suggests, “there’s a problem with the system when Hollywood claims to know better than a submitting country whether a film belongs to them” (Hoad n.p.). These types of criticisms regarding a film’s percentage of cultural authenticity led to a change to the language requirement rules sixteen years later in 2006, perhaps in an attempt by the Academy to acknowledge the increasing state of the industry that sees films produced in a manner that allows them to travel across borders and into other cultural contexts. The Academy decided that a film no longer had “to be in the country’s official language in order to qualify. Instead, the dialogue may be in any language or combination of languages, so long as English does not dominate” (Chang 2, 29). This change was instigated after two high profile and critically acclaimed films from 2005 failed to meet eligibility requirements. Renowned *auteur* Michael Haneke had submitted *Caché* (2005), “one of the most roundly admired films of 2005, but the film, which was set in Paris and featured French actors speaking French dialogue, had little connection to Austria, the country that submitted it” (29). As well, “the Academy rejected Italy’s submission, Saverio Costanzo’s *Private* (2004), which featured Arabic and Hebrew, but no Italian dialogue” (29). Despite these revisions, other films have still been disqualified due to problems of language and culture: in 2011, Marston had a second film, *The Forgiveness of Blood*, fail to qualify on the same grounds as *Maria Full of Grace*.

These examples show how strict language requirements exclude the possible recognition of filmmakers who are demonstrative of nuances within a nation's population. This same section of the official rules and regulations document also states that "the submitting country must certify that creative control of the motion picture was largely in the hands of the citizens or residents of that country" ("Rule Thirteen" n.p.). Again, this proves problematic for films that are co-produced by multiple nations, and also for filmmakers working within nations in which they are not citizens. One of the most notable examples of this bias occurred in 1994, with "the deselection of Swiss entry *Three Colours: Red*" ("Oscars Wild" 18) due to a discrepancy between the film's country of origin and the nationality of Polish director Krzysztof Kieslowski. This occurred again in 1995, when "Italy's *Il Postino* became the first foreign language film to be nominated for best film since Ingmar Bergman's *Cries and Whispers* in 1973" (Bahiana 1). Despite this achievement, *Il Postino* (Radford, 1994) was ineligible for consideration in the Foreign Language Film category due to director Michael Radford's nationality: his status as a citizen of the United Kingdom did not allow the film to be submitted by Italy despite the film containing an Italian language dialogue track (1).

An additional example of this bias can be found in Spanish language films produced within the United State of America. These films are automatically deemed ineligible despite their use of a non-English language, placing the Latino community in a position where their work is ineligible for recognition unless they integrate into the English language oriented Hollywood studio system. Two high profile Hollywood directors experienced a similar situation: Mel Gibson's *Apocalypto* (2006) and Clint Eastwood's eventual Best Picture nominee *Letters from Iwo Jima* (2006) were highly regarded foreign language films that were unable to be claimed by one particular country other than the US (due to their status as co-productions). When asked about these omissions by *Hollywood Reporter* columnist Stephen Galloway, Johnson claimed that it would be unfair to foreign countries to allow the Academy to submit American films in a foreign language, citing the potential for the perception of bias. However, Galloway used this opportunity to suggest that perhaps the category is no longer about rewarding the best foreign language film, but has become about awarding the best foreign language 'team', meaning, the best national film industry and production

companies able to export their commercial offerings for Hollywood to profit from (Gilchrist n.p).

4.3 Industry Standards

The third major criticism aimed at the official rules and regulations document is that it enforces strict technological requirements for production and exhibition of films that have the potential to limit indigenous cinemas without a commercialized film industry from achieving eligibility. Section II:A of the official document states, “The motion picture must be first released in the country submitting it...and be first publicly exhibited for at least seven consecutive days in a commercial motion picture theater for the profit of the producer and exhibitor” (“Rule Thirteen” n.p.). This requirement of a film having to play in a commercial theatre for profit privileges economically and politically stable nations that have the infrastructure to support commercial movie theatres. This policy services Hollywood and the Academy’s desire to import commercially viable foreign language films such as European commercial cinema for distribution within the U.S. domestic market as well as abroad. When looking at the list of winning films between 1989 and 2011, only three originate in nations that were encountering severe economic hardships in the domestic film industry at the time of the film’s production: *Burnt By The Sun* from Russia in 1995, *Kolya* from the Czech Republic in 1996 and *No Man’s Land* from Bosnia-Herzegovina in 2001.

Their inclusion in the category, and status as winners, relates to the fact that they embody a style of melodrama that situated them as a more commercially appealing option for audiences in their domestic markets, as well as made them more accessible for Academy members. Christina Stojanova suggests that audiences all over Central and Eastern Europe during this time were “eager for entertainment and [were] increasingly desensitized to Central/Eastern auteur cinema” (Stojanova 95). As a result, spectators were embracing Hollywood action cinema for its ability to provide escape. Riding furthers Stojanova’s point when nothing that after the political trauma of the Velvet revolution, Czech audiences were becoming increasingly unreceptive to the stories local filmmakers desired to tell, and instead preferred the escapism of Hollywood cinema. This is reflected in the box office numbers: Riding notes that 90 percent of all box office in the Czech Republic at the time was generated by American productions, with audiences eager to see “*Independence Day* [Emmerich, 1996]

and *Twister* [de Bont, 1996]...the hits of 1996” (Riding 18). Compounding this problem even further was that after the Revolution, the amount of available movie screens plummeted by 90 percent due to the government’s inability to maintain commercial theatre infrastructure. Czech produced films were simply running out of opportunities to be funded and places to be exhibited.

Similar conditions occurred in Russia at this same time. In the late 1980s, “the average Russian went to see films fourteen times a year, the world’s highest movie-going figure” (Menashe 10). As the Soviet economy plummeted after 1989, the output of films shrank: by 1997, forty-nine films were put into production in Russia, with twenty-three of them being forced to shut down due to a lack of funding. This massive drop in film production affected audience attendance: the average Russian “went to see a film less than once a year in 1996” (10), and with fifty-four American movies playing in the seventy-nine theatres that were in operation in Moscow, those films tended to be American. Fewer Russian films playing in commercial theaters meant lower exhibition profits, and production companies were unable to fund their films, especially with the increasing lack of government subsidization and the increasing public interest in television. A lack of funding from the state also directly affected the conditions of movie theatres. Many were falling apart, were disregarded for their lack of comfort, and, of the 1000 theatres within Russia, only 46 were equipped with Dolby sound systems (12). As a result, due to their high production values that were funded by co-operative private funding, as well as the appeal of their universal themes and relatable emotional content, melodramas like *Burnt By The Sun*, and *Kolya* were the types of films produced that were able to secure distribution and exhibition contracts within the troubled and Hollywood dominated European markets and to meet the technological and exhibition standards set forth by the Academy.

These types of requirements have only become more specific and difficult for smaller film industries to meet as technology has rapidly and exponentially developed over the last decade. This is reflected in the Academy’s increased emphasis on the importance of digital technology. The organization has passed revisions to the rules and regulations that state that all films submitted to the category must now abide by very specific digital exhibition rules. The document demands that “audio data shall be formatted in conformance with ST 428-2:2006 D-Cinema Distribution Master Audio Characteristics” (“Rule Thirteen”), and must be

shown within a theatre that has the capabilities to exhibit these digital audio standards. The section also provides an additional requirement: the document states, “Submissions must be in 35mm or 70mm film, or in a 24-48 frame progressive scan Digital Cinema format...” (“Rule Thirteen” n.p.). Privileging the standard 35mm and 70mm exhibition formats again discriminates against artists without access to technologically ‘advanced’ filmmaking equipment, excluding artistically valid work that has been captured on 8 or 16mm film, or, demanding that an artist that has used these smaller formats must spend the time and the money to convert their work to the larger industry standards.

It is this privileging of commercial film industry standards, in terms of advanced filmic technology, that points to the difficulty that the official document’s rules create for artists. These types of stipulations also prevent artists from politically unstable nations from submitting films should the content of the work be controversial, confrontational or politically radical. If a film must run in a commercial theatre for a period of seven consecutive days, theatre owners or distribution companies may simply be unwilling or unable to shoulder the risk of exhibiting such work. Instead, these technological and exhibition requirements foster a bias towards commercial cinema, ensuring that films are ready to be distributed across the vast, increasingly connected distribution channels created and owned by the specialty studios and other producing firms for corporate profit should they receive a sought after nomination, or, eventual win within the Best Foreign Language Film category.

This chapter has suggested that the rules of eligibility for entry into the Best Foreign Language Film category dictate that a film must abide by strict commercial standards of production, distribution and exhibition set forth by the Academy, and, by proximity, by the Hollywood film industry. The document also puts in place strict rules regarding required levels of national or cultural content that must be present both within a film’s narrative, as well as in the process of a film’s production. These criteria are becoming increasingly contradictory due to the rapidly changing global nature of film production, and especially given Hollywood’s interests in commercializing foreign language film production, a task that often calls for the removal of a film’s distinguishing cultural and political characteristics or contexts. This is particularly interesting when we look at the nations and films that have been rewarded within the category during the past decade. The conclusion of this thesis will

suggest that the category is now used as a means for Hollywood to acknowledge film industries that it wishes to envelop into its distribution practices at the global level. In addition, I will suggest possible avenues for additional research on the category.

Conclusion

The Future of the Category and of Research on the Topic

This thesis has aimed to provide a history of the Best Foreign Language Film category at the Oscars between 1926 and 2013. It has examined the category through an industrial approach, outlining the category's symbiotic relationship with the Hollywood studios, suggesting that the category's economic, political and cultural parameters have historically been dependent on the U.S. film industry's practice of importing foreign-language films. Ultimately, this complex and irrevocable relationship has pushed art cinema into the mainstream. This commercialization, even colonization, of foreign language films and the art house circuit functions as an economic strategy for the Hollywood studios and their subdivisions: by distributing foreign language films globally, studios supplement revenue streams which, in turn, are heavily invested in the expensive mode of blockbuster filmmaking. This mode of commercialization has also impacted film production globally: the restructuring of the channels of funding, producing and distributing non-English language films has had a major impact for artists, producers and distributors.

In the introduction to this thesis, I set forth that the original intent of my research was, due to the manner in which the Academy defines entry into the category through the notion of "nation", to examine representations of 'nation' and 'national identity' within the winning films. While this type of research is a natural next step in the process of crafting a comprehensive history of the category, there is also the question of what has occurred within the category and the art house circuit during the past decade. This is a period that has yet to be fully studied, although authors such as Perren and Tzioumakis are at the forefront of this work. In this conclusion I will suggest some areas and methods by which the chronicling of this latest period of the category can be approached, particularly in regards to the category's commercialization, and what this means for the global film industries.

The first way that research on this topic could be furthered is through the continued study of the art house circuit and its market. Over the course of this thesis I have suggested that the economic conditions of the art cinema industry are in a constant state of flux: the market grew in the 1940s, 1950s and 1960s, declined in the 1970s and 1980s, expanded again

in the early 1990s and entered a new period of decline in the mid 1990s. Since Miramax and SPC's reinvigoration of the industry in the late 1990s, audience interest has remained relatively steady within the domestic U.S. market. As well, with global distribution channels constantly growing, there is a wider audience seeking out non-Hollywood, non-English language films. However, foreign language imports that lack awards attention still struggle at the domestic box office, and with the noted instability of this particular market, it may only be a matter of time before it declines once more. Fortunately, by looking at the category itself and at the trades papers, and particularly through the use of online awards season blogs and key box office tracking websites, it is now possible for scholars to have instant access to data that can determine the economic and artistic 'climate' of the art house and other niche industries. I believe that these tools will continue to play a key role in the study of art cinema and foreign language film production around the globe, and that it will prove important to gain a better understanding of how these new media assets can be used within scholarly research.

With little academic work available on the current state of the art house industry, it is also necessary to study the films that have won in the category since its commercialization at the end of the 1990s, as well as their industrial contexts. I have suggested in this thesis that there are three periods in which we can view the category, its filmic content and industrial contexts: the period of European art cinema, the period of European commercial cinema, and a third period that contains commercialized foreign-language films. These periods are fluid, lacking rigid beginnings and endings, and one key aspect to keep monitoring is whether the category is still in the process of being commercialized, or, if this process has become complete. I suggest this in large part because it appears as though the category has shifted into a fourth period that could potentially be defined by the Academy's rewarding of 'genre' films. Like the European commercial cinema that dominated during what has been defined here as the second period, many of the winning films since *Crouching Tiger, Hidden Dragon* also vision or revision history and contain narratives that look back at the traumas of the past. *No Man's Land*, *Nowhere in Africa* (Link, 2001), *The Lives of Others* (Florian Henckel von Donnersmarck, 2006), *The Counterfeiters* (Ruzowitsky, 2007) and *The Secret In Their Eyes* (Campanella, 2009) embrace topics that range from the Holocaust, to political prosecution and exile, to oppression under communism as well as various other European political

conflicts that occurred within the past Century. An overwhelming amount of these films have also been acquired and distributed by SPC, who now dominate the market as the Weinstein's new company, The Weinstein Company (TWC), often struggle to successfully release foreign imports.

The Academy has also once again begun to embrace films that are set in present day: *The Barbarian Invasions* (Arcand, 2003), *Tsotsi*, *Departures* (Takita, 2008), *In a Better World* (Bier, 2010), *A Separation* (Farhadi, 2011) and *Amour* (Haneke, 2012) all are set in the contemporary world. What all of these films have in common is that most exhibit strong genre sensibilities, containing a blend of elements from the thriller, procedural and melodrama genres. The Academy's rewarding of films that blend these genre elements is definitely representative of the Hollywood's studios' privileging of foreign products that demonstrate strong commercial sensibilities. I believe that it would be pertinent to examine the artistic ramifications of this shift towards rewarding genre filmmaking on global film production. As film writer Matt Losada notes, this type of "commercial production model attracts a larger portion of state and other funding while privileging the expectations and desires of the widest commercial audience, thus closing many thematic and formal possibilities" (Losada n.p). With one of the most sought after awards for art cinema now being given to national film industries that best embrace an increasingly genre-based style of filmmaking, we must determine how this may affect cultural and national content within non-Hollywood films.

One final area that I think should be studied is how the category is once again used for the assimilation of foreign talent. Since the wins for *Life is Beautiful*, the category has become an essential tool for Hollywood to recruit the newly anointed 'valuable' filmmakers coming from foreign film industries. This is similar to how the category functioned in the 1960s, when Hollywood offered lucrative production deals to the worlds' most recognizable and successful art film *auteurs* such as Antonioni, Truffaut and Visconti, to name a few (Balio 227). However, within the past ten to fifteen years, nominated talent in the category has been lured to Hollywood with the promise of headlining expensive blockbuster films which would receive wide international releases. The main reason for this is economically driven, as "the studios are looking to discover directors from other countries who'll bring a unique vision, a different flavor, an edge, which sometimes helps them attach talent"

(Hofmann and Swart A2), such as actors eager for the experience of working with emerging directors but who may be hesitant to sign on for a big budget tent-pole film.

An overwhelming amount of the directors responsible for nominated and winning films in the category, who have travelled to Hollywood to direct a feature, have met with disappointing results, both artistically as well as financially. The most high profile cases include Benigni himself, who directed the notorious economic disaster *Pinocchio* (2002) for Miramax that ultimately led to the director's exit from the Hollywood stage. After winning in the category in 2005 for *Tsotsi*, Gavin Hood was aggressively wooed by Hollywood executives (Rabinowitz A1). He was recruited for the 2009 superhero film *X-Men Origins: Wolverine*, a film that made a relatively healthy sum at the box office but was widely suggested to be an artistic failure and a betrayal of the talent that Hood displayed in his Oscar winning feature. Perhaps the highest profile case of such a move from artistic integrity to the empty lure of blockbuster cinema is Florian Henckel von Donnersmark. His 2006 winning film *The Lives of Others* is widely regarded by critics and trades, including *Sight and Sound*, as one of the best films to win in the category that decade. The German director's next feature was a \$100 million budgeted picture starring Hollywood titans Johnny Depp and Angelina Jolie entitled *The Tourist* (2010), which was one of the biggest critical and commercial flops of that year and was also widely regarded as a waste of talent for the director.

The trend of offering these filmmakers deals so lucrative that they leave their national film industry poses numerous questions such as, how does this new form of migration affect national film industries both artistically and economically? And, with the festival circuit now functioning as a machine to churn new talent out of small and large film industries, does this really matter? Regardless of Hollywood's economic motives, the category remains the foremost platform for filmmakers and non-Hollywood film industries to display their talent, unquestionably shedding light on a mode of filmmaking that needs a spotlight more than ever in the age of sequels, remakes, and billion dollar franchises. In the age of global Hollywood, it will be fascinating for scholars (among whom I'd like to count myself) interested in art cinema to track the shifting sensibilities of the art form that gave birth to our discipline in the first place.

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- Before The Rain*. Dir. Milcho Manchevski. Criterion, 1994. DVD.
- Belle Du Jour*. Dir. Luis Buñuel. Criterion, 1967. DVD.
- Belle Époque*. Dir. Fernando Trueba. Sony Pictures Home Entertainment, 1992. DVD.
- Bitter Rice* (aka *Riso Amaro*). Dir. Giuseppe De Santis. Nothing's New Video, 1950. DVD.
- Black and White in Color* (aka *Noirs et Blancs en Couleur*). Dir. Jean-Jacques Annaud. Homevision, 1976. DVD.
- Black Bread* (aka *Pe Negre*). Dir. Agustí Villaronga. 2010. n.a.
- Black Narcissus*. Dir. Powell and Pressburger. Criterion, 1947. DVD.
- Black Orpheus*. Dir. Marcel Camus. Criterion, 1959. DVD.
- Blow Up*. Dir. Michelangelo Antonioni. Warner Home Video, 1966. DVD.
- Bonnie and Clyde*. Dir. Arther Penn. Warner Bros. Home Video, 1967. DVD.
- Burnt By The Sun* (aka *Utomlyonnye Solntsem*). Dir. Nikita Mikhalkov. Sony Pictures Home Entertainment, 1994. DVD.
- Burnt By The Sun: Citadel* (aka *Utomlyonnye Solntsem 2*). Dir. Nikita Mikhalkov. 2011. n.a.

- Caché*. Dir. Michael Haneke. Sony Pictures Home Entertainment, 2005. DVD.
- Camille Claudel*. Dir. Bruno Nuytten. MGM Home Video, 1988. DVD.
- Chan Is Missing*. Dir. Wayne Wang. Koch Lorber Films, 1982. DVD.
- Character* (aka *Karakter*). Dir. Mike van Diem. Sony Pictures Home Entertainment, 1996. DVD.
- Cinema Paradiso* (aka *Nuovo Cinema Paradiso*). Dir. Giuseppe Tornatore. Lionsgate, 1988. DVD.
- Closely Watched Trains* (aka *Ostre Sledované vlaky*). Dir. Jirí Menzel. Criterion, 1966. DVD.
- Cries and Whispers* (aka *Viskningar Och Rop*). Dir. Ingmar Bergman. Criterion, 1972. DVD.
- Crouching Tiger, Hidden Dragon* (aka *Wo Hu Cang Long*). Dir. Ang Lee. Sony Pictures Classics, 2000. DVD.
- Cyrano de Bergerac*. Dir. Jean-Paul Rappeneau. MGM Home Video, 1990. DVD.
- Dangerous Moves* (aka *La Diagonale de Fou*). Dir. Richard Dembo. Home Vision Entertainment, 1984. DVD.
- Day for Night* (aka *La Nuit Américaine*). Dir. François Truffaut. Warner Home Video, 1973. DVD.
- Departures* (aka *Okuribito*). Dir. Yôjirô Takita. Arrow Films, 2008. DVD.
- Dersu Uzala*. Dir. Akira Kurosawa. Kino Video, 1975. DVD.
- Devil in the Flesh* (aka *Le Diable au Corps*) Dir. Claude Autant-Lara. A.F.E. Corporation. N/A.
- Dream Weavers: Beijing 2008* (aka *Zhu Meng*). Dir. Jun Gu. 2008. n.a.
- E.T.: The Extra Terrestrial*. Dir. Steven Spielberg. Columbia TriStar Home Video, 1982. DVD.
- Eat Drink Man Woman* (aka *Yin Shi Nan Nu*). Dir. Ang Lee. MGM Home Video, 1994. DVD.
- El Norte*. Dir. Gregory Nava. Criterion, 1983. DVD.
- Fanny and Alexander* (aka *Fanny och Alexander*). Dir. Ingmar Bergman. Criterion, 1983. DVD.
- Forbidden Games* (aka *Jeux Interdits*) Dir. René Clément. Janus Films, 1952. DVD.

- Gate of Hell* (aka *Jigokumon*). Dir. Teinosuke Kinugasa. Criterion, 1953. DVD.
- Get Out Your Handkerchiefs* (aka *Préparez vos Mouchoirs*). Dir. Bertrand Blier. Anchor Bay, 1978. DVD.
- Henry V*. Dir. Lawrence Olivier. Warner Bros., 1944. DVD.
- Hook*. Dir. Steven Spielberg. Sony Pictures Home Entertainment, 1991. DVD.
- Howards End*. Dir. James Ivory. Criterion, 1992. DVD.
- Il Postino* (aka *The Postman*). Dir. Michael Radford. Miramax, 1994. DVD.
- Immoral Tales* (aka *Contes Immoraux*) Dir. Walerian Borowczyk. Anchor Bay Entertainment, 1974. DVD.
- In A Better World* (aka *Haevnen*). Dir. Susanne Bier. Sony Pictures Classics, 2010. DVD.
- Independence Day*. Dir. Roland Emmerich. 20th Century Fox, 1996. DVD.
- Indochine*. Dir. Régis Wargnier. Arror Films, 1992. DVD.
- Investigation of a Citizen Above Suspicion* (aka *Indagine su un Cittadino al di Sopra di Ogni Sospetto*). Dir. Elio Petri. Lucky Red, 1970. n.a.
- Jaws*. Dir. Steven Spielberg. Universal Home Video, 1975. DVD.
- Journey of Hope* (aka *Reise der Hoffnung*). Dir. Xavier Holler. Warner Bros., 1990. DVD.
- Jules and Jim* (aka *Jules et Jim*). Dir. François Truffaut. Criterion, 1962. DVD
- Kiss of the Spider Woman*. Dir. Hector Babenco. City Lights Pictures, 1985. DVD.
- Kolya* (aka *Kolja*). Dir. Jan Sverák. Miramax Lionsgate, 1996. DVD.
- La Belle et la Bête* (aka *Beauty and the Beast*). Dir. Jean Cocteau. Criterion, 1946. DVD.
- La Dolce Vita*. Dir. Federico Fellini. Koch Vision, 1960. DVD.
- La Strada*. Dir. Federico Fellini. Criterion, 1954. DVD.
- Letters from Iwo Jima*. Dir. Clint Eastwood. Warner Home Video, 2006. DVD.
- Life is Beautiful* (aka *La Vita è Belle*). Dir. Roberto Benigni. Miramax Lionsgate, 1998. DVD.
- Madame Rosa* (aka *La Vie Devant Soi*). Dir. Moshé Mizrahi. Atlantic Releasing, 1978. n.a.

- Mapantsula*. Dir. Oliver Schmitz. Hollywood Classics, 1987. n.a.
- Maria, Full of Grace*. Dir. Joshua Marston. HBO Studios, 2004. DVD.
- Mediterraneo*. Dir. Gabriele Salvatores. Spectra Nova, 1991. DVD.
- Mephisto*. Dir. István Szabó. Analysis Film Releasing, 1981. DVD.
- Mon Oncle*. Dir. Jacques Tati. Criterion, 1958. DVD.
- Monsieur Vincent*. Dir. Maurice Cloche. L'Alliance Générale de Distribution Cinématographique, 1947. DVD.
- Moscow Does Not Believe In Tears* (aka *Moskva Slezam ne Verit*). Dir. Vladamir Menshov. Kino Vido, 1980. DVD.
- My Dinner with Andre*. Dir. Louis Malle. Criterion, 1981. DVD.
- Nights of Cabiria*. Dir. Federico Fellini. Criterion, 1957. DVD.
- No Man's Land*. Dir. Danis Tanovic. MGM Home Video, 2001. DVD.
- Nowhere in Africa* (aka *Nirgendwo in Afrika*). Dir. Caroline Link. Sony Pictures Home Entertainment, 2001. DVD.
- Paisan*. Dir. Roberto Rossellini. Criterion, 1946. DVD.
- Passion* (aka *Madame DuBarry*). Dir. Ernst Lubitch. Grapevine Video, 1919. DVD.
- Passionelle*. Dir. Edmond T. Gréville. Les Film Corona, 1947. DVD.
- Passport to Pimlico*. Dir. Henry Cornelius. Studio Canal, 1949. DVD.
- Pelle the Conqueror* (aka *Pelle Erobreren*). Dir. Bille August. Trinity Home Entertainment, 1987. DVD.
- Private*. Dir. Saverio Costanzo. Typecast Releasing, 2004. DVD.
- Private Vices, Public Virtues* (aka *Private Vices, Public Pleasures*). Dir. Miklós Jancsó. First Line Films, 1976. DVD.
- Rashomon*. Dir. Akira Kurosawa. Criterion, 1950. DVD.
- Rome, Open City* (aka *Roma, Città Aperta*). Dir. Roberto Rossellini. Kino Video, 1945. DVD.
- Rust and Bone* (aka *De Rouille et D'os*). Dir. Jacques Audiard. Sony Pictures Home Entertainment, 2012. DVD.

- Salaam Bombay!*. Dir. Mira Nair. MGM Home Video, 1988. DVD.
- Samurai, The Legend of Musashi* (aka *Miyamoto Musashi*). Dir. Hiroshi Inagaki. Criterion, 1954. DVD.
- sex, lies and videotape*. Dir. Steven Soderbergh. Sony Pictures Home Entertainment, 1989. DVD.
- Shoeshine* (aka *Sciuscìà*) Dir. Vittorio De Sica. Image Entertainment, 1946. DVD.
- Star Wars*. Dir. George Lucas. Twentieth Century Fox, 1977. DVD.
- Stranger Than Paradise*. Dir. Jim Jarmusch. Criterion, 1984, DVD.
- Sundays and Cybele* (aka *Les Dimanches de Ville d'Avray*). Dir. Serge Bourguignon. Connoisseur Video Collection, 1962.
- The Addams Family*. Dir. Barry Sonnenfeld. Paramount, 1991. DVD.
- The Assault*. Dir. Fons Rademakers. MGM/UA Home Video, 1986. VHS.
- The Barbarian Invasions* (aka *Les Invasions Barbares*). Dir. Denys Arcand. Lionsgate, 2003. DVD.
- The Best Years of our Lives*. Dir. William Wyler. MGM, 1946. DVD.
- The Bicycle Thief* (aka *Bicycle Thieves* aka *Ladri di Biciclette*). Dir. Vittorio De Sica. Criterion, 1948. DVD.
- The Cabinet of Dr. Caligari* Dir. Robert Wiene. Kino Video, 1920. DVD.
- The Counterfeiters* (aka *Die Fälscher*). Dir. Stefan Ruzowitzky. Sony Pictures Home Entertainment, 2007. DVD.
- The Decameron* (aka *Il Decameron*). Dir. Pier Paolo Pasolini. Criterion, 1971. DVD.
- The Discrete Charm of the Bourgeoisie* (aka *Le Charme Discret de la Bourgeoisi*). Dir. Luis Buñuel. Criterion, 1972. DVD.
- The Forgiveness of Blood*. Dir. Joshua Marston. Criterion, 2011. DVD.
- The Garden of the Finzi-Continis* (aka *Il Giardino dei Finzi Contini*). Dir. Vittorio De Sica. Columbia TriStar Home Video, 1970. DVD.
- The Graduate*. Dir. Mike Nichols. MGM Home Entertainment, 1967. DVD.
- The Hunchback of Notre Dame*. Dir. William Diterie. Turner Home Entertainment, 1939. DVD.

- The Intouchables* (aka *Intouchables*). Dir. Olivier Nakache and Eric Toledano. Sony Pictures Home Entertainment, 2011. DVD.
- The Lives of Others* (aka *Das Leben der Anderen*). Dir. Florian Henckel von Donnersmarck. Sony Pictures Home Entertainment, 2006. DVD.
- The Official Story* (aka *La Historia Oficial*). Dir. Luis Puenzo. Argentina Video Home, 1985. DVD.
- The Sea Inside* (aka *Mar Adentro*). Dir. Alejandro Amenábar. New Line Home Video, 2004. DVD.
- The Secret in their Eyes* (aka *El Secreto de sus Ojos*). Dir. Juan José Campanella. Sony Pictures Classics, 2009. DVD.
- The Shop on Main Street* (aka *Obchod na Korze*). Dir. Ján Kadár and Elmar Klos. Criterion, 1965. DVD.
- The Skin I Live In* (aka *La Piel que Habito*). Dir. Pedro Almodóvar. Sony Pictures Home Entertainment, 2011. DVD.
- The Thin Blue Line*. Dir. Errol Morris. MGM Home Video, 1988. DVD.
- The Tin Drum* (aka *Die Blechtrommel*). Dir. Volker Schlöndorff. Criterion, 1979. DVD.
- The Virgin Spring* (aka *Jungfrukällan*). Dir. Ingmar Bergman. Criterion, 1960. DVD.
- The Wages of Fear* (aka *Le Salaire de la Peur*). Dir. Henri-Georges Clouzot. Criterion, 1953. DVD.
- The Walls of Malapaga* (aka *Le Mura di Malapaga*). Dir. René Clément. 1949. n.a.
- Three Colors: Red* (aka *Trois Couleurs: Rouge*). Dir. Krzysztof Kieslowski. Criterion, 1993). DVD.
- Through A Glass Darkly* (aka *Såsom i en Spegel*). Dir. Ingmar Bergman. Criterion, 1961. DVD.
- To Begin Again* (aka *Volver a Empezar*). Dir. José Luis Garci. Tribanda Pictures, 1982. DVD.
- Torment* (aka *Hets*) Dir. Alf Sjöberg. Criterion, 1944. DVD.
- Twister*. Dir. Jan de Bont. Warner Home Video, 1996. DVD.
- Two Much*. Dir. Fernando Trueba. Mill Creek Entertainment, 1995. DVD.

War and Peace (aka *Voyna I Mir*). Dir. Sergey Bondarchuk. Kultur, 1967. DVD.

Whiskey Galore (aka *Tight Little Island*). Dir. Alexander Mackendrick. Universal, 1949. DVD.

Woman in the Dunes (aka *Suna no onna*). Dir. Hiroshi Teshigahara. Criterion, 1964. DVD.

Women on the Verge of a Nervous Breakdown (aka *Mujeres al Borde de un Ataque de Nervios*). Dir. Pedro Almodóvar. MGM Home Video, 1988. DVD.

Yesterday, Today and Tomorrow (aka *Ieri, Oggi, Domain*). Dir. Vittorio De Sica. No Shame Films, 1963. DVD.

Z. Dir. Costa-Gavras. Criterion, 1969. DVD.

8 ½. Dir. Federico Fellini. Criterion, 1963. DVD.

Appendix A

Recipients of Honorary Trophy for Achievement in Foreign Language Filmmaking

Year	Film Title	Director	Country
1947	<i>ShoeShine</i>	Vittorio De Sica	Italy
1948	<i>Monsieur Vincent</i>	Maurice Cloche	French
1949	<i>The Bicycle Thief</i>	Vittorio De Sica	Italy
1950	<i>The Walls of Malapaga</i>	René Clément	France/Italy
1951	<i>Rashomon</i>	Akira Kurosawa	Japan
1952	<i>Forbidden Games</i>	René Clément	France
1953	No Award Given	No Award Given	No Award Given
1954	<i>Gate To Hell</i>	Teinosuke Kinugasa	Japan
1955	<i>Samurai, The Legend of Musashi</i>	Hiroshi Inagaki	Japan

Recipients of 'Best Foreign Language Film' Award

Year	Film Title	Director	Country
1956	<i>La Strada</i>	Federico Fellini	Italy
1957	<i>Nights of Cabiria</i>	Federico Fellini	Italy
1958	<i>My Uncle</i>	Jacques Tati	France
1959	<i>Black Orpheus</i>	Marcel Camus	France
1960	<i>The Virgin Spring</i>	Ingmar Bergman	Sweden
1961	<i>Through a Glass Darkly</i>	Ingmar Bergman	Sweden
1962	<i>Sundays and Cybele</i>	Serge Bourguignon	France
1963	<i>8 1/2</i>	Federico Fellini	France
1964	<i>Yesterday, Today and Tomorrow</i>	Vittorio De Sica	Italy
1965	<i>The Shop on Main Street</i>	Jan Kadar and Elmar Klos	Czechoslovakia
1966	<i>A Man and a Woman</i>	Claude Lelouch	France
1967	<i>Closely Watched Trains</i>	Jiří Menzel	Czechoslovakia
1968	<i>War and Peace</i>	Sergei Bondarchuk	Soviet Union
1969	<i>Z</i>	Costa-Gavras	Algeria

1970	<i>Investigation of a Citizen Above Suspicion</i>	Elio Petri	Italy
1971	<i>The Garden of the Finzi Continis</i>	Vittorio De Sica	Italy
1972	<i>The Discrete Charm of the Bourgeoisie</i>	Luis Buñuel	France
1973	<i>Day For Night</i>	François Truffaut	France
1974	<i>Amarcord</i>	Federico Fellini	Italy
1975	<i>Dersu Uzala</i>	Akira Kurosawa	Soviet Union
1976	<i>Black and White in Color</i>	Jean-Jacques Annaud	Ivory Coast
1977	<i>Madame Rosa</i>	Moshé Mizrahi	France
1978	<i>Get Out Your Handkerchiefs</i>	Bertrand Blier	France
1979	<i>The Tin Drum</i>	Volker Schlöndorff	Germany (West)
1980	<i>Moscow Does Not Believe in Tears</i>	Vladimir Menshov	Soviet Union
1981	<i>Mephisto</i>	István Szabó	Hungary
1982	<i>To Begin Again</i>	José Luis Garci	Spain
1983	<i>Fanny and Alexander</i>	Ingmar Bergman	Sweden
1984	<i>Dangerous Moves</i>	Richard Dembo	Switzerland
1985	<i>The Official Story</i>	Luis Puenzo	Argentina
1986	<i>The Assault</i>	Fons Rademakers	Netherlands
1987	<i>Babette's Feast</i>	Gabriel Axel	Denmark
1988	<i>Pelle the Conqueror</i>	Bille August	Denmark
1989	<i>Cinema Paradiso</i>	Giuseppe Tornatore	Italy
1990	<i>Journey of Hope</i>	Xavier Koller	Switzerland
1991	<i>Mediterraneo</i>	Gabriele Salvatores	Italy
1992	<i>Indochine</i>	Régis Wargnier	France
1993	<i>Belle Époque</i>	Fernando Trueba	Spain
1994	<i>Burnt By The Sun</i>	Nikita Mikhalkov	Russia
1995	<i>Antonia's Line</i>	Marleen Gorris	Netherlands
1996	<i>Kolya</i>	Jan Svěrák	Czech Republic
1997	<i>Character</i>	Mike van Diem	Netherlands
1998	<i>Life is Beautiful</i>	Roberto Benigni	Italy
1999	<i>All About My Mother</i>	Pedro Almodóvar	Spain
2000	<i>Crouching Tiger, Hidden Dragon</i>	Ang Lee	Taiwan
2001	<i>No Man's Land</i>	Danis Tanović	Bosnia-Herzegovina
2002	<i>Nowhere in Africa</i>	Caroline Link	Germany
2003	<i>The Barbarian Invasions</i>	Denys Arcand	Canada
2004	<i>The Sea Inside</i>	Alejandro Amenábar	Spain
2005	<i>Tsotsi</i>	Gavin Hood	South Africa

2006	<i>The Lives of Others</i>	Florian Henckel von Donnersmarck	Germany
2007	<i>The Counterfeiters</i>	Stefan Ruzowitzky	Austria
2008	<i>Departures</i>	Yojiro Takita	Japan
2009	<i>The Secret in Their Eyes</i>	Juan José Campanella	Argentina
2010	<i>In a Better World</i>	Susanne Bier	Denmark
2011	<i>A Separation</i>	Asghar Farhadi	Iran
2012	<i>Amour</i>	Michael Haneke	Austria

Appendix B
Key Trade Papers

Trade Paper	Publisher	Print	Online
<i>Entertainment Weekly</i>	Time Inc.	Yes	Yes
<i>The Hollywood Reporter</i>	Prometheus Global Media	Yes	Yes
<i>Screen International</i>	Media Business Insight Limited	Yes	Yes
<i>Variety</i>	Penske Business Media	Yes	Yes

Appendix C

Key Online Film Blogs

Blog	Key Writer	Online	Website
<i>Awards Daily</i>	Sasha Stone	Yes	www.awardsdaily.com
<i>Hitfix</i>	Drew McWeeny	Yes	www.hitfix.com
<i>Hollywood Elsewhere</i>	Jeff Wells	Yes	www.hollywood-elsewhere.com
<i>InContention</i>	Kris Tapley Guy Lodge	Yes	www.hitfix.com/in-contention
<i>IndieWire</i>	Peter Knegt	Yes	www.indiewire.com
<i>Thompson on Hollywood</i>	Anne Thompson	Yes	http://blogs.indiewire.com/thompsononhollywood

Curriculum Vitae

Kyle William James Tabbernor

Western University – London, Ontario Canada

Education

2011-2013 – M.A. (Film Studies) – Western University

Graduate Thesis: “Subbed-Titles’: Hollywood, the Art House Market and the Best Foreign Language Film Category at the Oscars.” Supervisor: Dr. Constanza Burucua, Western University.

2001-2005 - B.A. (Film Theory and Criticism) - The University of Western Ontario

Undergraduate Thesis: “Babylon Boys: Queer as Folk, National Identity and the creation of Queer Historicity.” Supervisor: Dr. Janina Falkowska, The University of Western Ontario.

Teaching Experience

2012-2013: Teaching Assistant - Film 1020E: Introduction to Film Studies with Dr. Janelle Blankenship. Western University, London ON.

2012-2013: Teaching Assistant – Religious Studies 1033A&B: The Meaning of Life at the Movies with Dr. Charles Burnetts. Kings College, Western University, London ON.

2011-2012: Teaching Assistant – Film 1020E: Introduction to Film Studies with Dr. Charles Burnetts. Western University, London ON.

2011-2013: Graduate Student/Faculty Representative

Honors and Awards

Won: Graduate Student Teaching Award – June 2013. Western University.

Nominated: Graduate Student Teaching Award – June 2012. Western University.

International Conference Presentations

“Motility and Routes of Migration: How Do Films Produced By Small Nations Acquire International Fame?” Co-written with Prof. Janina Falkoska. 21 Jun 2013. European Network for Cinema and Media Studies (NECS). Prague, CZ.

“Narrative and Spectacle in Hybridized Indian Cinema,” 29 May 2005. Film Studies Association of Canada (FSAC) Conference, The University of Western Ontario, London, ON.

Academic Conferences

Western University. "Will2K: Will Smith, Masculinity and Stardom." The WSFR Graduate Student Seminar Series. 29 Mar 2013. Presented to the *Women's Studies and Feminist Research Program*.

The University of Western Ontario, "From *Deep Throat* to the new Porn Empire: Legitimizing the Aesthetics of Pornography." Jan 2006, Presented to the Faculty of Film Studies '*Friday Night Film Series*'.

The University of Western Ontario, "The Dyke and the Fall of Fernando: Queer Pleasure in *Muriel's Wedding*." 2005, Presented to *Flaunting It: Undergraduate Conference for Research on Gender and Sexuality*.