INDEPENDENT FEATURE FILMMAKING:
THE HISTORICAL DEVELOPMENT
OF CURRENT METHODS

THESIS

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The historical development of independent filmmaking has led to a situation in which an independent filmmaker must do two important things to achieve distribution and success. The filmmaker should continue study and mastery of the skills and methodologies needed in development, pre-production, production, post-production, and distribution. These skills and methods help the filmmaker to produce a quality film. The most important thing the filmmaker can do is to see that the film conforms to the Hollywood narrative standard. This standard is ingrained in a majority of the audience and deviation usually meets resistance. The standard not only includes story structure, but the use of name actors and some elements of physical action.
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CHAPTER 1

INTRODUCTION TO THE STUDY

Personal experiences, with meager research, dominate the books that exist on the methodologies and skills for independent feature film production. Persons wishing to have an understanding of the entire process of independent feature film production must examine many technical books, articles on distribution from trade publications, and guild manuals. The many technical requirements necessary for the various production functions complicate this situation and hinder a general understanding of the process.

Recent changes in the marketing and distribution of independent features are not compiled and made available for use by independent filmmakers. These changes greatly affect the prospects for financing and successfully distributing independent feature films. During the 1987 Cannes' Film Festival/Market, media journalists saw these changes in the marketing and distribution of independent features as moving the production of independent features more than ever toward the "Hollywood Standard."¹ The "Hollywood Standard" for narrative film has become entrenched, and independent
filmmakers need to understand this narrative standard if they wish to succeed commercially.\textsuperscript{2}

Such an understanding is very different from the concept of total filmmaking to which independent filmmakers have usually subscribed. Total filmmaking implies that one person will produce the entire film, doing all the jobs necessary to complete the film from concept and script to the distribution and marketing of the film.\textsuperscript{3} Today the complexities of feature film production and the necessary technical skills it requires make total filmmaking an almost impossible and very risky task.\textsuperscript{4}

The purpose of this study is fourfold. First, it presents a brief look at the history and growth of independent filmmaking, while discussing the desire to be independent, independent filmmaking's relationship to entrepreneurship, and a definition of the term, "total filmmaker." Second, it examines the earlier distribution pattern and the changes that occurred in the latter eighties. Third, it examines the skills and methodologies an independent feature filmmaker must understand and possess in order to compete with what Richard Schickel calls the "Hollywood Narrative Standard."\textsuperscript{5} This "Hollywood Standard" is moving independent features toward use of a "star" or "name" as a significant member of the cast, increasing budgets to include a "proven" director, and making the production and distribution of the small personal film
difficult and financially risky. Fourth, it supplies an Appendix which summarizes the results of interviews with independent distributors. This summary gives their distribution requirements for films as expressed at the time of the interview and aid in the understanding of the problems facing independent filmmakers today.

Recent And Related Literature

Very few books exist that examine, under one cover, all the skills and methodologies necessary to independent feature film production and distribution. Persons wishing to have an understanding of the entire process must spend hours researching many technical books, articles, and guild manuals to get a basic understanding. Gregory Goodell's *Independent Feature Film Production*, published in 1982, is the best, but it does not include any information on debt financing of films, understanding Hollywood's narrative form, and film classification requirements for theatrical distribution.

Syd Field, in his 1984 book, *Screenplay: The Foundations of Screenwriting*, does give a paradigm of the Hollywood narrative standard which Richard Schickel, in his article "The Crisis in Movie Narrative," says signals the doom of "intelligent films." Schickel believes the "High Concept Film" of today's Hollywood is more concerned with stories that can be stated in three or four sentences rather
than in plot, character, and action development as in earlier eras.  

John Russo wrote Making Movies, which has some elementary material, from the personal experience of an independent feature filmmaker, but the book contains interviews with low budget filmmakers such as Lizzie Borden, Tom Salvini, and Sam Raimi whose Darkman (1990) has since moved him into mainstream Hollywood filmmaking. Stewart Bronfeld also writes from personal experience of a "Hollywood" producer in How To Produce A Film, giving excellent advice in planning a production, whether "Hollywood" or independent. In addition, his book gives sound advice on working with the post production process.  

Primarily about short films and industrials, Mollie Gregory's Making Films Your Business covers in general the principles of independent feature film financing, distribution, and exhibition. John Randall's Feature Films on a Low Budget provides a good introduction to the tools necessary for independent feature filmmaking and has some vital insights to maintaining high production values without increasing the budget. Feature Filmmaking At Used-Car Prices by Rick Schmidt offers advice in feature making on extremely low budgets. Schmidt's advice comes from personal experience with his features A Man, a Woman, and A Killer (1973) and 1988 - The Remake (1975) and from working with his former roommate Wayne Wang (Chan Is Missing)
About the business and politics of "Hollywood" studio filmmaking, *Reel Power* by Mark Litwak offers an excellent overview of the studio system of the mid-eighties and of independent filmmaking, including the reasons why some persons choose to work outside the studio system, plus the rewards and problems that come with that decision.\(^\text{13}\)

Today's independent filmmakers are directly related to the "B" filmmakers of the thirties and forties, and the decision of the studios to farm out some of the "B" films to independent studios. Today the term "B Movie" is used differently from its historical meaning, and an independent filmmaker should know something of "B Movie" history. The anthology *Kings of the Bs* offers some help in understanding the rise of independent filmmaking over the last forty years, but it stops in the early Seventies. It uses the term "B Movie" to cover a number of producers and directors from an auteurist viewpoint. Some were "B Movie" makers for the studios, and some were independent filmmakers who never have been or will be "B Movie" makers in the true historical sense of the term.\(^\text{14}\) An interesting study that pulls together the history of the "B Movie" and the economic factors that saw the beginnings of today's independent filmmaker and distributor is Louis Black's thesis "A History Of The B Movie: With An Emphasis On Economic Factors."\(^\text{15}\)

Trade publications such as *Variety*, *Daily Variety*, and *The Hollywood Reporter*, offer weekly and daily information
on what films are in production, how films in theatrical release are performing, future production, and other information that the independent filmmaker can glean for use in business decisions. Independent, Afterimage, and The Independent Feature Project’s newsletter Montage, along with seminars at the Sundance Institute and The American Film Institute provide the independent filmmaker with current updates on business, distribution, and skills.

Definition Of Terms

Most of the terms are familiar to persons with an interest in film production and distribution. Nevertheless, some that are in current use by independent distributors may be different from their historical usage and meanings.¹⁶

"High Concept" is a film that the story can be reduced to three or four sentences, has a large budget, a star who has "proven success" in previous high concept films, and ordinarily a director with high concept experience. The story usually is in a genre that lends itself to physical action. According to Jeffery Katzenberg, "High Concept" is one of the most misunderstood and misused phrases in the Hollywood lexicon. Michael Eisner, Chief Executive Officer of Disney, created the term while he and Katzenberg were at Paramount. Katzenberg explains its use as follows:

"High Concept" was intended to describe a
unique idea whose originality could be conveyed briefly. The emphasis was supposed to be on "originality" but has come to be placed on "brevity," so that today "high concept" is thought to mean an idea that can be summarized in a logline in *TV Guide*. ... ...It makes a link between movie making and movie marketing. It embellishes the concept that "the idea is king" by asserting that the idea that forms the basis of a film should not only be one that is compelling but also one that can be communicated. The real meaning of high concept is that ingenuity is more important than production values.17

An "A" film enjoys a large budget, with a star or stars, and a known director.

A "B" film has a medium to low budget, with an older star(s) and/or a recognizable "up and coming name."

The "C" film is a medium to "ultra-low budget," with no names or stars, although an old star might make a cameo appearance in the cast. It has good production values for its budget.

A "D" film has a medium to "ultra-low budget," with no names or stars, and poor production values such as: bad lighting, poor sound quality, poor acting, and poor camera work.18

A "High or Large Budget" is fifteen million dollars and higher. High concept films currently average thirty to forty million dollars.19

The "Medium Budget" is seven to fifteen million dollars.

A "Low Budget" is one million to seven million dollars.
The "Ultra Low Budget" is a film with a budget under one million with the majority below five hundred thousand dollars.

An "Independent Filmmaker" has no prior agreement with a studio to distribute a film or a number of films and arranges the financing in a number of ways. The filmmaker generally finds or originates the story and develops it through financing, production, post-production, and distribution. In addition to classification by gender and ethnic background, independents are further defined in Chapter Four.

Limitations Of The Study

This study did not focus on some important areas of independent feature production and distribution. Among those areas are:

1. Information concerning distribution income from past and present productions is very difficult to obtain for independent features, either from independent distributors or other sources. Therefore no examination of independent film income was attempted.

2. Independent filmmakers have not been separated by gender or ethnic background nor have their particular problems been addressed. Further study of the gender and ethnic problems of independent filmmakers is merited.
3. The market for independent Bs, Cs and Ds began to slow with the 1987 Cannes Film Festival/Market. These changes for independent feature distribution was studied from 1987 to 1990.

In current independent feature film production it is ordinarily impossible for a person to be a "total filmmaker" in the truest sense of the phrase. The emphasis of this thesis is on producing a basic understanding rather than a total mastery of each pre-production, production, post-production, and distribution skill.
ENDNOTES


3 Jerry Lewis, Total Filmmaking (New York: Random House, 1972), 1-5.

4 Gregory Goodell, Independent Feature Film Production (New York: St. Martin's Press, 1982), xxiv-xxv.


9 Stewart Bronfeld, How To Produce A Film (New York: Prentice Hall Press, 1988).


16Gerald Mast, *A Short History Of The Movies* (New York: Pegasus/Bobbs Merrill Co., 1971), 125. "Adolph Zukor’s Famous Players Company (1912) initiated three kinds of pictures - Class A (with stage stars and stage properties, the artsy films); Class B (with established screen players); Class C (cheap, quick features). His B’s with Mary Pickford were more popular than his A’s and he soon dropped the A’s."


18Tom T. Moore, interview by author, 27 March 1990, Dallas, phone interview. Mr. Moore is President of Reel Movies International, a distribution company.

19Gerald A. Kelly, Jr., interview by author, 6 April 1990, Seaford, N.Y., phone interview. Mr Kelly is Vice-President of Druid Film Finance Company and a former film banker for major banks. He has experience financing Studios as well as independent filmmakers and distributors.
 CHAPTER 2

A BRIEF HISTORY OF THE BEGINNINGS OF THE FILM INDUSTRY

In the beginning the film industry had no Hollywood, no studios with distribution, only filmmakers, jobbers selling films in an open market place, and exhibitors, all of whom were independent. These filmmakers and exhibitors were entrepreneurs who worked as salesmen, craftsmen, tradesmen, and retail store owners and most were immigrants or second generation Americans.\(^1\) With backgrounds in business and trades, instead of the artistic and entertainment fields, these people moved the industry toward marketing rather than creating art or "pop culture."\(^2\) As entrepreneurs, independence was etched upon their souls, but the desire for money and power filled many, which led to the formation of the studios and, for almost forty years, slowed development of independent filmmaking and distribution.

Independent Beginnings

The business of film was spawned by inventors, like Thomas Alva Edison, who became entrepreneurs to make money with their inventions within the freedom of the United States' capitalistic system.\(^3\) Producing, marketing and exhibiting these early films were men with a variety of
skills and experiences -- scrap metal dealing (Louis Mayer),
glove sales (Samuel Goldwyn), furriers (Carl Laemmle, Marcus
Loew, and Adolph Zukor), tin pan alley agent (Harry Cohn),
dressmaker (William Fox), and newspaper selling (Jesse
Lasky). Although these backgrounds were diverse, they held
marketing as their common root -- a root still feeding the
mindset of modern Hollywood.

The entrepreneurs, inventors, and early exhibitors
first played their films in vaudeville houses as acts for
the show. Edison, not always a successful entrepreneur in
the beginning, ignored his employee William K. L. Dickson,
who developed a large audience kinetograph and companion
projector. Edison preferred his kinetoscope, which ran
films on a continuous fifty-foot loop in a box viewed by a
single spectator and operated automatically when a penny was
dropped in the slot. The places where kinetoscopes were
available to the public became known as kinetoscope parlors.

Nickelodeons, where the price to see a projected film
was a nickel, were popular with the immigrant public and
grew very quickly. With only a few thousand dollars needed
for initial capital and equipment, requiring little training
and no special connections, the nickelodeon business was an
easy one to enter. For example, William Fox began in 1906
with a nickelodeon in Brooklyn and by 1910 he operated
fourteen small-time vaudeville/movie shows and nickelodeons
in New York City. Numerous jobbers sold these early films in an open market by the foot and not as single stories.

The major companies, such as Edison's, provided a turn-key service to the vaudeville theaters. This service included the film, projector, and projectionist. These early companies had no need for a separate distribution system between producers and theater owners. Formal film distribution, through film exchanges, developed around 1904 with the growth of the small production companies needing some conduit to sell their films in the United States and around the world.

Exhibition through the nickelodeons and vaudeville theaters continued to grow. In Chicago alone more than one hundred were operating in 1906. In the whole United States, more than two thousand existed by 1907, with the number over ten thousand by 1910. This rise in popularity, and the money which accompanied it, led the major companies to try to monopolize the film business as early as 1908.

Nine of these companies, hampered by Edison's patent infringement suits against filmmakers and a major decision Edison won against William N. Selig, made a deal with Edison. In 1908, using the steel, oil and legitimate theater industries of their time as models, they formed the Motion Picture Patent Company. The MPPA, by pooling and controlling the patents they owned, formed a cartel which exercised its control through the licensing, manufacturing
and pricing of cameras and projectors. George Eastman agreed to supply film stock only to MPPA members and their allies. In order to monitor the nickelodeons, the MPPA went into the film distribution business, forming the General Film Company. The control was complete and for four years appeared to be successful. But from the beginning, license violations were frequent. Theater and nickelodeon owners wanted films but did not want to pay royalties to the MPPA. Independent filmmakers increased their production to meet the demand. It was impossible for the MPPA to keep the independents out due to the increasing demand for product and the increasing cash flow.

Some independents moved to California to escape the closer scrutiny of the MPPA and found that the temperate climate, cheaper land, and no unions provided a superior place to make low cost films. In Chicago, the future head of Universal, Carl Laemmle, began to import European films and purchase film stock through the Lumiere Company’s New York agent. Film stock, purchased by independents from the Lumiere Company, grew to more than thirty-five million feet in 1911.

Eastman, although he sold ninety million feet that year, sensed that his market would erode and began to sell to independents. This defection removed the first stone from the MPPA’s monopoly wall, and it begin to collapse. By 1912, the independent movement was in full swing.
Theaters could fill their bill on independent fare alone. Outside of the General Film Company, independent distributor networks extended nation wide, and the California independents began to make Hollywood the center of the film business.⁹

The Industry Expands During 1913 - 1929

Early films had been mostly one-half to one-reel in length, with a reel having a running time of approximately ten to fifteen minutes. The MPPA would not distribute films more than one reel and their policy led to the independents importing four to eight reelers from France and Italy. Earlier experiments with longer forms included Enoch Rector's film of the Corbett-Fitzsimmons fight at Carson City in 1897 and W. B. Hurd's film of the Oberammergau Passion Play (A three-reeler, the Passion Play accompanied by choir and lecturer). Their success inspired independents to develop longer films.¹⁰

By the mid-teens, films of five reels and longer began to appear. In 1915, The Birth Of A Nation established the economic benefits of longer films and roadshowing (the producer or distributor would place the film in the most elegant showcase theater in a large city and advertise in that specific geographic area, then move to another large city and later, after attendance slowed, let the film be distributed in smaller theaters and cities).¹¹ Larger
theaters regularized the exhibition of features and ticket prices rose from nickels and dimes to quarters and higher as audiences were willing to pay for particular kinds of films in more luxurious surroundings. These improvements in surroundings culminated in "picture palaces" with uniformed ushers, pipe organs and upholstered seats. The picture palaces begat distribution patterns that graded the theaters according to attractiveness. These theaters were divided into first-run, second-run and third-run houses with the best locations playing the best pictures first and with that priority, paying higher prices.\textsuperscript{12}

The MPPA, in its blindness, clung to its dictums of one reel films. This attitude opened the market door wider for the Hollywood independents with their longer feature films, and the MPPA's hold on the industry was broken by 1915. Costs of features rose to the range of $10,000 to $20,000 and required a different type of financing than the $500-a-reel films. Films were no longer sold outright to distributors but were marketed as "states rights." A successful film gave the distributor as well as the theater owner large profits, and many distributors began to invest in production to insure product. William W. Hodkinson refined this system and named his company Paramount. He made most of his production deals with Adolph Zukor's Famous Players and with the Lasky, Goldfish and DeMille Company. Universal, Fox Films, Lewis J. Selznick Pictures and Metro
Pictures, developed as rivals by producing their own pictures rather than contracting production as was Paramount's policy.13

**Hollywood Solidified**

The late teens and early Twenties saw the film industry become centered in California, and audiences grew from forty million a week in 1922 to over eighty million in 1932.14 The film executives quickly saw the separation of filmmaking and of film marketing as risky and inefficient. They decided alliances might lessen the risks. In the late teens, Paramount combined production and distribution under one company, and ultimately Adolph Zukor became its head. Other companies followed suit and linked the film business across the country, connecting the studios with the theaters and using exhibitors' investment capital.15 This move was a major step toward the total vertical integration of the film business.16

The studios realized their profits originated with the millions of movie-going patrons, and the patrons' "predispositions" became a concern, including their preferences for certain personalities.17 Earlier the MPPA failed to realize the draw an actor's name might have. In 1907 Vitagraph had created an anonymous star in Florence Turner, but in 1910 Carl Laemmle hired Florence Lawrence from Biograph where she was the anonymous "Biograph Girl."
Laemmle paid her a higher salary and let her use her own name in the credits of his productions, thus beginning the "star system." The studios felt the personalities and not the stories were attracting the audiences. Mary Pickford, Charlie Chaplin, Douglas Fairbanks, Rudolph Valentino, and Lon Chaney proved the studios correct and the star system became entrenched.

As the stars' fame grew, so did their salaries. Zukor paid Pickford an exceptional $500 a week for his Famous Players production of *A Good Little Devil* (1913). Her salary rose to $2000 a week in a very short time. Charlie Chaplin, in 1916, was making $13,000 a week, and Mary Pickford, helped by her mother, negotiated $10,000 a week, plus a $300,000 bonus, to be paid when her pictures earned that much beyond the initial investment.

With top stars, the negative cost of films averaged $100,000 to $125,000. These enormous expenditures caused Zukor, in order to protect the company's profits, to raise the rents on Paramount's features. He also gave preferential treatment to first-run theaters that would accept anything produced by Paramount (an early version of block-booking -- see Chapter Four).

A rebellion by theater owners created a rival organization of wealthy exhibition chains called First National. First National controlled a hundred first-run theaters, distributed films that were independently produced
or bought outright, and gave expensive contracts to stars such as Charlie Chaplin.\textsuperscript{21} The studios would not forget this rebellion.

\textbf{Financing Changes Lead To Vertical Integration}

As exhibitors moved to control production, Zukor came to realize that the next step toward the goal of controlling the market and lessening the risk was in the ownership of theaters. In order to finance these purchases he went to Wall Street in 1919 and developed a public offering for ten million dollars. Soon the other large studios followed. Still the industry was basically self-financed, and only a few were able to receive bank financing.

In the mid-twenties however, Warner Brothers was able to move into major studio status with financing from the Los Angeles Trust and Savings Bank.\textsuperscript{22} The bank gave a loan to Warners as an investment and worked with them to develop their future plans. With the Depression causing hard times for all the studios, others followed this trend. As early as 1933, Fox was indirectly controlled by Chase Manhattan Bank, which became a thorn in the entrepreneurial spirit of the Hollywood founders -- a thorn which grew into the corporate-run studios of today.\textsuperscript{23}

These financing developments forced the industry to become more organized and financially responsible. The outside funds allowed the Warners to invest in sound for
film technology and to expand and diversify their product, making them competitive with the established studios. The established studios followed suit, and Hollywood seemed poised for total control of the film industry world-wide.

**Hollywood Exports**

The growth of Hollywood and the need for additional capital required exporting Hollywood films to all parts of the world. Several companies had exported and imported, both before and during the MPAA reign. Established distribution offices representing the Hollywood companies began to appear throughout North America and the world. European moviemakers had their production and distribution severely curtailed by the First World War, and the breach was quickly filled by Hollywood. American films poured into France, whose industry and economy was in shambles, and even into Germany. At that point America was officially neutral, and there was money to be made. As Douglas Gomery writes:

> As the war dragged on, Hollywood prospered and Europe suffered irreversible declines. The war surprisingly did not disrupt the flow of films outside Europe. One change did take place. With Britain at war, the center of trade shifted from London to New York. After the war there was talk of a shift back to London to "business as usual." But the damage had been done. Indeed, as early as 1916 the center of the film export world had moved to New York City.24

Before the coming of sound, Hollywood had solidified itself in all parts of the world. But political developments slowed the trend in the 1920s however, as the
Soviet Union with its Marxist government, Germany with its own industry and right wing government, and Japan with its own industry and an unfriendly government were all able to keep Hollywood at bay.25

**Classic Hollywood Narrative Style**

Another factor affecting independents, besides the vertical integration of Hollywood, was the development of the Hollywood narrative style. This narrative style had origins in several types of popular culture of the nineteenth and early twentieth centuries. Vaudeville, travelogues, stage plays, short stories, and novels contributed to its development. By 1925, early film pioneers created a distinctive style that with slight changes, has dominated Hollywood to the present.

The style grounded first in technical approaches to the film, and second in story/plot elements. In the camera work the shots had to match, since the foundation for the style was continuity editing (as opposed to German expressionism, which was built on distortion of the scene). The lighting of a scene could be high key or low key to underscore the action, but never so low as to make it difficult for the viewer to see clearly. The mise-en-scene was such that the lighting, the behavior of the actors, and the costumes and decor of the scenes matched. After 1927, sound was added to
the mise-en-scene construction as well as to the continuity editing. The story was to be "not too long" and conversely "not too short." The standard length of films expanded from fifty minutes to an hour and a half to the present norm of two hours. The plot required that the action take place in chronological order. The story became a cause-effect relationship between characters, time, and space. Since the 1920s, characters hold the stories together. The characters are agents of action within the story, while events such as wars and hurricanes serve as preconditions or catalysts for action.

Requirements for actors vary according to the dominant ideological standards of each era. Nevertheless, some rules have emerged. Actors playing major characters normally are good-looking, possess wit and keen insight, and work through a series of "larger than life" events. Minor characters need only be identified by distinct costumes and/or body types.

The film nearly always begins with an introduction of the main character -- the practice today is that the central protagonist should appear within the first ten minutes of the story. Following this introduction is a problem(s) or enigma(s) which affects the life of the protagonist. Generally the action should solve the problem or attain some goal. Only in the last few minutes of the film can this
goal or main problem be reached or solved because of the forces opposed to the protagonist's desires. In between are the actions the protagonist takes to get to the goal or solve the problem. Another important element, which continues in the present, developed early in the era of classic Hollywood. The protagonist stood at the center of Hollywood narrative. Therefore, the star's persona molds the protagonist. In addition, the star's persona and "power" shapes the narrative.

All these elements were codified into the Hollywood narrative style by 1917. In the next decade, the older filmmakers taught the rules to the newcomers and most importantly to the audience. On the surface these codified elements seem to curtail creativity in filmmakers. A brief examination, however, of the films of D.W. Griffith, Cecil B. Demille, King Vidor, Ernst Lubitsch, William Wellman, William Wyler, John Ford, John Huston, Stanley Kubrick and many other directors shows that creativity and innovation is possible within the seventy-year-old style. Nevertheless, major deviations to this style ordinarily meet with audience disapproval, assuming the film even receives a limited release, due to the Hollywood narrative style's deep implantation in the psyches of studio and independent executives.
**Independents 1915-1930**

In this era, independents were making and selling films. Some were large and some were shoestring operations. The independents sometimes sold films to the studios, but during this time they mainly made films for the smaller independent theaters. States' rights jobbers distributed regionally. By 1925 independents made about one-third of Hollywood's films, usually on low budgets.

The studios became more involved in producing the high budget and star driven film. Still they needed some product to fill the playbills at their theaters, and many independents filled that bill with serials, westerns, shorts, and comedies. By 1925, over twenty thousand United States theaters (studio owned or exclusive contracts with independents) accounted for the bulk of the Hollywood studios' revenues. Exports provided around one hundred million a year. Still the independent producers and distributors had a livable income. Two events were to reduce the number of independents and change the nature of their business.

**The Effect of Sound and the Depression on Independents**

Before sound it was moderately easy to make a feature film with only a camera, some lighting equipment, and a cast. The arrival of sound required the prerequisites of a sound stage and sophisticated and expensive recording
equipment. The cost of production grew and helped put many of the smaller independents out of business.

Because movie attendance was rising at a fast rate, requiring more product, a number of independents were able to survive the initial move to sound. They rented studios and equipment and hired skilled technicians from major companies in Hollywood. They shot mostly MOS (without sound): then, in a sound studio they dubbed in music, some dialogue, and effects, winding up with a reasonably cheap marketable product.35

In the early years of sound, feature film production began to decline. 1927 saw the major companies producing 501 films. Thereafter, production dropped to 429 in 1928, 379 in 1929, and 356 in 1930. Production continued to decline until 1933.36

The depression was the greatest factor in the decline from 1930 to 1933.37 Sound was firmly established by the end of 1929, and the continuing increase in production costs and the depression destroyed many independent producers and theaters. The major corporations and theater chains took over some, but many simply went out of business altogether.38 As the independents that were left staggered into the 1930s, some of the small companies produced medium to low budget features, but few survived for long.39

Another factor that affected independents by the late 1920s and early 1930s (and continues today) was codified by
Hollywood and imprinted in the minds of the audience. It is best expressed by the dictum, "...the quality of [a] film is generally commensurate with its cost." The independents simply could not survive in a high-stakes game.

Majors Ownership Of Theaters

As the 1920s came to a close, the five major studios achieved vertical integration. They owned film production studios in Hollywood; they controlled over fifty percent of the United States' film distribution exchanges, and all were buying theaters. The late twenties and thirties saw them continuing to buy and build theaters. Their well-developed branches of production, distribution, and exhibition gave them a comprehensive coverage of the motion picture business and a near monopolistic control of the business.

From the late twenties to late forties the revenues generated by Hollywood owned theaters was almost always greater than that from their film rentals. Two other groups owned theaters during this era: unaffiliated circuits, usually called independent chains, and individuals or partnerships owning four or less theaters, usually called independent theaters.

These two groups owned the majority of the theaters in the United States, but they had almost no power in dealing with the studios for first-run product. Their theaters were usually smaller and located in the poorer markets. The
independents formed a trade organization attempting to present a unified front, but because their markets were low income ones, the studios were arbitrary, dictatorial and self-serving in their terms of exhibition with the independents. The only exception to this rule was the large independent chains, which received nearly the identical treatment the studios gave to their own affiliated theaters. Of the twenty-three thousand theaters in the United States in the early thirties, the five majors owned or controlled only three thousand. These theaters, however, were the best first-run houses in the metropolitan areas and accounted for nearly seventy percent of the box office receipts in the United States.

The completion of the Hollywood film industry's vertical integration, the increased production costs of sound, and the problems of the depression contributed to an almost total evaporation of minor companies and independent producers, further solidifying the major studios. By 1928 the majors were Paramount, MGM, Fox, Warner Brothers, and RKO. Fox and Twentieth Century merged in 1935 completing the structure which, to a considerable degree, still dominates today. United Artists, Columbia, and Universal were considered minors, as they were not vertically integrated at that time. In spite of appearances to the contrary, the offerings of the first-run theaters were carefully selected and not dependent on any single major.
In some areas a major owned most of the theaters. For example, Paramount owned most of the first-run houses in Texas, and Warner Brothers had Pennsylvania. The majors were always booking each others’ films. They were all interested in a successful season so they had to share their productions to profit off each other. This cooperation resulted in control over what was shown and became crucial to the majors’ domination of the business. By 1939, eighty-five percent of the films released were from majors and seventy percent of all screen time in foreign markets was devoted to American films.

While 1939 was a banner year for Hollywood, the depression years had caused a dwindling audience which affected not only the independents but the majors. The period from 1932 to 1934 saw the five majors and the three minors fighting to stay in business. Expansion capital had left the majors with huge debts, and the smaller cash flow was affecting their plans. Fox was reorganized and merged with Twentieth Century. Paramount chose bankruptcy to stay afloat. RKO and Universal went into receivership. Warner Brothers, United Artists, and Columbia were not as bad off as the others but were in tenuous financial shape. Affected just as badly were the theaters. The Depression was causing Americans to become cautious in the way they spent their precious few entertainment dollars. Many efforts were made to regain the audience. Most important of these
efforts to the independent's recovery was the double bill, which eventually led to the "B" film. Some in the industry argued that it was logical to offer the audience a longer program of two features (the double bill) and some shorter films. More entertainment for the same money would help to attract the audience, and the longer show would increase revenues from the refreshment stands.49

As early as 1933, almost one-third of all feature films came from independents, with about ninety-five percent used on double bills. The majors tried to fight the double feature during the thirties but were not successful in this case.50 The majors' expensive films were sometimes double-billed together, but they quickly came to the conclusion that this practice limited their net grosses and affected the theater owners as well, since the majors rented these features for a percentage of the theater's gross rather than for a flat fee.

As their catalog of films ran out, the majors developed a cheaper production which became known as the "B" movie. It rented for a flat fee lower than the usual rate. The B rounded out the program. The major, expensive film, became known as the "A" and was meant to draw most of the audience to the theater. The depression weary, cost conscious audience got to see two movies for the price of one: the theaters got their double-bill; and the majors made their profits from the "A".
Because the Bs did not return large grosses, the majors and minors were not interested in producing enough of them to fill the demand. A niche appeared that the independent companies could fill, which allowed the survival of the independent/entrepreneurial spirit in the motion picture industry. Louis Black sums up this period:

The production/exhibition/distribution pattern of double-billing was thus established, and it reigned into the late fifties with only minor variations. The major studios produced almost all the A films and some of the Bs while the independent studios concentrated for the most part on B production, which gave them, for the first time since the twenties, a distinct and reasonably-sized market for their product.

The B Movie

The economic and industrial climate of the late twenties and early thirties created the double bill and the B movie. The B movie, with its cousins the serial, the short, the cartoon, and the newsreel, became an electron around the Hollywood nucleus A movie. The B was a feature-length, low budget film, designed to play with the expensive A production. Its production cost escalated over the years, as did all production expenses, but the "philosophy" of penny-pinching budgets and short production schedules did not change during its life from the early thirties to the middle fifties.

Since A movies were the most profitable, the studios' production schedules concentrated on them. Because of the
aforementioned conditions, coupled with some others, some B production was necessary to the studios. Numerous employees were paid whether they were working on a film or not. The studio executives used good business sense putting the lesser-known actors, writers, directors, and crew to work on B movies. Since they owned most of their equipment and sound stages, using them to make Bs when they were not in use for As was fiscally responsible. In addition, not only did the majors own first-run theaters, they also owned smaller houses as well. Because sixty to eight-five percent of the houses in the United States were screening double bills there was a need for the product. The profit from Bs was very small, and the studios could not justify producing all of them. Although the studios had effectively kept independent features out of first-run houses, they allowed the independents to exist on the economic fringe of the business.  

Independent Resurgence

The A and B system did not in any way serve to equalize the independents. Independents had capitalization problems. If they made an A that could compete with the studios, the independents had problems in collecting their net grosses from the distributors. They could get the films distributed, but if the producers did not frequently produce
A films, the distributors saw no reason to expeditiously pay (a practice which continues to this day). While the majors did little to help the independents, they did not try to stop independent B production. On rare occasions they would cooperate with the smaller studios, loaning talent and renting sets, sound stages, offices, and equipment to independents. Loaning talent was less common than renting. From 1933 to 1939, the majors made 180 talent loans to independents. In the same time frame, the majors made 2,005 talent loans to each other. The majors would, from time to time, release films produced by independents, and, in cases like Paramount's contract with the independent Pine-Thomas Productions, make deals for independents' B productions.

Because of their limited resources, the independents operated on a smaller scale than the major studios' B production units. Nevertheless, if independents could afford it, they had access to the best Hollywood had to offer. Suppliers of stock footage began to grow and could supply independents with scenes of car chases, explosions, attacking Indians and many other shots to help reduce production costs. Rental houses had not only the standard Hollywood equipment but the latest in film technology.
Distribution

Even with access, the independents still labored under other handicaps. The greatest of these was distribution. Independents distributed through a network of "states' rights" outfits which were small companies spread throughout the nation. Each states' rights operation had all the rights to a certain territory. By the early forties, 32 to 39 states' rights zones were in effect. The producer would grant the distributor the rights to the product, ordinarily for a period of five years, who in turn would be responsible for the prints, since the producers usually did not have the funds to pay for them. This practice continues today.

Some of the larger independents, like Republic, Producers Releasing Corporation, and Monogram had regional offices, but they never blanketed the country as did the majors.

Foreign markets provided a small amount of income to independents, and only Monogram and Republic had one office apiece in two countries. Foreign distribution companies existed for independents but their financial terms and territory were far from ideal. The cumulative effect of all these problems was that income from releases of independent producers was limited and difficult to collect. This situation accounts, in no small part, for the high mortality rate among independents then and now.
B Movie Narrative

In the beginning of the double-bill era, the second feature was usually a low budget film from the major's vaults or an independents' film meant initially to be a first feature. As the double-bill became prevalent, the B film emerged as an entity with several identifiable, but not necessarily uniform, features. First, the Bs had to run around an hour (later ninety minutes), and second, they needed low production costs so that they could rent for a flat fee rather than a percentage of the box office revenues. They generally had limited screen action in individual scenes; they depended on stock footage; they used a very small amount of second unit work; and the acting talent was either young and untested or on the way down.63

The early Bs were generic and reiterated established motifs and plots with which the audience was already familiar from the As. The Bs did not have the running or production time to articulate their own narrative and thematic world. They were stark variations of A films. Many were series films, like the ones based on Charlie Chan, where repetition of character, setting, and plot was used as the gist of the film. Since these films were cheap and quick to produce, the studios often made the first film of a series an A and allocated decreasing budgets for the subsequent installments of the series. The Egg And I introduced Ma and Pa Kettle in minor roles, and Dead End,
introduced the Bowery Boys, although with different portrayals. Sometimes a series would begin with a major studio and then an independent would pick it up when it was losing its interest to the studio. For example, Charlie Chan began at 20th Century-Fox and later went to Monogram. By the late thirties and early forties, the B movie had become more defined. They tended to use the least expensive but successful genres, such as westerns, situation comedies, melodramas, thrillers, gangster, private eye, horror and, later, war films. As the B era came to a close, the independents tried to imitate the majors' expensive product or, using the B genres, began making films for the growing exploitation theaters and drive-ins, both of which were outside of Hollywood's mainstream distribution. Thus, the duration of the A and B system, as Louis Black concludes, "was the only time low budget films were legitimatized and institutionalized as part of the Hollywood production, distribution and exhibition system."


9 Ibid., 31-33.


13 Ibid., 82-83.


18 Gomery, *Movie History*, 34.

19 Fell, *A History Of Film*, 83-86.
21Ibid., 87.


23Ibid., 51.


25Ibid., 46-47.

26Ibid., 68.

27Ibid., 69.


34Gomery, *Movie History*, 63-64.


37Ibid., 285.


41Ibid., 53.

42Ibid.
39


47 Jack Alicoate, *1938 Film Daily Year Book of Motion Pictures* (New York: The Film Daily, 1939), 41.


49 Ibid., 220.

50 Ibid., 220-221.


52 Ibid., 42.


54 Black, "A History Of the B Movie", 50-54.


56 Huettig, *Economic Control*, 94.

57 Miller, *B Movies*, 325.


60 Hurst and Hale, *Motion Picture Distribution*, 31.

61 Alicoate, *1938 Film Daily Year Book*, 613, 635.

62 In Blacks’s thesis on pages 50-72 (see footnote 51 this chapter), is found an excellent account and research of this period and three of the major independent studios.


64 Paul Kerr, "Out of what Past? Notes on the B Film

65Ibid., 55.

CHAPTER THREE

EVOLUTION OF TODAY’S INDEPENDENT FILMMAKER

The forties started as a decade that promised more of the same control by the Hollywood studios. Although weekly theater attendance had dropped in 1940 to 80,000,000, down from a high in 1936 of 88,000,000, grosses had risen due to a small increase in ticket prices. The majors were profitable, but some of the independents were not in the "black".

The House Un-American Activities Committee, the Paramount Decree, and television would soon cause the majors great difficulties, but to the majors, in the early forties, those developments lay in the future. These problems were to lead to the growth of independent producers, distributors, and exhibitors, and to the evolution of today’s independent filmmaker.

THE FORTIES

The Department of Justice brought its first major anti-trust action against the major studios in 1938. It was settled out of court with the five majors signing a consent decree in late 1940. The decree was mostly concerned with block-booking. Block-booking, in the forties, was the
practice of requiring an exhibitor to take a studio's announced annual schedule of films in advance of production. Under such an arrangement, the exhibitor was forced to accept every film, even if the exhibitor thought some of the films would not do good business or he thought some other studio's product better. The studio insisted the exhibitor take a range of less promising films in order to get the bigger films. The decree did not change the vertically integrated status of the majors, so they signed the decree and protested only lightly.

Universal, Columbia, and United Artists were not vertically integrated and would not sign the decree. The suit had started primarily as an attack on the domination of the film industry by the major studios. The points on which the Department of Justice and the five studios settled dealt with distribution and not exhibition, which, left the suit pending (the studios considered this complication a slight inconvenience), and most observers of the case felt the suit was over.

1941 saw the Senate Interstate Commerce Committee begin the first large legislative investigation into the industry. This investigation was promoted by the isolationists and was first concerned with Hollywood's war propagandizing, but Senator Burton Wheeler, the Chairman, quickly allowed anti-Semitism to creep into the investigation by appointing Senator Gerald B. Nye Chairman of the subcommittee to
investigate the film industry. Nye, an isolationist, was also an anti-Semite. He claimed on the opening day of the hearings he was not "naming names because they might be Jewish names but because they may be primarily responsible for the propaganda pictures." Many Jewish Americans did not believe him. Michael Straight wrote in 1941:

The purpose of this kangaroo court is believed here to be twofold: to incite racial hatred as a means of dividing America and to threaten Hollywood producers that unless they abandon the anti-fascist struggle and support the America First Committee, an anti-Semitic campaign will be organized on a wide scale in America. The hearing, which started in September, 1941, was temporarily suspended by the end of October and totally abandoned on December 8, 1941, the day after Pearl Harbor. The studios rejoiced, but these hearings and the rise in the thirties of anti-Semitism colored their treatment of Jewish Americans on the screen.

THE WAR YEARS

Partly due to their rapid production schedules, B films could respond with speed to public events and changes in the public mood. One result was that the first Hollywood film to respond to the war was a B: MGM's A Yank On The Burma Road, released in February, 1942. Throughout the war Bs displayed their ability to be topical, a trait which marked the later independent exploitation films. While not always
"scooping" the As, during this period they enjoyed at least a slight edge over As in terms of topicality.\textsuperscript{11}

Studio earnings grew during the war, while the total number of films produced declined. The costs for producing films rose but at a slower rate than profits.\textsuperscript{12} Increases in admission prices accounted for some of the profits but the increase in average weekly attendance also contributed greatly.\textsuperscript{13} A few theaters located near industrial areas stayed open twenty-four hours because the different wartime work shifts made every night Saturday night at the movies.

Low grade pictures, Bs, and even independent films with unknown actors were getting audiences.\textsuperscript{14} The war years were so profitable that a new production format was tried -- featurettes, which were forty to fifty minutes long, distributed by United Artists, and produced by Hal Roach Studios. They were comedies and were called "Streamliners". Although they never did well at the box office,\textsuperscript{15} the industry was flush and Roach continued the experiment for many years.\textsuperscript{16}

\textbf{INDEPENDENTS DURING THE WAR}

In spite of a persistent belief that independents had a very rough time during the war, the times were not that bad for them.\textsuperscript{17} This myth has its basis in the wartime reduction in the availability of film stock and a misinterpretation of the number of films released from 1940 to 1955.\textsuperscript{18} The annual
tally of independent films is inflated by the inclusion of imported films in that category. 19 During the war the number of foreign imports dropped more than fifty percent, but U.S. produced independent films changed very little. 20 As Louis Black indicates in his thesis "A History Of The B Movie: With Emphasis On Economic Factors," independent's production level actually stayed roughly the same while the studios' production level declined during the war years. 21

The studios lost income from their foreign markets and began to cultivate Latin America to replace Europe, but the new efforts were not very successful and did not live up to the studios' original anticipation. 22 Independents were not handicapped by the large reduction in the foreign markets since foreign income had never been a significant component of their revenues. For the first time since the twenties, independents, like the majors, were cashing in on the booming domestic market, and for a short time the majority were realizing healthy profits. 23

The number of independent production companies increased. Before the war, there were a small number of independent companies in operation, but by 1946 more than forty were listed. The majority of these new companies were due to the wartime income tax which taxed persons with high income at a rate of ninety percent. A top income producer, director or star, creating their own company, could reduce this rate to sixty percent. Most of these new companies
turned out A films and signed major studio distribution deals. On paper these were new independent corporations but, as today, it was only the top talent who could command these kinds of deals.24

Stars were drafted, restrictions were placed on raw film materials, and there was a general shortage of manpower, but because of the increased demand the problems seemed minor to the studios and to some degree to the independents. The staple of unaffiliated independents was B westerns, and the production of these films was affected by a shortage of blank cartridges.25

The shortage in raw film stock did not occur until January 1, 1943, when the government reduced basic studio allotments by twenty-five percent. Anticipating this reduction, the industry had stockpiled raw stock and over 100 completed features. The independents were able to get stock, and while the studios were financially able to stockpile better than the independents, neither suffered.26

The independents received some of the government's contract films but had to fight very hard for even a small amount. The majority went to the studios.27 Walt Disney Studio fared better than most independents, winning government contracts which kept them going between features.28

The war years turned out to be profitable for the majors and the independents. The industry, especially the
majors, was financially strong and very optimistic as it approached the postwar years. Raw film stock restrictions were removed and the independents' future seemed more stable, with one trade journal forecasting an increase in the number of postwar independents.  

Independents made mostly Bs and the majors mostly As during the war, but with the end of the war the majors announced they were going back into B production and return to their pre-war production policies.  

1946 changed the majority of the majors' plans.  

**POSTWAR CHANGES**  

1946 was the most profitable year in the film industry's history and changed many studios' future A film expectations. Many suddenly decided not to produce Bs but to continue to release independents' Bs. But the optimism, encouraged by the high profits in 1946-47, was based on a situation too fragile to last. Soldiers returned home from the war and their courtships resumed. Couples, both married and unmarried, were getting to know each other again. Movies were a great place to spend the evening and the surge in the industry's profits was largely based on this phenomenon. Once marriages and families were produced from these old and new relationships, the situation quickly changed. Veterans began education; the birth rate increased dramatically; families with babies listened to the radio
rather than going out; homes, appliances, automobiles and other goods were purchased, leaving smaller amounts of disposable income. In ordinary times, this loss in audience would have hurt the industry, but not too badly, if a series of other events had not changed the whole structure of the industry.\textsuperscript{32}

\textbf{TELEVISION}

One of the changes in the industry's relationship with its audience was brought about by the emergence of television. Television is usually credited as the main cause of the decline of the Hollywood studio system,\textsuperscript{33} but it was only one of several reasons.

The studio executives considered television a toy when its practical application was revealed in the late 1930s, but by 1950 they were fighting the emerging medium by refusing to sell films to television and by using contract clauses that forbade stars to appear on television.\textsuperscript{34} Columbia and a few others formed subsidiaries to produce television programs as early as 1949, but it was six years later before the other majors became involved in television production.\textsuperscript{35}

Television's growing dominance of the visual entertainment marketplace most threatened independents. Large independents, such as Republic and Monogram, and smaller independents generally ignored the industry's ban on
TV and sold their libraries to television from the beginning.\textsuperscript{36}

The majors began to relent in 1955, when RKO decided to get out of theatrical film production and sold its entire library to television. Though more selective about what they sold, the other studios soon followed suit.\textsuperscript{37} As it turned out, television was the best place for films after their theatrical runs, and the studios and independents would vie for and come to depend on television income.\textsuperscript{38}

"THE PARAMOUNT DECREES" AND DECREASES IN FOREIGN REVENUES

In 1948, after years of litigation, the Supreme Court finally ruled on the 1938 anti-trust action against the movie industry. Because Paramount's name was first on the list of defendants in the briefs, the ruling against the industry became known as "the Paramount Decree". The studios were earning more from their theater chains than from production and distribution. Production costs had risen, and the falling audience had contributed to shrinking profits for the studios, but the five vertically-integrated studios were still making money from their theaters. The five largest studios owned the majority of first-run theaters in twenty-five of America's largest markets. The court ruled, however, that they had to divest themselves of their theater chains. They lost not only their theaters but, with them, their guaranteed markets. The divestiture
took almost ten years to complete, but some effects on the studios were visible within a few years as the eight major studios' grip on the industry loosened.  

In 1948, The Film Daily Yearbook's highlights of 1947 began with a discussion of the British tax on American films. The industry had moved to continue the pre-war dominance of the world film market and despite HUAC's investigations, this move had the approval of Washington. Washington regarded American films as an important propaganda weapon in the Cold War. Countries whose economies were destroyed by the war did not want funds leaving their borders. Several, including England, France, Germany and Italy, passed import restrictions that only allowed a small part of a film's earnings to leave the country. The rest had to stay in the country. These "frozen funds" belonged to the American company but had to be used in the host country. Foreign productions using these "frozen funds" increased and helped erode the institutionalization of Hollywood as the actual production center for American films. 

THE RED MENACE

The Conference of studio Unions (CSU) called a strike in 1945 that led to a bloody police confrontation on the Warner Brothers' lot. The strike ended without the issues resolved. 1946 saw another strike. This dispute was a
jurisdictional one, between the Conference of Studio Unions (CSU), a bargaining agent supported by some of the industry's craft unions, the Teamsters, producers, and International Association of Theatrical Stage Employees (IATSE). The Communists supported the CSU with the Screen Actors Guild (SAG) and the Screen Writers Guild (SWG) remaining neutral, as they had in the CSU's 1945 strike. In the CSU and the SWG some members were in the Communist Party which caused factionalism between the pro and anti-communists. Again the strike was unsatisfactorily resolved and began the House Commerce Committee's investigation in 1946.43 The House UnAmerican Activities Committee (HUAC) began investigations in 1947.

The 1947 HUAC hearings called for testimony from eight screen writers, one producer, and one director, who became known collectively as the "Hollywood Ten"44. They refused to answer the committee's questions, and they refused to take the Fifth Amendment, which Ring Lardner Jr., one of the ten, explains:

...For us...to use the Fifth back in 1947 would have had several drawbacks.
First, we would have been saying...we thought it was a crime to be a Communist....
Second, we recognized...there was a danger of a blacklist emerging from these proceedings, and we knew it would be hard for the studios to proscribe us if we were upheld by the courts for asserting our First Amendment rights...the general stigma (of taking the Fifth) ....would make it easier for our bosses to organize and justify a blacklist.45
Blacklisting did occur along with a turmoil and fear within the industry. Political affiliations became a major criterion for job security.46

Studios' publicity claimed that their films were not subversive or "un-American." But the behavior of the "Ten" and other witnesses in support of the "Ten" was an affront to the studio's pseudo patriotic feelings. More important than their fear of HUAC, the hearings gave the studios the opportunity to strike at the unions. Using the anti-communist passions, they could deem employees unemployable until they went through a decontamination process which included hiring a "clearance lawyer," making anti-communist public statements, and recanting previous statements.47

Another HUAC hearing occurred in Hollywood in 1951. The Korean War was in progress and anti-communist feelings across the country were beginning to peak. More blacklisting and firings occurred and famous persons, such as writer Dashiell Hammett, went to jail for refusing to testify. From the trauma generated by the hearings, some producers took the theme that Communists were everywhere: I Married a Communist (1949), Eskimo Communists in Red Snow (1952), the clergy in The Whip Hand (1952),48 and a host of science fiction films with overtones of the Cold War started by Red Planet Mars (1952).49

Independents were affected by the turmoil and paranoia. Monogram Studio was planning a film about Hiawatha and his
efforts as a peacemaker among the warring tribes of his day. Hiawatha's efforts formed a federation of five Indian nations. The studio executives decided that the message of peace might be understood as helpful to Communist designs and dropped the project.\textsuperscript{50}

In addition to the anti-communist fever inflicted by theHUAC hearings, anti-Semitic feelings were once again stirred up. Six of the "Hollywood Ten" were Jews, as were most of the studios heads, independent distributors, and independent producers. These feelings, along with many Jews' desire for assimilation into American society, helped account for the disappearance of the Jew from the movies during the fifties, just as they had from the combat films of World War II.\textsuperscript{51}

The hearings with their resulting turmoil, distrust of the Hollywood based industry, anti-Semitic undertones, and general industry upheaval would have not been so devastating to the movie business in a more financially secure time. But in the midst of economic upheavals and financial uncertainty, the hearings' results were severe.

\textbf{OTHER FACTORS IN HOLLYWOOD'S DECLINE}

In addition to the loss of revenues in the post war foreign markets, the rising costs of production labor, the changing of American recreational spending habits, the growth of television, and the shrinking of profits from
studio-owned theaters, some other factors were at work in the late Forties and throughout the Fifties in Hollywood's decline. Color had been in use since the beginning of the industry, but it was not economically viable until the Thirties. Its use grew slowly with eighteen features made in Technicolor in 1939 and twenty-nine in 1945. By 1952, well over seventy-five percent of the total production, around 225 films, were produced in color. This trend, like sound in the late Twenties, propelled production costs to new heights.

The studio system's existence was dependent on regular attendance for its revenue. Most double-bills ran two Hollywood films. The industry was producing from four-hundred to six-hundred films a year. Film history points out several As and Bs from each year that seem to merit praise due perhaps to stars, directors or narrative qualities. The majority of these films were programmers and not made to appeal on their own but had certain factors that appealed to the regular film patron. When that audience was lost or reduced, these routine films did not hold the same appeal.52

Being conscious of this situation, the studios began to make expensive and lavish spectacles. They experimented with various wide-screen processes such as Cinerama and with other developments such as 3-D and Smell-O-Vision. In addition, they tried more explicit and mature subjects.53
By 1955 the audience had dropped to an average of forty-six million a week. This figure represented a loss of almost fifty million from 1946, and by 1958 the average was down to forty million people a week.54

Stars, born in the studio's womb, began to leave the nest. During World War II, as mentioned before, it became necessary for tax reasons for some producers, directors, and stars to set up their own production companies. Now the studios were losing money, and the weekly contracts of so many stars and "in grooming" stars were becoming too expensive. The star system as it had existed began to die.

Theaters began to close, and even the survivors were hurting. In 1953, most theaters staying in "the black" were there because of popcorn, candy and beverages, not profits on admissions.55 Many of the theaters that closed were the smaller ones that had depended on double bills. With the studios concentrating on "event" films, more theaters became single bill. The B film was intended for the double bill and with the disappearance of double-bill theaters, the B slowly died during the 1950s.

A BRIEF FALL BEFORE THE "GOLDEN AGE"

With the close of the smaller theaters and the drying up of the B market, many independents went out of business or merged. Some were absorbed by other companies, as Producers Releasing Corporation was by Eagle Lion.56 This
trend, however, stopped, as economics once again provided a place for independents. Divestiture of their theaters by the studios helped independents by opening some of the larger screens to them. The high costs of production, along with the concentration of the studios on "event" films, also helped independents to make lower-budget A pictures. The majors also began to release more independent films. United Artists released eighteen independent films in 1950 and forty-six in 1951. Except for Universal Pictures, by 1951 all the defendants in the "Paramount Decree" were releasing some independent product.\(^{57}\)

Production costs had risen so much that the majors became dependent on independents to supply them with product to fill the majors release schedules. By 1958 over sixty-five percent of Hollywood studio releases were made by independents.\(^{58}\) Many of these "independent" films were made by former studio-system producers, directors, and stars who made distribution deals with the studios in order to finance their films. John Huston's *Moulin Rouge* (1953), produced by Huston through a deal with Romulus Films of London and United Artists, was typical of the type of deals "known" filmmakers could make through the studios.\(^{59}\)

**DRIVE-IN THEATERS**

While the B film was dying and many independents were having financial troubles due to the loss of audiences for
indoor theaters, new markets were developing in the film industry that required new product and an evolution in low budget independent filmmaking. Traditional indoor theaters, with their reliance on a regular audience, were in dire straits during the Fifties. But a new type of theater that did not have the problems of the traditional indoor theaters actually grew after World War II. By the early Fifties, the drive-in theater had built an audience whose attendance patterns were not based on particular films, but on regular entertainment habits, like the attendance of indoor theaters of the thirties to mid-forties.60

In 1933 Richard M. Hollingshead, Jr., invented the drive-in because he believed the last two luxuries people would give up during the depression were automobiles and movies. It took more than fifteen years before the drive-in began to be noticed. Most early drive-ins were located in New England and were obviously seasonal, and by the end of World War II about one hundred were in operation.61 At the same time, around twenty thousand indoor theaters were operating.62 By 1958 approximately eleven thousand indoor theaters existed and drive-ins had grown to over four thousand. The number of drive-ins over the years varied, but in the early Fifties drive-ins were a new market for Hollywood product.63 This new market seemed to be fueled by two groups that liked drive-ins for various reasons. A reason common to the two groups was that it was an evening’s
entertainment away from the home, a function that television could not provide. But beyond that the groups’ reasons for choosing the drive-in differed.

The "baby boom" yielded a large number of families existing on limited incomes. These families could go to the drive-in where the children stood a lesser chance of disturbing others than at an indoor theater, the admission cost was low compared to other recreation, and the family could save the cost of a baby-sitter. Many drive-ins had free admission for children, some had free laundry service, and the more enterprising could smuggle in their own snacks and drinks.64

The second group to increase drive-in attendance were adolescents. The emerging affluence of the WASP middle class enabled some fifties’ teenagers to own cars or to borrow their parents’ automobiles. Drive-ins, with their semblance of privacy, became known as "passion pits," and were seen as an inexpensive place for romantic liaisons. Because of the activities of dating youth, drive-ins had a slightly unsavory perception in most communities.65

Since the audience’s primary reasons for attending the drive-in were not necessarily to see a Hollywood studio film, drive-in owners were not interested in paying the large guarantees and box-office percentages required to get a studio film. The owners wanted to keep ticket prices reasonable and as long as the film appeared to the audience
to be entertaining the audience would come. Because some studios, distributors, and communities held the perception that drive-ins were unsavory, the drive-ins that wanted to rent lavish studio films found that distributors, did not want to do business with them. These distributors felt exhibiting a film in a drive-in would mean that others in the industry would think something was wrong with the quality of the production. Getting product was a chronic problem for drive-in owners. As Louis Black concludes:

Straight B films really didn’t work because a picture at the drive-in needed some draw and built into the B system was the notion that the B really needed to have no audience draw at all. Unfortunately for drive-in theater film bookers, the Hollywood film industry at the time was concentrating all its production efforts on a relatively few spectacular films.... The drive-ins had need for a specific cinematic theatrical product geared to their market in much the same way that two decades earlier the B had been created to fill the lower slot on the double bill.66

That need would be filled by a new hybrid film product.
ENDNOTES


2Ibid., 306.


5Jowett, *Film*, 140-141.


13Jowett, *Film*, 473.


18 Jowett, Film, 310.
22 Balio, The American Film, 224.
25 Ibid., 224.
29 Independent Film Journal 16, 1 (August 4, 1945), 8.
30 Independent Film Journal 17, 6 (September 29, 1945), 32.
31 Independent Film Journal, 17, 8 (May 11, 1946), 27.
32 Balio, The American Film, 321-322.
34 Jowett, Film, 354.
35 Balio, The American Film, 322.
36 Jowett, Film, 354.
37 Balio, The American Film, 322.
38 Black, "A History Of The B Movie," 111.
40 Jack Alicoate, *1948 Film Daily Year Book of Motion Pictures* (New York: The Film Daily, 1948), 45.

41 Balio, *The American Film*, 325.

42 Ibid., 326.


44 Friedman, 318. The "Hollywood Ten" were Dalton Trumbo, Albert Maltz, Edward Dmytryk, Ring Lardner, Jr., Lester Cole, Samuel Ornitz, Herbert Biberman, Alvah Bessie, John Howard Lawson and Adrian Scott.


47 Ibid., 410.


55 Sklar, *Movie-Made America*, 244.


57 Balio, *The American Film*, 351.

58 Ibid., 354.


61. Jowett, Film, 352-353.


64. Jowett, Film, 352.

65. Ibid., 352.

Drive-ins in the late forties and early fifties were exhibiting Bs and old As. Bs were still being made as drive-ins became a market force, and distributors added drive-ins to their B outlets. The market was changing in the fifties, and the studios were not sure how to meet those changes. Most majors continued to make some B films, and as the fifties moved along, the budgets for Bs began to increase gradually. The distinctions between A and B began to fade, and the lower budget films started to serve other functions.¹

The fifties also saw a decrease in the powers of the MPPDA, the "Hays office", and the Production Code (which dealt mostly with violence, morals and sex), along with a decline in the power of the Catholic Church-based Legion of Decency. With changing standards, films notable for unprecedented levels of violence and sexuality appeared. This period was a confusing one for B films. For instance, the B film, Gun Crazy (1950) (later reissued as Deadly Is The Female²), and an A film, In A Lonely Place (1950)
(starring Humphrey Bogart and Gloria Grahame), shared
similar looks and a similar approach to the loosened
standards. Louis Black explains the connection, citing
another hybrid product of the same era:

The Big Combo (1955) came out of this period in
which the exact status of the B was uncertain. The
story is that of an honest though almost psychotic
detective going up against a crime syndicate. The
Big Combo is a mutant in that it has the B film look
of a smaller, less-polished version of a Hollywood
genre piece; yet it also stands on its own because
it stars Cornel Wilde and Richard Conte, both of
whom had a certain amount of popularity at the time.
In addition, the film goes further in depicting sex,
violence and the connections between the two than
bigger Hollywood films would have dared at the time.3

Even though the Bs were going through a confusing evolution,
they pointed toward the ultimate drive-in product -- the
films that would usher in the "Golden Age" of independent
film producers and distributors -- the exploitation film.

THE EMERGENCE OF THE EXPLOITATION FILM

Exploitation films had been around since the beginning
of film. Edison filmed two versions of the dancer Fatima in
1895, covering her breasts and crotch with black bars in one
version, even though she’s dressed in both versions.
Exploitation films are movies that try to generate viewer
interest and profits by tackling some current event or
social issue. They "exploit" their audiences because they
are usually cheaply and poorly produced and their
advertising promises more than they can deliver. These
exploitation elements now occur in expensive productions,
such as Die Hard (1989), which exploits the possibility of terrorism occurring in the United States.

The exploitation films of the fifties developed as action films, with more sex and violence than the traditional Hollywood films. They shared three major characteristics with the best of the Bs. First, there was a willingness and ability to deal with subject matter and themes the Hollywood As would not touch for another fifteen to twenty years. Second, they were produced on a short shooting schedule with small budgets (thus they needed a smaller gross before profit). Third, they were able to respond to current events and social changes faster than the major studios could.

Although these exploitation films shared some characteristics with Bs, there were major differences. Bs were made to fill the bottom half of a double bill, with the As being the draw for the audience. Bs did not have to sell on their own, but exploitation films had to be sold on their own merits as bill-toppers. The exploitation films tried to lure an audience with its title, its subject matter, or in a few cases its stars. It was not a programmer like the B. Longtime exploitation film entrepreneur, Roger Corman, explains the standard drive-in booking practices of the period:

...everything is made to try for the top half of the bill. The picture that fails then goes to the bottom half. Or, very often,
B movies normally were within established genres such as westerns, detective films, and horror films. Exploitation films also fit within these genres, but over the next two decades they also created their own genres: women in prison, motorcycle gangs, truck drivers, and teenagers. They even expanded science fiction and mutant monster films as well as war films. By the beginning of the sixties, the B films were dead. Their commercial function no longer existed and exploitation films were drawing audiences to the box office. The exploitation films' success encouraged further growth in the number of drive-ins, creating more markets for the growing independent movement.

EXPLOITATION FILM NARRATIVE

Exploitation film narrative adheres to the Classic Hollywood narrative in many ways. The exploitation film uses continuity editing, plus lighting either high key or low key to underscore the action, but never so low as to make it difficult to see the scene (except in some poorly produced films now called D films). They usually begin by introducing the main protagonist within the first ten minutes of the story. However, there are some differences between the two narrative structures. In the early days of
exploitation films, the mise-en-scene, such as the costumes and the set design, might not match. Low budgets meant having to use what sets and costumes were available or that could be constructed as cheaply as possible. Stories were (are) usually set in the present, as period costumes and sets were not possible on the early budgets. Even special effects, such as monsters in films like The Phantom From 10,000 Leagues (1956) and The Day The World Ended (1956), were cheaply built and do not seem real by today’s standards, which are heavily influenced by technological developments in special effects since the late seventies.

Producers and distributors looked for stories that could hit their target audience: young people between the ages of twelve and twenty-five. Majors were still marketing to a broader audience, though they would change this strategy over the next thirty years. Movement on the screen was as important as any of the other elements. Long soliloquies were not used in these films and dialogue was almost considered an enemy of the physical action. Ironically, Hollywood major studio productions gradually followed the lead of the low budget independent productions. In later years, High Concept and A films would even share content with the low budget independents, with the increase in the production of the action picture and the incorporation of many action picture characteristics in nearly all genres.
THE ACTION PICTURE

Today a phone call to almost any independent domestic or foreign distributor, inquiring about the type of product they are looking to represent, will usually result in the answer: "Action Adventure!" Action picture is a broad name for several genres that consistently combine the elements of mythological adventure stories with the subconsciously-desired characteristics of the hero. These genres include war, gangster/detective, spy, psychodrama, sci-fi, horror, and western. These forms are highly stylized. Although the viewers usually know from the outset how the films will end, they take pleasure from savoring variations on these old and well-loved classic forms. This viewer pleasure also explains, in part, the hold Hollywood standard narrative has had over the viewing public.

Throughout the history of film, mainstream Hollywood has made several thousand narrative motion pictures in the broad category of action picture. Though not all filmmakers realize, this expenditure of funds and creative energy is based on centuries-old concepts of the relation between drama and the human psyche. This relationship, as old as the earliest stories and myths, was first identified by Aristotle in his theory of drama expressed in "On Poetics." Aristotle expressed the view that drama was to act as a catharsis for the spectator. For a modern audience, his
concept could be enlarged to the psychological purging of aggressions, erotic fantasies, and frustrations; to redemption from humiliations and repressed rages caused by "the slings and arrows of outrageous fortune, the heartache and the thousand natural shocks that flesh is heir to."

Identification with the protagonist of a drama makes this catharsis possible.\textsuperscript{17}

With identification, the viewer can perform, with the actor, actions that the viewer is prevented from carrying out in real life. Identification can help clarify the viewer's inner and outer problems.\textsuperscript{18} If the film places the protagonist in situations comparable to those confronting the viewer, the viewer can see his or her difficulties or indecisions elucidated in the third person.\textsuperscript{19} Viewers like to see themselves in our myths.\textsuperscript{20} Viewers may not recognize these needs or identifications, but they know when they like the hero or heroine. At the beginning of the "Golden Age" of independents and exploitation films, understanding the relationship between viewer and story may not have been a part of the decision-making process. Box office receipts, however, seemed to increase when physical action was a major element of a film, regardless of its basic genre.\textsuperscript{21} In pursuing the viewers' dollars, many independent filmmakers re-identified Aristotle's dramatic concepts.
Armed with exploitation/action films and increasing markets, independents entered the fifties with vigor. Producers had little difficulty in getting product distributed, and the distributors had only minor problems in getting product exhibited. Drive-ins played a big part in the growth of independents, and as exhibitors saw the audiences for exploitation films grow at the drive-ins, some regional "states rights" distributors were able to get product into "hard-top" (indoor) theaters. In the early fifties the studios were ignoring the economic boom provided by the drive-ins' younger audience, but an independent who made a film cheaply and found a distributor was almost always guaranteed a profit. The science fiction-horror-fantasy-sexploitation films became a profitable field.

Production usually developed in this manner. Someone had an idea (today's terminology: concept) for a film or had already written a script. The idea/script was taken to a producer, or in many cases a friend who wanted to be a producer, and they would go to a distributor with the idea/script. The distributor would examine the idea/script to see if it was along the lines of films the distributor had been able to sell in the past. The distributor sometimes would call some of his exhibitors and try the idea on them. If they liked it and stated that they might give a guarantee to exhibit the film, then the distributor would
give the producer a contact stating that when the completed film was delivered to the distributor, the producer would receive the advance against receipts specified in the contract. This sum was not necessarily the amount it would take to produce the film. The amount to produce the film became known as a negative pick-up which still exists today in various forms such as pre-sell agreements.

The producer would then raise the production funds by getting his friends or relatives to invest in a general or limited partnership, or by selling privately-held corporation stock, or in some very rare cases, by obtaining loans from banks with collateral other than the distributor’s contract. The smart producer would then try to make the film for less money than the distributor was going to advance, putting the film into profit before it was distributed. These advances were not available to all independent producers. If the distributor did not think the producer could deliver the completed film as discussed, no advance would be offered. In such a case, distribution on a percentage split of the rentals, after the distributor’s expenses, was the usual deal.

ROGER CORMAN

Perhaps the best known filmmaker from the "Golden Age" of Independents is Roger Corman. A brief examination of his career sheds some light on all independents during the
"Golden Age" and some of the elements that are included in today's total independent feature filmmaker. Roger Corman's career has spanned forty years, from the decline and death of the "B" movie and the birth of the exploitation film, through the development of the high concept film. Independent film production and distribution are ordinarily businesses where companies are here one day and merged or bankrupt the next day. During these four decades he became the youngest director to have retrospectives of his work at the Museum of Modern Art in New York and at the National Film Theater in London; survived numerous economic changes; and headed the largest independent production and distribution company in the world.24

Corman attended high school at Beverly Hills High, and after service in the Navy he completed an engineering degree at Stanford and took a job as an engineer. Realizing he wanted a career in film, he quit his job, four days after he started work, and became a stage hand at KLAC-TV. He then shifted to 20th Century-Fox, starting as a messenger boy and working his way up to reader in the story department. His first screen credit came when he sold one of his screenplays, The House By the Sea, to Allied Artists which released it as Highway Dragnet, with Corman listed as Associate Producer but not as screenwriter.25

In 1954, he developed the idea and produced Monster From The Ocean Floor. At this time he was introduced to Jim
Nicholson, who was trying to start his own American Releasing Company, but they could not agree to terms, so Corman sold the picture to Robert Lippert in order to make a quick return. The next film was *The Fast and the Furious* (1954), which was the beginning of a long profitable relationship with Jim Nicholson and Sam Arkoff. After coming to terms, Nicholson, Arkoff, and Corman's careers became dependent in a large degree on each other. Roger was AIP's only supplier in the beginning, making ten to twelve films a year for AIP. In 1956, as they began to produce some films themselves, Nicholson and Arkoff changed the name of the company to American International Pictures (AIP). In addition to the economic elements that created the market for the rise of the independents from the fifties to the late seventies, there are other factors that helped Roger Corman's career. He was goal- and money-oriented. He wanted to have a million dollars by the time he was 36. In 1962, Roger made a deal with Pathe to make *The Premature Burial*, but AIP was not happy that Pathe had taken one of their major producer/directors from the fold. Nicholson and Arkoff reminded Pathe how much business they gave Pathe's laboratory, and Pathe quickly sold their rights to AIP. Roger, however, owned fifty percent of the film. AIP welcomed Corman back to the fold with a cash deal of $550,000. That money, along with his steady profits since 1953, must have helped him reach his fiscal goal.
Corman followed the B film’s production commandments to the letter. He kept budgets low and worked fast. He was extremely good at using sets from other movies. Mark McGee tells about the set for Little Shop Of Horrors (1960):

One afternoon, while dining with a friend, the friend mentioned that he knew where there was a standing set if Roger had any use for it. Roger didn’t have a particular project in mind but made a bet with his friend that he could not only come up with something before they tore down the set but that he’d make the project in two days. Chuck Griffith, who wrote several screenplays for Corman, was working on an idea that Roger and he conceived during the making of A Bucket Of Blood (1959). The working title was The Passionate People Eater, but Roger felt it was not direct or exploitive enough, so they came up with Little Shop of Horrors. Roger shot the interiors on the standing set in two days. Chuck Griffith and Mel Welles, an actor playing the part of the shop owner, took a cameraman down to skid row in Los Angeles and shot all the exteriors in four days for $1,100. They hired street people for ten cents a shot to act and crew in the picture. The budget for the whole film came in at $27,000. In the late seventies, Roger sold the rights to Howard Ashman for the film to be made into an off-Broadway musical. It was so successful that in 1986 Corman signed with Warner Brothers to turn Ashman’s musical into a movie. Altogether, this project gave Roger a
return of at least fifty times the original film's 1960 budget.30

Roger was very tight with the budget, but once he made a deal he honored it. Dick Miller, star of many of Corman's films says, "I mean he’ll do his best to get the most for the least while the deal is being made but once it’s done you can work on a handshake."31 Because of economy, Roger Corman developed or adapted some narrative and stylistic film techniques that became his stock and trade: shock whip pans to introduce sinister figures, insert shots, clouds racing over matte painted exteriors, the same burning chicken coop that seems to appear in every Corman Poe picture, the use of fire to mark the climax in nearly all the Poe pictures, and the long scenes of people parading to show off the Poe series sets. Mark McGee, in his book on AIP, says, "Years later when *House of Usher* (1960), *The Pit and The Pendulum* (1961), *Tales of Terror* (1962), and *The Raven* (1963) were shown together in a single night, the audience I sat with started laughing at the repetition (of the techniques) by the third feature and they didn’t stop until the program was over."32

Contributing to Corman's longevity was his ability to get an advance for the completed film. This advance, contracted before the film was made, usually would pay the film’s cost and leave a profit. He continued this technique with his own company, New World Pictures, into the
seventies. Changing genres and incorporating current social trends was also a strong attribute of Corman for thirty years. In 1956, he recognized the decline of the Western and stopped making them, even though he had offers to do more. He seemed to have his fingers on the pulse of society, especially the exploitation film's target audience, for several successful decades. He directed and produced rock-and-roll films, biker films (his first was *The Wild Angels* [1966], setting a trend that was followed by other filmmakers in the sixties), drug culture films (*The Trip* [1967] was the first in Hollywood to try to express the psychedelic world on film), and he led the trend of blending more sex and violence into films during the seventies.

The sixties saw many changes in American culture and an increasing fragmentation of the homogeneity of the audience. This fragmentation accelerated in the early sixties with the civil rights movement and later the anti-Vietnam war protests. Corman made one of the first attempts to explain the problems of the Blacks in America in his film *The Intruder* (1962). For its time it was a very bold and brave film to produce. In the making of it, Corman's life was threatened, and he risked his own money. When asked why he varied from his business practices to make a non-commercial film he replied: "I simply wanted to make the film. I was interested in the subject. I've been a lifelong liberal, or a man of the left wing of the political spectrum. I was
intensely concerned with the civil rights movement and I wanted to make a film about it." It was one of the few times between the fifties and the late seventies that a Corman film lost money.\textsuperscript{36}

Before it became popular with the studios to hire film school graduates, Roger Corman was putting them to work. Francis Ford Coppola, Joe Dante, Ron Howard, Gary Kurtz, Martin Scorsese, and Robert Towne are among Corman's employees who became top filmmakers after their work with Corman. He also used many actors who became famous, among others: Lloyd Bridges, Peter Fonda, Dennis Hooper, Robert De Niro, Jack Nicholson, William Shatner, Sylvester Stallone, and Robert Vaughn. He also hired Floyd Crosby, who photographed several of Roger's films including Roger's first film. Haskell Wexler, like Crosby an Oscar winning cinematographer, shot \textit{Stakeout On Dope Street} (1958) for Corman, using for the credits the names of his two children as a pseudonym to avoid union problems.\textsuperscript{37}

Corman has been accused of exploiting this young talent, but Ron Howard sets the record straight:

Roger exploits young talent in a wholesome way. We want to make a film. He gives us the opportunity to make a film with very little money and time but we haven't much experience either.\textsuperscript{38}

Corman willingly gave his philosophy, known as the New World formula in the seventies, to novice directors. Among the elements he considered important were a strong sense of
pace and timing, a strikingly kinetic visual style, and a brash resourcefulness missing in higher budget films.

Jonathan Kaplan explains:

Roger’s whole philosophy was that we get the maximum production value out of practically nothing. His favorite maxim was: "How long will it take to get it beautiful, how long will it take to get it good, how long will it take to get an image, then go for the image."

Jonathan Demme says that Roger preached that each film needed "action, humor, sex and a slight social statement."

Because of his experience and the continuing availability of theaters, Corman, trying his hand at total filmmaking, formed his own distribution company, The Filmgroup, in 1959. The market for low budget double features declined, but Roger was convinced a profit could still be made if the cost of the films were kept at $50,000 or below. Corman says:

I wasn’t trying to be my own AIP but I felt that I was making these films that they were distributing and they not only had certain controls over what I was doing but they were getting a disproportionate share of the proceeds. And I had a little bit of money to invest so I thought I could continue to produce and direct while I ran my own company.

With the budget limitations, it appeared unlikely that Filmgroup would produce and distribute any noteworthy product, but during the short period of the company’s existence, Roger Corman made his most famous film, *Little Shop of Horrors* (1960), a serious social statement film, *The Intruder* (1962) and his first million dollar budget film,
Atlas (1960). A theater chain owner, Joseph E. Levine of Boston, had purchased Hercules (1957) from its Italian producers for a small fee and it had grossed in the low millions. Corman decided to make his own "muscle-man" film rather than purchase one. He made a deal with Vion Papmichalis, a Greek producer who was to supply a major portion of the budget. The trades announced the film as a big road-show attraction, and Roger left for Greece to make the film. When he arrived, Papmichalis informed him that he could not raise the money, so Corman called Chuck Griffith and paid him two hundred dollars to scale down the script to the usual Filmgroup budget. According to Corman, the Filmgroup made money every year, though it was not a large profit. Like many total filmmakers, he learned:

I finally just let it (Filmgroup) drift away (by 1963) because I realized I could not produce, direct and run a distribution company at the same time. It was too many things. My feelings at the time were that I wanted to produce and direct. So I let Filmgroup fade and went out of distribution knowing however that I'd been slightly successful at it.43

Another characteristic of independent filmmakers of the "Golden Age" was their ability to exploit successful studio films. Roger Corman was a master at this operation. For example, The Wasp Woman (1959) was an attempt to lure some of the audience that had made 20th Century-Fox's The Fly (1958) a financial success.44 This "same but different"
mentality is still at work today, not only in low budget independents but in the studios as well.\textsuperscript{45}

Corman's ability to adapt to changes in the film industry seems to have been a strong element in his longevity. The mid-sixties saw multiple-screen indoor theaters begin to supplant the drive-ins and single-screen theaters. This trend continued into the nineties.\textsuperscript{46} Exhibitors wanted product, but the product also needed some draw besides title or genre.

Corman began to use "stars" in his films as early as 1956. His stars were those whose careers were in descent or who had never reached the top: Richard Denning, Vincent Price, Boris Karloff, Peter Lorre and Ray Milland. These films, with a recognizable name, a larger budget than the usual exploitation film, and more attention to the mise-en-scene, became known as the new "B" films. These films operated under a definition different from that of the studio system era; they were made to play on a bill of their own. Distributors called them "B" to distinguish them from films with higher budgets and stars at or near their zenith.

In 1969, upset over how AIP was re-editing his films, Corman formed New World Pictures to produce and distribute product. Throughout the seventies, his ideas continued to work, but the seventies saw changes that made it more difficult to get independents' films in the theaters. Again sensing a trend, Corman sold New World Pictures to a group
of lawyers in 1983 for a reported $16.9 million dollars. They were supposed to continue to distribute Roger’s films, but he had to sue them to honor his guaranteed distribution clause. Corman dropped the suits, and New World gave up their objections to Roger distributing films. Corman found himself back in the distribution business.47

Corman formed Millennium Productions, from the title of the Edinburgh 1970 Film Festival retrospective of his directing work, then in the mid-eighties changed the name to Concorde/New Horizons.48 He continued to use new talent, "stars," and exploitable trends in such films as Body Chemistry (1990), a "same but different" version of the successful "A" film Fatal Attraction. Concorde did not do as well as Corman would have liked due to changes in the film industry. The independents’ euphoria of the fifties continued through the sixties and into the late seventies, but changes were occurring in the industry that would shake that euphoria and make the life of the independents more difficult.

CHANGES IN THE INDUSTRY

Drive-ins, the largest market for independents’ films, began to decrease. Their exact number at any time was always in a state of flux but, by the end of 1981 the number still open was 3,308, which was a seven percent decrease from 1980 and continued a downward trend from the mid-
sixties. This trend was derived mainly from the rising value of real estate. Since many drive-ins were located originally on the outskirts of cities, as the suburbs grew, the areas where most drive-in were located became prime properties for real estate developers and investors. The owners of drive-in property could not pass up the financial gains, which usually were more profitable to the owners than the drive-ins. Bart McLendon, owner of the McLendon Theaters chain started by his father Gordon, says,

...the drive-ins were a large part of our business but as the eighties began, it was getting harder to get attractive product and the offers for the properties were getting harder and harder to pass up. My dad still felt that a multiplex drive-in would work so he built the world's largest one in Houston in the early eighties, which had fair business, but offers for the property, as Houston recovered from its real estate depression, have increased (the drive-in was sold in 1989). At the height of the real estate market in Dallas, I sold the Gemini (a three screen drive-in on Central Expressway and Forest Lane). The Gemini had been one of our most profitable drive-ins. We were going to joint venture an office building complex but the real estate market hit bottom in Dallas in 1986-87... (in September of 1991 the screens are still standing but the speakers and projection equipment were gone).

Drive-ins, in much smaller numbers, still exist -- primarily in the sunbelt states where, for the most part, they can operate year-round. In 1986, according to a Pacific Theatres' survey, seventy-two percent of the drive-ins' audiences were young married couples with two or more children. These couples felt the drive-ins were a bargain,
with a double feature, children under twelve admitted free, and no need to hire a baby sitter. ⑤²

Hardtops, which had been on a decline from 1950, began to increase, so that by 1981 there were 14,732 screens. A large number of these screens were in multiplex complexes. American Multi-Cinema (AMC) built the first two-screen indoor theater in 1963 in Kansas City. The screens shared a common lobby, box office, projection booth, and concession. AMC also opened the first four-screen in 1966 and the first six-screen in 1969, with a twelve-screen complex planned for 1982. ⑤³ According to Stanley H. Durwood, president and Joel H. Resnick, executive vice-president, the reason for AMC's expansion policy in the early eighties was a change in the pattern of distribution of films in major cities:

Until a few years ago, the majority of motion pictures were licensed by distributors for first-run exhibition in a major city on either an exclusive one-theatre run or at most on a simultaneous run at three or four theatres. After the initial exhibition of a motion picture, it would then be licensed on a subrun basis to other theatres in the marketplace. The first-run exhibition generally would be in a large theatre with abundant seating; the second-run exhibition would be in the older suburban theatres or in the new multi-screen shopping-center theatres.

Presently, pictures are licensed in a given market for first-run exhibition on a much broader basis than before, encompassing between 6 and 12 theatres or even more. As part of the license terms, the distributor requires a substantially longer period for exhibition. This requirement has been ideally suited to the smaller multi-screen theatres, which have the potential of exhibiting a picture for a long period of time. As a result, the subrun exhibition of a picture is no longer an important source of revenue, and in many cities the
subrun market is now limited to drive-ins and "dollar theatres," which admit all patrons at all times for $1.00.\textsuperscript{54}

With the increases in multi-screen indoor theaters, the independents should have had even more markets for their product. The opposite became true.

As the number of multi-screens increased, the great picture palaces built in the 1920s and 1930s began to disappear. These theaters, located in downtown areas, were no longer viable from an economic point of view. Expensive parking in the downtown areas, larger overhead costs, rising crime at night in downtown areas, rising real estate values, and populations moving to the suburbs, all contributed to the older theaters closing or converting to multiplexes.\textsuperscript{55}

Only in recent years have preservation movements begun to reclaim some of the old theaters that have not been destroyed.

In the seventies and early eighties even single-screen mom-and-pop theaters began to close or convert to pornographic films, before finally closing in the mid to late eighties, victims of the growth in the porn, home-video, rental market. Mom-and-pop theaters and smaller independent chains also began to incur difficulty in getting product due to some practices on the part of the studio distributors.
BLOCK BOOKING, BLIND BIDDING AND TIE-INS

The Consent decree of 1948 outlawed a trade practice that was standard procedure among the studios -- block booking, which was the practice of a distributor notifying exhibitors in advance of all the films they have coming out in a year. The exhibitor took all, or at the very least the majority, of the films or the studio withheld the "sure-fire sellers" from the exhibitor. The Consent decree of 1948 said that the condition of licensing one film must not be dependent on the licensing of another. Each film would be sold picture by picture, theater by theater, and any theater had the right to bid for any picture. For almost twenty years, the outlawing of block booking was a big aid in the growth of independents.

Blind bidding is practiced by the studios and some larger independents with high concept and "A" product. Sometime between six months and a year before a film's scheduled date of release, the studio sends out a "bid letter" to the theater owners. The bid letter describes the film, the all-star cast, the wonderful director, the outstanding screenplay, and definite audience appeal of the film. The letter asks the exhibitor to meet or beat a non-refundable cash guarantee as a condition for getting the film, usually stipulates a minimum playing time (up to twelve weeks), and suggests a split (ordinarily 90% to distributor and 10% exhibitor) of the grosses after
exhibitor's overhead, which is negotiated in advance. Obviously the exhibitors do not like to make a decision on a film that they have not seen. Through their organization, the Motion Picture Association of America (MPAA), the studios maintain that blind bidding is a necessary evil of doing business. Since there is typically only a week or few days between a film's completion and its release date, the studios would experience great financial loss if they had to screen the finished film for the exhibitors and wait for bids. A multimillion-dollar film would cost them millions in interest while they waited on the process. Besides, the exhibitors are no worse off with blind bidding than with the films they can see before they bid. They pick some losers anyway. The MPAA's position is, "It (blind bidding) all works out for the best in the long run."57

Exhibitors argue that committing to a film they have not seen steals from them the opportunity to make an informed business decision. Exhibitors also claim blind bidding is a form of price fixing, because they have to accept the studio's terms without a chance to judge the film's merits.58 As blind bidding became a widespread practice in the late sixties, some states responded by passing laws that banned the practice. The late seventies and early eighties saw Jack Valenti, President of the MPAA, flying around the country fighting the passage of these laws. Although he was unsuccessful in nineteen states,
since 1981 he has persuaded some states to repeal the bans. The practice even started a public media battle between the MPAA and the National Association of Theater Owners (NATO) and the smaller National Independent Theatre Exhibitors (NITE). Another controversial practice, similar to block booking, involves what is known as tie-in bookings, in which the studio compels the exhibitor to take a film the studio feels will not do well by saying the exhibitor must play the weaker film in order to get the "surefire box office grosser". Many lawsuits have resulted from these issues, but the studios hold the upper hand. Mini-studios, because they usually have distribution deals through the majors, also benefit from these practices. When studios have a problem with a state, as they did with New Mexico in 1978, they announce a boycott, which rarely lasts because one of their own breaks ranks by offering some big film for public bidding. The United States' Justice Department is apparently looking into the practice but has yet to issue an unequivocal statement concerning these practices.

**THE RECAPITULATION OF VERTICAL INTEGRATION**

In the early 1950s, the five major studios with theaters divorced themselves from the hundreds of key city theaters. Because of the Consent Decrees, the Paramount theaters became ABC-Paramount, the Loew's chain acquired MGM
theaters, Warners became The Stanley-Warner Co., and so forth. These companies had completely separate managements, directors, and financial structures with government attorneys scrutinizing their operations.62

From the 1950s onward, changes in American corporate structure gradually reversed the process. Ownership of the studios changed hands over the years and by the eighties, all the studios were part of large conglomerates. Some of these conglomerates also own large parts of exhibition chains. As Tom Brokaw reported in an NBC news special in March 1990, Paramount owns the Mann Theater Chain, Sony/Columbia with Warner Brothers owns the Lowes Theaters, and Universal/MCA owns the Cineplex Odeon Chain. Many of these studios also own large blocks of stock in other theater chains. According to Peter Fishbind, an anti-trust attorney, the return of the control of exhibition and distribution to a handful of studios "is a result of the Reagan Administration being more concerned with horizontal monopolies than with vertical integration."63 Bruce Corwin, owner of the independent Metropolitan Chain in California puts the new control in very practical terms: "Do they play their pictures in one of their own or someone else's."64

Since exhibitors operate on modest profit margins, whether they are large or small, they put up with blind bidding, tie-ins and other tactics of the majors.65 They need the highly marketed studio film to bring people to
their theaters to buy popcorn and soft drinks. Independent exhibitor Robert Laemmle, co-owner of the Laemmle Fine Arts Theatres in Los Angeles, states:

Concessions are a much more significant profit center of Hollywood films than for foreign films. We regard concessions as a convenience to the customer, not the primary source of our income. With a Hollywood film, it's often the other way around. Sometimes a theatre showing a Hollywood film would even be willing to give the 70% floor terms and perhaps 80% floors just to get a certain "popcorn movie;" then they make their money at the candy counter. After all, the markup on a bag of popcorn is probably around 75% (which does not, however, take into account the cost of running a concession operation).66

A trend that sprung from the success of Star Wars (1977) is the practice of a "broad release" for a film. Broad release (also known as "saturation booking") means booking the film into 1300 or more theaters and opening in all of them on the same, or very close to the same, day. The studios then spend millions of dollars in marketing the film through television and other media. They do broad releases because the studios believe a successful film must gross 100 million dollars or more. They also quickly play them off in theaters so that they can release them sooner to home video and other ancillary markets. Even though the wide release gross may be offset by the cost of advertising, the studios believe they are buying a big gross, thus increasing the value of the movie to the ancillary markets.67

Another trend that grew out of the success of Star Wars was the "high concept film," an action/adventure film with a
great emphasis on special effects, a strict adherence to the Hollywood narrative structure, and a high potential for marketing of all types of products from dolls to clothes. The financing costs, the production costs, and the advertising costs of these types of films made a quick cash flow return imperative. This need, in turn, influenced the type of movies made, with the idea that the film must appeal to the broadest possible audience. Selecting the film project through extensive marketing research, the studios produce only those films thought to be the most commercial. Small, personal relationship stories need not apply. From 1978 to the present, films either received a limited release (ranging from one theater in a couple of major markets to a slow regional release with one theater in a major city in a region) or a wide, potential blockbuster release. Gale Anne Hurd, a producer of high concept films such as Aliens, states: "Its (the control of the market) a reality (films distributed by five or six majors) because of how much it costs to market a film. ...the consent decrees are no longer valid." The studios and their parent companies do not consider their control of exhibition to be wrong. Tom Pollock, Chairman of MCA’s Motion Picture Group says, ..."big is bad? I don’t subscribe to it... If they abuse their power then it is wrong. If not it’s o.k." "If the trend continues by five years a limited number of studios will totally control
production, distribution, and exhibition," states Peter Fishbind. Tom Brokaw concludes his report in "The New Hollywood" by saying:

If you don't like what you see you can always go somewhere else, right? Not necessarily. If the big companies have complete control, there will be fewer opportunities for the unique vision, for the smaller film. In fact, someday those marquees could hold not only the title of the picture but a subtitle - "Take it or leave it!"

VIDEO REVOLUTION

Star Wars gave the studios two ideas: there was no longer a ceiling on box-office potential, and there were new and varied sources of income. Star Wars gave new definition to worldwide income potential with repeat business at the box office, plus merchandising, book, and record sales. Saturday Night Fever (1977) showed that careful marketing could cause a film to gross income from ancillary sales that exceeded the box-office gross. In addition, the late seventies and early eighties saw the growth of the home video market. This market includes domestic and foreign video cassettes, discs, pay-TV channels, and syndication packages for independent TV stations. Prior to that time, a feature would follow a pattern: first-run theaters, neighborhood theaters, network television, and TV syndication. Home video created a new pattern: first-run theaters, neighborhood theaters, home video, pay-per-view cable TV, cable premium movie channels, network television,
and syndication packages. Not only did home video offer income for the majors, it also was a boom to independents.

Although fewer screens were available for independents to put their product into theaters, independents survived. Provided they kept the budget low enough, they recouped production and distribution costs and go into profit using only domestic and foreign home video. Bs (by the current definition), Cs, and even some Ds were making money as long as they had some or all of the following elements: physical action, horror, adventure, nudity, and a low budget. Many independent distributors and producers made money, but greed caused their downfall.

By the Cannes Film Festival of May 1987, sales began a sharp decline. Foreign and domestic buyers were hit with economic declines that yielded lower sales and therefore less money to buy new product. Jeff Lipsky, president of Skouras Pictures' motion picture division, says:

"The problem is a glut of mediocre product that the independents foisted on the marketplace as a direct result of the home video boom. The independents - and my company was guilty of it as well - greedily and haphazardly started grabbing for substandard products that never should have made it into theaters."

In the foreign markets, the larger independent distributors were forced to buy and sell the more expensive As and some higher budget Bs in order to survive. The lessening of demand left very little opportunity for lower-end Bs and Cs, and none for Ds. This situation continued
into the early nineties, pushing independent distributors and producers toward using the Hollywood narrative standard with known cast members. The companies that had not learned that lesson ran into financial problems. Even large, aggressive independent operations like Vestron fell into financial ruin.77

Some distributors felt all was not doom and gloom. Steve Bickel, president of Virgin Vision, "...senses the market is headed toward some sort of "B" revival." He felt this way because "it’s only a matter of time before vid(eo) customers start rebelling against stores that serve them a steady diet of only "A" theatrical films, and the successful vid(eo) stores will be the ones that provide the best additive and alternative rental choices." Bickel’s optimism has not matched the reality of the early to mid-eighties.

Some independent distributors and producers made the change from distributing low budget D, C, and B films to higher budget A films. An example was New Line Cinema, which earned large grosses through the success of their "Nightmare - Freddy" series.78 As that series was dying (the "last" of the sequels opened the weekend of September 20, 1990 and was number one in box-office grosses for that weekend), they seem to have found new success with The Teenage Mutant Ninja Turtles (1990) which had large box-office grosses as well as ancillary sales.
Today's independents can be divided into two groups -- Hollywood and non-Hollywood independents. To avoid confusion, non-Hollywood independents can be called regional independents. The major difference between Hollywood and regional independents is that the Hollywood independents are known to the majors and the regional independents are not. This difference gives the Hollywood independent easier access to proven writers, producers, stars, and directors, and places the regional independent in a more difficult position in connection with putting together a package (film) that can receive financing, theatrical release, and other distribution opportunities.

Hollywood independents can go to the majors with just a concept and sometimes receive financing to develop the script. Some Hollywood independents have deals with one or more of the majors for a certain number of films to be made over a certain period of time. For example, Ron Howard and his partner Brian Grazer broke into the ranks of Hollywood independents with the success of Splash and now have a multi-picture deal with Universal. Parenthood and Backdraft were part of that multi-picture deal. Despite their successes, some Hollywood independents wish for the freedom to make smaller, more intimate films. Gale Anne Hurd, Hollywood independent producer of high concept films such as Terminator and Aliens, says she has to deal with the majors
because of the cost of marketing a film, yet she talks as if she were a regional independent:

You also want to grow as a filmmaker and make a more personal film. ...personal films are made only if they have a hot package in terms of a proven director and a stable of stars. 80

This sentiment did inspire some of the majors' releases of 1990 and 1991. A few personal films emphasized people and relationships rather than hardware and high concept. Such films as Regarding Henry and Awakenings seemed to signal that the studios were ready to release something other than high concept blockbusters. Some of the studios put out the word that they wanted more personal films and films whose budgets could stay in the twenty million dollar range. Nevertheless, the summer of 1991 saw the release of a very costly Terminator II. As of September 15, 1991 it had grossed one hundred and seventy-two million dollars (domestic and foreign) against a production budget, including twenty-five million for interest, of ninety-six million dollars. 81 This success signaled renewed interest on the part of the studios in continuing the high concept film, with its astronomical budget and advertising cost.

The predicted revival of B films and some C films has not occurred. While some are being released to home video and cable television, very few have played the theaters since the crunch of 1987. 82 The Bs and Cs that are released to video are in the action and erotic genres. 83 Quality
pictures about personal relationships are having a difficult time, even when they do follow the Hollywood narrative standard and use stars.

Some regional filmmakers such as John Sayles (Eight Men Out) and the Coen Brothers (Barton Fink) are making films with their own vision and are getting their pictures into the theaters. Even the Coen Brothers use at least one well known actor such as John Goodman. Sayles and the Coen Brothers do not always adhere to Hollywood narrative standard, and while their films receive critical acclaim, they do not always make money. The Hollywood narrative standard is ingrained in the audience from years of watching Hollywood films and network television. A filmmaker who deviates from that standard should do so knowing the majority of moviegoers will resist the deviation. The regional independent that wishes to have films shown in the theaters while keeping their total view of the film intact as much as possible must master the skills and methodologies of independent production in today’s market. These skills and methodologies include some concessions to Hollywood conventions, but the filmmaker can make films that are both financially and artistically successful, if they skillfully use the conventions to tell the kinds of stories that they want to tell.
ENDNOTES


4Ibid., 126.


9Most low budget independent filmmakers still follow this practice.


11Ibid., 11.


14John Douglass, Director of Acquisitions, 21st Century Film Distributors, phone interview by author, 1 May 1990, Beverly Hills.


19Vale, The Technique of Screen, 251.


21Tom Moore, President, Reel Movies International. Interview by author. (Dallas, April 12, 1991).

22Fred Briersdorf, Jr., phone interview by author, 14 January 1990, Palm Beach, Fla. Mr. Briersdorf is the former president of Dal-Arts a regional distribution company that was based in Dallas, Texas. Mr. Briersdorf's father founded the company in the Forties and they finally went out of business in 1989, when the theaters were almost totally closed to independents.


24McGee, Roger Corman, xi-xii.

25Halliwell, Halliwell’s Film, 444.


27McGee, Roger Corman, 7-8.

28Ibid., 40.

29Ibid., 29.
30Ibid., 29-32.
31Ibid., 21.
32McGee, Fast And Furious, 18.
36McGee, Roger Corman, 33-40.
37Ibid., 14, 17.
39Patrick Goldstein, "Roger To Rookies: Make It Cheap," American Film 10 (Jan-Feb. 1985), 38.
40Blackwood.
42Ibid., 45.
43Ibid., 45.
44Ibid., 27.
45Litwak, Reel Power, 109-110.
47McGee, Roger Corman, 85. New World continued to distribute and produce features until 1989, when they dropped out of that field and became New World Television developing product solely for television.
48Alex B. Block, "B" King Returns," Forbes 136 (December 30, 1985), 111.
49Squire, The Movie Business, 356-357.

51 Bart McLendon, interview by author, 10 September 1988, Cielo Ranch, Lake Dallas, Texas. Mr. McLendon is owner of the McLendon Theaters based in Texas.


60 Hurst, *Motion Picture Distribution*, 35.

61 Lees, *The Movie Business*, 139.


64 Ibid.


67 Litwak, *Reel Power*, 266.

68 Ibid.

Ibid.

Ibid.

Squire, *The Movie Business*, 4-5.

Tom Moore, interview by author, 12 March 1990, Dallas.


Bierbaum, "Home Video Independents," 7-8, 36.

Ibid., 7.

Ibid., 36.

Mitchell W. Block, "Independent Filmmaking In America," *Journal Of The University Film and Video Association* 35 (Spring 1983): 5-8.


Bierbaum, "Home Video Independents," 36.

Tom Moore, phone interview by author, 15 July 1991, Dallas.
CHAPTER FIVE

A BRIEF LOOK AT THE MAJOR SKILLS AND METHODOLOGIES FOR AN INDEPENDENT FEATURE TOTAL FILMMAKER

Total filmmaking implies that one person produces a feature film doing all the jobs necessary to complete the film from concept, script, and production through the marketing, distribution, and exhibition of the film.\(^1\) Complexities of feature film production, and the necessary production technical skills, make this an almost impossible and risky task.\(^2\) In addition, the history of independent feature production and distribution shows that the difficulties of financing and distribution have increased, giving rise to a new understanding of the definition of a total filmmaker.

A total filmmaker oversees an independent feature film from its conception through its exhibition. The title may be Executive Producer, Producer, General Partner, Director, Writer, or combinations thereof, but this person guides the film through all its phases, from concept, financing, manufacturing, marketing, and distribution. Such an independent has an understanding of the various technical and creative skills necessary to the whole process of
independent feature production and distribution. The total filmmaker must possess many of these skills but should also possess other qualities as well.

**Characteristics of the Total Filmmaker**

What attributes, environmental factors, and experiences develop the filmmaker's personality and motivational drives to the point where one is willing to bring a vision into reality? These are difficult questions to answer, but psychological studies of entrepreneurial behavior offer some insight. Entrepreneurs combine different technologies and business concepts to produce and market products or services. They bring the concept, the financing, and the people together. Most of all they are able to recognize potentially profitable opportunities, to conceptualize the strategy, and to become the driving force to move their ideas from concept to the marketplace. Independent total filmmakers must be entrepreneurs in every sense of the term.

Entrepreneurs are usually the first-born in families, with one self-employed parent, formal education through the master's degree, a great amount of energy, and the ability to take risks. They have developed curiosity about technological changes, business, and people, and they have a willingness to sacrifice their personal lifes to achieve their goals. They usually started earning money from some source outside their family by the time they were ten years
old. Entrepreneurs possess a competitive nature that may have been exhibited in sports, arts, or other activities. They awake early, arrive at work before others, and the majority of their time and thought is devoted to work. Entrepreneurs persevere in problem solving, learn from failures, use and seek feedback, accept personal responsibility, feel confident, set long term goals, and view money and artistic acclaim as measures of accomplishment. They are usually loners rather than joiners, although they have contacts for gathering business information.\(^6\)

This loner characteristic of entrepreneurs, the pursuit of "my vision," may be among the main motivating factors driving filmmakers toward independence.

In any given year the majors may have as many as one hundred and fifty features in some stage of development. The majority of these features have been brought to them by Hollywood independents, although the majors develop a few features in house. Of all the films in some stage of development at a major studio, twelve to twenty may eventually make it to the theaters each year. The rest are cancelled, or suspended (on hold), or get a new start on life at another studio.\(^7\) With the tight grip of the majors on distribution and exhibition, it has become difficult for the regional independent filmmaker to get theatrical release in the United States and in foreign markets. Perseverance in problem solving is a characteristic of the entrepreneur.\(^8\)
JOHN SAYLES

John Sayles, a regional independent with national and international recognition, embodies the characteristics of an independent total filmmaker. Sayles wrote short stories from public school to college. Expecting nothing, he started submitting stories to various publications.

I didn’t know anything about sending them out or how you got published, really. I kind of stumbled upon that, because I’d never known anybody who was a writer for a living...Still hardly do, as far as fiction writers go. A long manuscript sent to The Atlantic Monthly was mistaken for a novel, and the magazine passed it to the Atlantic Monthly Press. After several revisions, it became his first published novel, Pride of the Bimbos.

While acting in regional theater in North Conway, N. H. and working as an assistant carpenter, he wrote his second novel, Union Dues. A persistent agent tracked Sayles down, signed him, and took Union Dues to the publishers. The fact that the agency had a West Coast branch led Sayles to pursue his longstanding interest in screenplays and movies. He quickly adapted a book, Eight Men Out by Eliot Asinof. The agency liked Sayles adaptation and pressured him to move to L.A. and to develop some more samples of his work.

In the mid-seventies, Sayles moved to California and developed scripts like Lianna, Matewan, and Breaking In. These scripts did get him assignments from Roger Corman for whose company Sayles wrote Piranha (1978) and Battle Beyond
the Stars (1980). "Hell, I could do this," he decided in 1977, and began making films for very low budgets. Sixty thousand dollars and three years later, using money he had saved from various writing projects, he completed Return of the Secaucus Seven (1980). Return of the Secaucus Seven offers an interesting brief look at regional independent total filmmaking. Sayles says the development followed this course:

For Secaucus Seven, for instance, I had the budget, a small one, first, and the idea that I wanted to make a movie. So I asked myself what kind of film could I make well for this kind of money? And what actors could I use? - things like that. I was up in New Hampshire doing summer theater with a group of actors and they were all around thirty. So ... I'm going to make a movie where almost everyone in it is around thirty. Where to set it? Well, we had this summer cabin that would be easy to rent for another month so we had the location. Then, I'm not able to move the camera much because that takes experienced people and money. How can the picture have movement if I can't move the camera? Nashville, where you had a whole lot of characters, and so there was always enough people to cut away from one conversation to another. So even if the camera work is rather stiff, cutting can add movement.

Then there was the other aspect which was a consciousness part. Most people wanting to break in to make a safe picture. But I may only get to do this one and if that's the case, if I'm only getting one shot, why not make something I would want to see, that I wouldn't make unless I made it myself, or someone working in the studio system machine met a bunch of people who had been politically active in the sixties ... and who were still trying to be, but they were trying to decide whether to marry or not, to have kids or not, to make a living. And so the idea evolved that - a group of people having a hard time turning thirty.

Sayles continues his pattern of writing scripts, plays, and novels in order to finance scripts he has written that
he wants to direct. His perseverance, in order to keep his vision, results in taking a long time to see his films produced. *Eight Men Out* was finally completed and released in 1988 to critical acclaim but not commercial success. Sayles says:

> I wanted to keep the story about the eight players which made it difficult to get financing. I was looking for six million dollars and was approaching the studios. Everyone of them wanted to change the screenplay to concentrate on only one or two main characters and I wouldn’t do it. The story was about eight guys. Finally with some private money, Orion decided to let me do the picture the way I wanted.  

Eventually some of his early scripts would become films. *Breaking In* was completed in 1989 by the director Bill Forsyth and starred Burt Reynolds. In 1989, he decided to take a year off to finish a novel about Cuban refugees which he has been working on and off ("mostly off," he says) for ten years. The novel, *Los Gusanos*, was published in 1990, and he made another film, *City of Hope* which was released in 1991. Sayles still tries to keep his budgets under a million dollars and is continually looking for alternative methods of financing, ranging from bake sales to vanity casting (having a person pay to play a part in the film) in actor-proof parts.  

Sayles is admired by many film professionals, but he does not adhere to a majority of the conventions of Hollywood narrative standard. His films receive limited release and do not attract a majority of the film audience.
Filmmakers should strive for Sayles' perseverance, but adapt the skills and methodologies that include a majority of the elements of the Hollywood narrative standard.

**The Screenplay**

Films are visual, but the order of the visuals is ordinarily derived from the written word. There are some old Hollywood axioms that have some merit. "A good movie is rarely made from a poor script. A bad movie can be made from a great script. A great movie is rarely made without a great script." These axioms point to the basic understanding -- the screenplay is the foundation for a film. From the screenplay derives the number of days needed to shoot the film, the locations, the shooting schedule, the budget, the financing, the choice of director, the selection of appropriate actors, and even the hiring of the director of photography. Every aspect of the film, from development to exhibition, comes from the screenplay.16

The standard for narrative films in the world continues to be the "Hollywood Narrative Film."17 The structure of Hollywood narrative film over the last twenty years is a person in a setting doing his "thing." The person is the protagonist, and doing her "thing" is the action. The subject of the screenplay is character and action. Action is what happens, and the main character is to whom it happens. The screenplay dramatizes action and character.18
The subject of the screenplay is expressed in one or two short sentences when "pitching" the screenplay to others in the business.¹⁹ For example: a police detective, to overcome his past failures and avenge his wife's murder, fights drug dealers from Thailand to New York City (The Year Of The Dragon). This shorthand for the subject of the screenplay is known as the concept. All aspects of the screenplay should derive from the concept.²⁰

THE CONCEPT

Independent filmmakers get their concepts from many different sources: news stories, novels, short stories, life experiences, movies, television shows, the Bible, etc. In addition, new filmmakers quickly learn that "everyone" they meet has an idea for a movie. The technique of expressing the concept in two or three sentences is needed by independent filmmakers whether or not they deal with the major studios, as independent distributors expect the technique. This technique is the first step to a filmmaker's deal.

A story expressed in this way is supposed to enable the listener to understand the story quickly.

"They (studio executives) don't want to know too much," says Don Simpson (now co-head of production for Sony/Columbia). "They want to know concept ... They want to know what the three-liner is, because they want it to suggest the ad campaign. They want a title... They don't want to hear any esoterica. And if the meeting lasts more than five minutes they're probably not going to do the project."²¹
This axiom has grown out of the practices of the Hollywood narrative standard, refined over the past twenty years. As Richard Schickel points out in his article "The Crisis In Movie Narrative:"

The conversation turns to movies. You mention something you happened to see last week. Your acquaintance asks you how it was. You respond: He is ... She is ... (someone doing something) And then they ... You won't believe this ... And the ending ... I'd spoil it if I told you ... Or words to that effect.

Schickel points out that in an age when there is a measure of cinematic sophistication it is interesting that there is no mention of direction, cinematography, art direction, or editing. In our movie narratives, he says, these remain secondary considerations, it is the story and how it affects us that is the major point.22

The production process starts with this major point: writers, producers, directors, and actors discuss a future film in much the same way that movie audiences discuss a completed film. For studio interest, this story shorthand is necessary. In the studio system, marketing is there from the beginning, refining and further defining the concept from the two or three sentences down to a phrase or a word or sometimes just a symbol. The bat grin logo for Batman (1989) is a prime example of the use of a single icon in marketing, even before the film is produced. Richard Schickel explains this process of Hollywood narrative as follows: the idea comes from the writers and/or artists,
with the concept the filmmakers receive their first money to develop a treatment (a treatment gives more detail about the concept [story] and sometimes suggests dialogue). If successful, it convinces the studio to provide financing and to develop the story further. Written in the present tense the treatment can be from five to seventy-five pages. From this treatment, assuming it receives a "go" (meaning the studio will put up more money), the writer produces a screenplay. If the studio continues to finance the project, the screenplay goes through many revisions and polishes. The marketing department begins its audience research work, boiling down the concept and completed film to the story’s essence, reducing it to a few strong images and a few strong lines of voice-over narration for use in trailers and commercials. For print ads, they reduce it further, to just one headline and one image. The film comes full circle, from one or two sentences to pitch the concept back to one or two sentences to sell the finished film.

SELECTING A SCREENPLAY

Independent filmmakers may not go through this exact process. Whether they have a concept, or a preliminary script to work from, the money for development of that concept/screenplay is usually from their own pockets. It behooves them to select something that they are interested
in, as they will spend many weeks, and possibly several years, in producing the screenplay.  

Besides being interested in the story, the filmmaker should ask some questions about the story/screenplay before investing time and money in it. Filmmakers should first ensure that the screenplay has the correct format. Structure, character development, conflict, and resolution must all be present in a good screenplay. The script must be in the present tense, because it is a blueprint for action ("John goes;" "the plane attacks;" etc.).

The completed screenplay should contain a number of critical elements that are essential for a successful production.

1. The first is the rule of unity.
   A. Unity of time. Most Hollywood Narrative Standard films take place in twenty four hours to a week. A larger time frame than this forces the audience to make too great an adjustment. Also, the film should not indicate the passage of time to the audience through the usual cliches, such as a close-up on a clock dissolving to another time or a shot of the tearing away of pages of calendar.
   B. Unity of plane. The script should not contain too many set changes, as they can confuse the audience (several sets are desired, however, not in low budget films). The settings should be believable and have unity with the time period of the story.
C. Unity of action. The middle of the story should rise out of information in the beginning of the screenplay, and the end should rise out of the middle of the story. Filmmakers must never break this rule, because the result is a weak, disjointed, confusing film. The script should explain a character's actions, or why the cavalry arrives in the nick of time. If motivation and explanation are not transmitted by action, whether words or deeds, the audience either will not understand it or will not accept it.

2. The five W's and the H.
   A. Who. Is the who (main character) clear?
   B. Where. Is it clear where the story is happening? A film without a definite locale can drive an audience to distraction.
   C. When. Is it clear when it is happening? Action that takes place in flashbacks or flashforwards can confuse the audience.
   D. Why. Is it clear why it is happening? This situation sometimes progresses from unclear to clear as the problems (conflicts) are progressively cleared up by the end.
   E. What. Is it clear what is happening? The conflict must be easily understood.
F. How. Is it clear how it is happening? The action that happens to the protagonist must grow out of the conflict of his/her character.

Another point to consider is the confrontation scene. If there are two characters on a collision course, there should be a scene where they confront each other and the problem is worked out. Usually the characters are the protagonist and antagonist; in the case of physical action films, the hero kills or defeats the antagonist. If there is a problem in the story or theme, there should be the obligatory scene where it is all worked out.

Another consideration is the language of the screenplay. Does it develop strong visual and audio images in the reader’s mind? If not, it may be a visually boring film. Of course, rewrites can correct many of these story problems, but if too many negative elements are present, perhaps the script should be abandoned. Most of these elements relate to the Hollywood Narrative Standard, and where a screenplay deviates from that standard, the filmmaker must decide whether the deviation would be fatal to the project.

ACQUIRING THE RIGHTS

Rights are acquired in several ways, with or without funds. First, the concept, story, or screenplay is acquired with a contract to pay the agreed amount in full at the
beginning of production. This type of contract is a form of deferred payment, and the filmmaker will want to make sure how long the rights last (usually one to three years). A second method, and a common one used by the studios, Hollywood independents, and regional independents, is the option. For an agreed amount, the filmmaker has the rights to the script for a certain period of time (three to five years). At the end of the time the filmmaker usually has an option to pay another amount and acquire the option to the rights again. Option payments are usually a percentage of the final payment for the rights to the screenplay, with the payments deducted from the final rights payment. In Hollywood, many screenwriters make very comfortable livings from option contracts and re-options for their works. A third method is to purchase the rights for the screenplay outright, thereby owning the rights forever, or for a negotiated term if the film is not produced. This method is not preferred unless the filmmaker believes very strongly in the script. A fourth way many regional independents acquire the screenplay is to write their own. Whichever method is selected for a particular project, the filmmaker should be certain of the script's ownership by checking with the U.S. Copyright Office and with the Screen Writers Guild West's registration service. In all contracts, the filmmaker should consult an attorney, preferably one that works in entertainment law.
The title also can interest potential distributors, investors, and creative talent. Titles, however, unlike the script, cannot be registered and protected. A filmmaker can join the Motion Picture Producers Association and then pay fees to list titles with them. They enforce title "rights" among their members (major and mini-majors and large independents make up the majority), but the "rights" might not hold up in court. The finished film registered with the U.S. Copyright Office is the best protection. Some law firms and other businesses specialize in title research for fees ranging from two hundred and fifty to five hundred dollars or more, but protecting the title before the completed film is copyrighted is a difficult and almost impossible task. A lot has been written above about the script, but it is a most important element in the production of a film. The screenplay contains the seeds for the film's success or failure because it determines to a large degree how the finished film in all its parts will look, sound, and how an audience will react to the film.

THE DIRECTOR

The screenplay is the blueprint, the foundation, for the feature, but it is the director who builds the finished structure by translating that blueprint into visual and aural images. The sooner a director is brought to the project, the better chance the film has to be the best it
can be. Gregory Goodell gives some reasons for the early involvement of the director:

He will undoubtedly have contributions to make to the screenplay at one stage or another and if his thoughts can be incorporated during the early stages of writing, so much the better ... The more a director understands about the structure of the story and the nature of the characters involved, the better will be his ability to translate the story onto film with a vision consistent with the writer's and the better equipped he will be to contribute to such things as casting.  

A filmmaker should look for a director who has a finished film that exhibits a style consistent with the filmmaker's vision. Other considerations are the director's reputation for working within the schedule and budget limitations and the director's experience. Usually the filmmaker should look for a director who has experience directing films with budgets same, or lower, than the filmmaker's project. On a larger film, the director will have had more time, help, and funds, which may make it difficult to adjust to less in all three categories.

Some other characteristics and abilities to ask about the potential director are:

1. Is the director a good administrator? On the set the director is in charge of the schedule, the actors, and through the first assistant director, the crew. Can the director handle many activities at once as well as look ahead?
2. Can the director work to recognize and understand the characters without passing any moral or ethical judgement about them? The director should try to get inside each character and see from that character's point of view.

3. A director should be a person of ideas. He should be open to the ideas of others.

4. The director should understand many areas of life, because knowledge of the way of life that the director is portraying on screen is necessary to making it believable.

5. The director should be a good researcher, to insure that actions are proper for the characters and settings of the screenplay.

6. The director should be constantly self-critical, not necessarily out loud, but this attribute should be evident to the filmmaker.

7. The director should be able to communicate and negotiate with people. Filmmaking is the result of many people's talents and skills. The director needs to communicate his ideas in order to achieve his vision.

Some characteristics to look for and avoid are: likes power too much, thinks his ego more important than the project, lacks preparedness, takes things for granted, refuses to think of the money (budget), lacks passion, and does not seem to be devoted to the film. If the total filmmaker is to be the director, the filmmaker should ask
the same questions of herself or himself and try to be honest, since the whole film is at risk.

FINANCING

One statement has become a cliche but still is true: the hardest part of making a film is the financing. For regional independents, this element looms foremost in the production process, and almost everything else associated with the film hinges on the success of the financing. The availability of financing is dependent on the industry’s health. That health is dependent on the supply and demand for the product, the status of national economy, and the consumer’s and investor’s perception of that economy.\textsuperscript{34}

The surplus of B and C films has brought down the prices for these films, causing the market to hit bottom at the Cannes Film Festival/Market in May of 1987. The expected recovery for these films has not happened, because the domestic marketplace’s ability to absorb B independent films has shrunk. The majors have not significantly increased their in-house production levels since 1984-1985. Therefore, as Gerald Kelly points out:

...assuming no change in the historic mix of independently-produced A and B product, a further drop in independent production of about 30\% (down to about 230 pictures per annum from 1990’s pro forma rate of roughly 320 pictures) may result in significant recovery in B market prices. However, if the availability of A pictures has pushed U.S. demand for B pictures below 1984/1985 levels, even a further 30\% drop in production may not be enough (to increase demand and prices worldwide for
The state of regional independent financing and distribution is so poor that a filmmaker must become a master of creative financing. Film financing can be divided into two types: equity and debt financing.

**EQUITY FINANCING**

An understanding of the types of financing and the current requirements may aid the regional independent in their quest. In equity financing, someone invests their money in an opportunity, expecting at the very least to receive their investment back, and hoping to receive a profit on that investment. Equity financing can come from the filmmaker; indeed this would seem to be the ideal arrangement. The filmmaker would only be responsible to her/himself. Since most films run a high risk of not breaking even, self financing would seem to be the least desirable way to finance a film. Equity financing can also be achieved by spreading the investment over several investors. The most commonly used means for regional independents to acquire equity financing has been the private limited partnership. The principle advantage of a limited partnership is that income is distributed directly to the limited partners (investors) and is only taxed once. In a corporation, for example, the income to the corporation is usually taxed by the state and federal governments and
taxed again on the individual returns of the investors as capital gains. Another advantage, and one that usually interests investors, is that the investor in a limited partnership is only liable for lawsuits against the partnership up to the amount of the investor's investment in the partnership. For wealthy individuals limited liability can be a desired characteristic. A disadvantage to the investor is that in order to have the limited liability, they cannot participate in the day-to-day or overall management of the partnership. That management, and all the liability that goes with it, is the general partner's (usually the filmmaker and/or his company).

Restrictions on limited partnerships include where partnership units can be issued and the number of partners. Additional state and federal laws control private and public offerings. For most regional-independent, low-budget films the private limited partnership is an economical avenue with some possibility of success.

Whichever method of financing the total filmmaker chooses, that choice should involve the counsel of an attorney. While many attorneys understand the various ways to organize a company, not many of them understand or have experience in the film business. For a regional independent this lack of experience can be a problem. Asking around the film community in one's region can result in locating attorneys with entertainment law experience. Another
approach is to call the local bar association's referral systems. Using these location procedures, a filmmaker can find an attorney in Los Angeles or New York who has experience in various aspects of the film business. They in turn can work with a local attorney in the financial structuring, as well as helping with the casting and contract negotiations. Organizations such as the Independent Feature Project/West also have lists (available to their members) of attorneys who have some experience and knowledge of the film business and who have expressed a willingness to work with regional independents.

Prior to the late seventies, limited partnerships and other equity investment entities were great opportunities for investors. An investment of one dollar could, under the tax laws, yield an investment net of two to three dollars. Over a period of ten years, however, the Internal Revenue Service succeeded in getting Congress to repeal those portions of the tax law that made even a losing investment profitable. The Tax Reform Act of 1986 completed the I.R.S.'s effort by eliminating the Investment Tax Credit. Investors now must consider the profit possibilities of an investment instead of the former tax deduction benefits. For independent filmmakers, these changes in the laws make it more difficult to sell private investments in a highly risky business.
DEBT FINANCING

Debt financing means borrowing money to finance the film and having to pay the loan plus interest over a given period of time. This type of financing is accomplished by borrowing from an individual, a bank, a major studio, a mini-studio, or an independent distributor. Most lenders, regardless of their structure, are concerned with the "Five C's of Credit:" character, capacity, capital, conditions, and collateral. Questions relating to film production and the Five C's may overlap but will be in the lender's mind.

Gerald A. John Kelly articulates these questions in The Guide To Bank Finance For Independent Movie Producers:

Character: is the filmmaker well or poorly organized; level headed or emotional; a manager of situations or reactor to situations; a risk-avoider or a gambler; a planner or a shoot-from-the hip type; an ethical person?

Capacity: are the filmmaker and production team skilled and experienced; have they been consistently on-time and on-budget; have they mastered this level of production complexity before? First time feature producers and directors are usually not a problem if they can demonstrate comparable production experience in other formats. The lender may require an experienced producer as part of the package.

Capital: the budget is evaluated by the bank with the help of a completion guarantor and/or other production
experts, and the following questions are asked: is there enough money to complete the project; can this project repay the loan? Usually the lender expects the producer or executive producer to defer one or the other or both’s salaries or fees until the production is completed and/or the loan is paid back.

Conditions: what shooting conditions, such as weather, terrain, unionization, etc, affect the evaluation of the budget; what economic conditions affect the evaluation of the repayment sources; what are the lender’s internal conditions, including recent profitability, the understanding of the lender’s upper management of this type of lending, turnover of personnel, appetite for risk, and knowledge of movies specifically? In other words, are the conditions right to make the loan?

Collateral (In the film business, the lender’s repayment sources are called collateral). This collateral can be any combination of the following: presales of the picture payable on specific dates in the future; accounts receivable from other pictures or products; the film and its rights; filmmaker’s personal guaranty; investor guaranties backed by certificates of deposit, standby letters of credit, and real estate. The question to the lender is, can the collateral be converted to cash in order to repay the loan, and is it enough to repay the loan and interest? Collateral that satisfies the lender is the hardest of the
five C's to obtain. Filmmakers with a good package, however, may be able to obtain the collateral necessary to finance the film.

THE PACKAGE

Whether the filmmaker is using equity financing or debt financing the package usually consists of the following:

1. A short (less than three pages) description of the picture, including the target audience, the anticipated rating, special logistical problems such as foreign or domestic locations, special effects, "A" film prima donna (or don) casting, possible union problems, or other crew problems. Gerald Kelly states: "Be straightforward about potential problems. Your banker (lender) will either figure them out in advance and be miffed you didn’t mention them, or be miffed if eventually caught by surprise."

2. The budget for the project prepared by an experienced production manager. A call to the Director’s Guild of America in Los Angeles or New York will usually yield the names of members in the filmmaker’s region. The filmmaker should carefully consider union or non-union ramifications in developing the budget. The package must include a "top sheet" (the summary of the budget). If the lender wishes the whole budget, they will ask for it. The budget should include a contingency fee of 10% of the total production costs and legal fees, which include drafting the
loan documents, preparing and revising contracts, title searches, and perfecting liens. These legal fees may run as high as $25,000 to $40,000. In addition, the budget should include a 6% completion bond fee and an interest reserve. The interest reserve is usually a lender’s requirement and is equal to the current prime lending rate plus five to ten percent.

3. The Production Company and the production team including brief information on the company, and brief resumes on the key production team members, such as producer, director, director of photography, and screenwriter. A full-time financial officer would be helpful, but a financial consultant experienced in film financing can be of great help. Many of these consultants advertise in Variety (daily and weekly) and The Hollywood Reporter. Along with experienced and honest consultants, many who are neither also advertise. Recommendations and investigations with the Better Business Bureau in the consultant’s city can aid in the choice. Casting is included here, if it has been completed. Casting is a most difficult area as the financing and distribution of the film depends a great deal on the selection of the main cast. Films are placed into categories by the status of the main cast or star, and by the budget. Without the funds, many agents will not commit their clients to a project. Some agents will not even read the script unless you make a
definite offer for their client's services. If the filmmaker has funds, some placed into escrow can help negotiate some type of contract. The old letter of intent from an agent (if obtained) just does not work with distributors and lenders anymore. A stronger package is built by having a signed contract with the actor(s). Most lenders and distributors understand that circumstances change and an actor may not be available when production starts, but if at all possible the contract should be flexible on this point. All levels of distributors have certain actors they feel help them to sell the product. When talking to potential distributors, the filmmaker should ask them who they think can help sell the film. The filmmaker should try to get that actor within the budget or even increase the budget if necessary.

4. Insurance. Filmmakers will need casualty insurance and a completion bond. Film insurance brokers and completion bond companies usually advertise in the above industry publications and the Los Angeles and New York yellow pages (check the local library). Usually a letter of intent to furnish the insurance is needed at this point. The insurance companies will look at the filmmaker, budget, script, and potential casting before giving a quote for the casualty insurance, a letter of intent to insure, and a letter of intent to furnish a completion bond.42
5. Collateral includes any and/or all of the following: copies of pre-sales contracts, letters of credit, location of certificates of deposits, receivables from other pictures, proofs of investors' cash infusions, distributor's contracts (if any), and real estate deeds. In addition to any or all of the above, include a summary of the total of various forms of financing. The combinations of collateral must equal or exceed the budgetary needs, including the financing costs and interest.\textsuperscript{43}

6. The filmmaker must include a timetable for the completion of the script rewrites, pre-production, production, post-production -- every activity up to the day the film is ready to deliver to the distributor.

With the script, casting, and key production team, the filmmaker may receive a contract to distribute the film and to collect a certain amount of money upon delivery of the completed film. If the distributor can furnish a strong letter of credit, there are banks that will lend on this letter of credit. Distribution financing is a difficult road to follow, because so much depends on the type of film the distributor feels can sell, their belief in the marketability of the cast and story, their belief in the abilities of the production team, and the distributor's credit. In addition, the amount they offer in advance for the film will more than likely be lower than the market value of the completed film. On the other hand, waiting to
finish the film through private financing may take years, and no guarantee that the completed film will be more valuable than the advance offer of the distributor.44

CONCLUSION

Regional independent feature filmmaking has historically been more difficult to accomplish than Hollywood independent or studio production. With the return of vertical integration among the majors, regional independents' features are almost totally blocked from domestic screens. This situation in turn causes extreme difficulty in financing regional independents' films by limiting this potential source of income. In the words of John Wilson, the filmmaker in Peter Viertel's White Hunter, Black Heart: "It's the biggest goddam adventure any of us have ever been involved in. An independent picture always is. It's life and death."45 That statement seems extreme, but to total independent filmmakers it is accurate.

If total independent filmmakers possess many of the necessary characteristics and skills outlined above, their films can make it through production and into distribution. Where and how this production and distribution happens is dependent on the story, the casting, and the financial health of the industry at the time.

Because of all the road blocks to regional independent total filmmaking, the filmmaker should have a strong belief
in independent total filmmaking. Certainly many are motivated by the promise of high financial reward. The press reports frequently on large salaries for film people and on huge film profits. Only a small percentage of filmmakers achieve that status. The majority live on middle-class incomes, and many earn less. Commitment to the material and creativity are factors that cannot be faked. The public nearly always rejects a film without at least one of these elements. Regional independent filmmakers with nothing but money on their minds and very little understanding of the skills, could very well become instant successes, but most independent filmmakers have years of waiting, years when some sort of artistic vision will help sustain them. Still, the possibility for success does exist, and the dedicated filmmaker need only remember the lessons of film history to achieve it!
ENDNOTES


3Ibid.


5Ibid., 1-2.


10Stephen Koepp, "Lights! Camera! Cut the Budget!", *Time* 129 (March 30, 1987), 57.

11Black, "Fade To Print," 60-61.


14Black, "Fade To Print," 62.

15Ibid., 59.


23 Ibid.


27 Miller, *Screenwriting*, 35.


29 David Freeman, "The Great American Screenplay Competition," *Esquire* 93 (June 1980), 27.


31 Mark Litwak, interview by author, 3 March 1991, Los Angeles.

32 Goodell, *Independent Feature Film*, 64.

33 Gray, "Directing Seminar."

35 Ibid., 2.

36 Goodell, <i>Independent Feature Film</i>, 4.

37 Texas Civil Statutes, Texas Uniform Limited Partnership Act, Article 6132a, Sec 18.


39 Goodell, <i>Independent Feature Film</i>, 4.


41 Ibid., 8.

42 Goodell, <i>Independent Feature Film</i>, 6-7.

43 Kelly, <i>The Guide</i>, 11-12.

44 Goodell, <i>Independent Feature Film</i>, 231-237.

APPENDIX
A SURVEY OF SOME INDEPENDENT DISTRIBUTORS AND THEIR COMMENTS

The following are some independent distributors, with their comments about the type of product they are selling and their assessments of the market. This information was gathered from March 1990 to August 1991. Filmmakers should call before sending a film to a distributor as the markets change rapidly over the last six years, distributors have gone out of business (sometimes from one day to the next) or have merged with other distributors in order to survive the market turndowns. Acquisitions persons also have changed frequently. Filmmakers should be incredulous concerning distributors' comments about the size budgets they distribute or wish to distribute.

Amazing Movies
7471 Melrose Ave., Suite 7
Los Angeles CA 90046
(213) 852-1396
Ed Murphey, Assistant to Director of Acquisitions

"We are most interested in action and action/adventure. We are also interested in drama, science fiction and psychological thrillers. The action films do not necessarily have to have frequent violence and explosions, but they must be very visual. The films we distribute usually have a production budget from 1-3 million dollars, and are considered B+ films. The market for horror and C
films is dead due to the glut. We do not pay advances for films without names."
American General Film Distribution
8060 Melrose Ave., Suite 400
Los Angeles CA 90046
(213) 655-0886
Olivia Gomez, Director of Acquisitions

"We only distribute Spanish speaking films and videos for the United States and to Spanish speaking countries. Action films are the strongest sellers but seem to be showing signs of decline. Horror and comedies were doing o.k. but also showing decline. Most of the films we distribute were made for under five hundred thousand dollars."

Ames Film Releasing
322 W. 57th St., Suite 35-S
New York NY 10019
(212) 246-0528
Gail Cohen, Director of Acquisitions

"I am interested in American as well as foreign films and specialty films. I would also consider documentaries if they were exceptional. No horror films! No minimum budgets. I am interested in "quirky" American films as well as "classical foreign" films. I am presently distributing an Italian dramatic film."

Angelika Films, Inc.
1974 Broadway
New York NY 10023
(212) 769-1400
Jessica Hunt, Director of Acquisitions

"I am seeking off-beat, low-budget films ranging from science-fiction to drama. We are not distributing any horror due to the market. We also acquire films from overseas for distribution in the United States."

Avenue Film Distributors
12100 Wilshire Blvd., Suite 1650
Los Angeles CA 90025
(213) 442-2212
Kathy Reese

"We primarily handle "art films" but we will look seriously at any reasonable package presented. In all cases, name stars or name director are very important. They will
consider advances and negative pick-ups to the 3 to 4 million dollar range."

Broadstar entertainment Corporation
6464 Sunset Blvd., Suite 1130
Hollywood CA 90028
(213) 962-4950
Jim Katz, Senior Vice President

"We are most interested at this time in action/adventure films with budgets around 3 million dollars. The C market is not very good, but Bs have been doing fair."

Budget Films
4560 Santa Monica Blvd.
Los Angeles CA 90029
Al Drevin, President

"The home video market is very soft now. I am interested in cartoons and comedies or shorts that would appeal to the college market. I would prefer A and B films like Teenage Mutant Ninja Turtles, but money is tight."

CB Films and Triman Entertainment, Inc.
9538 Brighten, Suite 210
Beverly Hills CA 90040
(213) 278-1046
Peter Bournes, California Agent

"B and C movies are really tough to handle right now, and I see the same for the next year as well. I believe the trend toward human interest themes, as opposed to the violent/action films, will increase. I look for quality productions that don’t necessarily have to have big names or big budgets. I advise future independent filmmakers to save money and put all you’ve got into a really good quality film."

Carolco Pictures, Inc.
8800 Sunset Blvd.
Los Angeles CA 90069
(213) 850-8800
Donna Birmingham, Director of International Servicing and Delivery

"Currently we are only dealing with high budget A films primarily of the action/adventure type. We no longer deal in low budget films of any type and currently enjoy a very
strong U.S. market for our films and make theatrical distribution deals through the majors." Their most recent film is *Terminator II* (1991).

Cinevox
1733 Malcolm Ave., Suite 2
Los Angeles CA 90024
(213) 475-7878
Graham Ludlow, Director of LA office

"Cinevox is having a good success with the thriller (*Jagged Edge* type), but we are also interested in projects aimed at children. We are open to all genres and packages. The budgets range from ultra low to twenty-seven million. Our parent company is in Germany so we are particularly interested in projects with German appeal."

Cobra Entertainment Group
16530 Ventura Blvd., Suite 308
Encino CA 91436
(818) 981-0223
Steve Beswick, Director of Acquisitions

"We produce and distribute action/adventure films, mystery thrillers, and erotic thrillers. I strongly recommend using names in your films. Submit a script and a treatment if you have some names attached to the project."

Concorde Pictures (this is Roger Corman’s current company)
11600 San Vicente
Los Angeles CA 90049
(213) 820-6733
Bill Bromiley, Booking Agent

"We prefer product in the million to two million dollar range and in the action and horror genres. At this time we are not doing advances or negative pick-ups. We finance our own production but not anyone else’s. Because of the conglomerate buy-outs, the situation for independent films making it to the U.S. screens has gone from bad to worse. I feel the situation is actually terrifying. The conglomerates could conceivably begin to tell the producers exactly what they had to make for each year, and if you don’t play along, you just don’t get to play at all."

Consolidated
9000 Sunset Blvd., Suite 415
Los Angeles CA 90069  
(213) 275-5719  
Peter Carley, Director of Acquisitions  

"We primarily distribute films to television, domestic and foreign. Action/adventure is doing great now and films with suspense are wanted in most markets."

Crown International Pictures  
8701 Wilshire Blvd.  
Beverly Hills CA 90211  
(213) 657-6700  
Jeanie Masin, Director of Acquisitions  

"We are mainly interested in action/adventure but can be interested in comedy and horror. We usually work with films two million and under in budget. We do distribute films with no names but do not recommend filmmakers producing films without some name in them. We distribute theatrically in the international market and home video and pay-per-view domestically."

Double Helix Films  
275 Seventh Ave.  
New York NY 10001  
(212) 727-2000  
John Jardine, Director of Corporate Development  

"We are looking for almost any type of film to distribute, however, our market is mostly foreign distribution and they look for the action/adventure film. Horror is no longer a profitable market, so we do not buy them unless they are As. We have set a record for profits every quarter since our founding, and we are currently merging with Odyseey Entertainment and moving all our operations to Los Angeles by the end of 1991."

EO Corporation  
P.O. Box 184  
Shelby, NC 28150  
(704) 482-0611  
Dennis Owensby, Director of Distribution  

"We concentrate exclusively on action/adventure films, usually with an individualistic cop "who makes his own rules" as protagonist. We rarely use outside work such as completed films of other filmmakers. We do accept unsolicited scripts and occasionally help finance
independent productions which we agree to buy out. EO films usually run in the two to six million dollar range."

Films Around the World, Inc.
685 Fifth Ave.
New York NY 10022
(212) 752-5050
Ann Exelberth, Director of Acquisitions

"The market for no name movies is down and will continue to be depressed. Action thrillers and "R" rated comedies are what we usually carry, and all need to have a star. We distribute internationally and work with budgets around five hundred thousand and lower. We do not do negative pickups and only give advances if the film has a known star."

Globus Entertainment
330 S. Spalding Dr., Suite 203
Beverly Hills CA 90212
(213) 785-9572
Gina Aloisi, President

"We are most interested in action/adventure. These films are the real money makers. We also are interested in good comedies and big budget science fiction films. Production budgets should not be lower than five million but can go to fifteen million. The market for C films is diminishing, but if the film is a good picture or a really good thriller, I will consider it."

Golden Harvest
9884 Santa Monica Blvd.
Beverly Hills CA 90212
(213) 203-0722
Thomas Gray, Vice President

"We are not looking for any new projects now. We are booked through 1991."

Goldfarb Distributors
914 S. Robertson Blvd., Second Floor
Los Angeles CA 90035
(213) 399-4548
Judy Goldfarb, Vice President

"Horror pictures are not selling in the foreign markets. Britain and Germany, for example, will not accept any
"slasher" movies with lots of blood and guts. Action/adventure, however, is selling quite well, especially if the film has a name in it. In this genre I can get a T.V. deal and a U.S. cassette deal. Budget is no problem as long as the film looks good."

Hemdale Distribution
7966 Beverly Blvd.
Los Angeles CA 90048
(213) 641-1212
Cory Carr, Director of Acquisitions

"We distribute a lot of B films to foreign markets and do pick-up deals only when guaranteed by some type of rights permission. Call before submission."

ITC
12711 Ventana Blvd.
Studio City CA 91604
(818) 760-2110
Paul Almond, Vice President World-wide Acquisitions
Submit projects to Lauri Haddox

"We do foreign distribution and domestic independent television. We are mainly looking for A pictures and nothing with budgets under one million. We prefer action/adventure because it sells. Comedies do not translate well in foreign markets, and we will not take horror. We do distribute some mystery thrillers with some success."

Image Organization
9000 Sunset Blvd.
Los Angeles CA 90069
(213) 278-8751
Noel Zantisch, Acquisitions Director
"We are mostly interested in low budget action/adventure films. Horror films are of no interest at this time."

Imperial Entertainment Corporation
4640 Lankershim Blvd., Fourth Floor
North Hollywood CA 91602
(818) 762-0005
Chris Davis

"We are interested in action/adventure films, and we have some interest in low budget dramas. Since the market for
horror films has dried up, we have no desire for their acquisition."

J&M Entertainment
1289 Sunset Plaza Dr.
Los Angeles CA 90069
(213) 652-7733
Karen Roberts, Vice President

"We are looking for projects for the international market only when it is an extremely large budget production (3 million and up), in which domestic release will be included. The project must have a name (cast or director) associated with it. We do not accept B, C, or D movies. Scripts are accepted if the cast or director are attached on submission."

J.E.R. Pictures, Inc.
165 West 46th St.
New York NY 10036
(212) 921-4290
Rita Balsam, President

"The market is very selective, so the quality of the film is very important. Good acting is a prime concern of many of our buyers. Small low budget pictures with exploitation effects are just not worth it anymore. Horror is totally worthless. Action has more value overseas. Drama doesn't belong in the hands of independents. You have to be very careful of costs and be very creative against the majors. Comedy is also worthless overseas. Action pictures should be made with T.V. showings in mind. We have no budget restrictions as long as the film is good."

Landmark Entertainment Group
6834 Hollywood Blvd.
Los Angeles CA 90029
(213) 469-2810
Tony Christopher, Vice President

"Landmark is looking for traditional family films and anything with a good, heartwarming story. We are considering some science fiction and will work with low budgets as long as the film is well made."

Management Company Entertainment Group
1135 West Olympic Blvd., Suite 500
Los Angeles CA 90064
(213) 208-8899
Mike Bisio, Executive V.P. for Theatrical Distributions

"We are presently tied up with eight in-house films with budgets from three to eight million dollars. We have both a film and video division. Filmmakers' works are being accepted in the video division in all genres and all budget ranges. We will not accept X-rated videos. Whether we pay an advance, a pick-up, or a commission depends entirely on the quality of the film or video considered. Each is evaluated on its own merits. The big sellers in Germany, Japan, and the United Kingdom are action-oriented movies. In the U.S., the big-star centered movies sell the best."

Manely Productions, Inc
111 W. 57th St., Suite 1401
New York NY 10019
(212) 541-7733
Robert Pistella, Director of Acquisitions

"We are basically a foreign sales agency. We work as a liaison between foreign film markets and production companies. The foreign markets are most interested in big Hollywood movie stars. We deal mainly in the European market, and horror that do well in Asia do not sell well in Europe."

Marquardt And Associates
76 Market St.
Venice CA 90291
(213) 399-2570
Kathleen Marquardt, Owner

"We deal with documentaries and our business has been growing. Documentaries that focus on different cultures and cultural practices, along with environmental and human rights documentaries, are doing very well. The market for these have grown in the past few months."

Miramax
18 East 48th St., Suite 1601
New York NY 10017
(212) 888-2662
Mark Tusk, Director of Acquisitions

"We want completed packages only. However, sometimes we will do negative pickups. We want films similar to Sex, Lies.
and Videotapes. But we are open to quality films in most genres."

Nelson Entertainment
335 North Maple Dr.
Beverly Hills CA 90210
(213) 285-6000
Susan Seletsky, Film Acquisitions Director

"We distribute domestically through Orion and Columbia. Our production budgets usually run from ten to fifteen million. We work a great deal with our in-house international division, which can pre-sell foreign rights. Foreign distributors buy films based on stars. Foreign sales are a good way of raising funds to raise a production budget. We are interested in comedies and drama. We are not looking for cop thrillers, because the market is saturated with them, although from time to time if the price is right and the quality good, we have bought Lethal Weapon types."

New Yorker Films
16 West 61st St.
New York NY 10023
(212)
Bob Hunter, Non-theatrical Sales Representative

"We released four films theatrically in 1989-90. We are primarily interested in releasing foreign-language films in the U.S. but we are happy to consider American independent features. Jazz on a Summer's Day and The Plot Against Harry are examples of our recent American-made releases. We are open to anything with sufficient ingenuity and competent production values, regardless of budget."

Orion Pictures International
1888 Century Park East
Los Angeles CA 90067
Mike Karz, Director of Acquisitions

"We are most interested in films in the action genre and are presently spending ten to fifteen million with a goal of thirty-five million a year in the near future. We distribute theatrically with deals through the majors. Our most successful film to date is Robocop." By the fall of 1991 Orion was in financial difficulty.
Overseas Film Group
8800 Sunset Blvd.
Los Angeles CA 90069
(213) 855-1199
Erica Potter, Acquisitions Assistant

"We look at all kinds of films, except shorts and documentaries. Comedies are hard to sell; otherwise, we will look at any genre. Most of the films we distribute are in budget ranges from eight hundred thousand to fourteen million. We do advances, negative pick-ups, and pre-sells depending on the validity of the offer, such as names that are involved in the film."

Panorama Entertainment Corporation
125 North Main St.
Port Chester NY 10573
(914) 937-1603
Steve Floran, President

"Action pictures do very well, but we are not locked into a specific genre. Name stars are necessary, unless you have a type of picture that can work on a title or campaign. We distribute worldwide."

Prince Production
2124 N.E. 123rd St., Suite 213
North Miami FL 33181
(305) 899-0755
Bob Brent, President

"We are only interested in films with budgets under five million dollars. We will handle any films, no particular genre. Filmmaker must have a distribution deal in place for us to finance, and we have a two-year payoff."

Rich International
8484 Wilshire Blvd., Suite 750
Los Angeles CA 90048
(213) 653-9605
Cindy Rich, Director of Acquisitions

"We are looking for no particular genre but are interested in something that works. Currently our most visible product is *Midnight Express II*, with a budget of fifteen to twenty million and *Close to the Sun*, a musical, with a budget of two to four million."
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Titan Films International
3415 S. Sephina, Suite 410
Los Angeles CA 90034
(213) 390-1000
Mr. Omar

"We like films with budgets from two to six million dollars. We like action films that don't have a lot of talking heads in them. We want big stars."

Transatlantic Pictures
1440 S. Sepulveda Blvd.
Los Angeles CA 90025
(213) 445-1300
Arlene Martin, Acquisitions

"Transatlantic has taken over New World's collection of upcoming releases and is looking to produce some sequels to earlier New World films, such as Soul Man. We are looking to produce and release three to seven pictures in 1991 in the three to seven million dollar range, with an emphasis on action/adventure films."

Transcontinental Pictures Industries
650 N. Bronson Ave.
Los Angeles CA 90004
(213) 464-2279
Daniel Harris, Director of Acquisitions

"We are interested in action/adventure pictures, but they must have a name in them. We work with pictures of all levels of budget, shot in 16mm or 35mm. We like to see a script and are happy to make recommendations on the script and names that could be involved in the film. We distribute both domestically and internationally but do limited theatrical distribution domestically."

Troma, Inc.
733 Ninth Ave.
New York NY 10019
(212) 757-4555
Gary Farber, Acquisitions

"We are looking for all types of movies, but the films need a name star, good special effects, or a good story flow. Any budget range will be considered, as any film may be promising. We do a few in-house projects and will finance some independent filmmakers' post-production or other
finishing costs, if we like what we see. The market is very difficult to gauge as to what will sell well. Many of our feature films go straight to cassette."

21st Century Film Corporation
7000 West 3rd St.
Los Angeles CA 90048
(213) 658-3000
Melanie Merians, Director of Acquisitions

"Action films with a solid cast are our prime interest, with budgets of one to five million. The films need at least one recognizable name from TV or movies in order to be marketed. Our most recent film in wide release was *Lambada-The Forbidden Dance.*"

Vestron International Group
1010 Washington Blvd.
Stanford CT 06901
(203) 978-5400
Ms. Michelle Zawrontny, Asst. Non-Theatrical Programming

"Vestron has four divisions - film, video, television, and international sales. I handle non-theatrical videos, and we are interested in sports, documentaries, sports how-to's, comedy, music, children's fare, and feature-length, non-theatrical programs. Our best known lines are the *Nova* and *National Geographic* series on home video. In our commercial areas we are looking for anything with big-name talent or mainstream commercial appeal and the highest quality production values. Anything will be considered as long as the quality is there. Pay depends entirely on how the market is doing, but sometimes we operate on a royalty-only basis. Sports and instructional tapes are doing very well on the market at this time."

Vidmark International
2901 Ocean Park Blvd., Suite 123
Santa Monica CA 90405
(213) 399-8877
Dave Tripet

"We are interested in any genre, but nothing bloody. We only accept feature length projects shot in 35mm with a name attached, and Vidmark must have all rights. We will accept a project in any stage (script to complete) as long as the above conditions are met. Budgets are no problem."
Westwind Group, Inc.
1746 1/2 Westwood Blvd.
Los Angeles CA 90024
(213) 470-6949
Carol Schuller, Vice President
"We are looking for low-budget, action/adventure films. We also produce many of the films we distribute. We do both domestic and foreign distribution."
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