

Putting a Future into Film: Cultural Policy Studies, the Arts and Culture Task Group and Film Reference Group (1980 - 1997).

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This thesis is dedicated to my besht, Brett.

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ABSTRACT

Cultural policy studies, or studies in the relations of government and culture (Mercer, 1994) were initiated in Australia in the 1980s, where cultural studies have been reinterpreted into a dialogue of policy-making and cooperation between the government and academia (Cunningham, 1994; Hunter, 1993/1994; Molloy, 1994; Santamaria, 1994). This Australian-pioneered “cultural policy moment” (Cunningham 1994; Hawkins, 1994) thus provides an epistemological starting point for an analysis of cultural policy developments in South Africa, especially after 1994. Early South African cultural policy studies tend to draw from the Australian experience (Tomaselli and Shepperson, 1996).

It must be noted that in terms of South African film policy analysis, there have been two cultural policy moments, one that addresses film post World War II to 1991, a period that is generally characterised as a “cinema of apartheid” (Tomaselli, 1989). This period is indebted to the seminal work of Keyan Tomaselli and Martin Botha. The second cultural policy moment begins in 1991 and continues to the present. It is this “moment” that informs the research and critical focus of the ways in which cultural studies in South Africa have modified the foundation of its critical position towards the state in response to developments since 1990. The aim of this thesis is to critically examine the ways in which South African cultural studies have responded to the Australian “cultural policy moment” in terms of academic-state relations, and the impact of discussions that were engaged in by various film organisations on film policy after 1990, and which resulted in the written proposals on film submitted to the Arts and Culture Task Group in 1994 and 1995. The Arts and Culture Task Group was the case study within which the notion of cultural policy was studied, along with the White

Paper on Film. This thesis draws on and applies a variety of methods: firstly, there is the participatory research: I was employed by ACTAG to undertake research into film policy. My own experience of the process in which I worked very closely with the film sub-committee provides an “insider” account of assumptions, conflicts, practices and how outcomes were reached. I was also designated, along with Professor Tomaselli and Dr Botha, as one of the co-authors of the White Paper, and was thus part of the process of revising the ACTAG recommendations into draft legislation. Secondly, there is the method of comparative study: this thesis initially draws on the Australian cultural studies and film policy on the one hand, and South African cultural studies and film policy on the other. It then evolves into a critique of the “cultural policy moment” (Cunningham, 1994; Hawkins, 1994) as it related to the development of South African film policy between 1991 and 1997. Lastly, there was the empirical investigation: ACTAG, which was established to counsel Dr Ben Ngubane on the formulation of policy for the newly established government (see Chapter Four of this thesis, and see Karam, 1996), served as a case study. The final ACTAG document resulted in a reformulated arts and culture dispensation consistent with the new Constitution. This process in turn led to the origination and publication of the Government of National Unity’s White Paper on Film in May 1996. Incorporated into this analysis was an “information trawl” (Given, 1994; Mercer, 1994 and Santamaria, 1994) of prior and extant policy frameworks and assumptions of various film, cultural and media organizations formulated during the period under review.

The link between film and culture, and hence film and cultural policy, emerges from the following two commonplace associations: firstly, that film as a form of visual creation is therefore a form of art; and secondly, that the concepts of art and culture are inextricably connected.

What drives the present debate is the Australian appropriations of Raymond Williams's description of culture as "a whole way of life". This, while validly dissolving the early-twentieth century identification of culture with "high" or "canonical" forms of traditional literature, sculpture, or painting, none the less leaves theorists with a "distinct fuzziness" (Johnson, 1979) as to what the term "culture" actually denotes.

Australian policy studies' approaches tend to focus on culture as personifying a structure of "livability" under terms of employment, environmental concerns, and urban planning (Cunningham, 1994; Hawkins, 1994). In general, however, the focus has only attained any concrete outcomes when research has resuscitated precisely the link between culture and the arts, thereby drawing on the old polemics of "high" versus "low" and "popular" culture.

The individual chapters cover the following topics: the Introductory Chapter provides a general historical overview of the South African film subsidization system, a crucial element of the analytical framework, from its inception in 1956 to its dissolution in the 1980s; Chapter Two, "Cultural Policy" deals with the origination and development of the concept of "cultural policy"; Chapter Three focuses on the Australian "cultural policy moment" and its application to film; Chapters Four and Five deal with the ACTAG Film Sub-committee and the White Paper on Film respectively; and the last chapter, Chapter Six critiques these processes and their resulting documents, as case studies, from a cultural policy standpoint.

INTRODUCTION

Cultural policy studies, or studies in the relations of government and culture (Mercer, 1994) were initiated in Australia in the 1980s, where cultural studies has been reinterpreted into a dialogue of policy-making and cooperation between the government and academia (Cunningham, 1994; Hunter, 1993/1994; Molloy, 1994; Santamaria, 1994). This Australian-pioneered “cultural policy moment” (Cunningham 1994; Hawkins, 1994) thus provides an epistemological starting point for an analysis of cultural policy developments in South Africa, especially after 1994. Early South African cultural policy studies tend to draw from the Australian experience (Tomaselli and Shepperson, 1996). It must be noted that in terms of South African film policy analysis, there have been two cultural policy moments, one that addresses film post World War II to 1991, a period that is generally characterised as a “cinema of apartheid” (Tomaselli, 1989). This period is indebted to the seminal work of Keyan Tomaselli and Martin Botha. The second cultural policy moment begins in 1991 and continues to the present. It is this “moment” that informs the research and critical focus of the ways in which cultural studies in South Africa has modified the foundation of its critical position towards the state in response to developments since 1990. The aim of this thesis then, is to critically examine the ways in which South African cultural studies has responded to the Australian “cultural policy moment” in terms of academic-state relations, and the impact of discussions that were engaged in by various film organisations on film policy after 1990, and which resulted in the written proposals on film submitted to the Arts and Culture Task Group in 1994 and 1995. The Arts and Culture Task Group, as mentioned above, is the case study within which the notion of cultural policy will be studied, along with the White Paper on Film. This thesis will draw on and apply a variety of methods: firstly, there is the participatory research: I was employed by ACTAG to undertake research into film policy. My own experience of the process in which I worked very closely with the film sub-committee will provide an “insider” account of assumptions, conflicts, practices and how outcomes were reached.

I was also designated, along with Professor Tomaselli and Dr Botha, as one of the co-authors² of the White Paper, and was thus part of the process of revising the ACTAG recommendations into draft legislation. Secondly, there is the method of comparative study: initially this thesis will study the Australian cultural studies and film policy on the one hand, and South African cultural studies and film policy on the other. It will then evolve into a critique of the “cultural policy moment” (Cunningham, 1994; Hawkins, 1994) as it relates to the development of South African film policy between 1991 and 1997. Lastly, there is the empirical investigation: ACTAG, which was established to counsel Dr Ben Ngubane on the formulation of policy for the newly established government (see Chapter Four of this thesis, and see Karam, 1996), will serve as a case study. The final ACTAG document resulted in a reformulated arts and culture dispensation consistent with the new Constitution. This process in turn led to the origination and publication of the White Paper on Film in May 1996, see Chapter Five of this thesis, and see Karam, 1996. Incorporated into this examination must be an “information trawl” (Given, 1994; Mercer, 1994 and Santamaria, 1994) of prior and extant policy frameworks and assumptions of various film, cultural and media organizations formulated during the period under review (whether documented or not).

The link between film and culture, and hence film and cultural policy, emerges from the following two commonplace associations: firstly, that film as a form of visual creation is therefore a form of art; and secondly, that the concepts of Art and Culture are inextricably connected. As Keyan Tomaselli puts it:

“Films (are/should) be classified as art, and more importantly, as being a tool for the investigation of reality and the critical examination of society. The social goals of a subsidized film industry should be to stimulate the cultural progression of a society through research, experimentation, exploration and new creation. ... In short, film as art should embody the

progressive soul of a nation, give it form, externalize it and provide mirrors by which a society can discover who and what it is. ... Film is a method of reflection” (1979: 119).

What drives the present debate is Australian appropriations of Raymond Williams’s description of culture as “a whole way of life”. This, while validly dissolving the early-twentieth century identification of culture with “high” or “canonical” forms of traditional literature or sculpture or painting, none the less leaves theorists with a “distinct fuzziness” (Johnson, 1979) as to what the term “culture” actually denotes.

Australian policy studies’ approaches tend to focus on culture as personifying a structure of livability under conditions of underemployment and unemployment, environmental considerations, and urban planning (Cunningham, 1994; Hawkins, 1994). In general, however, the focus has only attained any concrete outcomes when research has resuscitated precisely the link between culture and the arts thereby drawing on the old polemics of “high” versus “low” and “popular” culture.

Before proceeding with a brief outline of the chapters to follow, some definitions are in order. Following Stephen Heath (Heath, 1981: 7), “industry” refers to the direct economic system of cinema, the organization of the structure of production, distribution and consumption. “Industry” therefore, means film and video producers, as well as those sectors required to finance, administer, distribute, market and exhibit films, etc. (Moran, ed., 1991; The White Paper, 1996). “Cinema” and “industry” are used interchangeably, though cinema refers only to that product which is screened in buildings designed for the purpose. “Film” is the product of that industry and is comprised of the celluloid and the images and sounds photographically encoded into it. “Film” is defined not only as celluloid (i.e. cinema), but also other forms of audio-visual product including video. More generally, film applies across a number of areas and institutions including production, distribution and exhibition,

film education and especially film as visual art, and film censorship (Moran, ed., 1991; Tomaselli, 1983 and 1989; The White Paper, 1996). Where necessary, however, the adjectives, “production”, “distribution” and “exhibition” will preface the use of “industry” to clearly distinguish what division of the industry is being discussed.

Apart from Keyan Tomaselli and Arnold Shepperson’s article **Misreading Theory, Sloganising Analysis: The Development of South African Media and Film Policy** (1996), which articulates the insider views, backbiting and sloganeering of the ACTAG process, no other work has addressed either ACTAG or the White Paper on Film. No work has been done on the application of cultural policy theory in the post-apartheid era relating to film. Neither has there been any study on the consultative processes which typified the Film Committee of the Arts and Culture Task Group (henceforth ACTAG), or on the way that ACTAG recommendations were translated into draft legislation (the White Paper on Film).

The central problem, as I see it, relates to the lack of intellectual expertise in cultural policy formation at the start of the ACTAG process, and how task members and their consultants developed methods and theories, appropriated them from other contexts, and fought out their differences in- and outside of formal committee structures. These conflicts pertain directly to questions of investment and industrial growth versus left-wing rhetoric; consultation versus exclusion and choice/s of international models to adapt to South Africa

Against this background, the individual chapters which follow will deal with the following topics: the Introductory Chapter provides a general historical overview of the South African film subsidization system, a crucial element of the analytical framework, from its inception in 1956 to its dissolution in the 1980s; Chapter Two, titled “Cultural Policy” deals with the origination and

development of the concept of “cultural policy”; Chapter Three focuses on the Australian “cultural policy moment” and its application to film; Chapters Four and Five deal with the ACTAG Film Sub-committee and the White Paper on Film respectively; and the last chapter, Chapter Six critiques these two processes, and documents, from a cultural policy standpoint.

Works that have preceded this study, resources from which I will draw on, includes the following: **The South African Film Industry**, (1979), offers policy, and with **The Cinema of Apartheid: Race and Class in South African Film** (1988) by Keyan Tomaselli, problematizes the South African film industry in its economic, political, social and historical context. Pieter Fourie’s PhD thesis: **A Structural-Functional Model for the Formulation of a South African Film Policy**, and other articles on the topic of film and an “intercultural communication” model informed debates during the apartheid era.

Martin Botha and Adri van Aswegen’s **Images of South Africa** (1992), tries to operationalise, rather problematically, Fourie’s intercultural communication model. This book deals with notions of “alternative” film; the problems of a “national” industry; the handling of “theory”; and the intended readership. Also published in 1992, Johan Blignaut and Martin Botha’s **Movies - Moguls - Mavericks: South African Cinema 1979 - 1991**, is an extensive compilation of surveys, journalistic characterizations and academic articles by respected authors in the field of film, such as Keyan Tomaselli, Harriet Gavshon and Jeanne Prinsloo.

In 1994, Martin Botha piloted a study for the Human Sciences Research Centre: **Proposals for the Restructuring of the South African Film Industry**. This document focuses on issues such as the cultural reconstruction and distribution of film, as well as the international film financing models. Alex van den Heever’s, **Draft Report on the Setting up of a Statutory Body to Regulate and**

Support the South African Film Industry, recommends ways to administer, regulate, and structure a proposed Statutory Film Body.

Other contemporary analyses include research undertaken by various film organizations, such as the Film and Television Federation (1994), the Film and Allied Workers Organization (1990; 1991), and the Cape Film and Television Foundation (1995), within the film industry. These articles primarily suggest policies with which to unite and restructure the South African film industry.

NOTES FOR THE INTRODUCTION:

1. “Apartheid” is a difficult and complex historical era. This thesis does not address apartheid, analytically or historically.

2. The material for the White Paper on Film is based predominantly on the ACTAG Final Report on Film. ACTAG was based on written submissions made to ACTAG by various role players/individuals and organisations within the film industry. Dr Martin Botha, who raised the funds from the Human Sciences Research Council, thereby enabling the White Paper process to take place, also piloted this project, and was designated author of the White Paper on Film. However, as Dr Martin Botha had to leave the White Paper process early on, it was agreed that Professor Keyan Tomaselli and myself would continue to co-author the White Paper (see Minutes, November 27 1995, and 4 December 1995). Although the White Paper relies heavily on the work of ACTAG, it is seen as an original document, with copyright and ownership belonging to the Ministry of Arts, Culture, Science and Technology.

CHAPTER ONE: FILM SUBSIDY

"Almost overnight, butchers, bakers and candlestick-makers were becoming filmmakers."

Lionel Friedberg (Tomaselli, 1979: 23)

The history of the South African film industry from 1956 to 1991 has been one of fragmentation, with virtually no film identity. The reasons for this segmentation and lack of identity are diverse, such as: apartheid policies and apartheid ideology; the state-subsidized film structure (introduced in 1956); the continuous fight by filmmakers to establish themselves both within and against Hollywood; and monopolistic distribution rights.

The film subsidy system, which rewarded box-office success, underwent many amendments¹ in its thirty nine years up to 1987, when it was rescinded. However, its dominant aspects never changed: support was given only to production; the state vetted the projects to be subsidized; there was absolute control over amounts allocated to the film industry; the market was limited to small, elite audiences; and it completely neglected the crucial aspects of distribution, exhibition, research and information, archive management², and education. Subsidies were always based on the box office earnings of film projects, rewarding already commercially successful projects. Simply put, the subsidy scheme went like this - once a film had earned a specific amount of money at the box-office, it qualified for the subsidy, which then paid back a percentage of costs to the production company. This quota was higher for Afrikaans films than for English-language productions (Tomaselli, 1989). Ideology and capital collectively devised a national cinema that would depict "South Africa".

At this point, I briefly want to focus on the concept of ideology, which is often complex and convoluted. Terry Eagleton's assertion that no-one has yet come up with a "simple adequate definition" (Eagleton 1991: 11) of ideology, is indicative of the diverse meanings that this term has acquired (Cormack, 1992; Eagleton, 1991; McLennan, 1979; Turner, 1993). With over sixteen acknowledged definitions of ideology in use today, it is important to note that ideology is a significant component of the analytical structure of this thesis.

Generally speaking, ideology is a system of ideas, values and beliefs held by individuals or groups within society. Ideology can be highly visible, where the beliefs of individuals or groups are self-evident; it can also be "invisible" in the sense that it is something we take for granted in our everyday lives. Ideology permeates social institutions such as the media, education and the family, but we are often not conscious of it because of the manner in which ideology "neutralises" values and beliefs, making them seem like "common sense" (Bennett, Martin, Mercer and Woollacott, 1992; Cook in Nelmes, ed., 1996; Cormack, 1992; Gramsci, 1971 and 1979; McCarney, 1980; McLennan, 1979).

It is therefore Louis Althusser's concept of ideology accounting for the "lived" relations (Althusser, 1971a: 233) between people and their world that is utilised throughout this dissertation. If ideology does account for that "lived" relationship (Althusser, 1971a: 233), then we must accept that meaning is saturated with the ideological imperatives of society (Althusser, 1971a and 1984; Eagleton, ed., 1994; Eagleton, 1991; Callinicos, 1976). Ideology is the code of representations (Eco in Tomaselli, 1993) through which we are able to build up a picture of the world around us. Although meaning embodied in this code may seem self-evident, this does not mean that it is a direct reflection of actual conditions (Cormack, 1992; Eagleton, 1976; Tomaselli, 1983; Turner, 1988).

South African cinema was initially a cinema for whites only, and predominantly Afrikaans in terms of production, attendance, and linguistics. Films performed an explicitly ideological function by personifying the values, mores and viewpoints of the ruling government (Tomaselli, 1979; 1983 and 1989). The government of the day, that is, the National Party, realised the potential influence this white Afrikaner-dominated industry would have on the progress and dissemination of white Afrikaans cultural and linguistic purity, which was in line with an idealized conservative world view characterized by an attachment to nationalistic myths of the past, and to Calvinist religious and moral norms. The South African film industry was therefore complicated by a domestic colonial system, in which cinema operated as a reflection of that balance of power (Tomaselli, 1979). In other words, South African cinema affirmed and exhibited the dominant ideology. Films produced had to subscribe to these norms in order to be successful at the box-office. Moreover, the Board of Trade and Industry cited two social/political reasons for the ongoing financial assistance of the South African feature film production industry. Firstly: "The film industry (is) an art form and medium of communication which, more than any other, can entertain large numbers of people and simultaneously project a country's image to the outside world at a relatively low cost. It is therefore a national asset which deserves financial support in the interests of the country against foreign hostility" (Tomaselli, 1979: 13). And secondly, "In spite of the existence of television there will always be a need for films to satisfy certain cultural needs" (Tomaselli, 1979: 13).

Films were a "closed form", that is, made by white Afrikaners for white Afrikaners (Pretorius in Blignaut and Botha, eds., 1992). This effectively suppressed creativity. Films uncritically depicted white Afrikaners as charming, jolly and heart-warming, completely overlooking the socio-political tumult of the country, as well as the harsh realities experienced by black South Africans (Fourie, 1981; Pretorius in Blignaut and Botha, eds., 1992; Tomaselli, 1989). Blacks were represented as a servant class, as murderers and rapists - visual symbols of the deep-rooted apartheid ideology

(Gavshon, 1983; Van Zyl, 1985). It is in this process of construction, of re-presenting the world for our consideration, that questions of ideology become important (Cook, in Nelmes, ed., 1996; Turner, 1988). "Representation" (or portrayal) has been used in differing senses. Here, representation is concerned with the ways in which a particular social group is portrayed in the visual media through being photographed or filmed and thus re-presented to us as an image. It is useful to hold onto the notion of representation as "re-presentation" of the world because it foregrounds the fact that filmmaking is a process of construction. In cinema there is no such thing as unmediated access to the real world. No matter how "real" the representation of the world may appear to be on screen, decisions have been taken about how to re-present to us the "reality" which lies before the camera. Sometimes, as in a historical drama, the staging of re-presentation of an event is evident from the period setting, costumes, props, etc. (Cook in Nelmes, ed., 1996; Turner, 1988). At other times, as with a cinema verite-style documentary, the staging of the film may be less obvious. However, decisions have none the less still been taken about what to film, how to film it and how to edit together the filmed material, during the process of which a certain view of the subject matter has been constructed. Thus, the "reality" before the camera has been re-presented to us in the form of a film (Cook in Nelmes, ed., 1996). It is in these decision-making processes that ideological values come into play as those responsible for making the decisions, consciously or unconsciously, bring their own moral, political and cultural values to bear upon the particular representation of the world which they are in the process of constructing, as we have seen with the portrayal of Afrikaners in films such as Nicolene (1978). Here, the white heroine is attended by a black servant, who is dressed in the traditionally colonial manner of white coat and red sash. Sometimes, as in the case of overt propaganda films, the ideology will be self-evident, for example, Verkeerde Nommer (Wrong Number) (1982), depicts blacks as villainous and threatening. At other times, and this may apply equally to fiction and non-fiction films, dramas and documentaries, the ideology may be less evident, even "invisible." Yet it is at such moments that ideology is most effective in reproducing and

reinforcing the values of the dominant groups in society, thus ensuring, by a process that because of its “invisibility” seems “natural”, that the unequal relations in society between dominant and subordinate groups continue without the dominant groups needing to resort to coercion to maintain their control and without the subordinate groups recognizing the degree of their subordination. The significance of ideology and hegemony to the representation of class, gender, race, and other identities in South African cinema may not seem immediately apparent. However, the representation of social groups in South African films relates to the reproduction of ideologies of class, gender, race, sexuality, regional and national identity in South African society. Thus, representations might serve the interests of certain groups in society while contributing to the subordination of others, and sometimes such representations can be utilised to challenge the status quo (Cook in Nelmes, ed., 1996), for example **My Country, My Hat** (1981) (Tomaselli, 1983 and 1989; Tomaselli and Prinsloo in Blignaut and Botha, eds., 1992; Turner, 1988).

Richard Dyer (1979) has raised certain questions concerning the different connotations of the concept of representation. The first question refers to the concept of representation as construction, representing the world to us in the form of recorded images. He adds that we need to analyse these images (these films) to see what sense they make of the world - whether, and how, they are defining and determining how we make sense of the world.

Who is responsible for the representations which appear on screen? This is the second question Dyer asks, and whether or not the people responsible for producing them are really representative of the people for whom those representations are being produced. Given the dominance of white, mainly middle-class, men as directors, producers, screenwriters, etc. throughout the history of South African cinema, this question is clearly pertinent to any consideration of how the working-class, blacks and women are portrayed on screen. Then there is the question of the intended audience. Who is the

intended audience? This is important, as the audience then dictates the type of film to be made, therefore white Afrikaners making Afrikaans films can portray themselves as cheerful, chatty and lovable, and blacks as mercenary and as criminals, which is what the Afrikaans audience wanted to see (Botha, 1994; Pretorius in Blignaut and Botha, eds., 1992). Film was expected to support white Afrikaner group identity and encourage the white Afrikaner “way of life”, thereby strengthening the dominant white cultural hegemony and the ideological coherence of apartheid (Tomaselli in Austin, ed., 1987). “Hegemony” is a concept developed by the Italian political thinker, Antonio Gramsci (1891 - 1937) to explain the process by which the dominant classes or groups in a nation maintain power over subordinate classes or groups. As Gramsci argues, and as I understand it, hegemony can be achieved by coercion, conducted through a multitude of agencies and state apparatuses (for instance, state institutions like the police, the penal system, or the army) which deliberately set out to create a consensus, or it can be achieved by consent, operating ideologically through the institutions of civil society, for example, the media, the family, and the education system. Ideology is therefore central to the maintenance of hegemony in capitalist societies (Adamson, 1980; Bennett, Martin, Mercer and Woollacott, 1992; Gramsci, 1971 and 1979). Thus, film was essentially seen as a propaganda tool and the film subsidy scheme was devised to make it serve that purpose, as the following examples illustrate.

In 1974 the government launched a covert project to produce and distribute pro-apartheid propaganda films to black viewers. The mechanism of the scheme was uncovered when the “Information Scandal” broke in 1978, and retrospectively become known as “Eschel Rhoodie and the B-Scheme”. Dr Eschel Rhoodie, Secretary of the Department of Information in 1974, claimed that South African blacks related to the heroes and anti-heroes of “B” grade American films. This identification with American actors was considered unacceptable and inappropriate by the South Africa government, and the Bantu film project was created by the Nationalist government, piloted

by Dr Rhoodie, with the express aim of counteracting this tendency, through the creation of local black “superheroes”. These superheroes would be portrayed as the Nationalist government wanted them to be portrayed, that is, as separate, different from whites, and evil, unlike whites. Dr Eschel Rhoodie argued that control of film production would simultaneously better the quality of films shown to blacks, and provide a means for putting across the state’s apartheid propaganda. Dr Rhoodie was chosen to pilot the Bantu film project. This project had the dual aims of indoctrination of blacks, and censorship of the films they were shown. This would be achieved with the government governing film production and building cinemas in black areas, not previously done, thereby allowing them control of the types of films produced and distributed to these cinemas, including dubbing overseas films into African languages (Gavson, 1983; Pieterse, 1993; Tomaselli, 1983). This Bantu cinema was funded by the Nationalist government from secret monies known as the “G” fund, and was supported by politicians, including the Prime Minister, B. J. Vorster, and members of his Cabinet such as Dr Connie Mulder, the Minister of Information. The money entered into this film scheme exceeded R 1 million, with additional loans totalling R 1 594 731 (Tomaselli, 1983: 252) for a period beginning March 1974, and ending with the exposure of the scheme by the press in 1979 (Film Industry Working Group, nd; Gavshon, 1983; Pieterse, 1993; Tomaselli, 1983).

There was also the case of P. W. Botha versus the “total onslaught”. In secret documents uncovered by the press, the President P. W. Botha ordered in 1985 that “... the National Security Objectives of the RSA should be promoted through TV/Film production” (Pieterse, 1993: 1). Several film and television projects received direct covert aid from the Defence Force and the Department of Law and Order (Film and Television Federation, 1994; Interim Consensus Report, 1991; Pieterse, 1991 and 1993).

Further, a tax relief scheme to promote film production was initiated in the mid-eighties (Blignaut in Blignaut and Botha, eds., 1992), with the express aim of “improving the image of the RSA” abroad (Pieterse, 1993: 1)³. See below for further details.

Although the South African film industry owes its viability to this state subsidy system, the effect of the financial subsidy scheme which used gross or nett income as a criterion for qualification eliminated choice based on technical or artistic standards (Tomaselli, 1979; 1980; 1983 and 1989). This resulted in several producers setting out to make films purely for the sake of the subsidy. Numerous films produced since the inception of the subsidy system in 1956 were of exceptionally poor quality, whilst a high proportion of the smaller films survived only for a short time and a considerable number were never released. As John van Zyl succinctly stated: “all the subsidy scheme does is protect the incompetent” (Van Zyl in Tomaselli, 1979: 25). This resulted in the demise of the South African film industry and its commercial viability, as well as its technical and artistic standards.

Economic subsidies in capitalist countries such as Australia, Canada and Britain assist the producer to ignore the logic of the market place, thereby exerting a strong influence on the quantity, quality and make-up of the films produced. This enables independent films to be produced, exhibited and distributed. In South Africa, the amounts allocated to the film industry from the state coffers were decided by the cabinet on an annual basis. This tactic ensured that if the film industry did not acquiesce with what the government wanted, funding could be cut at any moment. As a result of this, no long-term planning could be made, further destabilizing the industry (Film Resource Unit, 1994; Pieterse, 1994; Tomaselli, 1979 and 1983). However, that is not to say that critical, experimental or documentary films were never made, which brings us to the movement of independent South African cinema.

A critical and independent film movement opposing apartheid only began to assert itself after 1970, with “revolutionary” films made by Ross Devenish; David Bensusan; Jans Rautenbach⁴; and Emil Nofal (Tomaselli, 1979, 1983 and 1989; Tomaselli and Prinsloo, in Blignaut and Botha, eds., 1992; Tomaselli in Martin, ed., 1995). These films were “revolutionary” in the sense that they were anti-apartheid, and dealt with social/political themes without resorting to portraying characters stereotypically. See above for details.

Between 1986 and 1990, directors Darrell Roodt, Andrew Worsdale, Helen Nogueira and Oliver Schmitz made anti-apartheid films (Tomaselli and Prinsloo in Blignaut and Botha, eds., 1992). Other, more established directors like Katinka Heyns, Gray Hofmeyr, Robert Davies and Manie van Rensburg also contributed films that, although not blatantly political, were critical of South African issues (Tomaselli and Prinsloo in Blignaut and Botha, eds., 1992). In an article by Johan Blignaut, entitled **We are who ...? What!**, Keyan Tomaselli states: “The years 1986 and 1987 will likely prove to be a turning point in the history of South African cinema. These two years saw the unexpected production of a number of feature films which for the first time critically examined the South African milieu, apartheid, war, racial brutality, and colonial history.” (Tomaselli in Blignaut and Botha, eds., 1992: 107). The films Tomaselli refers to are, inter alia, **Place of Weeping** (1986); **The Stick** (1987) both by director Darrell Roodt; Ken Kaplan’s short film **The Hidden Farm** (1986); Harriet Gavshon’s **The Ribbon** (1986); and, Henlon Han and Lee Harvey’s **Switch of the Machine** (1986).

At the end of the eighties, the tax shelter scheme collapsed and the current subsidy scheme resorted to paying subsidy on box-office earnings (Botha, et al., 1994). The government subsidy scheme offered a 70% return on box-office takings over R100 000 (old A-Scheme). The loophole, as pointed out by Gus Silber, in his article **Tax, Lies and Videotape** (in Blignaut and Botha, eds., 1992) was Section 11 of the Income Tax Act, which aimed to stimulate exports. There was a double deduction

available - an exporter could deduct his marketing expenses against tax, and then deduct between 50% and 100% of those expenses again.

This tax incentive was clearly a mechanism with which to ease the flow of film making. The result, as Trevor Short elucidates, was that: "By 1987, every Tom Dick and Harry was making movies in South Africa. ... The whole market was being shot to hell, with assistant cameramen and key grips turning into producers overnight. In purely structural terms, it was very easy for anyone to make a movie" (Short in Blignaut and Botha, eds., 1992: 122). Short further states that: "The infrastructure just wasn't big enough to support 80 films a year. It was a bubble that was clearly going to burst" (Short in Blignaut and Botha, eds., 1992: 123). Which is exactly what happened. Following representations by the South African Film and Video Institute, the government repealed Section 24H of the Income Tax Act, actively cutting export incentives from 250% write off, on marketing expenses, to 20% write off, on foreign turnover (Silber, in Blignaut and Botha, eds., 1992).

This resulted in foreign investors retreating to safer tax shelters, and the South African film industry being compelled to deliberate other options. Edgar Bold, for example, suggested taking advantage of soft currencies, where studios provide below-the-line funding in exchange for hard currency (Silber in Blignaut and Botha, eds., 1992).

There was no state funding for short films, documentaries or experimental films, or anything other than the propaganda films made by the National Film Board (Tomaselli in Martin, ed., 1995). John Grierson, of Canada's National Film Board, initially made the recommendation for an experimental film fund. He was consulted by the South African government on the establishment of a national film board, and he completed his report in 1954. In this report, Grierson emphasized that experimentation was pertinent to national cinematic and democratic progress (Tomaselli in Martin, ed., 1995). And,

as Keyan Tomaselli laconically puts it, “a society without experimentation is doomed to stagnation and sterility” (Tomaselli, 1979: 119). Grierson further stated that “In the case of (... an experimental production fund) [it] encourages the discovery of new talent. In ... other countries, no expenditure has been more effective” (Grierson in Martin, ed., 1954: 132). In what Grierson described as a dynamic political climate, the suggested film board was to contribute the ideal scheme through which the exploration of film could be fostered.

Established ten years after Grierson’s report, the formation of the Board (National Film Board) diverged in critical ways from Grierson's original proposals. As Keyan Tomaselli points out: “These were devised to stimulate a vigorous political forum for the democratic discussion and dissemination of information within the body politic through film” (Tomaselli in Martin, ed., 1995: 129-130). Thus, the South African government supplanted Grierson’s democratic postulation and, until its dissolution in 1979, the NFB served essentially as a production and distribution facility for National Party propaganda (Tomaselli in Martin, ed., 1995).

Consequently, oppositional and alternative filmmakers had to explore diverse means of finance. Funding, other than personal investment, was made accessible by the following: the National Union of South African Students (**Wits Protest - 1970-1974**); the South African Council of Churches (**This We Can Do For Justice and Peace, If God Be For Us**); and the Inter-Church Media Programme (**Alexandra, Part of the Process** and **A Film on the Funeral of Neil Aggett**), amongst others. Other financial sources included: NOVIB (Holland) and the International University Exchange Fund (**You Have Struck a Rock**); European and British television stations (**Athol Fugard: A Lesson From Aloes** and the Gordimer series); and private benefactors such as the Maggie Magaba Trust (**Awake From Mourning**); financed by an expatriate South African now living in London. Limited funding has come from the Danish anti-apartheid movement (the **Other South Africa 1**), while

substantial amounts have been awarded to Ross Devenish by the Ford Foundation and the BBC (The Guest and Marigolds in August). The French government established a Centre for Direct Cinema under the auspices of the Federated Union of Black Arts and the University of the Witwatersrand, Johannesburg, in 1984, and five black South Africans were selected to undergo a training course in France. The Community Video Resource Association of the University of Cape Town was involved with investigative, documentary and trade union videos. English- and Afrikaans-language universities spearheaded the oppositional movement, the latter concerning itself with film and video. Academic conferences were also an important source of stimulation and somewhat limited funding. Even distribution of independently made films has been a problem, usually done on an ad hoc regional basis which is inefficacious and chaotic (for further details see Tomaselli in Martin, ed., 1995).

As regards the so called “Bantu” cinema, films intended for black audiences were financed, scripted, shot and censored by whites (Gavshon in Spence and Stam, 1983; Spence and Stam, 1983). Even the subsidy system for “ethnic” or black films (B-Scheme), introduced in 1974, was politically rather than economically motivated, with the Nationalist Party government attempting to control a “Bantu Film Industry” (Blignaut in Blignaut and Botha, eds., 1992; Gavshon, 1983: 13).

Amongst the white population there has been ideological hegemony. However, the hegemony of the past rule was never able to assimilate the majority of South Africans into its ideological framework, hence the array of laws and apparatuses of control, such as the Pass Laws and the Group Areas Act, needed to maintain its existence. Apartheid could only be sustained with increasingly repressive mechanisms, and to an extent it was successful. It must be noted here that these mechanisms were the forms apartheid took, as opposed to just talking about apartheid’s ideology. The release of Nelson Mandela and the unbanning of the African National Congress (ANC), along with the South African Communist Party (SACP), amongst others⁵, in 1990 heralded the demise of apartheid.

The “Information Scandal” and the “black” film industry are useful in helping us understand the previous government's attempt to harness the control of cultural production. Films for black audiences included gate-keeping procedures. These interventions, often under the semblance of bureaucracy, served to ensure a relative consistency in the content of films. Also, as a result of the high percentage of profits generated by the state's subsidy of this industry, a certain unity was achieved between the intentions of the state and the profit motives of the industry. Taking into consideration these factors, as well as the fact that films were made by white directors depicting the specific beliefs and mores of their class position, it is therefore not surprising that the films produced embodied a number of common characteristics and themes (Gavshon, 1980 and 1983; Spence and Stam, et al., 1983).

Through tracing the process in film-making from production to consumption, Harriet Gavshon details the unique articulation of the following three elements: “the indirect intervention of the state; the mediation of the profit motive; and the relative ideological unity of those who produce films” (Gavshon 1983: 14). Thus, we see that the subsidy scheme for this industry was politically motivated. In retrospect then, the direct intervention of the state, through the Department of Information, for example, seems almost tautological (Gavshon, 1983).

Censorship of films shown to black audiences was customarily more severe than in films shown to white audiences, since it was necessary to maintain ideological homogeneity. Before the 1974 amendment of the Publications Control Act of 1963, differential censorship was specifically expressed as such. Although the specific clause allowing for differential censorship was removed in the 1974 amendment, a safety clause was retained, allowing it to continue although in a more subtle fashion (Gavshon, 1983; Tomaselli, 1989).

Louise Spence and Robert Stam, et al., (1983), drawing on the work of Harriet Gavshon, assert that the fact that mechanisms for censorship exist at all, attests to the failure of the state to achieve ideological homogeneity. In the case of the “black” film industry, although having to go through the motions of being passed by the Directorate of Publications, this practice seems almost obsolete. In the twenty years of the industry's existence, not a single film was banned and minimal cuts were ordered, testimony to the self-censorship which existed at the production stage. In the analogous “white” film industry, however, censorship was constantly used.

This leads Gavshon (1980 and 1983) to assert that, in the case of the black film industry, self-censorship was an issue right from the beginning of the production process. With scripts subject to analysis before one could even film in a black area Gavshon (1980; 1983 and 1990) felt that there must have been an awareness of the responsibility they carried, and of the very distinctive place they held within the process of cultural and ideological production. There was undoubtedly cognizance of a socio-political reality, as was “manifested in the almost paranoid avoidance of reference to politics or race in the content of the films” (Gavshon, 1983: 16), with a complete absence of any whites, either as characters or as extras. Films neglected any mention of political issues, and the films were generally located within idealized middle class settings (Botha, et al., 1994; Gavshon, 1983; Nathan, 1991; Van Zyl, 1994). Films made for black audiences were therefore an expression of the dominant ideological images, myths and values. Moreover, because of the relationship of the industry to the subsidy system, it is doubtful that any risks would have been taken to contest the dominant ideologies and jeopardize the subsidy scheme. Given that ideology is a “lived relation” (Althusser, 1971a: 233) between individuals and their world, here then, there is neither a conflict of interests, nor of ideas (Althusser, 1971a and 1984; Eco in Tomaselli, 1993).

It is important to note that, although producers of films for black audiences in South Africa were in the specific position of reproducing these values and mores, they were also formed by them.

Summing up, the subsidy scheme was initiated for fallacious reasons, that is, to support white Afrikaner culture and nationalism rather than the film industry itself. No mechanism existed to promote or advance first-time directors and producers, or innovative and experimental projects. This ensured films made only for an elite white urban audience, in order to subscribe and thereby qualify, for the subsidy on box office earnings. No quotas were made for the distribution and exhibition of films; and there was also a complete neglect of training, information, archive services, research, and the promotion of indigenous films.

For a brief account of the political economy of the South African film industry, from 1913 to 1946, I rely heavily on Gutsche's book **The History and Social Significance of Motion Pictures in South Africa: 1895 - 1940** (1972). She explains that since South African cinema production began in 1910, it has been significant in terms of quantity, but rather inadequate in terms of quality. Formal apartheid policies after 1948 had a particularly fragmenting effect on the film industry. Gutsche further explains that from 1913 to 1956, the I W Schlesinger monopoly controlled the entire industry. This was bought out by 20th Century Fox in 1956, which in turn held a monopoly until 1969. In 1969 SANLAM (South African National Life Assurance Mutual), representing Afrikaner capital interests, formed a company called SATBEL (Suid-Afrikaanse Teaterbelange Beperk - South African Theatre Interests Limited), which took over an independent company called Ster Films. SATBEL also bought Fox and changed its name to Kinekor. Ster and Kinekor initially remained separate. At this time MGM amalgamated with Cinema International Corporation (CIC) and started CIC-Metro in South Africa in opposition to Ster and Kinekor. The SATBEL grouping eventually emerged victorious, and gained a stranglehold on the industry.

Television was brought in in 1976 and saw a decline in cinema attendance, which ended after two years, with new attendance higher than ever before (Tomaselli and Tomaselli 1987). In 1979 Ster and Kinekor joined forces to become Ster-Kinekor. A number of attempts to set up independent groups were crushed by Ster-Kinekor. SANLAM's ownership of shopping malls and office blocks as venues for new cinema complexes gave Ster-Kinekor an enormous advantage. CIC-Metro became CIC-Warner. The upheavals and tougher cultural boycott of the 1980s meant that there was very little production during that decade. Exceptions were independent producers like Anant Singh, and many B-grade co-productions.

Post 1991, Ster-Kinekor is stronger than ever. CIC-Warner became Nu-Metro in 1990. Avalon cinema, a KwaZulu-Natal-based company owned by Indian South Africans, which suffered in the apartheid era, has, according to Shepperson and Tomaselli (1996: 3) "won a Supreme Court injunction against Ster-Kinekor for infringing on their market catchment area in Durban", and is set to become a regional and national player. Maxi Movies is a mini-cinema franchise for under-resourced African areas. Prior to 1994, white companies involved in the film industry were grossly favoured over black (e.g. Avalon), with severe consequences for the latter. ACTAG had to keep this in mind, and look at how the balance could be redressed (Karam 1996).

The Ster-Kinekor and Nu-Metro dual monopoly of the South African film industry effectively remains, despite so-called unbundling. A new relationship is now being forged between black and white capital in this country, in order to give political credibility to private sector interests in the film industry. Currently, there has been a union of black and white capital interests. Nu-Metro is in the hands of black capital, whilst Ster-Kinekor, via SATBEL, remains in white hands. However, black economic empowerment in the apartheid era never involved the setting up of large-scale capital interests (unlike the case with Afrikaner economic empowerment). The existing system is therefore

still controlled by white capital, and opportunities for black advancement are accordingly limited, especially since the new government has retained South Africa's existing market-oriented economic system. In order for black capital to emerge, funding must be acquired from existing white capital interests (Shepperson and Tomaselli, 1996).

It is against this background that the Arts and Culture Task Group (ACTAG) was established by the South African Minister of Arts, Culture, Science and Technology, Dr Ben Ngubane, in September 1994. ACTAG offers recommendations to bring cohesion to the currently fragmented and complex local film and video industry. Recommendations on film were then written into draft legislation by a White Paper Reference Group during 1995. These processes, and their resulting papers, are used as the case studies in the application of cultural policy, in South Africa's attempt to restructure its film industry. The following chapter focuses on an historical analysis of cultural policy.

NOTES FOR CHAPTER ONE:

1. Several amendments to the subsidy scheme, for the period 1956 to 1997, were ventured. For example, in 1962, the first R 10 000 earned was not taken into account and the maximum reimbursement figure of R 20 000 was modified to equal the production cost of the film, less R 22 500. In 1968 the constraint measured by production costs less R 22 500 was eradicated. The total cost paid out would equal R 66 000 but with the maximum subsidy pay now unlimited. In an attempt to stimulate Afrikaans-language films, in 1969 the subsidy on Afrikaans films was increased from 44% to 55%. In order to qualify, 95% of the dialogue had to be in Afrikaans.

Estimates up to 1973 were based on gross box office receipts. This was altered to read nett box office earnings. In 1977 the fixed language differential percentages were dropped and a sliding scale based on nett box office receipts substituted, with a maximum amount of R 300 000 per film earned, within two years of release. It is important to note here that English-language films were paid 10% less than Afrikaans-language films. And in 1978, the total subsidy allotment designated was R 2,5 million. However, in 1979 the quota was reduced by R 500 000 to R 2 million.

The President's Economic Advisory Council investigated the film industry in 1985/6 (instigated by Deputy Minister, Kent Durr). All that resulted was that the amount need to qualify for subsidy was raised from R 100 000 to R 200 000 and they recommended continued State support. After conducting its own investigations, the Department of Trade and Industry introduced an amendment to the subsidy guidelines whereby income from 16 mm venues, i.e. schools, churches and community halls (except for the B-scheme) would no longer be considered for subsidy under the A-scheme (Blignaut in Blignaut and Botha, eds., 1992).

In 1987 the subsidy scheme was rescinded, however, with the collapse of the tax shelter scheme. In the late 1980s, the government was prepared to maintain the subsidy system at least up until 1993 (Botha, et al., 1994; Silber, in Blignaut and Botha, eds., 1992).

In a surprise move in February 1990, the Department of Home Affairs promulgated an amended subsidy scheme worth R 50 million. This new A-scheme was to be executed by Andries Engelbrecht, who restructured the old A-scheme, which had been in existence since 1956 (Silber in Blignaut and Botha, eds., 1992). This new subsidy scheme was a result of a compromise between the representative bodies working in the mainstream film industry and the Government-appointed task force, along with the Ministry of Information. This scheme allowed for 25% on local expenditure, 70% on domestic box-office, and 80% on nett tax on earnings. Particular caveats were built into this system, including a bank guarantee, and a registration deposit of 0,5% (of the total budget). Everything appeared to be covered - local production, foreign revenue, and the fundamental shift in significance from below-the-line expenditure, to audited box-office performance. Even with slight reservations, the industry seemed content, and somewhat pleased, with this new A-scheme (Silber in Blignaut and Botha, eds., 1992). The result, as Trevor Short elucidates: "Two months later, Government does an about-face and we're back to a subsidy system that, in 20 years, had singularly failed to develop a film industry in South Africa" (Short in Blignaut and Botha, eds., 1992: 125).

In 1995 the film industry, with submissions made to the Arts and Culture Task Group (ACTAG) proposed considerable revisions, such as the abolishment of the box office subsidy scheme, and a working capital of R 77 million, as opposed to the R 3 million box office subsidy apportioned in 1994. Furthermore, these funds should be allocated for the production of documentaries, short films, experimental and indigenous films, as well as for the development of suitable scripts; research; archive

management; training; and for the distribution and exhibition of films (Tomaselli, 1979 and 1983; ACTAG 1995; The White Paper, 1996).

2. For instance, the film archives operate on a minuscule budget allocated by the Department of Education. Also see T Gutsche (1972) for criticism on lack of archival funding and expertise pre 1948.

3. William Pretorius reveals, in his article Afrikaans Cinema (in Blignaut and Botha, eds., 1992), that in 1991, Jans Rautenbach, one time critic of Afrikaner ethics and ideals, was exposed for having made propaganda films during the late eighties. These were secretly financed by the South African Defence Force, for both Savimbi and UNITA, and were distributed overseas.

4. Over sixty organizations were unbanned in 1990, including the Pan Africanist Congress (PAC) and the United Democratic Front (UDF).

CHAPTER TWO: CULTURAL POLICY

“ ... a certain ponderous architectural quality ... ”

Mervyn Peake (1946: 15)

Since as early as the 1960s, the United Nations Economic and Social Council (UNESCO henceforth) has addressed the concept of “cultural policy”. At a seminar meeting of experts on cultural policy convened in Monaco in 1967¹, cultural policy was defined not so much in terms of the strategic role of government, but rather as “the sum total of the conscious and deliberate usages, action or lack of action in a society, aimed at meeting certain culture needs through the optimum utilization of all the physical and human resources available to that society at a given time” (Mark, 1976: 1; Schafer, 1976: 33 - 34). This definition has the additional advantage of broadening the cognizance of the cultural policy process. Cultural policy becomes an interactive process involving three particular “communities” or groups of participants²: firstly, the cultural community, which consists of artists, craftspeople, athletes, educators, publishers, filmmakers, private cultural administrators, architects, designers and the like; secondly, the political community, namely, national, provincial and municipal governments and agencies; the third group, or “community,” is made up of the general public, that is, citizens and community groups or actual and potential audiences (Schafer, 1976; Shepperson and Guambe, 1996).

The concept of “cultural policy” arose again in 1970 at a meeting in Paris, in conjunction with UNESCO. As a result of this conference, Michael Green and Michael Wilding, in consultation with Richard Hoggart, wrote that “cultural policy” is taken to mean “a body of operational principles, administrative and budgetary practices and procedures which provide a basis for cultural action by

the State” (Green and Wilding, 1970: 1). It was also agreed that there cannot be one cultural policy suited to all countries; each state should determine its own cultural policy according to the cultural values, aims and choices it sets for itself (for more details see Green and Wilding, 1970). “Cultural policy” would thus be defined according to each state's conception of culture, its socio-economic systems, political ideology and technical development.

A similar study of cultural policy in the United States, by Charles C. Mark (1976), revealed a corresponding conclusion in his report. D. Paul Schafer, however, in his paper **Aspects of Canadian Cultural Policy: The Framework of Canadian Cultural Policy** (1976), raises some interesting issues about the term “cultural policy.” His article, a direct result of the UNESCO meeting on cultural policy held in Paris in 1976, maintains that there is something perturbing about the idea that a state/country should have a policy for culture in contrast to economic, social or political policy. With regard to the UNESCO definition of cultural policy, Schafer proposes that to be consistent, such a definition must admit lack of action by the government, since lack of action may also be a very calculated part of policy. According to this definition, the State or government is granted a pivotal role in the policy process. Consequently, government is caught between individuals and institutions involved in the creation and dissemination of cultural aid, as well as citizens and community groups, thus accentuating the role of government as an active intermediary in cultural development and policy (Schafer, 1976).

Schafer points out that some individuals, especially those who esteem personal liberty, will discern peril with any intrusion of the government into the cultural affairs of a nation. For these persons, culture is primarily a private matter. Schafer further suggests that once thrown into a political domain, culture runs the risk of being subjected to the “worst abuses of subversion, subordination, propaganda, manipulation and censorship” (Schafer, 1976: 28). Since the formation of cultural

development submerges a nation further into the politics of culture, there is, as Schafer recommends, a need to scrutinize the political machinations of cultural policy.

It must be emphasized that cultural policy is a compound term. It derives its meaning from the juxtaposition of two terms that epitomize two very different ways of looking at modern life, as mentioned before, one unstructured and unplanned, the other systematic and deliberate (Mercer, 1994; Schafer, 1976). Any reference to the term “culture” usually involves individuals conjuring up a process that is organic, random and spontaneous. A great deal of the frustration surrounding cultural policy emanates from the problem of defining “culture” and “policy.” This is particularly true for the more amorphous of the two terms -“culture” (Gouws, 1991; Schafer, 1976; Williams, 1984). Schafer believes that if there was an accepted, universal use of the term “culture,” the barricade to the formation and international comparison of cultural policies would be eliminated. However, this difficulty is not easily resolved.

“Policy” is that series of activities engaged in by an agency - whether private, commercial or governmental - to realize a particular set of outcomes (Moran, 1991). The agency may address different systems, for instance, legislation, regulation, financial assistance, general commercial strategies, etc. The aim may be short-term and specific, or long-term and general. In addition, policy may be of a lower or higher tier - either a single policy or else an interwoven cluster of policies that deserves the name “policy.” Policy always exists in a complex field affected by factors such as constitutional and legislative arrangements, economics, culture, society, and technology, as well as human agencies - for example, politicians, business entrepreneurs, white and blue collar labour, bureaucrats and even cultural and social workers (Bennett, 1981; Moran, 1991). All of these have a determining effect on policy.

Policy is inorganic, ordered and predictable (Schafer, 1976). Policy is, therefore, conscious, methodical and deliberate, a process that involves the identification of objectives and the setting of priorities. As a term which derives more from economics, business and politics, policy is designed to fulfil a set of predetermined goals.

Culture is an extremely controversial term, and one of the two or three most complex concepts in the English language (Williams, 1984). Recently a team of academic researchers identified 256 separate definitions of culture, ranging all the way from the arts, to civilization. Obviously, culture can have local and personal meanings as well as national and collective meanings. In fact, culture can be so local and personal that there are as many meanings of culture as there are individuals or groups (Gouws, 1991; Hall, 1992; Thornton in Mouton and Joubert, eds., 1990). Nida, mentioned in Guambe and Shepperson (1996 (a)), claims that culture is a mixed, united system of learned behaviour patterns, ideas and products, peculiar to a people in their socio-historical, economic and political process. "Culture," on the other hand, is Raymond Williams' notion of: "a whole way of life" (Cunningham, 1994: 5). That is, the notion of culture is no longer dominated by the constricting assumption that only "high" art (i.e. Eurocentric art) is worthy of a subsidy; narrow in its consideration only of the arts rather than of culture generally (Cunningham, 1994; Guambe and Shepperson, 1996 (a) and (b); Tomaselli and Shepperson, 1996). The notion of culture is rather seen as personifying a structure of livability, under conditions of underemployment and unemployment, environmental considerations, and urban planning (Cunningham, 1994; Hawkins, 1994).

It is the organic quality of culture that helps to explain the emphasis in cultural policy literature on the notion of decentralization, or the belief that culture begins at the grassroots level. The idea of culture being imposed from the top down, or deliberately planned to yield a designated result, may seem repulsive to some, and will surely prove distasteful to most. For the large majority of people,

culture is, and probably will always remain, something that is natural, not contrived, spontaneous, not predetermined.

Given the obvious difficulty, if not impossibility, of defining culture, it is easier, for present purposes, to identify several of the more common contextual uses of the term “culture.” Kenneth Thompson, in his acclaimed book **Beliefs and Ideology** (1986), reveals the notion of an archaeology of culture, in which there are several layers to the term. Of these, four distinct contexts of culture stand out. The artistic, the social, the anthropological and finally, the ideological. Although the objective of this dissertation does not include an analysis of the concept of “culture” in any great detail, three of these layers are pertinent to this study.

The artistic context of culture is synonymous with the arts and includes such activities as film and dance; the exhibiting arts: painting, sculpting, sketching and print making; the literary arts: prose, poetry and creative writing; and the crafts: weaving, carving, ceramics, etc. An analysis of governmental strategies to cultural policy in several countries reveals the use of the artistic framework as the final springboard for executing public responsibilities in the cultural domain. Pressure for action in other areas, such as sports, recreation, heritage conservation and folk culture, has been building up in many countries in recent years. As a result of this, there has been an accelerating trend towards placing culture in a kind of social container.

The anthropological definition of culture is that of “a total way of life”. In this case, culture covers not only the “best” but also the “worst” (Gouws, 1991; Lawson in Stephens, ed., 1988; Thornton in Boonzaier and Sharp, eds., 1988; Thornton, in Mouton and Joubert, eds., 1990; and Williams, 1984). For the anthropologist, culture encompasses leisure or non-work time activities and all other types of human activities, both in the past and present (Gouws, 1991; Schafer, 1976; Thornton, in

Mouton and Joubert, eds., 1990). Here, the intrinsic connection between culture, tradition, and life, is inordinately clear. In this instance, the dominant problem of cultural policy is to find effectual methods of preserving the fragile qualities of rare cultural traditions, especially considering the mounting pressure for modernization (Schafer, 1976).

Finally, the term “culture” can be used in a specifically ideological way. Whereas the anthropological concept of culture is oriented outward and centres essentially on extensions and artifacts, the ideological concept of culture, however, permeates inward to focus on emotions and values, ideas and ideals. In this context, culture becomes comparable to a distinct state of mind or way of life, either for an individual, a community or a state (Hall, 1992; Schafer, 1976; Thompson, 1986).

The concept of ideological culture is intrinsically bound up with the whole issue of cultural identity (Bullock, Stallybrass and Trombley, eds., 1988; Schafer 1976). In many countries, cultural identity, as a collective experience, is so ubiquitous that it is taken for granted and is completely overlooked (Gouws, 1991; Thornton in Mouton and Joubert, eds., 1990). This is especially true for any country that is grappling with its colonial past in order to construct a unique way of life for the future (Schafer, 1976). This makes cultural ideology, both nationally and individually, a very real issue for many countries, including South Africa.

Hence, we see that cultural policy combines these two disparate and often highly incompatible value systems, that is, “culture” and “policy,” thereby making a potentially explosive process. It is in this area that individualism may clash with statism, freedom may challenge restraint, and creativity may find itself pitted against the ledger. As Schafer (1976) points out, policy is packed with dynamic tension.

Colin Mercer (1994) and D. Paul Schafer (1976) further suggest that this concept of “cultural policy” is in many ways problematic, as the term is closely related to the semantic and cultural history of the two words “culture” and “policy” in those social and cultural formations which have an Anglo-Saxon heritage and comparable polity. “Culture” has been predominantly understood and received in the Romantic Anglo-Saxon tradition as a representational and aesthetic domain of personal fulfilment, liberation, transcendence and critique - of the “machine age,” of industrialism, of the dominant order, and so on. You can critique the “dominant culture” but it is nonetheless through other cultures - working class, sub- and post-colonial - that you will find the path to transcendence.

“Policy” has been predominantly understood in the Anglo-Saxon tradition as existing in the rather “grey,” indeterminate and bureaucratic semantic zone. It is instructive to compare its usage, for example in French and Italian. In French the word for “policy” is either “politique” (Mercer, 1994: 17; Williams, 1984 and 1963) which means the same as “politics” or the more elaborate “lignes de conduite” meaning “lines or forms of conduct” (Mercer, 1994: 17).

Similarly, in Italian there are the comparable words “politica” (Mercer, 1994: 17) and “linea de condotta” (Mercer, 1994: 17). This more elaborate formulation of lines of conduct is indicative of the relevance of cultural policy studies in so far as culture can be understood very productively in terms of the formation and reproduction of forms of conduct - for individuals, citizens, communities and nations - that is, the “governmental” aspects of culture (Hawkins, 1994; Hunter, 1994; Mercer, 1994).

This chapter relies heavily on Colin Mercer’s article **Cultural Policy: Research & the Governmental Imperative** (1994) in which he articulates the historical reasons for the Romantic “ethical” separation of the domains of government and culture in the Anglo-Saxon tradition and the

different forms of their relationship in, say for example France, Germany and Italy. Mercer argues that the reasons are quite simply that in those countries Romanticism formed a crucial element of nation-building and the embellishment of new systems of education, the reconstruction of a viable national past with a clear line of folk heritage and the elaboration of various other “national popular memories” (Mercer, 1994). Mercer further states that Romanticism in these contexts was interwoven with the “governmental, pedagogic and ethnographic imperatives necessary to the instruction of new citizens and populations” (Mercer, 1994: 17; see also Hunter 1993/1994).

Mercer argues that the English Romantic tradition, on the other hand, came too late in the history of nation-building to be an associate in this process. Therefore, culture had to limit its function largely to the critique of the governmental, from a clearly demarcated sideline. Hence, the notion of culture as oppositional to government. However, the 1980s saw a shift in some Australian states which elected democratic governments advocating policies of intensification of cultural practices and access to all forms of art and popular expression (Tomaselli and Shepperson, 1996). Thus we have seen an increased engagement of academics with bureaucracies as consultants, thereby rearticulating the relationship between policy workers and the numerous levels of state. Ian Hunter (1993/94: 80), the chief exponent of the cultural studies movement, defined the shift from resistance to participation as follows:

“This sphere of democratic political discourse and participation is supposed capable of achieving the dialectical reconciliation of the technical and the substantive administration and “culture”, the state and “civil society” and, of course, political expertise and democratic decision. It is thus envisaged as being able to provide bureaucratic government with a normative orientation to the public good.”

Therefore it appears that much depends on the vantage point from which cultural policy is viewed. Looked at retrospectively, or even in the present, culture and diversity may seem irreconcilable (Schafer, 1976). In this case, cultural policy is divisive and little more than an anachronism. Equally, cultural policy can be viewed as an integrative process, capable of uniting two disparate value systems that have long proved destructive. When cultural policy is viewed from a future perspective, it should be as seen as an desegregate process.

There are many academics who believe that this era, characterized by the politics of culture, is Sone of friction. Separately, politics and culture represent two of the most powerful forces in existence. Together they can better human relationships and world progress.

Throughout this study, cultural policy has been defined in its broadest sense as a dynamic, integrative process involving three principal groups of participants, namely, the cultural community, the political community and the general public. It has not been defined in its narrower sense, that is, as a static product of state initiatives. The broader definition is expedient, as it makes it possible to explore the different ways in which creators, governments and citizens interact and respond to modifying situations over time, thereby revealing cultures as the living organisms they really are (Sartre, 1964).

It also ameliorates the objectives of cultural policy as it affiliates the political, cultural and human issues of policy.

Cultural policy has a lot to offer the South African film industry. As Tomaselli points out (1979), little, if any discussion occurs between the theorists and critics in the one camp, filmmakers in the other camp, and government in yet another camp. Cross-fertilization of ideas does not transpire between producers and critics and/or academics, as few producers are interested in the aesthetic quality of films, and almost all are hostile to any form of criticism. Interaction between the film

industry and the government hardly ever takes place, as the state merely has, in its recent past, had its own interests in mind (see Chapter One for more details). Thus cultural policy, encouraging participation between levels of state and the cultural community, and therefore by extension, the film industry, will, hopefully, prompt further amalgamation between these factions.

Having discussed cultural policy very generally, the discussion now turns to the Australian “cultural policy moment” and cultural policy studies. The following chapter outlines the growth of cultural policy studies in Australia and the increased engagement of academics with bureaucracies.

NOTES FOR CHAPTER TWO:

1. See also: Mark, C. C. **A Study of Cultural Policy in the United States.** Paris: UNESCO, 1976.

2. UNESCO's Round-Table Meeting on Cultural Policies (Monaco 1967) concluded that cultural policy has two distinctive conditions, namely: centralization and decentralization. These are seemingly contradictory requirements, which do not occur at the same moment or have the same purpose. According to this document, centralization is a requisite at the beginning stage of cultural action. Green and Wilding (1970) submit that even with federal structures, some degree of concentration is deemed necessary. Centralization is indispensable in assessing cultural problems in their national position. It serves to encourage local authorities through subsidies, and provides a legal structure and administrative conditions of procedure. Centralisation is expected to intervene directly where there is a lack of initiative, and also to act in the situation where only a nationally taken action will produce results. Besides, the authors propose that it is only when all this has been done centrally that decentralization can profitably start (Green and Wilding, 1970).

CHAPTER THREE: THE “CULTURAL POLICY MOMENT”

“... dialectic of state and individual.”

Ian Hunter (Hunter, 1994: 137)

According to Australian theorists, Australia is presently experiencing a “cultural policy moment”, that is, the increased engagement of academics with bureaucracies as consultants, which began in the late 1980s (Cunningham, 1992 and 1994; Moran, 1994; Santamaria, 1994). This culture/policy and government interface is one of good faith, and exists in an atmosphere of trust. Cultural policy was previously considered provincial, eclipsed by constraining conjecture about “high” art and estimable subsidy; limited in its concern for only the arts, instead of for culture generally (Cunningham, 1994; also see Chapter Two). Cultural studies first emerged as a discipline with an essentially oppositional approach to authority. This began to change, however, when progressive governments came to power in several Australian states in the 1980s. Due to a sudden significant commonality of interests, the gap between civil society and the organs of the state narrowed dramatically. The cultural studies perspective on those in authority is now one of partnership - civil society and the state work together to formulate policy. This was, of course, impossible in apartheid South Africa, where the Nationalist government, prior to 1991, was fundamentally unsympathetic to the aims of civil society. During this period, 1956 to 1991, left-wing South African intellectuals who advocated policy studies were labelled as revolutionary or idealists and dismissed. Attitudes in this regard changed dramatically in the light of political changes from 1991 onwards. Given the sharp contrast between the South African and Australian situations in the past, and their greater similarities since the advent of democracy in 1994, it is useful to look at Australia as a reference point in trying to understand the changing nature of cultural studies in South Africa.

There is a paradox in the history of Australian cultural policy studies. Cultural studies arose within an oppositional paradigm, but has moved into a bureaucratically-orientated paradigm (Hunter 1993/94). This caused a clash in methodology between oppositional research techniques needed to critically examine cultural studies, and utilitarian techniques used in the creation of policy (Tomaselli and Shepperson, 1996). This clash has been not been resolved as South African cultural policy studies are presently in a state of flux.

We cannot yet say whether or not South Africa has a progressive state that allows for partnership with civil society, as is the case with Australia (Hunter 1993/94). According to Ian Hunter, the Australian critical debate is founded in academia, which is a secure component of the Australian socio-political establishment. This is not fundamentally problematic for cultural studies practitioners, since this critical practice employed by Australian academics is not associated with tyranny and state brutality - unlike certain forms of critical practice employed in South Africa in the apartheid era. Furthermore, there is no real ethical conflict involved in working with the state, since it is more or less ethically neutral (Shepperson and Tomaselli, 1996).

Some Australian researchers have gone to the extent of considering academia as a branch of the state for purposes of cultural policy studies. This differs from South Africa, where research is concerned with the relationship between the state and an independent body of researchers, for example anyone designated as an expert in their field would be appointed to conduct research for the government, such as those employees of the Human Sciences Research Council. This difference means that the South African situation is both more and less complex than the Australian. It is more complex in the sense that despite democratic change since 1994, civil society retains a strong oppositional tradition, and many of the old negative state attitudes towards independent criticism remain.

What makes the South African situation less complex than the Australian, is that a wrong direction for cultural policy is well known, due to its application in the apartheid era, 1956 to 1991, and academics and the like have learnt from this. Ethnocentric apartheid cultural policy must obviously be discarded in favour of a pluralistic approach. Furthermore, resistance must be anticipated from whatever reactionary elements may have survived from the old state apparatus into the new. Ian Hunter's point must also be remembered, vis-a-vis the fact that state officials will now begin - in a neutral, matter-of-fact way - to implement democratic, progressive policies. This gives researchers the opportunity to explore policy in previously radical and forbidden areas - e.g. gender issues and gay rights.

The idea of culture perceived as anthropological, instead of simply aesthetic, has been auspicious for this cultural policy moment, and the significance of Raymond Williams' conception of "culture as a whole way of life" has recently emerged. Cultural theory has also been important in the supporting and developing of the concept of "cultural industries". Without this, the cultural policy moment would have been inconceivable (Cunningham, 1994: 5). Both the anthropological/institutional notion of culture (and culture industries) and the broad, instead of the limited definition of culture, as a whole way of life, are essential for the development of this post-1991 cultural policy moment. Without such a definition, culture would be identified with the traditional aesthetic definition of "high" or "canonical" forms of literature or sculpture or painting, leaving individuals with a "distinct fuzziness" (Johnson, 1979) as to what the term culture actually denotes.

In this Chapter I will focus on cultural studies and cultural policy studies. Following that discussion I will focus on the Foucaultian concept of "governmentality" and its relevance to cultural policy. This concept of governmentality is pertinent to my case study because it provides the tools for

investigating policy production and institutions, both of which are covered in ACTAG and The White Paper on Film.

Cultural policy studies and cultural policy

Stuart Cunningham's book **Framing Culture: Criticism and Policy in Australia** (1992) is perceived by Graeme Turner¹ to be an important "intervention within cultural and media studies in Australia" (Turner, 1993: 123). In his book, Cunningham presents an analysis and critique of contemporary trends in cultural studies in order to foreground the centrality of considerations of cultural policy within the broad arena of cultural criticism. Cunningham emphatically suggests that there is the potential for policy studies to bridge the "yawning gap" between a "semiotics-based cultural studies" and a "vocationally-based communication studies" in Australian tertiary institutions. He is critical of the dominant traditions of European cultural studies - those organised around "theories of representation", "new understandings of the audience or the 'progressive text'", or "notions of sub cultural resistance". Cunningham's aim is ultimately to increase the public acquisition of cultural studies knowledge, and to insist that cultural studies be a critical practice.

"What relations ... exist between cultural studies and cultural policy?" asks Stuart Cunningham in his book (Cunningham in Turner 1993: 127). This significant question goes to the heart of the matter. To answer it requires an exploration of "cultural studies" as a term for those forms of expression which "participate more or less self consciously in the process of creating the values and terms by which their patron cultures and societies are experienced and judged" (Muller and Tomaselli in Mouton and Joubert, 1989: 301). Cultural studies was formed through the incessant hybridization of different disciplines from, and across, different continents.

As articulated in Britain, specifically at the Birmingham Centre for Contemporary Cultural Studies (BCCCS) cultural studies as an academic discipline has taken “culture” to be “that complex whole which includes knowledge, belief, art, morals, law, custom and other capabilities acquired by man as a member of society ” (Tylor in Tomaselli, 1983: 10), a classical anthropological definition. Moreover, they have invested the term with a much broader range of concerns which have developed beyond the study of culture as a body of beliefs and artifacts alone. Thus the term “culture” was designated an historical dimension, and viewed as expressions of “a constitutive social process, creating specific and different ways of life” (Johnson in Barrett et al, 1979: 54; see also Raymond Williams, 1963). This is important, as it is here, with the establishment of the BCCCS, that cultural studies was instituted as a discipline (see Hall, 1992; and Tomaselli ed., on the conception of culture. These authors are quite clear on their definitions of culture. The BCCCS however, refuses to apply the term “in a definitive or absolute way” (Tomaselli 1983: 10)). This position has resulted in a lack of concordance in the employment of the BCCCS’s ideas. Instead of attempting to proffer a descriptive definition, or prescription of the discipline, the BCCCS, perceived its “activities as an intellectual intervention ... which aimed to define and occupy a space” (Tomaselli 1983: 10; see also O’Reagan in Turner, 1993).

Cultural studies developed out of a number of paradigmatic breaks, the most important of which revolved around Louis Althusser’s reformulation of the relationship between ideologies/culture and class formations. Earlier Marxists for example, Georg Lukacs and Lucienne Goldman, tended to conduct their analyses of class purely in terms of cultural determinations. They spoke of cultures as “lived practices” of social groups in specific societies and conceived of them as products or expressions of world views. These ideas were challenged by Louis Althusser who argued that classes could not be reduced to either economic or ideological determinations. He criticised the simple correspondence between class and cultural formations. Louis Althusser did accept that there was

a mutual and reciprocal effect between class and culture, and he further maintained that the relationship was not a simple transparency. Two consequences follow from Louis Althusser's examination. First, all classes should be conceived of as constituted of all three practices: the political, economic and ideological. Second, classes do not have a pre-constructed ideology which corresponds to them.

The status of cultural studies, however, continues to be fraught with epistemological difficulties which the BCCCS does not appear to have clearly resolved. Differences of opinion exist within the Centre's programmes, with Stuart Hall insisting on a materialist, non-reductionist theory while Richard Johnson seems to perceive culture as "specifically 'mental'" as opposed to the "material" (Tomaselli 1983: 11) character of these relations. The consequences of collapsing these categories "tend[s] either to conceal the fact that a much narrower definition is actually being employed, or if taken seriously, to drown everything in the same water" (Tomaselli 1983: 11).

The Centre proffers a provisional "definition" of culture as "the active process of the production of meaning" (Tomaselli, 1983: 11) used by a particular class to construct its social reality:

"... The "culture" of a group or class is a particular and distinctive "way of life" of the group or class, the meanings, values, and ideas embodied in institutions, in social relations, in beliefs, in mores and customs, in the use of objects and material life" (Tomaselli, 1983: 11; see Chapter Two for more details).

Cultural studies, in both its descriptive and normative periods, demonstrates a tension between the critical stance towards culture, which can take the form of a purely negative critique, or of an

affirmation of cultural alternatives to that of the dominant culture (see Bennett, 1981; Tomaselli, 1983).

Others claim that cultural studies should “develop a ... concomitant language of possibility” to a “language of critique” (Giroux, 1988: 156; see also Laclau and Mouffe, 1985: 190). Johan Muller and Keyan Tomaselli (1989) focus on the origins, travels and impact of international cultural theory on the South African humanities. As far as they are concerned, the intercontinental “travelling” of cultural studies has to do with the increasing globalization of knowledge. And it is this globalization which has led cultural studies as an occupying intellectual field to be promoted by what Pierre Bourdieu (in Mouton and Joubert, 1989: 303) has called the entrepreneurial activities of “cultural intermediaries” and their admittance to the structures of South African cultural life².

Cultural policy studies and cultural studies

As mentioned in the introduction to this thesis, cultural policy studies, or studies in the relations of government and culture (Mercer, 1994) was initiated in Australia in the 1980s, where cultural studies has been reinterpreted into a dialogue of policy-making and cooperation between the government and academia (Cunningham, 1994; Hawkins, 1994; Hunter, 1993/1994; Mercer, 1994; Molloy, 1994; Santamaria, 1994). The aim of which, according to Gay Hawkins (1994), is to explore the relationship between cultural policy making and analysis.

What relations exist, or should exist, between cultural studies and cultural policy? (Cunningham, 1992; Turner, 1993). The term cultural studies (or cultural criticism) is summed up as an accessible catchall, as mentioned above, for work that treats film, the arts, media and communications, and includes lived, everyday cultures, and is motivated by the disciplines of neo-Marxism, structuralism,

post-structuralism, deconstructionism and postmodernism. Cultural policy comprises the wide arena of public processes involved in formulating, implementing, contesting and critiquing governmental intervention in, and support of, cultural activity (Cunningham, 1992; Mercer, 1994; Turner, 1993). According to Colin Mercer (1994) and Gay Hawkins (1994) there has been much lively, and even hostile, international and national debate, at conferences and in journals, of the cultural studies versus cultural policy studies issue.

The relationship between cultural history, and the practical focus on contemporary policy is not a contingent one. This relationship is governed by a concern with the precise nature of both the theoretical, and in this case, the policy object: culture (Mercer, 1994). "Cultural Policy Studies" could be translated into "Studies in the Relations of Government and Culture," and in previous studies this has been shown to be the case (Mercer, 1994). The concern with policy not only as a focus on "government and bureaucracy" but also as a methodological emphasis on questions on conduct - or "lines of conduct" (Mercer, 1994: 18; see Chapter Two) - becomes clearer in this context. For it is not a "concession to" or "complicity with government" in traditional terms, but rather, argue Colin Mercer and Gay Hawkins (1994), a systematic inclusion and recognition of the necessarily "governmental" role of management of cultural resources.

Cultural policy therefore involves consultation and arbitration with regional government officials, librarians, architects, planners, traffic engineers and community organizations in order to map and strategically plan and manage cultural resources. This according to Colin Mercer, is problematic. You cannot easily do that if you are guided by an "aesthetic approach to culture" (Mercer, 1994: 18).

Mercer (1994) also claims that it is deliberate that it is in the Anglo-Saxon politics that we have seen the emergence of national governmental mechanisms such as the Australian Council, the Arts Council of Great Britain, the Canada Council for the Arts, etc., whose paradoxical task it is to keep government and culture, policy and culture at arm's length. This is done by defining their fundamental responsibilities for resource allocation as the maintenance for clearly demarcated and aesthetically defined "art forms".

Cunningham (1992) argues strongly that cultural policy debates, to which cultural studies has made inadequate contributions, presents a compelling challenge to cultural studies' claims to be a critical practice. Ian Hunter suggests that we have all been formed in, and through cultural studies of one sort or another. He also points out that although this is the case, there have been only a couple of attempts to critically examine the area that academics and cultural critics have encompassed, and therefore also points to cultural studies as being a critical practice.

According to Cunningham (1992; 1994) cultural studies is being questioned from many directions³. Amongst these is the "centrist" policy orientation. This "centrist" approach seeks to position the perspectives of cultural studies within arenas of public policy where academic conventions are not the preference, and is therefore fully aware of the limits of academic discourse. This centrist position is not concerned with attempting to discredit or undermine the foundational posture of cultural studies.

Turner and Cunningham both advocate that cultural studies should serve as a kind of "handmaiden", developing pretexts for those active in cultural or public policy. Theory, analysis, critique and commentary should support practice, and practice in turn implements theory. However, up close, the relations between the two are far less congenial than Turner and Cunningham suggest.

Cunningham further postulates that cultural studies, perceived from the perspective of cultural policy, is rather like a “curate's egg - good in parts - but even the good parts mightn't be very good” (Cunningham, 1992: 130). Other academics have also commented on the contention between the two, leading Elizabeth Jacka to write of the “widening gap between cultural critique and cultural policy” (Dermody and Jacka (eds.), 1988: 118).

Cultural theorists, predominantly, when addressing issues of policy, think of words like resistance, refusal and opposition, which predispose them to perceive the policy-making process as flawed, or as Cunningham puts it “inevitably compromised, ad hoc, incomplete and inadequate, controlled by people who are inexpert and ungrounded in theory and history, or who wield gross forms of political power for short-term ends” (Cunningham, 1994: 132).

Furthermore, Cunningham poses the following questions: what is cultural studies' understanding of its political vocation; what alliances are being formed with cultural activists and policy agents and players; to what extent are cultural theorists informing themselves about the historical, existing and emergent policy agenda, and identifying where cultural theorists might fit? (Cunningham, 1992 and 1994).

Cunningham notes an interchange between John Fiske and an unnamed questioner, published in Fiske's **Reading the Popular**, (1989). Fiske asserts that “internal or semiotic resistance ... is an essential prerequisite of social change” (Fiske in Cunningham, 1992: 133 - 134; Fiske, 1989). The implication here, of course, is that resistive strategies of popular culture, are by definition, never incorporated into organisations, or institutions, that might actively seek to effect change in any institutional constitution, or professional practice by which cultural meaning is produced and delivered.

The demands to introduce policy orientation into cultural studies have become more insistent of late. In Australia, for instance, there has been an emergence of a series of independent centres dedicated to both administrative and critical research, of cultural studies and cultural policy studies, such as the Institute for Cultural Policy Studies in Brisbane, attached to Griffith University, etc. (see Moran for more details). However, it appears that cultural studies remains obsessed with theoretical and textual orientations that equip students with little or no knowledge and/or skills for citizenship and employment. The gap between textually based studies and policy cannot be connected simply by additional improvements in theories or representation, in new understandings of the audience or the “progressive text”, or in notions of “sub cultural resistance”.

Having said that, though, the issue of policy is promulgated at the periphery of the established core curricula of cultural studies, in quite a few institutions (Moran, 1991). In Trevor Barr’s words, moving these peripheral interests toward the centre of the curriculum ultimately has to do with “political empowerment” (Barr in Cunningham, 1992: 135). It is recommended (Barr, 1992; Cunningham, 1992; Moran, 1991; Turner, 1993) that Australian cultural studies interacting with policy issues, which essentially affect the future of Australian culture, should involve re-conceptualising certain ecumenical theories, promoting the focus on regulation as a positive bolstering of cultural production, and should involve rethinking the politics of culture, in a non-linear, non-western context. The same can be said with regard to South African cultural studies.

Concentrating on policy, and extending policy to both types of communications curriculum, namely, semiotics-based cultural studies, as well as business communication, journalism, public relations, marketing and advertising, has, as mentioned above, the ability to connect the gaps between these traditions. Policy’s amalgamation into the humanities and media production programmes would cultivate a strong comprehension of the social, and vocational implications of cultural struggle as

characterized in governmental and industrial systems. Cunningham (1992 and 1994) further points out that policy's assimilation into industry-driven courses would allow students an expansive appreciation of the politics and ethics of their careers, while making state intervention acceptable.

Policy orientation within cultural studies should not be treated as an add-on component, such as other courses offered in interdisciplinary curricula. Authors such as Albert Moran, Stuart Cunningham and Graeme Turner therefore recommend that cultural studies and all its components be critically examined, and they further recommend that cultural studies provide a link between itself and that of policy. This would mean having cultural studies combine economics, administrative law, cultural history, entertainment financing, government and parliamentary procedures on the development of public policy. This, in turn, means a more astute and context-sensitive re-learning of the roles of the state in mixed capitalist economies, and a move away from conventional grand theories affected more by critical purism than by the requirements for fragmentary revision. Critical policy research denotes a more critical cognizance than is usually found in the traditions of cultural criticism cultivated exclusively within arts/humanities-based curricula.

One of the pretexts of cultural critique, that is, cultural studies, as opposed to cultural policy studies, has been its "independence", and therefore its "political superiority" (Hawkins, 1994: 38). Criticism and independence have been affiliated in such a way as to suggest that other forms of more active, engaged, or attached research, are invariably and fundamentally constricted and desecrate. These assumptions need to be explored.

The cultural policy studies versus the cultural studies debate has been based on the argument that the analysis of cultural policy was more politically strategic than was cultural critique (Cunningham, 1992). How policy should be investigated has rarely been addressed. Yet this seems a far more

urgent question. What sorts of “knowledges” do various methods produce and how are these useful for examining past, present and future policy dynamics.

Cultural and media theory has also always been normative, but its norms have been founded upon opposition to, and suspicion of, official or mainstream culture. It has been anti-evaluative, and founded on the defence and glorification of popular culture (Cunningham, 1992). This defence of popularity has at times tended towards populism, leaning towards the “atypical, the eccentric, the aesthetically demanding or politically progressive “high” points of popular culture” (Cunningham, 1992: 57, and 1994; see Shepperson and Tomaselli, 1996).

Briefly then, a policy orientation in cultural studies should move its “command metaphors” (Cunningham, 1992: 137) away from rhetorics of resistance and oppositionalism on the one hand, and populism on the other, toward those of “access, equity, empowerment and the divination of opportunities to exercise appropriate cultural leadership” (Cunningham, 1992: 137).

Richard Collins has a suitably titled chapter “Paradigm Lost?” in Stuart Cunningham’s book (1992), in which he argues that the theoretical premises of media studies, predominantly formed in the 1960s and 1970s, are collapsing, along with many of the public policy principles indirectly based upon these premises. These include the neo-Marxist tenets of media studies, the “dominant ideology” thesis and its attendant media or cultural imperialism (Collins in Cunningham, 1992: 52). The problem that arises from this, is that while these traditions are collapsing, there is no new revisionist paradigm to take their places. Cunningham feels that in many ways “we can attribute the emergence and growth of cultural studies in the 1980s to the need to respond to the crises of the old paradigms identified by Collins” (Cunningham, 1994: 52). There was an aspiration to dislodge the grand theory which had painted itself into an epistemological corner. A reorientation from a focus on domination and control

of meaning and institutional structure toward the negotiation and creation of and resistance to meaning by consumers and audiences followed. Supporting this was a revived empirical concern for audiences, finding expression in at least an attempt at thick ethnographic description and critical re-evaluation of available empirical paradigms of audience understanding. Parallel expansion and diversification of political affiliation allowed cultural studies to embrace gender, race and ethnic sub-cultural politics along with established class analysis.

Cultural studies' focus on culture in its broad anthropological sense, namely, with an emphasis on actual audiences and consumers, makes it well placed to develop the background texture and legitimacy of what is worth fighting for in the audiovisual policy field. However, while it remains wedded to a reflex anti-statism, a romantic view of sub-cultures, and a strong opposition on principle to official, mainstream cultural expression, this mission will not be engaged. The task for policy analysts and commentators is to fashion a coherent vision of new frameworks that promote the idea of communications as a social infrastructure as much as a market infrastructure and a source of economic benefit.

The concept of "governmentality": the Foucaultian Legacy

Michel Foucault's influence on cultural policy studies is very significant. This shift in Australian cultural studies from oppositionalism to co-operation has been helped along by Michel Foucault's writings on "governmentality" (Bennett in Shepperson and Tomaselli, 1996). It is, however, a very specific reading of Foucault that is offered. The Foucault of "governmentality, of technologies of the self, of the administration and reform of populations has been central to investigations of the relations between government and culture" (Hawkins, 1994: 3; see also Mercer, 1994). Academics and the like are therefore indebted to Foucault for the set of tools, namely that of governmentality, which he has

provided us for investigating policy production and institutions (Cunningham, 1992 and 1994; Hawkins, 1994; Hewison, et al., 1994; Mercer, 1994).

Simply put, there is a close affiliation between our cognizance of the “technologies” and minutiae of culture, namely, culture as resources, techniques, uses, tactics and strategies, management and the ways in which we operate in both “pure” and “applied” research (Bennett, 1994; Cunningham, 1994; Hawkins, 1994; Mercer, 1994). The emphasis is not merely with what culture represents, but with what it actually *does* in both extraordinary and everyday terms (Hawkins, 1994; Mercer, 1994).

This is not culture as consciousness, or ideology, or text to be decoded by the criterion of structures and/or conventions but culture as what Peirre Bourdieu calls practical orientation or “sens pratique” (Hawkins, 1994: 35). This is an “anthropological” approach, rather than an aesthetic one, to the analysis and management of culture, and it enables us to maintain the relationship between “pure” research into, for example, the history of museums, popular entertainment, tourism, education, copyright and urban history, and “applied” research, both of and for their contemporary application (see Chapter Two for more details).

As Rupert Hewison, Graham Dempster and Ron Brent so rightly point out, in their article **Film in the Australian Government**, government should not be understood as those of bad faith or antagonism. They go on to say, that in this context, the concept of governmentality means recognising our “complicity” with cultural technologies that shape and form our characters and capabilities as citizens, and it is at this point that negotiation should begin (see also Hunter 1994). What we are looking for then, is a sense of how governmental processes are constitutive but not determinative (Cunningham, 1992; Given, 1994; Santamaria, 1994).

This emphasis on governmentality as “practices”, rather than the state as an instrument, involves a significant change in methodologies. It involves a preference for “how” questions rather than “why” questions since the emphasis on policy is of action and possibility. Gay Hawkins and Rupert Hewison, et al (1994) suggests that different art councils would have comparative definitions of culture, that is, an art council will define culture differently to that of a film council. According to these authors, this reflects the organisations’ respective genealogies and the political sensibilities of the aesthetic and assiduity orders of the cultural constructs that they are active in (art and film respectively), and the many forms of this activity, which include, amongst others, providing grants and surveying audiences. Of significance, the concept of “governmentality” has assisted historical knowledges that are “specific, contingent” (Hewison, et al., 1994) and effective, for analysing current policy processes. Namely, there is a variety of histories that are not organized around the production or protection of one monolithic grand political or ideological theory. Instead the focus is on micro-practices rather than macro-structures, which has created histories of cultural institutions and policies that are “schematic and interpretatively open” (Hewison, et al., 1994: 15). These are histories that demonstrate close and eclectic aspects of institutions and their processes, and are therefore exceedingly advantageous for comprehending the difficult concept of “culture”. Histories of cultural institutions and their place within cultural policy studies, with the tracing of cultural policy formation, have played a key role in shaping how policy can be understood as “political” in the most complex and plural sense (Hawkins, 1994). To understand this, one must draw on Foucault's theorisation of power as networks of relations as constitutive and not repressive. The domain of the governmental is transparent, fluid and multivariuous. Cultural institutions have compound, shifting and conflicting systems and logics. They are never motivated by the rationalities and demands of any one “dominant culture”. And they are often characterized by various “spaces of possibility” (O’Reagan in Turner 1993: 113) within which numerous exceptionally appealing and significant cultural projects have

derived, usually as a result of the work of broad-minded and serendipitous bureaucrats (Hawkins, 1994; Mercer, 1994; Santamaria, 1994; Turner, 1993).

Viewing institutions as fixed, as with politics, provides us with specific historical knowledges, which is important as it allows us to see the way things are, and to analyse the ongoing processes of institutional formation. This is advantageous as this then allows us to see how they could be different. These are the Foucaultian methods that offer academics and the like tools for working out how to engage with cultural institutions and policy. These historical methods are a fundamental prerequisite for the development of political strategies that are practical and specific, rather than abstract and idealistic (Hawkins, 1994). These methods are also essential in debates calling for the reconstruction of political practice within cultural policy studies. These methods have also contributed to the formation of more contingent and appropriate meanings for “politics”, meanings which evolved out of concentrated and strategic arbitrations with various policy fields and individuals, and which have made one aware of its possibilities and limitations. The encumbrance of these arbitrations is that policy intellectuals are perceived as reformist, constrained, and even repressed by their relations with institutions and bureaucrats.

As studies of cultural policy formation are rare and erratic, analysis of histories of cultural policy have to be inferred (Cunningham, 1994; Hawkins, 1994). Because the histories we have are dispersed and diverse it is infeasible to impose a conformity on this field. Some histories are more significant than others, and their importance is not in what they say, but *how* they say it (Dermody and Jacka, 1987; Rowse, 1985).

The Foucaultian legacy of governmentality has meant analysis of social and discursive areas which produce community arts. It has also meant an examination of the processes of policy-making, and

has refused totalising theories of determination and rather sought to understand how events and statements appeared when and where they did. Most importantly, it allows institutions to be perceived as activities, practices and relations, and not as fixed and demarcated.

Cathy Santamaria (1994), in her article **Contract Research: The Bureaucracy-Researcher Relationship**, questions whether critical research of cultural policy has been influential in policy development. She further questions whether articles stemming from this “cultural policy moment” have been of significance, as she argues that these articles are intended only for academics and students, and with that the case, how do they benefit policy implementation? Santamaria further argues that there has been no attempt to influence or inform the practitioner, bureaucrat or politician, which she argues, should be the essential aim.

Having looked at cultural policy in some detail, a few questions have been raised. For instance, has cultural policy studies research made any difference? Have analyses of the histories and economics of policy been beneficial to those engaged in policy formation? What are the practical results of research of cultural policy? And lastly, is cultural policy the answer to the South African film industry’s crisis? I will attempt to address these questions in Chapter Six of this thesis.

Although it is very difficult to evaluate policy effects and results because of the gap between policy development and implementation, according to Cathy Santamaria and Jock Given (1994) there is no evidence to suggest that increased involvement of cultural policy studies with the state, in terms of consultancy and research, “have led to quietism, regulatory or bureaucratic capture or academics and other independent voices becoming ventriloquist dolls of the state” (Santamaria, 1944: 10). In my opinion this is very significant, as we do not want to become puppets of the state.

Having looked at cultural policy in some detail, the discussion now turns to that of the Arts and Culture Task Group.

NOTES FOR CHAPTER THREE:

1. For more details of how cultural studies traveled to South Africa, and what it did when it got here, see Muller, J and Tomaselli, K. "Becoming Appropriately Modern: Towards a Genealogy of Cultural Studies in South Africa." **Knowledge and Method in the Human Sciences**. Eds. J. Mouton and D. Joubert, Pretoria: Human Sciences Research Council.
2. A chapter from Cunningham's (1992) book appears in Turner's **Nation Culture Text: Australian Cultural and Media Studies** (1993).

CHAPTER FOUR: THE ARTS AND CULTURE TASK GROUP (ACTAG)

“Films are an important part of the cultural domain of any country ...”

ACTAG, 1995: 158

The South African Minister of the newly established Department of Arts, Culture, Science and Technology (ACST henceforth), Dr Ben Ngubane, formalized an Arts and Culture Task Group (ACTAG), in August/September 1994, to counsel him on the formulation of policy for the newly established government. The aim of this group was to assist the Minister to realise relevant objectives as set out in the Reconstruction and Development Programme, namely: to affirm and promote the rich and diverse expression of South African culture, so that all citizens are guaranteed the right to practise their culture, language, beliefs and customs, as well as enjoying freedom of expression and creativity. Obviously, the film industry has a crucial role to play in the forging of social cohesion and the process of democratization and development in South Africa. “Films are an important part of the cultural domain of any country” (ACTAG, 1995: 1).

This Chapter draws heavily on the **ACTAG Final Report on Film**, (1995). ACTAG articulates why films are such an important part of South African culture. High levels of illiteracy, and the multilingual make-up of the South African society, add to the importance of the language of images. The film industry has the responsibility to reach communities and individuals who do not have access in this regard, that is, for non-theatrical exhibition to communities and grassroots organizations in townships and rural areas who might not otherwise have access to them.

ACTAG consisted of twenty-three members, selected from over three hundred nominations submitted by interested parties and stakeholders from around the country. Amongst the sixteen areas the task

force was concerned with were: theatre; oral history; visual arts and crafts; heritage, and film. The mandate of the group was to prepare reports from written submissions put forward by various institutions and/or individuals/role-players throughout the nation. These recommendations dealt with ideas regarding the arts: funding mechanisms; and infrastructures and strategies at regional, local and national levels. These policy proposals were in turn further formulated, implemented and refined over a short period of time. This involved workshopping draft papers in each of the nine provinces. After additional feedback from other members, national conferences were held over three days at the end of June 1995 in Pretoria, and thereafter the ACTAG report containing the final documents on all the sub-disciplines was published. This document resulted in a reformulated arts and culture dispensation consistent with the new constitution. Each sub-discipline report was then used as a preparatory report for the White Paper of that discipline.

The ACTAG process

The sub-discipline of film initially consisted of three members selected from those nominations received. These were Mr Anant Singh and Mr Tshepo Rantho, both film makers and Mr Mbongeni Ngema, film maker and dramatist. Mr Ngema, due to his extensive workload, decided against participating. After some months, because of the extensive research and workshopping to be undertaken, and because there was a call from the industry for more varied representatives, three other members were co-opted: filmmakers Mr Carl Fischer and Mr Steven Markovitz, and myself, a researcher.

Individuals and organizations within the film industry were immediately contacted and asked to assist the sub-committee of film with proposals and submissions on a variety of issues. This consisted of: funding; infrastructures; administrations; private sector investments; tax incentives; film education policies; copyright legislation; film festivals; awards and subsidies. The sub-committee

communicated with over thirty-four industry organizations, which included: the Performing Arts Workers Equity (PAWE); the Black Film And Television Foundation (BFTF); the Cape Film and Video Foundation (CFVF); the Film and Television Federation (FTF); African Film and Television Collective (AFTC); and the South African Film and Television Institute (SAFTI). These organizations prepared submissions through research and workshopping with their members. Many of these organizations had been working on policy proposals since 1980, which had been presented to the previous government, obviously to no avail. Various role-players within the industry, trade and commerce unions, African business associations, technikons, universities, film schools, film festivals and provincial political parties were solicited. Embassies and cultural attaches were contracted to supply information on their country's film infrastructures, background literature on their film industries, and even annual reports from the past five years. This latter material was sought in order to put the sub-committee in the position of looking at South Africa's film industry model as critically and comparatively as possible, and problematizing and contextualizing it in a specifically South African situation.

The ACTAG Final Report

The Statutory Body

One of the most important recommendations from submissions received, was that a national **Statutory Body** or **Film Foundation** be established. This recommendation was particularly significant because there is no film infrastructure whatsoever in the South African film industry, and therefore no policy or structure exists to arbitrate or advise the film industry, or the government for that matter.

This Statutory Body is to have the following objectives: to liaise with the film industry and the local television industry; to protect free market mechanisms; to maintain relations with foreign film makers;

to support production, distribution and exhibition; to co-ordinate education, training and development; to liaise with the film archives; and to have a film commission to promote local films. The film sub-committee made the further suggestions that: there should be a research and information section of the Statutory Body which should conduct and facilitate research into all aspects of the film industry; there should be a development and cultural support function which would include festivals, film awards, publication and seminars; there should be interaction with community arts and culture centres; and that all operations or functions of the this Body should conform to the objectives and aims of the Reconstruction and Development Programme, that is, they should in effect redress the imbalances of the past, creating equal opportunity for all. The Body should have no censorship function. There should also be an Ombuds Body/ Office, or Public Protector, appointed to investigate the Foundation itself, as well as individual complaints.

It was advocated that the Statutory Body be comprised of members who will collectively represent the regional gender, race and language make-up of South Africa. It was further decided that the Statutory Body be run by a full time executive staff.

Film Development Agency

It was also advocated that a **Film Development Agency** be instituted under the auspices of the Statutory Body, and should include the following functions: low-cost loans and grants should be made available to South African producers and directors; “set up” funding should be made accessible to the informal sector; a controlled environment should be created for parties wishing to risk money on high risk ventures, both for local and foreign investors; and the FDA should act as a financing mechanism for all film producers wishing to produce developmental, commercial or experimental productions. The sub-committee also proposed that this Agency should recommend incentives, such as: those structured to benefit: any individual or company investing in a film-related project; foreign

productions made in South Africa; donations by individuals and/or companies. Moreover, it was recommended that state funding should move away from box-office performance to other criteria such as script and development grants; talent grants for local directors and actors; stock and processing grants; and reduced distribution fees and sliding scales for South African products.

In addition to the annual government subsidy, some organizations suggested alternative mechanisms for funding, for example, that there be a tax levy imposed on all tickets sold (for all films and not only the imported ones), and that tickets should be VAT (Value Added Tax) exempt, with the income diverted to the Statutory Body. Other funding mechanisms mentioned under this division suggested that the VAT from Television licences be channelled into the support scheme; that a lottery be organized; that films be pre-licensed, i.e. the broadcaster provides the financial catalyst to get the project going; that there be “exceptional funding” (ACTAG, 1995: 158) from the Ministry of ACST made available for specific purposes such as youth programmes, and direct funding (approximately 15%) from the Ministry for cinema and audiovisual production, exhibition and training purposes. Further funding mechanisms proposed included: producers expected to raise at least 50% of financing through pre-sales, equity or loans, thus building quality control, as the producer has to convince third parties of viability/quality before requesting support from the Film Financing Corporation; the FFC should fund between 25% to 50% of cost of production, and once they have recouped their investment, share 50% of their profit with the producers; that a financier could request that producers, directors and talent defer a portion of their fees until such time that the financiers have recouped a reasonable portion of their investments; that distributors contribute by way of reduced Distribution Fees on South African products, by way of minimum guarantees or by contributing to print and advertising costs. These are the mechanisms distributors use internationally to secure products.

As with the cinema ticket debate, there are many different viewpoints concerning levies/tax incentives. Once again the sub-committee reiterated that the suggested tax levies are not in lieu of an annual government subsidy, but are recommendations for alternative means of generating income for the film industry. Distributors and exhibitors should be allowed to apply for subsidization or accelerated depreciation on the building of new cinemas; and levy imposed on total turnover of broadcasters. Furthermore, a 10% levy on all television advertising revenue obtained from distributing foreign sourced films on all public television broadcast media, and a 10% levy placed on all video distribution in South Africa was recommended. A tax of 5.5% on the total income (advertising, licence fees, subscription fees) of all television stations (public, encoded, etc.) was recommended.

It was emphatically stated by the sub-committee members that all these proposed alternative mechanisms for funding are subject to further research.

Film Trust

With regard to the **Film Trust**, it was explicitly recommended that the Trustees be non-political and objective. The suggested functions of this Trust incorporated the following: to provide finance for entry level producers and first time directors; make bursaries available to students studying film/film-related courses; provide finance for the development of scripts, projects and experimental film; create access for the population at large, to view locally produced films; and to make bursaries available to students studying film/film related courses/skills.

In addition to this, since policies can only be formulated on the basis of further research, it was suggested that a research team, comprising researchers as well as members of the film industry, be organized, with an emphasis on areas such as: contractual issues, copyright, tax laws and other

legislation; marketing strategies; levies placed on all imported films and videos; a levy on all cinema tickets sold; and research into the establishment of a National Film and Television School. One of the most significant recommendations put forth by everyone, directly and indirectly, involved in the ACTAG process, was that the portfolio of film be placed with the Ministry of Arts, Culture, Science and Technology. At the time of ACTAG, the portfolio was still with the Ministry of Trade and Industry. This portfolio was consequently placed with the Ministry of Arts, Culture, Science and Technology, by the time of the White Paper discussions in November 1995.

Education

At present in South Africa, there is no formal training for specialized skills such as sound engineers, or electrical engineers, neither is there basic managerial film training available. Students from historically disadvantaged communities have many obstacles to face. Training and education in these areas are vital if these people are to function efficiently in the film industry. As a result auxiliary training, covering the areas of language skills, literacy skills, computer skills, management skills and assertiveness skills, is necessary.

Where education is concerned, it was recommended that all film-related training schemes should be facilitated through the Film Trust. Although the onus is on the Education Department to introduce new curricula into technikons, universities and schools, this should be done in direct relation to, and consultation with, the Statutory Body.

There should be an emphasis on: basic audio-visual training - in all aspects of distribution, finance, exhibition and administration; auxiliary training; and media and visual arts training. There should also be an emphasis on community film-related projects.

Role of the Department of Arts, Culture, Science and Technology

It was also suggested that the film industry maintain direct links with other Ministries such as the Department of Trade and Industry, the Department of Foreign Affairs, the Department of Home Affairs, the Department of Posts, Telecommunications and Broadcasting, the Department of Finance, and, as mentioned above, the Department of Education.

Research Team

The sub-committee strongly advised the formulation of policy based on further research, thus, a research team needs to be organized under the auspices of the Statutory Body. The research team should comprise researchers and members from the film industry. The emphasis would be on the following: details of overseas film industry infrastructures, for example: private sector investments, etc.; contractual issues, copyright, tax laws and other legislation; marketing strategies; levies placed on imported films and videos; levy on cinema tickets sold; and an audit of all existing national film education curricula and modules.

Diverging recommendations

There were many conflicting and contradictory recommendations put forward to the sub-committee, which the sub-committee chose to include in the **ACTAG Final Report** (1995), since the ACTAG Report was expected to be fully representative of the industry stakeholders and individuals. As this report was to be codified into the White Paper on Film, feedback was anticipated before the process of the White Paper took place, and therefore the industry was expected to comment on all recommendations, not just the recommendations put forward by sub-committees. For instance there were dissenting views put forward, which were not agreed to by the sub-committee itself (see below for details), and these needed to be addressed by the film industry.

These points of departure were as follows: it was recommended that there should be at least two other permanent functions of the Statutory Body, namely, an audio-visual research department which would include an information system, and a department of development and cultural support. It was also suggested that the Statutory Body be entirely based on France's Centre National de la Cinematographie¹ model which has the following functions: advises the government on legislation concerning audiovisual industries; grants authorization to operate to producers, distributors and exhibitors; issues "professional cards" to directors and key technicians before they are allowed to work on films that qualify for public aid; approves film and audiovisual projects; provides the secretariat of the Commission of Classification of Films; regulates the sequence of exhibition of films in the different media; regulates the home video market; and informs professionals and the public through publication of a bulletin and monographs. The recommendation was rejected by the Film Sub-committee because it felt that no one international film structure should be adopted in its entirety as a basis for the South African film industry.

Another point of divergence suggested that there was no need for a Ministry of Arts and Culture, as it would simply serve to duplicate the work of the proposed arts council. The Film sub-committee decided that this recommendation was not entirely accurate, as there would be many functions of the Ministry of ACST that the Film Body would not have, and vice versa. It was also strongly asserted that the Statutory Body only have links to the Government and that any relation to the Government, be it for funding or support, must be at arms length. This was understood to be as a direct result of the previous years of Government intervention into, and control of, the film industry (see Chapter One). The film industry must be seen as separate from the State, and having a Statutory Body and a Department of Arts, Culture and Science and Technology would emphasize this separateness. In any case, the Ministry of ACST has not just been established for the film industry's interests and has many other areas to oversee and represent in the arena of arts and culture.

Problems and conflicts throughout the process

At the outset of the establishment of ACTAG, I was initially employed by Mr Anant Singh, the managing director of VideoVision Entertainment, to research and analyse policy recommendations and examine the South African film industry and international film infrastructures comparatively, and, as mentioned above, was co-opted onto the ACTAG Film Sub-committee as a result of this work. I was informed by the Director of Cultural and Media Studies, Professor Keyan Tomaselli, that Dr Martin Botha, then of the HSRC (the HSRC Document: **Proposals for the Restructuring of the South African Film Industry**, 1994, was piloted by Dr Botha) was working on a detailed analysis of international film industries, and that I should contact him. Dr Martin Botha responded by e-mail, saying that his Document would be sent to me as soon as it was completed. None of the sub-committee members had heard of this research prior to Professor Tomaselli informing me of it, and I of course informed the other members of the Film sub-committee. This was important, as it was later implied that Dr Martin Botha had apprised all the members of the ACTAG Film sub-committee of this work. Dr Martin Botha's HSRC Document was then used to portray the Film sub-committee's work in a poor light as mere repetition of the HSRC document, and the sub-committee was accused of "re-inventing the wheel" (Pretorius, 1995). The implication here was that the sub-committee was wasting time and money in an attempt to achieve what Dr Martin Botha had already accomplished. This assumption was included in an article in the **Weekly Mail & Guardian** by William Pretorius (1995), which also asserted that the HSRC Document had been unanimously welcomed by those in the industry. The former remark, that is the "reinventing the wheel" remark, was attributed to Dr Botha. In another article, by Edward Bird, published in **Media Mask** (1995), the HSRC Document was described as "definitive" (Bird, 1995: 13) and as "Perhaps the most comprehensive document ever compiled on the film industry in South Africa...The document's scope is wide - it carries proposals for the total restructuring of the film industry in South Africa" (Bird, 1995: 13). With regard to Dr Botha's remark to the effect that the ACTAG Film Sub-committee

was “reinventing the wheel” Dr Botha, when questioned telephonically by both Professor Tomaselli and Mr Singh, stated that his remarks were misinterpreted. Although I, and others, accepted Dr Botha’s explanation of misinterpretation, the assumption that we, that is, the Film sub-committee, were merely regurgitating already acknowledged and published information, remained. The HSRC Document in question was certainly comprehensive in terms of research. However, in my opinion, the HSRC Document, which deals primarily with the international film infrastructures of Cuba, India, Brazil and various African countries, amongst others, is lacking in terms of critical analysis. These articles focus only on the historical analysis of these countries’ film industries, that is to say that they are purely descriptive. There is no information offered as to how these film industries are run. No mention is made as to their administration, management, film infrastructures, such as distribution, production, exhibition, laws, policies or acts. In essence then, there are no details with which to help us develop and recommend policies based on their policies. Comparative information, at this stage was/is absolutely crucial, since we need reference points which we need to then problematize and contextualize in a specifically South African perspective. Having said that, the HSRC Document does have three very important inclusions. The first is the Australian Film Act, the second and third are the standard Canadian and French Co-production Treaties respectively. The Australian Act provides us with administrative details that the Sub-committee would never have thought of on our own, such as terms of employment. As it turned out, no particular interest was paid to this Act, the reason simply being, as will be apparent in Chapter Seven, that responsibility for such details were shifted to the Statutory Body. These issues will therefore only be dealt with when the Statutory Body is established. The French and Canadian Co-production Treaties on the other hand, provided the basis for the Standard South African Co-production Treaty which was drafted by myself, on the instructions and advice of the Film Reference Group at the meeting held at the SABC on December 4 1995.

Returning to the discussion of the HSRC Document and its recommendations for the restructuring of the South African film industry, these proposals were put forward at the very beginning of the Report. I think that credit is due to Dr Botha, et al, for the amount of work carried out. However, the task designated the ACTAG Sub-committee on Film and the HSRC Document did not overlap, and the latter was certainly not “definitive” or inclusive in any way.

Other papers that were included in Part I of this Document consisted of a compilation of various submissions made by organizations to the Government dealing with recommendations for the restructuring of the film industry. These submissions were also sent to the ACTAG sub-committee to analyse, along with those not included in the HSRC document.

One of the first issues that arose with regard to the ACTAG process was that not all the information was disseminated from the outset. Problems arose when many organizations, both within the film industry as well as other sub-committee members of ACTAG, contacted me to say that they had not received the first ACTAG draft report, which was sent out on the 19th of February 1995. This was due to faxes and post not being received, and poor communication between members of the Film sub-committee. At a meeting held in Gauteng in April 1995, it was decided that in order to overcome these problems, I would take charge of disseminating the information. Moreover, VideoVision Entertainment would be used as the base from which I was to organize the sub-committee. Another reason for VideoVision Entertainment being made the centre/foundation of the film sub-committee was that Mr Singh the managing director of VideoVision, and co-convenor of the sub-committee, was prepared to remunerate me for this work, and this was ideal as I was able to make use of the company's administration infrastructure. Mr Anant Singh also suggested that I hire an assistant to help with administration tasks, such as faxing, photocopying and the summarising of various papers, for a period of two weeks - for the period of 27 March to 5 April 1995. It is worth mentioning that

I was also the only other member, besides the co-convenors, Mr Singh and Mr Tshepo Rantho, that was expected to represent the film sub-committee at ACTAG plenary meetings.

Other problems that also arose at the beginning of the ACTAG process included, as mentioned above, the belief that the film industry was unevenly represented, and the misinformation surrounding WESTAG. The former difficulty resulted in the two other filmmakers, and myself, a researcher being placed on the film sub-committee (see above for details). The latter issue was brought to my attention by Mr Glyn O'Leary, one of the members of WESTAG, who directly contacted me in March of 1995. This was the first time I, or any of the other sub-committee members, had heard anything about WESTAG. After a brief meeting with Mr O'Leary, I was fully appraised of the situation, and I extended this knowledge to the other sub-committee members. WESTAG had arisen in response to ACTAG. The Eastern Cape and surrounding areas established WESTAG in order to incorporate and unite these areas in their recommendations and proposals to be put forward to ACTAG. WESTAG was an organization presenting proposals to all the areas of arts and culture and the various corresponding sub-committees, not just film. Instead of hundreds of little documents or papers presented to ACTAG, streamlined, concentrated proposals were put forward. As a result of this information, although Mr O'Leary was not placed on the film sub-committee, he played an important part in the ACTAG process, partaking in all the sub-committee meetings and contributing to the drafts of the ACTAG film report.

Towards the end of the ACTAG process, at a plenary meeting in April, attended only by the co-convenors of the Film sub-committee, many of the other ACTAG plenary members, including the ACTAG chairperson Mr Andries Oliphant, expressed their dismay and concern about the Film Draft Report. According to them, it was seriously lacking, as it excluded an historical analysis of film in South Africa. The co-convenors were also unable to answer many of the questions put to them by

the other ACTAG plenary members with regard to the areas of methodology and especially with regard to the dissenting viewpoints assimilated in the rough Draft Report on Film. The report was considered confusing and incomplete. An emergency meeting was requisitioned, to be held two weeks henceforth, thereby giving the Film sub-committee time to address these areas. The reason that the Draft Film Report differed in methodology to the other ACTAG Draft Reports, was because the standard methodological outline that every ACTAG sub-committee was expected to follow, was never received by the film sub-committee. A copy of this methodology was immediately obtained, from the ACTAG secretariat, and the issues not previously addressed were dealt with. At the emergency meeting, held in Pretoria, the plenary members and the Chairperson commended the Film sub-committee on the astute and professional manner in which they had rectified the situation. While discussing the ACTAG Paper on Film I think that it is important to note that although Professor Keyan Tomaselli was not on the sub-committee on Film, and did not participate in any of the meetings or discussions to do with film, he did write the section entitled "A Brief History Of South African Cinema" at my request. The reasoning behind this was due to time constraints on my part, and because I felt that Professor Tomaselli would write a piece that was adequate for the ACTAG Final Report. This was the entire extent of Professor Tomaselli's contribution to the ACTAG Final Report.

Another dissenting point, which was debated by the sub-committee members right up until the Final Report was handed in, was the question of state aid to the South African film industry and its administration. It was proposed that regional Statutory Bodies should be established, instead of a national Statutory Body, which would administer state aid on a regional level, rather than on a national level. This point, stating that regional Statutory Bodies should be established in all of the nine provinces caused much controversy and concern. Approximately R 20 million was the estimated administration costs projected per province. The reasoning behind the suggestion was clear, that is,

the need for an established vibrant film industry per province would result in a national, dynamic film industry. There would be more control and incentive to create and build up provincial film industries, thus obviating the problem of favouritism. However, the funds for administering these regional bodies were exorbitant. It was the sub-committee's recommendation, however, that first a national Film Foundation be established. Not all the members of the sub-committee agreed on this point, and so the issue of regional bodies was expected to be dealt with once the Statutory Body was established. It was thought that the film industry might very well be in a position to institute regional bodies eventually, thus, the following statement was included in the ACTAG Report: "It is recommended that the issue of establishing provincial and local bodies should only be addressed after a national Statutory Body is functioning" (ACTAG 1995: 153). Also, it is one of the objectives of the Statutory Body to "investigate the feasibility of establishing regional divisions" (ACTAG 1995: 153).

Another issue, which was raised by the Chairperson of ACTAG, Mr Andries Oliphant, was his request that the all points placed in the ACTAG report be given credit by placing the organizations' names directly next to the corresponding recommendations. This was rejected because it made the document too cumbersome and difficult to read, and it was not really necessary as all the participating organizations and the various individuals were listed in the bibliography at the end of the document. Also, he wanted the document to *solve* the diverging points of view, or at the very least compromise those points. This not only was not possible, given the time restraints, but it was not advisable for the sub-committee to make such rash decisions without further consultation with the industry. The objective of the Film sub-committee was, after all, that we represent the film industry and put forward what the film industry wanted, and so we could not make a decision on important issues without conferring with them.

Having discussed ACTAG, both its process and the contents thereof, this thesis now looks at The White Paper on Film.

NOTES ON CHAPTER 4:

1. The Centre National de la Cinematographie was created in France in 1946 in order to address the problems of their film industry, namely, the decline of audience figures, increase in production costs, and competition from foreign films.

CHAPTER FIVE: THE WHITE PAPER ON FILM

“Without a film foundation, funding and support the local film industry will surely die.”

Edward Bird (Media Mask, 1995: 15)

In November of 1995, four months after the final ACTAG document was published, Dr Ben Ngubane appointed a Reference Group to write up the White Paper on Film. This Reference Group comprised fourteen disparate members: individuals from the film industry, academics, and the film consultant to the Minister (and Chairperson). The Reference Group met over a period of four weeks to discuss the drafting of the White Paper, using the ACTAG document as the foundation for this paper.

The White Paper was co-authored by myself, and academics Professor Keyan Tomaselli and Doctor Martin Botha¹. It was then given to legal advisor, Ms Thembi Msimbi, to ensure that it was in accordance with South African law.

Content:

Statutory Body

The White Paper differs from the ACTAG report in several distinctive and pivotal areas. As a result, this thesis compares the two documents, chronologically, pointing out the differences and similarities. These dissimilarities constitute an important ecumenical process of analysis, as will be made apparent in Chapter Nine.

At the beginning of the Document, added to those of “film” and “distribution,” *inter alia*, “South African film;” “industry;” and, “monopoly” were included for purposes of this Paper. The former definition, namely, “South African film” is based on the Canadian interpretation and appropriated for South Africa, for example, the production must earn a minimum of six points based on the following key creative people qualifying as South African: the director gets two points, and the following are granted one point per category: director, screenwriter, highest paid actor; second highest paid actor; head of art department; director of photography; music composer; and, picture editor. However, having stipulated that, it is significant to state that all producers must be South African citizens. Either the director or the screenwriter, and at least one of the highest paid or second highest paid actors must be South African. Also, points for screenwriters may be obtained only if all screenwriters are South African, or if both the principal screenwriter and the author of the work on which the production is based, are South African (White Paper 1995: 3).

I think it is important to note that the definition of “industry” contained in this White Paper incorporates film and video producers, as well as those sectors required to finance, administer, distribute, market and exhibit films, and so on (White Paper, 1995: 3). It is also significant that the definition of “monopoly” here refers to ownership arrangements, in which single companies own the majority of linked functions, required to make, process, distribute and exhibit a film. “Horizontal” monopoly, however, occurs through consolidation of similar functions, for instance, theatre chains, screen advertisers, distribution and ticketing agencies (*ibid*, page 3).

In terms of the introductory chapters referring to the “brief history of South African cinema” and the “importance of films” both documents are almost exactly the same.

The White Paper and the ACTAG Final Report agree emphatically that the South African film and video industry be administered by a proposed Statutory Body. The only difference between the two documents in this instant is that the former states that the Statutory Body be called the South African Film and Video Foundation (SAFVF), as opposed to the South African Film Foundation. The Reference Group felt that it was important to include "video" in the name, as it is then obvious that the Foundation embodies that area.

At the outset the White Paper concurs with the ACTAG Final Report that while the research informing the two documents has been extensive, it should be pointed out that specific items mentioned within the White Paper will still need further investigation.

One of the long-term aims of the proposed Foundation is to facilitate the placement of the South African film industry on a sound commercial footing and enable it to become internationally competitive. This in turn will promote South Africa as a tourist attraction, and as a location for foreign film productions, and television and advertising commercials. It will also enable South African audiences to see their own stories and interpretations of experience reflected on local screens.

All the recommendations put forward in the White Paper, concerning the role of the Film Foundation, are in direct accord with the ACTAG Final Report. One difference of note, however, pertains to the suggestion of a "ombuds person/office" (ACTAG 1995: 155). The idea of a public protector was not included in the White Paper. The reasons for the absence of this suggestion are not known.

Essentially, the White Paper and ACTAG Final Report are in agreement with regards to the national, autonomous Statutory Body's institution. Thus, the Statutory Body will be made of members representing the regional, race, gender and language composition of South Africa, will be headed by a Director; run by an Executive Staff; and governed by a Board of Governors². Moreover, the Body will receive direct funding annually from the Ministry of Arts, Culture, Science and Technology, and will consider establishing provincial offices where appropriate. The Board will draw up the aims and procedures of the Foundation in consultation with the film and video industry, and the Body will be run by a full-time executive staff, according to those guidelines laid down by the Board. This staff will be made up of individuals with extensive knowledge of the film industry, associated business acumen, contractual and legal matters, film education and training, merchant banking, etc.

The Body's composition must be such that it cannot be used to further the commercial interests of any individual or company. Neither the governors, staff, nor their nominees, spouses, or their business associates will be allowed to apply to the Foundation for funding during their terms of office. The aims and objectives of the Statutory Body, recommended by both documents, are the same, except for the following function: "script laboratory," which stipulates that script development will be facilitated by the Foundation (ibid, page 13)³. Included in both papers is the suggestion that permanent functions of the Statutory Body include these Departments: Production and Co-productions; Marketing and Distribution; Education; Research and Information; Development and Cultural Support; and a Film Finance Division.

The two documents also recommend that the Foundation maintain direct links with the following Ministries: Home Affairs; Posts, Telecommunications and Broadcasting; Trade and Industry; Education; Foreign Affairs; and Finance. The White Paper also included the Department of

Manpower in order to deal with finance for training of previously marginalised personnel; the Department of Labour, to liaise with professional organizations and trade unions; and, the Office of the Reconstruction and Development Programme, for the training of previously marginalised personnel.

Incorporated into the White Paper on the issue of the Statutory Body are these propositions: the Body will advise the government of legislation concerning the film and video industries; create a National Ticket Agency within the Foundation to verify box office receipts, monitor home video sector turnover and verify the percentage of gross turnover of commercial TV stations, with regard to a levy to be payable to the Foundation; inform professionals, and the public, and cultural attaches about the film industry through appropriate publications. In addition to the proposed funding received from the Ministry of ACST, income will accrue, via a 10% levy, imposed on all tickets sold for all films, and on rentals and sales of home video titles, and from the levy on commercial broadcasters.

With regard to the Board members, a Parliamentary Committee will select the members of the Board through a process of public hearings, as in the case of the Independent Broadcasting Authority, and the South African Broadcasting Corporation, from public nominations received. A total of ten Governors, all South African citizens, shall, when viewed collectively, be persons who are suited to serve on the Council by virtue of their qualifications, expertise and experience in the fields of film, distribution, finance, film education, film law, marketing, entertainment, and so on. These governors shall be people who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding office. It follows then, that when they are viewed collectively, they must represent a broad cross-section of the population of the Republic. The Board will, as mentioned previously, (ACTAG,

1995: 153; White Paper, 1995: 10) draw up the aims and procedures of the Statutory Body in consultation with the film and video industry. The Board will meet twelve times annually. Expenses and a stipend will be paid to the Board members, and they will be disqualified if they miss three consecutive meetings. It was further suggested that the composition of the Board of Governors should be reviewed every three years.

Film Finance Division

The “Film and Video Bank” has been changed to the “Film Finance Division” (FFD) in the White Paper. It is recommended in both the ACTAG Final Report and the White Paper, that a Film Finance Division be instituted under the auspices of the Statutory Body with the following functions: discretionary low-cost loans and outright grants; financial guidelines for local and foreign high risk ventures; the provision of seed funding; finance for the development of scripts, projects and experimental films; making bursaries available to students studying film/film- and video-related courses/skills.

The FFD recommended incentives are the same as those mentioned under the ACTAG Final Report heading “Film Development Agency” (see Chapter 5 for details).

Although the funding mechanisms mentioned in the White Paper are almost identical to those mentioned in the ACTAG Final Report, under the heading of “Alternative funding mechanisms envisaged, subject to research” I feel that they should be restated, as they have been very clearly outlined in the White Paper.

Producers who are successful in obtaining funding from the Foundation, will be required to secure a certain percentage of matching finance through guarantees, pre-sales, equity or loans. (This is consistent with Australian and Canadian schemes).

The Statutory Body should fund a certain percentage of the cost of production, and once it has recouped its investment, share a certain percentage of its profit with the producers. The mechanism for pro rata repayment needs to be worked out in detail.

It is recommended that a 10% levy be imposed on all cinema tickets, with the income paid to the Statutory Body. It is essential for the long-term survival and stability of the film and video industry that the Foundation be funded through levies and not only from the Fiscus. It is necessary for the proposed Statutory Body to be set up with a government grant and for government to further contribute on an annual basis.

It is proposed that distributors contribute by way of reduced distribution fees on South African products. These are the mechanisms distributors use internationally to secure products.

It is recommended that exhibitors be allowed to apply for grants or accelerated depreciation on the building of new cinemas and the upgrading of existing cinemas. This would apply in areas underserved, or not served at all, by an adequate exhibition infrastructure.

It is suggested that film projects be pre-sold, thus broadcasters can be expected to provide the financial catalyst to get projects under way. It is also recommended that the Statutory Body liaise with the Independent Broadcasting Authority (IBA) regarding a minimum quota for locally-made

films. It is further suggested that a levy be imposed on the gross annual income of all non-public service broadcasters (see IBA for local content percentage and encoded broadcasting).

It is recommended that the funding allocated via other government departments for film projects be administered by the Foundation. These may relate, for example, to youth programmes, health issues, agriculture and so on. The Foundation will liaise with the South African Communication Service in this regard.

Another very important difference between the ACTAG Final Report and the White Paper on Film, is that the former has a division called the Film Trust, whereas the latter document has eliminated that division. The reason for the elimination was that it was believed that the Film Trust's functions overlapped with those of the Film Finance Division, and therefore was null and void. The Film Trust for example recommended that bursaries were to be made available to students studying film/film-related courses. This function is very clearly stated under the FFD.

Education

The dissimilarities between the two documents are few. For instance, under the recommendation for basic film and video training with an emphasis on all aspects of production, distribution, exhibition, finance and administration, the following areas are added to the above in the White Paper: economics, management, and law. Another slight difference, is that the ACTAG Final Report suggested the establishment of a National Film and Television School under the heading of "dissenting views" as it was clear that there were divergent views on this issue. The White Paper, however, has recommended strongly in favour of the establishment of a National Film and Television School. The White Paper suggests that a task committee be selected by the Department of ACST to research the establishment of the National school in close consultation with the various

role players in the film and television industry, such as the International Liaison Centre for Film and Television Schools (CILECT), as well as academics. The task group should be immediately constituted by the Department of ACST.

Co-productions

Co-production treaties between South Africa and other countries are of extreme importance. Providing that there is some advantage to be had from sharing the production with an overseas/foreign partner, an advantage not normally gained, co-productions are encouraged and should be actively sought out. If there is a co-production between say, France and South Africa, the co-production then becomes eligible for the various tax incentives and support mechanisms that apply to native French films. These advantages can be of substantial value. The White Paper further points out that “for a system of co-production treaties to work it essentially has to be backed by a parallel system of incentives for investment” (White Paper 1995: 16 - 17).

It is proposed that the Statutory Body co-ordinate, facilitate and effectively seek co-production opportunities and treaties on behalf of domestic producers. These co-productions must not only include individuals from countries with which South Africa has signed a treaty, but also with individuals from countries with no treaties with this country. It will also be a function of the Foundation to advise the government on policy in the area of fostering co-productions.

Festivals

Although the ACTAG Final Report does not exclude the issue of festivals, the White Paper puts forward some concrete suggestions. It is proposed that the Foundation act as a facilitator to bring about the establishment of a South African National Federation of Film Festivals. This National

Federation of Film Festivals would incorporate the existing local festivals, debate policy and put forward proposals regarding the future of film festivals in South Africa. They should consider including a festival of South African films and videos.

It is further recommended that the Foundation make provision for the adequate funding of bona fide film festivals on the basis of criteria. These criteria are to be established by the Federation of Film Festivals. It is suggested that such criteria include: "the number of years a festival has been in operation; its goals, involvement in the cultural components of the RDP and its community education projects such as film making workshops" (White Paper 1995: 17).

Evaluation of the Statutory Body

Lastly, the Reference Group suggested that there be an evaluation, every five years, of the performance of the Foundation. It was not decided how this evaluation would take place, or who would carry it out.

The problems with the White Paper process

At the outset of this process there were practical problems, such as venues for meetings being changed and no update given to all the members. Initially, there were no minutes taken, even though Mr Singh, Professor Tomaselli and myself formally requested that minutes be taken. Unofficial minutes were taken at the meeting on 27 November, and at the last meeting held in December 1995, I was designated the task of taking the official minutes after a direct request to the Chairperson, Ms Batsetsane Thokoane. Similarly, no agenda was presented at any meetings held. No copies of the ACTAG Report were available to the members, which was necessary as the White Paper used the ACTAG Report as its foundation. Also, while discussing the drafting of the Co-production Treaty, no copies of either the French Co-production Treaty or

the Canadian Co-production Treaty were available for the members to look at. Both these Treaties were the framework on which we were expected to base the South African Co-production Treaty.

Another problem, viewed in quite a serious light, was that individuals and representatives from various organizations re-presented their submissions, in person, with the Ministry of ACST⁴ paying for their plane fares etc. For instance, the Cape Town Film Festival sent their Director to present a submission which had previously been submitted to the ACTAG in written form. This was unnecessary as all their proposals had already been documented for the ACTAG Report and the White Paper is based substantially on this report. This was a waste of money and very valuable time.

There was also a considerable amount of confusion over the Feature Film Fund initiative. This Funding initiative was extended on behalf of Toron Studios and the Ministry of ACST. Essentially it proposed putting up a certain amount of money, to be met by the Ministry of ACST, “rand-for-rand” in order to make feature films while waiting for the White Paper to be published, and the Statutory Body to be established. It was officially called the Feature Fund Initiative, although colloquially referred to as the Toron Fund, which gave the impression that it was merely an idea of Toron Studios, with the added inference that they were the ones to gain from this proposal. This Feature Fund Initiative was to be regarded only as an interim measure. There was some concern that this money would have certain conditions attached to it. Another concern was that only feature films were to be made, and documentary, experimental, and short films were to be excluded. According to the Feature Film Fund proposal, this document was a result of months of meetings between the film industry and the Ministry of ACST, and as a result, it was agreed to by all parties present at those meetings. The issues raised concerning the Feature Film Fund during the White Paper meetings were not resolved, initially because a Toron representative was not present. It was

then decided that an emergency meeting between the Reference Group members, Toron and the Ministry of ACST (either the Director-General, Mr Roger Jardine or another representative from the Ministry of ACST that had been present at all the meetings held to discuss this Initiative, such as the Director of Culture, Ms Carol Steinberg, who had attended the meetings on this Fund Initiative from the beginning) would be held to address these questions. Unfortunately this meeting was not forthcoming. At the last meeting held by the Reference Group to discuss the final draft of the White Paper, I put forward Mr Singh's reservations concerning this Initiative. Mr Carl Fischer, a member of the Reference Group and part of the Toron group, vehemently stated that because Mr Singh was not present he was therefore not allowed to put forward his concerns. There was then some commotion between the members of the Reference Group, as they thought that Mr Singh was rejecting the White Paper on Film, and not that of the Feature Funding Initiative. After explaining the situation, it was agreed that Mr Singh's reservations be placed on record. Also, it was strongly stipulated that it was in no way an attempt on behalf of the Reference Group, or Mr Singh, to undermine or detain the decision that had already been made to go ahead with the Feature Film Fund proposal. And this was somewhat of a surprise to the Reference Group as it was not known that a decision had already been agreed upon. The emergency meeting was specifically for clarification and not for decision making with regard to the interim Feature Film Fund.

There were also problems with the appointed Chairperson Ms Batsetsane Thokoane and members of the Ministry of ACST, which I will detail in Chapter 6 of this thesis.

The White Paper was submitted to Mr Roger Jardine, the Director General of the Department of Arts, Culture, Science and Technology. From there it went to the Minister, and it then became part of the Parliamentary process. However, as mentioned above, the White Paper distributed by

the Ministry of ACST in May 1996 differs notably from that produced by the Reference Group. I must also stipulate that I, as well as others within the film industry, have been not able to ascertain why the changes were made, and by whom these changes were made - presumably by someone in the Ministry directly involved with film, such as Mr Neville Singh or Mr Themba Wakashe. Overall, it is most similar to the ACTAG Final Report. Essentially then, however, all three documents are the same. I have attempted several times to contact the Ministry of ACST to query these issues, but as yet have received no reply.

Government of National Unity of South Africa's White Paper⁵

The GNU White paper begins with messages from the Minister of ACST, Dr Ben Ngubane and the Deputy-Minister of ACST, Ms Bridgette Mbandla. The Paper has been divided into separate chapters, such as "Chapter 1: A Brief History of South African Cinema," and "Chapter 3: Vision and Aims" (see Appendix III for further details).

Chapter 6, which deals with "funding" of the Statutory Body is quite different from the White Paper drafted by the Reference Group. The GNU's Paper stipulates that the Foundation or SAFVF will receive an "annual transfer payment from the Department of ACST" (GNU 1996: 10). This money will include recurrent expenditure and contributions towards new sources of funding, such as the Film Initiative Fund and the Film Development Fund. These two funding sources are not mentioned in the Reference Group's White Paper. Also, with regard to the Film Initiative Fund, this Fund's criteria are more generally covered in the Reference Group's White Paper. In another point not covered in the first White Paper, the GNU Paper claims that funds available to the Statutory Body need to be "matched by the local, and if possible, the international film industry" (GNU 1996: 10). This Paper also stipulates that these funds be administered and accounted for according to the requirements regarding the reporting of the Public Entities Act, No. 93 of 1992.

Under the heading of the Film and Video Initiative the GNU Paper re-emphasizes that the “film industry will contribute an amount equal to that of government towards the Film and Video Initiative” (GNU 1996: 10). There are no details as to how the South African film industry is to go about raising these funds, either locally or internationally. Also, the 10% levy imposed on all tickets sold for films, and on rentals and sales of home video (imported and local) titles, as well as a levy on commercial broadcasters, as proposed by the Reference Group, has been left out in its entirety.

With regard to the Board of Governors, the Reference Group suggests that they meet twelve times annually, with expenses and a stipend paid to these Board members, and that a member be disqualified if they miss three consecutive meetings. The GNU Paper recommends the Board meeting “four times annually,” and there is no mention of either expenses paid, or a stipend, and no mention of disqualification.

Under “Training and Development” (Chapter 7) the White Paper reiterates the importance of bringing coherence to the various training schemes on offer, both by parastatal and private agencies, such as the SABC. The Paper further suggests that consultation between the Department of Labour, the National Training Board and the industry be carried out in order to set up a Film Industry Training Board. This Board would undertake the modularisation and accreditation to conform with the principles of the National Qualifications Framework. No mention of this “Training Board” was made in the Reference Group’s White Paper.

The discussion now turns to the analysis of both ACTAG and the White Paper in terms of cultural policy and its intricacies as discussed in chapter 3.

NOTES FOR CHAPTER FIVE:

1. The material for the White Paper on film is based predominantly on the ACTAG Final Report on Film. ACTAG was based on written submissions made to ACTAG by various role players/individuals and organisations within the film industry. Dr Martin Botha, who raised the funds from the Human Sciences Research Council, thereby enabling the White Paper process to take place, also piloted this project, and was designated author of the White Paper on Film. However, as Dr Botha had to leave the White Process early on, it was agreed that Professor Keyan Tomaselli and myself would continue to co-author the White Paper (see Minutes, November 27 1995, and 4 December 1995). Although the White Paper relies heavily on the ACTAG document, it is viewed as an original document, with copyright and ownership belonging to the Ministry of Arts, Culture, Science and Technology.
2. The issue of “members”, “council members”, “governors” and the relationship between them needs clarification, and was not dealt with during the White Paper process.
3. See Chapter 4 for details.
4. Technically, it was the HSRC which put up the funds for the Reference Group to begin the process of the White Paper. The R80 000.00 received from the HSRC directly for this purpose obviously included plane fares, petrol reimbursement, and accommodation where necessary.
5. Due to the differences between the Reference Group’s White Paper on film policy, and the Government of National Unity’s White Paper on Film, they are treated as different documents, the latter referenced as GNU.

**CHAPTER SIX: CULTURAL POLICY CRITIQUE OF ACTAG and The WHITE PAPER
ON FILM**

“Film policy can be a perverse practice ...”

Jock Given (Media Information Australia, 1994: 59)

The following critique of ACTAG and the White Paper on Film is informed by the issues and concerns put forward in Chapter Three of this thesis. As a case study, the process of ACTAG and the generation of the White Paper on Film reveals the ways in which conceptualizations such as definitions of culture, arbitration and consultation, the political vocation of cultural studies, and the Foucaultian notion of governmentality find material expression and form. In many cases, the translation of ideas into structures and shapes result in changes and alterations rarely thought of in the original conceptualisation. The purpose of this chapter is to map those changes, to compare the ideas animating cultural policy with the attempts to realize those ideas and give them form. Since culture is the foundational term in the enterprise of policy-making on film, the definition of culture is vital.

Cultural policy involves consultation with, and arbitration between, regional, national, metropolitan and local government officials, as well as librarians, architects, city planners, traffic engineers, non-government and community organizations, in order to devise and manage cultural resources. These demands, according to Colin Mercer, are problematic, as they cannot be accomplished within an “aesthetic approach to culture” (Mercer, 1994: 18) but require a broad definition of culture, derived from the many standard sources on the concept. Using such a definition results in what Richard Johnson (1979) described as a “persistent fuzziness” when it comes to dealing with concrete issues. Therefore, it is Raymond Williams’

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sociological/anthropological definition of culture that is significant as it allows one to deal with issues not directly related to high art or only aesthetics, rather “culture” is, as according to Williams’: “a whole way of life” (Cunningham, 1994: 5). Hence, the notion of culture is not dominated by constricting assumptions about elitist art and subsidy; or limited in its specific concern for the arts (Cunningham, 1994; Tomaselli and Shepperson, 1996). Instead culture is perceived as personifying a structure of livability, under conditions of terms of employment, environmental considerations and urban planning (Cunningham, 1994). Cultural studies’ focus on culture in its broad anthropological sense, namely, with an emphasis on actual audiences and consumers, makes it particularly well placed for development in the film policy field. However, while “culture policy remains wedded to a reflex anti-statism, a romantic view of sub-cultures, and a strong opposition on principle to official, mainstream cultural expression, this mission will not be” fulfilled (Cunningham, 1994: 7). The task for policy analysts and commentators is to fashion a coherent vision of new frameworks that promote the idea of communications as both social infrastructure and a market infrastructure. This dual approach culture is what Peirre Bourdieu calls a practical orientation or “sens pratique” (Hawkins, 1994: 35), one which incorporates an anthropological approach to cultural issues as opposed to the purely aesthetic approach, that is, the approach to the analysis and management of culture which allows us to maintain a relationship between that of “pure” research into, for example, the history of museums, popular media, education, subsidization and film history, and “applied” research, both of, and for, their practical application (see Chapter Two for more details). The emphasis is on management and administration of film - production, distribution and exhibition -the practical application of film. As the introduction to ACTAG states:

“The South African film industry has a vital role to play in the forging of social cohesion and the process of democratisation and development ... The film industry has the

responsibility to reach communities and individuals who do not have access in this regard, that is, for non-theatrical exhibition to communities and grassroots organisations in townships and rural areas who might not otherwise have access to them. This would include the intended development of township theatres” (ACTAG, 1995: A 2).

Williams’ notion of culture is also especially important for film which differs from other art forms in that it is not traditional. Film relies heavily on technology - it straddles performing art (dancing, drama) and static art forms such as sculpture, and painting. Film differs from other art forms as film is a process, it is not merely art for art’s sake, or “high” art, and is considered to be a very significant part of the country’s cultural domain. The film industry also has the ability to become self-sufficient, and the objectives behind the subsidy system and tax incentives/levies, etc., are primarily so that film can realise that objective:

“One of the long-term aims of the restructuring of South Africa’s film industry is to put it on a sound commercial footing, to enable it to become internationally competitive. ... South Africa needs a product that can generate foreign revenue and a film made at a relatively low cost can generate high income” (ACTAG, 1995: A 2).

The film industry also has the ability to create economic opportunities. The Government of National Unity supports this: “With appropriate financial incentives, the film industry has the potential to generate significant employment, income and investment opportunities” (1996: A 48).

Film, as informed by Williams’ notion of culture, as a whole way of life, as “livability”, is particularly pertinent with regard to both ACTAG and the White Paper on Film. The aims and objectives of the restructuring of the South African film industry are in keeping with the

Reconstruction and Development Programme, that is, meeting basic needs, developing human resources, building the economy, and democratising both state and society. There is an emphasis on affirmative action to redress the imbalances of the past through an unlocking of local creativity previously suppressed by racism and discrimination; supporting wider distribution and exhibition of films and videos, particularly in areas which currently have the least access to film and video, and the building of new cinemas in areas not previously accounted for (ACTAG, 1995; The White Paper, 1995). Such attempts to redress the imbalances of the past will in turn create employment opportunities. There is also a strong emphasis on the establishment of a community film industry, with community-based training projects to be established nationally. An example of this community work would be to teach students from the townships how to make a "film", which includes editing, camera work, sound, and script writing. These films would then be exhibited at film festivals throughout the country. Both ACTAG and the White Paper on Film stress "auxiliary" training, where students from historically disadvantaged communities are trained in language and literacy skills, assertiveness training and media and visual arts literacy. These structures and plans encapsulate a Raymond William's definition of "culture" - that is, culture as a practical "whole way of life", as opposed to an aesthetic which realises a high form of art. This is culture not as text but as livability. The legacy of apartheid has to be viewed in tandem with other factors, resulting in a cultural impoverishment of incomparable scope and scale. The results of this impoverishment must be perceived in context, against a much wider backdrop than that which is provided by how "culture" is traditionally identified with "the arts" or "creative activity" (Guambe and Shepperson, 1996: 19).

Ian Hunter's view of the idea of culture is at once more radical and more modest, to "restrict this concept of culture to the specialised practice of aesthetico-ethical self-shaping in which it has pertinence" (Hunter in Turner, 1993; Hunter, 1994). This approach is similar to Foucault's

concept of “governmentality” and William’s concept of culture as a “way of life”. Drawing on both Williams and Foucault’s concepts of culture, Hunter has defined “culture” holistically. This indicates to me that there does not have to be a choice between definitions of “culture” - one can define “culture” drawing on all forms of culture, traditionally as aesthetics and as livability. It implies a concentration on organisational structures, on the administration of culture through specific institutions at specific historical junctures, and on a much more limited understanding of the term “culture” itself. Culture is conceptualised as “as a signpost pointing in the general direction of a patchwork of institutions in which human attributes are formed and which, having no necessary features in common, must be described as assessed from case to case” (Hunter in Turner, 1993: 123). Hunter also moves away from a concept of culture as totalising or circular (see Chapter Three), and emphasises the dialectical of the state and the individual. Such a dialectical view, as I understand it, embodies the process of both ACTAG and the White Paper on Film, which was a dialectic between the individuals/role-players in the film industry and the Ministry of ACST. In the ACTAG process, it is unclear whether this dialectic, namely, critical inquiry, was fully achieved. Such a fulfilment would have meant direct consultation with the state, or in this case, the Ministry of ACST, and this was not accomplished. However, the attempt at a dialectical discourse did occur. Moving towards the Foucaultian concept of “governmentality”, in terms of administrative practices and institutionalised “forms of calculation” Hunter stresses Tony Bennett’s work, which focuses on the “differentiated array of organisational forms in which cultural interests and capacities are formulated as the location of a properly conceived politics for cultural studies” (Hunter in Turner, 1993: 124). As already stated, cultural policy involves consultation and arbitration with many sources, in order to devise and manage cultural resources, and hence can not be accomplished with an “aesthetic approach to culture” (Mercer, 1994: 18). Following on from Williams’s and Bourdieu’s concept of culture as “a whole way of life” and “practical orientation”, then, are the concepts of arbitration and consultation -

neither of which is possible if culture is viewed as merely aesthetic. For instance, with the Reference Group, there was no consultation or arbitration between other governmental departments such as the National Film Archives Department, the Education Department or the Foreign Affairs Ministry. The Reference Group was left to guess what resources and information would be made available to the film industry, and the Film Foundation, and how these various and dissenting Departments would interact with one another. There were recommendations proposing that archive management be taken over by the Foundation, so that the film industry and film festivals could have immediate access to films stored in the archive. There was the further suggestion that any films made in South Africa must give a print to the archives, as articulated in the Government of National Unity's White Paper on Film:

“The National Film Archives, located in Pretoria, operate under the governance of the Department. These archives constitute a national asset in terms of both preserving and promoting information and knowledge on South African film to educational institutions, film festivals and business enterprises. The collection covers the whole century and reflects both the earliest and contemporary initiatives in the history and development of cinema in South Africa. The collection is of immense value to educational institutions, historically, to film festivals and to business enterprises. The deterioration of sound track in many early prints requires urgent intervention to prevent unique material from being lost. Another area of concern is the inaccessibility of the collection for broader use by the public and educational institutions. A means of ensuring that the collection is accessible and that conservation of the original copies is attained by transferring the films to video. One copy of all commercially released films and those funded through the SAFVF should be registered and deposited with the Archives” (1996: A 57).

Although the National Archive Department was given a copy of the ACTAG Report, there was no feedback from them.

Another area where direct consultation with the government was necessary was the suggestion that tax incentives and levies be instituted for the benefit of the film industry. Mr Michael Katz of the Tax Commission offered his assistance in this intricate and complex matter, but the Reference Group neither consulted with the Department in question nor with Mr Katz, and simply shifted responsibility to that of the Foundation, expecting the Foundation to make decisions and hopefully interact with the state on these, and other related issues. This is an example of a lack of arbitration and consultation between the state and the film industry.

The concern with policy not only as a focus on “government and bureaucracy” but also as a methodological emphasis on questions of “lines of conduct” (Mercer, 1994: 18; see Chapter Two) challenges the idea of complicity and state control, and replaces it with the notions of engagement, consultation and arbitration. It is not a “concession to” or “complicity with government” in traditional terms, but rather, as Colin Mercer and Gay Hawkins (1994) argue, a systematic inclusion and recognition of the necessarily “governmental” role of management of cultural resources. Another area of consultation and arbitration as I understand it is the engagement of bureaucracy and individuals, where the state is not a big brother, but exists at an arm’s length relationship between the government/state and the Film Foundation:

“It behooves [*sic*] us to reiterate a fundamental principle of the White Paper on Arts and Culture: government will maintain an arms length relationship with the arts and culture. This is especially important in the case of popular media such as the moving image, where state interference has previously made its presence felt” (GNU, 1996: A 50).

This point is very significant, as the Government of National Unity's White Paper on Film recognises South Africa's past history of subsidization, and the resulting state control over what films received funding and those that did not. There is a strong emphasis on the part of the Ministry of ACST to acknowledge the previous state's complicity in controlling the film industry prior to 1991. Further, this statement implies that the Ministry of ACST in future policy will not be repeating the past National government's attempt to control the South African film industry through subsidization. Where subsidy does exist:

“The SAFVF will receive an annual transfer payment from the Department of Arts, Culture, Science and Technology. This payment will comprise recurrent expenditure as well as contributions towards two new sources of funding: the Film and Video Initiative (FVI) and the Film Development Fund” (GNU, 1996: A 54).

The Foundation will be approving and distributing funds, and not the Ministry of ACST, creating an arm's length relationship between the Ministry of ACST, or more generally, the government, and the proposed Film Foundation. This, to me is indicative of a relationship of arbitration founded in trust and good faith and rejecting a complicity between the film industry and the state¹. Mercer (1994) claims that it is deliberate that it is in western democracy politics that we have seen the emergence of national governmental mechanisms such as the Australian Council, the Arts Council of Great Britain, the Canada Council for the Arts, etc., whose paradoxical task it is to keep government and culture, policy and culture at arm's length, and this is done by defining their fundamental responsibilities for resource allocation and the maintenance for clearly demarcated and aesthetically defined “art forms”. In keeping with these international Councils, this will be the role of the Ministry of ACST, keeping culture and government, or culture and policy, at arm's length.

In understanding the political role of cultural studies Cunningham poses the following questions: what is cultural studies' understanding of its political vocation; what alliances are being formed with cultural activists and policy agents and players; to what extent are cultural theorists informing themselves about the historical, existing and emergent policy agenda, and identifying where cultural theorists might fit? (Cunningham, 1992 and 1994). When addressing issues of policy, cultural theorists predominantly think of words like resistance, refusal and opposition. This perspective predisposes them to see the policy-making process as flawed, or as Cunningham puts it "inevitably compromised, ad hoc, incomplete and inadequate, [and] controlled by people who are inexpert and ungrounded in theory and history, or who wield gross forms of political power for short-term ends" (Cunningham, 1994: 132). Turner and Cunningham both advocate that cultural studies should serve as a kind of "handmaiden", developing pretexts for those active in cultural or public policy. Theory, analysis, critique and commentary should support practice, and practice implements theory. Their approach articulates the role that cultural studies can play, that is, teaching policy analysis and policy arbitration and consultation.

Referring back to an interchange mentioned in Chapter Three, Fiske (1989) asserts that "internal or semiotic resistance ... is an essential prerequisite of social change" (Fiske in Cunningham, 1992: 133 - 134; Fiske, 1989). The implication here is that resistive strategies of popular culture are by definition never incorporated into organisations, or institutions, so that they might actively seek to effect change in any institutional constitution or professional practice by which cultural meaning is produced and delivered.

The irony is that the issue of policy is promulgated at the periphery of the established core curricula of cultural studies in a number of institutions (Moran, 1991). In Trevor Barr's words, moving these peripheral interests toward the centre of the curriculum ultimately has to do with

“political empowerment” (Barr in Cunningham, 1992: 135). It is recommended (Barr, 1992; Cunningham, 1992; Moran, 1991; Turner, 1993) that Australian cultural studies interacting with policy issues, which essentially affect the future of Australian culture, should involve re-conceptualising certain ecumenical theories, promoting the focus on regulation as a positive bolstering of cultural production, and should involve rethinking the politics of culture, in a non-linear, non-western context. The same can be said with regard to South African cultural studies. In Australia, the birthplace of the cultural policy moment, the original orientation of the discipline was towards command metaphors of resistance and opposition to the state, which drew a clear distinction between cultural practitioners on the one hand and the authorities on the other. With the coming to power of progressive governments in various states in Australia, the orientation shifted towards interactive metaphors such as consultation and engagement, which blurred the distinction between cultural practitioners and the state. The transition to democracy has meant a similar shift in South African cultural policy studies since 1991. However, due to the fact that democracy in South Africa is in the embryonic stage and democratic traditions not yet fully formed, cultural studies practitioners are reluctant to make a complete shift to a state of engagement. Practitioners are in a quandry as to how to proceed, and cultural studies in this country is therefore in a state of flux (Guambe and Shepperson, 1996a; Shepperson and Tomaselli, 1996; Tomaselli and Shepperson, 1996).

Cultural and media theory has also always been normative, but its norms have been founded upon opposition to, and suspicion of, official or mainstream culture. It has been anti-evaluative, and founded on the defence and glorification of popular culture (Cunningham, 1992). This defence of popularity has at times tended towards populism, leaning towards the “atypical, the eccentric,

the aesthetically demanding or politically progressive ‘high’ points of popular culture” (Cunningham, 1992: 57, and 1994; see Shepperson and Tomaselli, 1996).

Command metaphors

As I have already mentioned, “command metaphors” are rhetorics of resistance and oppositionalism (Cunningham, 1992: 137) that should move towards “access, equity, empowerment and the divination of opportunities to exercise appropriate cultural leadership” (Cunningham, 1992: 137). In other words, instead of opposing the state cultural policy workers/practitioners will now co-operate with the state and stakeholders by participating in those structures along with government and other stakeholders as equal partners. They are not working from without but from within the state structures and this often affords them the opportunity to take on leadership roles. This is exactly what is happening in South Africa in the film industry and other sectors of South African culture, which is why and how ACTAG and the Reference Group were established, to inform the state on film and cultural policy generally. This participation and consultation with state structures is empowering - they can do things they could not do from an oppositional standpoint, and the emphasis is on doing, and on practical orientation, consultation and arbitration, and not on rhetoric. Thus we have seen an increased engagement of academics with bureaucracies as consultants, thereby rearticulating the relationship between policy workers and the numerous levels of state. It is bringing together a fragmented sector. ACTAG (1994) is the prime example of this process, because it served as a forum for engagement between the many stakeholders in the film industry, including the state.

Stuart Cunningham recommends informing individuals about the historical, the existing and emergent policy agendas, and then identifying where they might fit in. This process replaces

resistance/oppositional rhetoric with the new command metaphor of citizenship, committing cultural studies to a reformist strategy within the terms of social-democratic politics and its engagement with policy. Cunningham further states that this concept of citizenship is not a politics of the status-quo, but a politics of change, of reform from within instead of opposing the system. Lastly, for Cunningham, cultural policy viewed from a critical perspective must combine economics, administrative law, entertainment law, copyright law, cultural history, entertainment financing, and government and parliamentary procedures. ACTAG and the White Paper recommend that the Statutory Body be made up of individuals with experience in these fields (ACTAG, 1995; GNU, 1996).

In her article **The Policy Process: Film Policy - Who Talks to Whom?** Julie James Bailey suggests that cultural policy be a “tripartite co-operative effort” between bureaucrat, practitioner and academic (1994: 67). According to Bailey, in Australia, as in most other places, it is the bureaucrats who take responsibility for policy, that is, the government and the ministers are responsible for the setting of the broad policy goals. However, the day-to-day policy planning, including the setting of agendas and distribution of departmental resources and the direction, detail and timing of policy development and implementation, is the responsibility of the bureaucrats in the government departments and the statutory authorities. What contact, if any, do the bureaucrats have with the academics and the practitioners? Experience and research reveal, that little contact, if any, has occurred between these three sectors.

In this context, practitioners are the filmmakers, who have a vested interest in film policy and a history of antipathy to academics. There also exists an indifference between the bureaucrats and the academics. Bailey’s article points out, correctly so, that most people in film policy and

decision making positions have neither studied film nor media, resulting in discrepancies between education, policy making and practice. A great deal of policy making has been “reactionary and pragmatic” (Bailey 1994: 68). Obviously it is more effective and beneficial to the policy process to have academics participate in the decisions made, rather than have them examine decisions retrospectively, where analysis of past policy decisions and practice comes too late to be expedient. Academics in film and media have played significant roles in accumulating information and doing research, from which policy has been developed indirectly. An extension of this role would be for academics to be proactive rather than analytical and reactive. It is not adequate for academics to provide only a textual analysis in developing Third World countries, such as South Africa, as they should also be contributing to new methodologies for research. Policy makers want solutions to problems and academics contribute indirectly to these solutions, when they should be assisting directly, thinking creatively from a detailed knowledge of their academic field. This contribution would include providing the knowledge of what film policy has not worked in the past. The bureaucrats can make policy, the academics can analyse policy, and the filmmakers or practitioners can implement, and make use of policy. This is what cultural policy is about, and by extension, film policy. Therefore, creative and effective film policy making can only be achieved if all three sectors work together. Unlike previously mentioned articles, such as those by Stuart Cunningham (1994) and Colin Mercer (1994), that define cultural policy as relations between the individual and the state, Bailey’s article is very specific in its definition of cultural policy. She argues that cultural policy be a tripartite consultation between academics, practitioners and the government. The implication in the other articles referred to, is that there are three parties involved in consultation over film policy, namely, the state, the film industry, and academics and other critics of film. In fact, Bailey makes this point overtly.

In terms of the ACTAG process which was created to advise the Minister of ACST, the Ministry provided the funds for the entire ACTAG procedure. Their other role was to select the members for the ACTAG sub-committees from nominations received country wide. The Ministry's involvement included providing ACTAG with a secretariat, venues, and funds for air fares and accommodation (as well as remuneration where absolutely necessary), as it was made clear that the participation in this process was voluntary. The secretariat's responsibility was purely administrative. In terms of academics taking part and contributing to the process, some of the ACTAG sub-committees, such as the heritage committee, had academics involved in their task group. With regards to film there were initially two filmmakers, Mr Anant Singh and Mr Tshepo Rantho, and myself, a researcher. After several months, two other members were co-opted onto the film sub-committee, Mr Steven Markovitz and Mr Carl Fischer. In addition, as I mentioned in Chapter Four of this thesis, Professor Keyan Tomaselli wrote the section on the history of South African cinema for the ACTAG report, which was the extent of his contribution to the ACTAG process. So we are starting off on a cultural policy process that is not fully representative - of bureaucrat, academic and practitioner. Only the practitioners, the filmmakers were present, and myself, a researcher.

The White Paper process

With regards to the White Paper process, the Reference Group, which was state appointed, had at the outset the tripartite - practitioner, academic and government - relationship contributing to the process. There were academics Dr Martin Botha, Professor Keyan Tomaselli and myself. The rest of the Reference Group were filmmakers, representing the different ideological viewpoints - black and white - and then there was the Chairperson Ms Batsetsane Thoakane. At the time of the White Paper process, Ms Thokaone had already been a consultant to the Ministry

of ACST from June of that year, 1995. It was my understanding that Ms Thokoane was not only a film consultant to the Ministry of ACST but also a representative of the Ministry and the Ministry's views on the film industry. My perception of Ms Thokoane as the representative of the Ministry of ACST was based on the fact that at several different meetings and conferences held nationally to discuss film, she stated that she represented the Ministry of ACST and spoke on behalf of the state. Ms Thokoane was also given a "development" fund of R 100 000 by the Ministry to use for development films. It was not clear at the time, nor is it clear now, whether guidelines/criterion were given to Ms Thokoane for the specific administration of this fund. At the time of the White Paper process she had spent two weeks of November 1995 in France discussing the South African film industry as a representative of both the film industry and the Ministry of ACST. According to Ms Thokoane, her trip was paid for with personal funds and she was not reimbursed by the Ministry of ACST. As both consultant to, and representative of, the Ministry of ACST, it was assumed that Ms Thokoane would represent the Ministry accurately with regard to the recommendations put forward in the White Paper. However, during the White Paper process it became apparent that this was not the case. Ms Thokoane reported ongoing arguments with Department and did not seem to know what they meant in certain instances. She was not even aware of the Department's views on the Toron Feature Film Fund/Initiative (see Minutes of the Reference Group 4th December 1995). According to Ms Thokoane, the members of the Ministry of ACST did not liaise directly with her on issues of film policy, or on film at all. Moreover, she said that the Director-General of ACST, Mr Roger Jardine, and Director of Culture, Ms Carol Steinberg, held meetings without her to discuss film, and only let her know the outcome of these meetings after the fact. Ms Thokoane informed the Reference Group at its final meeting that she had considered resigning, and had even handed in her office keys, because she had absolutely no access to either Mr Jardine or Ms Steinberg. Another of the problems Ms

Thokoane raised, was that there was no infrastructure to assist her in her work on film. She stressed that she was unable to cope with all the work assigned to her. Another potentially serious problem reported by Ms Thokoane was the fact that an assistant-director post and a deputy-director post were to be made available for that of film in the Ministry of ACST. Her belief was that if any one of these positions were to be filled, they would duplicate the functions and mechanisms of the Statutory Body. Following from this, Ms Thokoane believed that the Department of ACST would then run the film industry, with funds allocated directly to the Department rather than to the proposed Statutory Body. The Reference Group felt that it would be more strategic to allocate two or three people to assist Ms Thokoane with general administration of interim measures until such time as the Foundation was instituted. The Reference Group decided that it would be a good idea if our reservations concerning these posts were submitted, in letter form, to the Ministry of ACST, giving our reasons. The idea behind this was to possibly stall, or prevent these posts being filled. As Ms Thokoane left the film process, for unknown reasons, I have not been able to ascertain if this letter was presented to the Department of ACST. The posts mentioned here were eventually filled. This was seen as a preventative measure and if the government had sent a representative to engage in consultation with the academics and the filmmakers that made up the Reference Group, this all would have been resolved. I think it is also important to note that had the HSRC, at Dr Martin Botha's urging, not come up with the R 80 000 to fund the White Papers Reference Group, the White Paper process would not have taken place.

These problems with the Ministry of ACST, and their film representative, Ms Thokoane, are important, as they show that there was no consultation between the Reference Group members, that is, the academics and filmmakers, and the government. The dual role of Ms Thokoane, as

consultant to, and representative of, the Ministry of ACST was confusing and not very constructive. Ms Thokoane tried to protect the best interests of the film industry as a consultant, but as a representative of the Ministry of ACST, Ms Thokoane was not fully apprised of the situation from the viewpoint of the Ministry, and was therefore not able to inform the Reference Group of their aims and objectives. I am not suggesting that cultural policy, as defined by Julie James Bailey, is the answer to all the problems of the South African film industry, but I am of the opinion that a cultural policy starting point is necessary to overcome the imbalances of the past. Both ACTAG and the White Paper could have been cultural policy processes. Unfortunately, no-one thought to analyse or take examples from the cultural policies of other countries. Once again, analysis of these processes are retrospective (for example, with this thesis), as opposed to the process being proactive as Bailey suggests it should be.

Having looked at the process of ACTAG and the White Paper in terms of cultural policy, I now focus on the content of the resulting papers in terms of cultural policy, with specific reference to Michel Foucault's concept of governmentality. I have already detailed Foucault's concept of governmentality (Chapter 3) and I here reiterate very briefly what I understand the concept to mean.

The Foucault of "governmentality, of technologies of the self, of the administration and reform of populations has been central to investigations of the relations between government and culture" (Hawkins, 1994: 3; see also Mercer, 1994), for investigating policy production and institutions (Cunningham, 1992 and 1994; Hawkins, 1994; Hewison, et al., 1994; Mercer, 1994). As I understand it then, Foucault's concept of "governmentality" is about cultural policy implementation and practices, the histories/genealogies of cultural institutions, and the

relationship between the state and culture. This concept of governmentality allows one to analyse the processes of policy-making as processes of invention, without measuring these against some sort of ideal; it involves tracing how policy discourses, institutional practices, money and projects mark out an administrative field for community arts; it allows one to trace not what culture means but how it means; and it refuses totalising theories of determination, instead seeking to understand how events and statements appear when and where they have (Hawkins, 1994).

As Hewison et al (1994) point out, previously mentioned in Chapter Three, the relations between culture and government should not be understood as those of bad faith or antagonism. They go on to say that in this context, the concept of governmentality means recognising our “complicity” with that of cultural technologies that shape and form our characters and capabilities as citizens, and it is at this point that negotiation should begin (see also Hunter 1994). What we are looking for, then, is a sense of how governmental processes are constitutive but not determinative (Cunningham, 1992; Given, 1994; Santamaria, 1994). The emphasis is on governmentality as “practices”. That is, it involves a preference for “how” questions rather than “why” questions, the emphasis on policy is of action (Hawkins, 1994; Hewison, et al., 1994). We need to look at comparative definitions of “culture”, respective genealogy and political sensibilities of the aesthetic, assiduity orders of the cultural constructs that they are active in (art and film respectively), and the many forms of this activity, which include, amongst others, providing grants and surveying audiences. Of significance, the concept of “governmentality” has assisted historical knowledges that are “specific, contingent” (Hewison, et al., 1994) and effective, for analysing current policy processes. Histories of cultural institutions and their place within cultural policy studies, with the tracing cultural policy formation, have played a key role in shaping an understanding of how policy works (Hawkins, 1994). To understand this, one must draw on

Foucault's theorisation of power as networks of relations as constitutive and not repressive. The domain of the governmental is transparent, fluid and multivarious. Cultural institutions have compound, shifting and conflicting systems (Hawkins, 1994; Mercer, 1994; Santamaria, 1994; Turner, 1993).

Viewing institutions as fixed, as with politics, provides us with specific historical knowledges, which is important as it allows us to see the way things are, and to analyse the ongoing processes of institutional formation. This is advantageous as this then allows us to see how they could be different. The Foucaultian concept of governmentality suggests an examination of the processes of policy-making. Most importantly, it allows institutions to be perceived as activities, practices and relations, and not as a fixed and demarcated, with an emphasis on micro-practices and not on macro-structures. There is no study of policy-making processes or theory, or its application to the South African situation. There should be both pure and applied research, the former including the history of museums, popular entertainment, tourism, education, copyright and urban history; and the latter including research, both of and for, their contemporary application (see Chapter Two for more details). This is not culture as consciousness, or ideology, or text to be decoded by the criterion of structures and/or conventions but culture as what Peirre Bourdieu calls practical orientation or "sens pratique" (Hawkins, 1994: 35). This is significant, as the emphasis on policy is that of action, of practice - and we have not seen any action or practice in this country. It is only now that we hear that we hear of the Foundation being legislated into existence by Parliament. Foucault's concept of governmentality highlights cognizance between the "technologies" and minutiae of culture, namely, culture as resources, techniques, uses, tactics and strategies, and management (Bennett, 1994; Cunningham, 1994; Hawkins, 1994; Mercer, 1994). The focus is not merely with what culture represents, but with what it actually *does* in

both extraordinary and everyday terms (Hawkins, 1994; Mercer, 1994).

Both ACTAG and the White Paper on Film completely ignore Foucault's concept of governmentality. The focus for both documents is on the "why" and not the "how". There is an emphasis on the macro-structures and not the micro-practices. There are no readings of cultural institutions, histories, either locally or internationally. For instance, the papers make it very clear as to why South Africa should have a film industry - because we have a country that has talent etc., but it does not make it clear as to how the film industry should be managed.

Neither ACTAG nor the White Paper looked in any details of South African film history, such as subsidization. A very brief and purely descriptive history of the South African film industry was written. There was no focus on the previous South African cultural policy movement, and what that meant to the South African film industry. Even the history of the subsidization scheme was not mentioned. Other film industry subsidy schemes were glossed over - with a brief focus on the Australian 10BA Scheme and why it did not work - but not actually included in the White Paper or ACTAG. This is not to say that all film subsidy schemes are inefficient and a waste of money. This is important, leading me to believe that this is one of the reasons why the GNU's White Paper on Film does not deal with finance adequately. In fact, the GNU even ignored the recommendations put forward by both the ACTAG sub-committee and the White Paper on film. Neither does ACTAG or the White Paper look at the implementation of cultural policy. There is definitely not a lack of information about the histories and the practices of cultural institutions. An example would be the wealth of information available on the Australian film industry, with books like Susan Dermody and Elizabeth Jacka's **The Screening of Australia: Anatomy of an Industry** (1987) and **The Imaginary Industry: Australian Film in the Late 80's** (1986) which detail the shortcomings of the Australian subsidy and tax incentive schemes. Later articles focus

on the role of policy within the Australian film industry. Jock Given, policy advisor at the Australian Film Commission, has two articles, **Guerillas in the Mist: Film Policy and Processes** (1994) and **Researching Film and TV: The Australian Film Commission** (1994), that focus on complex historical research into policy, and document the role of the Australian Film Commission and film policy as it is implemented. I mention again the Australian Film Commission Act (Botha et al., 1994) which gives details of how the Australian film industry's Commission is managed.

The White Paper even shifted responsibility for very basic issues like the defining of terminology, such as "board members", "short films", "experimental film" etc., expecting the Foundation to define these areas once it is in place.

The responsibility for how the Foundation is to be administered was shifted to the Foundation itself, and its Board members, which promises to be difficult. There are no details on the micro-practices of running the Foundation, yet it is to be established before those details are to be proffered. And this when examples can be found in the Australian Film Commission Act (Botha et al., 1994) for the "minutiae" of details of how film policy is implemented and practised.

The research that I undertook for ACTAG, for instance, was very specifically historical analytical, and very descriptive. There were no details on how other film industry infrastructures are run, merely descriptions of their various divisions, and the areas that they are responsible for, such as the AFC.

Andrew Worsdale, in the Weekly Mail & Guardian (1997), in an article titled **Cinematic Notions**

on Sale, writes about the Second Film and TV Market held in Cape Town. Addressing Mr Neville Singh, Director of Film at the Department of ACST, Ms Melanie Chait (head of co-productions at the South African Broadcasting Corporation and a White Paper Film Reference Group member) said that the Department of Trade and Industry should provide export incentives for the film industry. However, Mr Singh was very cautious about government funding.

“The word subsidy has a dubious history in South Africa. The upcoming foundation will offer grants up to 25% of a film’s budget and up to another 25% in the form of a loan. Producers will have to find money from other parties. We cannot survive unless there is a relationship between the public and the private sector. If you’re just waiting for the government to pour money into films, you’re wrong” (Worsdale, 1997: 5).

Firstly, export incentives, which deal with co-productions and the foreign exporting of films are different from pure government subsidy, as the latter has to do with local productions. Secondly, the South African film industry is not expecting money to be “poured” into film production. It is, however, expecting the film industry to be stimulated through measures such as tax incentives, support, and levies. The film industry is not expecting a purely socialist approach where the state takes over the finances of the film industry, but a social democratic approach where the state contributes to development of the industry by providing assistance in key areas, such as funding for entry level directors and producers, script development, bursaries and youth programmes (ACTAG, 1995; Government of National Unity, 1996; White Paper, 1995). Mr Singh’s comments are important and interesting - the South African film subsidy scheme was indeed “dubious” and disastrous, a point already made in Chapter One. However, there have been many subsidy schemes that have worked successfully in many countries, such as Australia.

Consequently, subsidy schemes should not be dismissed outright, as Mr Singh's comments imply. Furthermore, why was the film industry informed of the 25% subsidy and/or loan through the newspapers? Mr Singh's comments support the Government of National Unity's White Paper on Film. ACTAG on the other hand recommends:

“Producers can be expected to raise at least 50% of financing through pre-sales, equity or loans (this is consistent with Australian and Canadian schemes). This effectively builds in quality control, as the producer has to convince third parties of viability/quality before requesting support from the Film Development Agency...State funding should shift its emphasis away from box-office performance, to other criteria such as script and development grants; talent grants for local directors and actors; stock and processing grants; and reduced distribution fees and sliding scales for South African products. The Sub-committee proposes that the Foundation recommend: incentives structured to benefit any private enterprise/company investing in a film related project; foreign productions made in South Africa, utilizing South African resources; South African broadcasters based on South African film content shown on Television; donations by individuals and/or companies...alternative mechanisms envisaged, subject to research: loan funds of between 25 % - 50 % of cost of production, in return for equity participation in the production; levy imposed on all tickets sold; tickets should be tax exempt with the income diverted to the Statutory Body. It is emphasised that these mechanisms are not in place of an annual state subsidy, but merely alternative means of generating funds for the film industry...VAT from TV licences should be channelled into the support scheme ...financiers could request that producers, directors and talent defer a portion of their fees until such time that the financiers have recouped a reasonable portion of their

investments...distributors contribute by way of reduced Distribution Fees on SA products, by way of minimum guarantees or by contributing to print and advertising costs...that films be pre-licensed, thus the broadcaster provides the financial catalyst to get the project going. The licence fees should, however, be consistent with the cost of producing local dramas...”

ACTAG also recommends that additional funding of approximately 15% be made available for specific purposes such as youth programmes; exhibition and training purposes, and that a lottery assist with providing funds, similar to that of the British Film Institute. Other alternative mechanisms proposed with regard to levies/tax incentives are:

“distributors and exhibitors be allowed to apply for subsidization or accelerated depreciation on the building of new cinemas, and levy imposed on total turnover of broadcasters...a 10% levy placed on all television advertising revenue obtained from distributing foreign sourced films shown on all public television broadcast media; and a 10% levy placed on all video distribution in South Africa; and...a 5.5% be levied on the total income (advertising, licence fees, subscription fees) of all television stations (public, encoded, etc.)” (ACTAG, 1995: A 11).

The Reference Group’s White Paper on Film recommends: “incentives to benefit private enterprise companies, individuals investing in film and video projects and attract/encourage foreign productions to be made in South Africa; donations by individuals and/or companies” (White Paper, 1995: A 36). Further:

“producers who are successful in obtaining funding from the Foundation, will be required to secure a certain percentage of matching finance through guarantees, pre-sales, equity or loans. The Statutory Body should fund a certain percentage of the cost of production, and once it has recouped its investment, should share a certain percentage of its profit with the producers. The mechanism of pro rata repayment needs to be worked out” (White Paper, 1995: A 36 - 37).

Recommendations with regard to sliding scales and accelerated depreciations of new cinemas are the same as that of ACTAG and the Government of National Unity’s White Paper. The latter includes the following recommendation: “On the basis of previous discussions, it is anticipated that the film industry will contribute an amount equal to that of the government towards the Film and Video Initiative” (GNU, 1996: A 54). This is similar to the Reference Group’s White Paper, although it does not have the same details as those mentioned above, i.e. references to equity and sliding scales. Funding mechanisms proposed by the state differ considerably by those proposed by the Reference Group’s White Paper and ACTAG. This would appear to be a result of the lack of consultation between the film industry, as represented by ACTAG and the White Paper’s Reference Group, and the state.

I briefly want to look at an article by Arnold Shepperson and Keyan Tomaselli: **Restructuring the Industry: Democratising South African Cinema** (1996). They argue that there are three aspects to film policy: content, namely, questions of relevance; representation, that is, whether or not different cultures and sectors of the population are fairly represented; and profitability, namely, will the film industry benefit financially? (Dempster, 1994a; 1994b; Stevenson, 1994²). Although these authors focus on all three aspects of film policy, I think that only the issue of

“content” is relevant and I therefore choose to give a brief account of this aspect of film policy as articulated by Shepperson and Tomaselli (1996). The reason that I wish to focus on this concept of “content” as articulated by these authors, is because they argue that the South African film industry is not ready for change. They argue that the current political economy of South African cinema is not conducive to the ideas presented in the White Paper. I have included this article because it claims that the White Paper’s recommendations are inappropriate, whereas I am of the opinion that the recommendations are extremely relevant, therefore the points made in the article need to be raised and responded to.

According to Shepperson and Tomaselli, measures to protect local cinema industries never seem to actually work³. Hollywood or Bollywood films have more appeal than local productions, and it costs less to import them than to make local ones. For this reason, film policy now focuses on co-production agreements (Cohen, 1994), which countries draw up in order to protect their interests in terms of content, representation, and profitability.

With the above in mind, it is useful to look at the process of creating the White Paper on film policy (Karam, 1997; Tomaselli and Shepperson, 1996), as part of the broader process of “democratising South African cinema” (Shepperson and Tomaselli, 1996: 2), and as it relates to the interaction between different interest groups in the film industry.

There are many studies of apartheid film policy and how it fitted in with the generally divisive nature of South African society (Tomaselli, 1988; Blignaut and Botha, 1992). According to Shepperson and Tomaselli, since South African cinema production began in 1910, it has been

significant in terms of quantity, but rather inadequate in terms of quality. Formal apartheid policies after 1948 had a particularly fragmenting effect on the film industry.

Prior to 1991, white companies involved in the film industry were grossly favoured over black (e.g. Avalon), with severe consequences for the latter. ACTAG had to keep this in mind, and look at how the balance could be redressed (Karam, 1996).

The White Paper acknowledges that films at the end of the apartheid era did improve in quality, in that they more authentically depicted the South African situation. This has to be built on for purposes of the equitable development of the industry and of all filmmakers (GNU, 1996: 2). In the past, various NGOs, e.g. FAWO, did undertake valuable training of personnel in essential aspects of film production, political activism and policy work (Mpfu et al., 1996).

The Government of National Unity's White Paper, debated in Parliament in 1997, and subsequently passed, recommends the formation of a South African Film and Video Foundation (SAFVF), the purpose of which will be to: "advise the Minister [of Arts Culture, Science and Technology] on legislation concerning the film and video industries; approve funding applications for film and video projects; and inform professionals, the public and cultural attaches about the film industry through appropriate publications;". However, it will "have no censorship function, and will work within the framework of existing relevant legislation" (GNU, 1996: A 55).

The Foundation would take charge of: the financial side of filming; the development of skilled personnel and the development of the industry generally; archiving; and public relations both at home and abroad (including co-productions).

The White Paper does not try to create any kind of detailed national film policy that addresses, for example, issues such as monopolistic tendencies within the industry. Instead, it focuses on the nature, composition and general duties of the Statutory Body. The reasoning behind this approach, as I have already mentioned, is that detailed policy will be the responsibility of the Film Foundation once it is legislated into existence. The Statutory Body will be independent of government, much like the Independent Broadcasting Association. Although the policies formulated by the Foundation may eventually involve some degree of state control over the film industry, the problem does not lie here, but with the way in which business is currently conducted in the private sector in this country.

In order for the White Paper to be drawn up, a deal had to be struck between parties representing a number of different ideologies, whilst such ideologies were themselves being revised in the light of the advent of democracy (Tomaselli and Shepperson, 1996). The White Paper deferred final resolution of these conflicting ideologies onto the Statutory Body, and acknowledged the unbalanced nature of the South African film industry as follows:

“The current 435 or so cinemas are owned by two chains which mostly serve formerly white and Indian areas. This total plus the 120 independently owned theatres contrasts sharply with the 28 currently serving the bulk of the black population living in urban townships. Rapid township expansion on a franchise basis by a new company is... serving

residential areas outside the mainly white catchment areas of the two major cinema chains” (GNU, 1996: 4).

The concept of using franchises to right the imbalance in distribution needs to be minutely investigated, since it appears that the private sector has anticipated the efforts of the state in terms of establishing a new direction for the film industry. The Ster-Kinekor and Nu-Metro dual monopoly of the South African film industry effectively remains, despite so-called unbundling. A new relationship is now being forged between black and white capital in this country, in order to give political credibility to private sector interests in the film industry. As a result of the union of black and white capital interests, Nu-Metro is in the hands of black capital, whilst Ster-Kinekor, via SATBEL, remains in white hands. However, black economic empowerment in the apartheid era never involved the setting up of large-scale capital interests (unlike the case with Afrikaner economic empowerment). The existing system is therefore still controlled by white capital, and opportunities for black advancement are accordingly limited, especially since the new government has retained South Africa’s existing market-oriented economic system. In order for black capital to emerge, funding must be acquired from existing white capital interests (Tomaselli and Shepperson, 1996).

White capital has operated in two ways up to now. English monopolies tended to control all of a single type of industry, at all levels, in an inflexible and autocratic manner. Afrikaner capital worked in a more lateral, flexible way, operating in many fields. It is important to realise that black resistance under apartheid meant developing responsive strategies to both approaches. It is also important to look at “cinema culture,” as Shepperson and Tomaselli call it (1996),

amongst the black population that is now meant to be served by the new forces of economic empowerment.

The White Paper did not look at the content of film circulated to different sectors of the South African viewership. Especially little attention was paid to what is shown by independent cinemas. The political economy of South African cinema has not essentially changed, except to replace white capital with non-racial capital.

The Film Foundation has the problem of trying to establish policy for a field in which the private sector has surged ahead of the state. The best response is for the Foundation not to prescribe the content of films produced, but instead to focus on education and training. The current political economy of South African cinema is not conducive to the ideas presented in the White Paper. Racial inequality may be removed to a certain extent, but class inequality will remain, and little as a consequence will change. I disagree with this conclusion, arrived at by Shepperson and Tomaselli, because I am of the opinion that cultural studies practitioners can not afford to wait for the political economy to change to the point where conditions are ideal, an attitude which prevailed in South Africa in the 1980s. In fact, it is unproductive to continue with the utopian approach to cultural studies which existed in the apartheid era. Cultural practitioners must be part of the process of change. This is the essence of the cultural policy moment where cultural practitioners make the shift from oppositionalism to reformism.

In conclusion, let me draw attention to Tony Bennett's argument, founded on research he and his colleagues, (in a joint project between the University of Queensland and the Institute for Cultural Policy Studies), engaged in recently. As stated in **Australian Cultural Consumption**:

cultural policy. Further research not included in the parameters of this study, are the issues raised in Chapter One of the thesis, that is, the use of cinema/film as a signification of national identity.

The South African film industry is in a state of crisis and will remain so until the Foundation is in place, and the issue of cultural policy has been addressed. Burkina Faso⁵, one of the poorest countries in the world, is the leading light in African cinema. There are forty filmmakers in the country; they have the ability to track film attendances and they have a taxation scheme that supports a national film industry; and all receipts are subject to a tax of 25% (excluding domestic films) with 15% going directly to the Film Fund. The Film Fund supports all sectors of film activities: production; purchase of raw stock; restoration of cinemas etc. Burkina Faso, although a poor country, is the undisputed leader in African film art (Botha, 1994; Diawara, 1992). If the poorest country in Africa can have a film industry that is both prolific and high-quality, then South Africa, which is economically more sound, has beautiful sites, and a great deal of talent, can also have a vibrant, dynamic and profitable film industry.

NOTES FOR CHAPTER SIX:

1. See J. J. Williams' **Report of the Arts and Culture Task Group presented to the Minister of Arts, Culture, Science and Technology, June 1995** (1996), for more details on the three aspects of film policy mentioned by Shepperson and Tomaselli (1996), namely, content, representation and profitability. Williams also details policy formulation/design; policy implementation; policy monitoring; policy effects; policy evaluation; and policy revision.
2. Shepperson and Tomaselli do not give examples of these measures of local cinema protection.
3. I feel that this can be raised at this point, even though the SAFVF has not yet been established, as the White Paper on Film has been passed by Cabinet.
4. The concept of Third Cinema was developed by Fernando Solanas and Octavio Gettino, and generally means that film not only expresses resistance but is directed involved in the class struggle, and is thus not supported by the film establishment and is financed by people involved in revolution and change. For more details see Solanas, F and Gettino, O's: "Towards a Third Cinema". **Movies and Methods**. Ed. B. Nichols. Berkeley: University of California Press, 1976.
5. Burkina Faso's film industry is based predominantly on the French CNC model. See Botha, 1994; Diawara, 1992; Malkmus and Armes, 1992; Ngakane, 1991; and Pfaff, 1990, for details on Burkina Faso's film industry and other film industries in Africa.

APPENDIX I

CHAPTER FIVE

FILM

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CHAPTER FIVE

FILM

1. INTRODUCTION

1.1 Definitions:

“film” means: i) any sequence of visual images recorded on any substance, whether a film, magnetic tape, disc or any other material, in such a manner that by using such substance such images will be capable of being seen as a moving picture;

(ii) any picture intended for exhibition through the medium of any mechanical, electronic or other device.

“distribution” means: all rights in all media in the distribution and exploitation of film, and all related rights in any and all languages, and in any and all channels of distribution through the territory for perpetuity and all incidental rights with respect to the advertising, marketing, publicity and promotion of film.

1.2 Importance of films

Films are an important part of the cultural domain of any country, but particularly important in South Africa, where social change depends on the quality of communication in the society. Thus a plan for the continued existence and improvement of film productions is in the interest of the South African people.

The South African film industry has a vital role to play in the forging of social cohesion and the process of democratization and development that so urgently needs to take place. High levels of illiteracy and the multilingual make-up of the South African society, add to the importance of the language of images. The film industry has the responsibility to reach communities and individuals who do not have access in this regard, that is, for non-theatrical exhibition to communities and grassroots organizations in townships and rural areas who might not otherwise have access to them. This would also include the intended development of township theatres.

1.3 **Composition of subcommittee**

Anant Singh, a member of ACTAG, was appointed to convene the subcommittee on film. *Mbongeni Ngema, and Tshepo Rantho* individuals working within the film industry, were appointed to form the nucleus subcommittee. This nucleus decided to co-opt, on the 11th of November 1994, an additional member as researcher and analyst to do the preparatory work. A further researcher was contracted to assist with the research, commencing on the 27th of March 1995.

At the time of drafting this document, the composition of the subcommittee is as follows:

Core Sub-committee:

Appointed by ACTAG:

Anant Singh

Tshepo Rantho

Co-opted:

Beschara Karam

Steven Markovitz

Carl Fischer

Assistant part-time researcher:

Katherine Kane.

1.4 **Methodology**

As with all ACTAG sub-committees, the film sub-committee had to work within severe time restraints.

- 1.4.1 All major role players and interested parties (ANNEXURE B) in the film industry were faxed on the 14th November 1994, informing them of ACTAG, and ACTAG's mandate, objectives and role. Their recommendations/proposals on the restructuring of the film industry were to reach the Subcommittee not later than 15th December 1994. The reports received were then assimilated and incorporated into a working document, along with all the submissions made to ACTAG. (All the contributing documents, submitted to ACTAG, are listed under ANNEXURE A).
- 1.4.2 A very first working document was drafted and sent out on 19th February 1995, to regional representatives as well as to all ACTAG sub-committee members. The deadline for responses was 20th March 1995. Thus, although the contents of the working document was also discussed at the ACTAG plenary meeting held on 22, 23 and 24 March 1995, it did not include those responses.

1.4.3 The present report was compiled on the basis of those reports and the feedback from the various workshops held around the country to discuss this first draft.

A chart of the proposed South African Film Industry (ANNEXURE E) has been drawn up, and included in this document.

1.4.4 The aims and objectives of the restructuring of the South African Film Industry is in keeping with those of the Reconstruction and Development Programme. Key programmes envisaged in the RDP document are: meeting basic needs, developing human resources, building the economy and democratizing the State and society. The RDP places an emphasis on affirmative action to unlock the energies and creativity suppressed by racism and discrimination. As to the creative development of talent, no other industry allows for the promotion of a country and personal talent, to the same extent as does the motion picture industry.

1.4.5 One of the long-term aims of the restructuring of South Africa's film industry, is to put it on a sound commercial footing, to enable it to become internationally competitive. This in turn will promote South Africa as a tourist attraction and as a film location for features, television and advertising commercials to be produced in our country. South Africa needs a product that can generate foreign revenue and a film made at a relatively low cost can generate high income.

1.4.6 Given a restructured film industry focussing on promoting the development of an indigenous, national South African film industry free of racism and sexism; adopting affirmative action policies to redress the imbalances of the past; supporting training of film-makers, script

writers, etcetera; supporting wider distribution and exhibition of films and videos, particularly in areas which currently have the least access to audiovisual communication; funding ongoing research into audiovisual technology; making the information available as widely as possible and creating economic opportunities, we see the RDP being affirmed and met.

1.5 **The History of Cinema in South Africa**

Cinema in South Africa is exactly 100 years old. Early projection devices were frequented around the Johannesburg goldfields from 1895 on. The first cinema newsreels ever were filmed at the front during the Anglo-Boer War (1899-1902). The world's longest running weekly newsreel, **African Mirror** (1913-1984), is now broadcast as history on national TV. Forty three high technical quality films occurred between 1916 and 1922. Schlesinger, however, was unable to secure footholds in either British or US markets. Between 1913 and 1956, the industry was controlled by English South African capital through the I. W. Schlesinger Organisation.

A 30 year lull was broken in the early 1950s by Jamie Uys when he succeeded in attracting Afrikaner-dominated capital to establish independent production. He and a group of feature film makers persuaded the government to provide a subsidy for the making of local films. Though the subsidy scheme underwent numerous revisions over the years, its prime aim was to foster conservative populist themes. It achieved this by rewarding commercially-attractive themes with subsidy based on box office receipts. The SANLAM Insurance company took over an ailing Ster-films which ensured that the Afrikaans capital had a significant influence on the film industry as a whole.

Schlesinger's financial muscle had managed to protect South African ownership from incursions by the American majors up to 1956. 20th Century Fox bought out Schlesinger in 1956, but thirteen years later, sold its monopoly to SATBEL, financed by Afrikaner insurance capital. SATBEL dominated the industry until 1984, when it was bought by Sol Kerzner.

Over 1,350 feature films have been made since 1910 by a succession of single parent companies owning vertical, and to a lesser extent, horizontal monopolies.

MGM, Cannon, UIP-Warner and other companies bought out aspects of the industry after 1973. Today, Interleisure dominates the industry, followed by the inheritor of Canon's local interests, Nu Metro. After 1990, the Interleisure and Nu Metro cinema chains entered into partnerships with black business to bring sophisticated cinemas and first-run films to the black townships. The ascendance of white-dominated capital in cinema ownership after 1948 had occurred partially at the expense of Indian and black cinema owners who were severely prejudiced by apartheid (eg. Avalon Theatres)

Cinema as the voice of the people is much younger than cinema the institution. That voice was initially located elsewhere in films like Zoltan Korda's **Cry The Beloved Country** (1951) - Euzhan Palcy's **A Dry White Season** (1989 - based on Andre Brink's novel) and Richard Attenborough's **Cry Freedom** (1987) - Donald Woods and Steve Biko). These films were complemented by the odd and unsuccessful domestic attempts in the late 1960s and early 1970s to challenge the dominant genres supportive of apartheid led by film makers like Ross Devenish and Athol Fugard, Jans Rautenbach and Emil Nofal.

Between 1956 and 1978 South African genre films (especially those in Afrikaans) earned higher returns than imported fare. Most were poor quality, but exceptions which interrogated apartheid exposed white South Africans to new critical styles: expressionism (**Jannie Totsiens** - 1970); neo-realism (**African Jim** - 1949 and **Magic Garden** -1961) and the films of Athol Fugard and Ross Devenish (**Boesman and Lena** - 1973; **The Guest** - 1978, **Marigolds in August** - 1980); and documentary (**Land Apart** 1974).

The first black-made film was Gibsen Kente's **How Long?** (1976) filmed during the Soweto uprising. Other films made by whites and aimed at blacks under two separate subsidy schemes tended to be appallingly inept, exploitative and patronising. This marginalised sector of the industry emerged in 1974, milked the subsidy pot dry, and collapsed at the end of the 1980s. Up to 1974, censorship for whites and black was also differentially based.

The years following 1986 saw the sustained development of a domestic anti-apartheid cinema financed by capital looking for tax breaks and international markets. Canon Films responded with racist titles like **King Solomon's Mines** (1985). However, there were films which spoke out against apartheid, for example, **Place of Weeping** (1986); **On the Wire**; **Marigolds in August**; and **Sarafina!** (1993).

- 1.5.1 A "black" South African cinema has yet to occur. Many films have been made by progressive white directors about "black" stories, using finance emanating via producers such as Singh. Multiracial teams have made films like **Mapansula** (1988) and **Soweto Green** (1995). For the first time we now have a sustained and sophisticated examination of the full spectrum of South African history increasingly offered by production partnerships which reflect all sectors of South African society - Boer prisoners held by the British (**Arende** 1994), liberal

opposition to apartheid in the 1960s (**Cry The Beloved Country**), the psychological impact of the wars waged against our neighbours (**The Stick** - 1987), the popular struggle of the 1980s (**Mapansula** - 1988), and critical investigations into white racial attitudes (**Taxi to Soweto** - 1992) and the historical origins and effects of apartheid (**On the Wire** - 1989, **Feila's Child** - 1988, **The Fourth Reich** - 1989). Clearly, however, much remains to be done to facilitate the sustained entry into the industry of film makers previously marginalised by the apartheid dominated industry.

Third Cinema offers one such set of strategies.

1.5.2 Third Cinema

Film and video share the responsibility of contributing to the process of democratisation, education and development.

The Third World is stereo typically conceptualised as areas which have common characteristics such as poverty, primitiveness, economic and social stasis. "Third Cinema" on the other hand, an emancipatory strategy pursued by critical filmmakers, should not be confused with the concept of a Third World. First Cinema is generally referred to the cinema genre of the imperialist states and Hollywood-type themes. Second Cinema refers to **auteur** and personal films.

The late 1980s saw the recognition of Third Cinema strategies in South Africa which were popularised by university film courses. Arising out of this movement was the Film and Allied Workers Organisation which established a national infrastructure to a) liberate cinema from

its apartheid domination; b) facilitate video for the masses; and c) provide policy options for a post-apartheid industry.

1.5.3 Conclusion

Notwithstanding its apartheid history, sectors within the South African film industry have, since the early 1960s, attempted to represent broader social conditions and critique aspects of apartheid, if not the system itself. Even amongst the dominant minority, cinema provided the channel through which serious and often heart-wrenching political debates occurred.

It is against this background of the possibility of resistance, that this research offers the following recommendations which can build on these historical trajectories of resistance to oppression, development and communication.

2. **POLICY RECOMMENDATIONS**

Although there is consensus around some of the recommendations put forward by the film industry, there are, however, some dissenting viewpoints, and these are acknowledged as such, with comments on these positions welcomed.

It is the subcommittee's recommendations which are put forward, in the sections titled "Recommendations". These are then immediately followed, in no particular order, by those points which differ from those of the subcommittee, under sections titled "Points of divergence". (See ANNEXURE D for acronym listing).

2.1 **A Statutory Body**

2.1.1 *Recommendations*

2.1.1.1 It is highly recommended that as in many countries with a successful film industry like Australia, New Zealand and Canada, a national Statutory Body should be instituted immediately, after which the organisation and establishment of bodies, like the film bank, will follow.

Once this **national, autonomous**, Statutory Body is functioning other issues will be addressed, such as the formation of a research team and the question of provincial and/or local film bodies, etc.

- 2.1.1.2 The National Film Foundation will request the involvement of its membership to be divided across the country. This input will enable it to carry out the various functions, including the requirements of departments on the ground, and communicate this to the Foundation. Additionally, it will investigate the feasibility of establishing regional divisions. The national Statutory Body will comprise of members of council, who will collectively represent the regional gender, race and language make-up of South Africa.
- 2.1.1.3 It is worth noting here, that although there has been a strong trend towards proposing whole film industry infrastructures from one or another country, it is strongly recommended that no one model be appropriated in its entirety.
- 2.1.1.4 This Body should receive **direct funding** from the Ministry of ACST annually, be headed by a **Director** and be controlled by a **Board of Governors**. We have suggested forms of funding, but these may not be needed.
- 2.1.1.5 It is recommended that the Statutory Body be referred to as the **South African Film Foundation** or **SAFF**.
- 2.1.1.6 It is recommended that the issue of establishing provincial and local bodies should only be addressed after a national Statutory Body is functioning.
- 2.1.1.7 It is recommended that this Board of Governors be appointed by the government of the day from nominations received. There should be guidelines to assist in appointing a Board with a representative range of cultural points of view, business acumen, and

people involved in the film industry. This Board will initially draw up the aims and procedures of the Statutory Body in terms of the legislation underlying their appointment.

2.1.1.8 It is therefore recommended that this Statutory Body be run by a **full-time executive staff**, according to the guidelines laid down by the Board. The staff should be made up of individuals with an understanding of the film industry (that is, people previously employed in the film or related industries), business in general, contractual and legal matters, film training, merchant banking, etc.

2.1.1.9 It's composition must be such that it cannot be used to further the commercial interest of any one company or sector of the industry. Staff members must have no financial interest in any film production or facilities company.

2.1.1.1.1 It is recommended that the Statutory Body be structured as an efficient, highly skilled, constructive and resourceful team rather than as a large self-serving bureaucracy.

2.1.1.1.2 It is recommended that this Body should have the following **functions/objectives**:

Liaise with film industry

The Statutory Body should not be isolated from or dictatorial towards the film-makers it serves. There should be ongoing, direct consultation between the Statutory Body and film-makers, thereby allowing active participation by the industry in the activities and direction of the Statutory Body. The Statutory Body will deal with film-makers at all levels, enabling them to perform many formal as well as informal liaison functions within the industry, and between the industry and others.

Liaise with local television industry

The Statutory Body will liaise with the Independent Broadcasting Authority in matters of mutual interest.

The protection of free market mechanisms

The Statutory Body will have, as one its functions, the formulation of regulation to ensure that monopolies in the film industry do not endanger free market principles and the free flow of information through unfair competition.

Maintain relations with foreign film makers

The Statutory Body should co-ordinate, facilitate and actively seek co-production opportunities and treaties on behalf of local producers. The Statutory Body will also have the function of advising on policy in the area of fostering co-productions. These treaties will be based on international norms.

Production

The Statutory Body should support production.

Distribution

The Statutory Body should support distribution.

Exhibition

The Statutory Body should support exhibition.

Education and training and development

The Statutory Body is to facilitate the co-ordination of all film-related training schemes and education in universities and technikons, and other institutions.

Archives

The Statutory Body does not necessarily have to physically administrate the archives, but should directly liaise with the film archive presently based in Pretoria, as well as allocating further funding for this purpose. This is an important function to be performed for the posterity of the country.

Film commission

The film commission should promote local films, publicize the achievements of our film-makers, draw attention to the cultural and entertainment value of our films, and generally make the local and international public aware of the film industry in the country. Other functions of this section would be to promote South Africa as a film venue as well as promoting local film festivals.

The Statutory Body should fund these activities. The Statutory Body should specifically promote film as an investment medium to the financial community, for example at the annual Financial Mail investment conference, etc.

Research

The research and information section of the Statutory Body should conduct and facilitate research into all aspects of the film industry.

Ombudbody

There should be an ombudbody or office appointed to investigate the Foundation itself, as well as individual complaints.

Community arts and culture function

Interaction with community arts and culture centres.

Operations

All operations should conform with the objectives and aims of the Reconstruction and Development Programme; that is, they should in effect redress the imbalances of the past, creating equal opportunity for all, in terms of race, gender, language and class.

Development and cultural support

This function will include festivals, film awards, publications, seminars, libraries, etc.

Censorship

The Statutory Body will not have a censorship function.

2.1.2 Points of divergence

The following suggestions concerning the Statutory Body, differ from the subcommittee's recommendations:

2.1.2.1 It is recommended that there should be at least two other permanent functions of the Statutory Body, namely an audio-visual research department which includes an information system, and a department of development and cultural support.

2.1.2.2 It has been suggested that the Statutory Body be entirely based on the CNC model, which has the following functions:

- advises the government on legislation concerning the audiovisual industries;
- grants authorization to operate to producers, distributors and exhibitors;
- issues “professional cards” to directors and key technicians before being allowed to work on films that qualify for public aid;
- approves film and audiovisual projects;
- provides the secretariat of the Commission of Classification of films;
- verifies box-office receipts in order to protect the interests of all beneficiaries;
- regulates the sequence of exhibition of films on the different media;
- regulates the home video market; and

- informs professionals and the public through publication of a bulletin and monographs.

2.1.2.3 It is suggested that there is no need for a Ministry of Arts and Culture, because it would simply serve to duplicate the work of their proposed arts council.

2.1.2.4 It is recommended that although state aid to the South African film industry is to be administered by a new body, that is the Statutory Body, or SAFF, it is further suggested that regional statutory bodies should be established which will in turn administer state aid on a regional level.

2.2 **Film Development Agency**

2.2.1 *Recommendations*

2.2.1.1 It is recommended that a Film Development Agency be instituted under the auspices of the Statutory Body. It shall have the following functions:

- “Set-up” funding should be made available, through the Film Development Agency for the informal sector.
- The development of a FDA will create a controlled investment/environment for parties wishing to risk money on high risk ventures, both for local and foreign investors.
- Low cost loans and grants should be made available, by the FDA, to South African producers and directors.

- The FDA should act as a financing mechanism for all film producers wishing to produce developmental, commercial or experimental productions.

2.2.1.2 State funding should shift its emphasis away from box-office performance, to other criteria such as script and development grants; talent grants for local directors and actors; stock and processing grants; and reduced distribution fees and sliding scales for South African products.

2.2.1.3 The Subcommittee proposes that the FDA should recommend incentives, structured to benefit:

- any private enterprise/company investing in a film-related project;
- foreign productions made in South Africa, utilizing South African resources;
- South African broadcasters based on South African film content shown on Television;
- donations by individuals and/or companies.

2.2.1.4 Notwithstanding any support via the Statutory Body, producers who are exporting films should be granted the same assistance that is given to all other exports.

2.2.2 *Alternative funding mechanisms envisaged, subject to research:*

2.2.2.1 Producers are expected to raise at least 50% of financing through pre-sales, equity or loans. (This is consistent with Australian and Canadian schemes). This effectively builds in quality control, as the producer has to convince third parties of viability/quality before requesting support from the Film Development Agency.

2.2.2.2 The Film Development Agency could provide loan funds of between, say 25% - 50% of cost of production, in return for equity participation in the production.

2.2.2.3 There have been suggestions that there be a levy imposed on all tickets sold, and tickets should be VAT exempt with the income diverted to the Statutory Body. It must be noted that there are many conflicting and controversial viewpoints surrounding the **cinema ticket taxes**. However, those organizations who do suggest a ticket levy on all cinema tickets sold, **emphasize** that this is not in place of the annual Government subsidy, but merely as an alternate means of generating funds for the film industry.

2.2.2.4 It has also been recommended that the VAT from TV licences should be channelled into the support scheme.

2.2.2.5 It is recommended that a financier could request that producers, directors and talent defer a portion of their fees until such time that the financiers have recouped a reasonable portion of their investments.

- 2.2.2.6 It is proposed that the distributors contribute by way of reduced Distribution Fees on SA products; by way of minimum guarantees or by contributing to print and advertising costs. These are the mechanisms distributors use internationally to secure products.
- 2.2.2.7 It is suggested that films be pre-licensed, thus the broadcaster provides the financial catalyst to get the project going. The licence fees should, however, be consistent with the cost of producing local dramas.
- 2.2.2.8 It is recommended that there be exceptional funding from the Ministry of Culture made available for specific purposes, eg, youth programmes and direct funding from the Ministry for cinema and audiovisual production; exhibition and training purposes - approximately 15%
- 2.2.2.9 It is suggested that a lottery assist with providing funds, similar to that of the British Film Institute
- 2.2.2.1.1 As with the cinema ticket debate (see above), there are many different viewpoints concerning **levies/tax incentives**. Once again, the subcommittee reiterates that these suggested tax levies are not in lieu of an annual Government subsidy, they are recommendations as one alternative means of generating income for the film industry. These various and diverse views are listed as follows:

- distributors and exhibitors be allowed to apply for subsidisation or accelerated depreciation on the building of new cinemas; and levy imposed on total turnover of broadcasters;

- furthermore, it has been recommended that there be a 10% levy placed on all television advertising revenue obtained from distributing foreign sourced films shown on all public television broadcast media; and a 10% levy placed on all video distribution in South Africa.

It has also been recommend that a tax of 5.5% be levied on the total income (advertising, licence fees, subscription fees) of all television stations (public, encoded, etc.)

2.3 **Film Trust**

2.3.1 *Recommendations*

It is strongly recommended that Trustees be non-political and objective.

The recommended **functions** of this Trust are to be:

2.3.1.1 provide finance for entry level producers and first time directors;

2.3.1.2 make bursaries available to students studying film/film-related courses/skills;

2.3.1.3 create access for the population at large, to view locally produced films; and

4. **Film and Allied Workers Association: Addressing the Crisis in the South African Film Industry - the French Centre National de la Cinematographie as a Model for Consideration (FAWO)**

5. **The Film and Broadcast Steering Committee: Proposed Structure for State Support for the South African Film Industry (FBSC)¹ 30th March 1994. The following organisations participated in this report: SAFTI; AFTC; ACAC; BFTF; FAWO; NTVA; PAWE; SASA.**

6. **Film Industry Working Group: Document Summarising Input Received by the Film Industry Working Group Regarding a New Film Financial Aid Scheme for South Africa (FIWG) The participating organizations and individuals are:
Organizations/independents: ANC; ATKV; CFO; FBSC; FFG; HFT; KKP; NFTSA; Nu Metro; SABC; SAFTI; SFP; Ster-Kinekor; Studio RSA; TPret; Unisa; VVE.

Individuals: Mr Zack du Plessis and Mrs Magda du Plessis; Prof Fourie (Department of Communication, UNISA); Mr Tommy Meyer.**

¹ The FBSC is now the Film and Television Federation (FTF).

7. Film Resource Unit Position Paper: Film Distribution and the Role of the State and Private Sector. Film Resource Unit.
8. The Film and Television Federation Policy on Education and Training for ACTAG (FTF) - 30th November 1994. Input from the following organizations: **AFTC; BFTF; FAWO; NFTS; PAWE; TCG; SASWA and SAGE.**
9. Human Sciences Research Centre: Proposals for the Restructuring of the South African Film Industry (HSRC) -30th November 1994.

Part One: Background to the Study, Findings and Recommendations. The HSRC research team consists of: Dr Martin Botha; Louise Mare; Zakes Lange; Rabelani Netshitomboni; Khuli Ngoasheng; Marie Greyling and Julia Potgieter.

Part Two: Draft Report on the Setting up of a Statutory Body to Regulate and Support the South African Film and Video Industry. Prepared by Alex van den Heever.

10. Interim Consensus Report: Of the Representative Bodies of the Film Industry on Proposals for State Funding and Administration of the Industry (ICR) 18th

November 1991. Contributing organisations included the following: **FBF; FAWO; FMA; PAWE; PMA; SA-APRS; SAFFTA; SAFTU; SAFVI; SASWA.**

11. National Arts Coalition: Resolutions as adopted at the NAC Convention (NAC) 1st - 4th December 1994.

12. Proposal for the Funding of a Film Development Initiative - 25th May 1993.
Submitted to the Department of Home Affairs by the following organizations: **AFTC; BFTF; FAWO; PAWE; SAFTI; SASWA.**

13. The South African Film Institute in association with the Department of Communication of the University of South Africa: The Establishment of a National Film School in Johannesburg and/or Cape Town and a Masters Degree in Cinema and Television Studies in Association with the University of South Africa (SAFI) - 16th June 1989.

14. South African Film and Television Institute: Feature Film Funding in South Africa (SAFTI) 3rd November 1993.

ANNEXURE B

ANC - Gauteng

Camera Guild

Cape Film and Video Foundation - Steven Markovitz

Cape Town Film School - John Hill

Commercial Producers Association

Congress of South African Writers

Dance Alliance

Editors Guild

FAWO - Film and Allied Workers Organization

Federasie van Afrikaanse Kultuurereniginge

Film Resource Unit - Richard Ismail

Film and Television Federation - Carl Fischer

HSRC - DR Martin Botha

Interim Theatre Forum

M-Net

Musicians Union of South Africa

National Association of Modelling Agencies

Newtown Film School

Lionel NGAKANE

Nu Metro

Performing Arts Equity

Pretoria Film School/Technikon

Professional Photographers of South Africa

SABC - South African Broadcasting Corporation

SAFTI - South African film and Television Institute

SCY PRODUCTIONS: Helene Spring

South African Broadcasting Staff Association

South African Scriptwriters Association

South African Society of Cinematographers

South African Stunts and Pyrotechnics Association

South African Union of Journalists

South African International Film Festival

Ster-Kinekor - Mike Ross

ANNEXURE C

Literature read as background information:

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11. Schoombie, S. "Die Pasiënt is Doodsiek." **Kalender, bylae tot Beeld**, 12 February 1990:2.
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16. Ukadike, N. F. (1994) **Black African Cinema.** Berkeley: University of California Press.
17. Vogel, H. L. (1986) **Entertainment History Economics: A Guide For Financial Analysis.** Cambridge: Cambridge University Press.

ANNEXURE D

ACRONYMS USED IN THIS DOCUMENT ARE:

- **Association of Community Arts Centres - ACAC**
- **Department of Arts and Culture, Science and Technology - ACST**
- **Arts and Culture Task Group - ACTAG**
- **African Film and Television Collective - AFTC**
- **African National Congress Province - ANC-PWV**
- **Black Film and Television Foundation - BFTF**
- **Cape Town Association of Sound Studios - CASS**
- **Cape Commercial Producers Association - CCPA**
- **Cape Independent Film Makers Forum - CIFF**
- **The Cape Film and Video Foundation - CFVF**
- **Cape Film and Video Suppliers Association - CFVSA**
- **Community Media Network - COMMNET**
- **Congress of South African Trade Unions - COSATU**
- **Cape Town Professional Photographers Association - CTPPA**
- **The Cape Film and Video Foundation - CFVF**

- The Centre National de la Cinematographie - CNC²
- Democratic Party: PWV Province - DP-PWV
- Foundation for African Businesses & Consumer Services - FABCOS
- Facilities Association of Cape Town - FACT
- Film and Allied Workers Organisation - FAWO
- Film and Broadcasting Forum - FBF
- Film Development Agency - FDA
- Film Maker's Association - FMA
- Film and Television Federation - FTF
- Heyns Film en Televisie (Produksies) (Edms) Bpk - HFT
- Human Sciences Research Centre - HSRC
- Independent Broadcasting Association - IBA
- Koukus Productions - KKP
- Media Workers of South Africa - MWASA
- National Council of Trade Unions - NACTU
- National African Federated Chamber of Commerce and Industry - NAFCOOC
- Newtown Film and Television School - NFTS
- National Film Trust of South Africa - NFTSA

² The CNC was created in France in 1946 in order to address classic problems of the film industry, namely, decline of audience figures; increase in production costs and competition from foreign films.

- **National Television and Video Association - NTVA**
- **Performing Arts Workers Equity - PAWE**
- **Personnel Managers Association - PMA**
- **South Africa Broadcasting Committee - SABC**
- **South African Film Foundation - SAFF** (this is a suggested working name for the proposed Statutory Body mentioned in the ICR, and therefore could be subject to change)
- **The South African Film Institute - SAFI**
- **South African Film and Television Institute - SAFTI**
- **South African Film and Theatre Union - SAFTU**
- **South African Film and Video Institute - SAFVI**
- **South African Association of Professional Recording Studios - SA -APRS**
- **South African Municipal Workers Union - SAMWU**
- **South African National Civics Organization - SANCO**
- **South African Script Writers Association - SASWA**
- **Sonneblom Film Produksies - SFP**
- **Studio Radio South Africa - Studio RSA**
- **Training and Education Institutions of the Western Cape - TEIWC**
- **Technikon Pretoria - TPret**
- **The Camera Guild - TCG**

- **Video Vision Enterprises (Pty) Ltd - VVP**
- **Western Cape Producers Association - WCPA**
- **Western Cape Producers Association - WECCO**

APPENDIX II

Discussion Paper on Film

Ministry of Arts, Culture, Science and Technology

Reference Group:

Batsetsane Thokoane (appointed Chair)

Martin Botha

Seipati Bulane-Hopa

Melanie Chait

Carl Fischer (Acting Chair)

Beschara Karam

Michael MacCarthy

Sebiletso Mokone-Matabane

Lionel Ngakane

Danie Pieterse

Tshepo Rantho

Keyan Tomaselli

Anant Singh

Mfundi Vundla

For Discussion Purposes Only

DISCUSSION PAPER ON FILM AND VIDEO

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DRAFT DISCUSSION PAPER ON
FILM AND VIDEO

1. INTRODUCTION

1.1 Definitions

“film” means:

(i) any sequence of visual images recorded on any substance, whether a film, magnetic tape, disc or any other material, in such a manner that by using such substance these images will be capable of being seen as a moving picture;

(ii) any picture intended for exhibition through the medium of any mechanical, electronic or other device.

“distribution” means:

all rights in all media in the distribution and exploitation of film, and all related rights in any and all languages, and in any and all channels of distribution through the territory for perpetuity and all incidental rights with respect to the advertising, marketing, publicity and promotion of film.

“industry” means:

film and video producers, as well as those sectors required to finance, administer, distribute, market and exhibit films, and so on.

“monopoly” refers:

to the power of single firms to exclude competition.

“Vertical” monopoly refers to ownership arrangements, in which single companies own the majority of linked functions, required to make, process, distribute and exhibit a film. “Horizontal” monopoly occurs through consolidation of similar functions, for instance, theatre chains, screen advertisers, distribution and ticketing agencies.

“A South African film” means:

all producers must be South African citizens; and the production must earn a minimum of six points based on the following key creative people qualifying as South African:

Director	2 points
Screenwriter	1 points
Highest Paid Actor	1 point
Second Highest Paid Actor	1 point
Head of Art Department	1 point
Director of Photography	1 point
Music Composer	1 point
Picture Editor	1 point

Notwithstanding the above, at least one of the Director or Screenwriter, and at least one of the highest paid or second highest paid actors must be South African. As well, points for screenwriters may be obtained only if all screenwriters are South African, or if both the principal screenwriter and the author of the work on which the production is based, are South African.

Objectives

This White Paper has amongst its aims the following:

- to help **build** the film industry as a whole
- to help develop **audiences** for local content films
- to expedite the development of **viewing** facilities
- to facilitate film **training** schemes.

The proposed South African Film and Video Foundation will

-) focus on promoting the development of an indigenous, national South African film industry;
- b) encourage affirmative action policies to redress the imbalances of the past;

-) support training of creative personnel, and personnel working in the associated business functions, of the industry;
- d) support wider film distribution and exhibition, particularly in areas which currently have the least access to film communication facilities;
-) fund ongoing research into film matters;
- f) disseminate information on film as widely as possible; and
-) create economic opportunities where possible, and oversee Reconstruction and Development Programme objectives.

1. A brief history of South African cinema

In 1995, cinema in South Africa was exactly 100 years old. Over 1 350 feature films have been made since 1910. Early projection devices were utilized around the Johannesburg gold fields from 1895 onwards. The first ever newsreels were filmed at the front during the Anglo-Boer War (1889-1902). The world's longest running weekly newsreel, **African Mirror** (1913-1984), is now being "rebroadcast" weekly on SABC.

Forty-three films of good technical quality were made between 1916 and 1922 by I. W. Schlesinger's company, African Film Productions. Schlesinger however, was unable to secure a foothold in either the British or US markets for the screening of South African films.

A 30 year lull was broken in the early 1950s by Jamie Uys who succeeded in attracting Afrikaner-dominated capital for independent production. He was instrumental in persuading the government to provide a subsidy for the making of local films. Though the subsidy scheme underwent numerous revisions over the years, its prime aim was to foster conservative populist themes.

The one over-riding factor that characterises the South African film industry has been the succession of single parent companies owning vertical, and to a lesser extent, horizontal monopolies. Schlesinger's financial muscle had managed to protect South African ownership from incursions by the American majors between 1913 and 1956. 20th Century Fox bought out Schlesinger in 1956, but thirteen years later sold out to SATBEL. MGM, Cannon, UIP-Warner and other companies invested after 1973. Today, SATBEL's successor, Interleisure, dominates the industry, followed by the inheritor of Cannons local interests, Nu Metro. The ascendance of white-dominated capital in cinema ownership after 1948 had also occurred partially at the expense of Indian and black cinema owners who were severely prejudiced by apartheid (e.g. Avalon Theatres). After 1990, the Interleisure and Nu Metro cinema chains, and other groups, entered into partnerships with black business to bring sophisticated cinemas and first-run films to the townships.

Cinema as the voice of the people is much younger than cinema the institution. That voice was initially located elsewhere in films like the foreign produced **Cry The Beloved Country** (1951), **A Dry White Season** (1989) and **Cry Freedom** (1987). These films were complemented by occasional domestic attempts in the late 1960s and early 1970s to challenge the dominant genres supportive of apartheid.

Between 1956 and 1978 South African genre films (especially those in Afrikaans) earned higher returns than imported fare. Some interrogated apartheid and exposed white South Africans to new critical styles: expressionism (**Jannie Totsiens** - 1970); neo-realism (**African Jim** -1949 and **Magic Garden** - 1961) and the films of Athol Fugard and Ross Devenish (**Boesman and Lena** - 1973; **The Guest** - 1978, **Marigolds in August** 1980); and a documentary (**Land Apart** - 1974).

The first black-made film was Gibsen Kente's **How Long?** (1976). Other films made by whites and aimed at blacks under a separate "black" subsidy scheme tended to be inept and patronising. This marginalised sector of the industry emerged in 1974, milked the subsidy dry, and subsequently collapsed at the end of the 1980s.

1986 and after saw the emergence of critical films financed by capital looking for tax breaks and international markets. The tax breaks were seriously abused to the detriment of the industry as a whole. Future legislation will need to develop mechanisms to regulate tax relief opportunities.

Notwithstanding opportunistic tax deductible investment, and severe repression and censorship during the 1980s, new partnerships reflecting all sectors of society interrogated South African history: Boer prisoners held by the British (**Arende** - 1994), the psychological wars waged against our neighbours (**The Stick** - 1987), the popular struggle of the 1980s (**Mapantsula** - 1988) and satirical criticism white racial attitudes (**Taxi to Soweto** - 1992), and the historical origins and effects of apartheid (**On the Wire** - 1989, **Fiela se Kind** - 1987, **The Fourth Reich** - 1989). Clearly, however, much remains to be done to facilitate entry into the industry of film makers previously marginalised by the apartheid.

It is against this background that this White Paper offers recommendations to bring cohesion to the currently fragmented and complex infrastructures of the local film and video industry. This entails the creation of a specialised statutory body to ensure continuity in government policies to regulate and support the South African film and video industry.

1.2 Importance of films and videos

Film is an important dimension on the terrain of cultural expression and in the exploration of social meanings. With appropriate financial incentives, the film industry has the potential to generate significant employment, income and investment opportunities.

Film, however, is a high risk industry. For cultural and investment reasons, many countries provide their film industries access to state support and financial incentives of one kind or another. Production, distribution, exhibition, education and training, archives management, research and information, visual literacy programmes, as well as the marketing and promotion of locally produced films and videos, are essential elements in the industrial sector represented by film.

The current 435 or so cinemas owned by the two chains - Ster-Kinekor and Nu Metro - mostly serve formerly white and Indian areas. This total plus the 120 independently owned theatres contrasts sharply with the 28 currently serving the bulk of the black population living in urban townships. Rapid township expansion on a franchise basis by the new Maximovies company is a positive indicator of the potential viability of new ventures. These are serving residential areas outside the mainly white catchment areas of the two major cinema chains.

The growth of small cinemas orientated to less affluent communities will significantly impact the industry as a whole: a) provide a huge audience for South African made films, thus increasing their financial viability and number of film that could be made; (b) it will increase the penetration and distribution of cinema commercials; (c) these smaller cinemas will obviously benefit foreign films as well; (d) each new cinema creates new

jobs at the cinema itself; and (e) will have a multiplier effect in all other sectors of the industry servicing them. Notwithstanding the entry of new ventures like Maximovies, the structural imbalances that remain, require strategic intervention, to help the market.

Following from extensive completed research, by various organisations and the recommendations of the film sub-committee of ACTAG, it is recommended that state support of the South African film industry be administered by a proposed Statutory Body, the South African Film and Video Foundation (SAFVF). While research informing this White Paper had been extensive, specific items mentioned below will still need further investigation by the Foundation itself.

The aims and objectives of the proposed state support of the South African film industry is in keeping with those of the Reconstruction and Development Programme (RDP). Key programmes envisaged in the RDP document are: meeting basic needs, developing human resources, improving the economy and democratising the state and society. The RDP places emphasis on affirmative action to release the energies and creativity suppressed by racism and discrimination. No other sector allows for the promotion of a country and personal talent as does the film industry.

A strong South African film industry will enable South African audiences to see their own stories and interpretations of experience reflected on local screens. One of the long-term aims of the proposed Foundation is to facilitate the placement of the South African industry on a sound commercial footing, to enable it to become internationally competitive. This in turn will promote South Africa as a tourist attraction, and as a location for foreign film productions, and television and advertising commercials.

2. The Role of the Department of Arts, Culture, Science and Technology

2.1 POLICY RECOMMENDATIONS

2.2 A Statutory Body

2.2.1. Recommendations

2.1.1.1

It is recommended that as in many countries with successful film industries like Australia, Burkina Faso, Argentina, France, New Zealand and Canada, that a national Statutory Body called the South African Film and Video Foundation (SAFVF) be instituted immediately, after which the organisation and establishment of bodies like the Film and Video Bank will follow. Once this **national, autonomous**, Statutory Body is functioning, other issues will be addressed.

2.1.1.2

The Statutory Body will comprise of members located nationally, thereby encouraging regional development. These members will enable the Foundation to carry out its various functions. The Foundation will encourage regional development. The executive and staff of the national Statutory Body will represent the regional, gender, race and language composition of South Africa. The Statutory Body will be headed by a Director and controlled by a Board of Governors.

The Statutory Body will:

- advise the government on legislation concerning the film and video industries;
- approve funding applications for film and video projects;
- create a National Ticket Agency within the Foundation to
 - a) verify box office receipts; b) monitor home video sector turnover; and c) verify the percentage of gross turnover of commercial television stations, with regard to a levy to be payable to the Foundation; and
- inform professionals, and the public, and cultural attaches about the film industry through appropriate publications.

2.1.1.3

The Statutory Body will receive **direct funding** annually from the Ministry of Arts, Culture, Science and Technology. In addition, income will accrue, via a 10% levy, imposed on all tickets sold for all films, and on rentals and sales of home video titles, and from the levy on commercial broadcasters.

2.1.1.4

It is recommended that the Statutory Body consider establishing provincial offices, where appropriate, once the national Statutory Body is functioning.

2.1.1.5

A Parliamentary committee will select the members of the Board through a process of public hearings as in the case of the Independent Broadcasting Authority and the SABC, from public nominations received. A total of ten governors, all South African citizens, shall

a) when viewed collectively, be persons who are suited to serve on the Council by virtue of their qualifications, expertise and experience in the fields of film, distribution, film business practice and finance, film education, film law, marketing, entertainment and so on;

b) be persons who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding office;

c) when viewed collectively, represent a broad cross-section of the population of the Republic.

2.1.1.6

The Board will initially draw up the aims and procedures of the Statutory Body in consultation with the film and video industry. It will meet twelve times annually. Expenses and a stipend will be paid to the Board members. Board members will be disqualified, if they miss three consecutive meetings. The composition of the Board of Governors should be reviewed every three years.

2.1.1.7

The Statutory Body will be run by a full-time, executive staff, according to the guidelines laid down by the Board. The staff should be made up of individuals with extensive understanding of the film industry, associated business acumen, contractual and legal matters, film education and training, merchant banking, and so on. The staff

will collectively represent the regional, gender, race and language composition of South Africa.

2.1.1.8

The Statutory Body's composition must be such that it cannot be used to further the commercial interests of any individual or any company. Neither governors, staff, nor their nominees, or spouses, nor their business associates will be allowed to apply to the Foundation for funding during their terms of office.

2.1.1.9

The Statutory Body will be entrusted with the following functions/objectives:

Liaison with film industry, broadcasters and provincial Departments of Arts and Culture

Ongoing, direct consultation between the Statutory Body and film makers is to occur, thereby encouraging active participation by the industry in the Foundation's activities and policy direction of the Statutory Body. The Statutory Body will deal with film makers at all levels enabling them to perform formal and informal liaison functions within the industry, and between the industry, broadcasters and others. It should also liaise with the provincial Departments of Arts and Culture.

Television Statutory Body and public broadcasters

The Statutory Body will cooperate with the Independent Broadcasting Authority, and SA Broadcasting Corporation, on matters of mutual interest.

The protection of free market mechanisms

The Statutory Body will promote the free flow of information about the industry, and prevent the development of monopolies. It will advise the Competition's Board on the latter.

Maintain relations with foreign film makers

The Statutory Body should co-ordinate, facilitate and actively seek co-production opportunities and expand international co-production treaties. The Statutory Body will also advise on policy in the area of fostering co-productions. It should facilitate co-production opportunities between South African and foreign producers.

Production

Commercial viability should not be the sole criterion for the Foundation's support of locally-made films and videos. This means any documentary, feature, experimental film production, excluding advertising commercials.

All types of films - entertainment, cultural, educational, art - and international co-productions should benefit. A diversity of film and video genres will be encouraged. Although films can be regarded as commercial products, they should also be seen as products of culture, education and information.

Distribution and Exhibition

The Statutory Body should assist in improving distribution and exhibition of locally-made films. This should be done where possible in co-operation with commercial companies, NGOs and broadcast signal providers, and should facilitate the entry and development of independent distributors and exhibitors. Bearing in mind the experiences elsewhere, the Statutory Body should investigate the introduction of a quota system for locally-made films, as well as the distribution and exhibition of African films, and films from other developing countries.

Education, Training and Development

The Statutory Body will facilitate the co-ordination of film-related training schemes and tertiary education, and oversee the establishment of a National Film and Television School. It will also be responsible for co-ordinating course modularisation throughout the country, and facilitate course accreditation by an industry accreditation board. It will also investigate the possibility of joint training programmes with the SABC.

Archives

The National Film Archives, currently located in Pretoria, is a national asset in terms of both preserving and **promoting**, information and knowledge on South African film, to educational institutions, film festivals and business enterprises.

The Archives will be administered by the Foundation and managed as an innovative, accessible and helpful resource. This will require an immediate restructuring of the Archives into a service facility. The Archives will be funded via a separate state allocation, which shall cover its basic functions of archiving, storing, maintenance of films and information. The Archives shall make application to affiliate to the International Association of Archivists, and other bodies, where appropriate.

The Archives will locate copies of South African images held locally and internationally for its inventory. It will also liaise with international festivals and archives with regard to the screening of South African films.

Promotion

The Statutory Body should promote local films, publicize the achievements of South African film makers, draw attention to the cultural and entertainment value of South African films, and generally make the local and international public aware of the film

industry. Other functions of this section will be to promote South Africa as a film location as well as promoting local film festivals.

The Statutory Body should specifically promote film as an investment medium to the financial community.

Research and Information

The research and information section of the Statutory Body should facilitate research and information into all aspects of the film industry. It will in particular develop mechanisms to measure foreign-sourced investment and income to the industry and country.

Ombuds person

The Statutory Body is to decide on a mechanism to arbitrate disputes.

Development and Cultural Support

This includes the facilitation of festivals, film awards, publications, seminars, film and video libraries and the distribution and exhibition of films and video.

Script Laboratory

Script development will be facilitated by the Foundation.

Censorship

The Statutory Body will not have a censorship function, and will work within the framework of the existing relevant legislation.

2.1.1.11

Permanent functions of the Statutory Body should include a department of production and co-production; a department of marketing and distribution; an education department; a research and information department; a department of developmental and cultural support; and, a film finance division.

2.1 Film Finance Division

2.2.1 Recommendations

2.2.1.1

It is recommended that a Film Finance Division (FFD) be instituted under the auspices of the Statutory Body, with the following functions:

- The FFD should act as a financing mechanism on a discretion basis, for film producers wishing to produce developmental, commercial and experimental productions;
- Seed funding should be made available through the Film Finance Division (FFD) for film and video projects;
- The FFD will create a set of financial guidelines for parties wishing to invest in high risk ventures, both for local and foreign;
- Discretionary, low cost loans and outright grants, should be considered for South African film producers and new directors;
- Make bursaries available to students studying film/film-and video-related courses/skills; and,
- Provide finance for the development of scripts, projects and experimental films.

2.2.1.2

The FFD should recommend incentives to benefit:

- private enterprise companies and individuals investing in film and video projects;

and attract/encourage:

- foreign productions to be made in South Africa
- donations by individuals and/or companies

2.2.1.3

Notwithstanding any support via the Statutory Body, producers who export films should be granted the same assistance that is given to all other exports.

2.2.2 *Funding mechanisms*

2.2.2.1

Producers who are successful in obtaining funding from the Foundation, will be required to secure certain percentage of matching finance through guarantees, pre-sales, equity or loans. (This is consistent with Australian and Canadian schemes).

2.2.2.2

The Statutory Body should fund a certain percentage of the cost of production, and once it has recouped its investment, should share a certain percentage of its profit with the producers. The mechanism for pro rata repayment needs to be worked out.

2.2.2.3

It is recommended that a 10% levy be imposed on all cinema tickets, with the income paid to the Statutory Body. It is essential for the long-term survival and stability of the film and video industry that the Foundation be funded through levies and not only from the Fiscus. It is necessary for the proposed Statutory Body to be set up with a state grant and for the mechanisms to further contribute on an annual basis.

2.2.2.4

It is proposed that the distributors contribute by way of reduced distribution fees on South African products. These are the mechanisms distributors use internationally, to secure products.

2.2.2.5

It is recommended that exhibitors be allowed to apply for grants or accelerated depreciation on a) the building of new cinemas; and b) the upgrading of existing

cinemas. This would apply in areas under-served, or not served at all, with an adequate exhibition infrastructure.

2.2.2.6

It is suggested that film projects be pre-sold, thus broadcasters can be expected to provide the financial catalyst to get projects under way. It is also recommended that the Statutory Body liaise with the Independent Broadcasting Authority regarding minimum quota for locally-made films. It is further suggested that a levy be imposed on the gross annual income of all private service broadcasters. (See IBA for local content percentage and encoded broadcasting).

2.2.2.7

It is recommended that the funding allocated via other government departments for film projects be administered by the Foundation. These may relate, for example, to youth programmes, health issues, agriculture and so on. Liaise with the South African Communication service on this cooperation.

2.3 Film and Video Training and Education

2.3.1 *Recommendations*

2.3.1.1

It is recommended that education and film-related training schemes be facilitated through the Statutory Body in consultation with the department of national Education and secondary and tertiary educational institutions.

Specialist “on-the-job” training, which is recognised and accredited in conjunction with, or, as part of, modularised curricula, needs attention. The Statutory Body, the National Film and Television School, educational institutions and the film and video industry should facilitate these training initiatives and certification processes where possible in conjunction with the SABC training division.

The Foundation will immediately liaise with Home Affairs on obtaining the right to disburse the training level charged by the Department on the importation of foreign technicians.

2.3.1.2

There should be emphasis on the following:

- *Film and video training*

There should be film and video training, in all aspects of production, distribution, exhibition, finance, economics and administration, management, law and so on.

- *Auxiliary training*

Film training and education in historically disadvantaged communities is vital to spread opportunities for entry into the film industry.

- *Media and visual arts literacy training*

Media education should be introduced in primary school and continue as an option throughout the entire schooling period. Teacher training and media teaching packages should be developed.

- *Community film-related projects*

2.3.1.3

It is recommended that a National Film and Television School, of international standard, be established.

2.3.1.4

A task committee should be selected by the Department to research the establishment of the National Film and TV School. This should be done in consultation with CILECT, the International Liaison Centre for Film and TV Schools. The task committee should be immediately constituted by the Department of Arts, Culture, Science and Technology.

2.4 Co-productions

2.4.1

It is essential for co-production treaties to be fostered between South Africa and other countries. Co-productions work only if there is some advantage to be gained from sharing the production with an overseas partner that could not otherwise be obtained.

2.4.2

It is recommended that the Statutory Body co-ordinate, facilitate and actively seek co-production opportunities. Co-productions could include individuals from countries with which South Africa has signed a treaty, but also from countries with no treaties with this country. Through this mechanism foreign producers should have access to the support mechanisms provided for the domestic film and video industry. The

Statutory Body's function will also be to advise on policy in the area of fostering co-productions.

2.5 Festivals

2.5.1 Recommendations

2.5.1.1

It is recommended that the Statutory Body act as a facilitator to bring about the establishment of a South African National Federation should debate policy and make recommendations to the Statutory Body regarding the future of film festivals in South Africa. Festivals will be encouraged to support the South African film and video industry.

2.5.1.2

The Statutory Body should consider making provisions for the funding of film festivals.

2.5.1.3

It is recommended that the Statutory Body maintain direct links with the following Ministries:

Department of Home Affairs: To liaise with established industry bodies with regard to work permits and visas for foreign crews and artists, as well as with the Film and Publication Review Board with regard to the classification of films. The existing Consultative Committee which advises on work permits for foreign personnel should be disbanded.

Department of Posts, Telecommunications and Broadcasting: A complementary relationship with the Independent Broadcasting Authority, State Theatres and public broadcaster is necessary, especially with regard to local content training.

Department of Trade and Industry: For export assistance, foreign trade and an export income, as well as copyright protection.

Department of Education: To facilitate introduction of film courses at secondary and tertiary levels.

Department of Foreign Affairs: To deal with co-production treaties and monitoring copyright.

Department of Finance: To deal with taxation issues.

Department of Labour: To liaise with professional organisations and trade unions.

Office of the Reconstruction and Development Programme: For training of previously marginalised personnel.

3.6 Evaluation of the Statutory Body

An evaluation of the performance of the Foundation will occur annually, through film industry professional bodies in consultation with the government.

APPENDIX III

WORKING DRAFT

THE WHITE PAPER ON THE FILM INDUSTRY

Department of Arts, Culture, Science and Technology

Private Bag X894

Pretoria 0001

20 May 1996

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MESSAGE FROM THE MINISTER OF ARTS, CULTURE, SCIENCE AND TECHNOLOGY, DR. B. S. NGUBANE

The two ubiquitous popular media which have characterised the twentieth century are radio and film. There are few patches of this earth where people have remained cut off from the experience of listening to a transistor radio, or crowding into a small hall, sometimes with inadequate black-out, to see a film. For better or worse, children in remote villages have come to learn of movie heroes and villains, sometimes by seeing a film, and often by word of mouth. Our global village shares a common experience of the moving image.

This White Paper is the second from my Ministry to deal with matters relating to the arts and culture. Its findings arise in the main from the work of the Arts and Culture Task Group which submitted its report in November 1995¹. In addition, we have received a number of submissions from the private sector, non-governmental organisations, the Independent Broadcasting Authority and the South African Broadcasting Corporation, with respect to film development.

Subsequently a broadly representative twelve-person Reference Group undertook the supervision and preparation of a more detailed discussion document on the Film Industry. This White Paper follows on that work and other considerations by the Department.

The White Paper on Arts, Culture and Heritage, entitled “All our legacies, all our futures”, did not deal explicitly with film. Instead it sought to provide a conceptual framework, the National Ensemble of Creativity, as a means of envisaging the various components which contribute to building and nurturing culture. Film, as amends of recording actual events and extending reality through fiction, is a unique component of the Ensemble, and that is why we have devoted a specific White Paper to its expression.

MESSAGE FROM THE DEPUTY MINISTER OF ARTS, CULTURE, SCIENCE AND TECHNOLOGY, MS B. S. MABANDLA

The White Paper is aimed at setting the tone and direction for an industry which has tremendous potential in putting South Africa at the core of international film production, bringing revenue to the overall economy, and developmental opportunities for South African film makers. The Ministry has rightfully identified the film sector as one of the key areas in its overall strategy of promoting the country's cultural industries.

Regrettably, the film sector has been burdened by an unworkable subsidy scheme which hindered development and stifled creativity. The policy proposals which are outlined in this document are aimed not only at restructuring the film industry but also injecting vitality and providing investment opportunities for both the national and international sector.

It is our sincere wish that, as we start with a clean slate, all the stakeholders will participate in the writing of this new and exciting chapter in the history of South African film making.

GLOSSARY OF TERMS

“film” means:

- (i) any sequence of visual images recorded on any substance, whether a film, magnetic tape, disc or any other material, in such a manner that by using such substance these images will be capable of being seen as a moving picture;
- (ii) any picture intended for exhibition through the medium of any mechanical, electronic or other device.

“distribution” means:

All rights in all media in the distribution and exploitation of film, and all related rights in any and all languages, and in any and all channels of distribution through the territory for perpetuity and all incidental rights with respect to the advertising, marketing, publicity and promotion of film.

“industry” means:

film and video producers, as well as those sectors required to finance, administer, distribute, market and exhibit films, and so on.

“monopoly” means:

The power of single firms to exclude competition.

(i) “Vertical” monopoly refers to ownership arrangements, in which single companies own the majority of linked functions, required to make, process, distribute and exhibit a film.

(ii) “Horizontal” monopoly occurs through consolidation of similar functions, for instance, theatre chains, screen advertisers, distribution and ticketing agencies.

“A South African film” means:

A locally made film whose production team consists predominantly of South African citizens. The exact balance within a team for declaration as such must accord with criteria laid down by the South African Film and Video Foundation.

CHAPTER 1

A BRIEF HISTORY OF SOUTH AFRICAN CINEMA

In 1995, cinema in South Africa was exactly 100 years old. Over 1 350 feature films have been made since 1910. Early projection devices were utilized around the Johannesburg gold fields from 1895 onwards. The first ever newsreels were filmed at the front during the Anglo-Boer War (1889-1902). The world's longest running weekly newsreel, **African Mirror** (1913-1984), is now being "rebroadcast" weekly on SABC.

Forty-three films of good technical quality were made between 1916 and 1922 by I. W. Schlesinger's company, African Film Productions. Schlesinger however, was unable to secure a foothold in either the British or US markets for the screening of South African films.

A 30 year lull was broken in the early 1950s by Jamie Uys who succeeded in attracting Afrikaner-dominated capital for independent production. He was instrumental in persuading the government to provide a subsidy for the making of local films. Though the subsidy scheme underwent numerous revisions over the years, its prime aim was to foster conservative populist themes.

The one over-riding factor that characterises the South African film industry has been the succession of single parent companies owning vertical, and to a lesser extent, horizontal monopolies.

Schlesinger's financial muscle had managed to protect South African ownership from incursions by the American majors between 1913 and 1956. 20th Century Fox bought out Schlesinger in 1956, but thirteen years later sold out to SATBEL.

MGM, Cannon, UIP-Warner and other companies invested after 1973. Today, SATBEL's successor, Interleisure, dominates the industry, followed by the inheritor of Cannons local interests, Nu Metro. The ascendance of white-dominated capital in cinema ownership after 1948 had also occurred partially at the expense of Indian and black cinema owners who were severely prejudiced by apartheid (e.g. Avalon Theatres). After 1990, the Interleisure and Nu Metro cinema chains, and other groups, entered into partnerships with black business to bring sophisticated cinemas and first-run films to the townships.

Cinema as the voice of the people is much younger than cinema the institution. That voice was initially located elsewhere in films like the foreign produced **Cry The Beloved Country** (1951), **A Dry White Season** (1989) and **Cry Freedom** (1987). These films were complemented by occasional domestic attempts in the late 1960s and early 1970s to challenge the dominant genres supportive of apartheid.

Between 1956 and 1978 South African genre films (especially those in Afrikaans) earned higher returns than imported fare. Some interrogated apartheid and exposed white South Africans to new

critical styles: expressionism (**Jannie Totsiens** - 1970); neo-realism (**African Jim** -1949 and **Magic Garden** - 1961) and the films of Athol Fugard and Ross Devenish (**Boesman and Lena** - 1973; **The Guest** - 1978, **Marigolds in August** 1980); and a documentary (**Land Apart** - 1974).

The first black-made film was Gibsen Kente's **How Long?** (1976). Other films made by whites and aimed at blacks under a separate "black" subsidy scheme tended to be inept and patronising. This marginalised sector of the industry emerged in 1974, milked the subsidy dry, and subsequently collapsed at the end of the 1980s.

1986 and after saw the emergence of critical films financed by capital looking for tax breaks and international markets. The tax breaks were seriously abused to the detriment of the industry as a whole. Future legislation will need to develop mechanisms to regulate tax relief opportunities.

Notwithstanding opportunistic tax deductible investment, and severe repression and censorship during the 1980s, new partnerships reflecting all sectors of society interrogated South African history: Boer prisoners held by the British (**Arende** - 1994), the psychological wars waged against our neighbours (**The Stick** - 1987), the popular struggle of the 1980s (**Mapantsula** - 1988) and satirical criticism white racial attitudes (**Taxi to Soweto** - 1992), and the historical origins and effects of apartheid (**On the Wire** - 1989, **Fiela se Kind** - 1987, **The Fourth Reich** - 1989). Clearly, however, much remains to be done to facilitate entry into the industry of film makers previously marginalised by the apartheid.

It is against this background that this White Paper offers recommendations to bring cohesion to the currently fragmented and complex infrastructures of the local film and video industry. This entails the creation of a specialised statutory body to ensure continuity in government policies to regulate and support the South African film and video industry.

CHAPTER 2

IMPORTANCE OF FILMS AND VIDEOS

1. Film is an important dimension on the terrain of cultural expression and in the exploration of social meanings. With appropriate financial incentives, the film industry has the potential to generate significant employment, income and investment opportunities.
2. Film, however, is a high risk industry. For cultural and investment reasons, many countries provide their film industries access to state support and financial incentives of one kind or another. Production, distribution, exhibition, education and training, archives management, research and information, visual literacy programmes, as well as the marketing and promotion of locally produced films and videos, are essential elements in the industrial sector represented by film.
3. The current 435 or so cinemas owned by the two chains - Ster-Kinekor and Nu Metro - mostly serve formerly white and Indian areas. This total plus the 120 independently owned theatres contrasts sharply with the 28 currently serving the bulk of the black population living in urban townships. Rapid township expansion on a franchise basis by the new Maximovies company is a positive indicator of the potential viability of new

ventures. These are serving residential areas outside the mainly white catchment areas of the two major cinema chains.

4. The growth of small cinemas orientated to less affluent communities will significantly impact the industry as a whole: a) provide a huge audience for South African made films, thus increasing their financial viability and number of film that could be made; (b) it will increase the penetration and distribution of cinema commercials; (c) these smaller cinemas will obviously benefit foreign films as well; (d) each new cinema creates new jobs at the cinema itself; and (e) will have a multiplier effect in all other sectors of the industry servicing them. Notwithstanding the entry of new ventures like Maximovies, the structural imbalances that remain, require strategic intervention, to help the market.

Following from extensive completed research, by various organisations and the recommendations of the film sub-committee of ACTAG, it is recommended that state support of the South African film industry be administered by a proposed statutory body, the South African Film and Video Foundation (SAFVF). While research informing this White Paper had been extensive, specific items mentioned below will still need further investigation by the Foundation itself.

5. The aims and objectives of the proposed state support of the South African film industry is in keeping with those of the Reconstruction and Development Programme (RDP). Key programmes envisaged in the RDP document are: meeting basic needs, developing human resources, improving the economy and democratising the state and society. The RDP places emphasis on affirmative action to release the energies and creativity suppressed by racism and discrimination. No other sector allows for the promotion of a country and personal talent as does the film industry.

CHAPTER 3

VISION AND AIMS

1. A strong South African film industry will enable South African audiences to see their own stories and interpretations of experience reflected on local screens. One of the long-term aims of the proposed Foundation is to facilitate the placement of the South African industry on a sound commercial footing, to enable it to become internationally competitive. This in turn will promote South Africa as a tourist attraction, and as a location for foreign film productions, and television and advertising commercials.

2. The aims for the promotion of film include the following:
 - to **build** the film industry as a whole
 - to develop **audiences** for local content films
 - to expedite the development of **viewing** facilities
 - to facilitate film **training** schemes.

3. It behooves us to reiterate a fundamental principle of the

White Paper on Arts and Culture: government will maintain an arms length relationship with the arts and culture. This is especially important in the case of popular media such as the moving image, where state interference has previously made its presence felt.

The Ministry is committed to freedom of expression consistent with the norms laid down in the Constitution.

4. In seeking practical solutions, the contribution of the following major stakeholders will be taken into account

- film distributors and exhibitors
- television broadcasters
- government
- film financiers
- producers and artists
- sales agents and co-production partners
- the viewing public.

CHAPTER 4

THE SOUTH AFRICAN FILM AND VIDEO FOUNDATION

1. In many countries with successful film industries like Australia, Burkino Faso, Argentina, France, New Zealand and Canada, a national statutory body for film promotion has shown itself to be of essential value.

2. Following extensive research by various organisations and the recommendations of the film sub-committee of the Arts and Culture Task Group (ACTAG), it is recommended that a new statutory body, the South African Film and Video Foundation (SAFVF), be established to support the South African film industry. While the research informing this White Paper has been extensive, specific items mentioned below will still need further investigation by the Foundation itself.

3. The SAFVF will:
 - advise the Minister on legislation concerning the film and video industries;
 - approve funding applications for film and video projects;

- have no censorship function, and will work within the framework of existing relevant legislation;
- inform professionals, and the public, and cultural attaches about the film industry through appropriate publications.

4. The objectives of the SAFVF will be to -

- a) promote the development of an indigenous, national South African film industry, which caters for all language and cultural groups and provides entertainment, education and information;
- b) effect affirmative action policies to redress the imbalances of the past;
- c) support the training of creative personnel and personnel working in the associated business functions of the industry;
- d) support wider film distribution and exhibition, particularly in areas which currently have the least access to film communication facilities;
- e) promote ongoing research into film policy;
- f) disseminate information on film as widely as possible; and
- g) provide funds both for production purposes and for training and development.

5. The Board of the SAFVF will comprise members drawn from the industry, broadcasters and independent persons. For the period of their tenure, members will be expected to divest themselves of company interest, or alternatively to recuse themselves.
6. Members of the Board will be selected on the basis of a publicly transparent process. A total of ten members, all South African citizens and representative of a broad cross-section of the population, will be appointed by the Minister after due consultation with the Council of Culture Ministers. Board members should have expertise and experience in the fields of film, distribution, film business practice and finance, film education, film law, marketing and entertainment.
7. The Board will meet four times annually. The composition of the Board will be reviewed every three years.
8. The SAFVF will be operated by a full-time, executive staff, according to the guidelines laid down by the Board. The SAFVF staff will be required to maintain neutrality regarding the commercial interests of any individual or any company.

CHAPTER 5
ACTIVITIES OF THE FOUNDATION

1. The SAFVF will liaise with the film industry, broadcasters and provincial Departments of Education and Culture and other government departments involved in their own film projects.
2. Ongoing, direct consultation will be maintained with film makers is to occur, thereby encouraging active participation by the industry in the Foundation's activities.
3. The SAFVF will cooperate with the Independent Broadcasting Authority, and South African Broadcasting Corporation, Bop TV, other private broadcasters and stakeholders on matters of mutual interest.
4. The Statutory Body will promote the free flow of information about the industry, and advise the Competition's Board on monopolistic tendencies.
5. All types of films - entertainment, cultural, educational, art - and international co-productions will benefit from funding. A diversity of film and video genres will be encouraged. Although films can be regarded as commercial products, they should also

be seen as products of culture, education and information. Commercial viability should not be the sole criterion for the Foundation's support of locally-made films and videos. Support should be extended to documentary, feature, experimental film production, with the exclusion of advertising commercials.

6. The SAFVF Body should assist in improving the distribution and exhibition of locally-made films in co-operation with commercial companies, NGOs and broadcast signal providers, and should facilitate the entry and development of independent distributors and exhibitors.

7. Bearing in mind experiences elsewhere, the SAFVF will investigate the merits of a quota system for locally made films, as well as the distribution and exhibition of African films, and films from other developing countries.

CHAPTER 6

FUNDING

1. The SAFVF will receive an annual transfer payment from the Department of Arts, Culture, Science and Technology. This payment will comprise recurrent expenditure as well as contributions towards two new sources of funding: the Film and Video Initiative (FVI) and the Film Development Fund (see Chapter 7 below). For long-term viability to be matched by the local, and if possible, the international film industry.

2. The funds administered by the SAFVF will be accounted for according to the requirements regarding reporting of the Public Entities Act, No. 93 of 1992. The business plans for various projects to be funded by the SAFVF will be developed against priorities consistent with the goals of the Reconstruction and Development Programme, and prepared in consultation with the Department.

3. It is further proposed that distributors contribute to the growth of the local industry by way of reduced distribution fees on South African products. Such mechanisms are widely used internationally.

Film and Video Initiative

4. The Film and Video Initiative will operate under the control of the Board of Directors of the SAFVF.
5. On the basis of previous discussions, it is anticipated that the film industry will contribute an amount equal to that of government towards the Film and Video Initiative.
6. The Film and Video Initiative will provide seed funding for film and video projects according to publicly transparent criteria. Discretionary low cost loans and outright grants will be among the various financial instruments considered for South African film producers, new directors and scriptwriters.
7. An investigation to examine the feasibility of tax-free grants-in-aid to the industry will be conducted by the Department at the earliest opportunity.
8. The Initiative will fund a certain percentage of the cost of production, and endeavour to recoup these disbursements. A prorata share of the profits will be retained by the Foundation.

9. Producers who are successful in obtaining funding from the initiative will be required to secure certain percentage of matching finance through guarantees, pre-sales, equity or loans. (This is consistent with Australian and Canadian schemes).
10. The Initiative will create a set of financial guidelines for both local and foreign parties wishing to invest in high-risk ventures.
11. It is envisaged that government funding of the Initiative would be reviewed after five years as profits are directed back to the Initiative. This strategy, if successful, would enable the Initiative to become a "Film Bank". This would be similar to the "Art Bank" already suggested in the field of artworks (*sic*²).
12. The significant difference between this strategy and previous subsidy mechanisms is that previous schemes required no repayment regardless of commercial success.

Other incentives

13. The Department, in collaboration with the Foundation, will investigate other financial incentives to benefit private enterprise companies and individuals investing in film and video projects and to attract or encourage foreign productions to be made in South Africa.

14. Another incentive mechanism under discussion is that exhibitors be allowed to apply for grants or accelerated depreciation on the building of new cinemas and the upgrading of existing cinemas. This would apply in areas that are underserved, or not served at all, with an adequate exhibition infrastructure.

CHAPTER 7
TRAINING AND DEVELOPMENT

1. The Department, in cooperation with the Foundation and the Department of Education, will facilitate the development of film-related training schemes and tertiary education opportunities.

2. A feasibility study will be launched by the Department at the earliest opportunity to determine the scope of a National Film and Television School. The Department will contribute a proportion of the start-up funds for such as School.

3. It is necessary to bring coherence to the various training schemes currently on offer by private and parastatal agencies, e.g. the SABC. In consultation with the Department of Labour, the National Training Board and the industry, steps will be taken to set up a Film Industry Training Board. This Board would undertake the necessary development of modular courses and accreditation to conform with the principles of the emerging National Qualifications Framework.

4. The Department and the Foundation will immediately liaise with the Department of Home Affairs concerning the utilisation of the training levy charged by the Department of Home Affairs on the importation of foreign technicians.

Film development Fund

5. Students wishing to embark on higher education studies in film and video would apply to the National Student Loan and Bursary Scheme in the usual way; those engaged in Further Education would seek financial support from industry and other sources.
6. However, in recognition of the importance of the industry, the South African Film and Video Foundation will establish a Film Development Fund specifically as a training fund. Its main objective will be to effect redress across communities.
7. The Film Development Fund will provide financing for-
 - entry-level producers and first-time producers
 - bursaries for film study, and
 - short and specialised film and video production.
8. Among the criteria governing grants will be the requirement that production grants be made subject to the involvement of an experienced producers or production entity.

CHAPTER 8

ARCHIVES AND MANAGEMENT

1. The National Film Archives, located in Pretoria, operates under the governance of the Department. These archives constitute a national asset in terms of both preserving and promoting information and knowledge on South African film to educational institutions, film festivals and business enterprises. The collection covers the whole century and reflects both the earliest and contemporary initiatives in the history and development of cinema in South Africa.

2. The collection is of immense value to educational institutions, historically, to film festivals and to business enterprises. The deterioration of sound track on many early prints requires urgent intervention to prevent unique material from being lost.

3. Another area of concern is the inaccessibility of the collection for broader use by the public and educational institutions. A means of ensuring that the collection is accessible and that conservation of the original copies is attained by transferring the films to video.

4. One copy of all commercially released films and those funded through the SAFVF should be registered and deposited with the Archives.

CHAPTER 9

PROMOTION AND INTERNATIONAL RELATIONS

1. Government Departments and the Foundation should promote local films, publicise the achievements of South African film makers, draw attention to the cultural and entertainment value of South African films, and generally make the local and international public aware of the film industry.

2. The promotion of South Africa as a film production location as well as its local film festivals should be the primary responsibility of the Department. Other government departments will be encouraged to promote their own film initiatives.

3. It is recommended that the Foundation act as facilitator to bring about the establishment of a South African National Federation of Film Festivals incorporating the existing local festivals. This National Federation should debate policy and make recommendations to the SAFVF regarding the future of film festivals in South Africa, including a festival of South African films and videos.

4. The SAFVF, in collaboration with the Department, should consider funding for projects in film festivals. Festivals will be encouraged explicitly to support South African films.
5. The Department, in consultation with the Foundation, should facilitate and actively seek co-production opportunities. International co-production treaties would be negotiated through the Department, in conjunction with the Department of Foreign Affairs.
6. The Archives, in co-operation with the Department, will locate copies of South African images held internationally for its inventory. It will also liaise with international festivals and archives with regard to the screening of South African films.
7. It is essential for co-production treaties to be fostered between South Africa and other countries. Co-productions work only if there is some advantage to be gained from sharing the production with an overseas partner which could not otherwise be obtained. The Department, in conjunction with the Departments of Foreign Affairs and Trade and Industry will endeavour to facilitate such contractual arrangements.

8. It is recommended that the Foundation co-ordinate, facilitate and actively seek co-production opportunities. Co-productions could include individuals from countries with which South Africa has signed a treaty, but also from countries which (*sic*) have no treaties with this country. In this way foreign producers should have access to the support mechanisms provided the domestic film and video industry. The Statutory Body's function will also be to advise on policy in the area of fostering coproductions (*sic*).
9. Co-production treaties will be guided by the following principles:
- a) To stimulate interaction between the South African film industry and its international counterparts.
 - b) Such interaction should be of mutual benefit to the parties involved.
 - c) Co-production treaties should take into account the developmental and human resource needs of South Africa.
 - d) Co-production treaties should enhance opportunities for South African films to be distributed globally.

CHAPTER 10

CONCLUSION

1. This White Paper has sketched out the broad framework for the revitalisation of the South African Film Industry. It is clear that considerable creative energy is waiting to be deployed, and it is the intention of this policy document to enable this to occur.
2. Our country, with its talent, both artistic and technical, and its varied climatic and topological zones, offers an excellent basis for the production of local and international films and videos. Evidence for this assertion is provided in the acclaim regularly accorded to our television advertising agencies and production houses.
3. The history of film in South Africa has run parallel to that of industrialisation, and has suffered from, and contributed to, similar distortions in the social sphere. The opportunity is now presented to us to put this right, and that is our mission.

NOTES FOR APPENDICES:

1. This date is incorrect. The ACTAG Final Report was submitted in July 1995, and not November as stated here.
2. The brackets are mine, indicating spelling mistakes.

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