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The compromise with reality

Quaderns del CAC Issue. 16, May-August 2003

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Presentation

In this issue, titled "A Commitment To Reality", *Quaderns del CAC* enters the general discussion about current practices in film and television discourse aimed at achieving realism. The effort and desire to be aware of reality through the genres of fiction or documentaries have become manifest in recent years, especially following the impact of the images of September 11, 2001. Both on the international and local film circuits - and particularly because of television programming requirements - authors, works and programmes regularly propose to tackle current problems, the restoration of past memories and the exploration of hidden areas of social and political conflict. But what is reality? What does realism mean today? What parameters define realist fiction and are some genres of realism, e.g., documentaries, favoured over others?

This issue includes the contributions of a number of experts in the current dynamics, as well as the reflections of producers and directors on the orientation of their decisions and ways of working in this area. Àngel Quintana ("Digital Reality or a Number of Proposals on the Road Towards the Film-Essay"), Núria Bou ("In Search of the Forgotten Gesture") and Josetxo Cerdán ("Four Points of the Compass and a Centre of Gravity for Contemporary Documentaries in Spain") explore a number of basic trends with regard to the desire for reality in the audiovisual sphere. The conversations between two producers, Pierre Chevalier and Jordi Balló, and two directors, Joaquim Jordà and Marc Recha, help examine and evaluate the requirements and different options in relation to a commitment to reality from a number of different perspectives. Fèlix Riera closes this section with a reflection titled "The Return of Fiction".

The "Observatory" section includes a conversation between Pierre Trudel, the well-known Quebec-based lawyer who specialises in the new environment of the Internet, and Gemma Domènech. Carles Llorens presents an overview on current media concentration, while Ivan Pintor explores the latest trends in screenwriting in "From Rhetoric to Archetype: Screenwriting Manuals". Finally, Montserrat Martí pays homage to a pioneering female filmmaker in Catalonia in the article "Mercè Vilaret: Approximation to Her Visual Writing".

Josep Gifreu
Director

Digital Reality, or a Number of Proposals on the Road Towards the Film Essay

Àngel Quintana

■ *This article begins with a reflection on the eclipse of reality that occurred during the 1990s due to the emergence of new technologies and because the media put reality under suspicion. The new decade, on the other hand, augurs a certain return to reality, the crux of which is the use of digital technology. However, this return to reality goes beyond the borders established between reality and fiction to also embrace other roads. This article makes a claim for the notion of the film essay and examines a number of proposals in that direction.*

In December 1995, in the middle of the arguable celebrations and exaltations marking the centenary of film, the Spanish Association of Film Historians organised a congress at the Autonomous University of Barcelona aimed at promoting a re-reading of the history of Spanish cinema. At the end of the congress, history (which had guided the development of the different sessions) was marginalised in favour of the present in a speech that aimed to drive the point home. The University of Valencia professor Juan Miguel Company said, "Contemporary Spanish film has serious difficulties in talking about the present"¹. The statement came about in the light of a review of a number of films that were doing well at the box-office, in which the present was covered either by inappropriate tones, narrative script

strategies or a radical subservience to the proposals of genre films. It was the last year of the Socialist government of Felipe González and within the Administration they had begun to carry out a series of significant transformations that signalled the appearance of a new generation of filmmakers open to the trends and tastes of a young public who had managed to exclude any type of commitment from their lives. Spanish film appeared to have come out of the crisis generated by the excess of academic and erudite models that had characterised the early years of the Socialist decade to embrace others that featured the characteristics of postmodern films, such as historic forgetfulness, the pastiche recycling of diverse formulas, the preponderance of a literary culture of best-sellers and, particularly, the construction of a cinema of image that was no longer a mirror on the world but rather a spectacle of alleged timelessness.

This model of postmodern cinema was easily assimilated by the industry and interested television stations, who were quick to acquire screen rights, and effortlessly made the political change from the Socialist administration to the administration of the Popular Party. Its proposal was compliant with institutional models, having dismissed any approximation towards the real world and proven to be removed from any type of reflection on the present or on recent history. As Carlos F. Hedrero said in a study on the cultural characteristics of the filmmakers who helped bring reality to a crisis point during the 1990s, their viewpoints were "oriented towards an abstract present; their films reflected, from a considerably oblique distance, the social and political reality in which they were born. In these films, the reflection on the domination of what is social and on questions of current interest, as a way of confronting the cultural or political context directly and immediately or with an express desire to provide testimony, are premises and

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strategies currently in complete regression"². These were the years in which Juanma Bajo Ulloa found success with *Airbag* (1997), Alejandro Amenábar sketched a thriller set in the campus archive of a communications faculty in 1995's *Thesis* (Tesis), Julio Medem took the esoteric style of *Tierra* (1996) to the Cannes Film Festival and Alex de la Iglesia recreated a version of *The Exorcist*, set in Madrid's Gran Vía, in *El Día de la Bestia* (1995).

The process of putting reality into jeopardy was not exclusive to Spanish films, but rather a symptom of a time in which postmodernity impaired thought and decided to put reality on hold. The 1990s was the decade of scepticism over any possible truth in images. This scepticism began with the discrediting of the information that came out the disaster of the first Gulf War, sold by the TV channels as the first televised war and which in the end was reduced to a war without images. The scepticism led the world towards what Ignacio Ramonet called *the era of suspicion*. In a particular context, the world began to be seen as a representation and the individual as a paranoid being lost in a universe in which everything is made visible, in which the appearance of the Internet, as a new way of understanding every possible relation between space and time, ends up destroying traditional forms of censorship and where all the data in the empirical world begin to provoke a strange feeling of mistrust. The crisis of truth coincided with the emergence of virtual non-places in cyberspace, which transformed the coordinates of space and time. Meanwhile, the appearance of digital images provoked a process of dematerialising images to the point that they were no longer an impression of the visible world and became simple informational data, in pixels that could be processed and treated with a scanner. In the world of film, these processes eventually went up a strange road in the elaboration of discourses. While at the beginning of the decade, shortly after the Gulf War, the main theme was the problem of limits in the representation of violence, e.g., with Oliver Stone's *Natural Born Killers* (1994) or Bertrand Tavernier's 1995 work *The Bait* (*L'appât*), by the middle of the decade the central theme was to reflect on the impersonation of reality by different systems of representation, e.g., Peter Weir's *Truman's Show* (1997), or Roberto Begnini's 1998 film *Life is Beautiful* (*La vita è bella*). This process of transforming what is real for possible or virtual worlds culminated in the

emergence of ghosts or spectral beings who impact people's lives from beyond the grave, e.g., M. Night Shyamalan's *The Sixth Sense* (1999) or Alejandro Amenábar's 2001 work, *The Others*³.

Of course, despite the emergence of postmodernity, different forms of resistance sprang up both in Spanish films and international ones, particularly in certain models of auteur cinema, where creation goes hand-in-hand with a self-reflection on the image itself. A number of significant films, such as Víctor Erice's *El sol del membrillo* (1992), José Luis Guerín's 1997 work *Tren de sombras*, Marc Recha's *L'arbre de les cireres* (1998) or Joaquim Jordà's 1999 film *Mones com la Becky*, were presented as works that went against the tide, proposing a reflection on the way in which a film image can lead to an evaluation of the world, the difficulty in conquering truth and the way in which the revelation of a mystery can occupy a central place in images.

Theorists of philosophy and contemporary culture say that on September 11, 2001, things began to change and that the drama that accompanied the images of the collapse of the Twin Towers in New York helped certain sectors wake up; simplicity in thought was discredited and postmodernity inflexibly showed signs of its peculiar decadence. In a book titled *Welcome to the Desert of the Real*, Slavoj Žižek warned that at the end of the day, the change was not as radical as many people thought, because what the attack on the Twin Towers really showed was that the images created in fictional works had become an inevitable part of what was real, to the point that they ended up modulating our own world: "More difficult than denouncing the masking of reality as fiction, people ended up recognising a part of fiction as real reality"⁴. The amazing spectacle of the attack was similar to the amazing spectacle of particular disaster films, the iconography of which is established in our collective imagination. Although for the TV stations the 3,000 people who died in the Twin Towers were a simple numerical data whose material side they did not show, September 11 marked a 'before' and 'after' in the relationship between the world and images. The attack served to question the role of postmodern irony and led to the first discussions on the crisis of reality generated by the omnipresence of virtuality.

Thus, while George Lucas was working on *Star Wars II: Attack of the Clones*, a demonstration of the potential of the

virtual image's ability to create all the imaginary cities we have dreamed of on occasion and have never dared to make reality in international film festivals, a handful of filmmakers were repeatedly showing how the digital technology created to supplant reality had in fact increased the desire for reality in films and demanded that this reality, which postmodernity eclipsed during the 1990s, be ushered discreetly onto our screens. In the 1960s, the appearance of Nagra recorders and 16-mm cameras in television news reports transformed the look of the image, contributing a noticeable freshness. The revolution of the 16-mm camera led to a movement called *cinéma vérité*, led by Jean Rouch, which proposed changing film writing into an experiment of an anthropological nature, diluting some of the basic conditioning factors of documentary aesthetics. In the first decades of the 21st century, digital simplicity has served to again question the limits of the image's reproduction ability, to dilute the role of the device as a conditioning factor in creative freedom and to erase the always delicate borders that separate documentary from fiction. The low costs involved has allowed digital technology not only to create an eroticised Lara Croft, able to supplant the sensuality of the top actresses, but also create a new desire for reality, which has begun to transform the film landscape.

However, when it comes to talking about films returning to a certain desire for what is real, we should tread carefully. On the one hand, we can see that a particular type of social film has begun to conquer some screens, making us believe that what they show is a faithful image of the world, when what they really propose is nothing other than a return to classic realist models, where the transparency of the image conceals a closed discourse based on chance and the elaboration of images with the aim of creating a look of reality, without succeeding in getting the camera to address the real world or establish a discussion about what is before it, nor how it could be filmed.

If we continue with the discourse about Spanish film and try to locate it with regard to some of the phenomena that have taken place in recent years, we can see that following the tempestuous ceremony of the Goya 2002 awards, which recognised a film about a group of people on the dole (Fernando León de Aranoa's *Los lunes al sol* (2002)) the type of Spanish cinema that lived with its back to the world has experienced a strong desire for reality. It is clear that

Los lunes al sol and Achero Mañas' *El bola* (2000) bring us closer to a real world and want to give examples of a certain commitment, but it is also true that the methods used in these films, based on a closed image, are far from any type of realist adherence. A film developed from a storyboard is a film that considers imagination as the starting point for all creative acts, which dismisses anything that is random and turns the shoot into an imitative fact rather than an act of investigating a truth. *Los lunes al sol*, for example, is a very closed film both with regard to the images and script concept, based on chance, i.e., on meetings between the characters, and on dramas aimed at convincing the viewer. To some extent, *Los lunes al sol* does nothing more than reinvent a tradition established by E. Hobsbawm and T. Ranger, which is to "give answers to new situations that take their form of reference from old situations".⁵

The desire for what is real has been manifested in films from other premises, from works that consider that the area of fundamental movement is neither the documentary or fiction but the field of the essay. Such is the case of a number of works which consider that the camera has to explore the world in order to build a discourse that is committed both to reality and also to the film, as it has to propose a reflection on the ways of building the discourse, the materials used and the issues at play. The new realism cannot call on the forms of the 19th century but has to follow the tradition of modernity that consists of converting all images into a discussion on their referentiality and discursive processes. For that reason, the central debate has nothing to do with the boom in documentaries, because many of them are simply converted into imitative products shored up by a central theme but lacking any reflexive vocation. If we look at some of the important documentaries made in Spain, such as *Asaltar los cielos* (1996), by López Linares and Rioyo; Jaime Camino's 2001 work *Los niños de Rusia* (2001) or *Gala* (2003), by Silvia Munt, we can see they contain no type of discussion about the documentary form but rather limit themselves to following a good theme with certain skill, but without questioning their function or limits. However, a documentary like Joaquim Jordà's *Mones com la Becky* (1999), which explores fiction and historical reality, creates a docudrama and includes a certain first-person type of writing, is a work that is open on its borders, where film writing ends up approaching the essay and

becomes a type of philosophy. This idea of the essay has appeared in some of the most interesting proposals in contemporary film.

When it comes to establishing a proposal for a list of important films that have transformed the limits of what is real based on essay-type writing, the decisive work has to be, without any doubt, Jean Luc Godard's *Histoire(s) du cinema* (1991-1997). Created as a non-chronological particular history of the cinema, it was divided into six chapters to be broadcast on TV and announced the bases of what some people have called postcinema, because of its nature of a hybrid territory, where the image opens up towards strange poetic territories, rewrites the historic tradition itself and is presented as an insightful reflection on the need to invoke memory to check the way in which images (fiction and documentaries) ended up providing a testimony, either actively or passively, to the future of the 20th century. Godard followed the logic of the collage in *Histoire(s) du cinema*, mixing archive footage, sound, quotes, fragments of poems and pictorial references to finally rebuke the role of creation and images as devices of an imagination that supports Walter Benjamin's theory that all documents on culture are, at the end of the day, about barbarity.

The essay as a way of investigating film's power to reveal what is real, through the use of the digital image, was used in one of the most radical and suggestive theoretical works of contemporary cinema, i.e., *Ten* (2002), by Abbas Kiarostami, in which two security cameras were placed in the front of a car, on the right-hand window. Kiarostami did away with any attempt at blocking in order to show ten car trips during which a woman who is separated from her husband talks with the people she picks up along the way. The Iranian filmmaker explored what is real from a minimalist perspective in the hope that something would emerge to destabilise the relationship between the characters. In the end, the tears on the face of one of the passengers ends up bearing witness to a powerful revelation. *Ten* openly plays with the same idea of security cameras as the television series *Big Brother*, but while reality TV becomes a game and a spectacle, *Ten* converts into an explosion of an intimate truth.

Chris Marker is one of the great filmmakers/essayists working in anonymity. He began making films in the 1950s and is still at work today, and his films are characterised by

a clear attempt to break free from the rules and limitations imposed by the cinema and its formats. *Level Five* is the most powerful film-essay Marker has made about our present. Shot in 1997, when the Internet phenomenon was becoming institutionalised, the film shows a French Net surfer who decides to trawl the web for information on the Battle of Okinawa. His investigation leads to mystery, confusion over information and pessimism. In the end, he reaches the conclusion that even in the time of the information society there are issues, such as the mass suicide of Japanese schoolgirls in Okinawa, which continue to be hidden because they are not transparent. History continues to be a discourse that depends on documents, and documents have always been closely linked to systems of power.

In her year 2000 film *The Gleaners and I* (*Les glaneurs et la glaneuse*), Agnès Varda, another filmmaker of the Nouvelle Vague school, gave us a bona fide lesson in the economy of digital technology at the service of the essay. Using a small video camera, she set out to glimpse images of people who live on the margin of the consumer society and recycle the things that others throw away. Although she denounced excess and consumerism in the different manifestations of our society, her critique was also a condemnation on the situation of films. At a time when the image has acquired unthinkable levels of grandiloquence, she plays with simple images, gathering fragments of reality all alone to eventually construct a true moral lesson on film's ability to confront life's little details and observe them up close.

Staying in France, I would also like to mention Nicolas Philibert's documentary *To Be and To Have* (*Etre et avoir*) (2002). Philibert, a filmmaker who has made admirable works on the world of deaf people and psychiatric institutions, decided to explore the world of the school. He set his camera up in a small rural school, where a single teacher was in charge of all the year groups, to build up a firm homage to the largely forgotten and anonymous work of teachers. The invisible camera focuses on the learning process that takes place in the classroom and on different students, and shares with them some of their most intimate moments, making them protagonists while at the same time establishing a political discourse about the need to support public institutions at a time when different countries,

including France, have jeopardised the awareness of public goods.

Belgian filmmaker Chantal Akerman is one of the great pillars of the second wave of modernity that was radicalised in the 1970s. Over the course of her career she has cultivated different hybrid genres to impose a meticulous and steady view of the world around her. Of her recent work, I would particularly like to mention *South* (1999), an exploratory film she shot in the southern states of the US. The final frame in the film is the strongest demonstration of the Godard maxim by which all travelling is a moral question. Akerman wanted to make a film about the deep south, the landscape portrayed by Mark Twain and William Faulkner, but she ended up experiencing how intolerance is still present there today. While she was in the area, the Ku Klux Klan grabbed a black man, tied him up and dragged his body from the back of their car for some six kilometres until it was completely destroyed. A few days after the brutal killing, Akerman filmed the path they had taken, forcing us to look at it to remind us that the time it takes to observe is nothing like the time it takes to feel pain.

Johan van der Keuken was one of the leading European documentary makers and a key figure in reflections on reality and forms of observation. In 1999, a doctor found a cancer in Van der Keuken's blood. As soon as he knew about it, he suggested to his wife that they go on a long trip. With a small digital camera, Van der Keuken travelled around India, Africa and the US. The result was an enigmatic film titled *The Long Holiday* (*De Grotte Vakantie*, 1999), in which each image of reality is taken as if it were being seen for the last time, as if it was going to be lost forever and it was important to keep it to certify the existence of a life that had been lived.

Frederick Wiseman has been one of the great American documentarists since 1967 and one of the main exponents of the so-called non-intervention method, which consists of capturing a particular reality in an objective manner without giving signs of the presence of the camera. However, his most recent film, *The Last Letter* (2002), is, oddly enough, a work of fiction. Wiseman filmed an elderly actress from the Comédie Française, Catherine Samie, alone on a stage, reciting a text by Vasili Gossman in which a woman says goodbye to her daughter before being taken to a gas chamber. In Gossman's gesture of turning to fiction we can

see a clear need to go beyond the present in order to document the anguish of history, the injuries of time and to see how they are still present in the makeup of our world.

History, memory and a commitment to the past as ways of endorsing reality itself in film have become one of the main areas of debate in contemporary cinema. One of the best works about history that today's cinema has offered was made with just a handful of photographs. The work was called *No Pasarán*, directed by Jean-François Ymbert. The director/narrator came across six random photos of a concentration camp for Republican soldiers in Argeles and decided to reconstruct the memory of the camps and enquire into the historical responsibility of the French government, based on an ongoing investigation of the photos that provided testament to the uncertain destination that befell the Republicans who survived in France in sub-human conditions, while many ended up being deported to the German camps. Almost without resources, Ymbert calls upon memory, shows the contradictions in the story and makes the photos into types of stamps, evidence that explains the power of commitment to the image with respect to its time. *No Pasarán* is moving because it does not discard documentary truth, but neither does it forget the essay-based power of film language.

Notes

1. Juan Miguel Company, "El pijama bajo el abrigo. Un cine en el crepúsculo". In *Tras el sueño. Actas del Centenario*. 6th Congress of the Spanish Association of Film Historians, Madrid: Academy of Film Art and Sciences of Spain, 1998.
2. Carlos F. Heredero. *Espejo de miradas. Entrevistas con directores del cine español de los noventa*. Madrid: Alcalá de Henares Film Festival, 1997, p. 65.
3. The author developed the theme of the crisis of reality in films of the 1990s in the final chapter of the book, *Fábulas de lo visible. El cine como creador de realidades*. Barcelona: El Acantilado, 2003.
4. Slavoj Žizek, *Welcome to the Desert of the Real*. London/New York, Verso 2002, p. 19.
5. E. Hobsbawm and T. Ranger. *The Invention of Tradition*. Cambridge: Cambridge University Press, 1983.

In Search of the Lost Gesture

Núria Bou

■ *Beginning from the importance that Jean Renoir and Roberto Rossellini conferred on the new television technique of directors working closely with actors, I will then go on to look at the interpretation methods the two European creators of realism and modernity practiced. From different theatrical processes, we discover the same humanist goal, where both artists tried to register the most essential (real) gestures of the human being. Finally, we ask what has become of this tradition in the current audiovisual landscape.*

"Modern society and modern art have completely destroyed man. Man no longer exists and television can help rediscover him. Television, an incipient art, has dared to go in search of man".

This was the response Roberto Rossellini gave to André Bazin when he enquired into why the Italian director had been attracted to television at a time when film lovers were more wont to criticise the new medium. In the same interview, Bazin also put the question to filmmaker Jean Renoir, who had shown a similar interest in television production. The director of *The Rules of the Game* replied matter-of-factly that some of the shows on TV bored him less than the recent presentation of a number of films. He said the format of the interview, for example, gave television a sense of completeness that film, particularly in recent years, had been unable to reach. Renoir recalled a number of questions about political processes where at times he

could read the face of the people onscreen: "In two minutes we knew who they were and I found that fascinating, I found the show indecent, because it was almost an indiscretion, but the indecency came closer to discovering something about man than many films manage to do".

These revealing, although very different, statements from the two big filmmakers of realism and modernity were included in André Bazin's famous 1958 interview published in the magazine *France-Observateur*. Both statements, before either Renoir or Rossellini had worked in television, can be established as clear premonitions of the significance that new television techniques would come to have in their later works. Effectively, in their work of trying "to put the public into contact with human beings" (RENOIR: 1993: 132), television offered them a way of reaching more direct realist resolutions, as a new research tool for recording the most secret gesture of mankind.

The big theatre of Jean Renoir

In the interview with Bazin, Renoir mentioned he was preparing a made-for-TV film, an adaptation of Robert Louis Stevenson's novel *Dr. Jekyll & Mr. Hyde* (later released under the title *The Testament of Dr. Cordelier* (1959)), which he wanted to film with various cameras, uninterruptedly recording the dialogues and gestures of the actors as if it was a live broadcast. Renoir wanted to be able to give more freedom to his interpreters so they could act without concern for the shot or camera location.

In fact, the French director's concern for capturing the actors' gestures in their characters was always present in his film itinerary. In the interpretative register Jane Marken and Jacques Borel employed in *A Day in the Country (Un partie de campagne)* (1936) when they skip through the

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fields as if they were masked players in a commedia dell'arte, laughing and kissing each other's hands in an exaggeratedly friendly gesture, it is clear that Renoir, 23 years before discovering the advantages of the multicamera, was already trying to capture the hidden quintessence of his actors. Eric Rohmer (2000: 277) said that Renoir's way of getting an actor to exaggerate so outrageously could bring spontaneity to the interpretation. He said naturalness emerged when an actor, "tired of wanting to appear", forgets he is acting and identifies with the character. The possible imperfections that a live broadcast could involve did not fill the French director with fear: rather, they could be an outlet for his sought-after naturalness. Furthermore, as Àngel Quintana (1998: 267) said, "Renoir knew intuitively that, thanks to television, he could materialise the idea of a film in which the interpretive work was the main creative act".

If we go back to the early days of his career, particularly his second film, *Nana* (1926), we can already detect Renoir's interest in considering the actor the centre of the scene. It was with the actress Catherine Hessling (his partner at the time) that he seemed to experience a taste for interpretative exaggeration. In the role of Nana (a theatre actress who ruins the lives of three aristocrats), Catherine Hessling adopts a bombastic, vamp-like pose that contrasts with the practical immobility of the three love-smitten noblemen, thus becoming the only focus of the scene. However, her artificial gestures were criticised by a public who considered her work to be too unrealistic. A delicious paradox had begun to appear in Jean Renoir's work, but it would not be until the late 1930s, after making films that were as acclaimed as they were realist, that he began to understand the point to which *Nana* contained the beginning of an aesthetic approach that would end up configuring his film philosophy.

In films like *La Chienne* (1931) and *La Bête Humaine* (1938), he discovered the dangerous ambivalence of realist direction: in his memoirs, Renoir said that in these two films he did not allow the actors to wear makeup and he tried to get them to live for a time with the men they were playing, to copy their manners and ways of speaking, but that once the films were finished, he realised he had only provided a great range of real elements to a scene which, at the end, served to underline the artificialness of his actors. Thus it was that Renoir discovered he was not interested in

constructing an *external reality* but rather producing an *internal reality*, which could spontaneously arise from the actors. Renoir wanted his actors to forget their characters so the public could see that acting was a giant fantasy. He thus configured one of the simplest but most revealing propositions of realism: when faced with the evidence that a filmmaker always organises a production, why hide from the viewer the fact that he is also seeing an actor acting? The Chaplinesque characters in *A Day in the Country* are thus more realistic than the falsely reconstructed workers of *La Bête Humaine*. In the same way, Catherine Hessling's histrionics in the role of Nana could underline the fictional nature of the character, the literary and cinematographic naturalness of the protagonist.

It is therefore no surprise that Jean Renoir should, in his last creative stage, construct an extremely personal poetics that he unleashed on theatre stages and television studio sets. In films like *La Carrosse d'Or* (1952), *French Cancan* (1954), *Elena and the Men* (1956), *The Testament of Dr. Cordelier* (1959), *Picnic on the Grass* (1959) and *The Little Theatre of Jean Renoir* (1969), the Renoirian universe again used the easy and confident masks of the commedia dell'arte to express everything risible about contemporary society. However, the big theatre of Jean Renoir was not just about entertaining: in clear correspondence with Brechtian postulates, his later works had the markedly didactic aim of helping the viewer critique the world.

The big observatory of Roberto Rossellini

At the time Roberto Rossellini and Jean Renoir were responding to the questions put by André Bazin in the interview mentioned in the first paragraph of this paper, the Italian director, who had demonstrated a great interest in capturing reality based on close work with actors, was preparing a film and non-fictional series about India for French television. As with Jean Renoir, Roberto Rossellini immediately saw that the television medium could be a good tool to work more intimately with actors, a new instrument that could allow him to continue to reveal the truth that he had already been able to capture in his films.

We know that in the films *Rome, Open City* (*Roma, città aperta*) (1945) and *Paisà* (1946), Rossellini mixed professio-

nal actors with non-actors to better record reality. In both cases, the method he followed to choose his interpreters was based on closely observing the men and women who wanted to work with him and then making them repeat in front of the camera the things he had seen them do naturally. "The idea was to get their muscles used to making gestures so they could be comfortable in their role" (1987: 226). He had not been able to put Renoir's hypotheses into practice, because Rossellini considered that "they had to dig beneath reality", i.e., given that films could record the tiniest movement, the Italian director feared that things would seem exaggerated. Likewise, he wanted the text to reveal as little as possible, which meant the actors didn't know exactly what they had to say until just before shooting. Thus, without repeating (*wasting*) the text, Rossellini found it easier to *reveal the truth* of reality.

Having recently come from the Hollywood studios, one can easily imagine the conceptual shock Ingrid Bergman felt working with a director who did not believe in rationally following a definitive script. Married to the Italian filmmaker, the Hollywood star agreed to put herself under the microscope. Rossellini not only wanted her to repeat the gestures he had fallen in love with, but used the camera as a penetrating instrument to capture (rob) his wife's most deeply hidden emotions. *La Paura* (1954), Bergman's last film with Rossellini, had, even in the same narrative device, a character who discovers (by spying on her) that his wife is having an affair with another man. The protagonist is only interested in it in so far as he wants to use his knowledge to control (monitor) the woman's emotions, to make her confess her adultery. This passion for observation led Rossellini to discover the most carefully concealed gestures of Ingrid Bergman at the same time the viewer did. Moreover, the public was able to see one of the biggest names in Hollywood not as a shining star but as a beautiful (real) human being.

In a different vein, before beginning his television period, Roberto Rossellini began to experiment in films such as *General Della Rovere* (*Il generale della Rovere*) (1959), *Era notte a Roma* (1960), *Viva l'Italia!* (1960) and *Vanina Vanini* (1961). These films, preliminary sketches of his later television works, contained a view that revolutionised his way of observing reality. In effect, in *General Della Rovere*, Rossellini invented an instrument (which he called a pan-

cinor) to film (observe) the actors from a distance, but which produced a close-up of them. With the pan-cinor, a type of zoom lens with two motors that allowed him to vary the focal distance with great ease, he barely had to move the camera at all. In *Era Notte a Roma*, Rossellini experimented with the pan-cinor with more precision, anchoring the camera to a single point and using the instrument to zoom in or out. He was thus able to maintain a directing style composed of long shots without having to prepare the actors' movements according to the location of the camera. With scenes generally made up of sequential shots, Rossellini thus did not have to resort to the paraphernalia that a dolly or crane shot requires. He could thus improvise during takes, so that if an actor had not been exactly in the place he should have been, he could correct the position with the pan-cinor. With this system, he could obviously wait from a distance for the most interesting (emotional) gesture to appear on the actor's face and slowly zoom in to eventually provide a close-up shot for the viewer.

Roberto Rossellini was thus able to record his actors' most humane gestures. His audiovisual masterpiece *The Rise of Louis XIV* (*La Prise de Pouvoir par Louis XIV*) (1966) is in that sense the result of the maturing of the tests he had been carrying out in films. The shots of each big scene of this French production feature a tempo that has little to do with that of classical fiction: the slowness impregnates the length at the rate of the (sometimes imperceptible) camera approaches, with the camera seemingly spying on the actors' every movement. In this repositioned take on a living 17th century portrait, the viewer watches a show displayed from a distance, without concealing the gaze that frames the Rossellinian representation: when the pan-cinor pulls in to the actors' faces, the power he has on the historic past of humanity becomes even clearer. As occurs in Renoir's works, the world becomes a stage to be seen from a distance, a distance that is necessary not just to bring about the emergence of a critical sense in the viewer but also to understand that behind the dimension of the celebrated gestures of Garibaldi (*Viva l'Italia!*), Descartes (*Cartesius*, 1973) and Jesus (*Il Messia*, 1975), there lies a simple gesture that is real and always fascinating, i.e., a human being.

This distanced view of actors and the reality represented that reveals to us the essentialness of mankind can also be

seen in the recent works of directors still active today. Followers of the Renoirian and Rossellinian inheritance, including Jean-Luc Godard, Manoel d'Oliveira, Nanni Moretti, Jean M. Straub, Jacques Rivette, Eric Rohmer and Joaquim Jordà, do not search in their films or television productions for formal perfection (that external reality that Jean Renoir detested) but rather play witness to the live meeting of a director and actor, to find moments of real spontaneity portrayed in the scene. They have all understood that the duty of a realist filmmaker is to repeatedly remind the public that fiction is an artistic manipulation. However, except for the works of the veteran directors mentioned above (to which we could add the films of Abbas Kiarostami, the batch of young Iranian filmmakers, the Dardenne brothers and some of the works of members of the Dogma movement) contemporary productions associated with reality do not seem very interested in experimenting in this direction. Modern films do not understand, for example, that the elaboration of reality often goes hand-in-hand with a fictional recreation that overestimates the effort of staging a scene or documentation. They do not understand that there is not the slightest interest in distancing oneself from that which one is filming to rethink or better give a sense of reality. They do not understand that the costliest production artifices are clumsily exhibited to make a production more prestigious. They do not understand that one should take formal perfection into account when affectation hides the light or colour of reality. Nor do they understand that they are tending towards a uniformity of interpretive registers in which reality is measured by a plurality of different words and gestures, or that live broadcasts (which have created so many expectations) have ended up forming part of conventional television programming: that in recent times, one could say that the observatory Rossellini proposed has become, far from what its founder imagined, a space for the public to contemplate (or monitor) not the greatness but the destitution of mankind.

In his 12-part television series *France Tour Détour Deux Enfants* (1978), Jean Luc Godard went so far as to demonstrate (in a clearly critical way) the spirit that could end up dominating contemporary screens. In the series, Godard chose two 10-year-old boys who had never worked in front of a camera before. The cruelty with which he extracts

their least-expected reactions is similar to the experiment Rossellini carried out with his wife Ingrid Bergman, only here the implacable Godardian gaze is devoted to *revealing* the stupidity of children who reproduce the gesture and words of men and women who no longer believe in reality.

Given this European farsightedness, it is not surprising that on the other side of the Atlantic, the great postmodern American creator David Lynch should suggest in his latest film *Mulholland Drive* (which began as a pilot episode for a television series) that viewers, when faced with the illusion of representation, fall into a terrible abyss. Lynch shows us this idea in the scene where the protagonists find themselves in a small theatre called Silenzio where they listen, deeply moved, to a singer. Tears roll down the singer's cheeks while the two women sob convulsively before this stirring show. Suddenly, the immense emotional function is sharply interrupted: the artist faints, but the song continues playing with the same intensity. Never has the illusion of representation been revealed as so deceptive, false and dishonest. *Mulholland Drive* was developed in the heart of Hollywood to denounce the terminal nature of contemporary North American fiction, but even still, the director, who knows about filmmakers' loss of confidence in reality (that confidence that brought Renoir and Rossellini's works to life), preferred to close his film with an empty stage with an exaggeratedly made-up actor demanding "silenzio". To my way of seeing, this calls for a long pause for reflection.

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Four Points of the Compass and a Centre of Gravity for Contemporary Documentaries in Spain¹

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■ *The current reality of the documentary within the audiovisual industry in Spain is the object of discussion of this article. The author presents an overview of the situation of this genre not just from an industrial perspective, but also the cultural, historic and social points of view necessary for a sector in which different types of interests are at play. The text establishes the different pressures and the high and low moments of the documentary, a genre that has undergone a renaissance in recent years within the field of audiovisual production.*

"The situation of the documentary sector of the Spanish audiovisual industry is an expression of the general crisis the industry is going through and which can only be solved as part of a new model of relations between television stations, institutions and industry, configured within a single European market. The application of European directives and compliance with them in relation to television without borders would be positive if it formed part of a structural vision that included other essential elements, such as TV-station funding, distribution, independent production quotas, etc. Without a structural solution such as the one regularly demanded and proposed by all segments of the industry, Spain will be banished from the European audiovisual landscape, with all the economic and cultural consequences that entails, and the Spanish documentary will be just another victim"².

If I have started this text with such a long quote it is simply to demonstrate that the main industrial concerns present in

all the forums relating to documentaries have existed for at least the past 10 years or so. In other words, they are chronic problems within the audiovisual context in Spain. For many (too many) years, documentaries were dormant in Spain. This is no overstatement: documentaries have been administratively and industrially obsolete since the Miró Act (1984), which unsuccessfully tried to promote the many documentaries made during the Transition. However, the situation is plainly beginning to change, e.g., in the case of Catalonia, because of CTL Resolution 123/2003 of 9 April from the Catalan Institute for Cultural Industries, which approved a number of aid mechanisms for 55-minute documentaries made for TV³. However, despite this timid revival, the problems remain the same and the projected solutions have changed little from the proposals of a decade ago. The 'structural solution' Meere calls forms the basis of current claims and actions. We can therefore conclude that the issue (both the problem and possible solutions) has for a long time been circulating in a type of Möbius strip that it apparently doesn't know how to escape from.

Approaching the issue of the documentary in exclusively industrial terms therefore does not go far enough. In fact, if we analyse the official discourses generated around the documentary, we can see there is a very serious contradiction in proposing exclusively industrial and economic-based solutions when the defence is located within the field of cultural relevance⁴. It all recalls the words of the Chilean filmmaker resident in France, Patricio Guzmán: "A country without documentary cinema is like a family without a photo album". More recently, there have been calls to make documentaries an expression of a country's democratic health and quality⁵. If documentaries are claimed in these cultural and political terms, it doesn't make sense to then do nothing and wait for the approval of a set of legislative measures that can facilitate the production of something

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which, as the introduction to this paper seems to say, can only be the product of a country's industrial, cultural and democratic health. These demagogic discourses are ineffective for properly fertilising a field in which the documentary can be developed. If we want to really defend the documentary as a necessary creation space we cannot be so superficial or rely on such inoperative generalisations. We need to discuss the documentary in the contemporary Spanish context by accepting all the paradoxes and contradictions the field contains: firstly, industrial ones, but also cultural and aesthetic ones. We should thus start from a series of premises, of spaces that are threatening the Spanish documentary and which cannot be forgotten under any circumstances, to try to overcome the accommodating but ultimately not very productive positions that reign today.

Firstly, we need to agree that there are two types of interests and professional profiles in current Spanish documentary making. On one hand, there are people with journalistic and television-based training, particularly those who worked in TV and over time decided to try their hand in the independent arena (independent with regard to either the medium or broadcaster and the productive and aesthetic narrowness generated) either by forming a production company or working as freelance documentarists. On the other hand, there are people from the film industry (some of whom were already linked to the embryonic period of the documentary during the years of the Transition), accustomed to production dynamics and different aesthetic approaches. It is not easy for the two groups to coexist, much less so when what is being decided today (with a disgraceful time lag with regard to the European environment⁶ and at a time of crisis that could not be at all beneficial) is the way in which television stations and different governments in Spain collaborate in the specific funding of documentaries. What is currently on the negotiating table, when documentaries have already become important, is aid for the development and establishment of the genre and, indirectly, the people who work in it. The problem of documentaries coexisting with journalism is not confined exclusively to Spain. As Brian Winston⁷ said recently, the propagation of *direct cinema* that began in the 1960s saw the documentary become linked almost exclusively to journalism and ignored any previous legacy. The self-interested confusion between the docu-

mentary and journalism and its comparison to the *factual* thus makes it a real problem for the survival of the genre. It is true that this approximation of the documentary and journalism has allowed the former to endure one of the difficult periods of its history and, especially, was the most effective way of obtaining funding mechanisms from the television industry. But we should not forget the fundamental difference that Winston establishes between a journalist and a documentarist, i.e., while a journalist traditionally is committed to an audience, a documentarist establishes his commitment and thus his telling of the truth with the protagonists of his film⁸. We should not lose sight of the fact that, despite the historic role journalism played in getting documentaries funded by television stations, the necessary meeting point between filmmakers and journalists in the documentary has to be the commitment space with the protagonists of the films. This not negotiable for films made for the cinema, and nor should it be negotiable for films made exclusively for TV. Otherwise, the product might be able to be considered a journalistic report or even a factual programme, but never a documentary.

Another issue that threatens the current reality of the documentary in Spain is the fact that it usually involves a type of film that is much cheaper to make than fiction, both with regard to television documentaries⁹ and film documentaries. In principle, this doesn't seem to be a problem, but a closer look reveals the paradoxes. The great interest in documentaries, regardless of whether they're made be released in the cinema or on television, involves a clear drop in the production budgets¹⁰. In short, people have moved from making fiction to making documentaries because it is cheaper and consequently more accessible (in the short term for a producer and in the medium and long terms for a national production). In other words, the proliferation of the production of documentaries lowers the average price for audiovisual production and thus reduces the capital invested when, as in the case that concerns us here, the number of hours produced does not increase. Diversification of production, with the attention the documentary appears to be receiving, could hence end up concealing decapitalisation within the Spanish audiovisual industry.

Closely related to this is the fact, which Jaime J. Pena¹¹ criticised a few months ago, that auteur film was margina-

lized in the 1990s to the point that it nearly disappeared. The only exception in recent times has been the documentary. Events up until now suggest that this is not only or even mainly because of aesthetic views, but has instead been conditioned by economic factors. For that reason, although it might seem paradoxical, the proliferation of the documentary could be a ruse that firstly leads to the general decapitalisation of productions and secondly sees the space won by the documentary become the only survival space for the directors with the more radical and alternative proposals on the market. It would be a way of forcing the people who run the biggest formal risks to increasingly limit themselves to 'craft' films¹² and survival. However, this paradox can also obviously have a positive side: the appearance of the documentary in the audiovisual landscape could allow the production, even if on a very small scale, of a number of films that would otherwise have no place within the sphere of contemporary audiovisual production in Spain.

Continuing in the same vein, and taking as a basis the idea that the documentary is cheaper than fiction, it might look like an ideal area for testing the worth of new filmmakers (and even new producers). But the reality is very different. In fact, the renaissance of the documentary in recent years, and even today, has allowed the rise of very few new documentarists. On the other hand, it has been essential for a good many established filmmakers, who a few years ago were unable to get their fictional works made (especially because of the dynamic appearance of new filmmakers at the national level in the early 1990s) and who turned to making documentaries: this phenomenon can clearly be seen in the sector of people who we call filmmakers even though they work in television. A further paradox is thus that the new attention given the documentary has resulted not in the appearance of new artists but the return of a number of consolidated filmmakers who had been unable to get any new works under way for a while. Very few new documentarists have been able to take advantage of the new situation. Overall, we can find many journalists who have undergone film training, particularly following the implementation of autonomous community TV stations, and film directors with a number of titles to their name who have been able to develop their projects thanks to the new situation. This has occurred both in the area of realisation and production: documentaries are linked to companies,

whether TV stations or film production companies, which already have a certain style. There is therefore no real renovation of filmmakers as occurred, for example, in the early 1990s, both with regard to television fiction (with the proliferation of TV soaps) and in the cinema.

Another pressure established in this context concerns the centre versus the periphery, which is also generated by the budgetary difference between the production of documentaries and fiction. Spanish audiovisual production has centred on Madrid for a number of years. Other centres with a certain tradition in the sector, e.g., Valencia or Barcelona, have seen their ability to generate works weaken in recent years (particularly their ability get their works on the market). In Catalonia at least, the reappearance of the documentary has been a safety net for an audiovisual industry in crisis (particularly in the film sector). However, the situation has also put even more distance between peripheral productions and those generated in the centre. The documentary has saved audiovisual production in Catalonia, but is also the reason why the distance from the production forms with Madrid has increased.

All of these pressures, which stem from an economic and industrial sphere but have their most obvious consequences in the fields of aesthetics and culture, have shaped the latest reality of contemporary Spanish documentaries. It is thus a divided reality, as the pressures impede harmonious and homogenous development. Moreover, this divide is yet another consequence of the times we live in, where absolute truths have been shattered and reality fragmented, if not completely destroyed. It should come as no surprise then that the term 'documentary' has been used to cover such different films as *El sol del membrillo* (Víctor Erice, 1992), *Asaltar los cielos* (José Luis López Linares and Javier Rioyo, 1996), *Mones com la Becky* (Joaquín Jordà and Núria Villazán, 1999), *La espalda del mundo* (Javier Corcuera, 2000), *En construcción* (José Luis Guerín, 2001), *Polígono sur* (Dominique Abel, 2001), *Machín toda una vida* (Núria Villazán, 2002), *Cravan vs. Cravan* (Isaki Lacuesta, 2002) and *El gran Gato* (Ventura Pons, 2002). The nature of each of these films responds to aesthetically and commercially different objectives and production approaches¹⁴ (the list was limited to films released in the cinema as differences in production, format and objectives in the television area would have made it even longer). What seems

clear is that the current resurgence of the documentary in Spain also responds to a need within the audiovisual industry to diversify production and obtain an equal footing with the neighbouring European reality, rather than a social necessity. In other words, there is the industry but not the society the situation requires, at least not in the terms needed.

A quick look at the history of the documentary in Spain suggests two particularly important periods, both of which feature a clear link with a particular time of social unrest: i.e., the years of the Republic (1931-1936) and the last stages of the Transition (1970-1984). In the first case, the advent of the Republic introduced a series of civil liberties that saw a change from documentaries made principally with propaganda purposes to ones that were much more interesting both socially and aesthetically: from the films shot in the teaching missions through to the *Velo y Mantilla* films and *Las Hurdes*, by Luis Buñuel. The two elements that stand out in this new type of documentary were the training film (as a social objective) and the *avant-garde* film (as an aesthetic objective). This documentary effort eventually materialised in the interesting war films made during the Civil War. The second golden period was located mainly in television and took place in the run-up to the Transition. The appearance of TVE-2 in 1966 (or UHF, as it was called at the time) signified the start-up of a real creation laboratory, not just in documentaries, although mainly within that field, which would continue for the next ten years. This experiment included the participation of young filmmakers who represented what we would today label as a clear display of political, cultural and social positions that would later appear more unmistakably during the Transition. During this period, expectations arose around the recovery of liberties, which, together with the dissemination around the country of a number of trends in film and culture, such as the underground movement, allowed a new resurgence of the documentary. However, the *democratic normalisation* at the beginning of the 1980s and the promulgation of laws that favoured big-budget projects which condemned more alternative funding models to oblivion, made it clear that the renaissance of the genre was, again, temporary.

It is hard to believe that the documentary is on the rise today because there are a number of similar social bases. This involves a serious problem for its harmonious develop-

ment, more or less as crucial as specific institutional support for the genre. Documentarists in Spain today are not at the *avant-garde* of a society that is insistent with regard to its forms of policy, culture or leisure. Both filmmakers and producers face the difficult task of finding spaces of social, aesthetic and political concerns that are not easily locatable¹⁵. It is no coincidence that we can identify two main issues in Spanish documentaries, although they coincide in situating the conflict within a space alien to the viewer and removed from the public. The first is the historical documentary, which always shows a closed and therefore removed historical conflict. The second is one that shows 'otherness', i.e., conflictive spaces different to one's own. The former mainly involves documentaries based on the Spanish Civil War (and its immediate consequences) which deal with conflicts overcome by the country's democratic transition: democratisation establishes a new beginning, and even though some of these documentaries claim to be *repairing* an historic injustice, it is always an injustice located in the past. One example is the distance in *La vieja memoria* (Jaime Camino, 1977), a film which, while talking about the past, interrogates Spanish society about the present it is building. Another is *Los niños de Rusia* (Jaime Camino, 2001), the images of which extend to the present with the function of embedding it more deeply in the past (i.e., unable to be recovered). The latter include a great many documentaries that deal with contemporary but far-off realities, e.g., *El juego de Cuba* (Manuel Martín Cuenca, 2001), *El caso Pinochet* (Patricio Guzmán, 2001) or *Balseros* (Carles Bosch and Josep Maria Domènech, 2002).

In short, there are few contemporary Spanish documentaries that investigate present conflicts in Spanish society, and those that do establish a number of fluctuating and vaguely defined discursive strategies. The clearest examples include *En construcción* (José Luis Guerín, 2001), *Asesinato en febrero* (Eterio Ortega, 2001), *Polígono Sur* and even *Fuente Álamo. La caricia del tiempo* (Pablo García, 2001). What most of these documentaries that seek to investigate contemporary Spanish society have in common is that they start from a clear commitment to the people involved (people who lose out, in the majority of the cases) but then project a number of filmic and social stereotypes on them which, rather than bringing us closer to them, establish a layer between the people onscreen and

the viewer. This might be beneficial for the film, as the viewer ends up feeling involved in this type of stereotyped treatment (such as in the case of *En construcción*, which, not coincidentally, was the most-watched Spanish documentary in recent years) but it is dangerous because it establishes a number of overly obvious mediations. The films therefore work very well as aesthetic constructions but are removed from any social or political analysis. Furthermore, it is paradoxical that history, the past and memory are very rarely cited in this group of documentaries. The most obvious case is *Asesinato en febrero*, where the director Eterio Ortega manages to establish a discussion about the subject of ETA in social terms, but at the expense of a number of basic questions. It is worth remembering, because of the parallels that could be established thematically, that one documentary made during the Transition, *El proceso de Burgos* (Imanol Uribe, 1979), began with a monologue by Francisco Letamendía in which, while continually moving around as if enclosed by the frame, he gave a history of the Basque Country from the 15th century through to the birth of ETA. Ortega's film did the opposite: there were no historical reasons for the situation, it just exposed an action and its consequences. Although most of the cases involve very valid films, they end up lacking a mechanism that links them to society and that is not at the same time a lens that circumscribes the final image to the exclusive discretion of the filmmaker.

Josep Maria Català recently reminded us of the importance of the feeling of *melancholy* in contemporary art (and therefore in the documentary as an artistic form) and its differences with the feeling of *nostalgia*: "People who took part in something which has disappeared feel nostalgia, while melancholy is a way of emotionally capturing the changes and the passing of time about reality. Nostalgia is an individual gesture, while melancholy is social"¹⁶. In other words, *melancholy* incorporates the two terms that appear to be hard to reconcile in a great many contemporary Spanish documentaries: history and society, in such a way that at least one part of these mechanisms that link Spanish society to its documentaries (and, therefore, its documentarists) involves nothing other than *melancholy*. The best example of this could be the magnificent film by Joaquín Jordà and Núria Villazán, *Mones com la Becky*. As Català goes on to say, "It (melancholy) is an ambiguous

feeling but one that is tremendously fertile. It is a feeling that stirs us to action, but which at the same time preserves us from violent, drastic and definitive movements. A feeling which, in short, is absolutely essential to understanding a new reality that is being made through the amalgamation of a lost reality and another reality yet to be found"¹⁷. If we say that one of the big problems of contemporary Spanish documentaries is the link between the past, present and society, this *amalgamation of realities* is the perfect catalyst for overcoming this problem. Spanish documentaries have to look at reality while incorporating present, past and future in a discourse which, just because it is coherent, does not mean it is not complex, and this complexity will be delimited by the four points of the compass I have outlined in this vein: industry, culture, history and society. But to move with ease between these four points of the compass, it is necessary to have a centre of gravity that locates them on the land, and this point of gravitation finds one of its best expressions, one of its most obvious examples, in something as contemporary as *melancholy*.

Notes

1. Some parts of this text are the reworking of a previous text (Irregularities in a Singular Process: The Spanish Documentary Boom) presented on 17 December 2002 within the framework of *Visible Evidence. Films, médias, réalité*, celebrated in Marseille.
2. Marco Meere, "El documental en España y Europa: audiencia y producción", in *Boletín FUNDESCO*, no. 139, April 1993, p. 10. In fact, Meere's text did not refer to documentaries (despite the title), but rather 'factual programmes', examples of which in Spain include *Informe semanal* and *¿Quién sabe donde?*, which he used to illustrate the text. According to the concept I use here, documentaries are a subtype of the factual programme, but only one subtype (always speaking within a very general organisation of the audiovisual field).
3. Other initiatives along the same line have been mentioned in previous texts I have worked on with colleagues: Josetxo Cerdán and Casimiro Torreiro, "Entre la esperanza y el desaliento. Situación actual del documental en España"; Josep Maria Català, Josetxo Cerdán and Casimiro Terreiro (editors) *Imagen, Memoria y Fascinación. Notas sobre el documental en España*, Ocho y Media, Malaga Spanish Film Festival, Madrid, 2001, pp. 139-151; and Josetxo Cerdán, "El documental", within the work by María Corominas and Miquel de Moragas (editors), *Informe de la comunicació a Catalunya (2001-2002)*, UAB, Bellaterra, 2003, pp. 13-116. It is also true that there has been some bad news in recent months, notably in the area of film exhibitions; the latest Spanish films have been unable to reach (or even come near) the level of viewers established in *En construcción* (José Luis Guerín, 2001).
4. The cultural call by audiovisual production in general has been made virtually since cinema was first recognised as a creative activity and is a common theme people return to when there is an industrial sector interested in promoting a protectionist policy.
5. Joan González, "Una mirada a l'entorn documental", in *Quaderns del CAC*, 14, September-December 2002, pp. 91-96. This is not the place to discuss the forms of legitimisation and the call currently established by the documentary, but rather a touchstone for remembering the many documentaries banned by the censors in the countries where they were made (beginning with Luis Buñuel's *Las Hurdes* (1932), the screening of which was suspended by the Spanish authorities during the Second Republic) and all the documentaries that have been made clandestinely or during periods of dubious democratic legitimacy of the people in power (and which might also include the time of the Spanish Transition), not to mention, as it dealt primarily with propaganda films, documentaries such as *Triumph des Willens* (1934) and *Olympia* (1938), two films that Lenny Riefenstahl made under the direct orders of the 3rd Reich in Germany. I therefore do not believe that the documentary can be linked to the democratic health of a country, although it does often acquire a greater force during times of social agitation (and I am not referring only to the proliferation of social or war documentaries).
6. Meere criticised this delay in 1993 (*op. cit.*).
7. WINSTON, B. *Lies, Damn Lies and Documentaries*, British Film Institute, London, 2001.
8. When a documentarist chooses to put himself at the service of a number of previous ideas, he finds himself on the shaky ground of the propaganda film, a type of documentary in which the protagonists are put to the service of ideas. In this sense, I could mention the work of Britain's GPO, which was able to turn around the propagandistic approach of its production (steps which later, during World War II, would be masterfully developed by Humphrey Jennings). For further information on this topic, see Josep María Català and Josetxo Cerdán, "La mirada y la ira" in the work by Carlos F. Heredero and José Enrique Monterde, *En torno al Free Cinema. La tradición realista en el cine británico*, Gijón International Film Festival, Gijón, 2001, pp. 53-63.
9. In this framework, I should also mention that the cheapest programmes in the field of factual programmes, which, as I said in the first note include the documentary as a subtype, are reality shows (programmes that also allow great profitability as they generate 'parasites' throughout the programming of the broadcaster that screens them).
10. Although this is not the place to discuss it, it is also of considerable concern that this step is being taken at a particularly key moment, in which television is becoming the principle source of funding for the audiovisual sphere (compulsorily by law) and when the European Community's

television without borders directives are becoming increasingly clear.

11. PENA, J. J. "Cine español de los noventa: Hoja de reclamaciones", in *Secuencias*, 16, 2nd quarter 2003, pp. 38-54.
12. The term comes from a conversation I had with the director of *Cravan vs. Carvan* (2002), Isaki Lacuesta.
13. See GARCÍA DE CASTRO, M. *La ficción televisiva popular*, Gedisa, Barcelona, 2002.
14. In recent years there have been very serious efforts to organise the things that have come to be covered by the term 'documentary', the most notable of which is an article by Josep Maria Català, which begins with a call to use the term 'film-essay': "El film-ensayo: la didáctica como una actividad subversiva" in *Archivos de la Filmoteca*, 34, February 2000, pp. 78-96. This text was awarded Best Research Article of the Year by the Spanish Association of Film Historians and has since become quite popular among both theorists and filmmakers.
15. I am aware, in this framework, that one could argue that the figures that films get at the box-office or TV will end up influencing cultural and political references. However, this argument is too feeble, as two examples illustrate: the television documentary that attracted the most viewers across the world in 2003 was (at the time of writing) the international co-production *The Odyssey of the Species*, which TVE broadcast in prime time on its first channel. The word 'documentary' was not used to promote it. This means it would be hard to follow this model as the genre is located in society. With regard to theatres, the big sensation of the season was *Bowling for Columbine*, a documentary mega-production which is valid with regard to its formal postulates, but which could only be orchestrated from a place like Hollywood. In this case, it is therefore the production model that invalidates the example.
16. Josep Maria Català, "La necesaria impureza del nuevo documental", in *Documentaria 2003. Muestra Internacional de Cine Documental de Mujeres. Sexo, Mentiras y Mundialización*, Catalogue, Santa Cruz de Tenerife, 2003, p. 25.
17. Op. cit., page 26.

Between Méliès i Lumière: Conversation between the Directors Joaquim Jordà and Marc Recha

Joaquim Jordà (Santa Coloma de Farners, 1935) is a director, scriptwriter and translator. A student of the Official Film School (the former IIEC), a young member of UNINCI (the production company linked to the Communist party) and a key part of the Barcelona School, in 1969 he moved to Italy for three years, during which time he directed militant films for the Italian Communist Party. Upon returning to Barcelona in 1973 and out of touch with the film world, he turned to what would become a regular fixture in his life: book translation, principally for Anagrama. *Numax presenta* (1980) marked his return to filmmaking after an absence of nearly 10 years. It was followed by a number of scripts for different directors, including Vicente Aranda, and the four feature-length films he has made to date: *El encargo del cazador* (1991), *Un cos al bosc* (1996), the award-winning *Mones com la Becky* (1999) and *Joc de nens* (2003), about the case of a paedophile in the Raval neighbourhood of Barcelona, which has yet to be released. In 2000, the Generalitat of Catalonia awarded him the National Film and Audiovisual Award. He has also been a professor in Audiovisual Communication at Pompeu Fabra University for a number of years.

The recent appearance of the formal and conceptual dichotomy between fiction and reality in film practice has not only generated numerous discussions and reflections among filmmakers and theorists but led to new forms of visual language just beginning to be explored. People often say that since the early days of cinema there has been a clear line between the real and the fictional. Despite the fact that when this line is crossed today, everybody seems to know which side they are on, the debate has expanded to include the most intense fields of freedom in film practice and, subsequently, to attract interest both within specialist

Marc Recha (L'Hospitalet de Llobregat, 1970) is a filmmaker. He first began to work in the industry with short films such as *El darrer instant* (1988), *La maglana* (1991), *És tard* (1994) and *L'escampavies* (1997). In 1988 he moved to Paris, where he worked as an assistant to Marcel Hanoun. His passion for landscapes and visual poetry is noticeable in the four feature-length films he has made: *El cielo sube* (1991), *L'arbre de les cireres* (1998), the award-winning *Pau i el seu germà* (2001) (entered in the official section of the Cannes Festival) and the recently released *Les mans buides* (2003). The 2002 winner of the National Film and Audiovisual Award from the Generalitat of Catalonia, he has also been a professor in Audiovisual Communication at Pompeu Fabra University for some time.

theoretical circles and among the general public.

Quaderns del CAC has brought the filmmakers Joaquim Jordà and Marc Recha together to compare two examples of creative trajectories along the aforementioned line: beginning from the field of the documentary (i.e., that which we could call real) and allowing exploratory freedom by introducing all types of representation without affecting the credibility of the work, on the one hand; and, on the other hand, moving unmistakably within the field of fiction but imbuing it with elements of reality that make the viewer feel it in a different way.

Joaquim Jordà (J.J.). I think this situation is typical of times of crisis, of real crisis. A while ago people were talking about the death of film. Although it may be a somewhat unfortunate metaphor (talking about death), we could talk about a severe crisis, one of the many crises that film has gone through in the hundred-odd years it has been around. And this crisis no doubt has many origins, both old and recent, e.g., I think the arrival of new technologies has created a new way of making films. But this crisis is being resolved in a way (or will be resolved, if it is) through a type of death and resurrection, a kind of Phoenix will rise from the ashes and which at the same time is uniting the dichotomy (which I consider erroneous) created at the time film was born, i.e., the false division between Melies and the Lumiere brothers. The thing that marked the two different paths (Melies, fiction and the Lumieres, reality, or the belief in reality) has never really been true. In fact, Godard said that when it boiled down to it, filming a magic show was no different to doing a show, or making a documentary about a magic show. And the same thing the other way around: the Lumieres absolutely manipulated this reality, the reality they operated with.

The scene in *Workers Leaving The Lumiere Factory In Lyon* (*La Sortie des Usines Lumière à Lyon*) was shot various times to make the ending coincide with the moment when the door closes, and the characters were organised according to their height, i.e., the physical things they had in common or didn't have in common. The scene was arranged in a way that somewhat contradicts the idea that a documentary involves simply putting something in front of the camera. If there was something put on camera (and it is very bold to define the limit between putting something on camera and arranging the scene) the borders were also very imprecise.

One example of that is what Marc has been doing, particularly in his last two films. In other words, while his first two films (if you don't agree with me, please say) were much more firmly rooted in the fictional camp, *Pau i el seu germà* and the latest one are moving in an area much closer to the border and in a very liberal fashion. The desire to add a landscape, for example. You could say, "Film has always had a landscape desire", but that's not true. For a long time, fictional cinema had lost all landscape desire, i.e., it used it as an architectural background. But you (Marc) use the

landscape, and I mean 'landscape', not architectural background, as another element of the storyline. And that must come directly from a particular concern.

Marc Recha (M.R.). Something strange happened to me: when I first began to make films, I was in that dichotomy. I don't know if I was aware it existed, because I don't think I was even truly aware of the Lumiere brothers. I began to make films very much in the vein of Melies, i.e., along the lines of a will of, if I could put it this way, inventing and to some extent recreating the whole history of film. It is true that I later began to look at the Lumieres, something you can see if you look at the early short films I did in 35 mm, practically including *El cel puja*. Then there was a long period without doing anything and then came another will, the will of getting up close to reality and observing it, which I suppose was more indebted to the Lumieres. It was a desire that evidently involves not just putting the camera somewhere but also playing with the possibility of manipulating the elements.

However, it is true that, following *Les mans buides*, something happened that personally made me look at many things in a different light and I still don't know which road I'll take. Suddenly, with *Les mans buides*, for the first time I had a script that had been thoroughly developed, i.e., it fell within the standards of a genre that could be located (even if it only flirted with it) within the comedy. So what should I do with the script? Should I shoot it as was, as if it was a newspaper serial and I was to film each page? Or should I do what I'd begun to do in *Pau i el seu germà*? That was the situation I found myself in when I arrived on the shoot. There was a moment of panic when I found myself alone - of course, nobody else could tell me what to do. It was a very personal decision, but I found myself alone with a number of elements that I didn't control. I had a very detailed and tightly linked script but at the same time I had a reality surrounding me that I had chosen expressly and which was disposed to destroy it for me. But was I able to get cope with it or not? It was a very big problem. Also, of course, the script had a great sense of humour, the sort of thing that would make people fall off their chairs laughing. In fact, if the film had been made the way the script was written, it might even have got a release in a thousand more cinemas, but I didn't do it. Why not? Because I had in some way set myself

a trap without realising it: I had chosen Port-Vendres, and Port-Vendres is the most depressing place on earth. How can you combine that state of depression and disillusionment with comedy? So I threw myself in the deep end and, to be honest, sometimes I thought I wouldn't get out of it, and sometimes I still think I didn't.

J.J. What happens is the production can direct everything else but what it cannot direct is the script.

M.R. Exactly.

J.J. I don't know the script, but I'm sure you had to skip pages and pages.

M.R. Yes, of course.

J.J. And that you had to leave out (people have told me this) loads of characters, i.e., characters that had a place in the written script and then you realised you weren't going to use them once you had put the actors in, who are the people who really take part in the filming. The actors, who aren't really actors, either (they are because there is a particular statute) but they are not intervened with, acted with, manipulated as actors; they are manipulated, intervened with and directed as corporal spaces moving within a physical space, they have a job to do, obviously. And from that moment on, I think you must have skipped whole pages of the script and no doubt left out entire characters. However, I am making this hypothesis about something I only know one part of, i.e., the film, but I don't know the other part, i.e., the script - although I like to imagine that once you found the characters, there were some that there wasn't room for.

What does that mean? It means that in these times of crisis something very important has been conquered: escaping from the tyranny of the script, which has encroached on the big times of crisis. Until now, all film crises have been resolved by saying, "let's standardise the script" - we create a presidential-type film where the script is president, it does and doesn't do what it likes. And the crisis is thus resolved. But now we are facing the first crisis, a real and strong crisis (that will probably leave a great many people out of the game), which is being resolved in the opposite direction. In other words, it is being solved not by favouring the script but the production, or what we could call the production of reality, the production of the situation. I

think that is very important, because it is the first crisis that has found a way out by looking ahead, not back. All the crises have been met by recovering the past, patching it up and so on, except for this one. It is very good that many different people are doing it - I can see it in films like yours and also in Rosales' works. It is a type of film with a careful and very rigorous production and yet there is an input of directing the actors which means that the actors themselves and the very story structure (this almost metronomic structure, in which each unit has a weight equal to the others) are very clearly influenced by the documentary. Does that mean they are hybrids? No, I think what is really being broken is the hybrid concept. There are works based more closely on documentaries and others based more on fiction, but overall people are beginning to make a number of films based on the two. The label doesn't make sense.

Chance, which is very closely related to the force that reality has repressed, should be an element of the production. There should be a production department called 'chance' and it should be nourished every now and then so it can flourish; it should be cultivated and given a space.

M.R. I think chance can't occur if you don't arrive on the shoot with everything thought out and prepared before you begin. In other words, the only thing demanded from the producers is that they have the vision or ability to fit the elements into what you call the 'chance department' or whatever; it means simply that if the film can be done in 10 weeks, then in 10 weeks you film chronologically and the whole technical crew and team of actors know they are being exposed to that. That is why I also insist on doing an extra three or four weeks of rehearsals with the actors on location, on the locations where we will be filming, and then gradually add the camera and sound. However, I must stress that I still have my doubts. I had a very bad time with it, because the reality that surrounded me was so violent and it impacted so forcefully on the fiction I had created (a fiction which at the same time was based on a reality I had seen) that I didn't know where to turn. In other words, there is a time when you fall into the whirlpool of chance and let yourself flow with it and I don't think that's the answer. There is a thread you have to follow, otherwise why bother making the script.

J.J. They say that giving birth is painful.

M.R. Yes, it is painful but, let me just say, I will continue to wonder about this film, *Les mans buides*, which, I insist, had to be lively and that when you read the script, and when we wrote it too, it made you crack up laughing. It was madness. So why did it suddenly escape? You can see it before you, you can see the reality that surrounds you and you go, "Well, I'll let it in". When I let it in, I had to change the whole edit. I even had to put in Dominique A's music, which came along in the final phase of the editing and which hadn't been planned. But that's because the film... I remember that, even during the editing phase, as a joke we took the soundtrack from Alfred Hitchcock's *The Trouble With Harry*, stuck it on the film and it fitted it beautifully. But, because we filmed it in a way that was closer to the reality that surrounded us, it wasn't right. So from that point on we had to change everything, we even had to create the flashback of the old woman which didn't exist in the script, and from then on we got a film about lack of communication, a film that was slower, a film that had a particularly black sense of humour but which didn't... Well, is that a failure? Is it a mistake? What happened? I don't know, but in any case I felt that I was inside a number of borders that had completely disappeared, they became invisible and I found myself alone in the middle of the landscape.

J.J. And what did that feel like?

M.R. It was completely disorienting, although I was sure I felt comfortable when I'd entered that landscape. But I also thought, "Marc, you've done it now, why don't you do other things? You already feel safe in this landscape". What I wanted was to not enter the landscape that said to me, "come here and begin to film", because I already knew how to do that. For me, the challenge was whether or not to combine this type of attempt at entering the genre, which in this case was dramatic comedy and, from that point on, see what happened. And that is the big doubt I have when it comes to continuing to make films. What should I do? I agree with you, and this is something I have always thought, that the script is a working guideline, and I also agree with what you say about a crisis. People talk about a crisis in films but (and I have never understood this) the fact is that what you say is right: when something isn't going well,

everyone says, "The scriptwriters have to make good scripts!", when the script is only a guideline.

J.J. The script is a censorial measure, it always has been. It is directly censorial when there is an official, established censorship and in a more profound way nowadays. It is a censorship element of the producer. The producer decides he is going to do something and determines the possibilities based upon the script. The script gets passed around and everybody puts their two-bobs worth in, in such a way that it becomes the facility you give to censorship, the door you open to censorship. In the production during the shoot, regardless of how many incompetent producers you have, you can save the shoot (as you very well know) because you can do what you want. The producer can stop you from doing something, but he can't stop you from adopting the solution that you find for *the thing*. You have freedom on the shoot. On the other hand, everyone gets their word in on the script and everyone has something to say about it. So in that sense I think it is important to overcome the crisis in this way. Does that create conflict? Yes, of course it does, loads of conflict. In some ways, if somebody is professional and has a good production structure, filming a script is the easiest thing in the world, as you know. He might say, "I want to do four shots instead of three": OK, that might be a conflict, but making three pages of a script together during a shoot is something for which you only need a bit of professionalism and something else. And what is the result? Well, as they say, if the script is good it will turn out well, or it will be only OK... I think that making a film is not about filling out a script, it is about making a film. The script has to play an auxiliary role, it has to be a guide, because we need guides. I personally have shot without a guide, which is why I've had the problems I've had.

M.R. What I do is make a type of very literary script, i.e., one that is quite different from the script. And because it is so literary, no one thinks of it as a script, but it can sometimes win people over. And in a very global way, all the team feels involved because they don't read it as a script but as if it were really a story or a book. So from then on, all the sound is meticulously described, or the light, or the landscape... Of course, I remember that with *Pau i el seu germà*, they said to me, "What do you want us to film? That

snail crawling along here, or that sound you refer to?" And I would say, "No, you don't have to film that, but I've written it in because I want you to take it all in" and so we made a small step forward. Later, in the rehearsals, we could build the sets within the reality, etc. I think it is also necessary to work on scripts (at least it suits me) that are very literary, that might have very little dialogue, that's true. Normally, you see the script of a made-for-TV film and it's made up entirely of dialogue.

J.J. It's like the text of a theatre piece. You have some characters, they come in, they go out...

M.R. So, faced with a script like that, where everything is dialogue, what can the director of photography do? Nothing. On the other hand, I think that a director of photography like H  l  ne Louvart reads what I have written, which might be pure literature and badly written but in any case at least there is an attempt at communication, and she gets what I am trying to say. So when she picks up the camera I just tell her a couple of things and then we can work in a choreographed way. With a script in which everything is dialogue, what can the camera operator do? He just stands there and say, "Ok, what will we do now?"

J.J. I understand perfectly. It is a type of script you can use to guide you. The producer is probably shitting himself (and I think the assistant director wouldn't like it either), but the camera operator, the actors and the sound technician think it's great because it gives them ideas. But I don't think your producer would like it at all, because what can he do with it? He wouldn't know what to do. As a scriptwriter, I know what is being asked, I know that your scripts would be acceptable, as a scriptwriter. Fundamentally, they are acceptable to you, but if one day you were to give that type of script to someone else they wouldn't be able to do anything with it. But for you, it's not exactly a script, what you are doing is a type of written preparation of the ambience, the scene, the situations, the air you want to find in the shoot and, because it is also literature and literature is imprecise, you'll know how to change it and you don't have to stick to what you've written. It can be good both for the camera operator and the sound technician as well as the actors, because they can arrive on set and be inspired by an idea,

i.e., they can move within a number of words, within a number of actions and spaces. In that sense, it's fantastic to write scripts. However, if you want to turn professional some day, you'd better wave goodbye to that type of writing or you'll be in trouble...

As a scriptwriter (I'm currently writing a fictional script for *Icár Bollaín*), I put myself at the service of the director. What I give is professionalism and ideas related to it. I never put suppositions of that type. I will never say to *Icár*, "The script has ended, the script is dead", I wouldn't say it and she knows that. But I wouldn't say it to her when I am working because that is different.

In *Mones com la Becky* I found that my own illness formed part of the film and so I had to introduce myself into it. It wasn't that I was happy about it, but once it was found I took advantage of it because I could see it was the only way of creating a real relationship with the characters, the actors, the protagonists of the film. The answer was to be there, to be there for them to see me like just another person, from the beginning. On other occasions, it has been as a joke, a private joke in which you are there for a little role. But in the case of *Mones* it was very significant, because if we move within the area of the documentary, unlike what is traditionally thought, I think the physical presence of the filmmaker, the director, is almost essential: he has to show his face. If you are making a documentary, you are saying that this is real, so if it is real you have to certify it by being there on the inside in a certain way. There can be different objectives, but that's how it has to be. However, I am not dogmatic on this point. I have a project that hopefully will get under way next year, which is a musical, the genre that you would think is the furthest removed from the documentary. However, I think you can also find a hybrid, you can make a musical that includes the elements that arise from the situation, but of course you would be working in a different manner altogether.

M.R. . Do you think films are heading in a certain direction?

J.J. It's not so much that I think films are heading in a certain direction. Films can move in many directions, and if we are talking about the path marking the current crisis, it doesn't mean there aren't exceptions. There are exceptions and I would love to be able to cultivate the exceptions instead of

having to end up in this situation, because it almost always has very different objectives, sometimes concerning exhibitionism and sometimes of necessity.

What I mean to say is that sometimes things don't happen by themselves and it is important to provoke them in some way. Sometimes they do happen by themselves, I try to work with things that happen by themselves. You have to channel them and channelling them of course is artificial. I mean, things don't channel themselves. You channel them a little, marking tendencies, you go right and see if something follows you, you go left and see if something follows you, you stay still and see if something follows you.

On the other hand, as a filmmaker I am not terribly concerned with the way something is framed. I think that is the job of the operator you rely on. I don't care very much if there is more weight here or there. Or better said, I do care, but I care when I see it in the rushes, I don't worry about framing it beforehand. I can forget that concern and pass it on to the operator. I have made four films with Carles Gusi. Now, I don't like everything that Gusi does. He has made films with other people where with regard to framing I don't agree with what he's done, but I know that when we work together he knows exactly what I like. However, we don't talk about it much. We talk, but I don't have to worry about it, I don't have to be there suffering about if the camera moves a centimetre more or a centimetre less, like other people do. I think that is a way of making a film that again unites the old or conventional concepts of fiction and documentary. It's a different way of blocking. We said before that there is a setting of scene, a setting of images and reality, but it is a mix of all that.

For example, I loved Rosales' last film. I saw it three times in ten days. I went to see it one day by chance and then I went to see it again three days later, and then I went back again four days after that. I found it fascinating because of the sacrifices in it. It was the first time I've seen Spanish spoken as it really is spoken here, that type of Catalanised Spanish. That wasn't what fascinated me and that isn't what it was really about, but I thought it was a good idea, a good contribution.

M.R. I think that in Barcelona there is a tendency, which is the consequence of many things, to conceal the linguistic reality that exists here and I find it absolutely incomprehen-

sible. If I go out on the street, people speak Spanish, they speak Catalan, they speak Arabic, English, whatever they want. And the people who insist on making films in which people only speak in Spanish... I just don't get it. I mean, it's like what used to happen before. We only make films where people speak in Catalan. No. Reality is very diverse. It's one thing to say, "Welles also made *Othello* and everyone spoke in English", that's another story, but if the aim of the game is to reflect the reality that surrounds you it doesn't make sense. I mean, I am beginning to find it really suspicious (it used to surprise me) that everybody expresses themselves in Spanish. And don't even get me started on made-for-TV films. Even when they say it's a conditioning factor of a co-production, I still don't understand it.

And it's not just a linguistic issue, it's an issue related with the fact that if you want to reflect the reality that surrounds you, people express themselves in all sorts of ways. When I go down to the square to do the shopping, I speak with everyone in Catalan and Spanish, and if I knew other languages I would speak them, too. What I don't accept is that you stick a camera somewhere and everyone speaks in Spanish. And you say, "Well, look, I don't want to get involved here".

J.J. The Catalan language, which is so admirable when it is written by someone like Ruyra, and I would even say someone like Espriu, is horrible when it appears on TV3, it looks like it's a language spoken by the illiterate: no-one knows how to conjugate verbs, they only have one way of conjugating them, i.e., with an auxiliary; they don't know how to use the indefinite tenses; they don't know how to use anterior tenses; they don't know how to use the subjunctive - because it's not what they're used to. TV3 is vulgarising the Catalan language at certain levels.

In my latest film, *Joc de nens*, you realise that in the judicial environment, the only person who speaks in Catalan is the main defendant, the man who theoretically is the most hated character in Catalonia and who will be shut away in prison for decades. This character speaks in Catalan but the judge, who is Catalan-speaking, answers him in Spanish. The only people who the judge allows to speak in Catalan are the defendant and Armand de Flavià, because he is an aristocratic genealogist and an illustrious homosexual. And he is the only person whom the judge answers in Catalan.

M.R. When I made *Les mans buides*, I arrived to Port-Vendres with an idea and it turned out that nobody spoke Catalan, it was a lie. There were four people with terrible complexes about it, who had repeatedly been criticised to the point they wouldn't speak it. So what did I do? I didn't worry about the fact that the people didn't speak Catalan. What I did was re-cut it and it ended up that 10% or 15% or so spoke Catalan. And what's more, the people who speak it are the people from outside the area, who speak it among themselves. But I can only be guided by reality. Now, I could have made it that everyone spoke in Catalan. And that is the feeling I have with many people who are making films here who show people in their films where, I insist, everybody suspiciously speaks in Spanish.

Transcription: Laia Aubia de Higes

About Realist Fiction: A Conversation between the Producers Pierre Chevalier and Jordi Balló

Pierre Chevalier is a film and television producer. For 12 years he was the head of the Fiction Unit at the ARTE station, where he produced some 350 works. He has worked with internationally renowned artists from France and abroad, including Joao Cesar Monteiro, Tsai Ming Liang, Lars von Trier, Arturo Ripstein, Oliver Assayas, Chantal Akerman, Emir Kusturica, Walter Salles and Hal Hartley. He was also responsible for discovering some of the most interesting French filmmakers in recent times, including Robert Guédiguian, Laurent Cantet and Erik Zonca. On 30 September 2003, the day before this interview took place, he resigned from his position at the head of the Fiction Unit at ARTE, although he will continue to form part of the work team. He is now set to begin a new stage in his professional career at Villa Médicis in Rome.

Jordi Balló (J.B.). The purpose of this conversation is to reflect on a certain type of fiction that is at the vanguard of the industry, i.e., reality fiction. Do you think the term is appropriate?

Pierre Chevalier (P.CH.). Yes, absolutely. What interested me what I first began to work in television, a medium I knew very little about and what little I knew was mainly negative as I came from film production, was in fact the idea of what is real. I have the feeling that in France there is a certain exhaustion of the generation of filmmakers who were very influential in the 1960s and 1970s, the years of the *Nouvelle Vague*, a movement I think is dying out, losing the notion of author and even, sometimes, authority. In the 1990s there was one exception, Maurice Pialat, who, like the state of filmmaking, took as a basis, or as his creation material, that which was real. The same has been done on television with *Une maison de bois* and in film with *A nos amours*, *Loulou*, etc., always with a spirit of realism that in fact was vastly

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different from the spirit of imagination and authorship of the new grammar of *Nouvelle Vague*. I think television is a place of confrontation with things that are real and that this is a real struggle, much more important than the person who decides to generate imagination in works, in the works that make a work. The notion of a *programme* seemed to me to be more important than the notion of a work, and the notion of doing more important than the notion of *creating*, if we're going to make a working hypothesis. I decided that the big difference between television and film was that the starting points for film were spirit, intelligence and imagination, while the starting point for TV was reality, and that the function of television was, above all, a communicative function, a social function, an informative function, and that the important aesthetic function was always denied. It has sometimes been recovered in a frankly regrettable fashion by commerce, e.g., by video clips or advertising, especially following the invention of video. What interested me was

producing TV programmes with people who had never worked on television in their lives and who had no working hypothesis about what is real, of confrontation with that which is real. People whose work within the movie world, even first works, found or invented another world and who didn't work inside this world, inside reality. I was really excited about that.

J.B. I have an anecdote about Maurice Pialat that involves Joaquim Jordà and which happened not long ago. Jordà made a great documentary about social hypocrisy, based on the case of a paedophile in the Raval area. We had just finished showing it at the Sant Sebastià Festival when the person responsible for calibrating the film said to Jordà, "I think the colours of this film are the same as the ones Pialat uses in his". Joaquim Jordà got very excited and said, "It's magnificent. This has to be the first time a calibrator has seen Pialat's films". In Pialat's films, the shoot is recorded, which is a characteristic of many reality films, of many of the films you produced for TV.

P.CH. Yes. That's how the tension of a shoot creates emotion. Emotion is not the product of a working script but the fruit of a work of chance.

J.B. Does the shoot have to be chronological for that chance to be visible? Is that important to you?

P.CH. Are you referring to Renoir's hypothesis?

J.B. Yes. Seeing as you think the idea of chance can be a positive contribution, do you think it is important to respect the chronology of the film during the shoot?

P.CH. I think chance can be found all around, at the beginning, at the end and in the middle, and that each filmmaker has a method and that this method cannot be exhausted or imitated. I could offer a filmmaker certain solutions but it is up to him to find the method and it's his job to state and work out quickly and in real time the chance that will flourish during the shoot. For me, the shoot is just as much an affirmation of chance as the pursuit of the programme goal.

J.B. In other words, the film does not imprison the script.

P.CH. I've realised that I've never been interested in the script.

J.B. But today, with the policy of made-for-TV movies, the script is very important from a conservative point of view, and furthermore it is where the station's ideological policy emerges.

P.CH. I absolutely agree.

J.B. So bearing that in mind, what is your work on the script, on the writing, when it comes to choosing projects?

P.CH. It's very difficult because there are many parts to a work: there is the collection, i.e., the individual films that make up the series, there is the tradition of television, the loneliness and risk of TV, there are many more conventional things and things that are much more creative and original. One example could be *La porte du Soleil*, a story about Palestine seen from the viewpoint of the Palestinian people from 1947 (when the State of Israel was being created) to today, based on the stories of people who fought, who you know will die, which used a script that was not chronological but fragmented, broken up, like the occupied territories. In any case, there are very different sectors of intervention. However, the thing that generally concerns me most is the point of view of the realisation, much more than the narration. It is really different. It starts from a tool in the form of the script. For me, the script is only a tool, it is not a goal. It is a toolbox. You can always do a lot of work on the script before you begin shooting, you can do seven or eight versions. There is always a big difference between the version prepared for filming and the version filmed. In any case, the script is fully written during the editing. In my opinion, the script is a process, a work stage that is absolutely necessary but which is never enough. It is a precarious, provisional work stage - although we shouldn't forget it, either.

J.B. I think it was Claire Denis who said in response to a question once about what was real that the only real thing was her fiancé kissing another woman across the street [laughter]. I think it was Claire Denis, because there are two Claires, but I think it was Claire Denis.

P.CH. There are three Claires: Claire Simon, Claire Denis and Claire Devers.

J.B. I think it was Claire Denis because Claire Simon was Wenders' assistant, wasn't she?

P.CH. Exactly, and that's the sort of thing Claire Denis

would say.

J.B. I find it interesting to reflect on the idea that that which is real, i.e., what you have called *reality fiction* or *reality*, is a concept closer to the viewer than the filmmaker. It is a concept understood as a truth.

P.CH. It is the invasion of reality.

J.B. Yes, true.

P.CH. And for me the invasion of reality has for the past 10 or 15 years brought about many good things: it has got rid of a lot of dogmatic thought and artistic copying and completely wiped out the notion of the author, because what is real are a thousand authors. A thousand authors forced to be, to work with what is real. This is a further problem and a different struggle from that of imagining a work. It is a real struggle that must exist and which must go on. To tackle reality is to do something. And that, in my opinion, is new. It is new among artists, authors and art.

J.B. Every time someone says, "OK, let's make a film about what is real" in a programming policy, it seems to be conceived as a genre, that of *fait divers*. I suspect reality is not to be found along those lines, that it is not a genre.

P.CH. I think that, in any case, works about what is real compulsorily escape all information and all objectivity. A work about reality is very personal, it is never an objective work and sometimes it is a very dangerous work for many people because it stirs something in their memory, it crosses an impassable wall. And that action is very dangerous for society in general and for the political majority.

J.B. That justifies a broad programming policy because the objective might be indescribable. You don't know exactly what it is but you look for it.

P.CH. What is real is indiscernible. That is what is so interesting. It is working on the indiscernible and working with borders continually in a state of flux. That is what a work on reality is about and it brings out that which is not discerned in general. I find that thrilling.

J.B. Have you seen Jaime Rosales' film that won the Critics' Prize at Cannes?

P.CH. No.

J.B. It's a film you should see because it has that tension we were talking about. But I would say that what is interesting about this idea of the indiscernible is the method, the strategy, the way of making it, the necessary plurality. It is a fiction that requires the point of view of the filmmaker but which at the same time is not an auteur film.

P.CH. I had never thought about it in those terms but that is exactly right.

J.B. At the same time, I have the feeling you have had to organise these singular films in the form of collections to be able to present them to the viewer in an organised fashion.

P.CH. Quite right. I had to have a mechanism. And it is true that the great idea of TV is serialisation, the idea of the serial. A single idea is never seen alone on TV [laughs].

J.B. That's television's big contribution to culture, isn't it?

P.CH. In television, an idea exists with the condition that it has to be repeated with small differences, whether we are talking about news broadcasts, the weather or recurrent heroes. It is the same idea that musicians and creators of virtual images work with.

J.B. It was already around at the time of the Greek Pantheon, the idea of telling the same story with small differences. It is the pleasure of the small difference.

P.CH. Exactly. It is difference and repetition, as Gilles Deleuze puts it. I had to inject the notion of the series into the mechanism, which was the small working group of filmmakers, authors and producers. It had to be a fairly vague idea so it could interest very different and very eclectic people. That was absolutely necessary. Otherwise, I would have lost it. If I didn't have that small mechanism it would have been impossible. It would have been impossible because the television machinery would have swallowed me up. It was a mechanism that involved peaks of resistance to the narration, the script, to a majority image or notion of the author that was so different to that of a group, which can include six, eight or ten different directors or filmmakers. We had to find something else, and that something else was working together. It is important to remember that that was practically impossible before. Each person tended towards a principle of individualism, which in fact was understandable in French cinema in reaction to the big

commercial films of the 1950s and 60s. That's what *Nouvelle Vague* was about. It was the beginning of the affirmation of the individual.

J.B. We spoke at the beginning about the absence of borders.

P.CH. Ours is truly cross-border work, both with regard to the work itself and the countries that participate. ARTE is a trans-national station that includes France, Germany and Europe, but it is also a station that has prioritised documentary making and the thematic unit, i.e., the reflexive approximation to that which is real, by observing, analysing and critiquing reality. I should also mention other cross-border work between film and TV fiction, or documentaries and fiction, information and fiction and genre and the undetermined. We have really worked on the notion of the border and the evolution of borders.

J.B. Marc Recha and Joaquim Jordà work on either side of the border: Marc Recha works in fiction but chance can be seen in his films and therefore that which is real forms part of them, while Joaquim Jordà usually works on documentaries but introduces elements of fiction with a new language which is not that of reconstruction. I have the feeling that you have always been interested in these types of authors, with that indefinable approximation to reality.

P.CH. It is a movement that has begun and which will continue - and which, happily, will not become the dominant form, it will always be in the minority. I believe this creativity is what we have seen with filmmakers like Claire Simon or Rithy Pahn, a Cambodian director who made an extraordinary documentary in which fiction was very powerful. I also quite like the filmmakers in the Near and Middle East who work on reality, who work on the fruits of what is real and, for the same reason, fictional films.

J.B. How do you work? Do you seek out authors or producers?

P.CH. I seek out the filmmaker firstly. I work the other way around to the other stations. The other stations, the big stations, generally look for producers and often it is the producers who then find the authors, the script. They only work according to the programme goal, the time it is scheduled to be screened, a fragment of the public, a theme

of the channel etc. and then get a filmmaker in. I ask the filmmaker first. I ask what he wants to do in this little space of fiction. We exchange ideas, we toss ideas around. We agree on a project that can be included within a collection or which might be a stand-alone piece. He chooses the scriptwriter and eventually picks the producer and, if he doesn't know of any producer or can't choose one, we end up coming to a joint agreement. There are two groups: the station's promotional group, which has the power of the money and its equivalent force, and another group, which starts from the filmmaker and includes the filmmaker, author, scriptwriter and producer. The programme is born from the balance and exchange between these two groups, and we also make the two groups from these types of forces.

J.B. So in other words you don't make films, you make programmes?

P.CH. I think that's a good way to put it.

J.B. But it's true that some of the films you made for the station ended up in the theatres. I have the feeling that the movement that a film generates around itself is very important for it. A film can be forgotten, even its authors can be forgotten, but when a film catches on, it generates a very strong movement. Many of the films you have done could go into the theatres. Robert Guédiguian's film *Marius i Jeanette* was a production of yours, wasn't it?

P.CH. Yes, that film generated a lot of money and I had only made a small made-for-TV movie, not a feature-length film because that didn't interest me. Robert Guédiguian decided to write it by himself, we gave him 2.5 million francs and the film made back more than three million. He worked on the editing, he carried all the weight during the shoot. Also, it got very complicated because Arianne had to go into hospital, she had to be operated on. It was a very eventful shoot. The producer, Gilles Sandoz, organised a small screening for the people most closely involved and who should come along but Gilles Jacob, who said, "I want that film". It opened the section called "Un certain regard" in Cannes. It was a made-for-TV film and the industry experts said it could no longer be considered a TV programme and obligatorily must be considered a film with a running sheet and that was what eventually happened.

J.B. It sounds a bit like what happened when Lars von Trier made the series *The Kingdom*. It was television that changed Lars von Trier's style, not *The Idiots*. It was the TV series that clearly demonstrated the possibility of creating that sense of realism. But it's true that the move to the cinema takes the discussion to another dimension.

P.CH. It gives it a public dimension. The film-versus-TV debate doesn't interest me in the slightest. I like making films, working in films. Whether they end up being shown on TV or in the theatres is only interesting to the people who work in the industry, not the public. It is a point of great interest to the image of the station or the film company but it's not interesting to the general public. I think that's understandable and there's no point kicking up a fuss about it. A lot of detailed work has been done on units, or collections, which strikes me as much more important than these little problems, these micro-problems.

J.B. I think, based on what you said, that the mobility of film is more important than the station transmitting films. However, a film is seen by more people when it is put on TV. At the Masters in Creative Documentaries, for example, we produced four films: one by J.L. Comolli, one by J. Jordà, one by J.L. Guerin and one by I. Lacuesta. At a conference I held, I asked people which of the films they had seen or heard people talk about. Nobody had heard anyone talk about Comolli's film. Yet it was the only one that had been screened on TV. In other words, many more people had seen Comolli's film than the others but because it hadn't been released in the cinema it hadn't generated either the movement or the repercussion of the others. The most remarkable experience I had happened the first time we showed Joaquim Jordà's *Mones com la Becky* at a festival and some young filmmakers went up to Joaquim to tell him they hadn't thought you could make a film like that. It's true that if we remember some of the films that first screened on TV and then went into the theatre it is because they entered as a type of prototype...

P.CH. ...in conditions of equality.

J.B. And I agree with you that it's not a question of language but it can be a political question.

P.CH. Exactly. There was a political effect in *Son Frère*, by Patrice Chereau, which was partly produced by the ARTE

Fiction Unit. When it was shown on TV it was seen by around a million viewers and now it has been released in theatres in France and, in my opinion, will get around 70,000 viewers. However, it is true that the visibility of a film is heightened if it is released in the theatre.

J.B. Do you have an ongoing relationship with the authors you work with, such as Erik Zonca, Claire Denis and Laurent Cantet? Do you do the same as Eckart Stein, in the sense that you work with someone once and that's it or do you practice a policy of continuity?

P.CH. I could give you some figures. We worked with 337 different filmmakers in 12 years. We would work with people once, sometimes twice, but usually only once because it was a space where people would arrive and then go off again. It was a very tough space economically. It was very hard for the filmmakers, producers and actors, with regard to financial questions. But once they had gained the experience they would go on to something else and we would, too. It was a transitory space. I consider this phase as a territory.

J.B. Films are sometimes understood as something that escapes from television and therefore leaves television alone, but they should never leave television alone. I support films being released in theatres because it is another vehicle, it gives them another life. This policy you mentioned about filmmakers, about production, about opening up a language and generating strategies about what is real, has changed in different countries throughout the history of film. Presumably in the 1930s, American *film noir* was where there was the greatest index of reality.

P.CH. And in the 1950s it was Italian neo-Realism.

J.B. And currently, one has the impression that there is a strategy that brings television, the movies, documentaries and fiction together, in which borders are being abolished. Do you think we are dealing with an international movement? What part do you think you have in the fact that it's an international movement?

P.CH. It is very complicated. Again, there is a type of East-West divide. The assertion that that which is real is found, oddly enough, beyond Western Europe, the United States and Latin America. In the Far East, invention is based on things other than reality. It really is a very complex issue

which is linked to the policy...

J.B. ...the political orientation of a station.

P.CH. The political orientation of the world, the division of the world. There is a big division of the world today between East and West. We can see that the West works with reality, it tackles it, in line with economic and capitalist guidelines, while in the East they assert thoughts against religion, against totalitarian regimes. You can see it in the films from Taiwan or China.

J.B. As a matter of fact, I recently saw a Korean film about serial killers based on a real event. Throughout the film the viewers kept changing their minds about who was guilty and at the end the mystery was left unsolved. The viewer was left without having the question of who was responsible resolved. And what happened was what you just said: it was an event, it was the reality, but the narration strategy, which was completely realist from the production viewpoint, had an irrational element. It was left up to the viewer to reconstruct the film if he wanted to find the solution.

P.CH. The irrational is an invention of Asia and the Near East. Take Iranian films, for example: they always begin with that which is real, they always have a thread of reality. That's what's good about them.

J.B. And the idea that love is still possible is also found in this type of cinema. You see an Asian village and think that love is still possible. Do you have any plans to work with Asian authors?

P.CH. If I were to continue, yes. But after 12 years I don't have any energy left. I have to stop. But, if I were to continue, I would be very keen to work in Asia and I would also be extremely interested in the notion of the virtual, i.e., the micro-image. That will be the big thing in the next millennium.

Transcription: Glòria Salvadó Corretger

The Return of Fiction

Fèlix Riera

There has been a definite trend in recent years to prioritise a type of programming and production based on showing reality through the use of documentaries, reports, testimonial-based series and historical reconstructions, particularly on public television, through productions that seek to relate us to our history, memory and current environment. They give us lessons in sociology (*Veterinaris*), ideology (*30 minuts*, *60 minuts*, *Arte*) or identification (*Històries de Catalunya*) related to our surroundings. The idea is a programming concept established to propose that documentaries, reports and their different variants are more suitable and reliable formats for approaching reality, based on a consideration that the programmes that most interest and stimulate viewers are those that arise directly from reality, whether local (with reports on the attempted coup d'état of 23 February 1981), or global (e.g., the war in Iraq). This television trend is gaining ground in programming and is prevailing over fiction to the point that it has begun to replace it. News-based documentaries are today responsible for broadcasting, analysing and critiquing reality, while film productions have the role of entertaining and distracting viewers from the events that the documentaries show us. Programmers support documentaries over fictional productions to offer a vision that makes it possible to explore current events. Their proposal is a type of programming in which films are equated with spectacle and documentaries with investigation.

This process reveals a common confusion in thinking that fiction is a product of the imagination that uses reality to tell

a story, while documentaries are direct documents of reality that bring us face to face with past, present and/or future events. The idea is that fiction is wont to tell stories that are too over-the-top, too emotional, too violent or too fictitious to be able to increase our awareness of the key points of the times in which we live. In the author's notes to his book, *Harlot's Ghost*, Norman Mailer gives a clue about how we should understand fiction, of how it can help us open our eyes: "Good fiction (if it is achieved) is more real, more nourishing to our sense of reality than nonfiction...". Mailer suggests that fiction has a closer relation to reality, despite possible errors of information, and a greater ability to locate the viewer-reader closer not just to reality but also to the truth. The philosopher Julian Marias suggests that film fiction's greatest triumph is its enormous capacity "for apprehending reality", duplicating it and transforming it in an imaginative fashion. One example could be Julien Gracq's novel *The Opposing Shore* (*Le Rivage des Syrtes*), which tells us more about the nature of war, conflict and the internal logic of power than Bob Woodward's journalistic piece, *Bush at War*, which focuses on relating the events that occurred in the Bush administration after the September 11 attacks in New York. Another example is David Lean's film, *Lawrence of Arabia*, which gives us a clearer view of the colonial processes in the Middle East than many reports and documentaries on the same topic. Through Lawrence's spiritual gaze of fascination and contradiction, Lean shows the complex relationship between East and West. The deluded Lawrence believes it is possible to build the East without conquering it, without appropriating it of its resources and identity. The documentaries broadcast before the war in Iraq that featured information, expert opinions and details of the people affected, channelled us further away from the heart of the issue, by presenting us with a reality that was divided

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between historical context and human life. A good argument for defending the idea that fiction has a greater ability to tackle the events that take place around us in more detail, even if not written about current times, can be found in an observation by Albert Camus: "Only the fictional novel remains faithful to the individual. Its purpose is not conclusions about life, but rather its very development". The news documentary, on the other hand, is forced to conclude, enlighten and instruct, and thus becomes a product or work that is closer to propaganda. Film fiction is more modest than television documentaries because it does not aim to give or remove reasons. Filmmakers and novelists, as Mailer suggests, "have a unique opportunity: they can create superior histories out of an enhancement of the real, the unverified and wholly fictional". If we add the words of filmmaker and ex-documentarist Peter Greenaway, i.e., "the documentary tells a big lie in pretending to be truth, while fiction, on the other hand, pretends to be a lie and ends up telling great truths", we have to ask why public television in Spain has made documentary-news-ideological-sociological programming the central element of its schedule to the point that it has established the following logic: television based largely on documentaries and reports is considered to be quality TV, as it offers a more plural vision of the world and more clearly meets that which we could label 'public service'. We have to question the choice of TV programmers who, like people who stock bookshops, have decided that on their shelves readers will only be able to find books on history, current affairs, essays, interviews, illustrations and the latest narrative best sellers, but not new or classic novels that fall outside their selection policy because they are felt to be too far removed from reality.

I believe that this programming/editorial line has been motivated (in the case of Catalonia) by the following:

1. The creation in Catalan film circuits of the phenomenon of fiction documentaries, which saw a great many good filmmakers turn to making documentaries to be able to experiment with and make works free from the traditional commercial circuits. This has led to an aesthetic criterion that sees some creators, producers and programmers identify the documentary format as a proposal of creation and the fiction format as a commercial product.
2. The fact that most public television executives come from the current-affairs department has led to film being

relegated to the bottom of their programming initiatives, turning the station into a medium that creates opinion through making and constructing reality.

3. The increasingly widespread trend of broadcasting films during prime time, with the purpose of entertaining and distracting viewers, which has led to an inaccurate association between film and evasion, as opposed to documentaries and commitment.

4. The feeling that quality movies are only enjoyed by film buffs and academics, leading to 'ghetto programmes' where experts talk to other experts and ignore the average viewer.

5. The low cost of buying and producing good documentaries and reports compared to the high cost of taking part in and buying film productions.

6. The predominance, marked by international events such as those of September 11, 2001, on a news-based view that has colonised all television opinions based on current affairs. We could even go so far as to say that television today revolves around giving opinions on rather than describing events.

7. The fact that television has opted for a local and 'own' vision instead of a global and universal one supports a narrow and slanted view of the world, in which by defending our view we sacrifice a more complex and complete view of reality.

8. The fact of associating documentaries and reports as a driving factor in society, e.g., the protests against the war in Iraq, which means that the information concept of television is more direct and effective in creating opinions, while fiction is more reflective and further removed from immediacy.

These are some of the elements that have resulted in public television in Catalonia today being represented and led by documentaries and reports. The all-encompassing film experience has been downplayed in favour of the fragmentary nature of the reality of documentaries.

The return to fiction is therefore a necessity, a commitment that has to be reoriented in order to offer a more plural and universal television that can locate viewers with regard to an issue and allow them to reach their own conclusions. We should not forget, as Marias reminds us, that the cinema as we know it today developed from the documentary (the Lumiere brothers): the sprinkler sprinkled, the train leaving the station, the passengers arriving at the station. However, it did not take long, in fact it was strangely quick, for film to

discover what its true reality had to be: fiction (Melies). Today, television must begin to introduce fiction as a basic element in understanding reality, because of its ability to make us ponder what will happen, what is happening and what has happened to us.

The return to fiction as a central element of programming will allow viewers to become reacquainted with the essentialness of what it proposes (when it is quality fiction), where meaning and expression are inseparable from content and form. A good part of current programming proposes formats in which the form becomes a predictable and exhausted embellishment, where it is more important to show than to understand. The return to fiction will make it possible to recover a balance in programming and provide viewers with a more complex and free reading of reality.

Conversation with Pierre Trudel

Gemma Domènech

Pierre Trudel is the author of the work *Droit du cyberspace* (1997, edicions Thémis). He is a professor at the Public Law Research Centre (CRDP) at the University of Montreal (Canada). His areas of research and teaching include legal theory, civil liberties, basic rights in the information society, intellectual property, and information and communications law. Pierre Trudel has worked with various projects in support of the development of a free press in West Africa. He has participated as a commission member of the Estates-General on Communication in Nigeria, helping draft the press and audiovisual laws for that country.

Gemma Domènech is an associate professor in the Department of Administrative Law and Procedural Law at the University of Barcelona, where she teaches the subjects Telecommunications, Audiovisual and Internet Regulation and Community Law. A specialist in comparative law in the fields of telecommunications and the audiovisual sphere, she is a member of the technical committee of the Catalonia Broadcasting Council.

Gemma Domènech (G.D.). In your book on cyberspace law you talk about the need to redefine the concept of law, i.e., a redefinition of the regulations in cyberspace that are manifested, among other things, in a displacement of the sovereignty of the State. What do you mean by that? Is it the market that is taking over the sovereignty that currently pertains to the State?

Pierre Trudel (P.T.). The market is not replacing the State anywhere. It is just that there is a certain displacement of its own sovereignty. If sovereignty implies one's power that is not subject to anybody else's, it is clear that the new environment (cyberspace) involves a displacement of the sovereignty currently defined by the State. Users and infrastructures (the technique) are taking on a particular power that the State must bear in mind when it comes to acting in cyberspace.

G.D. You say that the real question is not such much the role of the State but rather the role of law. Why?

P.T. Because in the world of Internet there is less need for the State and more need for the law. In drawing up cyberspace law we have to have the participation of the owners of the sovereignty we mentioned before, i.e., the State, but also the users and infrastructures. Regulation of the *infostructure* involves a redefinition of the terms of reference. It involves the mutation of the parameters that construct the legitimacy of the law. Digitalisation involves the existence of a virtual space, i.e., cyberspace. And this, resulting from the network environment, is not comparable to physical space: the structures involved are defined using different criteria. Reconstructing the actions of individuals according to the physical place they are located in doesn't work in electronic environments. In some cases it would be completely impossible. In fact, for some people this is one of the advantages of the Internet. This "delocation of individuals" is what the people who define and postulate the electronic environment as a geopolitical space that is different and autonomous seek. Given all that, therefore, if

we talk about cyberspace law, what we really have to look for might be not so much what the law is but rather its role. And, in any case, what the most effective law is.

G.D. What law is effective for the Internet? What is the valid form of intervention with regard to the Net?

P.T. A networked law, i.e., law created from the concept of the sphere in which it will be applied, i.e., the Internet. It can only be law that can be adapted to the characteristics of cyberspace.

Information technologies modify legal paradigms. The forms of intervention and techniques of broadcasting the law are also modified. To the States we have to add the Net (infrastructures/techniques) and the practices of the parties that helped in its development. The challenge is to take the cyberspace context into account and review what justifies the law as well as the techniques by which it is expressed.

With the Internet, the most effective law is that which provides a solution to the obstacles and difficulties users have to face. In this new environment, users have the possibility of choosing the law that will apply to them. The challenge is to propose a predictable and valid legal framework, i.e., a law negotiated with the parties involved in the development of the Net, which is transversal and which also, obviously, can be agreed upon at the international level. It is necessary to multiply the efforts to find the mechanisms to protect basic values, which technology doesn't change, but which belong to all societies independently of the technology they use in their relationships, whether physical or virtual.

In this new space, regulations and laws cannot be conceived simply as permits and prohibitions. It is important to start from a concept of law as a set of solutions to users' needs. And in this sense, promoting and favouring the development of online arbitration mechanisms and codes of conduct.

G.D. But would these arbitration mechanisms or codes of conduct be exclusively related to self-regulation of the sector? And what is the State's role in this whole new concept of law, understanding law to be the set of regulations applied to a particular relationship. Are we talking about self-regulation or co-regulation?

P.T. Many people's perception or wish is for cyberspace to be an unregulated space, i.e., for it not to have any laws or any State. What we have to do is see if this perception can be put into reality. I don't think it can. The people who defend not regulating the Internet know that all relationships require rules and standards of use. The difference is that they believe that only the parties involved or the users are the legitimate voices for approving the standards of conduct or relationship. I would like to insist again on this point: what is needed is a modification of the concepts or perceptions, in this case, of cyberspace law. To a large extent, law is constructed from the representations we make of what is social or what is reality. The virtual environment can also modify the perceptions of the risks or "dangers" involved.

The role of the State, therefore, is justified. But the State has to change its perception of the law. It is important to conceive the law as a set of regulations that have been "approved" by all the parties involved (an interrelated Net law, including the State) and not a hierarchical law, not a set of regulations that the State imposes on society. Society (i.e., the users) and the relation technique (i.e., the networks, the infrastructures) have to participate together with the State in creating this law for regulating the Internet. By this I mean self-regulation, but also co-regulation.

G.D. And how would this co-regulation work? How would the parties involved adopt the regulations? Does it involve changing the 'spaces' where the regulations are approved?

P.T. No, not at all. What would change is the influence and scope of each of the actions in adopting the regulations. In fact, it is already happening, even if we can't see it. Let me explain. Regulations adopted by States increasingly tend to establish the results they want to get. The laws determine what has to happen and leave it up to the parties to organise, and operating regulations are eventually approved in order to reach the goal imposed by the law. The users are the ones who define what has to occur.

G.D. You talk about different centres of normativity on the Internet and their necessary interrelationship. I understand that a centre of normativity would mean 'a party with the ability to approve regulation standards for the Internet', i.e., to approve Internet law. What are they?

P.T. I think there are three centres of normativity: the State,

the users and the technique. With regard to the first, I think I have already insisted too much on its role. With regard to the second, users are the origin of what we call e-lex, i.e., law that results from contractual practices and uses of the Internet. It is a type of anational organisation that establishes the regulations Internet users should follow, independently of the laws approved by the States. With regard to the third centre of normativity, this would be the regulation that arises from the technique. The technique allows and forbids certain things. Therefore, although it is not a regulation, it has the same effect. The interrelationship between the three centres of normativity contributes to creating cyberspace law.

G.D. Is this interrelationship necessary to make cyberspace law an effective and thus legitimate law?

P.T. Yes. We have already said that the law has to be effective and therefore able to be adapted to the medium to be regulated. When I talk about this interrelation, I am referring to the fact that if the Net has links, the law to apply also has to be built up from links and interfaces. Each of the parties involved with the Internet has to manage its own responsibilities.

G.D. Let's look at the specific spheres in which this law would have to be applied and, in particular, the area of the broadcasting sector. Is the existing broadcasting law adaptable to the new broadcast environment? I am referring to regulations such as the ones relating to election polls, the screen time given to politicians, political pluralism, the establishment of scheduling times to protect minors, length limits on advertising, etc. You believe we can adapt a law that applies in an environment of public communication to an environment considered to be private communication, even though the Internet is also a public communication space. It's a complex question, isn't it?

P.T. Yes, it's a complex question. Even more so if, as we have seen during the course of our conversation, the discussions are still, despite everything, in too much of a 'philosophical' stage, i.e., about the very concept of law. It would be hard to answer your question until we've resolved the question about what Internet law is, independently of the particular sphere to be regulated. To give you an example, where I come from, Canada, the

broadcasting regulatory authority, the CRTC (Canadian Radio-television and Telecommunications Commission), decided to promote the development of the Internet and exempt television and radio services broadcast online from the application of the regulations applicable to these same services provided offline (the conventional media or services). The question therefore was not whether the current broadcasting law was applicable, but rather whether it was the priority.

G.D. And what was the legitimacy in that case?

P.T. The effectiveness of the regulation. The need to develop the Net and the information society prevailed. Furthermore, the exempt activities were marginal and it was important to promote experimentation. The argument was that if we want Canadian content on the Internet we can't regulate at the beginning, we have to see how these services would be produced, what they would be like. We could then see how to adopt the regulations to apply. In any case, criminal law is also applicable. Offenders would be pursued under the law. It is important to also bear in mind that it is not a conventional broadcaster. Can it be easily identified? What is the place of establishment? What is the applicable regulation? These were the questions raised. There is still another factor to take into account: the phenomenon of the personalisation of users, who become both player and consumer, and of the services, wouldn't that be private communication? To be honest, in the current stage of the development of the Internet, and of the considerations about it, the debate is still open. We will have to see how Internet usage develops.

G.D. So in other words, the important thing is to promote the development of the Internet and then you can look at the law to apply?

P.T. Exactly. If there is no use, there is no social reality to regulate and so it would be better not to have a new law to apply. We have to anticipate other types of measures. We need to opt for other concepts and perceptions of society and law to be able to begin to create one from scratch.

G.D. The Catalonia Broadcasting Council, together with other broadcasting authorities and the Telecommunications Market Commission (the telecommunications regulatory

authority in Spain) have created an Internet Quality Agency (IQUA) with the purpose of promoting the development of the Internet, based on guaranteeing its quality and acting as a platform of expression and collaboration among the different parties that operate online. Do you think we can talk about Internet quality? Can it be defined? And, in any case, who has the authority/legitimacy for guaranteeing it?

P.T. Obviously, I think this is a very good initiative. I have always maintained that it is better to improve content than suppress it.

Defining quality: I think that's the wrong question. It leads us into a field of eternal discussion, which is a trap. Guaranteeing quality involves promoting the improvement of things, and that is good. More dialogue: it's not about quantity, it's about quality.

Promoting dialogue is the way of guaranteeing a horizontal, negotiated regulation compatible with the new legal concept we are defending. Finding the law that can organise this dialogue has to begin from the need to conciliate apparently divergent ideas and perceptions, i.e., conciliating a non-hierarchical concept and freedom of expression. We are talking about a difficult type of regulation, because it can't be absolutist. But it can be realistic.

Media Concentration

Carles Llorens

- *This article begins with an attempt to clarify the definitions of concentration and goes on to analyse the latest options in the communication policies of the United States, the United Kingdom and Italy. The different options each country has taken in relation to promoting pluralism in the media demonstrate the complexity of tackling a qualitative subject such as pluralism from the basis of quantitative regulations. The article concludes by underlying the need for further work on anti-monopoly laws to adopt measures relating to content.*

Introduction

Media concentration and its impact on pluralism have been and are a central focus of communication studies, particularly by schools and authors that specialise in studying broadcasters. But this discussion, which we could label academic, has regularly broken out of the theoretical sphere to become the subject of broad political and social debate.

One debate arose from the arrival on the scene in the middle of the 1980s of private television networks in Europe. New players and media empires, such as those of Silvio Berlusconi, Robert Maxwell, Ted Turner and Rupert Murdoch, sparked discussions about power and the potential control of private organisations on public opinion through the ownership of a media group.

The controversy livened up again with the wave of mergers

in the light of the technology bubble of the mid-to-late 1990s. People such as Leo Kirch, Jean-Marie Messier and Viacom president Summer Redstone again brought up the question of whether it was necessary to limit the power of a number of media groups that were growing inexorably.

In the first quarter of 2003, the debate about media concentration and its repercussions on pluralism and the democratic system again went beyond academic circles to become the subject of public discussion in the United States, the United Kingdom, Italy and, to a lesser extent, Spain. This had nothing to do with a new wave of takeovers or mergers in the media sector, but rather the political requirements and decisions of governments and agencies to try to promote new laws for the sector that in general had a clearly deregulatory orientation. Governments ran up against fervent popular and political opposition, particularly in countries with a long democratic tradition, such as the UK or US. Therefore, before analysing each case, I would like to go over a number of basic questions with regard to concentration, pluralism and their interdependency, which I will refer back to at the end of the article.

The different commonly accepted meanings of 'concentration'

When we talk about concentration, we usually refer to at least five different phenomena: four with an economic basis and the fifth of a political nature. The first phenomenon usually refers to concentration operations and business integration, i.e., corporate takeovers or mergers. Secondly, when we talk about concentration we often refer to ownership concentration; thirdly, we refer to market concentration and fourthly we sometimes refer to audience concentration. The fifth and possibly most commonly

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accepted meaning of concentration is political in nature and is understood to be the centralisation or accumulation of power in one or a few organisations arising from their dominant position.

a) Business Concentration

The first commonly accepted meaning of concentration, i.e., business integration, corresponds to the process or result of a company's external growth strategy, which it employs through the use of mergers, takeovers or the creation of joint ventures. This strategy is the opposite of strengthening internal growth, which consists of developing new economic production capabilities.

Business integration represents the most important and fastest way to reach a certain size. The opposite occurs with internal growth, which usually requires more time to transform a company's cycle and inhouse production capabilities.

Beyond the media uproar that surrounds the takeovers or mergers of media organisations and the type of strategy they respond to - international, horizontal, vertical, multi-

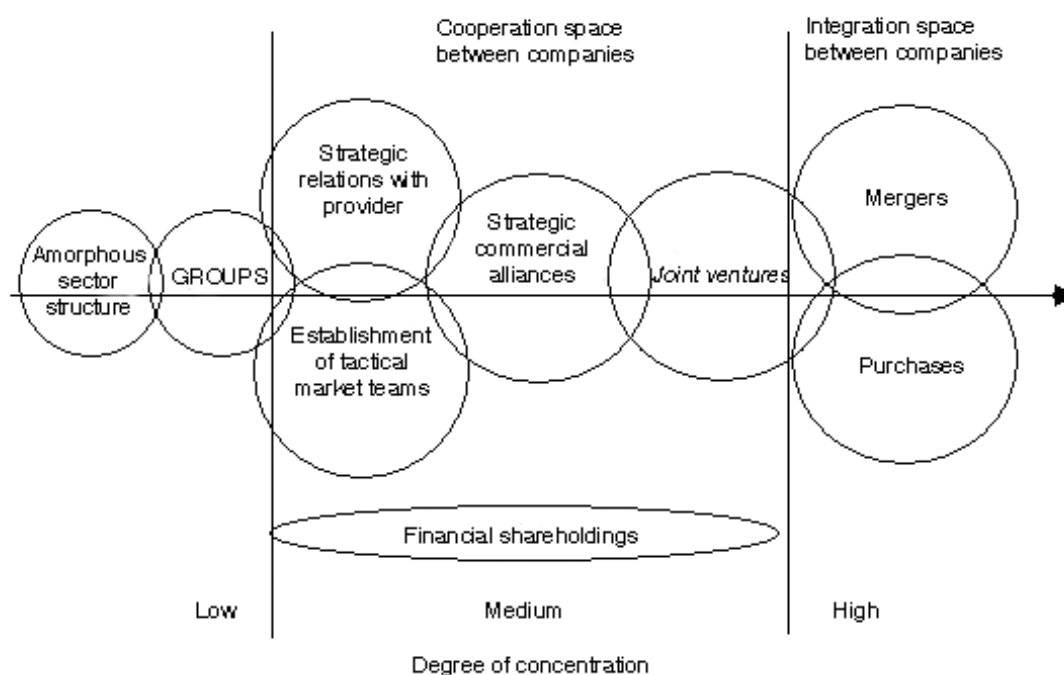
media or the formation of conglomerates (BUSTAMANTE, 1999) - the most important thing with regard to pluralism is the level of intensity of these corporate operations. A one-off agreement by two companies to develop joint projects is not the same as a merger or takeover and involves a very different level of ownership and market concentration (see Figure 1).

It is also important to mention that the concentration process is less common than the media hype that surrounds such mergers and takeovers could lead us to believe. Not every merger, agreement or takeover operation that is announced actually goes ahead and they certainly do not all result in increased value for shareholders. A study by the consultancy group Bain & Co. (1997) found that three out of every four mergers or takeovers fail, either because in the end they don't go ahead (20%) or because they lead to a fall in value (56%) for shareholders. Only 24% are successful.

b) Ownership Concentration

While the first commonly accepted meaning of concentration refers to a dynamic process (the union of companies),

Figure 1: Taxonomy of Business Agreements by Level of Concentration.



Source: Author's own work based on information from the European Commission (1996: 33).

ownership concentration is a fixed reference in time and space. The process of business integration leads to ownership concentration. Kowalsky (1998: 4) defined it as "the extent to which a media sector is controlled by individual companies". The determination of this 'extent' of control is very complex. When is a company or individual a *de facto* or *de jure* owner or controller? In 1994, the European Institute for the Media prepared a report to look into that very question. Its conclusions suggested the need to simultaneously bear various factors in mind: ownership links, financial links, contractual links and links relating to the appointment of staff at a company (EIM, 1994: 201).

c) Market Concentration

Market concentration, the third commonly accepted meaning of concentration, focuses on analysing the market rather than the owner. It involves studying the extent to which particular companies dominate a market. In this case, no prior business integration is necessary. Market concentration can arise as a direct result of a company's internal growth or the disappearance of a competitor. This situation leads to the need for anti-monopoly policies to be applied not just to mergers and takeovers but also in cases that lead to an abuse of the dominant position.

Sánchez Tabernero (1993: 31) defined market concentration as "the increased presence of a single media organisation or reduced number of organisations in any market as a consequence of different possible processes: acquisitions, mergers, agreements with other companies or even the disappearance of competitors".

This meaning and the previous one reflect two closely related but different phenomena, i.e., industry concentration and market concentration, which are usually, but not always, related. The important point is that studying them together can allow us to determine whether there is economic concentration in any sector of the media.

d) Audience Concentration

Audience concentration is a relatively new concept that has gained importance and acceptance in anti-monopoly legislation. Audience concentration involves assessing a media outlet's reach in a particular geographical market. The logic of this concept is based on considering that excessive audience concentration is more dangerous than

ownership concentration.

The choice between different audience definitions is very important. It is not the same to define audiences by market share as by total potential audience. In 1996, the US, UK and Germany applied the latter concept of an audience in their media laws.

e) Economic and Political Concentration

Concentration understood as an increase in political and economic power is a more global meaning and is based on the previous meanings. Any economic power has sociopolitical power repercussions; some of these influences are particularly important in the media sector because they can strengthen or reduce particular collective values. It is therefore important to talk about a fifth type of concentration that corresponds to the rise of power in the political and social influence of a media company based on its economic and symbolic power. This is the meaning that Nieto and Iglesias (1993: 207) used in their definition of information concentration: "It is the accumulation of the power to inform as a subsequence of advertising or commercial agreements, which could alter the free competition of goods or services in the information market". Miguel (1993: 101) preferred to call this process centralisation and to reserve the term 'concentration' for the process of corporate expansion.

These definitions provide us with a methodological tool for analysing the different perspectives each country has recently used when tackling the task of media regulation. In general terms, while the debate in the US focussed mainly on audience concentration, in the UK it centred on regulating ownership concentration, while in Italy the main topic of discussion was the market concentration of Berlusconi's television stations.

The United States: A Debate on Audience Concentration

On 2 June 2002, the Federal Communications Commission (FCC), the government agency charged with regulating most aspects relating to communications (telecommunications infrastructure and services, television and radio services) approved a review of concentration regulations.

This review had been imposed upon it by the 1996 Telecommunications Act and by various recent legal sentences that found it had to provide a stronger basis for the anti-monopoly laws contained in the Act.

The main revisions of the anti-monopoly laws anticipated by the Federal Communications Commission were as follows:

1. The limit on the maximum national audience allowed the owner of a television broadcaster was raised from 35% to 45%. This meant that a company could buy as many broadcasters as it wanted so long as it did not exceed 45% of the potential national audience. In mid-2003, CBS and FOX already reached over 35% of the country. NBC's broadcasters could reach 34% of the country, while ABC could reach 24% of the national audience.

2. With regard to radio, the limit of a maximum of eight radio broadcasters in the top ten local media markets was maintained.

3. The ban on merging two of the four most important networks was upheld.

4. The ban on owning a newspaper and television station in the same market was eliminated.

To give you an example, the new regulations meant that a single company could be the owner in the most important markets of the US, i.e., New York, Los Angeles and Chicago, of:

- 3 television broadcasters (only one among the four biggest ratings winners)
- 8 radio stations
- 1 newspaper
- 1 cable operator

The most significant restrictions were on smaller markets. For example, in markets with three or fewer television broadcasters, the same company or individual was banned from buying either newspapers or radio stations in the same city.

The approval of these regulations sparked intense opposition from the public and was taken up by politicians in the US Congress. In response, the House of Representatives, in a coalition of Democratic and Republic members (400 votes in favour and 21 against), proposed a law of a budgetary nature that stopped the FCC from using federal funds to apply the new audience limits for a one-year period. The new FCC regulations may therefore come to nothing. A

presidential veto against the House of Representatives' initiative is still possible, but if the Senate joins the proposal, President Bush would find it hard to justify his decision on an issue that has crossed party lines and ideologies. Furthermore, the fact that 2004 is an election year in the US would increase the political cost of a presidential veto.

This stand against the FCC did not come just from the political world. Opposition was keen and cut across society to bring together people on the right, middle and left. The former aimed to defend local media control to guarantee the minimum standards of quality and decency they felt the big groups no longer respected. The latter wanted to conserve diversity. Finally, independent voters mistrusted the media and its manipulation in general. This large coalition had easy access to its political representatives through emails and faxes. The FCC says it received more than half a million emails on the subject, most against a relaxation on concentration limits.

Why did the FCC focus on audience limits? The reason is very simple. In a country with more than 2,000 broadcasters, establishing anti-monopoly laws based on number of licences is ridiculous. For example, FOX currently has 25 broadcasters. The important point is that they are located in the best television markets in the country. This explains why potential audience level was more important than ownership per se.

Two purely economic questions were taken up in the debate. Independent production companies such as USA Networks and the public network PBS opposed the review on audience limits, calling instead for the return of regulations that required a separation between production companies and television broadcasters, or which at least set a minimum number of independent productions on the network grids. Regulations on the separation of production and broadcasting, known as syndication rules, which had led to independent production companies such as Lorimar and MTM, were eliminated in 1993. However, this was not before FOX was granted a preliminary exception (due to its 1986 establishment as a network) that allowed it to produce its own programmes. This limitation was subsequently eliminated for all the networks and the integration between television studios and companies accelerated. Disney's buyout of ABC and Viacom's purchase of CBS can be explained by this idea of integrating the production and

broadcasting of programmes.

Today, the five biggest US communications groups (Disney, Viacom, FOX, NBC and AOL Time Warner) control 85% of prime-time viewing. As Michael J. Copps said, cable is not the solution: the networks and main cable operators control 90% of the 50 most-watched channels, according to Nielsen figures (COPPS, 2003).

The main defenders of the deregulation of audience limits are obviously the networks. They argue that with the relaxation of anti-monopoly laws, the number of networks has risen from three to five, with FOX being the big winner. Furthermore, competition from cable and satellite has led to a shake-up of their economic model. They argue that only growth and concentration will allow them to compete with pay video services.

Analysts also point out that the new programming model, based largely on reality shows, involves an initially low cost in which the big studios do not participate and which is exhausted on first runs. The people who make an advertising profit with this model are the affiliated broadcasters, while the networks find it hard to recover investment if there are no re-runs on the syndicated or secondary markets. The networks thus opt to invest more heavily in the purchase of broadcasters to redeem their investment in programming or paying for expensive programming that is now moving onto cable and satellite.

For their part, independent television broadcasters affiliated to a network oppose the new regulations because they believe that the forced relations, which now work in their favour, would benefit the networks if there was a relaxation on audience limits.

The United Kingdom: A British Debate on Ownership

The British television market, much smaller than the American one, bases its regulations on limiting media ownership and cross-ownership regulations. The system was the subject of much debate until 17 July 2003 when, after three years and seven months of discussion, the proposal by the Blair government to organise the communications sector, i.e., the Communications Bill, was approved by the Queen and became the Communications Act.

The new law attempts to group together in a new

independent governmental office called Ofcom all the regulatory bodies involved in broadcasting that had existed. Agencies such as the Independent Television Commission (ITC), the Broadcasting Standards Commission (BSC), Oftel, the Radio Authority (RA) and the Radiocommunications Agency (RA) thus disappeared. Ofcom's powers came into operation in late 2003.

As in the United States, the issue did not cut down party lines between the Conservatives and Labour during the process of preparing the law. For example, a rebellion by Labour members in the British high chamber, led by Lord David Puttnam, the producer of films such as *Chariots of Fire*, *The Killing Fields* and *Midnight Express*, led to Ofcom regulations including the duty to attend citizen and consumer interest in its decisions (section 3, article 1 of the new law).

This was not just at the general level or level of principle. The law was also redrawn to shore up a guarantee of pluralism. In particular, section 375 of the Act included a proposal from the House of Lords to prevent mergers because of the belief they could endanger pluralism. The clause was known as the 'plurality test' and was included in the rules on general mergers.

The text specified the need to take into consideration in the assessment of mergers whether there was "sufficient plurality" of ownership for "each different audience". Section 319 of the new law specifies that, as well as owners, the assessment must take into account "a genuine commitment to programming standards and impartiality".

The procedure is somewhat complicated and means that both the preliminary and definitive decision corresponded to the Secretary of State for Trade and Industry. In particular, if the merger has a "specified public interest concern in relation to media plurality" (section 376, article 3), the Secretary of State can request a report from Ofcom on the implications for public interest and operation. Ofcom's conclusions, together with public submissions from the Office of Fair Trading on competition issues, are then sent to the Competition Commission, which passes them on to the Secretary of State, who has the final say.

The procedure shows that even in the oldest democracy in the world politicians still want to have the final control on media concentration. Rumbling away in the background there is, as always, a debate about who will control the

controller, which also shows the lack of confidence politicians have in the independent organisations they themselves create. At the end of the day, there is a problem with accepting the rules of the democratic game, as the effectiveness of regulatory authorities depends on their credibility, which grows in inverse proportion to their dependence on political power (SÁNCHEZ-TABERNERO I CARVAJAL, 2002: 138).

The plurality test is dangerous because of its implicit subjectivity. Large groups can take the regulator to court if they disagree with a mistaken application of what they understand as "sufficient plurality" or "a genuine commitment" to the goals of impartiality and diversity. This legal insecurity led the Blair government to commit to the financial backing of Ofcom in the event of legal disputes with media organisations over the 'plurality test'.

The figure of Rupert Murdoch has featured throughout the process of the British debate on the new law. The US magnate dominates pay television in the United Kingdom with Sky, has a foothold in free-to-air digital terrestrial broadcasting through an alliance with the BBC (Freeview) and also dominates the NewsGroup newspaper group with iconic titles including *The Times* and *The Sun*. The only thing he doesn't have is ownership of a terrestrial television station. His only option was and is Channel 5, currently controlled by the RTL group. Until now, anti-monopoly laws prevented him from buying this station because of his dominance in the newspaper market. Under the new law, these limits have been eliminated, but he would need to pass the plurality test.

With respect to ITN News, linked to the third channel, ITV, the law anticipates eliminating the 20% maximum ownership limit for a single shareholder. However, it gives Ofcom the power to review the conditions of each new contract to ensure that ITN is comfortably funded and can provide high-quality news. The government's intention with this control is to preserve the three big television-news providers in the UK: the BBC, ITV and Sky.

Italy: A Debate on Market Concentration

The debate in Italy focuses on the concept of market concentration for obvious reasons. The Berlusconi government

defends a broadcasting bill that favours the prime minister's private interests. On one hand, the economic duopoly between the RAI and Mediaset ensures great media interest in any discussion about anti-monopoly measures. On the other hand, the conflict of interests since Berlusconi came to power is enormous: as prime minister he controls the RAI and as a private businessperson, through his family, he dominates the Mediaset group. From the purely economic point of view, according to the Italian organisation charged with protecting competition, the Autorità Garante della Concorrenza e del Mercato (AGCM), Italian television has the highest level of market concentration among the main European countries: 90% of the market is dominated by the two leading companies. By way of comparison, the two most important channels in France hold 74% of the market, the two big players in Germany have 66%, the two leading channels in the United Kingdom have 65% and the two biggest ones in Spain account for 54% (AGCM, 2003).

Given this situation and the anticipation of a new broadcasting law, Italy's president, Carlo Azeglio Ciampi, expressed his concerns in July 2002 in a specific speech on pluralism delivered to the Parliament. He called for the defence of a more authentic and profound pluralism and classified media independence as a vital element of democracy.

The bill prepared by the Berlusconi government and debated in the Italian Parliament would allow Fininvest (the holding company behind Mediaset) the freedom to enter into new businesses where it has until now been banned, such as publishing, print and radio. In particular, the new regulations would allow a television channel to acquire a newspaper beginning in 2009. The main change in the bill is that it modifies the maximum limit on advertising income with respect to the whole television market that a television channel can obtain, fixing it at 30%. The current limit is 20%, but the percentage would be calculated on the basis of all the advertising income of all the media outlets. Furthermore, if the bill goes through, it will also allow Mediaset to include station plugs by presenters beyond the maximum 18 minutes per hour and to enter it into the accounts as a daily total.

The bill also abolishes the decision of the Constitutional Court that stripped Mediaset of one of its terrestrial stations, Rete 4, and banned it from sending a signal by satellite, for

having exceeded the 20% limit on terrestrial television licences for a single operator and which the 1997 Act imposed on terrestrial television (VV.AA., 2001:47). The bill is expected to be approved, with the odd incidental amendment, as Berlusconi's government enjoys a majority in both chambers of the Italian Parliament.

Relationships between Concentration and Pluralism

Beyond communication policies, the public usually has the perception that concentration in general is gaining an ever-stronger foothold: a few, increasingly large, companies dominate the market. However, if we talk about market concentration, the reality is quite different. The latest research shows that at both the global economic level (GHEMAWAT AND GADHAR, 2002) and in the media sector in Europe (LLORENS-MALUQUER, 2001; SÁNCHEZ-TABERNEO AND CARVAJAL, 2002), media concentration is on the wane. Although these studies do not analyse local and regional markets, where concentration can be greater due to the narrowness of the market, the results suggest that concentration is sometimes confused with size. The fact that

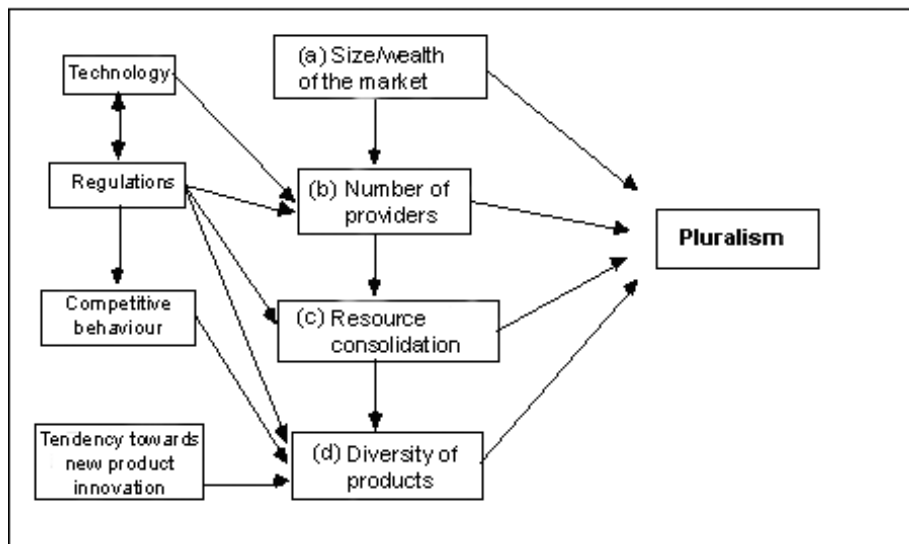
a number of companies have a very high turnover does not automatically denote market concentration and lack of competition. The car industry would be one example that could support this view.

A decline in market concentration does not mean that clear cases of concentration don't exist, but apart from these particular cases, it is often very easy to establish a negative relationship, along the lines of 'the greater the level of concentration, the smaller the supply of independent media', i.e., high levels of market concentration equals less supply equals less pluralism.

As Kowlasky (1998), Doyle (2002) and McQuail (1992) have said, the relationship between the concentration of media ownership and pluralism is not so direct, due to the intervention of other factors. Doyle (2002) says that the other variables that have a decisive impact on pluralism are market size, the resources available in the market, the structure of the media system and the goals and competitiveness of the media organisations (see figure 2).

Media concentration is therefore an important variable, but within a wider framework of circumstances that may or may not have a positive effect on pluralism. It is therefore logical, says Doyle, that measures that can promote pluralism

Figure 2: Relevant Elements for Analysing the Relationship between Pluralism and Concentration.



Source: DOYLE, 2002: 15.

should not be limited to ones that affect ownership concentration, otherwise we could fall into a dangerous form of reductionism, i.e., identifying pluralism with *plurality*. The concept of plurality carries the semantic weight of its name, of quantity; while the term 'pluralism' is more often associated with diversity, understood as variety.

In fact, the concept of *plurality* is one of the elements the industry uses to defend governments not intervening in the area of media concentration. The ability to choose between a variety of things is one of the positive components of the term pluralism, but we should also bear diverse content in mind. In that framework, the standardised content that has arisen from the deregulation of the broadcasting industry in Europe since the mid-1980s is a demonstration of how plurality is not in itself enough. As Moragas and Prado (2000: 175, 200) so forcefully put it, "Under the cover of this [neo-liberal] philosophy develops the pro-liberalisation equations manifested in the belief that Privatisation = Multiplication of Channels = Increased Supply = Diversity = Pluralism. [...] having analysed the programming grid, we could revise the equation to: Privatisation = Multiplication of Channels = Competition = Standardisation of Supply = Concentration = Reduction of Pluralism". Therefore, in the strictest sense, defending media plurality is to defend the existence of more than one media outlet, without judging its content, which may or may not be diverse.

I believe that the opinion of the Council of Europe is much more appropriate: "Diversity has to be defined as the possibility of choosing at a given time between different journalistic genres, different issues and events, different sources of information, different interests, opinions and values, different authors, different perspectives, etc." (Council of Europe, 1992). Pluralism should therefore not just be external, but internal as well.

The model shown in figure 2 suggests that the levels of pluralism in a particular market depend on (a) the size and wealth of the market, conditions that limit the number of different and autonomous supplies (b). But the key point is how the consolidation of recourses is articulated, particularly in the editorial functions of the media (c). If, for example, we compare the same sources of information from the media organisations of a particular group, we end up with less pluralism than if they are diversified or independent.

The key question in any concentration operation is

therefore: what functions does an owner of a multimedia group combine to reach economies of scale or scope? General support or back-office services, accounting, sales, publicity, or ones related to content? The question is knowing whether a media outlet which has carried out a takeover or merger operation will reinvest the profit into producing a diversity of content in order to cover the different market sectors or whether it will standardise them.

This indirect relationship between economic concentration and pluralism does not, however, mean that media concentration has to be under-appreciated or ignored. The existence of a plurality of suppliers already has a positive impact on pluralism. Even if some media share the same content, or even if it is standardised, at least there is a different supply, thus preventing a single supplier from having absolute programming control and further reducing the potential risk of excessive political influence.

Doyle's model is also interesting because it focuses on the size of the market and its development. In small countries, a small market is unable to finance a large number of media outlets, which usually implies a high degree of concentration. In small communication markets, therefore, the degrees of pluralism that can be required could be less than in bigger markets. In short, different market sizes involve different degrees of pluralism and different types of anti-monopoly measures.

The big conceptual problem that pluralism presents is its particular manifestation in regulations and laws. Pluralism is a politically qualitative subject that seeks diversity in the content supplied but quantitative tools must be forged to protect it. For example, as Sánchez-Tabernero and Carvajal (2003: 19) say, the Herfindahl-Hirschman concentration index is useful for comparing concentration situations in different markets or for seeing evolutions over time. Furthermore, "it is impossible to establish an index from which one can say that a level of concentration is excessive or intolerable to the authorities: the figure will depend on the features of each market, the type of business and, in the final analysis, the decision taken by the public through its political representatives".

The question we have to ask is: why, if the problem is diversity of content, have anti-monopoly laws been imposed to protect pluralism? Anti-monopoly measures based on ownership have proven to be useful because as it is difficult

to control the intentions of media owners or to completely regulate their conduct with regard to editorial lines, the most effective and simplest way of ensuring a healthy diversity of views is for governments to prevent the media from being monopolised.

Furthermore, interventions to actively promote diverse content, e.g., programming quotas, are hard to impose if they oppose such fundamental rights as freedom of expression or business freedom. At the same time, although the imposition of content quotas is unviable in the press, in the television sector there is a certain justification in that operators occupy a broadcasting space that belongs to society as a whole and which make their business from a public resource.

The key is to find the legislative development that can best be used to meet the greatest number of public, economic and social-interest goals at a minimum cost.

On the other hand, if State intervention is justified in the name of pluralism but is used for partisan or spurious purposes, such as in Italy, the regulations could become a control method for the communications system at the same time and public interest will lose out.

In short, the intervention of the State to protect pluralism is justified on the grounds of common good so long as the principle of proportionality is respected.

Pluralism is, therefore, like democracy, a question of balance, in this case between social and political goods and imperfect regulations. For that reason, the main question is not what is regulated but how it is regulated: its implications on the day-to-day world, the respect for laws and the rule of law. In other words, the problem is one of democratic culture.

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Links:

Laws:

- United Kingdom: Communications Act of 17 July 2003
www.hmsi.gov.uk/acts/acts2003/20030021.pdf
- United States: FCC Regulations on Media Concentration of 2 July 2003
hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-03-127A1.pdf

Agencies:

- Italy*: Autorità per le garanzie nelle comunicazione (AGCOM)
www.agcom.it/
- United Kingdom*: Ofcom (Office of Communications)
www.ofcom.org.uk/
- United States*: FCC (Federal Communications Commission - media ownership)
www.fcc.gov/ownership/documents.html
FCC (Federal Communications Commission - media bureau)
www.fcc.gov/mb/

From Rethoric to Archetype: Screenwriting Manuals

Ivan Pintor

- *The translation of The Writer's Journey, by Christopher Vogler, and the practically simultaneous publication of Story, by Robert McKee, revived the debate about books on film and TV scripts, in which guides, descriptive studies and academic analyses are mixed together in a field where often the borders between different particular issues are crossed. This intersection of theoretical writings discloses a great deal of agreement between academic conclusions and the ones screenwriters reach in their day-to-day practice, which can produce the question: in what ways do screenwriting manuals and analytical studies complement each other and how do they exchange contributions?*

Bidden or not bidden, God is present
(Inscription over the front door
to the house of CARL GUSTAV JUNG)

The translation of *The Writer's Journey*, by Christopher Vogler, and the practically simultaneous publication of *Story*, by Robert McKee, revived the debate about books on film and TV scripts, in which guides, descriptive studies and academic analyses are mixed together in a field where often the borders between different particular issues are crossed. From time to time, this intersection, helped by the huge amount of titles published, throws up synergies that are from time to time paradoxical, e.g., theoretical works that

end up forming the basis of practical learning, or manuals that only make taxonomic contributions.

Both Vogler and McKee are analysts who work for large film companies and their books have been very successful with screenwriters at the major studios. Despite that, the conclusions they reach adhere to three academic traditions: narratology (in the case of McKee) and cultural anthropology and symbolic hermeneutics (in the case of Vogler). This borderline area between the theory and practice of the script raises a big question: in speaking about the same subject, is it possible for screenwriting models and analytical models to permeate knowledge and be mutually enriching?

The script, and unstable object

We could define a script as any written text used to make a film, from the fragments that Dalí and Buñuel jotted down for *The Andalusian Dog*, through to Hitchcock's highly detailed and assorted storyboards which, he used to say, could be filmed without him. On the other hand, it is important to distinguish different script stages according to level of development: storyline (consisting of a few words), synopsis, treatment, dialogue continuity script, preliminary script and final script, i.e., the script with the technical *découpage*. All of these phases, which are essential in a study system, could be shortened in a more independent context.

When referring to the nature of the script, French filmmaker François Truffaut used to say it was important to film against the script and edit against the shoot. By this, he wanted to emphasise one of the contributions of the new European cinema styles of the 1960s: the discovery of the script as a device able to stimulate the start-up of a shoot that was permeable to any unexpected problem, instead of

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valuing it only as a closed shoot programme. Truffaut's words can also be understood in a much broader sense, as a script is never a literary work or the definitive result of artistic labour, but rather the first phase in a long metamorphosis through to the finished film.

Another Frenchman, in this case the screenwriter Jean-Claude Carrière, well known for his work with Luis Buñuel, said that a script is an ephemeral document, despite acknowledging his own career path. The first job he was commissioned was the literary adaptation of the films of Jacques Tati. Before beginning, he decided to study the whole process of film production. The project editor, Suzanne Baron, showed him the original script for *Les vacances de M. Hulot* and then ran a sequence from the film. She then said to him, "the whole problem of films is how to get from that to the other" (CARRIÈRE, 1997).

Carrière believed there was an intimate link between script and editing. He said they were the two sides of the same dialectic between narrating and cutting, synthesis and analysis. The problem in defining an analytical and creative methodology for a script came, he said, from the lack of a history or morphology of the script. Nearly all the technical aspects of a production have a history, but the film script has never been investigated as an independent form because it is an intimate part of the film that disappears once it has been shot. As Francis Vanoye said (1996: 15), it is an "unstable object", thus differentiating it from theatre scripts, which are designed to support new productions.

A film script must contain potential answers to all the questions that any member of the production team may raise: How many pieces of clothing are needed? What objects should be in the frame? What technical resources are needed to solve this sequence? How many extras will there be? How much will it cost altogether? Beyond the clarity, conciseness and purely descriptive style a film requires, giving it a standardised format is knowledge that can be acquired quickly and which supports Orson Welles' belief that everything you need to know about filmmaking you can learn in a day in one of the big studios.

However, the problem goes deeper than that, because a script is a story, and narrating is not something you can learn in a day. Some of the manuals that have become classics today, such as those by Syd Field, Simon Feldman, Jacob Most, Linda Seger, Tom Stempel, Lajos Egri or

Constance Nash and Virginia Oakey, aim to offer tools to get results fairly quickly. The downside is that this precipitation does not stimulate the preparation of each story with the attention required for specificity, but quite often runs the risk of being resolved in formulas and prescriptions that vouchsafe planning stories in a conventional fashion.

Syd Field's works *Screenplay* and *The Screenwriter's Guide* might be the clearest examples of this type of guide which, although offering the advantage of order and clarity, provide stereotyped solutions such as dividing a script into three segments of exactly 30, 60 or 90 pages each for the introduction, body and denouement, or writing the turning points on pages 25-27 and 85-90. These recommendations take too many things for granted, e.g., that each page has an exact duration of one minute of screen time or that any story can be reduced to a predetermined grid.

We should remember that "fiction is not built on the norm but on the exceptions," as Gabriel Garcia Marquez said in *La bendita manía de contar cuentos* (1998), an interesting extract from the screenwriting course he teaches at the International Film and Television School at San Antonio de los Baños in Cuba. The way to discuss Garcia Marquez's fiction in this work shows that, before using any of the appropriate tools to give shape to a story and even before structuring it in any classic sense of the word, it is important to discuss and analyse the mechanisms.

Plot variation

Robert McKee managed to synthesise the tradition of hand-on guides with more analytical contributions from writers such as Eugene Vale, Dwight Swain, Michel Chion and Francis Vanoye. All these authors were able to construct screenwriting pedagogy able to probe deeper into the organisation of different types of stories and plots and extract the ulterior motive before applying rhetorical formulas to support the suspense mechanisms, the management of information and the depiction of the characters. In fact, McKee does not add much to the points Vanoye or Chion made with regard to the distinction between script phases and typologies.

In *Cómo se escribe un guión*, Chion uses as a starting

point four films from different periods, nationalities and genre and analyses them in detail: Eric Rohmer's *Pauline à la plage* (1983); Howard Hawks' *To have and Have Not* (1944); Fritz Lang's *Das Testament des Dr. Mabuse* (1933) and Kenji Mizoguchi's *Sansho Dayu* (1955). Each of these films illustrates an historical period and, at the same time, a narrative model that sets it apart from the others by a whole series of features: the disposition of the sequence, the closure of the different plots, the "narrative motivation" of the characters (to use the term of the formalist Tomashevski), the articulation of the sequences and the mythological background.

This set of differences cannot be considered in isolation, but rather forms part of narrative systems, some of which have a fairly conventionalised level of organisation. McKee establishes the typology first of all, which begins with what is known as the *archplot*, "a story built around an active protagonist who struggles against primarily external forces of antagonism to pursue his or her desire, through continuous time, within a consistent and causally connected fictional reality, to a closed ending of absolute, irreversible change." (MCKEE, 2002: 67).

It is possible to identify an *archplot* in classic Hollywood scripts that responds to the traditional notion of the plot, the Aristotelian *mythos*. The Greek philosopher defined 'plot' as a *mimemisis* or imitation of a unique and complete action. Any action is unique and complete "if it has a beginning, a middle and an end, i.e., if the beginning introduces the medium, if the middle (peripetia and agnition) lead to an end and if this concludes the medium" (RICOEUR, 1987-II: 42-43). Then, the philosopher Paul Ricoeur said, the overall configuration prevails over the episode and harmony over the disharmony of the represented actions.

But even Aristotle's *Poetics*, the blueprint for most screenwriting guides today, circumscribes the scope of the model with a closed ending to tragedy. In other words, he does not universalise his principles but frames them within their genre (for example, he considers that the epic has a more episodic inclination), something that authors like Seger or Field do not do. That is why McKee, aware of the history of the cinema, added two further script models: the *antiplot* and the *miniplot*, basically identified with modern European filmmaking.

The main idea in the *miniplot* is attenuation. The conflict is

not externalised as with the *archplot* but nearly always lies in an internal problem of the characters. Causality does not centre on the character and motivation is not so clear. The opposition between desire and prohibition, the basis of all classic narrative, is diluted in a multitude of causes, and consequently the end tends to be more open than in the *archplot*. In a fictitious world that does not give preference to efficient cause, the presence of chance shatters the temporality and fosters a more episodic configuration of the actions.

Up until here it is surprising how closely McKee's classifications coincide with the historical models of narration established from an analytical perspective by theorists such as Noël Burch (1991) or, particularly, the neoformalist David Bordwell (1995, 1996, 1997): classicism corresponds to the *archplot* and the narration of art and essay to the *miniplot*. The case of the *antiplot* is more complicated because it involves three of Bordwell's subsystems: the *historical-materialist narration* of Soviet filmmakers, the *parametric narration* of filmmakers like Bresson, Ozu and Dreyer, where the attention is on stylistic permutations, and the *palimpsest narration* of Godard, characterised by hypertextuality.

McKee's *antiplot* can thus be identified with the exercise of antistructural variations, such as those practised by the previously mentioned filmmakers, together with filmmakers as different as Buñuel, Resnais, Marguerite Duras and Chris Marker, or the experimental artists Stan Brackhage and Michael Snow. The works of all these filmmakers, as well as the literary contributions of James Joyce, Virginia Woolf, Musil and Samuel Beckett, are concerned with the unfinished personality, the diversity of the strata of consciousness and the limitations that language imposes when it comes to giving shape to an inchoative character fleeing from the effects. They therefore breach the order of the narration, breaking it and superimposing on it an articulation of a poetic or discursive nature.

Action, character, conflict

Canto XVIII of the *Iliad* provides a metaphor of the principle on which any story is forged, i.e., distance versus reality, according to which the world is no longer perceived as a

multiple and fragmentary experience. The narrator of the Homeric poem distances himself from the world and is recreated in the famous description of the shield that Hephaestus builds for Achilles, taking heed of the prayers of his mother, Tethis. Representations of the sun, moon, the Earth, the sea, cities, agricultural tasks, wars, agreements, dances and everything else that humans and the gods know about appear on the shield.

It is only from that moment on that hierarchy and balance is granted to the cosmos and the story can once again take its course. In describing each fragment of the Shield of Achilles, the previous conditions of narrative concinnity make it possible for narrative and mythological orders to be arranged so the story can then begin to flow. The task of any storyteller reproduces this process exactly, i.e., it supports the story with a narrative shell and then opens it up to the exercise of imagining the story, breathing time into that which is only a hierarchy, the anticipation of a trajectory.

Structure is even more important in a script than in a novel, as it has to support innumerable modifications when production begins. Carrière underlined the difference between a writer and a screenwriter when he said, "the novelist writes, the screenwriter plots, narrates and describes: the writing is contingent for him" (CARRIÈRE and BONITZER, 1991: 117). It is important to delimit other variables according to the structure, which may correspond to any of the models McKee established. The variables could include the genre it adheres to, the nature of the instigating incident or the design of the acts.

Nearly all script theories, from Nash and Oakey through to Brazilian TV screenwriter Doc Comparato (his book, *The Script: Art and Writing Techniques for the Screen and Television* (1989) (*Arte e Técnica de Escrever Para Cinema e Televisão*)) takes a very similar approach to McKee's) bestow great importance on the classification of dramatic units, an attempt as old as fiction studies themselves. The seven types that Goethe listed were followed, for example, by the detailed typology of Georges Polti, author of the influential work *The Thirty-Six Dramatic Situations* (*Les Trente-six situations dramatiques*).

McKee also assigns a list of 25 categories, which, like Chion's, are located halfway between dramatic modality and genre. In looking more profoundly into the rhetorical concept of structure, we run up against a problem that Aristotle also

detected: what is more important, the structure or the characters? Does the motivation of the character have to be subordinated to the constitution of the action or the other way around? The answer, which in the modern novel comes down on the side of the character, in this case depends primarily on the type of plot and is one of the most persistent concerns of all books on screenwriting.

For example, Lajos Egri (1946) felt that the character was so important he recommended developing an extensive bibliography for it. Eugene Vale (1993) linked the character with the dramatic action through notions such as motivation, intention and purpose, while Antoine Cucca (1986) replaced these notions with condition, aspiration and realisation and Howard Lawson (1936) focused on social conditions and strength of will. Looking at these values, we can appreciate that the place in which the sphere of action and character definition is located is also the place where questions such as verisimilitude and the suspension of incredulity are settled, which during the 19th century eclipsed any other discussion on narration.

Furthermore, the *conflict* is also outlined in the connection between character and action. Swain (1988) defined it as "the interplay between forces seeking to attain mutually incompatible goals". McKee divided it into intra-personal, inter-personal and extra-personal and, like Field, considered that the conflict has to be manifested in all the strata of the narrative through what is known as the *controlling idea* that presides in each sequence. At the end of the day, it involves a concept that has its origins in the theatre and which is shared by a number of people: Egri, Feldman (who called it the *totalising supergoal*) and the filmmaker Kuleshov, who, in his famous workshops, called it the *superobjective* or *superproblem* (PUDOVKIN et al., 1988).

As Henry James maintained, the only absolute imperative within and outside the scene is to dramatise, i.e., to transform that which you wish to express into sensitive and visual signals and filter it through conflict. In accordance with that premise, the screenwriter has to always control the balance between dramatic conflict and character. As Horacio Quiroga recommended in the 8th Commandment of *Ten Commandments for the Perfect Storyteller* (*Decálogo del perfecto cuentista*): "Take your characters by the hand and lead them firmly to the end, without seeing anything

other than the road you drew for them. Do not get distracted by seeing things that they either cannot see or do not bother to see. Do not betray the reader. A story is a novel purified of waste".

From rethoric to archetype

Since the legendary production company Biograph, which employed the filmmaker David Wark Griffith, determined the bases of what would come to be called the classic narrative model at the end of the 19th century and demanded the collaboration of writers and playwrights in providing *outline scripts*, most of the films that are screened have a length, conformation and narrative economy more in keeping with a short story than the proteiform plot of a novel. The austerity that Quiroga postulated for the story is perfectly matched to the cinema, which further has a number of laws with regard to plot endings that are very similar to those of a story.

On the other hand, the cinema, as a stage for theatre, possesses the weapon of the presence of the actor and the asset of a form of time that inexorably takes its course, something which enables it to represent tragedy and melodrama, i.e., to apprehend and dramatise death, loss and the erosion that the passing of time inflicts on feelings. The difficulty lies in combining these features with a limited length that often makes it difficult to invest the characters with psychological profundity or, as Linda Seger said, to create "multidimensional characters". That is why there are two big sets of resources, linked respectively to the definition of conflict and the configuration of a mythological substratum.

With regard to the definition of conflict, which determines both the pace and the turning points in a story and the magnitude of the character's will, we should mention the narrative grammar of Algirdas Julien Greimas. His analytical proposal, which is indebted to structuralism, sustains the hypothesis that every dramatic character or actor can be built up from an initial want. This formula, based on the figure of Lacan's *sujet barré*, is right in that it is a minimal logic structure. If desire is the fruit of a lack, then conflict constitutes the trajectory from the initial disjunction between subject and object through to the final conjunction, whether effective or frustrated.

Understood in this way, dramatic action is based on the itinerary of approximation between subject and object and has its basis both in the test the character faces and the so-called *contract*, an analytical notion that has an exact response in Dwight Swain's *commitment*. Greimas' verbose academic rigour is good at describing the nature of the desire that moves the whole narrative system of classicism and the basic boy-meets-girl concept, i.e., the search for the other which, at the end of the day, has a clearly visual formulation: from the initial shot/counter-shot that records the moment when the boy and girl meet through to the final kiss that brings them together in a single shot.

Possibly the person who has best understood and parodied the importance of the constitutive want in the type of epic narrations that interest Greimas is the Chilean playwright, screenwriter and writer Alejandro Jodorowsky, who, in his comics, even uses heroes with a physical lack. The paradigmatic example is the saga of *Alef-Thau* (1982-1998), a character born without any limbs and who in every canto or episode of his adventure has to get the legs and arms that will enable him to enter the final battle with an antagonist who, in reality, is his own shadow and who, according to Greimas and Courtés, would develop a "narrative antiprogramme".

For Greimas, the narration is such an intimate part of any text that the categories described for dismantling it can only support a process of analysis (GREIMAS, 1973: 188) but not of construction. In fact, the abstraction of Greimas' narrative grammar awards it little use as a driving force in the construction of fictions. The reason once again dates back to Aristotle, as the Greek philosopher did not say anything in *Poetics* about the time construction of a plot and, from then until now, it appears that this silence has provoked an absence of time in the tradition of narrative study, from the exegesis of Porphyry through to Herder and Coleridge during the Romantic Age and on to Greimas, who proposes a rigorously acronymic model.

Russian formalists also tried to take the plot out of chronological order, but inserted time indirectly, bringing it nearer to the symbolic mechanisms of plot timing. The study of popular stories undertaken by Volkov and Veselovsky hazarded inventories of dramatic situations very similar to the ones mentioned above but which firstly distinguished between *theme* and *dramatic situation*. In *Morphology of the*

Folk Tale, Vladimir Propp defined the category function when he realised there was a strange phenomenon of permutability: "Stories have a peculiarity: their constitutional parts can be transferred without any change in another story" (PROPP, 1981: 15).

In reality, and this is where the mythological substratum intervenes, Propp's discovery formalised and protected with a structural methodology something that religious historians and myth theorists already knew. His contribution thus created a favourable atmosphere for the convergence between different spheres of knowledge and made it possible to locate them closer to more pluralistic myths, such as those of Mircea Eliade, Carl Gustav Jung, the Erasmian Circle, Otto Rank, Heinrich Zimmer, Gilbert Durand, Hans Blumenberg, Lluís Duch and Joseph Campbell. In *The Hero With a Thousand Faces* (1959), Campbell recovered the idea of the model story with all of Propp's functions and postulated the existence of the *monomyth*, i.e., an elemental and transcultural mythic concept.

The hero's journey

In *The Writer's Journey*, Vogler transformed the monomyth into a model for constructing stories. There are many works that apply the Campbellian map and Jungian studies to contemporary North American cinema¹, but it is Vogler who is possibly the most faithful to Campbell and at the same time responsible for the work most often used as a screenwriting manual in major studies. Vogler's writing classes have given rise to films such as *Gandhi*, *Toy Story*, *The Truman Show* and *Forrest Gump*, as well as television series including *Friends*, *Sesame Street*, *M.A.S.H* and *Ally McBeal*, and his stamp, together with that of Campbell, can be detected in other, very diverse works, from Clint Eastwood's tragedies and the melodramas of M. Night Shyamalan, through to the *Matrix* saga by the Wachowski brothers.

The backdrop to the monomyth concept is simple. Life is a continuum without any divisions, or rather only the ones needed to structure a story. The only absolute paradigms, i.e., birth and death, often extend to an interval that is so long it is of no use in explaining any type of fable. Journeys, on the other hand, were already a story before there were

stories: they had a beginning and end, so their structure was already narrative. Journeys have therefore always been a metaphor for any story, and the journey model that Campbell elucidates based on comparative methodology is a basic mythic matrix underlying many of the myths in traditional and even modern societies.

The basis of the monomyth is the hero devoted to the search for an object (the initial want) through a series of tests or stages, from his home to the "land of mysteries". Like the myth, the hero provides coherence to a multitude of diverse images, and in this dynamic order we can catch a glimpse of a temporalised version of the Shield of Achilles, like the story that threads diverse stars with a continuous line and relates an image to a myth². Throughout the hero's journey, Campbell notes a series of functions similar to Propp's, i.e., the double paternity and second birth of the hero, the refusal of the call, the initiation, the collaboration of helpers, the snares of opponents, confrontation with the guardian of the threshold, the ultimate test, the compensation, the abandonment of the instruments of power and the return.

The hero's journey is also a concept of self-discovery, which concludes when "the two - the hero and his ultimate god, the seeker and the found - are thus understood as the outside and inside of a single self-mirrored mystery, which is identical with the mystery of the manifest world. The great deed of the supreme hero is to come to the knowledge of this unity in multiplicity and then to make it known" (CAMPBELL, 1959: 44). Thus the metaphor of the journey is one of the main strategies human beings possess for dominating the provisionality of time. As Ramón Gómez de la Serna said, for man everything is a road, as a road is the main way to spatialise the time that devours all before it and to exorcise death.

This concept, which George Lucas faithfully applied when preparing the script for *Star Wars* (1978), has become a type of screenwriting bible, often supported by other concepts, such as transactional analysis of life scripts³. In classic cinema built on this concept, it is important to see one of the social practices of the domination of content that sociologist Max Weber called *theodicy*. Vogler was aware of it and used an instructive style to put Campbell's conclusions within the reach of screenwriters in the form of tools that show that before using language for writing, a creator of

fiction is, as Jorge Luis Borges said, "a user of symbols" (RODRÍGUEZ MONEGAL, E., 1973: 93), someone who faces the task of giving shape to mankind's fears about death.

Aware of this reality, and despite the fact that it can sometimes incur excessive and dogmatic simplifications, the virtue of Vogler's manual is the recognition that telling stories is not just an *ars rhetorica* but, on the contrary, a poetics which, in its ideal formulation, would mix Aristotelian taxonomy with the perennial idea of a number of platonic shapes always within the grasp of the narrator, i.e., archetypes. Furthermore, building a fictional world does not authorise a screenwriter to think he knows everything about the characters. Good fiction, as Carrière and the theatre producer and playwright Peter Brook (1973, 2000) maintain, involves exploring a situation or story with the reader or viewer.

This presence of mystery throughout the hero's journey is one of the factors that runs the most danger of escaping any type of script didactic. However, Vogler, like Jodorowsky, realised that the work of building a script in accordance with this concept aspires to obtaining a holistic representation of the world, as occurs, for example, with tarot cards: "The progression of the images in the tarot pack clearly show the evolution that occurs in the hero until he reaches the grade of mentor. A hero starts out as a fool and in various stages of the adventure ascends to the ranks of magician, warrior, messenger, conqueror, thief-lover, governor, hermit and so on. Finally, the hero becomes Hierophant, miracle-maker, mentor and guide to others" (VOGLER, 2002: 156-157).

In effect, the tarot provides a very similar tool to the Shield of Achilles: an assembly of discriminating elements, of archetypal structures that can be juxtaposed, linked and modified to create stories. The arcana constitute a moment of detention and organisation; an optical language, the ambiguity of which changes into a type of articulated *mythological matrix*. If sequences are organised with the cards, as Jodorowsky and other screenwriters do to construct their scripts, the time factor is filtered in, the situations are linearised and stories are then constructed. That imposes syntax, i.e., a logical language, but only once it has passed through the symbol, through the world of images, where the principle of association reigns.

Therefore, when it comes to explaining stories it is important to eliminate the discrimination between symbolic and logical thought, between theory and practice. Books

such as Jordi Balló and Xavier Pérez's *La llavor immortal* (1995), an exploration into the mythic root of film stories very much in keeping with the work of Campbell and the mythic criticism of Durand, can also be used as narrative matrices. In a second stage, McKee, Field, Feldman, Seger or Comparato could provide the surface tools to finish off a story based on a mythological soil fertile enough to nourish it. It is therefore important to see any catalogue of dramatic situations as a reversible investigation with a double, i.e., taxonomic and myth-building, utility.

The works of McKee and Vogler represent two ways of approaching the script, which, as we can see, can be mutually enriching. The monomyth and the symbol are thus presented as dynamic mediations between the character and the world and make real one of the best-known statements of Gaston Bachelard, one of the theoretical fathers of Campbell and Jung, i.e., "Man is not born of need but of desire". Although it could violate Greimas' central hypothesis, this phrase encapsulates a point on which all the previously mentioned authors agree: the seed of all stories is desire projected in time. Once the root of desire has been located, the role of the screenwriter is as vast as organising all this time, i.e., to provide the boundaries and to go down the road.

Notes

1. Examples include: HAUKE, C.; ALISTER, I. *Jung & Film: Post Jungian Takes on the Moving Image* (2001); HENDERSON, M. *Star Wars: The Magic of Myth* (1997); HILL, G. M. *Illuminating Shadows: the Mythic Power of Film* (1992); HOCKLEY, L. *Cinematic Projections: the Analytical Psychology of C.G. Jung and Film Theory* (2001); GALIPEAU, S. *The Journey of Luke Skywalker: An Analysis of Modern Myth and Symbol* (2001); IACCINO, J. F. *Psychological Reflections on Cinematic Terror: Jungian Archetypes in Horror Films* (1994).
2. The structuralist Leszek Kolakowski used this approach as the starting point for chapter 7 of *The Presence of Myth* (1990)
3. Some critics have signalled an excessive presence of the Campbellian model in contemporary commercial North American cinema, arguing that it provokes a heroic homogenisation of fiction, such as Vogler himself says (2002: 34).

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Mercè Vilaret: Approximation to her Visual Writing

Montserrat Martí

■ *This article is the result of research that focused on analysing the narrative structure and visual style of the documentaries of television filmmaker Mercè Vilaret. Studying her work involved reviewing the history of television in Catalonia, learning about the internal workings of the television medium, remembering historical episodes stored in my memory and viewing her iconic programmes that have become part of the collective imagination of various generations. It particularly allowed me to discover the importance of the work carried out by filmmakers, especially in the early years of television.*

documentary programmes she directed allow us to catch a glimpse of her personal writing style and the issues that were foremost in her mind.

In order to define the two concepts, it seemed to me to be necessary to indistinctly mix the most characteristic features of her work with the visual resources she most commonly employed. From the sum of these two different but complementary aspects we can get the most accurate outline of her profile as a director. The information for developing these two points came from two video sources: archive footage of interviews with her and posthumous videos in which her professional colleagues (filmmakers, actors, scriptwriters, etc.) comment on different details of her work methods, and by watching her television programmes, where I was able to discover the main features of her writing.

Introduction

In general terms, the research work was an attempt to demonstrate that television filmmakers have a decisive role in the final result of the work they put their name to that is comparable to the influence a film director has on his or her film. Although television formats can be developed under a closed structure according to genre, the filmmaker always has the option of leaving his or her stamp through the use of viewpoint and the formal style of the work. Some genres allow more freedom in planning, such as fiction, while others are more limited in their approach, such as news reports. In the case of Mercè Vilaret, most of the dramatic and

The Beginnings

The Miramar studios in Barcelona first broadcast in February 1959. The broadcasts were sporadic, always live and the programmes were often interrupted due to technical difficulties. Most of the people who worked on the different production teams came from fields as diverse as radio, the press, the theatre and show business in general. Drawing on experiences from their particular fields, they interpreted and experimented with the possibilities the new medium offered: the conjugation between technology and audiovisual language was, without any doubt, the main challenge for the new filmmakers.

In 1971, Mercè Vilaret was promoted from the category of assistant director to director, making her a pioneering woman in the profession in Catalonia together with Clara Ronay and putting her on a par with the Spanish filmmakers Josefina Molina and Pilar Miró. During the 30 years of her

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professional life, always at TVE in Catalonia, she directed more than 200 works, covering a range of genres that included theatre, documentaries, musicals and reports.

In conjunction with her professional activity as a television filmmaker, Mercè Vilaret was also a professor with the Faculty of Journalism at the Autonomous University of Barcelona (UAB). Her inquiring nature led her to follow with interest and concern all the social and technological aspects that were evolving in relation to the television medium, and her anxiety to learn more and be able to teach the things she had learnt throughout her lengthy professional career saw her turn to university life, firstly as a student in the Faculty of Philosophy and Arts and later as a professor of the subject Television: Medium of Information, at the then Faculty of Journalism of the UAB. "Teaching is very good for me because it involves continually reflecting on my practical work. I do a lot of practical classes because I think one learns about television by making it - there is no other way"¹. However, Vilaret always put her career before any of the other activities she developed: "I am a filmmaker who teaches classes at university"².

Her teaching activity was directly related to another aspect that should be mentioned and which directly impacted the result of her work: her curiosity and keenness to experiment with a language that was just taking off on Spanish television. At the time (the early 1970s), television theatrical broadcasts were regular events that were very popular with the public. Making fictional works in studios allowed young filmmakers to experiment with language and seek new ways of narrating. The writer Josep M. Benet i Jornet, one of the most prolific authors of the time, summed it up as such: "Between approximately 1965 and 1970, there was an explosion in the number of theatrical pieces with a tremendous force and strength being made in the studios of TVE in Catalonia and she was one of the people leading the charge, together with the filmmakers Lluís M. Güell and Sergi Schaaff. We worked together very often and it led to a situation in which many Catalan authors could access television for the first time"³. The Miramar studios in Barcelona produced many memorable works that helped create a climate of optimism that made it possible to even outline a new language. The principle parameters of the visual style of the different filmmakers eventually came to be known as the Miramar School, the main exponents of which

were Antoni Chic, Esteve Duran, Sergi Schaaff, Lluís M. Güell and Mercè Vilaret. As Lluís M. Güell said, "The Miramar School was simply an attempt to provide a television language different to the one the Spanish State was providing at the time"⁴.

Space and People

As a consequence of the great amount of experimentation at the time, there was a series of differential features in Mercè Vilaret's language that were repeated indistinctly in dramatic and documentary works and which can be seen as the unique and personal characteristics of her visual style. Vilaret's take on programmes allowed her to directly relate to a wide range of narrative resources with two clear and differentiated concepts: space and people. Her obsession with showing the geography of a space whilst respecting its dimensions led to her notable use of moving cameras. She used panoramic views, dolly shots and crane shots mainly with a descriptive function to show the locations where the stories were developed and this, together with the protagonism she gave to the people, actors or personalities interviewed, was summarised in a fixed idea for contextualising people in their daily sphere, whether fictional or real.

Contextualisation was one of the most frequently recurring ideas in the majority of her works. For example, in the documentary *Nadal a La Maternitat* (1984), although some of the details indicate very clearly that the action is taking place in a hospital, either her camera would redound to the places where the action occurred, or the places would be shown in a very explicit fashion through camera movements, etc. There was thus a desire for clarity and transparency when it came to showing all the elements that referred to the geography where the stories were played out. In the documentary *La Mina, un barri entre fronteres* (1989), the landscape was filmed from a helicopter with the aim of showing the immensity of the area and the housing blocks in the neighbourhood. In general, Mercè Vilaret's camerawork helped to greatly multiply spaces. The image covered all the areas in which the characters moved, conferring on them a degree of importance: she was particularly interested in the subject within the context, the character within a location.

This resource was also a constant factor in her drama

works. In *Revolta de bruixes* (1976), a crane shot shows the warehouse (in this case, a real space in the TVE Catalonia facilities) in which all the action is developed. The camera enters the set, even though there is no clear perception of a stage or of frontality. Its position occupies the space of the action and thus facilitates the concept of a type of fourth wall. At the same time, it allows for a greater involvement in the narration, in such a way that there is also a certain degree of voyeurism, and this effect is reinforced by the shots added from the warehouse shelves. The same occurs in *El Okapi* (1975), where the camera passes through the boundaries of theatrical frontality, roams across the sets and is set up in a privileged position from where it can spy on the characters. She is thus able to achieve, at any given moment, the concept of a panoptic view. In other words, from a focal point, in this case the garden, she portrays the different scenes taking places in concentric spaces, i.e., the corridors of the nursing home.

The dramatic work *El Tragalum* (1982) also begins with a dolly shot that takes in all the spaces while the characters remain immobile. The tracking shot winds around, sometimes to find the frontality of the characters and then pulls back to give another perspective or to hide some spaces with the walls (she placed a lot of importance on the walls that separate spaces, such as the small separation of the rows of housing blocks in *La Mina, un barri entre fronteres*). The set is presented at the same time as the story.

Blocking

Of course, this type of mobile camera work calls for accurate blocking, and so many of her drama works incorporate an almost mathematical composition. For example, in *Revolta de bruixes* (1976), the blocking responds to a very studied design so that the position and movements of the characters seems to have been marked out with pens; profundity and composition are sought in boundaries based on a number of vanishing points that create the distribution of the actors and elements in the space. This composition is constructed by using either a linear arrangement (with the actors spread out at intervals on the screen according to their distance with respect to the lens) or a triangular arrangement (with the actors forming an open or closed triangle in relation to the

lens). There are variations on these distributions, but in general they are located within this tendency towards a clearly organised structure of people in space.

In most of her fictional work, Mercè Vilaret worked continually with boundaries to create depth in shot compositions, such as in *Fedra* (1980), where the stairs in the room play an important role and add a cell-like dimension that once again redounds to the contextualisation of the character, although in this case it involves an emotional rather than geographic framework. In other cases, she used mirrors to compose a shot: in *Revolta de bruixes* (1976), the use of a mirror was essential because of the location, i.e., a small toilet, where it was important to employ a mirror to resolve the sequence. The resource was thus basically pragmatic. On the other hand, in *Fedra* (1982), it was an inspirational element of the planning and a way to probe further into the main characters. We can find the same resource used in the documentary *La vellesa, entre records i oblits* (1991), where she employed a mirror to show the scene between the married couple José and Josefa, where the husband combs his wife's hair because she has gone blind. The in-depth composition that uses the mirror shows a crucifix in the middle of a painting. In other words, as well as close-ups that reveal particular details, Mercè Vilaret worked to employ the symbols already present in quotidian scenes and integrate them into the composition of the shot.

Although objects are integrated organically in the aesthetic of the frame, in most cases it was the actors who made up one of the boundaries of the image. For example, in *El Okapi* (1975), we can clearly see the creation of boundaries not just through elements of *attrezzo* but particularly through the actors. In this case, in which there are numerous heartfelt interventions by characters with a similar level of importance, a triangular device predominates for the actors with regard to space, creating a vanishing point in the centre of screen (her camera almost never drew an inverse triangle with the vanishing points on the sides). This production model would be repeated later, particularly in *Fedra* (1980), where it featured in the relationship between the three main characters (Fedra, Pedro and Hipólito).

Her control of blocking, both within overall scenes and the arrangement of set elements, allowed for fluid camera movements. Only occasionally did this optical mobility

translate into close-up shots and it was precisely because of its exceptionality in cases in which an important significance is added that the use of the other narrative resources became clearer. However, she did not use detailed shots often, even if a particular aspect was of significant importance at a particular moment.

In general, Mercè Vilaret preferred to show people's faces and reactions rather than the objects that provoked the reaction. Even when she sought detail she tried to combine the shot and expression of the actor at the same time, either in a close-up or with a panoramic movement. She was more interested in the reaction than the action itself. A detailed shot only acquired significance if it was related to the character's expression, if it provoked a reaction in the actor, i.e., if it helped contextualise the principle narration. These types of shots thus did not abound as independent units, but often formed part of a panoramic shot filming towards the actors, or featured another character in the background. At other times, they would form part of a block where for contiguity some appeared behind the others through the use of fades.

The Sequential Shot

Another aspect important to mention in the personal writing of Mercè Vilaret was her use of the sequential shot. She was more interested in creating a situation, designing the mis-en-scene, organising the distribution of the elements in the frame and particularly in working on the interpretation of the actors than in a fragmented type of planning. Filmmaker Xavier Manich worked as a camera operator on many of her drama works and remembers his early days: "She was very into researching the audiovisual field. We worked together on dramatic pieces and instead of cutting shots we invented a few things for television that had already been used in films, like sequential shots. We set up choreographies with the actors, in sequences that lasted two or three minutes. We would use a dolly to move around and change the focus from one actor to another, we would make a real dance between the camera and the actors"⁵. Mercè Vilaret's drama pieces reveal a search for extending the different registers the interpretation, actors and experimentation with production devices could offer, which allowed the continuity

of the sequential shot. Although her last drama, *Danny i Roberta* (1993), was recorded in a television studio, she did not use multicameras, so the one and only crane camera constantly followed the accurate blocking of the two protagonists. The result was sequential shots of differing lengths, which is why it is not surprising that filmmaker Sergi Schaaff said, "She carried the sequential shot through to the final consequences"⁶.

This non-fragmentary approach was closely related to her determination to respect reality, even if in the case of a drama it was a fictional reality. This promoted fluidity in the interpretation and particularly reinforced the overall perception gleaned from this interpretation and required a special effort to operate on the most interpretive aspects when it came to focusing the viewer's attention. Repeated use of sequential shots can also be interpreted as a non-interventionist approach or one of minimum interference with what is being explained and subsequently ends up translating into a defined and direct style. The filmmaker Josefina Molina sums it up nicely in this statement about Vilaret's work: "When I watched one of [her] programmes, even though I didn't know what she had done, I could identify with it because of the cleanness she gave to the messages, the cleanness with which she brought the viewer very clearly to her desired aim"⁷.

Her Work with Actors

To this experimentation with visual innovations (working the scene with the actors, searching for different camera positions, moving the camera and, in short, experimenting with shot dynamics) we have to add the initiative she took in working closely with the actors on their interpretation. As a director, Mercè Vilaret was said to have a special talent for getting an actor to bring out the features she thought the character should have. As the actress Anna M. Barbany said, "Actors felt very comfortable working with her because she knew how to bring out the best in us... Sometimes they would say 'how dare she say that to us?' but it would also give you a lot of security"⁸. The actress Marisa Paredes said, "She had a way of directing actors which was much fresher, much more spontaneous and also much more detailed ... she took the psychological circumstances and

creative work of the actor more into account and at the same time had a freshness and way of showing things that was quite different from the ordinary or more conventional methods, the slightly more orthodox ways that were being used in other places, including Madrid"⁹.

In much of her fictional work, Mercè Vilaret would take the characters to the limit of their feelings and always tried to manifest their emotions in a very clear fashion (she worked a lot with actors' tears, breathing, etc.). She pushed the envelope with regard to complete containment with the purpose of providing more dramatic nuances in the acting. This resulted in the creation of hyper-aesthetic characters and, for example, in *Fedra* (1980), the characters whose interpretation features these coordinates (Fedra and Hipólito) contrast with the more contained ones (Pedro and the doctor).

Another aspect I would like to mention is the appearance of characters who spend a lot of time reflecting on their situation. For example, in *Revolta de bruixes* (1976), much of the interpretative force arises from looks. She sought a lot from the expressions in people's eyes. Sometimes all of a character's feelings could be explained in a look. In *El Tragalz* (1982), the characters generally don't take a particular action but rather pass the time talking and reflecting on their circumstances.

Inactivity was often resolved by showing characters gazing off-screen, without indicating what they could see or were looking at. For example, in *Fedra* (1980), there is a continual allusion to off-screen through the gaze of the characters. In the character of Fedra, in particular, this lost look was employed as a personality trait that suggested her reflective nature. Fedra appears to continually scan the horizon for ways out of her distressing situation. Even many of the characters in Vilaret's dramas were shown to be inactive, i.e., they were not defined by their actions but by what they felt, thought and said. A large part of the interpretative effort was found in statements, not actions. Furthermore, the gesture was very contained, often pared down to a minimum and would only arise on particular occasions to help explain a concept, although it was done from the most pure abstraction. Vilaret sought an organic register that was quite close to realist interpretation, but the effort required to attain this naturalness was twofold, because it was not helped along by actions.

Her Philanthropic Spirit

She took her way of working with actors, of probing their interpretation and looking for the more organic and most intense registers to the people she interviewed in her documentary programmes and reports. These did not involve actors but people who did not have to represent anything beyond their own role. Most of Vilaret's works are covered from a particular viewpoint that attempts to inquire into the more humane part of the central characters in her works. Independently of the type of programme (a drama with actors or variety show, or programmes that focussed on other issues, such as philosophy, art or sport), she always sought out the people and their interests, their motivations. The writer Marta Pessarrodona stressed this facet of her nature: "Mercè Vilaret was able to make programmes about whatever and whoever, from difficult authors, institutions or even stones. She always explained things through people. Now that her work has come to an end, her humanist side appears to me to be absolute, and her gallery of stars included Salvador Espriu through to Joan Miró, Lluís Llach and Raimon. It covered singers, philosophers and thinkers."¹⁰ The musician Oriol Martorell also stressed her ability to work with people: "I would say that the topic she took up was a pretext for making contact with a person. She had an extraordinary humanity, she was never cold in that sense and she sought human contact. It is one of the things I will never forget, her great professionalism, the great humility she had and that everything she did contained"¹¹.

Her documentary programmes reflect with even more determination her obsession for contextualising people in their space. They particularly suggest the rigour with which she showed the reality she filmed. From the stylistic point of view, on many occasions her respect for reality translated into obtaining a shot that was not the most flattering. For example, the lack of frontality in the way she arranged people before the camera in most of her documentaries meant she did not seem to think it was important to the realisation. Sometimes, when more than two people were being asked something at the same time, they did not appear in the most favourable position for the camera or were even shown side-on. Many of Vilaret's fictional works also featured this element, where again she did not eschew productions that did not favour the camera. For example, in

El Okapi (1975), the actors are placed in positions clearly unfavourable to the camera, either to show a close-up movement, which could later favour the shot, or because there was a particular formal or content-based intention behind the decision. We can therefore presume that these types of situations were motivated either by a desire to not intervene or to find other positions that did not correspond with the conventional ones of an interview.

On the whole, her interviews featured closed shots of people, cutting the distance established between the viewer and the people onscreen. This closeness helped make the interview more moving and contrasts with other, more distancing, elements (zooms, panoramic shots that focus the viewer's attention, etc.). In this framework, there is a clear appeal to the viewer that recalls one of the main principles of the "Brechtian distance", characterised by an attempt to establish a direct relationship between the representation and the viewer with the purpose of getting the viewer emotionally and cognitively involved and revealing aspects of daily life of a social interest. There is a clear attempt to remind viewers that this situation could happen to anybody, even to them, and also of underlying that the people going through this situation are just like the viewer. This is reinforced by the fact that throughout her documentaries there is no interest in delimiting people by profession or origin, but rather an attempt to escape "labels" and focus on more humane aspects. In this sense, it is important to particularly mention the documentary *La Mina, un barri entre fronteres* (1989), where the people interviewed attempt to retain their dignity despite their situation, and are presented as "regular" folk (as "regular" as the viewer himself) who are simply unluckier than others.

The choice of unimportant but common stories brings the narration closer to viewers and invites them to position themselves in relation to the reality concerned. This reveals a certain harmony with the principles of Brechtian playwriting, in the sense of trying to develop in the viewer a critical attitude in relation to the drama and the actions of the characters. Another very clear connection with Brecht's approach comes from the proposal that an actor's acting style can be converted into a learning process distinguished by "imitation and criticism", where social factors have to determine the philosophy and the viewer has to take part. In general, a problem is raised but no solution given, a

question "formulated" but no answer provided. Brecht's works would always implicitly end with a "find your own way out" aimed at the viewer. In this sense, there appears to be an analogy with the endings of Vilaret's documentaries. Most conclude with a sentence that seeks an exit without determining what it is. For example, in *Les altres condemnats* (1990), the phrase uttered by the last person to appear onscreen is repeated on top of the frozen image of their face: "I would get up and run; I would go".

Epilogue

Mercè Vilaret's main interest and, in the final analysis, the driving force behind her television work was a constant concern for reporting the social problems closest to her. The city of Barcelona, where she lived, the situation of people with meagre economic resources, the difficult circumstances of the marginalised and the loneliness of the elderly, were persistent images in her documentaries. For her, television was not so much a tool for developing a way of expressing herself as a window onto the world. Television was the perfect medium for explaining the problems that most interested her, the ones that had more to do with people's quotidian reality and that reflected the problems of the city. It is no wonder that the City Council awarded her the Ciutat de Barcelona prize in 1978.

Her working class background, together with her concern for reporting the reality around her, meant that on one hand she knew exactly what she wanted to say and, on the other, she was enthusiastic about the different types of language she could apply with the camera. To that end, in addition to the experiments she did at TVE, she frequently travelled to festivals and congresses with the purpose of discovering works from abroad. On one of these trips she saw the documentary Ken Loach made for the BBC, *Cathy Come Home* (1966), which had a big impact on her. She found a model to follow in the mixture of fiction and reality that Loach revealed in his docudrama. Her concern led her to experiment and to "find new narrative forms. There is one type of programme I would particularly like to do, which is the drama documentary, something that has never been done here and which is very common on English television"¹².

In fact, many of her documentaries touch on the same topics as Loach's work, although not dramatised. In *Cathy Come Home*, the characters lose their financial stability and practically become nomads in search of somewhere to set up home temporarily. At the end, having reached breaking point and selling all their belongings, they decide to separate. The subsequent loss is shown in the parting of the children from their mother. In the documentary *Sense llar* (1990), there is not the same level of drama, but there is the feeling of a provisional nature transformed into a daily assumption.

A firm defender of the model of public television, particularly as established by the BBC, she spent part of every year in London, where she had a house under let. She was interested in experiencing first-hand the debate generated around the BBC and its programmes. Her constant contact with English reality and its television provided her with many ideas, "such as the need for objectivity, rigorous treatment and, in particular, continual stimuli, because you can see they are making a type of television much more in step with their times and society than we are doing with ours"¹³.

A hard worker, rigorous in procedures, austere in style and respectful with the reality she wanted to explain, Vilaret always considered herself lucky to be able to work in what she most enjoyed. People who knew her well say she was intelligent, generous, observant and intuitive and had a lucid and critical sense of humour. Gifted with a unique sensitivity, she was able to get on extremely well with her crews and became, as well as a filmmaker, the catalyst of group energies.

Sadly, Mercè Vilaret died suddenly on the morning of 21 October 1993 on her way to work at the Televisión Española studios in Sant Cugat. Just the day before, she had finished editing her final television drama, *Danny i Roberta*.

Notes

1. In *Terenci a la fresca* (1985), min. 14.15.
2. In *Retrat de dona* (1982), min. 23.30.
3. In *Mercè Vilaret. Retalls de temps* (1994), min. 10.30.
4. In *Mercè Vilaret. Retalls de temps* (1994), min. 25.08.
5. In *Mercè Vilaret. Retalls de temps* (1994), min. 29.15.
6. In *Retrat de dona* (1982), min 13.17.
7. In *Mercè Vilaret. Retalls de temps* (1994), min. 06.32
8. In *Retrat de dona* (1982), min 16.53.
9. In *Mercè Vilaret. Retalls de temps*. (1994) min. 29.46
10. In *Mercè Vilaret. Retalls de temps* (1994), min. 23.15.
11. In *Mercè Vilaret. Retalls de temps* (1994), min. 6.07.
12. In *Retrat de dona* (1982), min. 28.10.
13. In *Terenci a la Fresca* (1985), min 11.05.

Vídeos de referència

Terenci a la Fresca. TVE, 1985.

The writer Terenci Moix interviews Mercè Vilaret.

Retrat de dona. TVE, 1982.

The writer Marta Pessarrodona interviews Mercè Vilaret.

Mercè Vilaret. Retalls de temps. TVE, 1994

Posthumous programme devoted to the life and work of Mercè Vilaret.

Broadcasting Regulations

CATALONIA

Multiple DTT Licence Awarded for the Catalan Sphere

On 14 May 2003 the Government of the Generalitat published a call to tender for the licence to run a multiple digital-terrestrial television (DTT) channel covering the Autonomous Community, principally with free-to-air broadcasts. The decision to grant a licence signifies the beginning of private television within the sphere of the Autonomous region. A new television operator shall broadcast with digital technology using a simple multiplex, i.e., the equivalent of four analogue television stations. The text on the specifications is available at:

<http://www6.gencat.net/dgma/catala/ftp/cantdt.pdf>

The media organisations that submitted tenders were MediaPro and Godó, the latter through the company Emissions Digitals de Catalunya, SA, in which the Godó Group company Catalunya Comunicació, SL, has a 62.5% stake and whose other shareholders include audiovisual companies Beat About, SL (20%), Catalana de Televisió 2003, SL (5%) and Orfeo Català (2.5%), as well as Difusió Digital Societat de Telecomunicacions SA (Tradia), which shall work as a technological partner (10%).

On 1 August, the Government of the Generalitat awarded the tender to the offer led by the Godó Group, with four channels to be broadcast free to air: a general station based on programming from the group's local station, City TV, and three specialist channels: Vida, Parc (for children) and Black (youth music and culture). It shall also include additional interactive services. Broadcasts are set to begin in early 2005.

http://www6.gencat.net/dgma/catala/ftp/Nota_webTDT.pdf

DTR Licence Awarded for the Catalan Sphere

Also on 1 August 2003, the Government of the Generalitat approved a measure to grant 12 digital-terrestrial radio (DTR) licences. 23 projects from 18 different companies presented bids.

The new licences were granted to Agrupación Radiofónica (cadena SER), Fundació Missatge Humà i Cristià (Ràdio Estel), Mediaproducció, Ona Catalana, Onda Rambla, Ràdio Associació de Catalunya, Ràdio Teletaxi FM de Radiodifusió, Radiocat XXI (RAC1), RKOR Ràdio, Sistema Català de Radiodifusió (Flaix Back), Sistema de Radiodifusió (Flaix FM) and Unió Temporal d'Empreses (Radio Salut, Radio Club 25, Ràdio Ciutat de Manresa, Chest Game, Catalana i Aranese de Telecomunicacions and Ràdio i Televisió de Catalunya Nova). The first regular digital-terrestrial radio broadcasts were set to begin in late 2003.

http://www6.gencat.net/dgma/catala/ftp/notapremsa_DAB.pdf

Other News:

- Announcement of bids for a public tender to award different digital-terrestrial radio (DTR) licences of a provincial and supra-provincial nature (DOGC No. 3943, 8/8/2003).
- Proclamation of 16 July 2003 submitting the bill establishing the legal system to public inspection and approval of the technical regulation of telecommunications infrastructure in buildings to provide access to voice, data and video services by twisted pair copper-wire cable technologies (DOGC No. 3943, 8/8/2003).

- Announcement of bids for a supply contract and operating licence for a telecommunications network that enables the provision of high-speed Internet services to localities in Catalonia where ADSL coverage is currently unavailable (DOGC No. 3936, 30/7/2003).

http://dursi.gencat.es/generados/catala/societat_informacio/noticia/1020_12_13940.html

- Act 24/2003, of 4 July 2003, creating the Professional Broadcasters College of Catalonia (DOGC No. 3925, 15/7/2003).

- Agreement between the Generalitat and television operators, content developers and decoder manufacturers of 23 May 2003, starting up a DTT pilot test to reach end users. Around 100 homes in the metropolitan area were to receive this new service based on digital broadcasts from Televisió de Catalunya by the fourth quarter of 2003.

<http://www6.gencat.net/dgma/catala/ftp/cpptdt.pdf>

- Decree 123/2003, of 13 May 2003, amending Decree 15/2003, of 8 January, regulating the transitional legal system for terrestrial local television stations (DOGC No. 3887, 20/5/2003).

SPAIN

Decoder Sentence. Government Forced to Pay Out to CSD

The Supreme Court ordered the government to pay 26.4 million euros to Sogecable (sentence of 12 June 2003; section 6, administrative disputes court).

<http://www.poderjudicial.es/CGPJ/Docuteca/ficheros.asp?intcodigo=2014&IdDoc=SP>

The Court considered that the government was prejudicial to Canal Satélite Digital (CSD) when it banned the marketing and use of its decoders with a simulcrypt system. The Court found that the government agreement of 18 December 1998 breached Community Law and caused serious loss to the digital platform. The compensation established by the Court (a quarter the amount sought by Sogecable) referred to the delay in capturing subscribers (2.3 million) and the subscribers that were definitively lost (24.1 million). The Court rejected claims for compensation for the broadcasts carried out from Luxembourg, finding it was a business decision taken prior to the effect of Royal Decree-Act 1/1997 and because at the time the platform had the exclusive rights for broadcasting Spanish league football matches and had signed contracts with leading film distributors.

If the "digital merger" had not taken place, this decision would have had an extraordinary political importance. In fact, the sentence from the Supreme Court brings to an end a legal battle with great significance because of its political component and the involvement of Community institutions.

The companies ended the digital war through a merger agreement, the Supreme Court brought the case to an end, condemning the government for breaching Community Law and having caused damage with this breach (responsibility of Member States for failure to comply with Community Law).

RTVE Sentenced for Manipulating News Reports

In a sentence passed 23 July 2003, the National High Court condemned RTVE for breaching people's right to strike and union freedoms when it found the network had manipulated reports in the news bulletin about the continuance of the general strike of 20 June 2002 against the "decretazo" decree.

Other News:

- The Antitrust Service Report into Abertis Telecom's buyout of Retevisión, in which it proposed sending the file to the Antitrust Court.

www.mineco.es/dgdc/sdc/Informes%20SGC/N03036INFWEB.pdf

- Decision of 24 July 2003 of the Telecommunications Market Commission (CMT) in relation to disciplinary measure AJ 2003/549 taken against the organisations Antena 3 Televisión, SA and Gestevisión Telecinco, SA,

agreed upon by the Council on 3 April 2003. Through this resolution, the CMT held them to be directly responsible for committing a very serious infringement (art. 79.17 of the General Telecommunications Act) for the repeated failure to meet the information requirements determined by this institution on 23 September 2002. The CMT ordered Antena 3 TV to pay a fine of 269,452.84 euros and Tele-5 to pay a fine of 259,652.37.

www.cmt.es/cmt/document/decisiones/2003/RE-03-07-24-01.pdf

- Order CTE/2114/2003, of 23 July 2003, resolving the public call to tender for the awarding, through an open procedure, of a licence to provide public cable services in the region of Castile-La Mancha (BOE 25-07-2003).

- Decision of 12 June 2003 of the CMT on the dispute between Veo Televisión SA and Sociedad Gestora de Televisión NET TV, SA, about the conditions for the provision of broadcasting the digital television signal provided by the company Retevisión I, SAU.

www.cmt.es/cmt/document/decisiones/2003/RE-03-06-12-00.pdf

- Supreme Court sentence (section 3, administrative disputes court) of 9 June 2003 in which it found there had been an abuse of the dominant position in the granting of licences to television stations in the autonomous communities and Canal + of the rights to the commercial use of matches in the Football League.

<http://www.poderjudicial.es/CGPJ/docuteca/ficheros.asp?intcodigo=2047&IdDoc=sp>

- The Antitrust Service Report into the acquisition of the controlling share of Antena 3 de Televisión, SA by the Planeta Group through Kort Gendeign, SL.

www.mineco.es/dgdc/sdc/Informes%20SGC/N03023INFWEB.pdf

- On 26 June 2003 the plenary meeting of the Senate approved the report of the Speaker studying the rights of bidders and audience, published in the BODG Senate No. 677, of 13 June 2003 (BOGC Senate No. 689, 1/7/2003).

- Electronic signature bill (6/6/2003). On 25 July 2003, an agreement was reached to extend the term for the presentation of the previously mentioned bill until the month of September.

www.congreso.es/public_oficiales/L7/CONG/BOCG/A/A_158-01.PDF

- Writ from the Supreme Court (section 3, administrative disputes court) of 16 May 2003 rejecting the cautionary suspension of the integration of Vía Digital into Sogecable.

- Supreme Court sentence (civil court) of 10 May 2003 in which the Court compared hotel rooms to rooms in private homes and thus exonerated them from having to pay author's rights.

http://www.belt.es/jurisprudencia/reciente/pdf/sts_16_may_03.pdf

The Sociedad General de Autores y Editores (SGAE) announced it would appeal to the Constitutional Court. The SGAE considers that in its decision against any public communication in television and radio broadcasts in hotels, the Court is directly contradicting its own criteria as established in its sentences of 11 March 1996 and 31 January 2003.

- Sentence from the National High Court (administrative disputes court) of 20 February 2003 in which it upheld the decision by the Ministry for Science and Technology to impose a fine on Antena 3 TV for exceeding advertising limits.

Position on Cultural Diversity

Through a communication dated 27 July 2003 (COM Document (2003) 520, "Towards an International Instrument on Cultural Diversity" (http://europa.eu.int/comm/avpolicy/extern/culdi_en.htm), the European Commission took a position on the suitability of adopting an international legal instrument on cultural diversity within Unesco and established the basic elements for it to be adopted.

Other News:

- Communication from the European Commission of 17 September 2003 on the transition from analogue to digital broadcasting (COM Document (2003) 541 final).

http://europa.eu.int/information_society/topics/telecoms/regulatory/digital_broadcasting/documents/acte_es_vf.pdf

- Sentence from the Court of Justice in prejudicial matter C-280/00 (Altmark Trans GmbH) of 24 July 2003, in which the Court found that a financial compensation that only represented the compensation of public-service duties imposed by Member States did not meet the current characteristics of public aid. Instead, four requisites shall have to be met: the beneficiary company must be really charged with executing a number of public-service duties and these duties must be clearly defined; the parameters for calculating the amount of compensation must be previously established in an objective and transparent manner; the compensation may not exceed the level needed to completely or partially meet the expenses involved in the execution of the public service, taking into account corresponding income and a reasonable profit; if the choice of company is not carried out through a public contract, the level of compensation must be calculated on the basis of an analysis of the costs an average company would have to bear.

- Responses to the public consultation on the revision of the Television Without Borders Directive

<http://europa.eu.int/comm/avpolicy/regul/review-twfb2003/contribution.htm>

- The European Commission opened a public consultation to define the new generation of programmes in favour

of the European audiovisual sector. These new programmes shall replace the current Media Plus and Media Formació programmes as of 2005.

http://europa.eu.int/comm/avpolicy/media/med2eva_en.html

- Growth and the audiovisual industry: Iniciativa i2i audiovisual. 2003 Event. Measures to promote the access of Europe's independent production companies to external funding that could be made available from banking and financial institutions (DO No. C-162, 11/7/2003, page 28).

- European Parliament report of 14 July on cultural industries.

<http://www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+REPORT+A5-2003-0276+0+DOC+PDF+V0//ES&L=ES&LEVEL=3&NAV=S&LSTDOC=Y>

- Communication from the European Commission on the obstacles that hinder general access to new services and applications of the information society through open platforms in the areas of digital television and third-generation e-communications (COM (2003) 410, 9/7/2003). europa.eu.int/eur-lex/es/com/cnc/2003/com2003_0410es01.pdf

- Decision no. 1151/2003/EC of the European Parliament and Council of 16 June 2003 amending Decision No. 276/1999/EC adopting a multiannual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks (DO No. L-162, 1/7/2003, page 1).

- Study into classification systems for films distributed in cinemas and television stations and on DVD and video in the countries of the EU and EES, prepared for the European Commission by Olsberg/SPI and KEA European Affaires in collaboration with KPGM.

europa.eu.int/comm/avpolicy/stat/studpdf/rating_final_report.pdf

- Directive 2003/33/EC from the European Parliament and Council of 26 May 2003 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products (DO No. L-152, 20/6/2003).

- Report from the European Parliament of 25 June 2003 on the application of the Television Without Borders Directive.

www2.europarl.eu.int/omk/sipade2?PUBREF=-//EP//NONSGML+REPORT+A5-2003-0251+0+DOC+WORD+V0//ES&L=ES&LEVEL=3&NAV=S&LSTDOC=Y

- Proposed Directive from the European Parliament and Council on unfair trade practices (COM (2003) 356, 18/6/2003).

europa.eu.int/eur-lex/es/com/pdf/2003/com2003_0356es01.pdf

- Green Paper on general interest services (COM (2003) 270, 21/5/2003).

europa.eu.int/eur-lex/es/com/gpr/2003/com2003_0270es01.pdf

- Communication from the European Commission. Towards a World Association for the Information Society: Perspective of the EU in the context of the WSIS of the United Nations (COM (2003) 271, 19/5/2003).

europa.eu.int/eur-lex/es/com/cnc/2003/com2003_0271es01.pdf

- The Court of Justice found that the Spanish and British systems regulating golden shares run counter to the free circulation of capital within the internal European market (sentence of 13 May 2003 in matters C-463/00 and C-98/01).

- The European Commission brought to a close the investigation into football programme rights in Spain (IP/03/655, 8 May 2003)

[http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action=getfile=gf&doc=IP/03/655\[0\]RAPID&lg=ES&type=PDF](http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action=getfile=gf&doc=IP/03/655[0]RAPID&lg=ES&type=PDF)

- The legal protection of electronic pay services - Report from the European Commission on the application of Directive 98/84/EC relating to the legal protection of conditional-access services or services based on this access (COM (2003) 198, 24/4/2003).

europa.eu.int/eur-lex/es/com/rpt/2003/com2003_0198es01.pdf

- Commission Recommendation of 11 February 2003 relating to relevant product and service markets within the electronic communications sector susceptible to ex-ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (DO no. L-114, 8/5/2003).

Report on Review Options for the Convention

The report prepared by Dr. Andreas Grünwald on the review options for the European Convention on TransBorder Television (the Council of Europe agreement equivalent to the Television Without Borders Directive) was recorded in the discussion process about the necessary redefinition of the regulations applicable to communication services. This redefinition would make them applicable to new services independently of the technologies involved. The report recalled that the basis of the regulation applicable to television services is their influence on creating public opinion and analysed whether the new services would also have this ability.

[http://www.coe.int/T/F/Droits_de_l'Homme/media/2_T-TT/3_Textes_et_documents/T-TT\(2003\)002%20F%20Rapport%20de%20Grunwald.asp](http://www.coe.int/T/F/Droits_de_l'Homme/media/2_T-TT/3_Textes_et_documents/T-TT(2003)002%20F%20Rapport%20de%20Grunwald.asp)

Other News:

- Public consultation on the Draft E-Governance Recommendation (3-9-2003)

http://www.coe.int/t/e/integrated_projects/democracy/02_Activities/01_e-governance/default.asp#TopOfPage

- REC (2003) 13 Recommendation from the Committee of Ministers to the Member States on broadcasting information through the media in relation to criminal proceedings (10/7/2003).

http://www.coe.int/T/F/Droits_de_l'Homme/media/

- Draft Recommendation on the rights of reply in the new media environment (latest version 25/6/2003).

[http://www.coe.int/T/F/Droits_de_l'Homme/Media/1_Cooperation_intergouvernementale/02_Projets_de_textes/PDF_MM-PUBLIC\(2003\)004%20F%20Droit%20de%20reponse.pdf](http://www.coe.int/T/F/Droits_de_l'Homme/Media/1_Cooperation_intergouvernementale/02_Projets_de_textes/PDF_MM-PUBLIC(2003)004%20F%20Droit%20de%20reponse.pdf)

- Declaration and Recommendation on freedom of communication on the Internet (28/5/2003).

http://www.coe.int/T/F/Droits_de_l'Homme/media/5_Ressources_documentaires/1_Textes_de_base/2_%

- Draft Recommendation on the rights to extracts of events of major importance (15/4/2003).

http://www.coe.int/T/F/Droits_de_l'Homme/media/1_Cooperation_intergouvernementale/02_Projets_de_textes

- REC (2003)9 Recommendation from the Committee of Ministers to the Member States on measures to promote the democratic and social contribution of digital broadcasting.

http://cm.coe.int/stat/F/Public/2003/adopted_texts/recommendations/f2003r9.htm

United Kingdom: Communications Act 2003

A new law on communications entered into force on 17 July 2003. The regulation included the proposed guidelines the sector provided to the government in the White Paper titled A New Future for Communications published on 12 December 2000, which basically pursued the need to adapt the existing regulations to the process of convergence between the telecommunications, audiovisual and IT sectors. The 2003 Communications Act is the first European regulation that includes within the same text the legal system of infrastructures (telecommunications) and the content that is broadcast (the audiovisual products) and where the sector to be regulated is that of communications.

The main provisions are:

- The functions of Ofcom (Office of Communications) and the transfer of power from the existing regulatory authorities. In particular, Ofcom replaces the Broadcasting Standards Commission (BSC); the Independent Television Commission (ITC); the Radio Authority; the Office of Telecommunications (Of tel); and the Radiocommunications Agency. Ofcom took control of all its powers and began to operate on 29 December 2003.
- The new electronic communications system, based on the transposition of European directives that integrate the new regulatory framework and which, among other matters, involve replacing the licence system for a system of authorisations.
- The establishment of a new regulatory framework for radio and television with a structure that is "more consistent" with the process of digitalisation.
- The reform of media-ownership regulations.

EU Countries. Other News:

Belgium

- New Decree on broadcasting by the French community in Belgium (Decree of 27 February 2003).

<http://www.just.fgov.be>

France

- CSA decision No. 2003-5 of 22 July 2003 on two bills amending decree No. 92-280 of 27 March 1992 on the general principles governing the obligations of publishers of advertising material services with regard to sponsorship and tele-sales.

- On 10 June 2003 the Conseil Supérieur de l'Audiovisuel (CSA) awarded the digital-terrestrial television frequencies and signed agreements with the new television operators.

http://www.csa.fr/infos/textes/textes_detail.php?id=12520

- On 3 September the different operators of the multiplex proposed by different television operators were formally designated.

http://www.csa.fr/actualite/communiqués/communiqués_detail.php?id=13608

Greece

- Code of conduct on news programmes and other broadcasts with political information (Decree No. 77/2003).

United Kingdom

- Communication from the government on the stages of revision for the BBC Charter due to expire in 2006. .

http://www.culture.gov.uk/global/press_notices/archive_2003/dcms107_2003.htm?properties=archive%5F2003%2C%2Fbroadcasting%2FQuickLinks%2Fpress%5Fnotices%2Fdefault%2C&month=

Estats Units: normes sobre titularitat de mitjans

El 2 de juny de 2003, la FCC (Federal Communications Commission) va adoptar una reforma de les normes sobre control de concentracions en els mitjans de comunicació fortament criticades per alguns en considerar que donava via lliure a la creació de monopolis informatius als Estats Units. El 27 de juliol el Congrés frenava l'aplicació d'aquestes mesures amb l'adopció d'una llei que prohibia expressament la regulació federal dels límits de titularitat de mitjans. Mesura que ratificava el Senat, el passat 18 de setembre. Ara s'està a l'espera de la decisió del present dels Estats Units, el qual ha anunciat que vetarà la resolució legislativa que anul·li les modificacions proposades per la FCC.

Webs Review

Codes of ethics

Journalistic Principles of Professional Ethics (UNESCO)

http://www.ijnet.org/FE_Article/codeethics.asp?UILang=3&CId=8320&CIdLang=3

On 20 November 1983, the Fourth Consultative Meeting of International and Regional Journalists took place in Paris, bringing together the main international sector associations under the auspices of UNESCO. The result of the conversations was a declaration of ten ethical principles and the commitment by the participants to promote the principles in their areas of action in the most suitable manner.

European Code of Journalistic Ethics (Council of Europe)

<http://assembly.coe.int/documents/adoptedtext/ta93/eres1003.htm>

Adopted by the Council of Europe, 1 July 1993 in Strasbourg (France). The code established that media outlets had an ethical responsibility in relation to society. It also said that all ethical consideration is based on a clear differentiation between news and opinion pieces. The text was presented in English and French, but the Spanish translation is available at different websites

<http://www.ceiccos.com.ar/pfc/eticaeneuropa.htm>

International Federation of Journalists (IFJ)

<http://www.ifj.org/default.asp?Language=ES>

The International Federation of Journalists, with more than 500,000 members around the world, prepared a statement in February 2003 on the occasion of the World Summit of the United Nations on the Information Society that began in Geneva in December 2003 and which established a number of recommendations and criteria to achieve quality journalism in the information age.

<http://www.ifj.org/pdfs/WSIS2003ES.pdf>

The PressWise Trust

<http://www.presswise.org.uk/>

The PressWise Trust is an organisation founded in the United Kingdom in 1993, supported by journalists, media lawyers and British politicians. The directory of the codes of conduct included on the organisation's website is available for consultation by country or zone or by keywords, although the latter option is not yet working. The documents are presented in English, with the date of their last update and a link to the text in a format for easy printing.

Xarxa de Periodistes Internacionals (IJNET)

http://www.ijnet.org/FE_Article/CodeEthicsList.asp?UILang=3

The International Journalists Network publishes its website in Spanish, English and Portuguese and contains a broad directory of professional codes, classified by country and in alphabetic order. Examples of documents that can be consulted include the charter of Islamic Media from the Poynter Institute, the website of which contains a great deal of information on journalistic ethics.

<http://www.poynter.org>

Journalists College of Catalonia (CPC) and Council of Information of Catalonia (CIC)

<http://www.periodistes.org/cat/CpcDocuments/CoDiDeontologic.htm?elmenu=1>

The Journalists College of Catalonia and the Council of Information of Catalonia share a professional code. The code, which was drawn up in November 1992, is structured around twelve basic points of ethical conduct. Later, to celebrate the 4th Journalists Congress of Catalonia, which took place in November 2000, the code was expanded in four annexes, to adapt to the new challenges facing the profession.

Federation of Spanish Press Associations (FAPE)
http://www.aprensa-cantabria.org/apc_1_41.htm

Although the FAPE does not have its own website, the Press Association of Cantabria includes the FAPE professional code, which was signed in Seville in 1993 and which defines the first ethical commitment of a journalist as respect for the truth. The code is divided into 20 main criteria.

Press Council of Quebec /Conseil de Presse du Québec

<http://conseildepresse.qc.ca/>

The Press Council of Quebec establishes its main goal as defending and promoting freedom of the press and the public's right to a quality press. Its statement of principles and code of conduct is structured around two concepts: freedom and the responsibility to report information. In French.

El País Newspaper

<http://www.fct.ccoo.es/periodistas/LaProfesion/ESPaís.doc>

The general daily *El País*, together with preparing a stylebook, has established the figure of the Ombudsman and the Statute of News Reporting. The latter is included in the printed version of the newspaper's style guide and contains the operational guidelines and professional conduct codes for its staff.

Catalan Radio and Television Corporation (CCRTV)

<http://www.ccrtv.com/pdf/EstatutProfessional.pdf>

The main code of ethics, principles, rights and obligations of the people who work at the Corporation are included in the CCRTV's Professional Statute for Media Outlets. This document was modified and updated in July 2002.

Society of Professional Journalists (SPJ)

http://spj.org/ethics_code.asp

The American association SPJ adopted a code of ethics in 1996, following months of research and discussion among members. The code has been regularly reviewed ever since. The association's journal, *Quill*, raises the need to modify the code in a number of articles. In English.

American Society of Newspaper Editors (ASNE)
<http://www.asne.org/ideas/codes/codes.htm>

The ASNE webpage gathers together the ethical codes of the main professional associations of American media groups, as well as national news agencies and a number of titles including the *Los Angeles Post*, *Chicago Tribune* and *Washington Post*.

MediaEthics

<http://www.mediaethics.ca/>

This Canadian website provides a number of resources on ethics in Canada and the rest of the world (particularly the English-speaking world). It includes links to media organisations, journalists associations, articles and forums that cover codes of journalistic codes of conduct and ethics. In English.

Radio-Television News Directors Association (RTNDA)

<http://www.rtnf.org/enesp/coe.shtml>

Truth, justice, integrity, independence and responsibility are the elements that make up the RTNDA code of conduct. This organisation is composed of more than 2,000 broadcast journalists from around the world.

The National Society of Newspaper Columnists (NSNC)

<http://columnists.com/>

In June 2003, this association of American and Canadian newspaper columnists adopted a code of conduct specifically for their work, mainly related to opinion pieces.

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