

# EDITORIAL

## Pay-television – the last round for the distributors

There is a note of cautious optimism in the air, as discussions between the private sector and the public agencies seem to take on some importance. The participation of the Minister of Communications has been essential, first to bolstering the morale of the producers who feel they are finally being heard, and second, in encouraging the Canadian Film Development Corp. and the National Film Board to examine, once again, their working relationships with the private sector.

It is the kind of optimism which stems from feeling that things can't get much worse. Most surprising, is the producers' about-face concerning distribution of their films in Canada.

It wasn't so long ago that some of the same companies which now make up the Association of Canadian Movie Production Companies announced that Canadian independent distributors were incompetent to do the job, and that the producers were going to set up their own consortium to distribute their films. Having a Major pick up a film for distribution in Canada was a blessing heaven-sent, the answer to all dreams. That these producers now see their self-interest in making a common cause with Canadian independents is a giant step.

Ten years ago, the Council of Canadian Film Makers realized that there could not be a strong production sector without a strong distribution sector. Its intense lobby was discounted then by the commercial interests in the Canadian industry. Those interests, in league with the Canadian Motion Picture Distributors Association, took exception to the positions of the CCFM and countered it by creating the Motion Picture Institute of Canada. Although the MPIC flourished for a few years – only to disappear when the CMPDA withdrew its support – it accomplished its job. The CCFM has never since been considered an effective lobby by the policy-makers.

Now, the pay-TV licenses have been awarded. Many are disgruntled, afraid that the number of licenses will erode the economic support needed to get one strong system established. Others are upset about the absence of a French commitment in the original First Choice proposal. But above all, the producers hope that the process won't get stymied in appeals and that the implementation of pay-TV will begin as soon as possible.

But where are the distributors? Where in the CRTC decision are the rights of Canadian independent distributors safeguarded, so that they too may participate in the manna which is to flow from the arrival of pay-TV in Canada? Will the licensees be obliged to buy from them, or will foreign sales agents be allowed to inundate the Canadian market, making sales to the pay systems and removing the money, once more, from Canada?

Cinema Canada has now been publishing for ten years. Once, when Gérard Pelletier was Secretary of State, it seemed like this country might have a coherent and vigorous cultural policy concerning film. But the promises contained in his policy speech have never been fulfilled, and subsequent ministers have tried, with little success, to give the industry some form and direction.

To date, the elements of film policy are fiscal or administrative. The tax deferment, the certification process, the CFDC loans (made at interest rates greater than those available through the chartered banks), have not been adequate to meet the challenge.

It is time that some substantive direction be forthcoming at the highest level. That we stop copying the systems we see around us, and that we aim for an original, even eccentric system that might truly meet Canadian needs. We need courage.

Cinema Canada has tried, through the years, to furnish the elements necessary to the debate. We have had allies, and a good number of detractors. In the process, the magazine has emphasized those things which seemed the most crucial to the future structure of the industry.

We remind our readers that our pages are open to contributions, that our copy is a reflection of those subjects about which writers have felt strongly enough to contribute.

Above all, we would like to take this opportunity to thank those advertisers without whom we would not be celebrating today, and the Canada Council, which has stood by us.

The editors

## LETTERS

### The cold war begins

"Fish or Cut Bait Collective" is an independent organization of Halifax socialist filmmakers. We have produced these videotapes as educational and organizational resources... *Work and Wages Halifax 1978*, *Charlie Murray Reflections*, *The Finest Kind – The Lockport Lock-out 1939*, *The Michelin Bill – The Workers View*, and *Fish or Cut Bait*.

Our Collective is funded through sales of our work to educational institutions, unions, and community groups. We want to inform you of the availability of these productions and of our struggles as cultural workers.

For 16 months, two members of the collective have been blacklisted (Tom Burger and Bill McKiggan) by the National Film Board – Atlantic Region and its subsidiary, the Video Theatre, a so-

called community access center. The progressive nature of *Fish or Cut Bait*, a defence of the inshore fishery from the corporate attack on communities and fishstocks, resulted in the withdrawal of all assistance including editing facilities by the NFB on Nov. 4, 1980. With the sanction of the NFB lockout, The Video Theatre, dependent on NFB and Canada Council funding, unconstitutionally expelled Burger and McKiggan on Nov. 21 thus denying us critical access to video production and editing facilities.

Let's take a look at labors' friends in film here. The NFB established a regional office for production in 1973 in Halifax with a yearly budget of \$1,000,000. Nine years later it has not produced one contemporary film on working people and their struggle in the context of multinational domination and exploitation and the resultant effects of such domination on their lives and communities. Instead the NFB here has portrayed to the rest of Canada in their recent \$300,000 production on K.C. Irving *I Love to See the Wheels Turn*, aired nationally on CBC their "Liberal" solution to the crisis of Maritime underdevelopment – the need for more local robber barons like Irving to pull us up by the bootstraps.

A 1977 memo from Rex Tasker, NFB regional director of production to all Atlantic filmmakers states, "We are not in the business of making socially acceptable bitch films." The message was clear to filmmaker careerists who knew the NFB was the big game in town.

There is evidence that the Atlantic NFB serves the military as one of its primary functions. The department of National Defence has provided the NFB here from 1979 to 1981 with over \$350,000 to produce for them internal training and propaganda films. One film ominously labelled *NUCLEUR CHEM* on the NFB books for \$90,000 brings home the message; under the liberal guise of reflecting Canada back to Canadians the NFB management here is closely linked with the military and industrial complex in the Maritimes.

It is cold war time. Recently we were notified by the Canada Council that *Fish or Cut Bait* has been chosen as one of three video documentaries to be shown at a major art festival organized by the Canadian government in West Berlin called "Canada in Berlin". It seems the State wishes to appropriate our work to show the "freedom" of Canadian filmmakers to make political statements. This blatant government hypocrisy of promoting our work for propaganda reasons internationally and yet blacklisting us at home will be exposed.

The struggle continues on many fronts in the Maritimes and we are only one element in that struggle. We would be interested in an exchange of views and information regarding activities elsewhere in Canada.

**Bill McKiggan**

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### No thanks: round no. 2

I was stunned when I read the response of the NFB to my letter addressed to the Government Film Commissioner and printed in Cinema Canada, issue 82.

1) Mr. Kramer definitely did not first contact Ms. Munro's agent on October 30 as the NFB has stated. I believe that I had lunch with the author, Ms. Munro, on October 14 and at that time we discussed the fact of the NFB's interest.

2) My associate and I met with Mr. Kramer in his office on December 21 at which time he told us that he not only knew about our interest in the subject but that he also knew the details of our offer and made his offer more advantageous. I don't think there's any doubt that the NFB knew who it was competing against. For the NFB to decide to change their story at this point in time is pretty absurd and insulting to your readers as well as to me.

3) The NFB's letter does not explain whether competition with independent filmmakers is officially sanctioned by the NFB, especially if these independents have the support of other federal or provincial cultural agencies such as the Canada Council or the Ontario Arts Council.

4) I certainly did make more than two phone calls to Mr. Kramer's office on the week of December 14.

There is a principle involved here, whether the NFB wishes to acknowledge it or not. This situation never should have happened in the first place. The NFB should keep its hands off when independents are negotiating story rights. That the NFB should turn around and now be pleading ignorance of our negotiations indicates that the NFB must recognize this principle of not interfering with independent productions.

I call upon the NFB to clarify its policies vis à vis the independent community.

**Keith Lawrence Lock**

### Now, hear this

With regard to Mr. Keith Lock's letter to James deB. Domville regarding the negotiation of rights for the Alice Munro short story "Thanks for the ride": I would appreciate your publication of the letter from Alice Munro's agent to Mr. Lock which I pass on to you with her consent. It clarifies the stages of our negotiations.

"With regard to your January 25th letter, Howard Backer knew from the beginning that a producer in New York had made an offer to me for Alice Munro's "Thanks for the Ride" at the same time you approached McGraw Hill Ryerson. I sent both of you a letter outlining the terms that would be acceptable, and neither of you met those terms. When John Kramer expressed his interest in the story, after many discussions I asked all three parties for their best offers in order to let the author make her final decision in consultation with me. You were informed exactly as the other two parties were, and all three offers were sent to the author. We knew nothing of your grant. In fact in Howard Hacker's letter of August 6, 1981, outlining your offer, he writes, "After we have secured the rights to adapt the short story, we will apply for film production grants from the Canada Council and other government arts funding agencies."

"I am sorry that you are disappointed; I am also sorry if you let the Canada Council or any other party believe you owned rights that you were merely negotiating for. We made our decision in a considered fashion, and you do not serve yourself well by trying to find a party to blame for a fair loss."

signed: Virginia Barber

On a final note, I should add that our project was initiated by a filmmaker in the private sector who came to us looking for funding and assistance, and to whom we have made a commitment.

**John Kramer**

Producer NFB, Ontario Region