

# the battle over foreigners

**The ACTRA-CBC affair highlights the contradictions of an industry which wants to develop rapidly and find a place in the world market, all the while retaining that character which sets it apart. Some press releases set the scene for Stephen Chesley to sum up the situation. *Cinema Canada* then asked for some more personal comment, first from four people directly concerned, and then from the executive directors of the two most active pressure groups in the Canadian film industry.**

'Twas the season to be jolly and friendly to one's fellow man, but ACTRA decided otherwise. A full confrontation over a clause in a new contract between the union and the CBC caused one show to be cancelled, another to be shelved, another to be possibly cancelled, several others to be put in jeopardy – and all this in CBC drama and variety. OECA only felt a sting, and CTV walked away unscathed.

On December 23, four foreign actors were denied 'work permits' by ACTRA to appear in CBC drama shows, and ACTRA was urging rejection of a new contract just concluded with the CBC for TV performers. Nehemiah Perloff and Melvyn Douglas were to play two old Jewish men in Morley Torgov's *The Making of the President 1944*; Maggie Smith was to be in a secondary role in a play written by her husband, Beverley Nichols, called *Miss Sugar Plum* (Nichols had written it with Jackie Burroughs in mind as star); British actor Ian Cuthbertson had been hired for the lead in a two-year-old project, *The Great Detective*, partly as insurance for British and foreign sales of what was planned to be a series.

ACTRA had raised a furor over CBC's casting of Kathleen Widdoes in the role of Canadian heroine Nellie McClung earlier this year when Kate Reid and other Canadians weren't available; the show was rescheduled for November and shot with Reid. Now ACTRA moved again, threatening to pull all their members out of the productions in question; arguing for a clause in the new contract giving ACTRA veto power over which foreigners would be used in CBC drama and who would not be; called upon the US and Britain to ease entry for Canadians or for Manpower and Immigration Minister Jack Cullen to enforce the same rigid restrictions on foreign performers' access to Canada as the US and England employ; castigated the CBC for the implica-

tion that Canadian actors are inferior to foreign talent. To cite one example ACTRA used of closed US "open" borders, comedienne Barbara Hamilton was refused border entry to appear as a regular on an MTM (Mary Tyler Moore Company) sitcom.

The Toronto Branch, comprising 2900 of ACTRA's national membership of 5000, was urged by the rank and file to reject the contract just concluded with the CBC. Only 700 members voted, and the contract was rejected on January 4.

Between December 23 and January 4, meetings between CBC brass and ACTRA brass failed to overcome the deadlock. CBC said that each needed the other but the corporation would not give up full discretion in casting.

The ACTRA 'work permit' is not legal, of course. It is only a threat to pull its members out of any production that it deems unfair. ACTRA stated that it hadn't been informed of any foreigners until it saw the cast lists; CBC casting head – and contract negotiator – Muriel Sherrin denied the allegation, saying she or her reps phoned and wrote ACTRA about every decision to use a foreigner. CBC Drama head John Hirsch claimed that of 2800 roles in three years, only twenty-eight had gone to foreigners; agreed, said ACTRA, but we're worried about the current escalation, as there have been too many lately. And they're all leads, relegating Canadians to an inferior position.

Drama production was threatened with a complete shutdown. Smith's project was shelved when she backed out on December 28. Cuthbertson's show is also shelved, indefinitely (plans are to revive it as an official co-production, an arrangement ACTRA would not challenge).

By the new year ACTRA, facing adverse press even from nationalist sympathizers, tried to put the issue in a context of bad CBC management overall. Trouble spread to the Variety department, also under siege, with threats against



*The Wolfman Jack Show.* Wolfman is an ACTRA member, and Douglas has kept his membership up to date since first working here years ago. Persoff has appeared in countless CBC shows, and recently finished filming a feature in Ontario in November, titled **Deadly Harvest**.

Which brings in the other players. No mention was ever made of CTV variety, where US stars are legion, or of Canadian features where Canadian leads are in the minority, or of CFDC complicity in allowing foreigners to have so many of the roles in "Canadian" movies, especially recently. ACTRA sidestepped the issue by saying that CBC was where the battle must begin; Drama and Variety were the targets.

Also mentioned in passing as candidates for exclusion were Canadians who had emigrated, such as Donnelly Rhodes, Stu Gillard, Henry Beckman, John Vernon etc. ACTRA wanted them classed with foreigners, even though they work here often, too.

The day the membership rejected the CBC contract, it approved a similar one for performers at CTV (!) and writers ratified both CBC and CTV contracts.

By the end of the first week in January, CBC added President Al Johnson to English Services head Don MacPherson as the negotiating team; the ACTRA team was headed by President Donald Parrish. By the 11th the dispute was settled. Douglas and Persoff are to come in; the Cuthbertson show may be revived. Both sides will talk (especially since negotiations for a new contract begin in late winter). ACTRA was publicly given a right it already had: to be informed of foreign casting decisions.

The result? A stand-off, resulting in the joint understanding which is printed on page 36.

The fundamental questions remain unresolved. And **Cinema Canada** requested opinions about the situation from several individuals.

**Stephen Chesley**

## Donald MacPherson



To build a strong Canadian identity in our program schedules, the CBC needs the support of Canadian performers. Similarly, to gain national and international exposure, Canadian performers need the CBC – the largest user of Canadian talent in Canada.

That is what makes the situation that developed at the turn of the new year, when the performers' union, ACTRA, refused work permits to international performers cast by the Corporation, so very important to both parties. I am happy that we were able to work out a solution as announced jointly by ACTRA and ourselves on January 10.

If the need for each other is as great as I personally believe, and I know the Corporation believes, then it is important that both parties work hard to achieve what after all should be a common objective.

Just as a matter of policy and practice, the Corporation has always predominantly engaged Canadian performers. In

the television drama department alone over the last three years, we have employed 2800 actors and only 28 were foreign nationals. That is only one per cent and the CBC is proud of that track record.

However, from time to time, our programmers may be looking for a specific talent that is either not available in Canada or not available at the time facilities are available. Producers at such times feel they are justified to dip into the international talent market, and management supports this action if proper internal thought has gone into the decision and the exception does not become the rule.

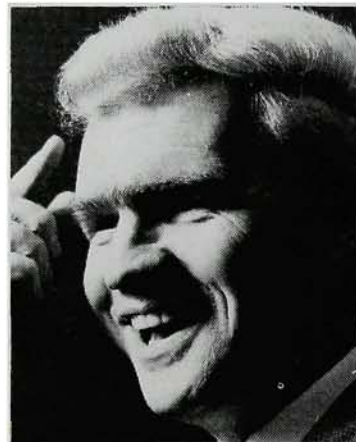
The CBC believes that it must have the right to make all of the artistic and editorial decisions regarding its programming, including the casting. That point is not open to discussion or negotiation.

The Corporation, however, is against any restrictions on Canadian talent performing anywhere in the world, and is in sympathy with ACTRA members who are stopped from entering the US or UK to work. We have offered to join with ACTRA and others affected, to see what can be done to ensure an open-door policy. It is an industry problem, and the approach for fighting such barriers should be on an industry basis.

**Donald MacPherson**

**Vice-President and General Manager  
English Services Division, CBC**

## Jack Gray



ACTRA's concerns with the CBC go far beyond the minor problem of the importation of foreign actors. Indeed, this is really only a symptom of the real issue, which is the kind of programs the CBC is producing.

In essence, ACTRA believes the CBC should concentrate on producing Canadian programs for Canadian audiences. Canada has never been deprived of American programs, nor of the talents of American performers. What we need from the CBC are different kinds of programs, programming that reflects the direct interests and concerns of Canada and Canadians.

Part of the CBC's problem stems from what it is currently required to do. The CBC, like the private broadcasters, is geared to selling advertising, and shapes most of its entertainment programs and program schedules to this end. Thus it seeks to build audiences for its Canadian programs by means of American programs, and in its own entertainment programming too often imitates American models.

One result of this is that a set of assumptions and attitudes grows up among producers. These take various forms, but an example will illustrate the problem.

A couple of years ago Morley Torgov wrote a delightful and funny book – *A Good Place to Come From* – about



growing up as a Jew in Sault St. Marie. The book won a Leacock medal for humor. The CBC is now making a one-hour television play based on one chapter in the book.

And how did the CBC treat that project?

- It got an American to adapt Torgov's original script.
- It got an American to direct the program.
- It imported two Americans to play the two principal leads.

ACTRA believes that a number of changes are needed at the CBC to ensure that its programming is Canadian:

- It needs more money for programming. Such additional money should be earmarked for direct program costs, and the CBC should, if necessary, use these funds for production by the private sector to avoid further enlarging its present cumbersome staff.

- The CBC should get out of merchandizing. That is, it should stop carrying advertising. This would allow the corporation to develop an entirely new approach to its mandate of serving Canada with Canadian programming.

- Above all, the CBC needs to change some of its attitudes and assumptions: to develop producers, directors, program planners, and program executives with attitudes and assumptions beginning with and geared to the Canadian audience, and to our own needs and expectations.

And just in case anyone thinks that ACTRA is crying "Wolf!", consider these facts:

- Radio has long been an area in which the CBC excelled.

- Radio drama has for 30 years been a principal training ground for Canadian actors and directors, as well as providing a relatively cheap method to help sustain the talent pool so desperately needed by television, film, and the stage.

- Radio is the most efficient, most flexible, and potentially most useful method to allow all areas of Canada - "the regions" - to participate in the creation of entertainment materials of many kinds, from drama through to satirical revue.

- Of a dollar spent on a radio drama about half - 50 cents - goes directly to talent. In television talent gets about five cents from a dollar of current program costs.

- In 1942-43 the CBC produced 106 radio dramas, the lowest figure for any year, until the present season.

- Here are the amounts spent on performers and writers in Radio Arts in the last three years. It should be noted that there were modest increases in the basic rates paid to performers and writers in each of these years:

1974-75	\$336,520
1975-76	\$224,220
1976-77	\$155,180

When the members of ACTRA ask themselves why this vital area of radio programming, which not only provides them with work but with a kind of work that enables them to participate in the entire entertainment industry in all parts of the country, is apparently being wiped out, they note with interest the remarks of the CBC's staff. For example, this comment, from Mark Starowicz, superchief of *Sunday Morning*, as quoted in an article in *Canadian Review* for December, 1976:

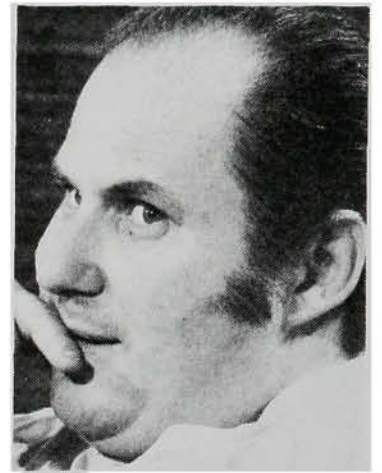
Occasionally his (Starowicz') voice grows louder to raise a point. "The so-called battle between the arts and current affairs departments at CBC is over. *We won.*" (The "we" meaning current affairs.) He brandishes a cartoon of Nazi leader Hermann Goering, captioned: "Every time I hear the word culture, I want to reach for my pistol." Adds Starowicz: "That's exactly how I feel."

Obviously, some attitudes are going to have to change. And the sooner, the better.

**Jack Gray**

**Chairman  
Writers' Council, ACTRA**

## Al Waxman



It's not enough to be Canadian, you've got to be good! But what sweet surprise to find that so many good talents are indeed Canadian - abroad, **and even at home!**

We, in this Art and Business in Canada have a threefold task: 1) to entertain and create,  
2) to compete,  
3) to cultivate and develop.

This is a tough challenge but then none of us chose this way of life because we thought it was going to be an easy route.

To do this threefold task successfully, we have to, at once, acknowledge that there is talent in this country, and acknowledge that we have to compete for audiences inside this country just as we have to compete for audiences outside this country. That is, we have to use and promote our natural resources to the fullest and yet not live with blinders on - Canada is rich in talent but it is only one corner of the international market and the universal world of Art.

What this really means is that a rational and pragmatic approach, with trust in one another, must be taken. Producers and Directors must thoroughly search the local scene first! They mustn't categorically think that because a part is difficult or special that they have to import. Having made a diligent effort at local casting, they may find that the perfect talent for a part is right here in this corner of the world. If, on the other hand, they find that the talent available here is not quite right enough, and that circumstances require it (distinctions must be made between the different kinds of projects, e.g., co-production/local production, TV/feature film, within TV - 90 minutes/60 minutes/30 minutes, private sector/public sector, etc.), then I believe that quality ultimately should be a more important consideration than nationalism and that the producer should go as far as his budget allows in order to cast properly.

In terms of borders and boycotts, this means we should resist the impulse to import unless the part, the play and the project are of such importance (artistically and/or economically) that they can only be served by an import - and then the import should only be a talent of such stature that the play and the cast and the audience will benefit from his or her presence.

Guidelines must be arrived at by co-operative input (i.e. understanding of one another's professional needs) from Producers, Directors and Actors together; guidelines which then must be followed when the Producer makes casting decisions. The Director's prerogative and the Producer's control must remain intact, but within and along guidelines.



I am optimistic enough to believe that we can, as we have done for years, find quality in Canada, and that we can create Canadian stars, thereby reducing the need to import stars, and at the same time reducing the fear of importing stars.

**Al Waxman**

Actor  
ACTRA



## Barbara Hamilton

I think that it's primarily an immigration problem. In the United States and in Great Britain it's an immigration problem; performers are not allowed into those countries if they are going to be taking work away from actors. It is the same as with any other profession. Here, we don't have that protection. Because Immigration hasn't done anything about it, ACTRA had to protect its members. I think it's only a question of fairness.

I can say that because I've done a fair amount of work here and it doesn't look as if I'm crying "poor". Nevertheless, I haven't worked in the CBC Drama department for over four years. There are a handful of names in this country and very few of them are being used by the CBC. I don't know why this is so. The CBC will deny that there is a blacklist, and it certainly isn't something which is written down. But it does seem extraordinary. There are some talents in this country that have not worked for eight or nine years for the Drama department.

I think that there is a lack of imagination in the casting there. In the last few weeks I've been monitoring television shows for the ACTRA awards which are coming up in April. There are some people who have been on four or five times in big leads, some of whom are imports. In casting, they look at pictures but they don't know who the people are. I'd love to spend a few months down there in casting because I think I could amaze them at the pool of acting talent that has never been used in this country.

But basically, it's an immigration problem and I hope it will be solved by Immigration. I don't think that the doors should be closed completely, on anybody. One should have a fighting chance to get in.

When I worked in England, the producer had to prove that there wasn't anybody in England who could play that part. This meant a lot of red tape. I don't know whether the producers here would be willing to go through that. It's easy for them now - they only have to pick up the phone and say, "Send me so and so." If they had to prove it to Immigration instead of proving it to the union it might be another kettle of fish. And that's all the union wants. I

don't think it's being unreasonable. It's only saying, "Are these people that you're bringing in essential?"

**Barbara Hamilton**

Actress  
ACTRA

## Millard Roth



Today, the film and television components of the entertainment industry face the consequences of a growing political issue - "cultural sovereignty" - a concept that holds great appeal for us all. However, the potential negative impact of arguments in support of "cultural sovereignty" tends to lead to actions similar to the type of damaging actions taken in support of the concept of "economic independence".

Our governments have come so sensitive to the "branch plant" argument that they often overlook the opportunities provided by the very natural north-south flow of trade and the ease with which competitive Canadian products can gain access to the American marketplace. The recent CBC/ACTRA dispute is only the tip of an insidious iceberg. At risk is not what exists today but the potential for the creation of an exciting and dynamic entertainment industry in this country. The problem is much more complex than whether or not particular American talent is employed in this country or, conversely, whether or not Canadians have opportunities in the US. The basic question is whether or not our governments can concentrate on identifying and exploring the world marketplace for film and television entertainment. In a purely commercial sense, Canada must look to the North American market.

Arguments in support of "cultural sovereignty" frequently quote surveys which indicate that an ever-increasing number of Canadians feel that our moviehouses and television networks should show more "Canadian movies". What is conveniently omitted is the fact that the same respondents have indicated that they would be disinclined to attend the showing of such movies.

These comments are not an attempt to protect the position of the CBC but rather aim to suggest an approach to building a self-sustaining industry. Protectionism is appropriate when an industry, that has in the past been self-sustaining, is at risk. This is really not the case in Canada. ACTRA, IATSE and NABET protect a number of jobs but, by their actions, do little to encourage the creation of more jobs and better opportunities for their membership.

Successful entertainment, like great art, must have universal appeal; and, given that motion pictures are a recognized international art form, cross-pollination of people and concepts is critical.



The film and television industries of Canada face an exciting challenge and a time of dynamic growth. We should look askance at efforts that retard the vital input of foreign talent which increases international acceptance of Canadian productions. As we experience greater success, more Canadian personnel will gain international reputations and our industry will be further strengthened.

Conversations with those few Canadians who have had the opportunity to "rub shoulders" with foreign talent prove how much benefit can be gained by further embellishing already significant skills. This activity must be encouraged. Hopefully, we are not so insecure that the prospect of real development becomes frightening.

My observations lead me to believe that the Canadian capability, in practically every industrial sector, has proven itself in international competition. Unfortunately, this accomplishment has largely been the result of narrow initiative from single business leaders or the unique capability developed by a given company. Our governments have spent millions and millions of dollars in support of international trade and exposure but, unfortunately, do not appear to have convinced many in our labor movement that international success is the greatest insurance policy available.

We must recognize and understand the market and then decide to join it on a combined, cooperative, realistic basis. The opportunity exists, the capability exists. We must stop looking inward and commit ourselves to competition in the world marketplace.

**Millard Roth**

**Executive Director**

**Canadian Motion Picture Distributors' Association**



## Sandra Gathercole

When the CBC hears the word "star" it reaches for its SAG and AFTRA talent books. So does the CFDC. The import theory seems to be based on two assumptions: that Canadian talent is inferior; that foreign "stars" will help sell our productions abroad.

If there is one component of a production industry which Canada has produced in abundance it is acting talent. If it's invisible it's because we have exported it as fast as we can produce and train it. Norman Jewison claimed on CBC radio last year that 40% of the creative talent in entertainment programming at the three major US networks was Canadian when he arrived there in the 1960s. Today, Canadians write and star in countless popular US sitcoms, not to mention movies. From Mary Pickford to Lorne Michaels (*Saturday Night Live*) Canadian talent has left home to fuel Hollywood and New York production.

As for the export advantage thesis - where would the Swedish film industry be today if Bergman had chosen 20

years ago to bypass an unknown Swedish girl named Liv Ullman in favor of importing Marilyn Monroe? Closer to home, the CBC has just sold *King of Kensington* and *Beachcombers* to the US and British markets on the strength of those famous international stars Al Waxman and Bruno Gerussi.

The aspects of the British and US industries which the CBC would be well advised to imitate and import, it seems determined to ignore. Those are the restrictions both countries place on non-nationals working in their industries. England has recently required the Broadway star of *Chorus Line* to relinquish her role to a British actress for the British production. This is accepted practice in England, as it is in the United States - although both countries have established indigenous industries which might permit them the luxury of open entry for foreign talent. Canada, on the other hand, with an underfinanced production industry and an underemployed talent pool, does not have similar protective measures.

The recent ACTRA-CBC dispute over the importation of foreign actors illuminated the lack of logic in our situation. Implicit in the ACTRA position is the belief that restrictive measures for a domestic industry are not the mark of second-rate talent unable to compete - as the US and British demonstrate - but rather of a country which respects its own talent and gives it primacy of place within its own borders. Yet the ACTRA suggestion that reciprocal restrictions be established in Canada was greeted with horror inside our public broadcasting system.

What the CBC demonstrated throughout the affair was a bad case of that common Canadian affliction known variously as colonial or auto pact mentality. It is rooted in the assumption of our own inferiority: the assumption that we are destined to be hewers and carriers while true creativity resides elsewhere; that it is better to import the "best" than to make do with our own.

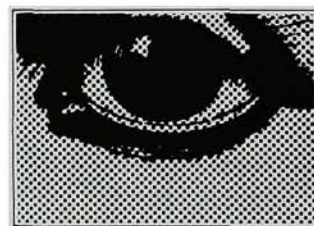
That perverse, persistent and pernicious assumption is the most inferior thing about this country. It denies and threatens our continued existence as a country. Carried to its logical extension, it would dictate some curious things. For instance, shouldn't we be importing our House of Commons? The British after all patented the system and their MPs must surely be better at it than our MPs. Or how about our Secretary of State? There's a good and very experienced used one available in the US these days.

**Sandra Gathercole**

**Executive Director**

**Council of Canadian Filmmakers**

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