

# *Immagine n. 29*

Note di storia del cinema



ASSOCIAZIONE ITALIANA  
PER LE RICERCHE  
DI STORIA DEL CINEMA



Paolo Emilio Persiani



ASSOCIAZIONE ITALIANA  
PER LE RICERCHE  
DI STORIA DEL CINEMA



Paolo Emilio Persiani



Finanziato  
dall'Unione europea  
NextGenerationEU



Ministero  
dell'Università  
e della Ricerca



Italiadomani  
PIANO NAZIONALE DI RIPRESA E RESILIENZA



UNIVERSITÀ  
DEGLI STUDI  
DI MILANO

“Immagine - Note di storia del cinema”

n. 29, 2024 (semestrale)

ISSN 1128-7101

*Direttori:* Michele Canosa, Luca Mazzei

*Direttore responsabile:* Luca Mazzei

*Comitato di direzione:* Silvio Alovio, Monica Dall'Asta, Alessandro Faccioli, Luca Mazzei, Simone Venturini

*Comitato scientifico:* Ruth Ben-Ghiat (New York University), Giorgio Bertellini (University of Michigan), Mireille Berton (Université de Lausanne), Ivo Blom (Vrije Universiteit Amsterdam), María Magdalena Brotons Capó (Universitat de les Illes Balears), Paolo Caneppele (Österreichisches Filmmuseum), Giulia Carluccio (Università di Torino), Maurizio Cinquegrani (University of Kent), Paola Cristalli (Cineteca di Bologna), Luciano Curreri (Université de Liège), Elena Dagrada (Università di Milano), Raffaele De Berti (Università di Milano), Giovanna Fossati (Universiteit Utrecht), Céline Gailleurd (Université Paris 8), Jean Gili (Paris i Panthéon-Sorbonne), Laurent Guido (Charles-de-Gaulle Lille III), Stephen Gundle (University of Warwick), Vinzenz Hediger (Goethe-Universität Frankfurt am Main), Cristina Jandelli (Università di Firenze), Giovanni Lista (C.N.R.S. - Centre National de la Recherche Scientifique), Massimo Locatelli (Università Cattolica del Sacro Cuore), Denis Lotti (Università di Padova), Elena Mosconi (Università di Pavia), Elena Nepoti (BFI - British Film Institute), Paolo Noto (Università di Bologna), Viva Paci (Université du Québec à Montréal), Donata Pesenti Campagnoni, Federico Pierotti (Université de Picardie Jules Verne), Maria Assunta Pimpinelli (Centro Sperimentale di Cinematografia - Cineteca Nazionale), Ángel Quintana (Universitat de Girona), Pierre Sorlin(†) (Université Sorbonne Nouvelle - Paris III), Federico Vitella (Università di Messina)

*Coordinatori della redazione:* Sila Berruti, Diego Cavallotti, Simone Dotto, Elisa Uffreduzzi

*Redazione italiana:* Gina Annunziata, Diego Baratto, Serena Bellotti, Irma Benedetto, Matteo Berardini, Sara Casoli, Diego Cavallotti, Stella Dagna, Giovanni Grasso, Marco Grifo, Michael Guarneri, Carla Mereu Keating, Leonardo Magnante, Anna Masecchia, Marcello Seregini, Bruno Surace, Francesca Tesi, Fabio Pezzetti Tonion, Chiara Trinchese

*Redazione estera:* Manon Billaut, Elisa Cuter, Daniel Pitarch Fernández, Coraline Refort, Sonia Wagner

Tutti i contributi pubblicati nel presente volume, a eccezione dell'Introduzione, sono stati sottoposti a valutazione con procedura *double-blind peer review*

Publicazione realizzata con il contributo del Dipartimento di Beni Culturali e Ambientali - Università statale di Milano. Finanziato dall'Unione europea- Next Generation EU, Missione 4 Componente 2 Investimento 1.1 CUP H53D23006650008 nell'ambito del progetto PRIN 2022 "TRAFFIC - Tracing American and Foreign Funds in Italian Cinema (1945-1962)".

Publicazione registrata presso il Tribunale di Venezia, n. 23 del 12 settembre 2012

In copertina: Charlton Heston e Stephen Boyd durante una pausa delle riprese sul set di *Ben-Hur*, Cinecittà, estate 1958.

Poste Italiane S.p.a. – Spedizione in abbonamento postale

D.L. 353/ (con. In L. 27/02/2004 n. 46) art. 1, comma 1, CN/BO



ASSOCIAZIONE ITALIANA  
PER LE RICERCHE  
DI STORIA DEL CINEMA

Sede: via della Porticella, 13  
00067 Morlupo (Roma)  
www.airsc.org



Casa Editrice Persiani  
BOLOGNA

piazza San Martino 9/C  
40126 Bologna

Tel. (+39) 051/9913920  
Fax (+39) 051/19901229  
info@persianieditore.com  
www.persianieditore.com

*Immagine n. 29*



Paolo Emilio Persiani



# Sommario

## Dossier

a cura di Francesco Di Chiara, Enrico Gheller, Costanza Salvi, Cosimo Tassinari

### PERCORSI DI INTERNAZIONALIZZAZIONE DELL'INDUSTRIA CINEMATOGRAFICA ITALIANA: RETI FINANZIARIE, MEDIAZIONI E IMMAGINARI (1945 – 1962)

*Percorsi di internazionalizzazione dell'industria cinematografica italiana:  
reti finanziarie, mediazioni e immaginari (1945-1962)*

di Francesco Di Chiara, Enrico Gheller, Costanza Salvi, Cosimo Tassinari

p. 9

Francesca Tesi

*Ricostruire rapporti economici nell'immediato dopoguerra:  
il caso United Artists e Artisti Associati*

p. 21

Maria Elena D'Amelio

*Hollywood on the Mount Titano: Prince of Foxes (Henry King, 1949)  
and San Marino as Peripheral Film Location*

p. 37

Enrico Gheller

*Sindacati cinematografici italiani e majors nel dopoguerra,  
tra pratica del conflitto e tendenze neocorporativiste*

p. 53

Costanza Salvi

*Temperament at a Terminal:  
Locating "Indiscretion of an American Wife/Stazione Termini" (1953)*

p. 71

Matteo Citrini

*The Aftermaths of Rome 1957. The International Cinematographic Industry  
Associations Facing the European Single Market*

p. 93

Cosimo Tassinari

*“Guerra e Pace”: storia economico-finanziaria di un ‘film cerniera’.*

p. 111

ASTERISCHI

Andrea Gelardi

*Making Cinema Matter, in Bologna.  
Civic and Educational Goals at the Origins of the  
Cineteca di Bologna (1962-1968)*

p. 131

*Sinossi e biografie*

p. 157

# The Aftermath of Rome 1957. The International Cinematographic Industry Associations Facing the European Single Market

MATTEO CITRINI

Twenty-five very serious gentlemen [...] wearing classic ties and dark hats walked into the Festival, among the starlets in golden swimsuits and poorly shaven nouvelle-vague directors, and went to lock themselves in a ping-pong room at the Carlton Hotel where, instead of throwing balls at each other, they threw statistics, type contracts, and articles of law<sup>1</sup>.

The colorful chronicle of what happened in Cannes in May 1962 serves as a starting point to discuss the main topic of this essay: the associative impulse and diplomatic efforts of the major European cinematographic industries to tackle the rising problems that transnationally gripped cinema, especially regarding Europe's transition to the European Single Market (ESM). Specifically, I intend to deal historically with the constitutive dynamics of the two main film associations that would mark the dialogue with international institutions from the late 1950s onward: the Bureau International du Cinéma (BIC, 1958) and the Comité des Industries Cinématographiques Européennes (CICE, 1962).

The majority of media industry studies tend to identify 1989 as the birth year of a European discourse on cinema, labeling the preceding period as stagnant or unsuccessful<sup>2</sup>. Nearly all the scholars who look at the European dimension of pre-1990s audiovisual media do so from an aesthetic or cultural standpoint, focusing on textual or audience analysis rather than investigating the technological, industrial, and regulatory instances<sup>3</sup>. The opinion that “until the completion of the Single Market in 1986 there was little thought of a European film policy”<sup>4</sup> has therefore been strengthened.

I suggest that, instead, ever since the signing of the 1957 Treaty of Rome and thus from the initial stages of transition to the ESM, the highest decision-making spheres of the film industry in the so-called

“Europe of the Six” took action in response to what they experienced as a small revolution. Thus, two associations were born: BIC, acting on the global level, and CICE, acting on the European level. These two associations were to constitute both a policy-making pole, in which individual national instances could converge and dialogue, and a privileged channel through which to communicate with the newly created international institutions that dictated the new conditions of industrial activity. It is at this point that—as a result of the dialogue within the BIC and CICE, and between these associations and the European authorities (in particular the Groupe Parlementaire Européen pour le Cinéma or GPEC),—a surprisingly dense and complex web of activity emerges. This essay merely presents the early stages of this activity, culminating with the drafting and issuing of the first European directive on cinematographic matters in 1963.

There are perhaps two main reasons behind this aporia in the current historiography of European cinematographic industry. The first concerns the accessibility of key sources, such as those produced by the associations themselves and preserved in the Italian ANICA archives<sup>5</sup>. In particular, BIC was headquartered in Rome and the Italian association was an absolute protagonist (often in close collaboration with the French equivalent). The second reason is that the main direction in which the efforts of these associations went would, for reasons we shall see, limit the application of the Treaty; in other words, to protect the cinema from the ESM. Theirs was an intense “techno-diplomatic”<sup>6</sup> effort, whose relevance does not end with the historical period covered here (the early 1960s), but constitutes a fundamental incubator for multiple key dynamics still present in the European audiovisual framework<sup>7</sup>. One example is the economic definition of films as goods and services, and the process by which the ambiguous technical, industrial and artistic, and cultural attributes of the film industry are recognized and formalized in regulations. By the same token, we find observations and remarks in the agendas of these associations from sixty years ago regarding the complex and sophisticated mechanisms of protection, finance, taxation, and collaboration in cinema within and beyond the Community borders<sup>8</sup>. Furthermore, when it comes to the specifics of the European market, issues such as uneven production across the EU and attempts to rebalance it have been at the center of discussion practically since the signing of the Treaty of

Rome and remain relevant today, aligning with the two pillars of EU action towards the audiovisual industry: “regulate and support”<sup>9</sup>.

### *The perceived revolutionary consequences of the Treaty of Rome*

History shows that the film industry tends towards internationalization almost by vocation. Since well before 1957, we find traces of more or less successful attempts at continental or even worldwide coordination of individual national realities in order to agree on technical standards, business practices, regulatory frameworks, or economic-financial dynamics. In this sense, probably the most significant achievement before the Treaty of Rome was the founding of the Fédération Internationale des Associations de Producteurs de Films (FIAPF) in 1933, which brought together representatives of production from all over the world and constituted the womb in which many of the subsequent ideas and suggestions were gestated. But even focusing on the European reality alone, there was no shortage of proposals in the early 1950s for a European Cinema Community that, looking to the virtuous example of co-productions, would prepare for “the advent of a European cinematographic market through the resolution of problems that currently hinder free trade”<sup>10</sup>.

Indeed, the discussion of a Single Market had been on the table for several years and was implemented in 1957, with the Treaty of Rome, which, in addition to establishing the directives for the transition of the six economies involved, also indicated a very precise timetable: the transitional period would be twelve years (1958-1970), divided into three four-year phases, each with specific minimum objectives to be achieved. In the words of Paul-Henri Spaak, one of the architects of the ESM, this was the “largest voluntary and direct transformation in the history of Europe”<sup>11</sup>.

Despite this, the general reaction of film industry to the Treaty seems to imply that, for them, it was a bolt out of the blue, evoking much surprise and even more misgivings towards the directions and timelines presented. Providing an early and very influential reading of these changes was Nicola De Pirro with an article in “Bianco e nero”, in which the then Direttore Generale dello Spettacolo scrupulously analyzes which articles of the Treaty would affect the film industry and how they should be responded to, at least in Italy<sup>12</sup>. Speaking plainly about “revolutionary” aspects, De Pirro opens with a state-

ment that has been reiterated ever since: the film industry is in itself an exception to any other economic sector. This uniqueness is due to multiple factors, but above all, it is grounded in its being both art and industry, in playing an obvious social and cultural role, in the unpredictability of its trends, and in the complexity of its object, the film<sup>13</sup>. On this consideration, it has been argued that an *ad hoc* legislative arrangement for cinema was not only useful but necessary.

The first problem posed by the Treaty had to do with the very definition of film and, in particular, whether it should be considered a good or a service. This problem was a theoretical one, but it also took on political significance. If films were considered exclusively a service—and as such exempted from the constraint to cancel import quotas for countries within the ESM (Arts. 31, 32, and 33)—the rules imposed on this type of invisible transaction (Annex III), could be applied. This was not a worry for Italy and France at all, while it was very much a concern for West Germany, whose protectionist policy had so far been almost exclusively based precisely on those quotas. Then, on the definition of film, we see the first split between the French-Italian and the German sides, with the latter attempting on several occasions to frame film as a service only, despite Italian skepticism<sup>14</sup>.

In addition to the issue of defining film, there was also an essential legal one: each of the nations involved had developed film legislation over the years that, albeit with profound differences, tended towards protectionism. Here we see again the distance between an Italian-French axis, whose film laws were generally similar, and a German one, which, on the other hand, had always left production free. Now both policies had to be significantly updated in order to harmonize the market and, at the same time, avoid any form of discrimination at a national level (Art. 3). In this sense, the incompatibility of state subsidies (Arts. 92, 93, 100-103, and 113), which was fundamental in Italy and France, would have hardly been justified if West Germany did not want to adopt similar measures, since the Germans would be in a strong position having on their side “both the spirit and the letter of the Treaty”<sup>15</sup>. This is the first point where, according to De Pirro, we see the revolutionary aspect of the Treaty: the need for a radical abandonment of a “protectionist mentality” in favor of an “expansionist and cooperative one”<sup>16</sup>.

Then there was the issue of the free movement of workers (Articles

48, 58, 67, and 68), the most important corollaries of which were the necessary redefinition at the European level of “national film” and the updating of co-production dynamics. Here comes another revolutionary aspect of the Treaty, in that it “overturns the basis on which the reasons for aiding national industries currently rest”<sup>17</sup>. From this point of view, De Pirro captures another observation that is bound to leave its mark, namely that co-production would be the preferred route to guide the transition of filmmaking to the ESM. If a shift from a bi- or trilateral to a plurilateral logic could be achieved, it would result in “a single overarching agreement, setting out which films will be eligible for aid from those states whose domestic laws provide for such aid”<sup>18</sup>. Hence, the prediction: “co-production films will turn into ‘European’ films, films of ‘ESM nationality’”<sup>19</sup>.

One also finds other thorny issues that add up to those just described and which attest to the radical nature, at least on paper, of the Treaty for the European film industry, capable of threatening the very foundations on which national realities had hitherto been built. Nonetheless, De Pirro ends his article by inviting readers to look at the possibilities of the ESM:

The Common Market will bear fruit if attempts to standardize what is different are avoided and, instead, obstacles are removed to the emulation of all the willing who, especially in the field of cinema, where the artistic impulse is preponderant, succeed in asserting the peculiar aptitudes of their nationality, which the Common Market cannot and should not attempt to suppress. [...] The problems of production have all been enunciated, as have suggestions, necessarily general ones. To the producers, the operators, the representatives of the professional and working categories, and the officials of the relevant Ministries, the task now is to solve, as best they can, these problems<sup>20</sup>.

Indeed, there was no shortage of optimistic voices who saw the Treaty as an opportunity to develop a “rationalization of structure and methods”<sup>21</sup> and, in doing so, to economically stabilize the sector. From this point of view, the shared hope was that both a production with an “exquisitely national character, of a high artistic level, ensuring the continuity of the various aesthetic schools and assuring [...] the genuine expression of the different peoples” and a European one, “of a high spectacular level suited to the different domestic tastes and suitable for competing, on foreign markets, with the production of third countries”, would be pursued<sup>22</sup>.

### *Early associative endeavors on an international scale*

Beyond critical analysis, it was also necessary to shape and pursue an effective persuasive action aimed at the European authorities that would be able to sensitize them to the complex world of cinematography. In other words, it was necessary to quickly form a “European film consortium, which includes producers from the Market countries”<sup>23</sup>, and that this authority would take on the task of guiding decision-making processes within the Community. Such an association was established shortly thereafter, but with a worldwide rather than European focus. Between 3 and 6 November 1959, a series of meetings of the film industry took place in Paris aimed at establishing the groups that would form this new international bureau: on November 3, the Groupe de travail sur le cinéma for the European Economic Community was constituted; on November 4, the Confédération Internationale des Industries Techniques Cinématographiques (CIITC, later FIATC) was founded; on November 5, meetings were held between the two groups driving the project: the FIAPF and the UIEC (Union Internationale de l’Exploitation Cinématographique); on November 6, the Fédération Internationale des Associations de Distributeurs de Films (FIADF) was first formed and then, at meeting room no. 92 on the Champs Elysées, in the presence of 47 delegates from 22 countries, the four associations just mentioned gave birth to the Bureau International du Cinéma (BIC), which brought them together into a single body based in Rome<sup>24</sup>. The Bureau was thus structured into the four founding groups, each heading its international counterpart in the specific film industry sector of expertise: the FIAPF group for production, the UIEC group for exhibitors, the FIADF group for distribution, and the FIATC group for the technical industries<sup>25</sup>. The ANICA president, Eitel Monaco, was elected general delegate “by acclamation”<sup>26</sup>.

The link between the stipulation of the Treaty and the birth of the BIC is made evident by several elements: by the Working Group formed at the same time as its establishment, by the centrality of France and Italy in its mission, and by the very manner in which, in the pages of the trade journals, the birth of the BIC was announced and explained. In an excerpt from the “Araldo dello spettacolo”, we read:

At particularly delicate moments in history, such as the ones we are currently experiencing, characterized by a series of high-level politi-

cal initiatives, meetings of heads of state, diplomatic trips from East to West and vice versa, new proposals and new plans intended to open an era of peaceful and civilized international competitions, the elements in charge of the film industries throughout the world also felt the need to initiate solutions to the major problems of cinema through personal contacts at the top and through a series of meetings which, because of their content, because of the breadth of the interests at stake, but above all because of the methodical nature of the programs, may well be characterized as a first attempt at planning the multiform, chaotic and often contradictory activity of cinema<sup>27</sup>.

Such a proposition was reiterated in the statute of the Bureau itself, whose main task was in fact “l'étude en commun des problèmes intéressant l'Industrie cinématographique et d'assurer la mise en œuvre des solutions proposées”<sup>28</sup>. This objective was to be pursued in four ways: encouraging the increase in film production quality; promoting the increase in films with “international value;” pushing for complete tax exemption for the cinematographic industry; shaping audience loyalty<sup>29</sup>.

As its first public act, the BIC wrote an open letter to all the main international political and economic authorities expressing “the most serious concern of the production, distribution, exhibition, and technical industries, as a consequence of the ever-increasing difficulty of the conditions in which cinema finds itself”<sup>30</sup> and predicting that if adequate measures such as those in place in the United States were not taken, the “very foundations of the motion picture industry [will be] irremediably compromised”<sup>31</sup>.

Both the choice of Monaco as the general delegate and that of Rome as the headquarters make clear the role played by ANICA in the birth of the BIC. This Italian centrality was further strengthened with the creation in 1960 of a new major international event explicitly conceived as a meeting event for and by film industrialists: the Mercato Internazionale del Film E del Documentario (MIFED), based in Milan. Monaco's role is also central here, given the good relations he had established with the then general secretary of Fiera Milano, Michele Guido Franci. The MIFED was an event of dual importance throughout the 1960s: on the one hand, for networking practices aimed at creating commercial opportunities between film companies of different nationalities; on the other, as the main date for the BIC sessions. Through this “happy meeting of cinematographic Rome and indus-

trial Milan”<sup>32</sup>, the ANICA secured a leading role in the international film industry.

In the meantime, several other initiatives took hold. In the field of trade press, 1960 began with an agreement between the five most important journals in the Community. “Araldo dello spettacolo”, “Le Film français”, “Filmlatter”, “Ciné-Presse” and “Weekblad Cinema” inaugurated a special section within each of their issues specifically dedicated to reporting the most important news and statistics that appeared in the others. The agreement took the form of a “system of cooperation that would allow the journals themselves to carry out a concerted information activity in favor of the film community”<sup>33</sup>, in the belief that “the difficult task of adapting European cinemas to the provisions of the ESM is characterized by a complex of technical problems to the solution of which the specialized press can make a valid contribution of studies and experiences”<sup>34</sup>.

### *The birth of CICE between skepticism and autonomy*

Diplomatic operations in the European field found an important moment of development with the First European Conference of Cinema and Television, held at the Palais d’Egmont in Brussels between 15 and 18 February 1961. Of these four days, which saw the participation of the highest representatives of the six national industries involved in the transition process towards the ESM, we have a detailed account<sup>35</sup>.

In addition to taking stock of the main challenges currently faced by the film community, and in addition to including television in the discussion table for the first time, the conference also marked the starting point for the creation of an *ad hoc* commission on the subject of the ESM that would act as a mediator between the action of the European institutions’ officials (“who are the only ones with decision-making capacity”)<sup>36</sup> and the national professional organizations, with the aim of “clarifying the action of the former and valorizing the proposals of the latter”<sup>37</sup>.

It is important to underline here how the urgent tone often adopted by representatives of the film industry on these occasions was not always echoed by those colleagues who were less involved on a representative level. Sorrowful traces of this dichotomy can be found both in France and in Italy, where in 1961 we start to read of a cinema

that was culpably “late”<sup>38</sup> with respect to European plans; this delay, according to the authors of those articles, was largely due to the shortsightedness and indolence of many producers, distributors, and exhibitors, for whom the ESM would constitute nothing more than “a charming fantasy, a very distant and almost unachievable prospect”<sup>39</sup>. It was also because of this lack of consensus within the film industry itself that the commission planned during the 1961 conference, rather than assuming the mediation features described above, ended up taking on concrete initiatives for the safeguarding of European cinema.

Thus, we arrive at the 1962 Cannes Film Festival meeting described in the opening quote of the essay. The “twenty-five very serious gentlemen” who met were in fact the representatives of the six European industries and, from that introduction of “statistics, standard contracts, and articles of law”, the Comité de l’Industrie Cinématographique Européenne (CICE) emerged<sup>40</sup>. In the belief that through the CICE it would have been possible to overcome any “controversial interpretation of the relationship between cinema and the ESM and between cinema and the State”<sup>41</sup>, a twofold objective was immediately set: “to create a permanent cinema office in Brussels which will keep in contact with the central organizations of the ESM [and] to explain to the various governments that the terms of the Treaty of Rome should not be applied to cinema”<sup>42</sup>. The assertion that the Treaty currently represented an unviable direction for cinema comes to the fore again, because the Treaty was perceived not only as impracticable but also as harmful to an activity that was as much industry as it was art, culture, and communication.

The executive body of the CICE was composed of seven members<sup>43</sup>. Unlike the BIC, the CICE included representatives of the production, distribution, and technical industries but not of the exhibitors, who took an autonomous form by establishing the Union Européenne du Spectacle Cinématographique (UESC) in the same year<sup>44</sup>.

As mentioned, CICE, while acting as a mediator between national industries and European bodies, also promoted solutions that were in some ways alternatives to, if not competitive with, those of the European Community. The most significant was the ambitious self-financing project, once again a brainchild of Monaco, who worked hard to implement it, and whose ultimate goal was the “total tax exemption

and the consequent renunciation of any form of state intervention”<sup>45</sup>. Faced with the slowness of action at both the state and European levels, CICE became the epicenter for a third course of action, made necessary by the further worsening of working conditions: given the gravity of the current situation “découle l’absolue nécessité d’envisager de toute urgence la création d’un mécanisme, peut-être artificiels, mais qui ont en réalité un caractère anti-dumping et sont destinés à neutraliser un processus également artificiel et inexorable d’asphyxie à très brève échéance du Cinéma Européen”<sup>46</sup>. Consequently, with the idea that it must choose self-financing or death, the CICE developed a new fiscal mechanism that provided for an additional levy on the cost of entrance tickets for all the Community movie theaters, according to a common percentage. The fund so obtained would then be deposited in Brussels and managed by “organisations supra-nationales”<sup>47</sup>, which would be responsible for dispensing it according to precise rules that reflected the productive rationality and the community value of the projects. Far from stepping on each other’s toes, CICE and BIC immediately moved in a climate of evident correlation, very often supporting each other’s requests both explicitly and implicitly, and thus, in fact, reinforcing coherent diplomatic action by the film industries.

In the meantime, the BIC was coming to the end of its first mandate, and in the spring of 1962, on the occasion of the fifth edition of MIFED, elections were held for the new board, resulting in an equally convincing victory for Monaco and the political line held up until then<sup>48</sup>. In the field of initiatives, a White Paper had meanwhile been drawn up, edited by Alberto De Stefani, which included an exhaustive and objective analysis of the problem of the unsustainable burden of taxes and duties that weigh on almost all the film industries: “The White Paper tends to demonstrate the absurdity, the injustice, and the unsustainability of a tax treatment that should hit the consumer, while today it weighs directly on the industry”<sup>49</sup>. This situation was aggravated in Europe by the German situation, similar to the American one and which in the early 1960s had further focused on tax reduction, thus implementing, according to the article, a “discrimination to the detriment of Italian and French industry, all the more serious if the peremptory requests of the governing bodies of the EEC for a gradual abolition of the existing aid laws in France and Italy are accepted”<sup>50</sup>.

The first months of 1963 were a time of maximum tension, with the suspension of production activity in France and the threat of the same operations in West Germany. In this case, too, the CICE presented itself as sympathetic to the requests, outlining a framework of complementarity so that the paths of national protest and international diplomacy would point towards the same goal: “tax relief, a uniform structure of cinema benefits, a more flexible and more comprehensive attitude both on the part of national governments and on the part of the supranational authority in Brussels”<sup>51</sup>.

*The institutional point of view: the GPEC and the first directive on cinematographic matter*

On the European institutions front, 1963 marked the start of the first concrete initiatives aimed at adapting the general indications of the Treaty to the specific reality of the film industry. As already mentioned, this task was entrusted at the end of 1959<sup>52</sup> to the Groupe Parlementaire Européen pour le Cinéma (GPEC), made up of representatives of the national ministries responsible for the national management of cinema<sup>53</sup>. Here too, Italy played a leading role both because it was entrusted with the presidency of the group, in the person of Enrico Carboni, and because of the importance that the then *Unione Nazionale Produttori Film* secretary, Enrico Giannelli, had in it. His papers, kept in the ANICA archives, constitute the most precious source of reference for the activity of the GPEC in those years.

As reported in the minutes of the GPEC meetings of 27 and 28 August 1960, the group was created to carry out a specific series of tasks: drawing up a list of the European cinematographic problems, reaching a co-production agreement between the six countries, and drafting directives “afin de coordonner les normes des six pays en matière de registre cinématographique”<sup>54</sup>. To comply with these requests, the GPEC initiated a round of consultations with the national associations of the countries involved. As for the Italian one, five points were highlighted: 1. See the problems of Community cinematography in a global and unitary way; 2. Avoid untimely and short-term changes that could cause economic crises; 3. Define what a “national film” is; 4. Focus on co-production as a way to achieve economic integration; 5. Ensure reciprocity in the dynamics of the free movement of labor<sup>55</sup>.

After three years of consultations with national authorities and international associations and discussions within and outside the group, the first European directive on cinematographic matters was drafted. Issued by the European Council on 15 October 1963, the directive defined in much greater detail the limits and methods through which the film industry should face the transition to the Single Market. Particularly interesting is the explanation of the reasons justifying this directive, and in which some battles of BIC and CICE are taken up again, and therefore confirmed also from the European institutional point of view:

The Council recognized the complexity of the problems presented by the cinematographic industry, a complexity that is due, on the one hand, to the differences existing between the various regulations of national markets and, on the other, to the interventions of some States in production, in so far as the former and the latter are liable to distort the competition and, finally, to the difficulties connected with the determination of the nationality of films<sup>56</sup>.

In sum, the points addressed in the ten articles of the directive are the following:

- Articles 1 and 2: Definition of films;
- Articles 3 and 4: Criteria for the recognition of their nationality;
- Articles 5, 6, and 7: Consolidation of the liberalization in film distribution, exploitation, and exchange;
- Article 8: Prevention of quotas on the importation of prints, dupes and advertising material;
- Article 9: Temporary maintenance of the quotas currently in force in the field of programming;
- Article 10: Prevention of restrictions on importation resulting from discriminatory tax provisions.

The directive provides a definition of film that, in effect, puts an end to the German proposal to look at film as a mere service: a film is the “material support corresponding to the standard copy of a completed cinematographic work, intended for public or private projection, to which all the rights permitting its economic exploitation refer in accordance with the conventions and other international provisions”<sup>57</sup>. This definition, it is noted, was the result of a long debate that saw a decisive moment in the International Meeting on Cinematographic Law, which was held in Paris between 15 and 18 December 1962, and which indicated important changes to the first proposed text<sup>58</sup>.

The other key point of the directive was the identification of the seven criteria for the recognition of the nationality of a film, which therefore, contrary to De Pirro's suppositions, was not transformed into a "community film", but rather the individual national definitions were standardized among themselves, in accordance with the community principles of free circulation.

Specifically, one aspect appreciated by the Italian and French trade press was a better definition of the production limits within member states<sup>59</sup>. For example, it was established that at least 70% of studio filming needed to take place in film studios located in member countries, a provision that follows the historic Italian legislation on the subject, inaugurated by the 1949 Andreotti law and confirmed in subsequent ones, and which mitigated the risk of dumping for those technical industries, such as the Italian and French ones, that focused on the quality of their production facilities rather than on their cost-effectiveness<sup>60</sup>. Another important adjustment directly concerns the requirements for recognizing the nationality of a film. The first regulation only covered a very small number of professionals who were required to belong to the country of origin, without providing any indication regarding multiple technical jobs. The risk was therefore that, from then on, foreign figures could be hired for tasks that had previously been required to be carried out by citizens of the country. The first directive filled this gap by reinstating the requirement for key figures such as scriptwriters, screenwriters, dialogue writers, and music composers, with the clause that professionals from another member state could also be considered valid, subject to approval by their own country.

Despite its importance, the first directive constituted only a first step towards European legislation on cinema. So much so that, without even having had time to analyze the first one, the trade press was already clarifying how "the text of a Second Cinematographic Directive [is] already ready in Brussels"<sup>61</sup>. This time, the main themes would be the liberalization of constraints on the construction of movie theaters, the abolition of the remaining import quotas, and the adoption of compulsory programming for all films originating in the European Economic Community<sup>62</sup>. Far from being over, the "resistance" of the European cinematographic industry had just begun. If the first directive constituted the initial victory of the newly formed international

associations, giving them prestige and eminence as intermediary actors, the mediation continued with several initiatives that still had to take shape, such as the aforementioned self-financing project for European cinema or the no less suggestive European identity card for negatives. At the BIC meeting in late 1963, Monaco's words underlined the urgency of pursuing these initiatives, if only "to denounce to the public opinion the gravity of a fiscal situation that is among the main factors threatening the survival of cinema, in contrast with its social and cultural functions"<sup>63</sup>. If the outcome of the game was still undecided, the playing field was now certain to be an international one.

<sup>1</sup> *Oscura prospettiva per il cinema europeo*, “Araldo dello spettacolo”, a. XVIII, n. 97, 25 May 1962, p. 1. For Italian sources, English translation is mine.

<sup>2</sup> See: L. Rivi, *European Cinema after 1989. Cultural Identity and Transnational Production*, New York, Palgrave Macmillan, 2007.

<sup>3</sup> See: R. Dyer, G. Vincendeau (eds), *Popular European Cinema*, London and New York, Routledge, 1992; J. Forbes, S. Street (eds), *European Cinema. An Introduction*, New York, Palgrave, 2000; J.-C. Batz, *L'audiovisuel européen. Un enjeu de civilisation*, Paris, Seguir, 2005; T. Elsaesser, *European Cinema. Face to Face with Hollywood*, Amsterdam, Amsterdam University Press, 2005. With the sole, noteworthy exception of: T. H. Guback, *The International Film Industry. Western Europe and America since 1945*, Bloomington, Indiana University Press, 1969.

<sup>4</sup> J. Forbes, S. Street, *European Cinema. An Overview*, in J. Forbes, S. Street (eds), *cit.*, p. 24.

<sup>5</sup> These sources, along with those from the trade press, provide the primary corpus upon which the current historical reconstruction is based, which is thus inextricably linked to the Italian perspective. It should be noted, however, that many of the documents presented here are from official BIC and CICE records and that their “Italianness” is to be tied to ANICA’s leading role as an international representative for cinematographic industries during those years.

<sup>6</sup> G. Balbi, A. Fickers (eds), *History of the International Telecommunication Union (ITU). Transnational Techno-Diplomacy from the Telegraph to Internet*, Berlin and Boston, De Gruyter, 2020.

<sup>7</sup> See: A. Jäckel, *European Film Industries*, London, BFI, 2003; P. Szczepanik, P. Vonderau (eds), *Behind the Screen. Inside European Production Cultures*, New York, Palgrave Macmillan, 2013; P. Keller, *European and International Media Law. Liberal Democracy, Trade, and the New Media*, Oxford, Oxford University Press, 2011; J. Hammett-Jamart, P. Mitric, E. Novrup Redvall (eds), *European Film and Television Co-Production. Policy and Practice*, Cham, Palgrave Macmillan, 2018.

<sup>8</sup> See, for example, how several of these issues are still at the heart of relevant European directives, including Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018.

<sup>9</sup> See: M. Cucco, *Economia del film. Industria, politiche, mercati*, Roma, Carocci, 2020, pp. 154-176.

<sup>10</sup> *L’Unione Europea del film*, “Cinespettacolo”, a. x, n. 5, May 1955, p. 1.

<sup>11</sup> *Minutes of the First European Cinema and Television Conference. Bruxelles, 15–18 February 1961*, ANICA archives (Rome), 1961, np.

<sup>12</sup> N. De Pirro, *La produzione cinematografica nel quadro del Mercato Comune*, “Bianco e nero”, a. XIX, n. 6, June 1958, pp. 11-30.

- <sup>13</sup> *Il Cinema di fronte ai Trattati del Mercato Comune Europeo (Problemi e Soluzioni)*, “Cinemundus”, a. xxxvii, n. 11, August 1958, np.
- <sup>14</sup> *Ibid.*
- <sup>15</sup> *Ibid.*
- <sup>16</sup> N. De Pirro, *La produzione cinematografica nel quadro del Mercato Comune*, cit., p. 28.
- <sup>17</sup> *Ibid.*
- <sup>18</sup> *Il Cinema di fronte ai Trattati del Mercato Comune Europeo (Problemi e Soluzioni)*, cit., np.
- <sup>19</sup> N. De Pirro, *La produzione cinematografica nel quadro del Mercato Comune*, cit. p. 28.
- <sup>20</sup> Ivi, p. 30.
- <sup>21</sup> D.M. Pupillo, *Panoramiche sul MEC*, “Cineproduzione italiana”, a. iv, n. 5-6-7, July 1958, p. 9.
- <sup>22</sup> *Ibid.*
- <sup>23</sup> F. Di Ciaula, *Per un consorzio cinematografico europeo*, “Cineproduzione italiana”, a. v, n. 2-3-4, May 1959, p. 7.
- <sup>24</sup> *Costituito a Parigi il BIC (Bureau International du Cinéma)*, “Araldo dello spettacolo”, a. xv, n. 228, 10 November 1959, pp. 1, 3.
- <sup>25</sup> The representatives for each group were: Johnson (USA), Schwarz (D), Duby (CH), Watkins (UK), Frogerais (F), Echarri (E) for FIAPF; Theile (D), Gemini (IT), Pinkney (UK), Miedema (Benelux), Bouchentouf (MA), Trichet (F) for UIEC; Penotti (IT), Schwaller (F), Agusti (E), Von Hartlieb (D), Dymling (SE) for FIADF; Mathot (F), Weile Laurac (F), Menzinger (IT), Finger (D), Roem (N), D’Assonville (B) for FIATC.
- <sup>26</sup> *Costituito a Parigi il BIC (Bureau International du Cinéma)*, cit., p. 1.
- <sup>27</sup> Ivi, p. 3.
- <sup>28</sup> BIC, *Statuts*, ANICA archives (Oppido Lucano), folder n. 193.
- <sup>29</sup> *Ibid.*
- <sup>30</sup> *Costituito a Parigi il BIC (Bureau International du Cinéma)*, cit., p. 3.
- <sup>31</sup> *Ibid.*
- <sup>32</sup> *Si inaugura a Milano il “MIFED”*, “Araldo dello spettacolo”, a. xvi, n. 69, 13 April 1960, p. 1.

- <sup>33</sup> *Cinque giornali sotto il segno del MEC*, “Araldo dello spettacolo”, a. XVI, n. 5, 12 January 1960, p. 1.
- <sup>34</sup> *Ibid.*
- <sup>35</sup> *Minutes of the First European Cinema and Television Conference. Bruxelles, 15–18 February 1961*, cit., np.
- <sup>36</sup> *Ibid.*
- <sup>37</sup> *Ibid.*
- <sup>38</sup> *Il cinema è in ritardo sul MEC*, “Cinemundus”, a. XLI, n. 8, August 1960, p. 29.
- <sup>39</sup> *Ibid.*
- <sup>40</sup> *Oscure prospettive per il cinema europeo*, “Araldo dello spettacolo”, a. XVIII, n. 97, 25 May 1962, p. 1.
- <sup>41</sup> *Ibid.*
- <sup>42</sup> *Ibid.*
- <sup>43</sup> The following were chosen in the first ballot: Von Hartlieb and Schulz for West Germany, Hansen for Belgium and Luxembourg, Brisson for France, Tavezza for Italy, and Roem and Bosman for the Netherlands.
- <sup>44</sup> *Firmato il trattato istitutivo dell’Unione Europea dello Spettacolo Cinematografico*, “Cinemundus”, a. XLIV, n. 1, January 1963, p. 4.
- <sup>45</sup> *Conclusa a Parigi la riunione dei rappresentanti dell’industria cinematografica europea*, “Araldo dello spettacolo”, a. XVIII, n. 195, 19 October 1962, p. 1.
- <sup>46</sup> *Sistema di aiuto comune europeo*, ANICA archives (Oppido Lucano), folder n. 218.
- <sup>47</sup> *Ibid.*
- <sup>48</sup> *Positivo bilancio del cine-convegno MIFED*, “Cinemundus”, a. XLIII, n. 5, May 1962, pp. 10-11.
- <sup>49</sup> *Cinema italiano e Mercato Comune*, “Araldo dello spettacolo”, a. XVIII, n. 167, 11 September 1962, p. 7.
- <sup>50</sup> *Ibid.*
- <sup>51</sup> *Una prospettiva meno difficoltosa per il cinema europeo?*, “Cinemundus”, a. XLIV, n. 1, January 1963, p. 4.
- <sup>52</sup> GPEC, *Consultation de la vice-présidence belge, 28 décembre 1959 à Bruxelles*, ANICA Archives (Oppido Lucano), folder n. 1053.
- <sup>53</sup> Founder of a long tradition of decision-making centers that today finds form in the Audiovisual and Media Working Party.

<sup>54</sup> GPEC, *Réunion de Bureau, Venise 27 e 28 août 1960*, ANICA Archives (Oppido Lucano), folder n. 193, p. 2.

<sup>55</sup> GPEC, *Consultazione delle categorie del cinema italiano, Roma 7 gennaio 1960*, ANICA Archives (Oppido Lucano), folder n. 193.

<sup>56</sup> European Economic Community Commission, *Prima direttiva europea in materia cinematografica*, ANICA Archives (Oppido Lucano), folder n. 1047.

<sup>57</sup> *Direttive del Consiglio della CEE per la soppressione delle restrizioni in materia cinematografica*, "Araldo dello spettacolo", a. XIX, n. 215, 20 November 1963, p. 6.

<sup>58</sup> *Commenti alla prima direttiva cinematografica della CEE*, "Araldo dello spettacolo", a. XIX, n. 237, 25 December 1963, p. 10.

<sup>59</sup> *Ibid.*

<sup>60</sup> See Law n. 958 of December 29, 1949, Article 10.

<sup>61</sup> *Commenti alla prima direttiva cinematografica della CEE*, cit., p. 10.

<sup>62</sup> *Ibid.*

<sup>63</sup> BIC, *Le organizzazioni internazionali delle industrie cinematografiche di fronte ai più recenti sviluppi della situazione economica del cinema nel mondo, Milano 23-24 ottobre 1963*, ANICA Archives (Oppido Lucano), folder n. 1053, p. 13.