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**PHD**

**The relationship between the film industry and television in the Federal Republic of Germany from 1950 to 1985**

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**THE RELATIONSHIP BETWEEN THE FILM INDUSTRY AND  
TELEVISION IN THE FEDERAL REPUBLIC OF GERMANY  
FROM 1950 TO 1985**

submitted by Martin John Blaney  
for the degree of Ph.D.  
of the University of Bath

1987

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## SUMMARY

The research gives a comprehensive account of the development of the relationship between the film industry and television in the Federal Republic of Germany from the launch of a regular television service in 1952 until the broadcasters' acceptance of a three-month trial period of restrictions on their use of feature films in autumn 1985.

Beginning with a presentation of the initial hostile reactions of the West German film industry to the founding of a television service, the thesis charts the various collaborative initiatives between the two media, such as co-production agreements, film programming restrictions, and the purchase of production facilities. It also indicates how events in the film industry and broadcasting in West Germany, such as the fall in cinema admissions and film production and the plans for a private, commercial television service, helped to promote such co-operation.

The progress of the film/television relationship until the mid-1980s is seen in the light of the long-running debates between the film industry (in particular the exhibitors) and the broadcasters on the number of films shown on television and on the level of television's financial involvement both in the film funding bodies and in film production. The production history and reception of four television productions are analysed to illustrate the film/television relationship at work.

The research shows that the development of this relationship was not a planned and linear one, but more of a complex amalgam of inter-connected and disparate events, initiatives, and trends. These are seen through the double perspective of West German broadcasting and film history. The broadcasters' pragmatic approach toward co-operation and the film industry's inability, despite the exhibitors' fervent lobbying, to unite its widely diverging interests into a common policy on relations with television are identified as major formative influences on the film/television relationship.

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This thesis is dedicated to my parents, Peter and Eileen Blaney.

VOLUME ONE

## I N T R O D U C T I O N

As work on this thesis was nearing completion, there was a growing realisation among public service broadcasters in Europe that there was a need to break away from traditional attitudes about the relations between television and the film industry and promote a closer collaboration between the two industries, especially given the new challenges posed by the arrival of the new programme providers via cable and satellite. Indeed, much excitement has been generated in Great Britain about the possibilities of collaboration between cinema and television, for over the past five years since November 1982, Channel Four has been responsible through its *Film on Four* seasons and patronage of independent filmmakers for a revival of the British film industry - a fact which was acknowledged in May 1987 by the award of the Roberto Rossellini prize to the channel for services to cinema at the Cannes Film Festival. Furthermore, in June 1986 the Commission of the European Communities decided to designate 1988 as 'European Cinema and Television Year' (1), since it considers these two industries to be 'a strategic sector in the services economy of the European Community' (2) which needs strengthening given 'the internationalization of audiovisual production in this age of satellites' (3). Despite all this

enthusiasm about the mutual benefits for both the film industry and television of working together, accounts of the experiences in West Germany, which have served as a model for other countries in Europe (e.g. Channel 4 in Great Britain and RAI in Italy), have been dominated by polemic, prejudice, and misrepresentation, with television held up as the 'bogey man' at the root of all the film industry's ills: from falling admissions to uncommercial films which fail to attract cinemagoers.

As the *Intendant* of West Germany's second broadcasting authority Zweites Deutsches Fernsehen (ZDF), Dieter Stolte, observed in an article for the *Rheinischer Merkur* on 4 November 1983: 'dem Verhältnis zwischen beiden Medien (ist) offenbar nunmehr mit den komplexen Begriffen des menschlichen Zusammenlebens beizukommen' (4). Almost with the launch of the television service at NWDR on Christmas Day 1952 reporters were speaking of a 'Haßliebe' between these 'relatives'. The image of squabbling siblings was promoted with formulations such as 'die feindlichen Brüder' and 'die feindlichen Geschwister', with the newcomer medium usually depicted as the upstart younger brother. Any suggestion of a working partnership being established between the broadcasters and sectors of the film industry subsequently led journalists to employ the parallel of matrimony with its ups-and-downs in order to describe the

new chapter in cinema/television relations: passing from a shy courting couple to wedded partners. Any such partnerships were dismissed by partisan observers as an unnatural union, forced on both parties, a 'Zweckehe', or as one based on the need for a compromise rather than on a genuine, mutual desire for harmonious relations, a 'Vernunfttehe'.

Furthermore, great emphasis was put on the aggression existing between the two camps of cinema and television, an aggression which had been generated by officials within the film industry with such rallying calls as 'Keinen Meter Film für das deutsche Fernsehen' and 'Fernsehen ist kein Fortschritt, sondern eine Belastung' and kept 'on the boil' by journalists sympathetic to the arguments of the film industry (in particular the exhibitors). Suitable epithets were employed from military vocabulary: 'Kampfstellung', 'die offene Feindschaft', 'verhärtete Fronten', 'Film/Fernseh-Krieg', 'Konfrontation', 'TV-Siegeszug', and 'Feindbild'.

Opponents of the new medium constantly maintained that television was the sole cause of the fall in cinema admissions since the late 1950s, and that the rightful place of the feature film - the Kinofilm - was, as the German name suggests, in the cinema. They would describe the atmosphere between the media as, variously, 'komplex', 'prekär', 'ungesund', 'ungleich',

'verstört', 'vertrackt', and 'rechtswidrig'. Moreover the broadcasting authorities were attacked at regular intervals for allegedly promoting an unequal state of competition, a so-called 'UnWettbewerb', between cinema and television and for adopting a programming policy intent on the destruction of the cinemas and the habit of cinema-going: television was called the 'Feind des Kinos' or a 'Verhinderer des Kinos' and charged with initiating a 'Filmflut', an 'Erfolgs-Film-Offensive', a 'Pantoffelkino', or a 'Heimkino' which would keep the cinema audiences at home in front of their television sets. These alleged scheduling strategies were justification in themselves for journalists, such as those writing for *Film-echo/Film-woche* (the official organ of the exhibitors' trade association, the Hauptverband Deutscher Filmtheater e.V.), *Filmblätter*, and *Die Welt*, to portray the broadcasters as largely indifferent to the predicament of the cinemas and the rest of the film industry. These 'TV-Bürokraten' are thus described as 'die Herren auf dem hohen Roß', who are holding the weaker, vulnerable film industry within a 'TV-Clinch' and draining its talents and products away like a blood-sucking vampire.

In the face of the overwhelmingly negative body of opinion aimed at the efforts of the broadcasters to



establish a harmonious co-existence with the film industry, the defenders of television's record, whilst aware of the difficulties of resolving the diverging aspirations of the two media (Heinz Ungureit asked in 1982 whether it was not a question of 'Vereinigung des Unvereinbaren'), tend to stress its contribution to the return of German filmmakers to world-class cinema (through the support of such directors as Wenders, Herzog, Fassbinder, and Schlöndorff) and to declare, somewhat smugly, that the native film industry would not be able to exist without financial (and editorial) input from the broadcasters. Such statements invariably read: 'Es gab kaum einen beachtenswerten deutschen Film der letzten Jahre, an dem nicht eine deutsche Fernsehanstalt finanziell, zum Teil auch redaktionell beteiligt gewesen wäre' (1976), 'kein wirklich bedeutender deutscher Spielfilm entstanden ohne die Finanzierungshilfe des Fernsehens' or 'ohne das Fernsehen gäbe es keinen deutschen Film', phrases which have come to resemble clichéd formulations of a public relations exercise.

Thus, for observers of the West German broadcasting authorities and the film industry (and this includes the English language experts of the New German Cinema), knowledge of the working relationship between cinema and television has been culled from accounts constructed either from the negative, partisan images propa-

ated by the conservative film industry and its supporters or from the smug pronouncements proffered by the broadcasters in defence of their record on their treatment of the native film industry. Apart from one notable exception, there has been scant attention paid to an objective and detailed charting of the development of the complex web of links between the film and television industries over the past thirty years, nor to revealing the nature of co-production/collaboration initiatives which have originated from both camps at certain junctures, nor to indicating how the working relationships, once established, have had to respond and adapt to an increasingly changing media scene.

Indeed, scholars in the USA and West Germany have noted recently that the background of the relationship between film and television in West Germany, which is held by most observers of the German cinema to be a major factor behind its international critical and commercial success, has so far escaped serious, intensive academic analysis. Eric Rentschler writes in the introduction to his book *West German Film in the course of time. Reflections on the Twenty Years since Oberhausen*: 'one still looks for in-depth discussion of the particulars connected with the relationship of film and television'(5), whilst Friedrich P. Kahlenberg of the Bundesarchiv in Koblenz notes in the West Ger-

man broadcasting historians' journal *Mitteilungen*.  
*Studienkreis Rundfunk und Geschichte* in January 1986  
that there are many areas of broadcasting history  
researchers should be tackling: 'ökonomische Fragen  
reizen ebenso wie das Verhältnis zwischen Filmwirt-  
schaft und Fernsehen zu intensiverer Bearbeitung'  
(6).

In English-language surveys of the (New) German  
Cinema by John Sandford (7), Timothy Corrigan (8),  
James Franklin (9), Eric Rentschler (10), and Klaus  
Phillips (11), there is scant discussion of the 'nuts-  
and-bolts' of the workings of the German film industry,  
of the subsidy infrastructure, or, in particular, of  
the extent of the co-operation between the film  
industry and the broadcasters. Instead, the above-  
mentioned authors concentrate on individual analyses  
of selected directors and only give brief 'rehearsals'  
in their introductions to the 'milestone' events in  
post-war German film history, i.e. the publication of  
the Oberhausen Manifesto in 1962, the founding of the  
Kuratorium Junger Deutscher Film e.V. to support  
first-time directors in 1965, the critical successes  
at the international film festivals in 1966 of the  
first batch of works by directors of the so-called  
'Junger deutscher Film', the passing of the Film  
Promotion Law ('Filmförderungsgesetz') in 1967, the

founding of the distribution/production company Filmverlag der Autoren in 1970, the passing of a formalised working partnership between film and television, the 'Film/Fernseh-Abkommen', in 1974, and the arrival of the German cinema on the international film arena with the awarding of the Foreign Language Oscar to Volker Schlöndorff's *Die Blechtrommel* in 1980.

John Sandford's *The New German Cinema*, the first major work in any language on the West German cinema revival, observes that television 'holds much of the credit for the existence of the New German Cinema as we know it today' (12) but does not offer any concrete evidence to support this assertion, which is reminiscent of West German broadcasters' occasional reviews of relations with the film industry in their yearbooks. Timothy Corrigan devotes his book on the New German Cinema to the analysis of six films from the leading directors: Schlöndorff's *Der Fangschuß*, Wenders' *Im Lauf der Zeit*, Kluge's *Der starke Ferdinand*, Herzog's *Jeder für sich und Gott gegen alle*, Syberberg's *Hitler, ein Film aus Deutschland*, and Fassbinder's *Die bitteren Tränen der Petra von Kant*), but omits to mention that all of these films, with the exception of Fassbinder's, received financial assistance from television. Furthermore, in a final chapter on the work of a third generation of filmmakers such as Adolf Winkelmann and Josef Rödl, Corrigan makes clear his view of televis-

ion's involvement in film production by arguing that these filmmakers have compromised themselves politically and artistically for availing themselves of 'the production equipment of the establishment' (13).

Similarly, in a section on Werner Schroeter, he fails to mention that this highly controversial and idiosyncratic filmmaker is indebted to the alternative forum of *Das kleine Fernsehspiel* of Germany's second television channel, Zweites Deutsches Fernsehen (ZDF), for the financing or co-financing of his projects (14)

In his study, Eric Rentschler interestingly draws a parallel between television's function as a backer of feature films in the 1970s with that of the funding institution Kuratorium Junger Deutscher Film e.V. in the mid-1960s, but qualifies his (apparent) approval of television's involvement in film production by stressing at various points in his book that 'the would-be critical cinema was trapped in a labyrinth of institutional channels' (15) (the broadcasting authorities being one of these) and 'subject to the whims of political fortune' (16).

What might be considered the German-language equivalent of these books by British and American scholars: Hans Günther Pflaum and Hans Helmut Prinzler's *Film in der Bundesrepublik Deutschland*, includes a section in its 'Sachlexikon' on 'Fernsehen und Film' (17), which

accepts the traditional image of dissent and controversy as being the keywords for the film/television relationship, merely outlines the provisions of what the authors call 'das sogenannte "Film/Fernseh-Abkommen"' (18), and then lists the names of the broadcasters responsible for film programming and commissioning at each of the television stations.

The only detailed study of relations between film and television in West Germany - in any language - has so far been Gunther Faupel's *Medien im Wettstreit: Film und Fernsehen*, which was submitted as a thesis at the University of Münster in 1979 and formed one half of a two-part investigation of the influences of one medium upon another (19). Faupel's original plan had been, as he reveals in his foreword: 'die Reaktionen verschiedener Medien (Druckmedien und elektronische Medien) auf die Einführung eines neuen Mediums, in diesem Fall des Fernsehens, vergleichend zu untersuchen' (20). This proposal, however, proved to be too ambitious and impractical, and Faupel consequently abandoned it in favour of concentration on the specific case of the West German film industry and its response to the arrival of a television service in 1952 and its aftermath until 1960.

The resulting study is of particular interest, since he obtained access to many confidential papers (agendas, documents, correspondence) held in the archives of

film industry trade associations - the Hauptverband Deutscher Filmtheater e.V. and the Spitzenorganisation der Filmwirtschaft -, television companies - Degeto-Film GmbH, ARD's Historisches Archiv in the Deutsches Rundfunkarchiv, and NDR -, in the Deutsches Institut für Filmkunde, and in private collections, and attempted to give a more objective and informative account of the course of events during this first decade than had previously been available. As Gerd Albrecht of the Deutsches Institut für Filmkunde observed in the only lengthy discussion of Faupel's work to date, given at the annual conference of the Studienkreis für Rundfunk und Geschichte in Berlin on 28-29 September 1984, the copious reference to the minutes of meetings within the film industry, within the broadcasting authority ARD, and between representatives of the two industries, as well as to confidential memoranda between functionaries in both camps, served to shed much-needed light on a supposedly impenetrable jumble of assumptions and myths about the effect of the arrival of television on the film industry:

zumal das Geschehen nicht öffentlich publik war, sondern trotz und wegen seiner Relevanz für die Öffentlichkeit nur in vertraulichen Besprechungen und Papieren seinen Ausdruck und Niederschlag fand. Die hieraus für die Öffentlichkeit destillierten Mitteilungen über (tatsächliche, vermeintliche, vorgebliche) Erfolge und Mißerfolge gaben einerseits die Tatbestände wieder, wie sie nach sorgsamer Filterung im Blick auf lang- wie kurzfristige Ziele gesehen werden

sollten (21).

Consequently, the nature of the developments between the two media in the 1950s has been influenced greatly by contemporary observers and subsequent chroniclers' reference to a handful of sensationalised actions and declarations, such as the outburst at the SPIO members' meeting in October 1955 when the rallying call 'Keinen Meter Film für das Fernsehen' was introduced into the film/television debate, and the proposal of a boycott by the exhibitors of producers who sold their films to television, which have been regarded uncritically as representative of the mood of opinion of the film industry in this decade. Faupel's intention, as he states in his introduction to *Film und Fernsehen*, is to cast light on the development of a relationship between the two media during this first decade and examine 'ob und inwiefern diesem Zeitabschnitt richtungsweisende Bedeutung für die nachfolgende Entwicklung der Beziehungen von Film und Fernsehen zukommt' (22). His achievement is all the more authoritative since he approaches the subject from two perspectives: from the viewpoint of both the broadcasters and the film industry, to give an all-embracing account of the beginnings of the working together of film and television in West Germany.

Apart from Faupel's study, discussion of the relationship between film and television occurs normally



within the context of a larger study on a particular aspect of broadcasting, e.g. Helga Montag's *Privater oder öffentlich-rechtlicher Rundfunk ?* or Klaus Wehmeier's *Die Geschichte des ZDF. Teil I* (23), where selected events from the evolution of the working relationship are recounted without any plan of presenting a complete picture, but only so far as they have any significance for the respective author's intentions. Elsewhere, film and television relations have been afforded a chapter in the broadcasting authorities' yearbooks, e.g. Werner Hess's essay on developments since the 1950s for the *ARD Jahrbuch* in 1970 - 'Massenmedien wandeln sich' - which formed the basis of similar surveys in Hans Bausch's *Rundfunkpolitik nach 1945* and Richard Collins and Vincent Porter's *WDR and the Arbeiterfilm*, and in collections of essays on various aspects of film funding, e.g. Hans Abich's 'Das Film/Fernseh-Abkommen - Chance oder Gängelung für den Kinofilm ?' in Gisela Hundertmark and Louis Saul's *Förderung essen Filme auf . . .* (24) and Heinz Ungureits's 'Film-Fernseh-Abkommen als Zukunftsperspektive' in Kurt Hentschel and Karl Friedrich Reimers' *Filmförderung. Entwicklungen/Modelle/Materialien* (25). However, these latter accounts do not progress far beyond selected anecdotal reminiscences, rehearsal of the financial provisions of the 'Film/Fernseh-Abkommen'

and the benefits to the film industry of television's generous patronage, with the now obligatory recital of titles of films made in co-production with television.

There has been no attempt, though, to follow on from Faupel's work on the 1950s to chart the progress of relations between the two media in the 1960s, to reveal the complexity of the background to the events which resulted in the signing of the 'Film/Fernseh-Abkommen' in 1974 or to explain the significance of co-productions between film and television for the film funding system as a whole, from the passing of the 'Filmförderungsgesetz' in December 1967 to the subsequent founding of regional film funding programmes in the late 1970s. The remaining bulk of literature on the film and television relationship which appears in specialist media journals, film industry trade papers, broadcasting authorities' publications, and the features pages of the daily and weekly press is invariably prompted by a crisis, supposed or otherwise, in the relations between the two media or by a significant 'watershed', such as the signing of the 'Film/Fernseh-Abkommen', which allows the reporters to rehearse for the umpteenth time the pros and cons of film/television co-operation.

The aim of this thesis is to advance beyond the polemics and prejudices which have tended to dominate debate of relations between the film industry and

television in Germany, and to present a comprehensive account of the evolution of co-operation between the two media, detailing the complexity and range of their mutual interdependence. A chronological approach has been chosen since it enables the reader to follow through the various initiatives for closer co-existence, to recognise the recurrence and significance of certain 'obsessions' such as the film industry's demands for a reduction in the number of feature films screened on television and for a television levy, and to appreciate the relevance of film/television relations for West German broadcasting and the film industry as a whole. Occasionally, however, the chronological presentation has to be disrupted when the recounting of, say, a film funding measure which would promote film/television co-productions covers a time-span of two years or more. A too rigid chronological division would have otherwise made the study overly fragmentary. The 'cut-off' point of September 1985 was chosen because this coincides with the launch of a three-month experimental study to investigate the effect of the television schedules on cinema admissions, an enterprise which had been agreed upon by representatives from ARD, ZDF, and the film industry the previous July.

From this historical account it will become clear

that the film/television relationship has been marked by extended phases of inertia on the part of the film industry, in particular its leading functionaries, who should have been formulating a coherent policy towards television, and by a pragmatic patronage from the television stations, at the same time ever aware of their schedules' programming needs and of the protection of their programme sovereignty. In addition, there is the notion of several collaborative initiatives, sometimes inter-connected, sometimes unilateral, by film producers, distributors, exhibitors, directors, and broadcasters, all occurring in an as yet undefined arena. These ventures are evidently searching for a focus, for a central body to monitor and promote co-operation between the two industries. This need, it can be argued, was subsequently met with the passing of the 'Film/Fernseh-Abkommen' in 1974, which heralded the beginning of a formal, statutory arrangement between the film industry and television, and whose intention was the benefit of both parties.

Furthermore, the history of the film/television relationship cannot be considered, on the strength of the evidence presented here, to have been an organic one with one development leading naturally into the next one. It has been, rather, a process of the two industries 'feeling their way' towards each other to a mutual understanding of each respective industry's

needs and qualities. This is not to say, though, that the pattern of events at one point in the evolution of the working relationship has not influenced subsequent developments. Indeed, past events are frequently used to support a case for closer co-operation on the one hand and to validate one's attacks on an opponent on the other.

The unplanned nature of the film/television relationship thus has encouraged an informal approach to the possibilities of collaboration which, at worst, deteriorates into threats and recriminations, only to be offset at the last moment by a compromise decision satisfying both parties in the short-term, if not the long. With the arrival of the (new) private broadcasters on the West German media scene, it has become apparent that the film and television industries would do well to adopt a more structured response to the changes in the sizes of their audiences, which could include a further intensification of co-operation.

### **A Guide Through The Chapters**

**Chapter One** is intended to introduce the various factors which have played a role in determining the direction of the evolution of the film/television relationship in subsequent years. It charts the initial reactions of the West German film industry to

the television medium and to the prospect of a re-introduction of a television service, the establishment of a special committee to monitor developments and co-ordinate industry response, the hostility of the exhibitors to any concessions or agreements being concluded with the broadcasters, and the failure of the film industry's 'umbrella' organisation, SPIO, to act on its television sub-committee's recommendations. At the same time, another strand runs through this decade: that of collaborations between producers and television stations in the making of television films and of partnerships between television and the film industry in the running of production facilities previously catering only for feature film production. The end of this decade is marked by the bankruptcy of the film industry's attempts at an official strategy for promoting healthy relations with television and by television's realisation that the 'Live-Sendung', widely propagated by practitioners and theorists alike as the television genre *par excellence* and one that would dominate the schedules, was no match for the cost-effective, and more practical, use of 'bought-in' feature films.

Chapter Two is concerned with the introduction of a new dimension to the film/television relationship brought about by attempts to change the face of West German broadcasting. The plans of the Adenauer admin-

istration to establish a private, commercial television service in competition with ARD led to the appearance on the scene of many new production companies, all bidding to be programme-providers, some having moved over from feature film production, others creating a new division within their existing production operations, and yet others starting from 'scratch'. This chapter shows that the livelihoods of these independent producers were far from guaranteed: many hopes were dashed with the 'Fernsehurteil' judgement which halted work on Adenauer's broadcasting venture, and its public-law successor, ZDF, was launched without sufficient financial backing, thus endangering its commissioning commitments to its circle of 'house producers'. At the same time, the exhibitors were gathering support, particularly from the conservative press, for a lobbying campaign against television because of its allegedly privileged competitive and tax position, which culminated in the publication of a set of demands to the *Bundestag* to redress the balance.

Chapter Three, charting the years 1963-1967, covers a stage in film/television relations when they were subject to a great deal of turmoil and controversy. The Federal Government tried unsuccessfully to commit the broadcasters, within the framework of a 'self-help' scheme for the film industry (the so-called

'Martin-Plan'), to a compulsory levy payment for each screening of a feature film. The publication of two official reports - one on ZDF's financial situation, the other on the state of competition between the press, broadcasting, and the film industry - had mixed blessings for the future of links between film and television. The ZDF finances report criticised the channel's reliance on independent producers for programming and recommended a stepping-up in 'in-house' production capacity with a corresponding reduction in the number of commissions to outside companies, whilst the investigation into competition between the media found that there was no support for the film industry's long-held contention that television was the root cause of its problems.

Chapter Four, from 1967-1970, details the successful passage of the Film Promotion Law, the 'Filmförderungsgesetz', through parliament and on to the statute books, a law which heralded the beginnings of an official acknowledgement of the potential of film/television co-operation, either through the acquisition of broadcast rights or in co-production finance. Running parallel to this development, as in the previous chapter, was the vociferous lobbying by the exhibitors of the broadcasters with demands for a reduction in the number of feature films in the television schedules and an increase in the number of film



magazine programmes.

Chapter Five, covering the years 1971-1974, then shows how important co-operation between film and television had become in the meantime for the younger generation of filmmakers who were working almost exclusively for television, and how these fruitful partnerships were then acknowledged gradually by the legislators in government committees when the promotion law came up for revision in 1971 and 1974. This period also saw the defeat of a revival of the television levy proposal and the establishment (instead) of a formal co-production agreement between film and television, the 'Film/Fernseh-Abkommen', which promised to act as a mediator between the two industries.

This is followed in Chapter Six (1974-1980) with a presentation of the advantages and disadvantages of the 'Film/Fernseh-Abkommen' in operation, outlining the film industry's arguments for the abolition or urgent revision of the agreement and the broadcasters' defence of their involvement in film production. The debate on television co-productions intensified with Günter Rohrbach's rallying call for the multi-purpose 'amphibischer Film', which sparked off a series of articles criticising or defending such a concept. The chapter concludes with the passing of an extension to the 'Abkommen', which attempted to take into

account the needs of a new generation of filmmakers largely ignored by the film funding bodies.

In Chapter Seven (1981-1985), the progress and future of film/television relations are investigated in the light of the constant uncertainty about the size of programme production budgets as the demands for an increase to the monthly licence fee are subject to increasing political pressure, and of the broadcasters' feature film acquisitions and programming strategies in their bid to outdo the private operators of cable and satellite before these commenced transmissions.

Finally, Chapter Eight turns from the recounting of the historical development of film/television relations in West Germany to discuss four major productions which were made in the late 1970s/early 1980s thanks to this close working relationship between the two industries: Rainer Werner Fassbinder's *Berlin Alexanderplatz* (1979/1980), Wolfgang Petersen's *Das Boot* (1981), Hans W. Geissendörfer's *Der Zauberberg* (1982), and Edgar Reitz's *Heimat* (1984). The respective production histories and critical and audience reception of these productions underline the significance of the co-operation between film and television and the inherent problems of filmmakers working for television, with all its scheduling and programme content restrictions. In addition, the programming and market-

ing strategies adopted by the producers of the latter three works point to the future for ambitious television/film co-productions within a European context as well as a German one by adopting the feature film/mini-series model.

### **Research Programme**

The raw material for this thesis was gathered from the holdings of the libraries of the universities of Bath and Bristol, the polytechnics of Bristol and Central London, and the British Film Institute. In addition, written enquiries were made of people working in broadcasting, the film industry, and the parliamentary political parties in West Germany.

A study visit to West Germany in summer 1984, funded by the University of Bath, enabled me to consult material held at the Deutsches Filmmuseum and the Universitäts- und Stadtbibliothek in Frankfurt am Main, and to visit the Press and Public Relations Office of Hessischer Rundfunk and, in Munich, the studios of Bavaria Atelier GmbH, the film production company Bioskop Film, and the distributors Filmverlag der Autoren.

A subsequent field trip in summer 1985, this time part-funded by the School of Modern Languages, was spent collecting material at the Library and Press Archive of Westdeutscher Rundfunk in Cologne, at the

Hans-Bredow-Institut in Hamburg, and at the archives of *Media Perspektiven* in Frankfurt am Main. Visits were also made to the studios of Studio Hamburg, the 'Medienredaktion' of Norddeutscher Rundfunk, and the editorial offices of *Medium* and *Filmfaust* in Frankfurt am Main.

### Notes to the Introduction

- (1) *EC-Documents Com* (86) 320 final.
- (2) *EC-Documents Com* (86) 255.
- (3) *EC-Documents Com* (86) 533.
- (4) Dieter Stolte, 'Szenen einer schwierigen Ehe', *Rheinischer Merkur/Christ und Welt*, 4 November 1983.
- (5) Eric Rentschler, *West German Film in the course of time* (Bedford Hills, New York, 1984), pp. 4-5.
- (6) Friedrich P. Kahlenberg, 'Aus der Arbeit des Vorstandes', *Mitteilungen Studienkreis Rundfunk und Geschichte*, 1 (January 1986), pp. 4-6 (5).
- (7) John Sandford, *New German Cinema* (London, 1980).
- (8) Timothy Corrigan, *New German Film. The Displaced Image* (Austin, Texas, 1983).
- (9) James Franklin, *New German Cinema: From Oberhausen to Hamburg* (Boston, 1983).
- (10) Eric Rentschler, *West German Film in the course of time* (Bedford Hills, New York, 1984).
- (11) *New German Filmmakers*, edited by Klaus Phillips (New York, 1984).
- (12) Sandford, p. 15.
- (13) Corrigan, p. 177.
- (14) Corrigan had also published a separate study on Schroeter: 'Werner Schroeter's Operatic Cinema', *Discourse*, 3 (1981), pp. 46-59.
- (15) Rentschler, p. 54.
- (16) *Ibid.*, p. 52.
- (17) Hans Günther Pflaum and Hans Helmut Prinzler, *Film in der Bundesrepublik. Der neue deutsche Film. Herkunft/Gegenwärtige Situation. Ein Handbuch* (Frankfurt am Main, 1982), pp. 90-98.
- (18) *Ibid.*, p. 90.
- (19) Gunther Faupel, *Medien im Wettstreit: Film und*

*Fernsehen* (Münster, 1979). The first of the series by Walter Giott is entitled *Tageszeitung und Fernsehen*.

- (20) Ibid., p. 8.
- (21) Gerd Albrecht, 'Filmwirtschaft und Fernsehen in ihren Beziehungen 1950-1960', *Mitteilungen Studienkreis Rundfunk und Geschichte*, 2 (April 1985), pp. 161-173.
- (22) Faupel, p. 14.
- (23) Helga Montag, *Privater oder öffentlich-rechtlicher Rundfunk ?* (Berlin, 1978) and Klaus Wehmeier, *Die Geschichte des ZDF. Teil I* (Mainz, 1979).
- (24) Gisela Hundertmark and Louis Saul, *Förderung essen Filme auf . . .* (Munich, 1984), pp. 109-120.
- (25) Kurt Hentschel and Karl Friedrich Reimers, *Filmförderung. Entwicklungen/Modelle/Materialien* (Munich, 1985), pp. 43-56.

## CHAPTER ONE

This chapter introduces the range of attitudes and arguments which have informed the subsequent development of relations between the film and television industries in West Germany. The native film industry is seen as reacting to the prospect of a new competitor, television, in a variety of ways: apathy, suspicion, curiosity, fear, and outright hostility. There was no 'all-industry' consensus on the necessary strategy for meeting the challenge of the television service since the individual branches of the industry - production, exhibition, distribution, technical services - had their own needs and aspirations. Consequently, this first decade, and subsequent ones, in the history of film/television relations is marked by the exhibitors' aggressive lobbying and vociferous rallying slogans, invariably distilled from sensationalised reports in the trade press on television's progress abroad, and by producers' and film technicians' isolated attempts at establishing a working relationship with the broadcasters in the fields of programme production and production facilities provision. However, since the exhibitors soon gained control of the film industry's administrative hierarchy, the formulation of the official industry policy on television invariably reflected this interest

group's virulently conservative and uncompromising stand, a state of affairs which has led most observers to conclude (incorrectly) that this represented the universal attitude of the film industry to television during this decade.

Furthermore, the film industry's response to the launch of the television service was hampered by its indifference to the benefits which could accrue from a working partnership between the two media. The outwardly healthy state of the production (110 films in 1956) and exhibition (817.5 million admissions in 1956) sectors, together with the admittedly amateurish level of the broadcasters' output, actively dissuaded the film industry officials from pursuing a strategy of *rapprochement*. This lack of foresight, which failed to acknowledge the underlying weaknesses in the native exhibition and production structures, led to a major crisis in the 1960s which could have been offset, at least in part, by a negotiated co-existence agreement with television in the 1950s.

The experiences of the broadcasters during this decade - in responding to the attacks on them by the film industry and developing a policy towards the medium of film and the feature film - were just as varied. Since many of those recruited to operate the television service originated from radio, there was a clear trend toward the appropriation of radio prog-



ramme models for the television schedules, including the enthusiastic promotion of the 'Live-Sendung' as the television genre *par excellence*. Thus, the film industry's efforts to open negotiations on the subject of co-operation between the two media or to commit the television service to a rigid limit on the number of feature films screened were frustrated by the nebulous administrative structure of the service in its early days and by the broadcasters' contention that their finances and programming philosophy did not envisage the production of 'Fernsehspiele' on film or the programming of feature films.

However, as the latter section of this chapter indicates, the broadcasters were prepared, unlike their counterparts in the film industry, to adapt their programming and production policies in response to technical, administrative, and artistic developments. This pragmatism, which has been a key feature of their approach to relations with the film industry regarding co-operation, resulted in the abandonment of the 'Live-Sendung' as the dominant element in the schedules in favour of the production of series and 'Fernsehspiele' on film and of structured procedures for the acquisition and programming of feature films. This development had far-reaching repercussions, encouraging closer co-operation between producers,

studios, and the broadcasters on programme production and the provision of facilities, e.g. television's shareholding in Bavaria Atelier GmbH and Real-Film.

In Chapter Two it will be seen that the events of the 1950s, in particular the broadcasters' acceptance of film for their programme production, prepared the way for the creation of an independent production sector which aimed to meet the programme needs of a private television service and, when this was declared unconstitutional, those of a subsequently established second public-law service, ZDF. Furthermore, the broadcasters' keenness to afford feature films a central place in the schedules - a trend exacerbated by the arrival of ZDF in 1963 - served to focus the exhibitors' attacks on television.

The film industry's first reactions to the spread of television's influence in the USA and Europe

In the issue of *Filmblätter - Fachorgan der deutschen Filmwirtschaft* dated 10 February 1950, a new column entitled 'Fernsehen' was initiated in response to the developments in the USA and elsewhere in Europe. The journal's editor introduced the column with the comment that television had become a factor with which the film industry would have to reckon, and added that a recommencement of the television service would throw up various technical, cultural, economic, and legal

problems which would be covered in this new feature in *Filmblätter*.

This first column offered an article by Hans-Dietrich Weiß on the global proliferation of television, and it cited Dr. Kurt Wagenführ from Nordwestdeutscher Rundfunk in Hamburg, who had spoken about the effects of this new medium on the cinema in the United States of America: 'Die Filmtheaterbesitzer mußten auf 20 % der Fernsehteilnehmer, später sogar auf 25-27 % verzichten; diese Zahl ist weiter im Ansteigen' (1). Weiß pointed out that when there was an experimental television service in Berlin and in a handful of other centres in Germany before (and during) the Second World War, the film industry had regarded television 'nicht als Konkurrenz, sondern im Gegenteil als gute Reklame'; but it was unlikely that such a harmonious state of affairs would be established once a television service was resumed, given the negative effects on cinema attendances reported from abroad. Most of the reports about television in the early 1950s which appeared in *Filmblätter* were drawn from events and developments abroad, with negative findings from the United States being recounted with extra urgency so as to cast doubts on the viability and desirability of the resumption of a television service in West Germany.

Since the technicians and potential programme-makers at Nordwestdeutscher Rundfunk (NWDR) in Hamburg were

still some way from the launch of the television service, they could, as Weiß argued, seek to avoid the mistakes made by broadcasting organisations abroad and to use the most up-to-date knowledge and technology. This would mean that West German television would be more advanced than, say, the American or British television services, which had been established at an earlier stage of technical development. Curt Oertel, honorary president of the film industry's 'umbrella' organisation Spitzenorganisation der deutschen Filmwirtschaft (SPIO), was reported in *Filmblätter* as saying that the technology developed by German technicians was 'allen bisher bekannten ausländischen Methoden voraus' and had impressed visiting American broadcasters who had been present at trial screenings (2).

The possible negative effects of the new medium on the cinemas and on the rest of the film industry were soon grasped by those countries where a television service was already in operation at this time. The European Cinema Owners Union, representing the Benelux countries, Great Britain, France, Italy, Switzerland, but not West Germany, called on film producers in a resolution to ensure that they acquired the TV rights to their films and to refrain from making these films available for screening on television. This demand by

the exhibitors, in an effort to halt the flow of feature films from production companies and film distributors to the television companies, was one which was frequently aired throughout the 1950s and 1960s, but did not deter the producers from later selling their 'back catalogues' to the television companies - as a matter of course - to counterbalance the fall in revenues caused by contraction in film production and in cinema admissions.

One of the first attempts at co-operation between the film industry and the broadcasters in West Germany was the decision in April 1950 by Real-Film GmbH of Hamburg, owned by producers Walter Koppel and Gyula Trebitsch, to provide the television trial broadcasts at NWDR with two feature films - *Gabriela* and *Käthchen für alles* - and some newsreel footage (3). This action prompted *Filmblätter* to declare: 'ein Konkurrenzkampf soll durch eine vernünftige Abgrenzung der Aufgabengebiete vermieden werden' (4), but the journal added that, since the broadcasting companies would initially be directing all their investment into the establishment of a complete transmission network, it seemed unlikely that this action by Real-Film would endanger the film industry's well-being. Television, it was argued, would not have the finance to enter into direct competition with the film production companies by producing its own films. However, it could be used as

a 'shop window' to publicise recent releases and to inform the public about the latest news from the film world, and, in so doing, attract a greater number of people to the cinema.

On 25 September 1950 NWDR's *Generaldirektor* Dr. Adolf Grimme announced at a press conference in Hamburg: 'Das Deutsche Fernsehen ist startfertig', although a regular full-time television schedule would be dependent on certain factors outlined by Professor Emil Dovifat, chairman of NWDR's *Verwaltungsrat*: on the further progress of experimental trials being undertaken by NWDR; on the television service's economic viability; and on the public's willingness to buy a television receiver which would cost in the region of DM 600 in the early stages of the resumption of the television service in West Germany. Dovifat concluded: 'Erst wenn breitere Schichten sich einen Apparat kaufen können, können wir dem dritten und letzten Stadium der deutschen Fernseharbeit - dem täglichen Sendebetrieb - nähertreten' (5).

The realisation that a television service was likely to be launched in Germany in the near future and that, if allowed to operate unchecked, it could lead to the same division into two hostile camps of the film industry and broadcasters as experienced abroad, prompted the film industry to devise a set of measures

which would ensure that its members were informed about the latest developments relating to the television service and that advice could be given on how to protect their interests. At a full meeting of SPIO on 7 November 1950 the subject of television was raised and a recommendation passed, appointing a special 'Television Liaison Officer' - Claus Janus, a producer from Hamburg - 'zum Studium des Fernsehens (Television)' and requesting a representative from NWDR to speak at the next full meeting on 13 December 1950 about the progress made in the experimental trials at the broadcasting station (6).

In a letter to NWDR's *Programmdirektor* Werner Pleister the following day (8 November 1950), Claus Janus stressed 'die grundsätzliche Auffassung der Filmwirtschaft . . . daß diese sich nicht gegen das Fernsehen als eine gegebene technische Entwicklung wendet' and wanted to see 'in Zukunft unnötige Interessenskollisionen vermieden' (7). If the film industry could submit its case at this stage of preparations for the television service, the hostile relations which existed between the film industry and television in other countries could, he hoped, be avoided.

At the next full members' meeting of SPIO in Hamburg on 13 December 1950, the invited guests from NWDR, *Programmdirektor* Pleister and head of technical services Werner Nestel, spoke about the latest develop-

ments achieved in broadcasting technology and about the prospects for the future. At the same time, they were keen to work closely in concert with the film industry 'um spätere gegenseitige Schädigungen weitestgehend von vornherein auszuschließen', and suggested that this co-operation could best take the form of the screening of film extracts and trailers, which could have a beneficial effect on cinema admissions and create more public awareness of the films on theatrical release (8).

Even at this early stage, the broadcasters were not planning to commission programmes from existing producers but rather to restrict their links with the film industry to 'programme fillers' which, as later developments showed, were expanded to include the television screenings of full-length feature films. The proposals from Pleister and Nestel were nevertheless greeted warmly by the delegates present, but time at this meeting did not allow for any further more detailed discussion of the nature of the co-operation which could be established between the film industry and television. The first 1951 issue of *Filmblätter* noted, in a list of the topics discussed on 13 December, that no resolution had been passed on television and that there had not been any demand for another meeting in the future with the officials from NWDR.



Indeed, the initial enthusiasm over the possibilities opened up to the film industry by television soon gave way to a distinct lack of interest by SPIO in pursuing the matter further. This was, no doubt, in part due to the fact that the resumption of the television service still seemed some way off in the future to many people in the film industry. A trial service of programmes ('Versuchsprogramm') three times a week had begun on 27 November 1950 from a disused air-raid bunker on the Heiligengeistfeld in Hamburg, but it was still at an early stage of operations. The film industry consequently felt that the new medium did not pose an immediate threat. Further action could be postponed until the full television service was launched. This failure on the film industry's part to grasp the opportunity of reaching an agreement with the nascent television service before it began operations and started to construct a powerful administrative and production apparatus proved to be its undoing in later years when the broadcasters, bolstered by a steady increase in revenue from the thousands of new television licence owners registering each month in the second half of the 1950s, gained the upper hand in negotiations with the film industry.

During 1951 NWDR's television service trials featured the first 'Fernsehspiel' since the Second World War - Goethe's *Vorspiel auf dem Theater* - broadcast on 2

March 1951, the first outside broadcast, relayed from an agricultural exhibition on 27 May 1951 on the Heiligegeistfeld, and the first 'Fernsehspiel' written for television, *Es war der Wind* by Martin Schede, which was broadcast in the autumn. The beginning of October 1951 was marked by the opening of a sister transmitter for NWDR in Berlin, which coincided with the Industrial Exhibition from 6-21 October. In addition to sixteen firms exhibiting domestic television sets, Philips unveiled a projector designed to show television pictures in the cinema. Although the machine was still in the 'laboratory stage', it attracted a great deal of interest from visiting cinema owners. A front-page report by *Filmblätter* explained: 'Die Fernsehprojektion wird im Filmtheater sich . . . naturgemäß auf aktuelle Sendungen beschränken und etwa einen täglichen Fernseh-Nachrichtendienst ermöglichen. Die Filmtheater-Fernsehprojektion wird also k e i n e n E r s a t z , wohl aber eine B e r e i c h e r u n g des bisher bekannten Filmtheaterprogramms darstellen' (9). Exhibitors, afraid that television could have the drastic effect on cinema admissions in Germany that it was reported to have had elsewhere, saw the 'Fernseh-Projektoren' as a future standby source of income which could soften the blow of competition from television.

In many respects, the exhibitors were likely to be in the front line of any conflict with the television service since both were providers of entertainment. The film production companies, studios and distributors, on the other hand, could regard this new medium as a young and inexperienced newcomer in need of advice and, most importantly, requiring expertise and programme material to fill the schedules. The producers and studio heads could begin to invest time and manpower at this stage in anticipation of the receipt of programme production commissions once the television service resumed. Aware of these plans of their partners in the film industry, the exhibitors merely had to rely on the good faith of the distributors and producers to refrain from selling the broadcast rights of recent feature films or of popular 'classics' to television, since SPIO had no binding jurisdiction over its members to respond to the exhibitors' demands.

In future altercations between the film industry and television, the exhibitors were invariably the instigators of resolutions or recommendations made by the film industry calling for an end to the alleged 'competitive distortion' by television, e.g. SPIO's 'Feststellungen der Filmwirtschaft zur Wettbewerbsungleichheit Film/Fernsehen' (10) of 11 October 1963, which led to a *Bundestag* debate recommending the appoint-

ment of a commission of enquiry into the state of competition between the press, broadcasting and the film industry; the findings of this commission, the 'Michel-Bericht' (*Bundestags-Drucksache* 5/2120), did not satisfy the exhibitors, however, who continued to lobby for what they considered an equal chance of competition with the broadcasting companies (11).

The possibilities of a working relationship between the film industry and a future television service also occupied the minds of politicians in the *Bundestag*. In the 25 January 1952 issue of *Filmblätter*, Dr. Rudolf Vogel, chairman of the *Bundestag* committee for Press, Broadcasting and Film, wrote: 'Man darf es als sicher annehmen, daß sich in Deutschland nicht die gleichen Kämpfe auf diesem Gebiete abspielen werden wie etwa in den USA' (12). He believed that the two industries would work together because of the tremendous outlay on the technical preparations for the television service: equipping studios and constructing transmitter relay links to all parts of Germany, which would mean that there would be limited resources for programme-making. The film industry could thus be on hand to assume responsibility for the bulk of the production of programme material.

At the International Television Conference in Berlin between 3-6 March 1952 there was further opportunity

for discussion of the direction of relations between the film industry and television. In a report for *Filmblätter*, Dr. Hans Plaumann noted the views of Dr. Martin Ulner, a member of the Kinotechnische Gesellschaft, who pointed to the benefits that could arise from a working partnership between the film technicians' sector of the film industry and television. Since the new medium did not have any studios or trained technical staff, it would be reliant, Ulner argued, on the services and facilities of the film industry, which were not being used to their optimum capacity by the feature film production companies. Ulner was particularly interested in the possibility of organising meetings between his members and the technical staff at NWDR, who had been recruited predominantly from the existing radio services.

Although he was convinced of the benefits television could bring to the film industry, he was aware at the same time that this new medium would be competition for the cinemas and suggested that the exhibitors act now to avoid a fall in admissions: 'Bessere Qualität der Filme im Ton und Bild (Farbfilme!) und bessere Theater mit bequemeren Sitzen sind Mittel, mit denen das Filmtheater sich gegen den Fernsehempfang wird behaupten können'. This sound advice, which was not heeded - or at least not to the extent to have any effect - , would be echoed much later by critics of

the film industry, e.g. by Werner Hess (the *Intendant* of Hessischer Rundfunk from 1961) and by reports on the underlying reasons for the crisis in the West German film industry in the 1960s, e.g. the 'Michel-Bericht' of 1967 and the 'Dichter Institut' report, commissioned by the 'Filmförderungsanstalt' in 1969 (13).

Ulner declared that the broadcasting of feature films 'widerspricht dem Wesen des Fernsehempfangs hinsichtlich Sendelänge, Milieu des Heimempfangs und Bildgröße' given the extent of the schedules for the television service and the size of the television sets currently being manufactured. The production of television films - allegedly 60 a day in the United States - would have to concentrate on close-ups, avoid panoramic shots and restrict the action of the film to the middle of the picture ( a practice which has become prevalent in the American films of the 1980s, which expect to cover a sizeable portion of their budgets with sales to television and video).

The official standpoint of the film industry to the future with television was absent during this period. After the 13 December 1950 meeting with Werner Pleister and Werner Nestel from NWDR, there had been no attempt to follow up the proposals submitted for close co-operation between the two media. Moreover, SPIO had

been similarly inactive on the question of mounting financial losses being incurred by some production companies and distributors as well as on the level of interference from the Federal Government over the conditions imposed on its guaranteed credits for financing feature films.

However, in early 1952, it was clear that certain sectors of the film industry were keen to come to an agreement on an 'all-industry' policy towards television. The urgency of the situation was spelt out by Dr. Vogel of the *Bundestag* committee for Press, Broadcasting, and Film when he told film critics in Munich on 30 June 1952: 'es sollte zu einer Verständigung zwischen Film und Fernsehen in Deutschland kommen, damit nicht für beide Teile ein kostspieliger Konkurrenzkampf zwischen Film und Fernsehen aufkommt, wie er sich in Amerika abspielt. Die Aufgabe, eine Verständigung zwischen diesen beiden Medien zu finden, ist dringlich' (14).

The film technicians' union, the Verband der Filmtechnischen Betriebe (VFB), had taken the first step by writing to the producers' association on 27 June and by stressing that 'die sich abzeichnende Entwicklungstendenz eine Bedrohung der Existenz aller Sparten der Filmwirtschaft darstellt'. As a result of the technicians' initiative, a meeting of all sectors of the film industry was set for 25 July 1952 in Wies-

baden.

**Establishment of the *Ausschuß für Fernsehfragen bei der Spitzenorganisation der Filmwirtschaft e.V.***

After months of inactivity by SPIO, a major step forward was taken at the meeting on 25 July: the establishment of an *Ausschuß für Fernsehfragen bei der Spitzenorganisation der Filmwirtschaft e.V.*, whose brief was to ensure that the industry's interests, in relation to the television service, were promoted, and that the existing production facilities be used for programme production for the television schedules (15).

Florentine Ungar, writing in *Filmpress* on 21 August 1952, was highly sceptical of the potential effectiveness of the *Ausschuß* (hereafter known as the *Fernseh-ausschuß*) to channel the future television service in directions which would be advantageous for the film industry. She forecast that the television service would invest in the establishment of studios in Hamburg, Cologne, Frankfurt, Stuttgart, and Munich, and probably elsewhere, 'neben denen sich die der "Film-industrie" wie Nissenhütten-Betriebe ausnehmen werden' (16), and she confounded producers' hopes of receiving programme commissions: 'Jedenfalls wird der Fernseh-funk in Deutschland keine Produktionen "in Auftrag" geben, sondern von Beginn an darauf bedacht sein, alles selbst zu machen, weil die "zentrale Lösung"



immer die ist, die dem Laien am schnellsten einleuchtet'.

The distributors would be bypassed by the broadcasters in their search for programme material ('Man wird mit dem Produzenten, die sich künftig von allen Filmen die Senderechte vorbehalten sollten, direkt ins Geschäft kommen' (17)), whilst the conflict between the cinemas and television could be settled by converting all the cinemas' projection equipment into television receivers so that they could broadcast films simultaneously and thus make do without individual copies of the film.

Ungar's controversial prognosis of the effects of the television service in Germany on the native film industry led to a stream of letters to *Filmpress* from people working in the industry as well as from the *Bundestag* committee for film affairs. One letter, printed in the 28 August issue, came from G.H. Verleaux of Munich, who disputed Ungar's contention that the broadcasters would build their own network of studios rather than use the existing studio facilities: 'Es wäre ein wirtschaftlicher Unfug, für den die Verantwortlichen von der Öffentlichkeit und von den Verwaltungsräten der Rundfunkgesellschaften unverzüglich haftbar gemacht werden müßten, neue Fernsehstudios zu bauen, solange die Kapazität der vorhandenen

Filmstudios nicht ausgenutzt ist' (18). Yet, the individual broadcasting companies ignored the arguments of the film industry and decided to build their own television production studios in future years, as much for reasons of prestige as for real necessity. For instance, a controversy raged in the 1960s over the decision by Sender Freies Berlin (SFB) to build studios despite offers from film studios in Berlin to sell or rent out their facilities to the broadcasters.

A subsequent meeting of SPIO's *Fernsehausschuß*, which was held on 23 September 1952, discussed the strategy the film industry should adopt in its dealings with the future television service. The representatives from the production and distribution sectors saw the new medium as a potential partner, whilst the exhibitors could only view the launch of a television service as the arrival of unwelcome competitor. Siegfried Lubliner of the Zentralverband Deutscher Filmtheater (ZDF), the leading association for the exhibitors, suggested that television's influence on the admissions might be lessened if a private television service was established which allowed close involvement of the film industry. However, it was realised by the delegates at this meeting that the complex subject of the relationship between the film industry and television could not be properly discussed until the committee was fully informed about the development of the

television medium and about the prospects for the future. Conscious that this would necessitate a series of 'fact-finding missions' at home and abroad to study the effect of other countries' television services on their native film industries, the committee created a number of working parties ('Referate') to report back on general, economic, legal, and technical issues. Once all the material was collated and analysed, the *Fernsehausschuß* would be able to negotiate with the broadcasters on an equal and informed basis.

The first of these 'fact-finding missions' took place when the members of the working party devoted to gathering general information, the 'Informationsreferat', met on 3 October 1952 with Werner Pleister, who had been promoted to the post of NWDR *Intendant*. During the talks, Pleister maintained that the future television service would be interested in using specially filmed extracts from forthcoming feature films as a way of advertising the fare on offer in the cinemas. NWDR had already had success with such a venture earlier in 1952 when it had broadcast extracts of Roberto Rossellini's *Deutschland im Jahre Null* during its programme *Umschau am Abend* (19); Pleister also assured the representatives from the film industry that, contrary to the rumours spread in the trade press and elsewhere, the broadcasters did not intend

to build their own studios for the production of television films, but would prefer to make use of the existing studio facilities in the film industry. Overall, Pleister was enthusiastic about the prospect of co-operation between the two media.

At a meeting organised along similar lines in Frankfurt on 9 October, a film industry delegation led by Siegfried Lubliner met with the *Intendant* of Hessischer Rundfunk (HR) Eberhard Beckmann. According to Beckmann, the broadcasting system in West Germany was still a somewhat nebulous affair despite the fact that the six radio stations and RIAS had agreed on 10 June 1950 in Bremen to the founding of an 'Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten' (ARD) which co-ordinated broadcasting affairs (20); the broadcasting companies were still operating individually, and joint decisions on relations with the film industry could only be made after a meeting of the ARD's *Fernsehkommision*, a five-man committee which was responsible for tackling problems arising from the preparations for the television service and for co-ordinating policy decisions between the broadcasting companies. Beckmann suggested that the officials at NWDR in Hamburg were the best negotiating partners for the film industry delegation, since the experimental trials for the television service had been concentrated in Hamburg.

The working party, which SPIO's *Fernsehausschuß* had charged with reporting on the economic implications for the film industry of the resumption of a television service, the 'Wirtschaftsreferat', first convened with Siegfried Lubliner in the chair on 13 October 1952 in Frankfurt. The preliminary round of discussions centred on the aims of this party: 'welche Forderungen sie (the individual sections of the film industry) zur Erhaltung ihrer Existenz zu erheben haben und welches Übereinkommen zwischen den einzelnen Sparten und der Gruppe der Fernsehbetriebe erzielt werden soll' (21).

The representatives from the Verband der Filmtechnischen Betriebe e.V. voiced their concern at this meeting that the broadcasting companies should not be allowed to use money amassed from the licence fees to construct new studios and film processing and dubbing laboratories for the production and servicing of television programmes. The film technicians were keen to assume the responsibility for the technical side of programme-making and, in so doing, occupy their facilities - 498 000 square metres spread over 27 sound stages (22) - to optimum capacity.

The Verband der Filmverleiher e.V., the association representing the distributors' interests, saw the aim of a regulating of the relations between the film ind-

ustry and television as affording feature films planned for theatrical release sufficient protection, which would be designed to prevent film producers from selling the broadcast rights of a film to a television company; the association was only prepared to see film material on television in the form of trailers, which could be used to advertise forthcoming releases.

The Zentralverband Deutscher Filmtheater e.V. was more succinct in its approach to television. It was 'grundsätzlich gegen Verwendung von Spielfilmen in der Fernsehdarbietung' (23), but would allow the screening of films which lasted no more than twenty minutes. The exhibitors were concerned that the events abroad, where the introduction of the television service had been followed by a fall in cinema admissions and by the closing of cinemas, should not be allowed to be repeated in Germany (24). The Technical working party, the 'Technisches Referat', which had its inaugural meeting in Hamburg on 24 October 1952, arrived at a similar conclusion to that of the Verband der Filmtechnischen Betriebe e.V. at the 13 October meeting of the Economic working party, the 'Wirtschaftsreferat', recommending that measures should be taken to encourage co-operation on the technical side between the film industry and the broadcasting companies. The Legal working party, the 'Juristisches Referat', however, did not come forward with any concrete propos-

als, since the delegates could not agree to a date or venue for a meeting to discuss the legal implications for the film industry of the introduction of the television service.

**First official meeting between members of the film industry (SPIO's *Fernsehausschuß*) and the broadcasters (ARD's *Fernsehkommision*)**

On 17 December 1952, a week before the official launch of a regular television service in West Germany, the first formal meeting between representatives from the film industry and television took place when ARD's *Fernsehkommision*, under the chairmanship of HR *Intendant* Eberhard Beckmann, met with SPIO's *Fernsehausschuß* in Frankfurt.

The broadcasters were keen to know the conclusions that the *Fernsehausschuß* had drawn from the findings of its working parties for its future strategy to television, but the committee members present replied that they were still in the process of sifting through the material and would then have to get 'all-industry' approval for any resolutions passed on relations with television. So it would be premature, as Walter Agulnik of the distributors' association indicated, to say 'wie eigentlich die einzelnen Sparten der Filmindustrie sich verhalten wollen'.

The exhibitors' and distributors' fears about the

use of feature films in the television schedules, voiced at the working party meeting of 13 October, were dispelled once again by Beckmann, who declared that the planned television schedules from 25 December 1952 would not allow the use of feature films since the service was only operating for two hours (from 20.00 to 22.00) and would consist, in the main, of 30- and 60-minute programmes. For him, the arrival of television on the scene did not present any great problems: 'Film und Fernsehen werden nach anfänglichen Schwierigkeiten als zwei völlig verschiedene Medien nebeneinander existieren; wir wollen dem Film nichts wegnehmen, der Film kann uns aber auch nicht so viel bringen' (25).

As Gerd Albrecht remarked in a paper on the relationship between the film industry and television in the 1950s to the annual conference of the Studienkreis für Rundfunk und Geschichte in Berlin in September 1984 (26), Beckmann's treatment of the film industry's anxieties about its future with television might strike one now as sarcastic cynicism, 'doch ist nach Lage der Quellen wie nach Kenntnis der Personen und ihrer Einstellungen, schließlich auch nach dem zeitgeschichtlichen Umfeld der Äußerungen davon auszugehen, daß sie (Beckmann's comments) durchaus ernst gemeint und guten Willens getan waren' (27).

At the time the exhibitor representatives on the



*Fernsehausschuß* were adamant that the question of the television screening of feature films was not one to be dismissed as easily as Beckmann pretended, Siegfried Lubliner of ZDF declaring: 'das ist für uns eine fundamentale Frage, die nicht so über den Daumen zu behandeln ist'. Agreement was reached, however, between the two sides on the publicising by the television companies of forthcoming cinema releases in their magazine programmes; and the distributors and film producers promised to provide trailer-length extracts from the feature films for use by the broadcasters.

A demand from the film industry officials that the *Fernsehkommision* commit ARD or individual television companies to a 'verbindliche und detaillierte Vertragsregelung' (28), which would define the conditions for co-existence and co-operation between the film industry and television was rejected by the members of the *Fernsehkommision*, who pointed to the legal implications of such a ruling for the broadcasting system and to the absence, as yet, of any clear agreement within the ranks of the film industry on its policy towards television. The broadcasters suggested that the *Fernsehausschuß* continue its study of the findings of its working parties and coordinate the development of an 'all-industry' response to the introduction of the television service for future talks with the broad-

casters.

The film industry's inability to present a united front in its dealings with television could be traced in part to the widely diverging opportunities arising (potentially) for individual sections of the industry by the arrival of television: the producers and technicians had been quick to make contact with those engaged in preparing the launch of the television service and were anticipating to receive programme production commissions once the service was in full swing. But the distributors and exhibitors took a more cautious and, at times, hostile line on the question of co-operation with television, believing that too many concessions, including allowing feature films on to the television screens would be detrimental to the exhibition sector. In later years, the mutual recriminations were as bitter between the exhibitors and the film producers as between the film industry as a whole and the television companies.

On Christmas Day 1952 NWDR launched a daily television service of two hours, from 20.00 - 22.00, with an additional 30-60 minutes of children's programmes, to an estimated one thousand licence holders. The euphoria surrounding the launch celebrations did not, however, dispel the atmosphere of gloom which had settled over the exhibitors' camp, as shown in Hans Plaumann's commentary in *Filmblätter* on 2 January 1953:

'man kann die Dinge wenden wie man will: Fernsehen ist als neue Form der abendlichen Unterhaltung eine Konkurrenz für den Film'. He suggested that the cinemas should aim at providing a more attractive programme than the television service's schedule which would be 'auf die Dauer ein weit wirksameres Regulativ für das Verhältnis Film - Fernsehen . . . als alle Kampfmaßnahmen' (29).

An interview with Werner Pleister, NWDR's *Intendant*, in the same issue of *Filmblätter* gave the impression again that the exhibitors had no need for concern. Pleister reiterated the claims of the members of the *Fernsehkommision*, who had met with the *Fernsehausschuß* on 17 December 1952, that there were no reasons for the film industry, especially the distributors and the exhibitors, to feel threatened by television since the broadcasters had no intention of intruding into areas which were the specific domain of the film industry: 'Dem Film soll bleiben, was des Filmes ist. Wenn er sich dem Fernsehen, dessen Existenzberechtigung längst kein Diskussionsgegenstand mehr ist, gegenüber genau so tolerant zeigt wie dies umgekehrt der Fall ist, wird an Stelle einer sterilen Kontroverse ein fruchtbares Miteinander treten, von dessen qualitätssteigernden Auswirkungen vor allem die Öffentlichkeit Nutzen haben wird, in deren Dienst Film und

Fernsehen arbeiten'.

He maintained that the television service would concentrate its output on programmes which were particularly suited to the television medium: the 'Life-Sendung' and the 'Direktsendung', which could create a more personal link with the television viewer than the anonymous atmosphere in a cinema. He believed that there was a chance of 'eine echte Möglichkeit ergiebiger Zusammenarbeit' if the film industry, in particular of course the film technicians and the producers, was commissioned by television to produce programmes for the schedules. At this early stage in the television service, this form of co-operation between the two media could only be implemented if the necessary finance was available, something which was unlikely, since a tremendous amount of money had been (and would be) invested in the setting up of transmitters and equipping the studios. In the meantime, the television service was prepared to feature a weekly film magazine programme, which would include interviews with film stars and review the latest releases in the cinemas: 'wir wollen überhaupt unsere Fernseh-Zuschauer ständig am Thema Film interessieren' (30).

Pleister's belief that the two media should show tolerance towards each other rather than seek reasons for division and conflict was echoed by two men working in the film and television industries. When asked

by *Filmblätter* on 9 January 1953 about their views of the prospects for relations between the film industry and television, both Theodor Graf Westarp, managing director of Philips (Germany), and Friedrich A. Mainz, a film producer based in Hamburg, were hopeful. Westarp declared that television would never be able to oust the feature film, since the detail and size of the image on the cinema screen could never be effectively reproduced on the small television screen. He predicted (accurately) that there would come a time in the future when the film production companies would make special television versions of their feature films - nowadays known as the 'mini-series' e.g. *Das Boot* (1981) and *Der Zauberberg* (1982) - as well as films exclusive to television. He stressed the need for a conciliatory line: 'Wir sollten wirklich, um uns gegenseitig das Leben auf dieser Erde leicht zu machen, doch mehr auf das Verbindende als auf das Trennende sehen'. Mainz spoke similarly against intransigence by either side over the possibilities for creating a harmonious atmosphere between the film industry and television: 'Jede Kampfstellung oder Versteifung irgendwelcher Fronten wäre absolut töricht, eine Verständigung aber könnte auf beide Partner befruchtend wirken' (31). He also supported moves by the film producers to work with television on co-productions.

The potential format for a working partnership between the film producers and television had already been indicated by the founding on 25 September 1952 in Munich of the Fernsehbeitsgemeinschaft deutscher Spiel- und Kulturfilmproduzenten (FAG). The FAG, whose members were Walter Leckebusch's Film-Studio (32), Fritz Thierry's Helios-Produktion GmbH, Harald Braun and Jacob Geis's Neue Deutsche Filmgesellschaft mbH (33), Dr. Toni Schelkopf's Oska-Film GmbH (34), the Peter Ostermayr Film GmbH (35), and Georg Witt Film GmbH (36), was set up to co-ordinate the availability of production facilities with NWDR's programme needs and to promote, in general, the film producers' involvement in programme production for television. The member companies of FAG anticipated that they would be able to gain a foothold as a programme provider at this point when NWDR was unable, financially, to consider a programme of television film production. They believed, and here they were supported by the Verband Filmtechnischer Betriebe, that a close working partnership between the production sector of the film industry and the nascent television service of NWDR would prevent the broadcasters from developing their own film production and processing unit. The film technicians had voiced concern in early 1953 that the television studios in construction should not be used for activities outside the normal requirements of the

television schedules; that the television service should concentrate on '“Live“- Sendungen' and that any processing of filmed material should be undertaken in existing laboratories operated within the film industry.

On 19 March 1953 a partnership agreement was signed by NWDR and FAG after several months of negotiating. The agreement aimed to prevent the negative developments between the film industry and television, which were evident in other countries, and offered the film industry significant opportunities to publicize its own products. As Gunther Faupel remarks, the existence of an agreement at this point stood as a 'Musterbeispiel einer Zusammenarbeit für das zukünftige Verhältnis des Fernsehens zur gesamten Filmwirtschaft' (37).

However, this progress in relations between the two media had effect only in Munich, since all these producers without exception were based there. Attempts by FAG to extend the agreement to include other producers working in the other production centres of Berlin and Hamburg were in vain: the production companies in Berlin such as Artur Brauner's CCC-Film and Gero Wecker's Arca Film preferred to work independently on production partnerships with television, whilst Hamburg's Real-Film was more interested in a deal on its studio facilities than in production partnerships. Thus, the

FAG was unable to build on its promising start, lost momentum and was finally dissolved in 1960.

In the future, major changes to the face of broadcasting in West Germany would spark off a flurry of activity among the film producers, who would seek to conclude programme production agreements which would guarantee them a reliable source of income and efficient use of their production facilities. This occurred once the Adenauer administration charged the privately-organised Freies Fernsehen GmbH on 30 December 1959 with the task of preparing a schedule for a second (commercial) television service, Deutschland Fernsehen GmbH, to be launched in 1961 (38). After the debacle of the Deutschland Fernsehen 'adventure', the film producers were spurred on in late 1961-early 1962 to form 'umbrella organisations' of independent producers similar to FAG - e.g. the Fernseh-Produzenten Verband, the Fernseh-Allianz GmbH, and the Arbeitsgemeinschaft Fernsehen - which sought involvement in the preparations for the launch and programme making of a new public-law television service, Zweites Deutsches Fernsehen, due to start on 1 July 1962 in competition with the existing ARD network (39).

Many film producers developed these closer links with television, or moved over completely to producing films for the small screen, in response to the growing crisis taking hold of the West German film industry.



The total number of films produced fell from 128 in 1955 to 94 in 1960 and 61 in 1962, whilst the admission figures to the cinemas followed an even more alarming downward trend: from a peak of 817.5 million in 1956 to 605 million in 1960 and 443 million in 1962 (40).

#### The Berlin branch of SPIO embarks on its own co-operation initiative with television

Despite the broadcasters' refusal at the 17 December 1952 meeting with SPIO's *Fernsehausschuß* to entertain the idea of entering into a legally binding agreement with the film industry on the issue of the use of feature films in the television schedules, moves were apace in early 1953 for the conclusion of a local agreement in Berlin.

In January and February 1953 the Berlin branch of SPIO, the film industry's 'umbrella' organisation, had decided to form its own *Fernsehausschuß* with the aim of negotiating a formal agreement with the Berlin studio of NWDR which would regulate relations between the broadcasters and the local film industry. One of the initial ideas was a joint committee of representatives from SPIO-Berlin and NWDR-Berlin which would meet whenever there were plans for the broadcasting company to screen a feature film in its schedules.

News of the Berlin branch's initiative prompted the

main SPIO administration in Wiesbaden to convene a meeting of its *Fernsehausschuß* in Hamburg on 10 March 1953, where debate centred on the need for co-ordination of the policies of the two *Fernsehausschüsse* and for a reassessment of the future for the SPIO committee. The emotive issue of the appearance of feature films in the television schedules was also discussed but no agreement reached between the committee members. The Berlin branch was censured for engaging in talks with NWDR in Berlin without prior consultation of SPIO's central administration, but nevertheless allowed to resume negotiations by its *Fernsehausschuß* with the Berlin television officials, since any agreement concluded could serve as a model to apply to the rest of the ARD network.

Further negotiations between the Berlin committee and NWDR resulted in a drafting of a legally binding agreement, which specified a five-year 'holdback' on the purchase and screening of feature films by the television company, forbade the screening of feature films between 20.00 and 22.00 and demanded that films and broadcast rights be acquired only through the film industry. Hopes of a successful conclusion to the talks and of a subsequent signing of an agreement were dashed, though, as a result of internal divisions between the various sections of the film industry in

Berlin and of rivalry between the two SPIO organisations. NWDR, frustrated at not having a negotiating partner universally accepted by the whole of the film industry in Berlin, dropped further talks when its attention turned to the preparation of the establishment of Sender Freies Berlin to operate a television service independently of NWDR in Hamburg. As Gerd Albrecht notes, the officials at NWDR were probably aware that such an agreement, as proposed between the Berlin branch of SPIO and NWDR, could be used as a precedent for further initiatives to be pursued with the other ARD companies (41). The members of the *Fernsehkommision* had made it clear, though, at the 17 December 1952 meeting with SPIO's *Fernsehausschuß*, that such binding agreements would not be practicable as far as the broadcasters were concerned.

#### Reorganisation of SPIO's *Fernsehausschuß*

Following the failure of Berlin SPIO's planned agreement with NWDR, the main SPIO decided to reconstitute its *Fernsehausschuß* on 17 September 1953 into a *Fernsehausschuß der Deutschen Filmwirtschaft*, which incorporated the Berlin branch. The main objectives of the committee centred as usual on the imposition of restrictions to the growth of television: prevention of the public broadcasters creating a monopoly; involvement of the film industry in the reorganisation of

broadcasting proposed by Federal Interior Minister Lehr in his 'Gesetz über die Wahrnehmung gemeinsamer Aufgaben auf dem Gebiet des Rundfunks', which had come before the *Bundestag* for its first reading on 18 March 1953; and the need for a 'Film/Fernseh-Vertrag' which would regulate the relations between the film industry and television (42).

There was a realisation amongst film industry officials that such an agreement could now only be reached after extensive and detailed negotiations, and not at the speed assumed by those involved in the talks with NWDR in Berlin. Nevertheless, it was important that the broadcasters be made to accept restrictions on their programming, especially on their use of feature films, before the television service expanded and contemplated producing its own films. The signing of an agreement now by a television service without extensive studio facilities or technical 'know-how' would inevitably benefit the production and technical sections of the film industry in the years to come.

Thus, the newly constituted *Fernsehausschuß* adopted a 'Politik der kleinen Schritte' in its campaign for a binding agreement with the television companies (43). Committee members were to meet with officials from various government ministries, including the Economics and Post Ministries, with representatives from NWDR in

Hamburg, with ARD's *Fernsehkommision*, and with the film production company Universum Film AG (UFA), to discuss the various measures that could be implemented to improve relations between the film industry and television.

However, after a sitting of the *Fernsehausschuß* on 19 November 1953, the impetus for a settlement to this issue gave way to a new mood of complacency within those working in the film industry. It was argued that the NWDR television schedules were of such poor quality that they gave little concern to exhibitors worried about the threat to cinema admissions and that, in any case, the West Germans were not buying television sets in the numbers anticipated. In addition, the film industry was currently experiencing an upturn in its fortunes, marked by a steady increase in the number of films produced as well as in the cinema admissions total, which suggested that the pattern of a fall in cinema admissions and of a contraction in film production which had occurred elsewhere after the appearance of television was not going to be repeated in West Germany (44). The result of this officially condoned indifference from all sections of the film industry, in particular the exhibitors and the distributors, was that the *Fernsehausschuß* did not re-convene for about one and a half years, until 17 February 1955, and the issue of television was practically ignored at

official meetings, meriting only a brief mention in the agendas under the rubric 'Verschiedenes' (45).

The extent of the film industry's complacency and lack of foresight was all too clear when SPIO returned in early 1955 to give some consideration to the possibility of reaching a mutually acceptable arrangement of co-existence with the broadcasters. During the intervening period, the television service had gone from strength to strength. As from 1 November 1954, the ARD member television stations of Bayerischer Rundfunk (BR), Hessischer Rundfunk (HR), Süddeutscher Rundfunk (SDR), Nordwestdeutscher Rundfunk (NWDR), Südwestfunk (SWF), and Sender Freies Berlin (SFB) had combined on a communal evening television schedule ('Gemeinschaftsprogramm'). Television studios had been built and opened in Hamburg for NWDR (September 1953), in Berlin for SFB (28 December 1954) and in Baden-Baden for SWF (25 September 1954), and the one hundred-thousandth television licence holder was registered on 4 February 1955.

Thus, it was in the knowledge that television was now truly established in West Germany that SPIO decided to reconvene its *Fernsehausschuß* in Munich on 17 February 1955. Given the rapid developments over the past two-and-a-half years, the committee decided to re-examine the findings of its working parties from

October 1952 and revise its demands of the broadcasters. Although almost three years had passed, the film industry's general stance toward television had not altered significantly. The film technicians, who had hoped that the broadcasters would use the existing studio facilities in film industry hands and their technical expertise, were dismayed to see that each television station was in the process of, or had completed, the construction of its own production facilities, e.g. NWDR's 36 000 square metre Lokstedt studios which, at a cost of DM 5 million, were the first purpose-built television studios in Europe (46). The producers, who had expected to receive programme commissions, either independently or through FAG, from NWDR, now reported that their services had been passed over in favour of cheaper 'bought-in' material from abroad. The distributors and exhibitors were united in their view that the situation had not changed for them since 1952: they were still demanding that feature films should, if at all possible, be kept from the television screens. They were not, however, insistent that a binding legal agreement with the broadcasters would necessarily be the best answer, since, it was argued, the 'emergency solution' of using films in the schedules would become redundant once the television stations reached financial security and could fill the schedules with commissioned or 'in-house' produced

programmes.

Toni Schelkopf, a member of the committee and a leading figure in the producers' efforts through FAG to initiate a working partnership with television, was highly critical of SPIO's bungled handling of the television issue: 'Nach wie vor bewegen sich die Gespräche um dieselben Themen, an denen wir nun schon drei Jahre den Versuch unternehmen, aktiv zu werden' (47). He suggested that the film industry set itself an ultimatum to decide whether it was to continue in its efforts to reach an amicable arrangement with the broadcasters or to disband the *Fernsehausschuß* and devote its energies to other issues.

At the next meeting of the committee on 11 May 1955, discussions centred on UFA's links with NWDR and on a five-point plan for talks with television. Arno Hauke, UFA's managing director, who was present at this meeting, gave his assurances that his company's business links with NWDR as a programme provider and as a partner in an experiment of large-screen projection of television broadcasts would be co-ordinated with the film industry's interests as a whole so that there would be no reason for complaints. Schelkopf, who was elected at this meeting to the chair, recommended approval of a five-point plan which was designed to regulate future relations between the film industry



and television. The five proposals, which envisaged a check on the use of feature films on television, a distinction to be drawn between the current affairs material for television and cinema newsreels, an agreement with the broadcasters on their scheduling policy, abandonment by television of plans to build its own 'television cinemas', and the prevention of television advertising, were evidently designed to satisfy the requirements of the exhibition sector of the industry, which had always been loathe to make concessions to the new medium. Despite the fact that the broadcasters would probably reject these proposals out of hand, the committee considered it worthwhile to submit them as the basis for negotiations, although the exhibitors' representative on the committee, Siegfried Lubliner, was adamant that the film industry should not be seen to make any compromises in its dealings with television.

As a result of this new interest by SPIO in coming to a better understanding with the broadcasters, it was decided to arrange a meeting with ARD's *Fernsehkommission*, who had met the *Fernsehausschuß* on only one previous occasion, on 17 December 1952. When Toni Schelkopf and Arno Hauke met with Werner Pleister and Heinz von Plato from NWDR, and Hans Joachim Lange from HR, discussion concentrated mainly on clarifying the two sides' positions and attitudes towards each other.

Although the broadcasters were not prepared to consider Schelkopf's five-point plan, which was, in any case, hardly representative of the overall feeling within the film industry to television, they agreed instead to the setting-up of a two-man working subcommittee, comprising of Schelkopf and Lange, which could meet in the future to hammer out a mutually acceptable agreement. The signs of a *rapprochement* between the two media seemed more promising now that the broadcasters had made a conscious move to clarify the misunderstandings which existed between the two camps and that Schelkopf had been given a chance to negotiate an agreement which would be of benefit to the film industry as a whole.

SPIO members' meeting, 21 October 1955

The chances for SPIO's *Fernsehausschuß* or for Schelkopf, in his meetings with Lange, to build on the progress made at the 2 July meeting seemed lost forever after the events of a SPIO members' meeting in Wiesbaden on 21 October 1955. In a discussion on the prospects for relations between the film industry and television, and on the form and desirability of an agreement with television, Walter Koppel, joint founder and managing director of Real-Film GmbH in Hamburg and an influential figure in the film world, set the tone

for the meeting with a provocative formulation: 'Fernsehen ist kein Fortschritt, sondern eine Belästigung', and he was supported by cinema chain owner Rolf Theile with the since infamous slogan: 'Keinen Meter Film für das Fernsehen' (48).

These two statements, consciously provocative, served as a rallying call for those factions in the film industry - in particular the exhibitors - who were opposed to efforts by the *Fernsehausschuß* for a mutual agreement with the broadcasters. The ensuing publicity over the controversial turn of events tended at the time, and in the following years, to encourage the impression that these statements represented official film industry policy and were indicative of the attitude of the film industry to the emergence of television during the 1950s. In his surveys on the relationship between the film industry and television which appeared in the *ARD Jahrbuch* in 1970 (49) and at the *Königsteiner Gespräche* in May 1975 (50), HR *Intendant* Werner Hess made no distinction between the groups working for and those opposed to a working partnership with television, declaring (in 1975): 'daß es zu echten Kontakten zwischen Film und Fernsehen in diesen Jahren überhaupt nicht kam' (51). For him, and for Klaus Keller, writing in *FUNK-Korrespondenz* in March 1979, citing the two slogans by Koppel and Theile was sufficient to convey the attitude of the film industry

at this point (52).

The reports of the meeting in the press similarly gave the impression that Koppel and Theile had been expressing official SPIO policy, a misinterpretation which resulted in Hans Joachim Lange cancelling any plans he had made to meet Schelkopf for a continuation of the 2 July talks. Thus, once the initial excitement had subsided, the *Fernsehausschuß* met in Munich on 3 February 1956 and drew up a statement for release to the press which stressed that Koppel and Theile's remarks had been quoted out of context and misinterpreted as an official SPIO resolution, and that, on the contrary to the impression given by these remarks, the film industry was keen to keep in close contact with the relevant broadcasting officials 'um Wege für eine positive Gestaltung der gegenseitigen Beziehungen zu finden' (53).

The optimism of this press release was short-lived. On 6 June 1956, Anton Schelkopf tendered his resignation as chairman and member of the *Fernsehausschuß*, since he had received little support or encouragement from the SPIO board for the committee's proposals for co-existence with television. In addition, he had been the target of a series of virulent attacks and stalling tactics by Walter Koppel, aimed at sabotaging the committee's planned resumption of talks with the ARD

*Fernsehkommision.* The new mood of non-co-operation was evident at the next meeting of the *Fernsehausschuß* in Frankfurt on 31 July 1956, when the delegates recommended 'daß der zur Zeit bestehende vertragslose Zustand nicht geändert werden soll' (54).

In hindsight, the film industry's option for the status quo, i.e. without a co-operative arrangement with television, was a misjudged one that failed to take into account the recent developments in a previously (deceptively) buoyant industry which were to lead to an ever-deepening crisis in feature film production and cinema admissions (55), and ignored the potential of television as a new outlet for the industry's products and expertise. In future years, this missed opportunity was given as one of the reasons for the lasting hostilities between the film industry and television: e.g. see WDR *Intendant* Klaus von Bismarck's comment at the New Year press conference in January 1964 and Eberhard Hauff's guest column in the magazine *VideoMarkt* in March 1985 (56).

**The television service's growth in popularity and its first experiments with film for 'in-house' and commissioned productions**

The announcement in September 1956 that the television drama department of Süddeutscher Rundfunk in Stuttgart was planning its own 'in-house' filmed production of Swiss author Friedrich Dürrenmatt's *Der*

*Richter und sein Henker* marked a significant and irreversible move away from a television schedule which had previously been dominated by the 'ideology' of the 'Live-Sendung'. Since the launch of the television service in December 1952, media commentators had been debating the validity of the unwritten rules which specified that live transmissions were more suitable for the television medium. In 1954 Hans Gottschalk, head of production at Bavaria Atelier studios from 1959, asked in the journal *Rundfunk und Fernsehen*: 'Hängt hier nicht alles in ganz besonderem Maße vom Funktionieren einer komplizierten Technik, vom Zufall und nicht von einem künstlerischen Kalkül ab?' (57).

As a result of the growing drawbacks of the 'live programme', producers were allowed on occasion to include filmed inserts which could be used to 'bridge' scenes in the studio. But the decision to produce a complete 'Fernsehspiel' on celluloid was a revolutionary step, given the broadcasters' previous contention in talks with the film industry that film would be of little interest to a medium working in a different aesthetic form such as television. In a survey of the history of the 'Fernsehspiel' for ARD's *Fernsehspiel* brochure in 1979, Hans Gottschalk recalled: 'da haben wir sofort gesehen, hier sind die live-Möglichkeiten zu gering, um diesen Stoff zu bewältigen. Das war eben

ein richtiger Filmstoff, und so haben wir zum ersten Mal den Versuch gemacht, im Deutschen Fernsehen einen abendfüllenden Film herzustellen, der speziell fürs Fernsehen gedreht wurde' (58).

When the film was broadcast by ARD on 7 September 1957, the warm reception it enjoyed surprised many. The critic for *Filmforum* asked: 'weshalb muß ausgerechnet das herumprobierende Fernsehen, das sonst Programmruhm nicht zuhauf erntet, den guten deutschen Kriminalfilm liefern, den das Kino uns so lange schuldig blieb?'. It had been generally assumed by the film industry that the television stations did not have the technical expertise or cinematic sensibility to embark on its own film production, but, according to *Filmforum*, Franz Peter Wirth's direction was 'übersichtlich und abwechslungsreich und führt weidlich unbekannte Darsteller zu salonfähigen Leistungen . . . Die Fernsehleute landeten ein sicheres Tor gegen die der Kinomannschaft' (59).

As for the wider issue of television moving into programme production on film, Artur Müller, writing for *Rundfunk und Fernsehen* (60), suggested that much of the blame for this development lay with the intransigence of the film industry over the question of closer links with television: 'Wäre der kommerzielle Film von Anfang an bereit gewesen, mehr als nur seine ältesten und verstaubtesten Ladenhüter zur Verfügung

zu stellen, hätte er darüber hinaus gleich von Anfang an Streifen für das Fernsehen produziert, so hätte sich wohl der Drang (of television) nach dem eigenen Fernsehspiel und -film nur sparsam entwickelt' (61). However, Müller was uneasy at television's aspirations as a producer of films: 'Die (the broadcasters) aber glauben, daß Spielfilme nach Fernsehkenntnissen hergestellt werden könnten und müßten, die - befürchte ich - befinden sich auf einem Holzweg', and warned that the movement to film could spell the end of attempts by the 'Redakteure' in the 'Fernsehspiel' departments to develop an aesthetic form which was peculiar to the television medium (62).

#### Television films produced by UFA for ARD

Television's own successful foray into film production was followed on 9-11 May 1957 by the signing of an agreement between the reprivatised Universum Film AG (Ufa) (63) and a specially-created film committee, comprising of Hans Joachim Lange, BR *Intendant* Clemens Münster and Walter Pindter from Nord- und Westdeutscher Rundfunkverband (NWRV) (64), for Ufa to produce six 'Fernsehspiele' for transmission by BR, HR, and NWRV as part of their contribution to the ARD communal evening schedule. Preliminary negotiations between Ufa managing director, Arno Hauke, Lange and Münster had



centred at first on the proposal for the production of twelve films which could possibly be released later in the cinemas as double-bills. Subsequent discussions with the three-man film committee had tackled the question of the films' planned storylines and the allocation among the commissioning television stations, with the initial figure of twelve being halved, since the broadcasters were concerned that Ufa's plans appeared too costly. Production costs for the final selection - *Der blinde Passagier*, *Grenzfall Bacall*, *Blätter im Wind*, *Ali der Meisterdieb*, *Cardillac*, and *Mylord weiß sich zu helfen* - were budgeted at in the region of DM 120 000 per film.

Before the first of these films, Volker von Collande's (65) adaptation of E.T.A. Hoffman's *Das Fräulein von Scuderi*, *Cardillac*, was broadcast on 2 November 1957 as BR's contribution to the evening schedule, Ufa's board members Friedrich Karl Pflughaupt and Dr. Herbert Neudeck issued a circular from the company's Düsseldorf headquarters outlining the company's motives for embarking on such a programme of film production for television (66).

In the circular, the two Ufa officials stressed that, however much the film industry might try, television had now become a fact of life which could not be ignored: 'Für alle Zweige der Filmwirtschaft wird deshalb eine enge Zusammenarbeit nutzbringender als

Kampfmaßnahmen, deren Erfolg fragwürdig erscheint' (67); that if Ufa had not taken up the initiative to forge a working relationship with television, a production agreement with foreign partners might conceivably been signed by ARD on behalf of its member stations; and that Ufa's links with the broadcasters would enable it to influence programming decisions and to avoid a situation where the film industry and the 'Fernsehspiel' departments were making films on the same subjects. The circular, in addition to informing the Ufa employees of the company's venture into television production, was as much a response to fears expressed, in particular, from the exhibitors who claimed that such close links between Ufa and television would be detrimental to the cinemas' business and to the general well-being of the rest of the film industry.

The film industry's concern about the implications of Ufa's unilateral policy had been triggered by news in early 1957 that Arno Hauke had been meeting with ARD's specially-created three-man film committee to hammer out details of a production agreement, without first consulting SPIO or the *Fernsehausschuß*. Consequently, an emergency meeting of the committee was held on 8 April 1957 to discuss the future strategy for the film industry in the light of these new developments.

A resolution was passed declaring 'daß möglichst bald Verhandlungen mit dem Fernsehen aufgenommen werden müssen mit dem Ziel, nicht nur die beiderseitigen Interessen gegeneinander abzugrenzen, sondern positive Vereinbarungen zu treffen; andernfalls würde die Arbeit des SPIO-Fernsehausschusses gegenstandslos werden' (68).

This apparent new attempt by the film industry officials on the *Fernsehausschuß* to find a mutually acceptable arrangement with television was nothing more than a sham which revealed the film industry in all its hypocrisy and indecision. After Toni Schelkopf's resignation in June 1956, it had been evident that a unified hard line would be assumed in any dealings with the broadcasters which, as the 31 July 1956 meeting of the *Fernsehausschuß* had indicated, was considered by some to mean preserving a strict division between the two camps, so much so that the 8 April meeting was the first of the *Fernsehausschuß* since the end of July 1956.

On 29 April 1957 Siegfried Lubliner, who, as chairman of the *Fernsehausschuß*, was now in a powerful lobbying position for the exhibitors' cause against television, told Arno Hauke of the reaction in the film industry to Ufa's actions and, in particular, to the bypassing of SPIO in the talks with the broadcasters. Hauke was quick to point out that he had only

operated in good faith, according to recommendations made as part of a five-point plan at a meeting of the *Fernsehausschuß* on 11 May 1955 (!) , and as a result of talks he had, along with Schelkopf, on 2 July 1955 with NWDR officials Werner Pleister and Heinz von Plato, and HR *Programmdirektor* Hans Joachim Lange. His discussions since, on an unofficial basis, had led in winter 1956/1957 to the plan for the package of television films. Nothing would have been achieved, though, if he had allowed his company's movements to be controlled and only given the go-ahead by the *Fernsehausschuß*. Hauke did agree, however, at a subsequent meeting of the committee on 29 May 1957 - after the production agreement had been signed between Ufa and the ARD negotiating team - that he would keep the committee's members informed of Ufa's future ventures, and he offered to act as a mediator for other production companies in the film industry interested in embarking on a working partnership with the television stations. Hauke gave the committee until the end of 1957 either to respond to his offer or to allow him to pursue his own talks with the television stations undisturbed.

The reception accorded to the six Ufa television films, once they were completed, by the commissioning broadcasters and the television critics did not bode

well for future collaborations between film producers and television. It seemed that the exhibitors' protests, as vented in the SPIO committee meetings, had been premature and groundless. BR *Intendant* Clemens Münster admitted later: 'Wir haben damit keine guten Erfahrungen gemacht' whilst Hans Joachim Lange commented: 'Es war uns zu dünne!'. Two of the films, *Der blinde Passagier* and *Grenzfall Bacall*, were never transmitted, the latter allegedly because it could be conceived as being offensive to the Belgian nation. A third directed by Andre Lifar and screened as part of HR's contribution to the communal ARD schedule on 1 July 1958 - *Blätter im Wind* - , was, according to Telemann in *Der Spiegel*, adapted 'wegen völligen Versagens mit einer zusätzlichen Rahmenhandlung, in der als Mime Frankfurts Marathoncharmeur Kulenkampff einsprang und sogleich mitversagte'. The other three films, *Ali der Meisterdieb* (no transmission date available), *Cardillac* (2 November 1957), and *Mylord weiß sich zu helfen* (1 March 1958) were likewise dismissed by Telemann, who claimed that they marred 'durch unedle Einfalt je eine Stunde des deutschen Heimgeräts und wurden nicht mehr gesehen, was zu Dank verpflichtet !' (69).

Klaus Hebecker, writing in *Filmforum* after the broadcast of *Cardillac*, was similarly derogatory in his assessment of Ufa's attempt at producing programm-

es for television: 'Die Fernsehfilm-Schöpfer . . . hatten sich wohl so etwas wie einen Kostüm-Actionfilm vorgenommen. Indessen: Mehr als sauertöpfische Theatralik für die Wohnstube ist dabei nicht herausgekommen. Provinzniveau auf dem Bildschirm' (70).

**Television becomes a partner at Bavaria Filmkunst studios and at Real-Film**

If the Ufa venture into television film production did not prove to be the great threat to the film industry as forecast by industry hardliners, two subsequent events in 1959 - the founding of Bavaria Atelier Gesellschaft mbH with finance from SDR and WDR, through their commercial subsidiaries, and the establishment of Real-Film Atelierbetriebsgesellschaft mbH with finance from NDR and RB, via their joint commercial subsidiary NWF, - signified a new dimension to relations between the film industry and television. The efforts of SPIO's *Fernsehausschuß* to oppose any collaboration between the two media for fear that the film industry, and in particular the cinemas, would suffer, were consequently rendered obsolete by the developments of 1959, which have largely influenced the subsequent progress of relations between the broadcasters and the film industry to this day in West Germany.

### **Bavaria Atelier before the partnership with television**

During the Third Reich Bavaria Filmkunst GmbH had been part of the state-owned Ufi concern, which had included Afifa AG in Wiesbaden, Universum Film AG in Berlin, and UFA-Theater AG based in Düsseldorf. On 13 July 1945 the studios which had escaped bomb damage in the Second World War went into American control and the following year former film director Fritz Thiery was charged with the re-organisation and expansion of the former Bavaria Filmkunst.

The studios' first feature film under the new organisation, Harald Braun's *Zwischen gestern und morgen* (1947), was followed by, *inter alia*, visiting American productions such as Elia Kazan's *Man on a tightrope* (1953) and by a Federal Film Prize winner, Kurt Hoffmann's *Ich denke oft an Piroschka* (1955).

Following the Allies' decree in 1949 that the West German film industry should not be concentrated within one concern but should be broken up into separate companies, the *Bundestag* passed its 'Gesetz zur Abwicklung und Entflechtung des ehemaligen reichseigenen Filmvermögens' on 5 June 1953, and gave liquidator Fritz Thiery two years to find a purchaser for each division of the Ufi empire. At a meeting of the Liquidation Committee on 30 June 1954 it was decided to convert Bavaria Filmkunst GmbH into a joint

stock company ('Aktiengesellschaft') (71). On 22 December 1955 Bavaria Filmkunst AG was brought into being, and, six weeks later, on 10 February 1956, the studios' reprivatisation was completed with the purchase by Süddeutsche Bank AG, on behalf of Commerz- und Creditbank (Frankfurt am Main), Agfa (Leverkusen), Neue Deutsche Filmgesellschaft (NDF), and Schorcht Filmverleih, of shares in the company to the value of DM 6.8 million. The new company's board, manned by Fritz Thiery and Dr. Wolf Schwarz (managing director of NDF), took up its posts on 13 March 1956.

Schwarz was optimistic about the prospects for the reorganised Bavaria studios: 'Jetzt beginnt ein neues Kapitel deutscher Filmgeschichte. Von nun an werden Filme nicht mehr überstürzt und unvorbereitet durch Handwerksbetriebe hergestellt, sondern von langer Hand geplant und mit den nötigen finanziellen Mitteln ausgestattet, durch einen starken Konzern' (72). It was envisaged that the studios would handle ten 'in-house' productions a year, with the remaining two thirds production capacity being hired out to other production companies in Germany and abroad. Bavaria Filmkunst had the advantage over its competitors in that films produced on the 370 000 square metre Geiseltal site could subsequently be edited and copied there, and finally be distributed by the company's 'Hausverleih',



the former Schorcht distribution company. However, the enthusiastic forecasts made at the launch ceremony proved groundless when the studios' first financial report - for 1956/1957 - was presented in November 1958. Of the six films produced and released by Bavaria Filmkunst AG by 31 May 1957 - *Kleines Zelt und große Liebe*, *Herrscher ohne Krone*, *Rot ist die Liebe*, *Wenn wir alle Engel wären*, *Mädchen und Männer*, and *Rose Bernd* - , only two (*Herrscher ohne Krone* and *Rose Bernd*) had made any impact at the box office.

The production capacity at the Bavaria Filmkunst studios not used for 'in-house' production had not, as anticipated, been rented out to outside film production companies. Producers preferred instead to use studios in Berlin and Hamburg, where they could benefit from special credit facilities which had been introduced in response to the Federal Government's decision in 1955 to withdraw its scheme of guaranteed credits ('Ausfallbürgschaften') to the film industry.

Moreover, the board had come to realise that the merger with the late Kurt Schorcht's distribution company had been costly (DM 1.8 million) and misjudged since Bavaria Filmkunst had been faced in March 1956 with organising a release line-up for the 1956/1957 season 'from scratch'. Head of production Harald Braun was forced to 'buy in' low quality film projects for his 'in-house' production which subsequently drove ex-

hibitors from the new company when these films failed at the box office.

The first financial report for Bavaria Filmkunst AG concluded that the company had amassed a loss amounting to DM 1 067 882 in its first year of operations. In response to the studios' financial troubles, the Bavarian Finance Ministry agreed on 23 December 1958 to the establishment of a bank consortium, which was to make available up to DM 12 million for the financing of film production, with up to 60 % of an individual film's costs being met by this consortium's funds. Whereas the state credit systems had taken cultural criteria into account when awarding guaranteed credits to film projects, this scheme was exclusively oriented to economic and business considerations.

Changes had been made to the studios' personnel even before the financial report had been released: Peter Ostermayr and Fritz Thiery handed over on 10 October 1958 to Dr. Heinz Savelsberg and a colleague from Agfa, and, at the end of November 1958, Karl Emil Schulte, the owner of a chain of 29 cinemas and a business partner of Ilse Kubaschewski, owner of Gloria-Verleih, was welcomed onto the company's *Aufsichtsrat*. Schulte's involvement in Bavaria Filmkunst resulted in Kubaschewski's production wing, Gloria-Film, vacating its small studio in Baldham and agree-

ing to shoot future productions at Geiseltal. As *Der Spiegel* noted on 10 December 1958: 'so soll kurioserweise eine konzernfremde Privatfirma (Gloria) wesentlich zur Sanierung des Konzerns beitragen, der nach den Filmwirtschaftsplänen der Bonner Ministerien einst dazu ausersehen war, den "Kern einer wiedergesunden Filmwirtschaft" zu bilden' (73). Yet none of these measures introduced in autumn/winter 1958 could solve the company's increasingly worsening financial position: the financial report for 1957/1958 (up to 31 May 1958) gave the company's loss as standing at DM 4 954 881, and the following financial year, up to 31 May 1959, registered a DM 3.3 million loss. But the financial incentives to film at the Geiseltal studios offered by the Bavarian Finance Ministry's finance programme failed to prevent 30-40 % of the studios' annual capacity remaining idle during the winter of 1958/1959, although it must be remembered that the number of films being produced throughout Germany was contracting as the film industry fell victim to a new and more extensive financial crisis.

#### **Negotiations between the broadcasters and Bavaria Filmkunst AG**

It was against such a background of developments at Bavaria Filmkunst AG that Dr. Helmut Jedele, SDR's *Fernsehdirektor*, visited film industry contacts in

Munich in March 1959 and made tentative enquiries about the possibility of SDR having access to the (under-used) studio facilities at Geisalgasteig. Jedele's interest in the Bavaria Filmkunst studios was a long-standing one. In 1953 he had visited the studios and agreed to a favourable purchase price but had been unable to find another television station as a partner to share the production facilities which would have been too large for SDR alone. At the end of 1958 he had learnt that SDR's current studios at Killesberg would have to be vacated by the end of 1960, and a larger studio, still in the planning stage, would not be completed until 1963.

After being given the 'go-ahead' by SDR *Intendant* Hans Bausch and the SDR *Verwaltungsrat*, Jedele went to the Deutsche Bank, which held 40 % of the shares to Bavaria Filmkunst AG, to start negotiations. Talks were kept so secret that even the studios' board - Dr. Wolf Schwarz, Dr. Heinz Savelsberg, and Hans Kubaschewski - were not aware of the moves to engineer a takeover by television. Jedele soon realised, however, that SDR did not have the sufficient capital to embark on this venture alone and so contacted WDR to see if they would be interested in co-ownership. The reaction from Cologne was immediately positive since WDR was obliged to provide 25 % of the ARD communal schedule, but still did not have the necessary studio production

facilities to handle this amount of programmes.

Negotiations followed between the Bavaria Filmkunst board and a delegation from SDR and WDR, comprising of Jedele, Bausch, Dr. Alex Möller (SDR *Verwaltungsrat* chairman), Hans Hartmann (WDR *Intendant*), and Josef-Hermann Dufhues (WDR *Verwaltungsrat* chairman), which resulted in the founding on 1 July 1959 of Bavaria Atelier Gesellschaft mbH, jointly owned by Bavaria Filmkunst AG, SDR and WDR (through its commercial subsidiary Westdeutsche Werbe-Fernsehgesellschaft (WWF)).

#### **The founding of Bavaria Atelier Gesellschaft mbH**

On 10 July 1959 a press conference was held in the Geiseltal studios to announce the founding of the new company. Common stock ('Stammkapital') of DM 10 million had been raised, with DM 5 million coming from Bavaria Filmkunst AG in studio equipment and properties, and the other DM 5 million in cash from WWF and SDR (74). Under the agreement signed on 1 July, SDR and WWF (for WDR) would hold 51 % and Bavaria Filmkunst AG 49 % of the shares in Bavaria Atelier Gesellschaft mbH. Helmut Jedele was to take up the position of chairman of the company (which he held until 31 January 1979) and Heinz Savelsberg, on the board of Bavaria Filmkunst AG since 10 October 1958, was to be responsible for the administration of the company's

operations. Walter Pindter, who had been in the charge of the production of NWRV's six-episode television adaptation of Josef Martin Bauer's *So weit die Füße tragen*, which was filmed at the Bavaria Filmkunst studios and on location in Lapland, was brought from Cologne to become the new company's head of management (75).

In an official press release distributed at the press conference, the new management outlined the intended strategy of the new company with television partners as follows: 'Zweck der neuen Gesellschaft ist die Vermietung der Ateliers und Produktionsstätten, sowie der Betrieb des Kopierwerkes für Film und Fernsehen. Außerdem wird die Gesellschaft die Produktion von Fernsehsendungen und Fernsehfilmen aufnehmen'. The members of the management from Bavaria Filmkunst AG were keen to make it clear to exhibitors and distributors that the new company would be 'weiterhin auf dem Gebiet der Filmproduktion und des Verleihs tätig' (76), and Jedele, hoping to dispel fears among the film industry about the television stations' involvement with Bavaria Filmkunst, commented: 'Auf diesem Gebiet haben wir als Rundfunk-Anstalt nichts zu suchen !' (77).

Two of the studios' eight sound stages were to be converted for television programme production, with a DM 3.6 million modernisation plan being initiated to equip the stages according to the broadcasters' requir-

ements. In addition, a major overhauling of the complete studio site costing DM 6 million was planned, which was intended to attract foreign film producers to bring their films to Bavaria Atelier rather than studios in England, France, Italy, or elsewhere in Germany (78). One of the studios' first successes was the servicing of John Sturges's *The Great Escape* in 1962.

Reaction to the news of 'der sensationelle Vertrag mit dem Fernsehen' (79) (*Abendzeitung*, Munich) was mixed and coloured by the particular commentator's opinions of the respective merits of the film industry and television. The trade journal *Filmtelegramm* was full of congratulations for Bavaria Filmkunst signing a deal with WDR and SDR, whereas *Filmblätter* dismissed the new partnership as 'der Griff zum rettenden Strohalm' (80). *Bild-Zeitung* declared that the film industry 'hat vor seinem Gegner Fernsehen kapituliert' (81) whilst the arch-conservative *Deutsche Zeitung* claimed: 'Es gibt kaum einen Zweifel, daß die Bundesregierung und die Regierungsparteien nicht gewillt sind, dieser weiteren Ausdehnung des Monopols der Rundfunkanstalten tatenlos zuzusehen' (82). *epd/Kirche und Fernsehen* was more cautious in its assessment of the significance of this collaboration between the two allegedly mutually incompatible media: 'Zu wünschen

wäre, daß eine notwendige und nützliche faire Zusammenarbeit zwischen Fernsehen und Film nicht nur zur gegenseitigen Anpassung führt, sondern daß beide ihre wesensgemäße Verschiedenheit auch in einer Partnerschaft behaupten' (83). The broadcasters welcomed the partnership unreservedly, since, as SDR *Intendant* Hans Bausch indicated, it represented a model for the possible development of relations between the film industry and television in the future and could encourage other television stations to consider forging working relationships with other film production companies. (In fact, at the time of the signing of the signing of the Bavaria Atelier agreement, negotiations were under way in Hamburg between NWRV and Real-Film). The programme makers at SDR and WDR would now have the necessary production facilities to meet their own programme needs, in particular for the early evening programming which was the responsibility of the stations' commercial subsidiaries Westdeutsches Werbefernsehen GmbH and Rundfunkwerbung Stuttgart GmbH, and to accept programme production commissions from fellow ARD stations.

*Der Spiegel*, in a report on 22 July 1959, suggested that the broadcasters had also been keen to gain a foothold in the extensive production base at Bavaria Filmkunst because it would give them 'eine entscheidende Machtposition gegenüber den Interessenten . . . ,



die in der Bundesrepublik ein zweites, unabhängiges Fernseh-Programm betreiben möchten' (84). However, as *epd/Kirche und Fernsehen* revealed on 27 July 1959, the management of the former Bavaria Filmkunst AG had informed Freies Fernsehen GmbH, a consortium of publishers and industrialists brought into existence on 5 December 1958 in anticipation of the Federal Post Minister Richard Stücklen's allocation of a licence for a private commercial television service, of its talks with WDR and SDR, but had not been prevented in continuing them to the conclusion of the partnership agreement.

Within the ranks of the film industry there was uncertainty about the specific advantages this partnership would bring to the industry. It was accepted that some action had been necessary to tackle Bavaria Filmkunst's worsening financial position. But, as *Filmwoche* noted on 18 July, there was consternation at the speed with which Bavaria Filmkunst had come to the agreement and, moreover, without prior consultation of SPIO: 'Ein solch weitgehender Schritt schien Fachkreisen vorher wohl kaum im Bereich des Möglichen liegend' (85). Likewise, it was feared: 'wenn der Bavaria-Fall Schule macht, gibt es nur noch Film- und Fernsehproduzenten einerseits, filmmietende Kinobesitzer andererseits'.

In response to the claim by Siegfried Lubliner of the SPIO *Fernsehausschuß* that it was open to question how far the television partners would exert their influence on the studios' film production activities, Hans W. Kubaschewski, a member of the new company's *Aufsichtsrat*, countered at the press conference on 10 July that, despite the shareholding division of 51 %: 49 % in favour of the broadcasters, the company's policy decisions would only become binding after a two-thirds majority. He further stressed that partnership with television had been sought purely to safeguard the technical facilities at Geiseltal: 'Die alleinige Hinwendung der Bavaria Filmkunst AG auf die Spielfilmproduktion für die Filmtheater und die Tätigkeit des Bavaria-Filmverleihs in enger Zusammenarbeit mit den Theatern, bleiben von der Ausgründung der Atelier GmbH unberührt', and Karl Emil Schulte, who was responsible for Bavaria Atelier's distribution wing, promised that the new company would adhere to SPIO's policy of new feature films not being sold to television.

Despite the studio management's efforts to allay the fears of their colleagues working in other sections of the film industry, some, particularly within the ranks of the exhibitors, remained suspicious. Rolf Theile, chairman of the Zentralverband deutscher Filmtheater e.V. and the perpetuator of one of the anti-television

slogans during the controversial SPIO meeting in October 1955, remarked: 'Natürlich kann der Schritt der Bavaria zum Guten führen. Für uns Theaterbesitzer heißt es allerdings zunächst einmal abwarten, was die Bavaria-Leitung aus dieser Konstellation macht' (86).

#### **NWDR's purchase of shares in Real-Film**

Whilst the film and television trade press debated the advantages and disadvantages of a partnership between television and the film industry, as presented now in the form of Bavaria Atelier GmbH, news arrived from Hamburg that negotiations were being held between Real-Film and NWRV to reach a similar agreement to the one in Munich.

Talks had been held before, in 1952, when Walter Koppel, joint owner with Gyula Trebitsch of Real-Film, had offered to sell the production facilities at Wandsbek to the Hamburg-based NWDR. The talks were unsuccessful, the young television station deciding instead to build its own studio complex in Lokstedt, yet an informal arrangement was concluded whereby the Hamburg station could hire studio space from Real-Film to produce short films and 'Fernsehspiele' (87). Koppel however, was not dissuaded from attracting television as a user of his company's facilities and in summer 1958 signed an agreement with the Nord- und Westdeut-

scher Rundfunkverband (NWRV) which allowed the broadcasters access to studio space at Koppel's Rahlstedt headquarters for an initial two-year contract.

This move by Koppel to welcome television under his roof appeared, though, to be in crass contradiction to the attitude he had shown earlier at the SPIO members' meeting in Wiesbaden in October 1955 when he declared: 'Fernsehen ist kein technischer Fortschritt, sondern eine Belästigung' and to his assertion made early in 1957: 'Möglichkeiten der Zusammenarbeit mit dem Fernsehen sehe ich nicht'. A year later, with the worsening financial crisis in the film industry also beginning to affect Real-Film, Koppel revised his opinion of collaboration with television and declared: 'Zusammenarbeit ist immer gut. Ich vermiete meine Ateliers wie ein Hotelier seine Zimmer an jeden, der kommt und zahlt' (88).

After the conclusion of the agreement between NWRV and Real-Film, the company's partners decided to operate independently of each other, Koppel retaining the production wing Real-Film Produktionsgesellschaft and Europa Filmverleih, and Trebitsch heading Real-Film Atelierbetriebsgesellschaft mbH. Spurred on by the successful outcome of the talks between Bavaria Filmkunst AG, WDR, and SDR, Gyula Trebitsch, who had always been a supporter of closer links between the film industry and television, met with representatives

from Norddeutsches Werbefernsehen GmbH (NWF), the commercial subsidiary jointly owned by NDR and RB, to discuss the possibility of a similar arrangement in Hamburg (89).

On 17 December 1959 the Neue Atelierbetriebsgesellschaft Real-Film, called Studio Hamburg Atelierbetriebsgesellschaft mbH from 1 January 1961, was founded as a result of these talks, with NWF holding 80 %, and Koppel and Trebitsch sharing the remaining 20 % of the shares. The common stock of DM 3 million comprised of studio facilities and equipment from Real-Film Atelierbetriebsgesellschaft mbH and of guaranteed cash reserves from NWF. Trebitsch was appointed managing director of the new company and was joined by NDR legal adviser Joachim Frels as administrator. Three of the studios' sound stages were to be reserved exclusively for television programme production whilst the remainder would continue feature film production as before.

The Real-Film partnership with NWF differed, though, from the one concluded by Bavaria Filmkunst with WDR and SDR, since it was not based on urgent financial necessity to keep the studios alive, but formed instead part of Trebitsch's long-term plan of expansion and modernisation at Wandsbek. The financial security offered to the studios by the presence of

NWF could, as *Film-echo* admitted, only be to the good for Trebitsch's aspirations in the field of film production (90). Although television now held 80 % of the shares in the studios, the presence of Trebitsch as managing director would ensure that Real-Film did not operate against the interests of the film industry.

On a more modest level, Bayerischer Rundfunk rented studio facilities at RIVA-film- und lichttechnische Betriebe GmbH of Unterföhring (Munich) from summer 1959 (91), and in mid-1960 Hessischer Rundfunk acquired, through its subsidiary Werbung im Rundfunk GmbH, a 50 % share in Taunus Film GmbH, which had been established on 31 March 1959 to take over studios formerly operated by AFIFA, part of the old UFA empire (92).

The trend towards closer working relations, or even business partnerships, between the television stations and film studios was further encouraged by the perilous state of feature film production in Germany, by the controversial developments surrounding the Federal Government's plans for a private commercial television service, which had revived interest in studio facilities for programme making, and (when this venture failed after the 'Fernsehurteil' was passed on 28 February 1961) by the production facility requirements of the public-law television service, Zweites Deutsches Fernsehen, once it had been set up by the *Ministerpräsid-*

enten of the *Länder* in 1961. Thus, in September 1962 *Der Spiegel* reported that, of the 55 sound stages with a total area of 29 000 square metres, only seven - those of CCC-Filmproduktion in Spandau (4430 square metres) - were dedicated exclusively to feature film production: 'Aber auch CCC-Herr Arthur (*sic*) Brauner duldet das Fernsehen schon als subversives Element' (93). *Der Spiegel* quoted *Filmpress* as saying: 'Die Ateliers wären unterbelegt und müßten wahrscheinlich schließen, wenn sich nicht das Fernsehen ihrer angenommen hätte' (94).

**ARD's reorganisation of its film programming and purchasing provokes panic tactics by the film industry**

Whilst the film industry was faced at the end of 1959 with the fact that relations between the industry and television had taken on a new dimension after the agreement reached between Bavaria Filmkunst AG, WWF, and SDR, and the similar partnership between Real-Film and NWF, the broadcasters had already contributed in 1958 to a growing tension between the two media by embarking on a re-appraisal of the use of feature films in the television schedules and, subsequently, on a re-organisation of their film purchasing and programming policies.

In an attempt to reach a more co-ordinated and structured approach to the use of feature films, the ARD

*Hauptversammlung* agreed on 10 December 1958 to abandon the existing arrangement whereby each television station was responsible for the selection and purchase of feature films for its share of the Sunday matinee or communal evening schedules and to establish a central six-man Film Committee, which would assume these responsibilities. At a meeting of the *Ständige Programmkonferenz*, an assembly of *Programmdirektoren* who decide on the composition of the evening schedules, on 12-14 January 1959, HR *Programmdirektor* Hans Joachim Lange was appointed chairman of the committee, comprising of Hasso Bernd von Massow (NWRV), Walter Pindter (NWRV), Hans Gottschalk (SDR), Heinz Riek (SFB), and Friedrich Sauer (BR). The advantage of a centralised committee, given the authority to make decisions on film purchases for the whole ARD network, became clear with the acquisition in 1960 of a 'film package' of some 600 titles which could be screened over several years (95).

The change in mood by the broadcasters towards the feature film and its place in the television schedules had been accelerated by the screening on 11 November 1958 of an Italian film, *Amici per la pelle* (Dir: Franco Rossi, 1955), which had not appeared in the cinemas beforehand (96). The importer of the film, Sirius Film GmbH, had failed to interest a distributor



to handle this film and consequently accepted an offer from Degeto Film GmbH (97), which was acting as a film purchaser for Hessischer Rundfunk. As Degeto's managing director Hans Joachim Wack remarked in a survey of the company's history in the *ARD Jahrbuch* in 1973, the premiere of this film on television as opposed to in the cinema proved to be 'eine erste Markierung auf jenem Weg . . . , der schließlich dazu führte, daß der Spielfilm heute im Programm des DFS einen äußerst vielfältigen und wichtigen Bestandteil darstellt' (98). The success of this screening led to the broadcasters acquiring the rights to other artistically valuable films which were without theatrical distribution. In later years, the film purchasers' fervour to bring their viewers the best and most worthy films often brought them into conflict with specialist 'art house' distributors and exhibitors (collected within the Gilde Deutscher Filmkunsttheater and Arbeitsgemeinschaft Kino e.V.).

The exhibitors were swift to react to the news of the intended television premiere. The Gilde Deutscher Filmkunsttheater responded by issuing an open letter stating: 'Wir haben Kenntnis erhalten, daß ein Verleiher einen Film zur Uraufführung dem Fernsehen überlassen hat . . . In der außerordentlichen Mitgliederversammlung der "Gilde deutscher Filmkunsttheater" . . . wurde dieser Sachverhalt zur Sprache gebracht .

. . Die Mitglieder erklärten, daß mit einer Fernseh-  
aufführung für sie der Film "gestorben" sei' (99). The  
SPIO board, spurred on by recommendations made on this  
problem at international exhibitors' conferences in  
Venice in September and Wiesbaden in October, decided  
at a sitting on 31 October 1958 to set up a 'Verwert-  
ungsgesellschaft für Fernsehrechte mbH' (100). This  
decision was given official approval by delegates from  
all sectors of the film industry at a meeting on 9  
December 1958.

The purpose of the 'Verwertungsgesellschaft' was to  
enable the acquisition, administration and exploitat-  
ion of broadcast rights to any West German feature  
films. The scheme that was to be adopted followed, in  
broad terms, the model provided by the British Film  
Industry Defence Organisation Limited (FIDO), which  
collected a farthing on each cinema ticket sold and  
deposited it in a special fund to be used for the acq-  
uisition of broadcast rights of films before they were  
offered to television. SPIO considered that this body  
would be able to monitor and control the movement of  
the rights, and to persuade producers and distributors  
to act in the interests of their colleagues in  
exhibition. Furthermore, a closer co-operation within  
the ranks of the film industry could make this  
'Verwertungsgesellschaft' 'ein ebenbürtiges und

verhandlungsfähiges "Gegenmonopol" zu der Position der Rundfunkanstalten' and thus achieve many of the demands made of the broadcasters by the film industry (101).

However, this scheme did not receive the universal support expected, even from those for whom it was specifically intended to benefit, namely the exhibitors. In a poll conducted by *Filmblätter* amongst a representative cross-section of one hundred exhibitors, the responses revealed that, out of sixty-four returned papers, only thirty-three approved, whilst twenty-nine rejected the acquisition of broadcast rights, arguing: 'Die alten Kino-Spielfilme gehören ja der Filmwirtschaft - warum sollen wir sie noch einmal kaufen?' (102). The officials appointed to administer the acquisition scheme charged Horst von Hartlieb, managing director of the distributors' and producers' associations, with the task of entering into negotiations with those parties likely to be affected by the scheme. Meetings were held at the Bundeskartellamt in April 1959 and with individual distributors and producers. SPIO's *Fernsehausschuß* had touched on the topic of the 'Verwertungsgesellschaft' at a meeting with the *Programmdirektoren* in Baden-Baden on 14 May 1959, but had not secured any commitments from the broadcasters. The main obstacle to the success of the 'Verwertungsgesellschaft' was the question of how - if at all - to reimburse the individuals or companies who were the

holders of the broadcast rights, and if so, from where this reimbursement money was to be found.

By November 1959 there was a feeling that the acquisition scheme would never become operational, a state of affairs underlined by an article in *Filmblätter*, headlined 'SPIOs Fernsehverwertung "i.R."', which claimed that, apart from isolated discussions with producers, little had been achieved since the official launch the previous December (103). Attempts were made to revive interest in the scheme, but it was eventually dissolved in 1962, the victim of conflicting interests within the film industry.

#### The end of SPIO's *Fernsehausschuß*

The inability of the film industry to develop and co-ordinate an all-industry strategy for the 'Verwertungsgesellschaft' put a question mark over the future of SPIO's *Fernsehausschuß* and over the effectiveness and even desirability of a rigid policy towards television by the film industry. The usual antagonistic stance taken by the *Fernsehausschuß*, controlled as it was predominantly by exhibition interests, to relations with the television stations appeared out of place now that the broadcasters, assured of a constantly rising income from new licence registrations, became more confident in their dealings with the film

industry and, in the hard-line film officials' view, more complacent towards the grievances of the film industry.

Two meetings were held in 1959, on 14 May and 19 June, between the *Fernsehausschuß* and the *Fernsehdirektoren*, but although several topics of particular concern to the exhibitors were discussed: the 'Verwertungsgesellschaft für Fernsehrechte mbH', entertainment tax, the large-screen projection of special television programmes such as live sports events, the scheduling of feature films, the appearance of television films in cinemas, there was no longer a sense of urgency or obligation on the broadcasters's part to come to any agreement, especially since they felt that their relations with the film industry were improving after the establishment of working partnerships with production companies (e.g. Ufa) and studios (Real-Film and Bavaria Filmkunst AG). As Gerd Albrecht notes in his survey in 1984 of the development of the relationship between film and television industries in the 1950s, the talks had now become little more than routine: 'Man sprach zwar miteinander und sprach auch nicht mehr aneinander vorbei, aber man hatte sich auch jetzt nichts zu sagen, was Veränderungen der eigenen oder der anderen Position zur Folge gehabt hätte' (104).

A meeting between the *Fernsehausschuß* and the broad-

casters on 22 January 1960 passed without any real debate on the issues concerning the exhibitors, and without any indication as to whether either side was interested in meeting again in the future. Six months later Clemens Münster of Bayerischer Rundfunk wrote to the *Fernsehausschuß* to inform it that a sitting of the *Ständige Programmkonferenz* on 1-3 June had discussed the subject of the meetings between SPIO and the broadcasters and concluded 'daß keine der beiden Gruppen in diesem Augenblick von der Fortführung der Gespräche auf der bisherigen breiten Basis bedeutende Förderung erwarten kann' (105).

Faced with this acknowledgement of a stalemate situation in the formal meetings between the film industry and television, SPIO's *Fernsehausschuß* lost its primary purpose of existence and was subsequently dissolved later in 1960. Discussions were continued, though, on an informal basis between individual production companies and studios and the television stations, especially during the preparations for the launch of the second television service, Zweites Deutsches Fernsehen, during 1961 and 1962. This had, in fact, been common practice even when the *Fernsehausschuß* was supposed to be co-ordinating and representing the film industry's views to television. The chances for the resumption of more formalised negotiations about the

relationship between the film industry and television improved with the appointment in January 1964 of Werner Hess, HR *Intendant*, to the post of chairman of an ARD 'Kommission für die Zusammenarbeit mit der Filmwirtschaft', which he held until 1972 after which time the responsibility for holding talks with the film industry was entrusted solely to Hess, as a representative of ARD. A binding agreement regulating relations between television and the film industry did not come into being until the signing of the 'Film/Fernseh-Abkommen' on 4 November 1974 by ARD, ZDF, and the 'Filmförderungsanstalt' (FFA).

**Conclusions: Reasons for the failure of SPIO's  
*Fernsehausschuß***

The *Fernsehausschuß* was dogged throughout its existence by the very problems which had served to prevent the film industry from developing a coherent 'all-industry' strategy for the issue of television during this first decade: the conflicts of interests between the member associations of SPIO. The production companies and individual producers were keen to conclude programme commission contracts with the television stations once they knew that the broadcasters were in need of a constant supply of new programme material for their schedules but lacked the experience, both technically and artistically, for fictional

programming; they were also aware that shifting part (or all) of their operations to television programme production could help to offset losses made at this time in feature film production.

The film technicians and owners of production facilities soon entered into working partnerships with television stations since they could offer services - 'knowhow' and equipment - which the broadcasters, at least in the early days, could not contemplate acquiring. The studios' readiness to adapt their existing facilities for electronic tape recording was, of course, part of a strategy to prevent the television stations from investing in the construction of their own production studios. Measures to attract television as a regular customer increased as the film studios found that they could no longer rely on feature film production; those studios unable to attract television as a financial partner or to switch to television programme production invariably closed their gates, e.g. Divina studios near Munich and Filmatelier Göttingen GmbH (closed January 1962) (106).

The distributors followed the example set by the studios in the USA and viewed television as a welcome additional market for them in which to exploit their back catalogues of films which were (supposedly) no longer of commercial interest to the cinemas. However, after the screening of *Amici per la pelle* in autumn



1958 as a West German premiere on television, the distributors would have to contend with the broadcasters' more aggressive and professional film purchasing and programming policies, which, in the following years, pointed up the gross inadequacies and unimaginativeness of West German distributors by featuring films which had been passed over for theatrical release (107).

The exhibitors, though, were unable to develop a similar working relationship with television because of the specific and fixed nature of the cinema as a place for the screening of films. When they saw their 'exclusive' right to the screening of feature films thrown into question by the distributors' and producers' readiness to sell film rights to the television stations, the exhibitors responded with rallying cries such as 'Keinen Meter Film für das Fernsehen' and demands that television should agree to the cinema projection of selected television programmes and accept restrictions on its use of feature films in the schedules. Once the cinema admissions began to fall after 1956, the exhibitors' association, the Zentralverband Deutscher Filmtheater e.V., became increasingly hostile towards the other sectors of the film industry and lost much of the support and understanding it might have gained from a more sober approach to the others'

involvement with television.

SPIO's *Fernsehausschuß* was also weakened in its potential effectiveness by the 'umbrella' organisation's board's unwillingness to back resolutions passed by the committee at critical points in relations between the film industry and television which could have shaped future developments. In addition, since membership to SPIO was voluntary, any decisions made by the SPIO board or its sub-committees could only be addressed to the member associations as recommendations rather than as legally binding directives. Thus, each sector of the industry could ignore those recommendations which could pose a hindrance to its unilateralist strategies.

There was also a failure by the film industry as a whole to recognise that the infant television service was in a process of constant discovery and evolution during this decade, which meant that those running the television stations were receptive to all kinds of influences and, subject to their financial resources, prepared to experiment and develop the possibilities within the television medium, e.g. in commissioning programmes from Ufa or in producing feature-length films for exclusive television transmission such as SDR's *Der Richter und sein Henker*.

Whilst the *Fernsehausschuß* stressed the urgency of an agreement by the broadcasters to restrictions on

the use of feature films in the television schedules, the broadcasters were apt to counter that they were intending to concentrate their energies on live broadcasts as something peculiar to the television medium. This strategy, however, was abandoned by the end of the decade once it was realised that an over-reliance on live programming was technically cumbersome and not cost-effective; and that the scheduling of feature films could contribute to television's attractiveness. The main body of the film industry meanwhile had, with little foresight, regarded the amateurish beginnings of the television service from 1952, run largely by technicians and programme-makers from radio, as clear proof that this supposed new rival would never be a match for its own products which were at the height of their popularity in the mid-1950s. When television began to make in-roads into the cinemas' mass appeal and the admissions began to fall (from 1957), the television service was already becoming too established and (increasingly) powerful for the film industry to influence to its liking. As future chapters (Chapters Two, Three, Four, etc.) will reveal, the film industry, in particular the exhibitors, attempted to remedy their wasted opportunities of the 1950s by lobbying politicians in the *Bundestag* and the *Länder* parliaments, allies in the print media, and the broadcasters for

measures to curb television's 'negative influence' on  
the film industry.

### Notes: Chapter One

- (1) Hans-Dietrich Weiß, 'Der Stand des Fernsehens in der Welt', *Filmblätter*, 6, 10 February 1950, p. 123.
- (2) fp, 'Deutsches Fernsehen voraus?', *Filmblätter*, 35, 1 September 1950.
- (3) *Gabriela*, directed by Geza von Cziffra in 1950, starred Zarah Leander.
- (4) Gunther Faupel, *Medien im Wettstreit: Film und Fernsehen* (Münster, 1979), p. 17.
- (5) Sten, 'Fernsehgeneral vergaß das Komma', *Filmblätter*, 41, 13 October 1950, p. 882.
- (6) Faupel, pp. 31-32.
- (7) Ibid., p. 31.
- (8) Ibid., p. 32.
- (9) Anon, 'Deutsche Kinos installieren Fernseh-Projektoren', *Filmblätter*, 41, 12 October 1951.
- (10) Cf. Anon, 'Für fairen Wettbewerb', *Film-echo/Filmwoche*, 89/90, 8 November 1963, pp. 3, 6.
- (11) Bericht der 'Kommission zur Untersuchung der Wettbewerbsgleichheit von Presse, Funk/Fernsehen und Film' (Michel-Kommission), Bonn 1967 (*Bundestags-Drucksache* 5/2120).
- (12) Dr. Rudolf Vogel, 'Zum Beginn des deutschen Fernsehens', *Filmblätter*, 4, 25 January 1952, p. 85.
- (13) Dr. H.A. Plaumann, 'Beginn des Fernsehens leitet auch eine neue Aera (*sic*) des Films ein', *Filmblätter*, 11, 14 March 1952, p. 236.
- (14) FBp, 'Die Filmwirtschaft fragt, Dr. Vogel antwortet', *Filmblätter*, 27, 4 July 1952, p. 598.
- (15) Faupel, p. 35.
- (16) Florentine Ungar, 'SPIO-Zinnsoldaten-Parade gegen Fernsehen', *Filmpress*, 31, 21 August 1952, pp. 2-6 (3).
- (17) Ibid., p. 4.

- (18) G.H. Verleaux, 'Der Unfug neuer Fernsehstudios', *Filmpress*, 32, 28 August 1952, pp. 13-14 (14).
- (19) Anon, 'Fernsehen wirbt für Film', *Filmblätter*, 22, 30 May 1952, p. 479.
- (20) Günter Herrmann, '25 Jahre ARD', *Rundfunk und Fernsehen*, 3 (1975), pp. 211-239 (215-216).
- (21) Faupel, p. 47.
- (22) Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p. 362.
- (23) Faupel, p. 47.
- (24) In 1952 the cinemas in West Germany numbered 4853, with admissions topping the 600 million mark. Roeber and Jacoby, pp. 206, 309.
- (25) Faupel, p. 60.
- (26) Gerd Albrecht, 'Filmwirtschaft und Fernsehen in ihren Beziehungen 1950-1960', *Studienkreis Rundfunk und Geschichte Mitteilungen*, 2 (April 1985), pp. 161-173.
- (27) Ibid., p. 164.
- (28) Faupel, p. 61.
- (29) Dr. H.A. Plaumann, 'Nochmals: Die Konkurrenz zwischen Filmtheater und Fernsehen', *Filmblätter*, 1, 2 January 1953, p. 16.
- (30) Anon, 'Interview mit Dr. Pleister', *Filmblätter*, 1, 2 January 1953, p. 16.
- (31) FBs, 'Wirtschaftler äußern sich zum Fernsehstart', *Filmblätter*, 2, 9 January 1953, p. 39.
- (32) Walter Leckebusch's company specialised in shorts for German Railways, e.g. *Schützende Signale* (1953) and *Vom Brennen und Löschen* (1966). Cf. Roeber and Jacoby, pp. 816-817.
- (33) The company's first film was co-founder Braun's *Zwischen gestern und morgen* in 1947 and was followed by, among others, Kurt Hoffmann's *Feuerwerk* (1935) and Helmut Käutner's *Himmel ohne Sterne*; after 1962 only television films were produced by

NDF.

- (34) Schelkopf, who later became one of the industry's harshest critics of its own intransigence towards improving its relations with television, produced such films as *Skandal im Mädchenpensionat* (1953) and *Liebe und Trompetenblasen* (1954). Cf. Roeber and Jacoby, p. 214.
- (35) Founder of Bavaria studios in Munich, Ostermayr produced a series of films in the 1950s based on Ludwig Ganghofer novels. Cf. Roeber and Jacoby, p. 216.
- (36) Two of Georg Witt's successes were *Ich denke oft an Piroschka* (1953) and *Das Wirtshaus im Spessart* (1958). Cf. Roeber and Jacoby, p. 216.
- (37) Faupel, p. 71.
- (38) In March 1960 it was reported that 100 producers had come forward offering to be programme providers to Freies Fernsehen GmbH.
- (39) Cf. fff, 'Auch die Deutsche Wochenschau mit dabei. Produktionskapazität der Fernseh-Allianz 170 Stunden pro Jahr', *fff-Press (Fernseh-Film)*, 22 March 1962, pp. 10-12; fff, '10 Millionen DM investiert. "Arbeitsgemeinschaft Fernsehen" wartet auf Mainz', *fff-Press*, 24, 26 March 1962, p. 5; fff, 'Stellungnahme des Fernsehproduzenten Verbands', *fff-Press (Fernseh-Film)*, 5 April 1962, p. 15.
- (40) Roeber and Jacoby, pp. 205-206.
- (41) Albrecht, p. 166.
- (42) Faupel, p. 98.
- (43) Ibid., p. 103.
- (44) Production was up from an annual total of 60 in 1951 to over 100 by the end of 1955; cinema admissions went from 614.5 million in 1952 to 680.2 million in 1953.
- (45) Cf. Hans Abich's comment in 'Das Film-Fernsehen-Kommen-Chance oder Gängelung für den Kinofilm' in: *Förderung essen Filme auf*, edited by Gisela Hundertmark and Louis Paul (Munich, 1984), : 'So blieb für die Filmproduzenten unseres Landes das Thema Television solange unter "Verschiedenes"

unerledigt auf der Tagesordnung, bis das Fernsehen auch für uns unbezweifelbar da war'(110).

- (46) Cf. Werner Nestel, 'Das Fernsehhaus Lokstedt', *Rüfer und Hörer*, November/December 1953, pp. 104-108.
- (47) Faupel, pp. 115-116.
- (48) Ibid., p. 120.
- (49) Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 70*, pp. 73-83.
- (50) Werner Hess, 'Film und Fernsehen', *Media Perspektiven* archive, 11pp..
- (51) Ibid., p. 2.
- (52) Klaus Keller, '"Kino und Fernsehen - keine Alternativmedien" - aber Konkurrenzmedien', *FUNK-Korrespondenz*, 13, 28 March 1979, pp. 1-4 (1).
- (53) Faupel, p. 121.
- (54) Ibid., p. 126.
- (55) Film production reached a peak in 1955 with 125 films produced; 1956 was the 'peak' year for cinema admissions: 817.5 million. Cf. Roeber and Jacoby, pp. 205-206.
- (56) fff, 'Der WDR-Intendant über Fernseh-Finanzhilfe für den Film', *fff-Press*, 2, 9 January 1964, p. 2, and Eberhard Hauff, 'Ohne Kino stirbt der Film', *VideoMarkt*, 3 (March 1985), p. 21.
- (57) Hans Gottschalk, 'Fernsehspiel und Fernsehfilm', *Rundfunk und Fernsehen*, 1 (1954), Cf. also Artur Müller, 'Fernsehen und Film', *Rundfunk und Fernsehen*, 2/3 (1957), pp. 122-130; Klaus Hebecker, 'Was kommt denn da ins Haus?', *Rundfunk und Fernsehen*, 2/3 (1957), pp. 147-152; Kurt Joachim Fischer, 'Die feindlichen Geschwister', *Rundfunk und Fernsehen*, 2/3 (1957), pp. 154-162; and Dankward G. Burkert, 'Fernsehen - Film - Fernsehfilm', *Rundfunk und Fernsehen*, 4 (1958), pp. 341-354.
- (58) Rupert Neudeck, 'Zur Geschichte des Fernsehspiels' *ARD Fernsehspiel*, Jan-Mar 1979, p. 2.
- (59) ftg, 'Der Richter und sein Henker', *Filmforum*, 13 October 1957, p. 5.



- (60) Müller, *Rundfunk und Fernsehen*, 2/3 (1957).
- (61) Ibid., p. 125.
- (62) Ibid., p. 126.
- (63) In 1956 the Universum-Film GmbH (Ufi), Ufa-Anlagen AG and Ufa-Theater AG were reunited under one roof with support from the Deutsche Bank and Dresdner Bank. Cf. Thomas Elsaesser, 'The Postwar German Cinema' in: *Fassbinder*, edited by Tony Rayns (London, 1980), p. 6; and Friedrich Wilhelm Hymmen, 'Ufa (nach 1945)', *Medium*, 2 (1984), p. 51.
- (64) NWDR ceased operations on 31 March 1956 and handed responsibility for broadcasting over to two separate stations, NDR (in Hamburg) and WDR (in Cologne), which were administered by an 'umbrella' organisation, the Nord- und Westdeutsche Rundfunkverband (NWRV). Separate regional programmes were broadcast from 1 December 1957, and NWRV was finally dissolved in 1961.
- (65) Volker von Collande: his films included *Das Bad auf der Tenne* (1942), *Insel ohne Moral* (1950) and *Hochzeit auf Immenhof* (1956). See entry in *Reclams deutsches Filmllexikon* (Stuttgart, 1984), p. 39.
- (66) Feature film production by Ufa was delayed for so long by the new management that the first three features did not appear in the cinemas until the latter half of 1958. Cf. Roeber and Jacoby, p. 234
- (67) K.O.G., 'Wir können die Programme beeinflussen', *Filmwoche*, 47, November 1957, p. 13.
- (68) Faupel, p. 131.
- (69) Telemann, 'No, Sir', *Der Spiegel*, 11 February 1959, p. 58.
- (70) Klaus Hebecker, 'Theatralik in der Wohnstube', *Filmforum*, 15 (December 1957), p. 3.
- (71) Cf. Roeber and Jacoby, pp. 166-169.
- (72) Anon, 'Bavaria - Bürgerschaft gesucht', *Der Spiegel*, 4 September 1957, p. 50.
- (73) Anon, 'Eine neue Ära?', *Der Spiegel*, 10 December 1958, pp. 59-61.

- (74) The common stock was raised, after approval was received from the shareholders, to DM 15 million on 8 June 1961, and to DM 25 million on 16 September 1966.
- (75) *So weit die Füße tragen*, directed by Fritz Umgelter from the book by Josef Martin Bauer, broadcast on 12 and 24 February 1959, 10 and 24 March, 7 and 21 April 1959; repeated during October and November 1959. Cf. *Fernsehspiele in der ARD 1952-1972*, edited by Achim Klünder and Hans-Wilhelm Lavies (Frankfurt, 1978).
- (76) Anon, 'Bavarias "Unternehmen Pferdekur"', *Filmblätter*, 29, 18 July 1959, p. 819.
- (77) Anon, 'Bavaria - Grund zum Feiern', *Der Spiegel*, 22 July 1959, p. 58.
- (78) Between 1962 and 1966 DM 22.5 million was invested in building and modernisation of equipment and a further DM 9.5 million spent on acquiring property. Cf. '25 Jahre Bavaria Atelier', *Die Klappe (Sonderausgabe)*, October 1984.
- (79) *Der Spiegel*, 22 July 1959.
- (80) *Filmblätter*, 18 July 1959.
- (81) *Der Spiegel*, 22 July 1959.
- (82) epd, 'Expansionsdrang der Anstalten verstimmt Bonn', *epd/Kirche und Fernsehen*, 15, 27 July 1959, p. 3.
- (83) epd, 'Das Fernsehen kauft auf', *epd/Kirche und Fernsehen*, 15, 27 July 1959, pp. 1-2 (2).
- (84) *Der Spiegel*, 22 July 1959.
- (85) Anon, 'Echte Partnerschaft wäre zu begrüßen', *Filmwoche*, 29, 18 July 1959, p. 3.
- (86) *Filmblätter*, 18 July 1959.
- (87) Cf. Werner Nestel, 'Das Fernsehhaus Lokstedt', *Rufer und Hörer*, November/December 1953, pp. 104-108.
- (88) Cf. Anon, 'Das Koppel-Geschäft', *Der Spiegel*, 24 September 1958, p. 62.

- (89) NDR owned 92.59 %, RB 7.41 % of NWF. This commercial subsidiary has now been under the complete control of NDR since 1971 when Gyula Trebitsch transferred his 20 % share of the studios to NWF. For a comprehensive survey of the development of Studio Hamburg under its new owners, see Wolfgang Limmer, 'Mit hanseatischer Gelassenheit', *neue medien*, 3 (January 1985), pp. 112-118, and the articles listed in the Studio Hamburg bibliography.
- (90) *Film-echo/Filmwoche*, 20 January 1960.
- (91) Roeber and Jacoby, p. 352.
- (92) *Ibid.*, pp. 892-893.
- (93) Anon, 'Unter weißer Flagge', *Der Spiegel*, 12 September 1962, pp. 77-79 (77).
- (94) *Ibid.*, p. 78.
- (95) Cf. Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 70*, pp. 73-83 (75).
- (96) Anon, 'Der Pfennig-Fonds', *Der Spiegel*, 19 November 1958, pp. 76-77.
- (97) Degeto stands for Deutsche Gesellschaft für Ton und Bild. On 18 November 1954 the shares of Degeto-Film GmbH, formerly part of the Ufa empire, were acquired by Werbung im Rundfunk GmbH, a subsidiary of HR. See Hans Joachim Wack, 'Filmeinkauf für Millionen', *ARD Jahrbuch 73*, pp. 123-131.
- (98) Wack, p. 123.
- (99) *Der Spiegel*, 19 November 1958, p. 77.
- (100) The constitution of this body and its subsequent history are detailed in Gunther Faupel, *Medien im Wettstreit: Film und Fernsehen* (Münster, 1979), pp. 148-163.
- (101) Faupel, p. 152.
- (102) Anon, "'Die Kinospielefilme gehören uns'", *Filmblätter*, 46, 7 November 1958, p. 1333.
- (103) Anon, 'SPIOs Fernsehauswertung "i.R."', *Filmblätter*, 46, 14 November 1959, p. 1213.
- (104) Gerd Albrecht, 'Filmwirtschaft und Fernsehen in

ihren Beziehungen 1950-1960', *Studienkreis Rundfunk und Geschichte Mitteilungen*, 2 (April 1985), pp. 161-173 (171).

(105) Letter sent by Münster on 22 June 1960. Faupel, p. 191

(106) Roeber and Jacoby, pp. 358-361.

(107) Cf. Wolf Donner, 'Im Kino hat man mehr vom Film', *Die Zeit*, 10 October 1969, p. 21.

## CHAPTER TWO

In Chapter One the development of the film and television relationship in the 1950s was seen to be largely the result of individual initiatives by producers and studio managements played out against a background of vigorous hostility from the greater part of the film industry towards television, and of the broadcasters' 'finding their feet' in the organisation and running of the television service.

Chapter Two shows, again from the double perspective of broadcasting and film history, how rapid changes and crises in both industries in turn influenced the form and progress of the film and television relationship. For the film industry, the downward trend in cinema admissions in the years following the peak total of 817.5 million in 1956 had 'knock-on' effects for the distribution, production, and technical branches, which made the option of a close(r) working collaboration with television appear more attractive and beneficial, particularly since this could help offset the industry's losses in the feature film sector. The broadcasters, on the other hand, were at the beginning of their rise in popularity: television licence registrations passed the 1 million mark in early 1957 and numbered over 6 million by the time Zweites Deutsches Fernsehen (ZDF) began transmissions

on 1 April 1963. The firm financial base guaranteed by the ever-increasing number of television licence holders afforded the broadcasters the freedom to consolidate their operations and initiate programmes of expansion, in particular in the area of the acquisition or construction of programme production facilities, which contributed little to fostering harmonious relations between television and the film industry.

A positive influence on the development of relations between the two media came, as this chapter recounts, with the attempts of Federal Chancellor Konrad Adenauer to establish a private commercial television service, Deutschland Fernsehen GmbH, in competition with the existing ARD network. Although this venture was halted by the *Bundesverfassungsgericht* in 1961, preparations for this commercial television service set in motion the creation of an independent production sector, made up of producers moving over from feature films and those new to the business, which was geared to acting as programme-provider for all parts of the schedules outside current affairs and news. When the *Ministerpräsidenten* agreed to the founding of a second public-law broadcasting service after the 'Fernsehurteil', the commissioning of programmes from outside producers was explicitly encouraged in the inter-Land treaty governing the organisation of ZDF. Thus, the pool of producers which had been on hand to

bid for contracts from Adenauer's television service were able to offer their expertise to the new channel, which was largely reliant on outside produced programme material, since it did not own any extensive programme production facilities. The success of ZDF's launch in 1963 was thanks in no small part to the co-operation between the broadcasters and the independent producers which helped prepare the way for further expansion of film/television relations. A commitment in the future of a large percentage of ZDF's programming budget to commissioned productions was thus considered a moral obligation, but this interdependence was jeopardised in the early years of ZDF by the channel's precarious financial situation.

With the arrival of ZDF in 1963 the number of films appearing in the television schedules rose over the 200 mark (ARD had screened 160 in 1962), thus reviving and focusing the exhibitors' charges of the existence of an unfair state of competition to the advantage of television. The arguments set out by the film industry 'umbrella' organisation SPIO in its 'Feststellungen der Filmwirtschaft zur Wettbewerbsungleichheit Film/Fernsehen' in October 1963, after much prompting from the exhibitors, persuaded a subsequent *Bundestag* debate on the matter to agree to the appointment of a commission of inquiry which would investigate the

claims of the film industry and their allies in the press. This lobbying of the parliamentarians by the film industry establishment and the organs of the Axel Springer press empire tended to draw attention and energy away from discussion of the initiatives for greater co-operation between film and television, such as the one advanced in early 1963 by former *Intendant* Hanns Hartmann. In the absence of official film industry support of co-production ventures with television, working relations between the two media had to find their own way forward by means of informal contacts and arrangements between individual branches of the film industry and ARD member stations or ZDF.

**Plans for the commercial second television service, Deutschland Fernsehen GmbH, provide the film industry with another potential outlet for its services and products**

The plans of Konrad Adenauer's administration to set up a commercial privately run second television service, independent of the existing ARD network, offered the film industry, in particular the film producers and studio owners, a further opportunity to diversify and make up for the fall-off in feature film production, which in some cases meant concentrating solely on television productions in the future (1).

The beginnings of a 'goldrush mentality' amongst the production and technical sectors of the industry was prompted by the news in early 1960 that on 30 December



1959 a syndicate of industrialists, publishers, and businessmen, Freies Fernsehen GmbH (FF), had been commissioned by the Federal Government to start preparations for the launch of a second television service from 1 January 1961. The syndicate, founded on 5 December 1958 by Reinhold Krause, chairman of the Studiengesellschaft für Funk und Fernsehwerbung e.V., and Heinrich Merkel, deputy chairman of the Pressevereini- gung für neue Publikationsmittel e.V., had been given to understand in confidence by the Federal Press Office on 16 December 1959 that FF should apply for credit facilities to allow it to start work and that the Federal Government would stand surety for any loans. Although the government later insisted that no such promise had been made, a loan of DM 20 million was made available to the syndicate in early 1960 and a total of DM 120 million committed to the venture of a private second service before it was brought to an abrupt end on 28 February 1961 by a judgment of the Bundesverfassungsgericht in Karlsruhe, which declared that the actions of the *Bund* had been unconstitutional (2).

Personnel for the new television service were 'poached' over the next few months from existing ARD stations, the film industry, and from outside broad- casting: Dr. Gerhard Eckert, a media analyst, was

appointed Deputy Head of Programmes with responsibility for compiling a schedule for the first months of the new service (3); 'star reporter' Peter von Zahn was hired from Nordwestdeutscher Rundfunkverband with the promise of a DM 60 000 salary, whilst Dr. Helmut Schreiber, alias 'Kalanag' the entertainer, was brought from Bavaria Filmkunst AG to be FF's Head of Light Entertainment; Ernst Bornemann, programming officer for the British Film Institute, was appointed in February 1960 as Head of Production and Administration (4). However, as Eckert admitted at a conference held by the Evangelische Akademie für Rundfunk und Fernsehen in November 1960, FF had difficulties in filling many of the top posts (5): the position of *Programmdirektor* was offered to Dr. Karl Holzamer, the future *Intendant* of Zweites Deutsches Fernsehen, but he was unable to accept, having recently been appointed *Rektor* of the University of Mainz (6).

The lack of studio space available to the programme planners for the production of an estimated 1 008 hours of programmes for the first six months of operations posed another major problem (7). During 1959 television stations in the ARD network had acquired majority shareholdings in the former Bavaria Filmkunst AG in Geiseltal (now re-christened Bavaria Atelier GmbH) and in Real-Film in Wandsbek (Hamburg); and in mid-1960 HR took a 50 % share in the studios of Taunus Film

GmbH in Wiesbaden. The two 600 square metre television studios held by RIVA-lichttechnische Betriebe in Munich were currently hired out to BR until at least August 1960. But, according to FF's managing director Professor Friedrich Gladenbeck (8), another two studios would be available for programme production by October, although RIVA claimed that mid-January 1961 was a more realistic starting date. In the meantime, provisional studios were rented at Eschborn (Frankfurt) for the production of current affairs programmes, but it was soon realised that the majority of the entertainment schedules would have to comprise 'bought-in' foreign material - up to 50% - and commissioned programmes from film production companies.

Aware of FF's likely dependence on film production companies with access to studio facilities, artistic and technical 'know-how', many film companies established television production arms or completely new production companies geared to servicing the needs of the new television service. One of the most active companies working for FF during 1960 was TV-Union (Television Union Fernsehproduktion und Studio GmbH), founded in October 1959 by Wolf Brauner, younger brother of Artur Brauner (head of CCC-Film), and Hans Kaden. Renting two sound stages at CCC-Film's Spandau studios, with additional arrangements for the use of

sets, costumes, and technicians, TV-Union worked at a breathtaking pace - 'mindestens alle vier Tage ein neues Stück' - so that, by the end of January 1961, 65 hours of programme material had been produced. Brauner predicted that the rate of production could be increased yet further once an outside broadcast unit bought in the USA was put into operation in February 1961 (9).

The participation by the film industry in preparations for the second television service could mean, *Filmwoche* suggested in August 1960, 'daß auch die Programmgrundsätze wesentlich mehr auf die spezifischen Bedürfnisse der Filmwirtschaft zugeschnitten werden' (10). The service to be run by FF would, according to deputy Head of Programmes Eckert, have a more positive attitude toward the film industry, thereby restricting the number of popular feature films shown at weekends, liaising with the film industry on the appearance of stars or treatment of particular subjects by television, having a co-ordinated campaign advertising latest cinema releases on television, and reserving the reporting of national events for the cinema newsreels (11). This could only be achieved if the film industry presented the new television service with a united front.

### Deutschland Fernsehen GmbH and the 'Fernseh-Urteil'

In its enthusiasm to prepare a daily schedule for a 1 January 1961 launch, Freies Fernsehen GmbH forgot that it was still only a (highly favoured) contender for the licence to operate the second television service and that Adenauer's plans were still subject to the passing of the broadcasting law drafted by the Interior Minister which envisaged the setting up of three public-law bodies: Deutsche Welle, Deutschlandfunk, and Deutschland Fernsehen. The *Ministerpräsidenten*, however, rejected the draft's plan for a new television service at their meeting in Kiel on 19-20 June 1959, and suggested that the existing broadcasting bodies, collected within ARD, create a public corporation to broadcast television (to be called Deutsches Fernsehen) under the control of a council made up of representatives of the *Bund*, the *Länder*, the broadcasting authorities and the public. Adenauer, however, rejected this proposal and continued pursuing his own planned legislation. On 15 July 1960 he decided to forgo the route of a *Bundesgesetz* for the founding of his television service and proposed instead to set up a joint *Bund-Länder* company, Deutschland Fernsehen GmbH.

On 25 July 1960 Adenauer and his Justice Minister, Fritz Schäffer, signed a treaty for the company with DM 23 000 basic capital, DM 12 000 held by the *Bund*

and the other DM 11 000 to be shared equally among the *Länder* (12). The Federal Chancellor had been forced to act, since he was insistent that the January 1961 deadline for the launch of the new service should be met.

The reaction of the *Ministerpräsidenten* to this attempted outmanoeuvring by Adenauer was swift (13). The Bremen Senate voted at a sitting on 26 July, under the chairmanship of *Ministerpräsident* Wilhelm Kaisen, to bring this action of alleged unconstitutional behaviour before the Bundesverfassungsgericht, declaring: 'Es ist ein Vertrag der Bundesregierung mit sich selbst. Er kommt daher einem einseitigen Verwaltungsakt gleich'. Other *Länder* parliaments followed suit: Hamburg on 19 August, Lower Saxony on 25 August, and Hesse on 19 September. On 19 October Hamburg and Hesse submitted an application for a temporary injunction preventing the Federal Government from commencing transmissions of the second television service until the Bundesverfassungsgericht had pronounced its judgement on Adenauer's action in founding Deutschland Fernsehen GmbH.

The announcement on 17 December 1960 of the granting of the injunction was a major blow for FF, although the company's managing directors, Friedrich Gladenbeck and Heinz Schmidt, were optimistic enough about the chances of the *Bund* in February 1961 to approach their

financiers for an additional loan to tide them over until after the judgement from the Bundesverfassungsgericht. The court's ruling on 28 February 1961 was not, however, in Adenauer's or FF's favour, specifying instead that broadcasting was the prerogative of the *Länder* and should not be in the control of a single interest, and that the *Bund* was only responsible for administering the technical provision for the broadcasting authorities (14).

The film producers' hopes of a new outlet in FF for their products and expertise were further dashed by decisions taken by ARD (on 14 March 1961) and the *Ministerpräsidenten* (on 17 March 1961) to begin preparations for the launch of a public-law television channel. When it was clear that FF was not likely to be asked to assume responsibility for the running of this channel, the Federal Government decided at a cabinet sitting on 17 May 1961 to curtail its financial backing of the company. This move resulted in FF's 450 employees receiving their notices, to take effect from 1 July 1961, and the company being formally wound up with the shareholders' approval on 14 July 1961 (15).

At a conference of the *Ministerpräsidenten* on 6 June 1961 agreement was reached for negotiations to begin with FF's receiver Arno Seeger for the purchase of the soon-to-be defunct company's property and equipment, which included a broadcasting centre at Eschborn, com-

prising two studios (230 and 160 square metres), dubbing, developing and editing suites, outside broadcast vans with cameras and relevant equipment, and a pool of technical expertise. At first, Seeger was insistent that any deal should include the 450 hours of taped drama serials, plays, quiz shows, nature programmes, and political discussions commissioned or purchased by FF for the first few months' schedule of Deutschland Fernsehen GmbH. Although the *Fernsehkommission* of the *Ministerpräsidenten*, headed by Peter Altmeier, had been ready on 30 June 1961 to sign a contract for the acquisition of property and equipment in FF hands, it agreed after consultation with the *Ministerpräsidenten* on 14 July 1961 to appoint a special viewing sub-committee to study the programme material on offer.

The seven-man sub-committee conducted a four-day viewing session between 28-31 August 1961 and submitted a report to Peter Altmeier, chairman of the *Fernsehkommission*, on 5 October stating 'daß auch bei vollständiger Übernahme allen bei der FFG (Freies Fernsehen GmbH) vorhandenen Materials die Anstalt "Zweites Deutsches Fernsehen" nicht in der Lage wäre, mit der Ausstrahlung eines Programms ohne umfängliche Neuproduktionen zu beginnen, wobei die Frage der Tagesaktualitäten völlig außer Acht gelassen ist' (16).



The committee recommended that, of the 336 hours of material seen, 172.5 was suitable, with another 22 hours acceptable under certain circumstances, and proposed that Seeger be offered DM 11 million for these programmes. Although this figure was much lower than the one offered him by an ARD delegation in June 1961, Seeger decided to accept this offer from the *Fernsehkommision* and had further talks to finalise details of the purchase contract for the Eschborn studios and the technical equipment which was now to be sold separately from the programmes. The transaction was completed on 4 December 1961, with the *Fernsehkommision* paying DM 17 million for FF's property and equipment (a DM 20 million credit had been advanced for this purpose by the Rhineland-Palatinate *Landtag* as early as 11 July 1961) and DM 10 million for the programme material (17).

**Independent producers organise themselves into associations to bid for commissions from ZDF**

The 'Freies Fernsehen' programme material would be important in the first few months of the second broadcasting corporation's operations, but the programmers would still need much more material to fill the planned schedules of an average 4 hours 49 minutes a day (from April 1963) (18). The facilities at Eschborn (the provisional 'Sendezentrale' to the North-West of Frank-

furt which acquired the nickname of 'Telesibirsk' because of its cold, draughty and uninviting nature) were only sufficient for producing current affairs programmes and the news broadcasts. In any case, the channel's financial situation was most precarious: credit advances from the *Länder* were slow in being processed, and the officials involved in preparations for a launch on 1 July 1962 were consequently forced to delay making important financial decisions with regard to production contracts, etc..

The freelance film and television producers, whose hopes of a bright and stable future working for the Adenauer-backed 'Freies Fernsehen' had been dashed after the 'Fernsehurteil' by the Bundesverfassungsgericht in Karlsruhe on 17 March 1961, now saw ZDF as being the major customer for all the programmes produced by them in anticipation of the launch of Adenauer's broadcasting venture as well as a future lucrative source of income. There were plenty of production companies ready to take on commissions from the new broadcasting corporation since the German film industry had been experiencing a decline in its fortunes from the late 1950s onwards: in 1955 the number of films produced in Germany had numbered 128. This had fallen to 106 by 1959, and under the 100-mark in 1960 and 1961 (94 and 80 respectively). At the same time, cinema admissions had begun to fall at an alarm-

ing rate - from the peak year of 1956 at 817.5 million, they registered only 517 million in 1961 (19). Therefore, a considerable amount of studio space was standing empty.

Three groups of freelance producers came into existence in late 1961/early 1962 in order to have a strong bargaining position in negotiations with ZDF's commissioning editors for programme production contracts: Fernseh-Produzenten Verband, Arbeitsgemeinschaft Fernsehen and Fernseh-Allianz GmbH. An initial press conference in Frankfurt on 13 December 1961 had outlined the aims of the Fernseh-Produzenten Verband, and a further meeting with the press on 16 January 1962 coincided with the association's official launch and shed more light on its proposed activities. Registered as an 'eingetragener Verein', it was not to be concerned with financial activities; the members of the association would be free from any influence over the type or number of programmes they agreed to produce. According to its constitution it would 'insbesondere keine Programm- oder Produktionsangebote unterbreiten, entgegennehmen oder vermitteln, keine Absprachen über Preise oder sonstige Geschäftsbedingungen treffen' (20). The association, as a whole, would be capable of delivering weekly between 9 and 12 hours of programming to ZDF (21). A letter had been sent to the new

channel's *Fernsehrat* outlining the facilities at their disposal: 18 sound stages with 'teilweise voll elektronischer Ausrüstung' and outside broadcast units in Berlin and Munich.

At a subsequent press conference held in Frankfurt on 29 March 1962, the association issued a statement which stressed that it was still unclear 'welcher Möglichkeiten im einzelnen sich die Mainzer Fernseh-anstalt bedienen wird, um ein vielgestaltiges, abwechslungsreiches und auf die Wünsche der Zuschauer eingehendes Programm auf die Bildschirme zu bringen', but it was adamant that there was 'keine Notwendigkeit, sich etwaiger Programmreserven der Länder-Rundfunk-anstalten zu bedienen' (22) - an option which was open to ZDF, but which would only have given ARD undue influence over the second service's programming (23).

The March press conference also saw announcement of the names of those production companies which had joined the association so far: IPA Produktions- und Werbegesellschaft für Funk und Fernsehen mbH (Frankfurt), RIVA film- und lichttechnische Betriebe GmbH (Unterföhring/Munich), Cito-Film GmbH (Munich), TV-Union Fernsehproduktion und Studio GmbH (Berlin), Europäische Television-Gesellschaft mbH (Stuttgart), Cinecontact Film GmbH (Berlin), TV-Allianz Fernsehproduktion GmbH (Berlin), Film-Television-Musicstudio

GmbH + Co (Baden Baden), Lido-Film GmbH + Co (Munich) and Nord-Süd Fernseh- und Filmproduktion (Hamburg).

A second group of producers, Arbeitsgemeinschaft Fernsehen GmbH, had been in the planning stage, under the leadership of Bertelsmann Fernseh-Produktion, since November 1961, and was officially launched at a press conference in Munich on 21 March 1962. Acting as managing directors were Gerhard Henschel and Eduard Reuter; the eight companies that had joined forces so far were : Bertelsmann Fernseh-Produktion (Munich), Blüchert Verlag (Hamburg), Cotta'sche Buchhandlung Nachf. KG (Stuttgart), Ehrenwirt Verlag GmbH (Munich), Kindler + Schiermeyer Verlag AG (Munich), Albert Langen/Georg Müller Verlag GmbH (Munich), Radio-Film-Compagnie (Saarbrücken), and Tellux-Film GmbH (Rottenburg) (24). A temporary office for the group was situated in the premises of the UFA-Film distributor's building in Munich.

At the press conference, Reinhard Mohn, head of Bertelsmann Fernseh-Produktion, announced that the production group already had about 45 hours of broadcast-ready programmes for ZDF's anticipated 1 July launch (some DM 10 million had already been invested in television programme production by the member companies). The material covered 'Fernsehspiele', documentaries, children's and family programmes, arts features and light-entertainment shows. Mohn also

revealed that preparations were already under way for production of another 120 hours of programmes involving the acquisition of rights, script commissions, etc.. Plans were also afoot to increase the group's production capacity so that 3.5 instead of 2.5 hours per week of programme material could be produced. At this point, no direct official contact had yet been made between Arbeitsgemeinschaft Fernsehen GmbH and ZDF *Intendant*, Professor Dr. Karl Holzamer (elected on 12 March), but Mohn expected interest and cooperation to be forthcoming from the new channel. In accordance with its desire to become a 'dritte Kraft im Fernsehen', the Arbeitsgemeinschaft planned to work towards the concluding of a framework agreement ('Rahmenvertrag') with ZDF which would specify 'welchen Umfang die Arbeit haben soll, nach welchem Modus die Programmplanung der Arbeitsgemeinschaft den Bedürfnissen der neuen Anstalt anzupassen ist und welchen wirtschaftlichen Bedingungen, z.B. Staffelpreis oder Einzelkalkulation, die Zusammenarbeit ablaufen soll'. Behind all of the group's deliberations was a single-minded desire to give its members 'eine gewisse Kontinuität' of contracts which would mean that they could work more economically and efficiently.

The Arbeitsgemeinschaft was also considering offering its services to the television stations within the

ARD network as well as collaborating with foreign broadcasting companies - RTF in France, ABC and Granada in England, RAI in Italy - in the area of programme production.

However, ZDF's programme commissioning policy did not follow the lines anticipated by the initiators of the Arbeitsgemeinschaft. The channel's commissioning editors exerted a more far-reaching influence on the shape of programmes produced. A meeting of the member companies in Munich agreed to the winding-up of the group as from 1 October 1962, in recognition of the fact that the Arbeitsgemeinschaft had largely become redundant because, as was stated in *epd/Kirche und Fernsehen* on 6 October 1962, 'vielmehr ist es entsprechend den Wünschen der Mainzer Anstalt zu einem direkten Gespräch zwischen den Mitgliedern der AGF und Mainz gekommen' (25).

A third 'umbrella' organisation for freelance producers was Fernseh-Allianz GmbH, which was founded in Hamburg on 4 January 1962 by Studio Hamburg Atelierbetriebs GmbH and Ufa. Gyula Trebitsch, managing director of Studio Hamburg, spoke of the prospects for commissions from Mainz for programmes for the new television service and explained that Fernseh-Allianz would fulfil its production brief 'durch eine geringe Eigenproduktion und durch die Erteilung von Herstellungsaufträgen an mit ihr verbundene unabhängige Pro-

duktionsfirmen durchzuführen' (26). Eighteen sound stages and eight dubbing and mixing studios were at the group's disposal, providing the necessary prerequisites for meeting the expected demand for programmes from ZDF. As Trebitsch pointed out, 'dadurch, daß unsere Gesellschaften und ebenso die mit ihnen verbundenen Produktionsfirmen in verschiedenen Sektoren unserer Industrie aktiv tätig sind, wird die Fernseh-Allianz GmbH sich im Besitz aller Voraussetzungen befinden, um eine konzentrierte Fernsehproduktion aufzubauen, ohne unnötige Vorinvestitionen vornehmen zu müssen' (27).

At a press conference on 19 March 1962 Trebitsch reiterated the aims of the production group which, in his opinion, would offer 'eine Grundlage für die verantwortungsbewußte und kostensparende Disposition von öffentlichen Mitteln, aus denen die Erstellung der Fernsehprogramme finanziert wird'. He stressed that the firms would retain 'nicht nur formaljuristisch, sondern auch in der Praxis ihre volle wirtschaftliche Selbstständigkeit' and that they would remain 'auch in künstlerischer Hinsicht eigenverantwortlich'. By this time, 14 production companies had joined Fernseh-Allianz GmbH: Condor-Film AG (Zürich), Deutsche Buchgemeinschaft/C.A.Koch's Verlag Nachf. (Darmstadt), Film-Produktion Günther Schnabel (Hamburg), Freie Filmproduktion GmbH + Co (Hamburg-Berlin), E.E.A.



Krafft (Freiburg), Melodie Film GmbH (Berlin), Neue Deutsche Filmgesellschaft mbH (Munich), Panfilm Kurt Wolfes (Hamburg), Praesens-Film AG (Zürich), Rialto Film- und Fernseh-Produktion GmbH + Co (Berlin-Hamburg), Roto-Film GmbH (Hamburg), Sator Film GmbH (Hamburg), Tele Universal GmbH (Hamburg), and Ultra Film GmbH (Berlin).

This amalgamation of production companies represented, according to Trebitsch, 'eine vielseitige, leistungsfähige und erfahrene Produktionskapazität' (28) together with the necessary technical facilities which would be able to accept commissions from ZDF on a regular basis, 'ohne belastende Vorkosten' in the development of facilities to cope with the amount of work envisaged. Furthermore, the production group expected to be able to produce something approaching 170 hours of programmes a year, covering all areas of the television service: 'Fernsehspiel', entertainment, documentary, family programming, children's programmes, schools programming when this was introduced, and German versions of 'bought-in' foreign programmes. According to Trebitsch, this production capacity could be increased 'wenn eine kontinuierliche Beschäftigung gesichert ist'.

Similar to the Arbeitsgemeinschaft Fernsehen GmbH, Trebitsch's group was looking to securing a framework agreement ('Rahmenvertrag') with ZDF which would en-

sure its members a regular source of work; there were already signs, Trebitsch intimated at the March press conference, that *Intendant* Holzamer would be including the facilities of the freelance producers in his plans for programme making for the new television service. It would be self-delusion to think that Holzamer would therefore delegate sole responsibility for making programmes to people outside ZDF. 'Wir wissen aber', declared Trebitsch, 'daß die Existenz und Leistungsfähigkeit der unabhängigen Produktionsfirmen eine Bereicherung der gesamten Programmgestaltung darstellen kann' (29) - a point which has been frequently raised during ZDF's history, especially in the 1970s, when it appeared that cuts might have to be made, for financial reasons, to the number of commissions to freelance producers.

It was as late as 12 March 1962 (30) that Professor Dr. Karl Holzamer (31), former rector of Mainz University and once offered the post of *Intendant* of ill-fated 'Freies Fernsehen', was elected as ZDF's *Intendant* and announced that the new television service hoped to start broadcasts on 1 July, drawing material from ARD and the 'Freies Fernsehen' back catalogue as well as featuring 'in-house' productions. He was attempting to fulfil a wish expressed by the *Ministerpräsidenten* at their conference of 8 November

1961 in Bonn:

daß der Intendant der neuen Anstalt versuchen muß, mit den Sendungen der Anstalt wie vorgesehen, am 1. Juli 1962 zu beginnen. Sollte die Anstalt zu diesem Zeitpunkt noch kein quantitativ ausreichendes Programm ausstrahlen können, so sollte die neue Anstalt ihr Programm durch Lieferungen der Landesrundfunkanstalten vervollständigen. Als spätestester Termin für den Beginn der Sendetätigkeit der neuen Anstalt wird der 1. Oktober 1962 festgesetzt (32).

But the absurdly small amount of time between Holzamer's appointment and the proposed launch on 1 July meant that ZDF had to dispense with any thoughts of an early start and accept postponement of the launch, initially until Christmas 1962, and then officially set for 1 April 1963. Holzamer writes in his memoirs that a launch on 1 July 1962 was impossible given the material from 'Freies Fernsehen', and he had also been sure that a postponement was preferable to an over-reliance on programme material from ARD: 'Ganz abgesehen davon, daß die ARD-Kollegen die Übernahme ihres Programms auch nur mit ihrem Signet wünschten' (33).

Representatives from ARD offered, in their first meeting with Holzamer on 7 May 1962, to continue broadcasting the 'Übergangsprogramm' which had been in operation since 1 June 1961. Holzamer recounts that he would have preferred a situation where there was no second channel until ZDF began transmissions, especially since ARD's provisional service was able to retain half of the 30 % share of the licence fee revenue

due to ZDF, a fact which made the new television service's planning for administration and programming even more difficult to budget. On the other hand, this temporary service went some way to preparing the television viewing public for ZDF.

Moreover, it had been unrealistic to expect a fully-fledged broadcasting service to be set up in months if, as Klaus Wehmeier notes in his history of ZDF, one took into account 'Erfahrungswerte anderer Organisationen beim Aufbau eines Fernsehbetriebes' (34). Wolfgang Bruhn reported in *Rundfunk und Fernsehen* in Spring 1962 that the new channel had not yet progressed beyond recruiting the higher echelons. ARD had taken years to acquire and train its personnel to the current standard, many having transferred from radio to television. ZDF, though, did not have an existing 'pool' of technicians and programme-makers to draw from, but had to venture instead on to the open market and entice people away from posts within ARD member stations or from within the film industry by the promise of attractive (and inflated) wages (35).

With almost an extra year now available for organising the launch of ZDF, Holzamer and his fellow officials made a reappraisal of the studio facilities at Eschborn which had been purchased in December 1961 along with the Freies Fernsehen programme library for

DM 17 million. At this point, the studios consisted of two sound stages (230 and 160 square metres), each with three electronic cameras and a control room; a dubbing studio; a magnetic tape system for recording and playback; two projection rooms with facilities for 16 and 35 millimetre formats; 16 millimetre filming and developing facilities; seven editing suites and three recording-transfer units; two small-scale outside broadcast vans, each with two cameras; and five magnetic tape recording vans.

The conditions at Eschborn led Rudolf Kaiser, ZDF's Technical Director, to exclaim 'Das darf nicht wahr sein !' on his first visit with Holzamer to inspect the studio facilities. Holzamer recalls: 'im Sommer mußte man alles hermetisch abschließen und abdichten, um dem Staub zu wehren, dem größten Feind für die überaus feinen elektronischen Geräte, im Winter und in den Regenmonaten blieb man im Schlamm stecken wenn nicht ein gütiges Schneekleid dieses Gegenteil einer Fernsehoase zudeckte' (36). Conditions were so inhospitable and sparse that ZDF's *Verwaltungsrat* agreed at its sitting of 11 March 1963 to a supplement being paid on the wages of those employed at the studios ('Erschwerniszulage für die Mitarbeiter im Sendekomplex Eschborn') after receiving a report from Holzamer which stated:

die räumliche Unterbringung in den Baracken

von Eschborn ist völlig unzureichend. Die Wege zum Arbeitsplatz sind für die meisten Mitarbeiter beschwerlich und langwierig . . . Die hygienischen und sanitären Verhältnisse . . . sind sehr mangelhaft. Die eintönige und unfreundliche Umgebung der Baracken hat dem Sendekomplex den Namen 'Telesibirsk' eingetragen (37).

Holzamer recommended to the *Verwaltungsrat* on 10 August 1962 that the centre of ZDF's operations should be moved to Wiesbaden, where two film studios - Taunus-Film GmbH and IFAGE (Internationale Fernseh-Agentur GmbH) - had buildings and land which could be made available for development by the new television service. He argued that the possibility of establishing a broadcasting centre at the Taunus-Film GmbH studios in Wiesbaden would correspond more closely to the needs of the new channel, because it would bring activities nearer to Mainz and also offered ample opportunity for expansion (38).

The *Verwaltungsrat* was at first unhappy with the idea of ZDF leaving the Eschborn studios, since it had considered them adequate to meet the requirements for the channel's first few years until operations had been consolidated. But figures were revealed by Holzamer that estimated at least DM 1.7 million investment having to be made on rebuilding and expansion work during 1962 alone at Eschborn if ZDF decided to stay put. Anxious to avoid unnecessary expenditure, ZDF's *Verwaltungsrat* agreed on 10 September 1962 to negotiations being held with IFAGE and to contracts being

signed with Taunus-Film GmbH which had already begun building work in July on three studios (380, 320 and 175 square metres in area). Two other buildings - for producing news programmes and for storing technical equipment - were constructed over the next few months.

Once the problem of studio facility provision near to Mainz had been solved, the organisers at ZDF could turn their attention to calculating the amount of programme material needed to fill the schedules from 1 April 1963. The budget for 1962, set at DM 100 million and unanimously passed at a meeting of ZDF's *Fernseh-rat* on 21 September 1962, foresaw the new channel beginning with three hours of programmes in the evenings from Mondays to Fridays, with an additional hour at weekends between 18.00 and 19.00. A 'Vorprogramm' with current affairs features and commercial spots would be broadcast between 19.00 and 19.30, to be followed for the next two hours by a daily-changing format: i.e. on one day light entertainment, on another opera or musical comedy, or feature films. It was intended to extend the schedule by 1964 when ZDF would begin at 18.00, or even 17.00, on weekdays, and correspondingly earlier at weekends, with the possibility of a special 'educational programme' on Sunday mornings.

Mainz was aware that it did not have the facilities

nor the finance to develop a production base which could have provided it with all the material for the launch the following July. Admittedly, there were the 'Programmkonserven' of the now-defunct Freies Fernsehen, but many of these had lost their topicality and were not of very high quality in any case. The policy behind the selection of programmes by Freies Fernsehen had evidently been linked primarily to cutting costs whenever possible. Questions of taste or of acceptability by the viewers had been a low priority for the programme co-ordinators at Freies Fernsehen. ZDF, though, was keen to offer the public better quality programming, more entertainment and a wider range of programmes as a distinct alternative to and improvement on the ARD's schedules, which had in recent times begun to become somewhat monotonous and predictable. Thus, there was no question of the Freies Fernsehen material being used *en masse*, especially as Holzamer had been reported (in *Der Spiegel*) as saying that only one-third of the 18 000 minutes of the Freies Fernsehen catalogue was fit to broadcast (39).

ZDF's constitution proved to be the channel's saving grace for it pointed the direction which ZDF's programme production policy should take: § 22(2) of the 'Staatsvertrag über die Errichtung der Anstalt des öffentlichen Rechts "Zweites Deutsches Fernsehen"' stated: 'Soweit die Anstalt das Programm nicht selbst



herstellt, kann sie von Dritten herstellen lassen oder erwerben' (40). Thus, the channel aimed to arrive at a 50-50 split between 'in-house' ('Eigenproduktion') and commissioned productions ('Auftragsproduktion'); in the 1962 budget passed by the *Fernsehrat* on 21 September 1962 provision was made for expenditure of DM 31 million on 34 'Fernsehspiele' and entertainment programmes - 40 hours of commissioned programmes at DM 250 000 each, purchase of the broadcast rights to 40 90-minute feature films, 18 50-minute films and 60 25-minute features.

The news that ZDF was interested in using the talents and facilities of the freelance film and television producers to make programmes for its schedules sent the ailing West German film industry into a renewed state of excitement after it had seen its hopes dashed by the 'Fernsehurteil' in February 1961 which had put an end to the plans of Freies Fernsehen and Deutschland-Fernsehen GmbH. The producers had already sensed that ZDF might turn to them to be programme-providers, as is evident by the formation in early 1962 of Fernseh-Produzenten Verband, Arbeitsgemeinschaft Fernsehen GmbH, and Fernseh-Allianz GmbH, and were keen to receive commission contracts which would ensure optimum utilisation of the technical facilities and skilled workforce that had been

invested in at the time of Freies Fernsehen's activities in anticipation of a steady flow of production contracts. Holzamer warned, though, that 'die Atelierbetriebsgesellschaften . . . dürfen keine Existenzsicherung durch uns erwarten' (41). Nevertheless, during 1963 95 freelance production companies were engaged in programme production for ZDF, 14 of them with commissions with over DM 1 million. Most of the work went to the 'production triangle' of Munich - Hamburg - Berlin since this was where the greatest concentration of artistic and technical talent was located. Therefore, the most important commissions were allocated to Bavaria Atelier GmbH and Intertel GmbH in Munich, and CCC-Television GmbH in Berlin, a situation which annoyed those who claimed the commission policy smacked of favouritism towards those production companies part-owned by television itself i.e. Bavaria Atelier, whose shareholders included the commercial subsidiaries of WDR and SDR, and CCC-Television which had close business links with ZDF and SFB. In reply to these critics, Holzamer stated that, after an initial 'boom period' of commissions, the channel would restrict itself to a 'core' of about 50 freelance producers who would be certain of regular work:

Das Arbeitsvolumen ist nicht groß genug, um die Firmen kontinuierlich beschäftigen zu können. Wir haben drei große Firmen (Bavaria,

CCC, Intertel) mit einem größeren Auftragsvolumen, schätzungsweise zusammen etwa 20 bis 25 Prozent, garantieren können. Weitere 20 bis 30 Prozent werden von uns etwa zehn weiteren Firmen garantiert. Der Rest entfällt auf die breite Zahl der übrigen Produzenten. Auf diese kommen vor allem die kleineren Sendungen. Teure Sendungen sind nur an große Firmen zu vergeben (42).

Hermann Bössenecker, writing in *Die Welt* on 14 September 1962, reported Holzamer's recent statement that, by the end of August, he had agreed to 50 'feste Buch- und Produktionsaufträge' for 'Fernsehspiele' and light-entertainment programmes; the reporter was not overly impressed, however, with ZDF's commissioning policy since Holzamer's appointment: one could applaud the broadcasters' desire to use 'die fähigen Kräfte aus dem freien Raum, unabhängig von ihrer Größe', yet, Bössenecker suggested: 'man sollte zunächst doch bestrebt sein, in der Aufbauzeit der Anstalt vor allem mit den Partnern zu verhandeln, die auf Grund ihrer bisherigen Leistungen und Erfahrungen, vor allem auch in der Technik des Fernsehens, die Gewähr für eine rasche und gediegene Arbeit geben'. Attempts to give everyone who was interested in working for ZDF a fair hearing could, argued Bössenecker, lead to a considerable 'splintering', 'wenn man . . . nicht immer einen Unterschied zwischen Gesprächspartnern mit erheblichen Vorleistungen und ausgesprochenen "Eintagsfliegen" macht' (43).

The commissions' procedure at ZDF and the differences

in working for television, as opposed to the conditions prevalent in the film industry, were outlined by Dr. Wolfgang Brobeil, deputy *Programmdirektor* and head of ZDF's Arts department, at the annual general meeting of the Fernseh-Produzenten-Verband in Bad Homburg at the end of September 1962. This being the first meeting of its kind between ZDF officials and freelance producers, *Intendant* Holzamer had agreed to the appearance of Dr. Brobeil, Erika Engelbrecht ('Allgemeine Reportagen'), Dr. Gerhard Dambmann ('Ausland/Dokumentation') and Karlheinz Rudolph ('Offene Reihen') to answer questions in a discussion chaired by Dr. Gerhard Eckert (formerly *Programmdirektor* of Freies Fernsehen).

Dr. Brobeil revealed that, as yet, only 17 firm contracts had been allocated - the 50 commissions mentioned by *Die Welt* had only been 'Vorverträge' - but the demand was likely to increase as ZDF set to filling its schedules; the experiences with the freelance producers in the coming months would determine whether ZDF continued to rely on outside producers or decided, instead, to invest in the construction of its own production facilities. Brobeil caused some disquiet amongst the 50-odd producers present by 'die starke Unterstreichung der Tatsache' (44) that commissioned programmes would have to be made to the

same standard as those programmes produced by the ARD stations; consequently, ZDF would show preference to those producers who already had experience in television programme production. The freelancers countered that the number of people with such experience was limited because ARD had preferred to keep its productions 'in house' whenever possible. The producers were also reminded by Brobeil of the importance of a 'fernseheigener Filmstil' which had little use for deep-focus camerawork and laid greater stress on the spoken word. Mention was also made of the fact that television production had to be economical and could not countenance paying out large fees, which were the norm in the film industry, to star actors or technicians.

#### Acquisition of studio facilities in Berlin and Munich

True to its policy of making use of existing production facilities within the film industry before entertaining any plans of investment in the construction of its own studios, ZDF entered into negotiations with Ufa in Berlin and RIVA in Munich to build up its own production base for programme making.

Originally, it had been planned to purchase the entire Ufa studio site at Tempelhof, but when this proved impractical as a result of ZDF's unstable

financial situation, attempts were undertaken to interest the Fernsehgesellschaft Berliner Zeitungsverleger, whose major shareholder was the press baron Axel Cäsar Springer. This partnership foundered, however, on the demand by both parties to have a majority shareholding. Talks were then held, with the encouragement of Berlin's Economics Minister, Senator Professor Karl Schiller, between ZDF, Sender Freies Berlin and the Berlin Senate to explore the possibility of a joint take-over of the Ufa site, which would ensure a regular flow of work to the film industry in Berlin (45). This plan was scotched, though, by SFB's decision to opt for the construction of its own purpose-built studios, so ZDF decided to rent only part of the facilities at Tempelhof; negotiations were concluded by March 1963 and a contract signed giving ZDF use of three of the sound stages for the next 8 years (46). There were also plans for investment of DM 4.5 million in re-equipping the studios for television programme production.

Similar negotiations were held in Munich during 1962 with Dr. Hans Ritter and Dr. Wilhelm Vaillant, owners of RIVA - film- und lichttechnische Betriebe GmbH, to secure access to the production facilities at Unterföhring in the North of the city. RIVA had bought this site in 1959 and built 4 sound stages which had served for the production of several programmes for Freies

Fernsehen as well as some feature film production. ZDF was dealt an unpleasant shock on signing the lease contract when it learnt that Ritter and Vaillant had sold all 4 sound stages to BR. Holzamer had what he refers in his memoirs to as 'eine sehr ernste Auseinandersetzung' with RIVA's two owners and BR's *Verwaltungsdirektor* Spies, and, since BR were adamant that it would be needing these studios for itself, persuaded RIVA to build 4 replacement studios (2 x 600 square metres and 2 x 250 square metres) for ZDF's use (47).

**1963: arrival of ZDF on the television screens of West Germany and renewed protests about unfair competition between the media**

At the start of 1963 the planned launch of West Germany's second television service, ZDF, on 1 April was uppermost in many people's minds - especially within the film industry. Exhibitors, in particular, were concerned that an additional channel would mean yet more competition and keep more people from coming to the cinema. The film purchasing section of ZDF's Entertainment department had been hard at work during 1962 and into 1963 buying up old and new feature films from abroad, as well as from distributors and production companies in Germany. A contract was signed with Leo Kirch's BETA-Film GmbH + Co for the purchase of licences to 300 feature films (48) (this deal marked

the start of a partnership between BETA and ZDF which has thrown up its fair share of controversy and allegations that Kirch has been able through his business practices to exert undue influence on ZDF's programming). The transactions with German film dealers had been completed, in some cases, behind closed doors, and it was rumoured that more than 1000 feature films were (or would be) on offer to ZDF.

Commenting in *Film-echo/Filmwoche* the journalist writing under the pseudonym of 'Axel' declared that this 'wholesale selling-off' of feature films promised to be 'ein todsicheres Geschäft allergrößten Ausmaßes' (49) which would wreak untold damage on the exhibition side of the film industry. Television, he argued, appeared to be entering wilfully into direct competition with the cinemas and using the very product originally intended primarily for the cinemas.

The fact that the increase in feature films appearing on television was an international problem was highlighted on 8 March 1963 by a brief report in *Frankfurter Allgemeine Zeitung* which stated that the French exhibitors' association was claiming damages of 100 million Francs (DM 85 million) from the state television service for loss of revenue due to the extensive use of feature films in the television schedule; the association also intended to demand a levy of 100 000 Francs (DM 85 000) for each feature



film appearing on television (50).

The situation in the Federal Republic was not helped by the fact that many of the distributors and producers engaged in these deals did not seem aware of the damage they could be inflicting on other parts of the film industry. As long as they could make some easy money out of films on their back catalogues which were no longer of interest to cinema audiences, they were not unduly concerned that their actions might be construed (in the exhibitors' eyes) as aiding the opposition, television. If the cinemas were to be guaranteed some chance of a future existence - the trend in admissions was a seemingly uncontrollable downward spiral (from 817.5 million in 1957 to 443 million in 1962) - some tough talking would have to be done within the film industry's ranks. As 'Axel' remarked : 'Der einzige wirkungsvolle Hebel gegen die Verlagerung der Filmunterhaltung von der Kinoleinwand auf den Bildschirm ist präzise nur in den eigenen Reihen diesseits und jenseits unserer Filmwirtschaft anzusetzen' (51).

Dr. Karl of the *Frankfurter Allgemeine Zeitung* writes on feature films appearing on television

In the 8 March edition of *Frankfurter Allgemeine Zeitung*, the newspaper's publisher, Dr. Karl Korn, wrote a short article, entitled 'Im anderen Medium', which commented on the television stations' 'buying

up' of films, some of which had never had a cinema release in Germany: BR had recently purchased a package of films which included Ermanno Olmi's *Il Posto* and Vittorio de Seta's *Banditi a Orgosolo* ('für die sich kein deutscher Verleiher interessiert zu haben scheint') whilst ARD had acquired the broadcast licences to films by Ingmar Bergman and by the Japanese directors Soguse and Ichikawa. Korn was moved to ask, 'warum soll das Fernsehen nicht einen Markt ausschöpfen, für den die Kinos zur Zeit nicht die alleinigen Abnehmer sein können oder wollen?', since this purchasing policy would silence those critics who claimed that 'das neue risikolose "Massenmedium"' had placed its schedules' emphasis on mass entertainment, thereby competing directly with the cinemas. Much as Korn applauded the broadcasters' 'Programmanstrengung' in bringing little known foreign films to the German public's attention, he was curious to know whether television would feel the same level of enthusiasm for the native crisis-torn German film industry and offer production opportunities to the filmmakers: 'die produktiven Filmkräfte in Deutschland über die kommende Zeit der verschärften Krisen hinwegzubringen, scheint uns zu einem Teil eine öffentliche Pflicht der Fernsehanstalten zu sein' (52).

**Reply from Hanns Hartmann (former WDR *Intendant*)  
and a co-production proposal**

Korn's call to television to provide shelter to Germany's filmmakers during the current crisis prompted the former WDR *Intendant* Hanns Hartmann to write a letter to the *Frankfurter Allgemeine Zeitung* which was published on 22 March 1963; in this letter he started by stating 'daß es beim Fernsehen schon immer Verantwortliche gab, die das Unbehagen quälte, die Existenz anderer Medien, anderer Institutionen zu gefährden'. Attempts had been made in the past at a *rapprochement* between the two media - partnership in production companies, joint financing of films, e.g. *Wir Kellerkinder* - but these isolated actions had been unable to halt the worsening situation of the film industry (53). Some form of aid from television could be argued for, according to Hartmann, as recompense for everything that the new medium had learnt from the more established medium of film: 'Der Film ist einer der Väter des Fernsehens. Ohne seine Vorleistungen hätte die Entwicklungen des Fernsehens weniger schnell erfolgen können' (54).

Hartmann proposed that television should commit itself to an annual production of twenty films, 'die sich auf die einzelnen Anstalten nach deren Bedarf und Möglichkeiten verteilen müßten', and the premiere of such a production would take place on television. A

cinema release would follow afterwards, with dubbing, copying and copyright costs being borne by the co-producing television station. The box-office receipts would be channelled into a specially created 'Filmtopf' and then paid out to film producers 'nach einem Schlüssel zur Sicherung gleicher Chancen'.

Since these films could probably only expect 50 % of the television viewers to see them on the small screen, there was, Hartmann concluded, a potential cinema audience for these films of 28 million (4 million television viewers who had missed the television screening + 24 million people who did not own a television set) 'wenn das Gebotene ihnen attraktiv erscheint'. The increased revenue coming to the film industry through the theatrical release of these television films could lead to a 'Regenerationszeit' for the industry. 'Nach dieser Zeit', Hartmann declared, 'wird es sich erweisen, ob der Film durch die ihm gewährte Befreiung von Alltagssorgen die Kraft zurückgewonnen hat, auf eigene Rechnung und Gefahr - vielleicht noch gestützt durch staatliche Förderung - wieder auf festen Füßen zu stehen' (55).

An important question to be asked was whether exhibitors would be prepared to accept films that had already been seen by millions on television. The prospects of a warm response to Hartmann's proposal did not appear favourable: true, Wolfgang Neuss's *Wir*

*Kellerkinder* and *Genosse Münchhausen*, both co-produced with SFB, had registered respectable box-office returns, but 'nur in gepflegten Kinos'; Fritz Kortner's controversial *Lysistrata* (broadcast on 17 January 1961), co-produced with NDR, had flopped when released in the cinemas except in those areas where the television station had chosen to boycott the programme; yet Rainer Erler's prize-winning *Seelenwanderung*, produced by Bavaria Atelier GmbH, had attracted a considerable amount of interest, one Munich 'art-house' cinema owner reporting that 'der Film erzielte das größte Kassengeschäft seit Bestehen des Hauses' (56). Hartmann would have countered, as he did in his letter to the *Frankfurter Allgemeine Zeitung*, that the seriousness of the film industry's situation justified 'unorthodoxe Rettungsversuche': 'Und wen die Schwierigkeiten der Verwirklichung schrecken, der sei an das Wort von Jean Paul erinnert : "Das Ziel muß man früher kennen als die Bahn"' (57).

Walter Pindter, a board member of the Verband der Technischen Betriebe für Film und Fernsehen and head of studio management at Bavaria Atelier GmbH, welcomed Hartmann's proposals, when being interviewed by Georg M. Bartosch in *Film-echo/Filmwoche* about the situation of the film technicians, but stressed that the screening chronology of these films should begin with the

cinema and follow with television after an agreed 'holdback'. He would be satisfied 'wenn im Sinne einer positiven Zusammenarbeit zwischen Film und Fernsehen sobald wie möglich konkrete Gespräche eingeleitet werden' (58), and he suggested that those film and television production companies, such as Bavaria Atelier and Studio Hamburg, which were part-owned by television companies could provide the necessary stimulus for the opening of negotiations.

The possibilities of co-productions between television and the film industry were highlighted once again by the selection of *Verspätung in Marienborn* as the first of the West German films screened at the Berlin Film Festival in June 1963; directed by television director Rolf Hädrich and scripted by Will Tremper, the film was a co-production between Hans Oppenheimer Film of Berlin (also producer of the Wolfgang Neuss films), Hoche Productions of Paris, Cinematografiche Mediterranee of Rome, and Hessischer Rundfunk in Frankfurt. A special television version had been made for broadcast on 4 July 1963 which omitted certain scenes 'weil sie nur auf der Leinwand zur rechten Geltung kommen' (59).

Yet, in spite of this proof of the possibility of a harmonious partnership between film and television, there was still considerable hostility from within the ranks of the film industry to television's involvement

in the production of films and their theatrical release. Indeed, there was no mention in the official festival booklet that *Verspätung in Marienborn* had been co-produced with Hessischer Rundfunk. Georg Herzberg wrote in *Film-echo/Filmwoche*: 'die Darstellung eines noch erinnerungsfrischen Geschehens im Stiele (*sic*) eines Dokumentarberichts und mit politischer Zielsetzung' seemed more in the domain of television, 'zumal es an sie ohne Rücksicht auf wirtschaftliche Erwägungen herangehen kann'.

'Axel', the polemical columnist in *Film-echo/Filmwoche*, had also been disparaging of this attempt at a partnership between film and television, when he criticised the film's theatrical distributor, Gloria-Verleih's explanation in its film release publicity that *Verspätung in Marienborn* had been altered considerably for the theatrical release from the television version. He wrote on 24 April: 'man weiß nicht worüber man sich mehr verwundern soll: über die Keckheit, mit der hier zwei Fliegen auf einen Schlag getroffen werden sollen, oder die Kurzsichtigkeit, zu der sich eine große Verleihfirma bekennt und damit den Gipfel für ein offenbar in Zukunft beschäftigtes Diktat den Filmtheatern gegenüber erreicht hat' (60).

**Cinema/television co-production planned with WDR  
November 1963**

Exhibitors' hostility towards co-productions that were first shown on television did not stop director Kurt Hoffmann from working with WDR to produce a film version of the novel *Das Haus in der Karpfengasse* by the Israeli author M. Y. Ben Gavriel which told of the fate of Jewish families in the Prague ghetto and of Czech resistance fighters after the German invasion of 15 March 1939. Gerd Angermann's screenplay had received a premium of DM 200 000 from the Federal Interior Ministry on 5 December 1962; however, payment of this assistance was endangered when Hoffmann decided to film in Czechoslovakia and work with a Prague-based film company, and so Hoffmann founded his own film company, Independent, to handle production of the film (61). In November 1963, it was announced that WDR would contribute DM 600 000 towards the film's budget and thus be entitled to show it on television before the cinema release (62). The film was broadcast in three parts - 38 minutes (I), 59 minutes (II), and 57 minutes (III) - on 7, 9 and 11 March 1965 (63) to be followed immediately on 12 March 1965 by a theatrical release of an edited 109-minute version (64). Although well received by the critics in West Germany, where at the German Film Prize award ceremony in Berlin on 27 June 1965, it was presented with a Filmband in Gold



worth DM 350 000 for Best Film, and another four Film-  
band in Gold prizes for Best Director (Kurt Hoffmann),  
Best Script (Gerd Angermann), Best Female Acting  
Performance (Janna Brejchova), and Best Film Music  
(Zdenek Liska) (65), the film's success was blighted  
by the Cannes Film Festival selection committee's  
decision to reject *Das Haus in der Karpfengasse* as an  
entry because it did not accord with their 'technisch-  
ästhetische Anforderungen' (66).

The next major co-production venture between a film-  
maker and a television station would be Bernhard  
Wicki's film adaption of Max Frisch's *Mein Name sei  
Gantenbein*, which was announced in October 1965.

#### **The debate about 'competitive distortion' between the film industry and television**

In the 27 February 1963 issue of *Die Welt*, press  
baron Axel Springer published a polemical article,  
dedicated to fellow publisher Anton Betz on his seven-  
tieth birthday, which sought to point out the unfair  
state of competition between television and the press,  
and also charge television with the responsibility for  
the collapse of the West German film industry. Writing  
in *Die Zeit* on 5 April, WDR *Intendant* Klaus von Bis-  
marck responded to Springer's claims by stating that  
the competitive situation between the film industry  
and television was common to all countries having a

television service. He continued : 'Es läßt sich nicht bestreiten, daß damit speziell für den Film eine neue Lage entstanden ist. Die Filmindustrie hat aber in den einzelnen Ländern verschieden darauf reagiert. Sie hat versucht, neue schöpferische Möglichkeiten zu erschließen, um den Rückgang des Filmtheaterbesuchs aufzuhalten' (66).

On 19 June 1963 Dr. Martin, chairman of the *Bundestag* committee for cultural policy and media, spoke to a CDU/CSU 'Arbeitsgruppe für Gesellschaftspolitik' about 'competitive distortion' between the film industry and television, and, as a result of this meeting was requested to draft an 'Antrag' for submission to the *Bundestag* calling on the Federal Government to appoint a commission of inquiry into the economic development of the mass media (press, radio, television, and cinema) regarding taxation and advertising income.

Eight days later on 27 June, the SPD tabled a 'Kleine Anfrage' (*Bundestags-Drucksache* 4/1385) to the *Bundestag* asking whether the Federal Government was 'bereit, in Zusammenarbeit mit den Ländern, durch eine unabhängige Kommission die Wettbewerbslage zwischen Presse und Rundfunk und Fernsehen untersuchen zu lassen und über das Ergebnis im deutschen Bundestag bis 1. Januar 1964 zu berichten ?' (68). The next day, 28 June, 30 CDU/CSU *Bundestag* deputies, including Dr. Martin and

Erik Blumenfeld, submitted an 'Antrag über die Untersuchung zur Wettbewerbsgleichheit von Presse, Funk/Fernsehen und Film' (*Bundestags-Drucksache 4/1400*), which was tabled for discussion in the *Bundestag* on 15 November 1963.

The film industry, as collected within the 'umbrella' organisation of SPIO, applauded these moves by the parliamentarians to help the native film industry; for too long there had been the feeling that the state had neglected its responsibilities towards the film industry and left it to the uneven competition with television. SPIO had itself become somewhat lethargic in its own reactions to the changes and crises besetting the film industry, but it set to make amends by preparing a document outlining the 'Feststellungen der Filmwirtschaft zur Wettbewerbsungleichheit Film/Fernsehen' (69), which was accepted by the SPIO board at their meeting in Wiesbaden on 11 October 1963 and presented to the *Bundestag* at a sitting on 6 November, in readiness for the official debate on 15 November.

The document listed the areas where it was alleged that 'competitive distortion' existed between the film industry and television. They were: the economic stability enjoyed by television because of the constant flow of revenue from the monthly licence fee; the tax status discrepancies for feature films appearing on

television and in the cinemas; the exemption of imported television films from the payment of customs duty; the different sets of controls for monitoring what was seen in the cinemas and on television; the level of prices paid by ARD and ZDF for the broadcast rights of films, which bore little relation to the original production costs; the rapid increase in the number of feature films in the television schedules; and the broadcasters' plans for the construction of their own programme production facilities.

***Bundestag sitting - 15 November 1963***

The *Bundestag* debated the CDU/CSU deputies' 'Antrag über die Untersuchung zur Wettbewerbsgleichheit von Presse, Funk, Fernsehen und Film', submitted on 28 June, at a sitting on 15 November 1963. In an introductory speech, Dr. Berthold Martin explained that the motion was in response to public concern which had grown louder more recently : 'Wir haben diese Stimmen sorgfältig registriert und festgehalten. Insgesamt begründen sie für uns den Verdacht, daß im Verhältnis der drei Medien zueinander Fehlentwicklungen im Gange sind'. Speaking about the relationship between the film industry and television, Martin claimed that the situation was 'auf der ganzen Linie ungünstig' and that the broadcasters were 'bislang nicht zu irgendeiner Vereinbarung über die Zahl der ausgestrahlten Filme

oder über den Zeitpunkt der Sendung bereit, wie das in Frankreich und Italien selbstverständlich ist' (70). Incorporating into his speech wholesale the arguments levelled against television by the SPIO 'Feststellungen' document, Martin suggested that the film industry's crisis had its 'wesentliche Wurzel' in the unequal state of competition between the two media, and stated that the situation would only be resolved by voluntary agreements or statutory regulations.

A resolution was passed unanimously instructing the Economics Committee of the *Bundestag* to set up a commission of inquiry to investigate the state of competition between the press, radio/television and the film industry and report back to the *Bundestag* by mid-1964. (When the CDU/CSU deputies had submitted their motion in June 1963, it had been envisaged that a report would be ready by the beginning of 1964).

However, proceedings were even more protracted than one could have probably anticipated at the November 1963 *Bundestag* sitting: the members of the commission were not appointed until autumn 1964, the first constituent meeting not being held until 12 December 1964, and the commission's findings - the 'Michel-Kommission' report (*Bundestags-Drucksache* 5/2120) - not published until September 1967.

**ZDF's financial problems lead to increased reliance on feature films and threaten future business with the independent producers**

The film industry's grievances against television, as voiced in SPIO's 'Feststellungen', were made against the background of the news in summer 1963 that ZDF was running up debts of between DM 45-50 million and had decided to increase the number of (cost-effective) feature films in its schedules as a 'stop-gap' measure until the financial problems were resolved.

F. Reiss-Schneider of the *Kölner Stadt-Anzeiger* presented figures in an article entitled 'Ist Mainz schon am Ende?' on the first four months of ZDF's transmissions, which revealed the full extent of the so-called 'Filmschwemme' on television: costly 'in-house' productions were to make up 30 % of the channel's schedule (in April), but by June this share had fallen to 25.3 %; the shift in programming strategy was more noticeable with the figures for commissioned programmes (from 50 % to 32.5 %) and for 'bought-in' feature films (from 20 % to 42.2 %) (71). At the end of August *fff-press* joined the debate on the number of feature films on television by declaring: 'es ist sehr zu hoffen, daß der Anteil von Kinofilmen, die sehr oft keinen allzugroßen künstlerischen Wert haben, sondern tatsächlich Lückenbüßer sind, mit Beginn des Winterprogramms zugunsten der Eigenproduktionen zurückgeht' (72).

Moreover, by this time, there were wild rumours circulating among the freelance producers who had been working for ZDF that the second channel had decided to make further economies by imposing a moratorium on programme commissions until at least early 1964. A spokesman for the producers was quoted in *Die Welt* at the end of September 1963 as saying that only those firms having particularly close links with ZDF were still receiving commissions (73). Consequently, ZDF arranged a press conference on 19 September 1963 in Mainz to explain the channel's current situation and outline its future film programming and commissioning policies. *Intendant* Holzamer, speaking of the work with the freelancers, declared that the channel had aimed for a 'breite Streuung' in the commissions (74); in the last 12 months, 70-80 producers had received programme contracts from ZDF, with 14 production companies being allocated over DM 1 million worth of business. He rejected claims of favouritism on the part of ZDF towards those production companies where television was a part-owner (Bavaria Atelier, Studio Hamburg) and stressed that a programme's subject matter was the deciding factor when allocating a commission. Queries from journalists present about the existence of a commission moratorium brought a swift denial from Holzamer. After the initial 'goldrush' period leading

up to the April launch, ZDF would now plan to settle down to working with around 50 producers, 20 of whom could expect a continuous flow of work.

*Programmdirektor* Ulrich Grahlmann, quizzed about the films on offer on ZDF and their frequency, explained that the high percentage of feature films in ZDF's schedules was a direct result of the channel's financial problems; more films had been shown during the summer months, generally accepted to be a quiet time for the exhibitors, so that the number could be kept to a minimum during the winter. Grahlmann also offered to show trailers of new film releases on ZDF, but stressed at the same time 'daß die Filmwirtschaft als Ganzes bisher vom Fernsehen nur profitiert habe und daß wahrscheinlich sehr viel mehr Produktionsfirmen und Produktionsbetriebe der Filmwirtschaft in Konkurs gegangen wären, wenn sie nicht vor allem die Aufträge aus Mainz bekommen hätten' (75).

## **Chapter Two: conclusions**

The development of the film/television relationship between 1959 and 1963, as recounted in this chapter, was again an amalgam of inter-connected and unilateral events, initiatives, and trends. These five years witnessed the increasing importance of television as a alternative source of employment for film producers and studios no longer able to rely on feature film



contracts in the current depressed production climate, although, beyond a handful of exceptions, there had been scant acknowledgement of the potential for film and television to work together on co-productions for the large and small screens. In Chapter Three it will be seen that Hanns Eckelkamp of Atlas-Film GmbH promoted a policy of collaboration with television stations on film projects which would probably not have received backing from the mainstream commercial producers. However, this line of development came to a halt when Atlas went bankrupt in 1967, but it was a ground-breaking precedent for subsequent initiatives.

Various attempts by people within the film industry to bring about a more tolerant attitude towards television were hindered by the refusal of the more conservative branches of the industry, in particular of the exhibitors, to entertain concessions or agreements with the broadcasters, and by their subsequent concentration on the campaigning, with backing from allies in the print media, for the introduction of curbs on the power and influence of the television stations which, it was alleged, were threatening the futures of the press and the film industry with their 'empire building' programmes. The exhibitors' offensive on television centred obsessively on the demand that there should be some form of restriction imposed on

the screening of feature films in the television schedules. As Chapters Three and Four will show, their line of attack did not depart throughout the 1960s from the arguments that feature films' rightful place was (exclusively) in the cinema; that ARD and ZDF were relying too extensively on films for their schedules; and that the fees paid for the film licences had no relation to the original production costs. This reasoning was pursued in spite of the findings of the 'Michel-Bericht' of September 1967 (Chapter Three), which stated that the fall in cinema admissions and the crisis in film production and distribution could not be attributed solely to the rise in popularity and influence of television.

In Chapter Three discussion of the parliamentary progress of the proposed 'self-help' film promotion law, the so-called 'Martin-Plan', between 1963-1965 will indicate how effective the exhibitors' anti-television lobbying campaign proved to be.

## Notes: Chapter Two

- (1) Details of the events leading up to the commissioning of Freies Fernsehen GmbH as the organiser of the private second television channel can be found in: Rolf Steininger, 'Rundfunk zwischen Bund und Ländern 1953 - 1961. Ein Beitrag zur Innenpolitik Adenauers', *Politische Vierteljahresschrift*, 4 (1976), pp. 474-519; Helga Montag, *Privater oder öffentlich-rechtlicher Rundfunk? Initiativen für einen privaten Rundfunk in der BRD* (Berlin, 1978); and Klaus Wehmeier, *Die Geschichte des ZDF. Teil I - Entstehung und Entwicklung 1961-1966* (Mainz, 1979).
- (2) Wehmeier, pp. 18-19.
- (3) Eckert was the author of *Knaurs Fernsehbuch* in 1961.
- (4) Cf. Ernest Bornemann, '" . . . die fürchterlichste Zeit meines Lebens"', *epd/ Kirche und Rundfunk*, 73, 18 September 1976, pp. 1-4.
- (5) Anon, 'Film und Fernsehen in einem Punkt einig: Weg mit der V-Steuer!', *Filmwoche*, 49, 3 December 1960, pp. 5, 18.
- (6) He was, though, along with Klaus von Bismarck (WDR *Intendant* from 17 December 1960) one of the public figures appointed to the *Programmbeirat* of Deutschland Fernsehen GmbH on 4 November 1960.
- (7) See: Cicero, 'Keine Ateliers für das zweite Programm', *Filmpress*, 22, 1 June 1960, p. 2, and Heinz Kuntze-Just, 'Täglich 3 Stunden aus 2 Hallen?', *Filmpress*, 24, 15 June 1960, pp. 9-10.
- (8) Gladenbeck had taken early retirement from the Post Service due to health reasons.
- (9) Anon, 'Eingemachtes', *Der Spiegel*, 1 February 1961, p. 68.
- (10) -kle, 'Chancen für Fernsehgespräche der Filmwirtschaft', *Filmwoche*, 32, 6 August 1960, p. 3.
- (11) Stated at a conference held by the Evangelische Akademie für Rundfunk und Fernsehen in Kronberg (Taunus) on 23-24 November 1960.
- (12) Cf. Anon, 'Mit beschränkter Haftung', *Der Spiegel* 10 August 1960, pp. 18-29.

- (13) Cf. Anon, 'Widerstand der Länder gegen Adenauers Fernseh-Entscheidung', *Frankfurter Allgemeine Zeitung*, 27 July 1960, pp. 1-2.
- (14) Cf. 'Nach dem Dunkel Licht?', *Der Spiegel*, 8 March 1961, pp. 15-18.
- (15) Cf. Anon, 'Die verlorene Tochter', *Der Spiegel*, 24 May 1961, pp. 15-17.
- (16) Wehmeier, pp. 64-65.
- (17) Ibid., p. 65.
- (18) ZDF's daily schedule expanded to 5 hours 24 minutes in 1964, 5 hours 58 minutes in 1965 and 6 hours 51 minutes in 1966. Klaus Wehmeier, *Die Geschichte des ZDF. Teil I* (Mainz, 1979), p. 129.
- (19) SPIO statistics cited in: Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), pp. 198, 206.
- (20) Anon, 'Stellungnahme des Fernseh-Produzenten Verbands', *fff-Press (Fernseh-Film)*, 8, 5 April 1962, pp. 14-15 (14).
- (21) For a 1 July 1962 launch: this was conditional on ZDF distributing the commissions in good time. Cf. *fff-Press (Fernseh-Film)*, 8, 5 April 1962, pp. 14-15 (15).
- (22) Ibid., p. 14.
- (23) Ibid., p. 15. ARD member companies had also been approached by the association for commissions, but had shown little interest.
- (24) Carlton-Film (Munich) was expected to join in due course. Anon, '"Arbeitsgemeinschaft Fernsehen GmbH" wartet auf Mainz', *fff-Press*, 24, 26 March 1962, p. 5.
- (25) epd, '"Arbeitsgemeinschaft Fernsehen" aufgelöst', *epd/Kirche und Fernsehen*, 40, 6 October 1962, p. 3.
- (26) Anon, 'Konzentrierte Fernsehproduktion ohne unnötige Vorinvestitionen', *fff-Press (Fernseh-Film)*, 2, 15 February 1962, pp. 2-3 (2).
- (27) Ibid., p. 3.

- (28) Anon, 'Produktionskapazität der Fernseh-Allianz: 170 Stunden pro Jahr', *fff-Press (Fernseh-Film)*, 6, 22 March 1962, pp. 10-11 (10).
- (29) *Ibid.*, p. 11.
- (30) Another three candidates had been in the running: ARD chairman and SDR *Intendant* Dr. Hans Bausch, CDU *Bundestag* deputy Dr. Berthold Martin (later initiator of the 'Martin Plan' to revive the fortunes of the West German film industry), and Dr. Wilhelm Vaillant, joint owner (with Arnold Richter) of RIVA-film und lichttechnische Betriebe GmbH in Munich.
- (31) Holzamer had been a chairman of the *Rundfunkrat* at Südwestfunk as well as serving on the *Beirat* of Deutschland-Fernsehen GmbH and the *Programm-beirat* of Freies Fernsehen. He had also worked behind the scenes in the setting up of ARD.
- (32) Klaus Wehmeier, *Die Geschichte des ZDF. Teil I* (Mainz, 1979), p. 67.
- (33) Karl Holzamer, *Das Wagnis* (Mainz, 1979), p. 62.
- (34) Wehmeier, p. 92.
- (35) Wolfgang Bruhn, 'Organisation und Programm des Zweiten Deutschen Fernsehens', *Rundfunk und Fernsehen*, 2 (1962), pp. 163-165.
- (36) Holzamer, p. 71.
- (37) Wehmeier, p. 92.
- (38) *Ibid.*, p. 93.
- (39) *Ibid.*, pp. 64-65. A seven-man committee, commissioned by the *Fernsehkommision* of the *Ministerpräsidenten* on 14 July 1961 to inspect and report back on the programmes acquired or commissioned by Freies Fernsehen, had concluded on 4 October 1961 'daß auch bei vollständiger Übernahme allen bei der FFG vorhandenen Materials die Anstalt "Zweites Deutsches Fernsehen" nicht in der Lage wäre, mit der Ausstrahlung eines Programms ohne umfängliche Neuproduktionen zu beginnen, wobei die Frage der Tagesaktualitäten völlig außer Acht gelassen ist'.
- (40) Text of the 'Staatsvertrag über die Errichtung

der Anstalt des öffentlichen Rechts "Zweites Deutsches Fernsehen" in: *Rundfunk und Fernsehen*, 3 (1962), pp. 293-299.

- (41) Wehmeier, p. 126.
- (42) Wehmeier, p. 128.
- (43) Herman Bössenecker, 'Mainz im Programmfieber', *Die Welt*, 14 September 1962, p. 11.
- (44) epd, 'Mainz bleibt vorsichtig gegenüber Produzenten', *epd/Kirche und Fernsehen*, 40, 6 October 1962, pp. 2-3 (2).
- (45) Holzamer, pp. 91-92.
- (46) K.B., 'Die Ufa außerhalb der Verlustzone', *Frankfurter Allgemeine Zeitung*, 18 March 1963, p. 15.
- (47) Holzamer, pp. 81-82.
- (48) Klaus Wehmeier, *Die Geschichte des ZDF. Teil I* (Mainz, 1979), p.128.
- (49) Axel, 'Was geschieht mit den alten Filmen?', *Film-echo/Filmwoche*, 5, 16 January 1963, p. 6.
- (50) AP, 'Der französische Filmtheaterverband...', *Frankfurter Allgemeine Zeitung*, 8 March 1963, p. 32.
- (51) *Film-echo/Filmwoche*, 5, 16 January 1963, p. 6.
- (52) K.K., 'Im anderen Medium', *Frankfurter Allgemeine Zeitung*, 6 March 1963, p. 26.
- (53) Hans Hartmann, 'Fernsehen und Film' (Letter), *Frankfurter Allgemeine Zeitung*, 22 March 1963, p. 7.
- (54) In March 1963 *fff-Press* had asked Alexander Kluge whether he and the other co-signatories of the Oberhausen Manifesto the previous February in 1962 would consider working with funding from television. Kluge replied: 'Eben das ist gerade nicht unser Ideal. Wir wollen ganz frei und unabhängig unsere Kurzfilme machen'. *fff*, 'Die "Oberhausener" und ihr Verhältnis zum Fernsehen', *fff-Press (Fernseh-Film)*, 18, 11 March 1963, p. 7.
- (55) Hartmann, *Frankfurter Allgemeine Zeitung*, p. 7.

- (56) Hebecker, 'Kunst im Briefmarkenformat?', *Rundfunk und Fernsehen*, 1 (1964), pp. 35-38 (37).
- (57) Hartmann, *Frankfurter Allgemeine Zeitung*, p. 7.
- (58) Georg M. Bartosch, 'Technik braucht den Kinofilm. FE/FW-Gespräch mit Walter Pindter', *Film-echo/Filmwoche*, 40, 18 May 1963, p. 8.
- (59) epd, 'Unbegreiflicher Hochmut', *epd/Kirche und Fernsehen*, 27, 6 July 1963, pp. 1-2 (2). The film had originally been scheduled for broadcast on 18 April. Also shown on the ARD network on 15 October 1965, and on BR 3 on 25 May 1975.
- (60) Georg Herzberg, 'Der Fernsehfilm im Berlinale-Programm Verspätung in Marienborn', *Film-echo/Filmwoche*, 51, 26 June 1963.
- (61) Joe Hembus, *Der deutsche Film kann gar nicht besser sein* (Munich, 1981), pp. 196-197. See also Hoffman's entry in *Reclams deutsches Filmlexikon* (Stuttgart, 1984), pp. 162-164.
- (62) FK, 'Koproduktion Film - Fernsehen', *FUNK-Korrespondenz*, 48, 27 November 1963, p. 11.
- (63) *Fernsehspiele in der ARD 1952-1972*, edited by Achim Klünder and Hans-Wilhelm Lavies (Frankfurt am Main, 1978), p. 114.
- (64) *Filme 1965-70. Band 1*, edited by Elisabeth Uhländer, (Cologne, 1971), p. 128.
- (65) *Filme 1965-70. Band 2*, edited by Elisabeth Uhländer, (Cologne, 1971), pp. 225-226.
- (66) Hembus, p. 215.
- (67) Klaus von Bismarck, 'Rundfunk, Fernsehen, Presse' *Die Zeit*, 5 April 1963, pp. 9-10 (9).
- (68) 'Wettbewerbslage zwischen Presse und Rundfunk und Fernsehen. Bezug: Kleine Anfrage der Fraktion der SPD (Bundestags-Drucksache 4/1385), *Bundestags-Drucksache 4/1417*, 15 July 1963.
- (69) Anon, 'Für fairen Wettbewerb', *Film-echo/Filmwoche*, 89/90, 8 November 1963, pp. 3, 6.
- (70) fff, 'Bundestagssitzung vom 15.11.63...', *fff-Press*, 5 December 1963, pp. 360-365.

- (71) Anon, 'Ist Mainz schon am Ende?', *Film-echo/  
Filmwoche*, 64, 10 August 1963, p. 10.
- (72) *fff-Press (Fernseh-Film)*, 29 August 1963, p. 23.
- (73) Hermann Bössenecker, 'Mainz und die "Freien"', *Die  
Welt*, 30 September 1963, p. 13.
- (74) *fff*, 'Im Kreuzfeuer der Fragen: Intendant und  
Programmdirektor antworteten', *fff-Press*, 23 Sep-  
tember 1963, pp. 2-3 (2).
- (75) *fff-Press*, 23 September 1963, p. 3.



### CHAPTER THREE

Whilst Chapter Two recorded the events and trends during a period of flux (1959-63) in the film and television industries, Chapter Three is concerned with the responses of the Federal Government, the film industry, and the broadcasters to these developments, and attempts to indicate how their respective actions influenced the evolution of the film/television relationship.

The deepening crisis within the West German film industry again forms the background to the account of events; the government was prompted to commission a special report on the situation of the native film industry, the findings of which led to the drafting of a 'self-help' film promotion law, the so-called 'Martin-Plan', which, although intending to provide the legislative framework for the revitalisation and greater profitability of the industry, did not command the support of all branches. Moreover, it was bitterly opposed by the broadcasters when a revised draft introduced a clause requiring the payment of a levy on the television screening of feature films. The danger such an arbitrary and punitive measure would pose to the future development of existing working relations between film and television was averted, however, after protracted negotiations for a production finance

agreement between the film and television producers' association, ARD, and ZDF, the 'Aktion-100-Filme', on the understanding that the disputed levy clause was dropped from the draft law. The concept of a television levy, though, was frequently revived in the future, particularly during debate on changes to film funding legislation, and threatened to wreck the mutually beneficial partnership worked out between the film and television industries.

Running parallel to the parliamentary progress of the 'Martin-Plan' was one of the other major factors in the development of film/television relations in the 1960s: the exhibitors' relentless campaigning for an end to the alleged 'competitive distortion' from television. Supported by allies in the press and the *Bundestag*, this lobbying resulted in the commissioning by the *Bundestag* of an official commission of inquiry into the competitive situation of the press, broadcasting, and the film industry. The findings of this investigation, the so-called 'Michel-Bericht', which refuted many of the film industry's claims about television's role in the industry's crisis, failed to impress the exhibitors, who continued to lobby the broadcasters as before, albeit on a more formal basis in the form of 'round-table' talks.

The more positive aspects of relations between film

and television during this period are represented, as in previous chapters, by isolated initiatives from within both the film and television industries, such as Hanns Eckelkamp's support of collaboration with television stations on the production of artistically ambitious film projects, the establishment of ARD's 'Filmredaktion' as a central co-ordinator of the network's feature film needs, and ZDF's purchase of the RIVA studios in Munich, which afforded the livelihoods of many film technicians and producers.

This chapter also shows how differing interests within both camps could promote or hinder the progress of better relations between the two media. For instance, the producers' enthusiasm for the production finance agreement, signed in autumn 1965, was vehemently opposed by the exhibitors, while ARD's agreement in 1966 to reduce the number of feature films programmed in the schedules as a concession to the film industry was rendered inoperable by ZDF's refusal to act likewise.

**'Memorandum' from the Verband Deutscher Film- und Fernsehproduzenten e.V. rejected by exhibitors and broadcasters**

By the end of 1963 all the *Länder*, except Bavaria, Baden-Württemberg, and Hesse, were exploring ways of resolving the anachronism of the entertainment tax imposed on films shown in the cinemas; the *Bundestag*

had devoted a sitting on 15 November to the state of competition between the mass media and instructed its Economic Committee to prepare the way for a commission of inquiry; and, in an attempt at some form of *rapprochement* with the film industry, ARD had set up a committee whose brief it was 'Konflikte mit der Filmwirtschaft zu vermeiden und ein gesundes Arrangement zwischen den Rundfunkanstalten und der Filmwirtschaft herzustellen', whilst ZDF's *Intendant* Holzamer, following up his declaration in September 1963 of wanting closer links with the film industry, was reportedly due to meet with a delegation of exhibitors some time in January 1964.

However, as Horst Axtmann wrote in *Film-echo/Filmwoche* on 8 January 1964, 'noch bevor die Verhandlungen mit den Fernsehgewaltigen begonnen haben, ist bereits einiger Sand in das Getriebe geraten' (1). The Verband Deutscher Film und Fernsehproduzenten e.V. had issued a memorandum, primarily addressed to politicians in the *Bundestag* and the *Länder* parliaments, claiming that the freelance producers' basic right to competitive freedom was jeopardised by 'die wuchernde Eigenbetätigung der öffentlich-rechtlichen Fernseh-Monopole'. The memorandum made the following demands:

1. Die Fernsehanstalten sind zu verpflichten, alle Programmteile außerhalb ihres politischen Verantwortungsbereiches durch unabhängige private Firmen herstellen zu lassen. Soweit dadurch Studios, sonstige Einrichtungen oder

Gesellschaften der Anstalten betroffen werden, sind sie zu reprivatisieren;

2. Die Fernsehanstalten sind zu verpflichten, nur einen begrenzten Prozentsatz ihres Gesamtprogramms mit ausländischen Sendungen auszufüllen (2).

The freelancers' desire to acquire a much greater hold on the make-up of the television schedules found little favour with the exhibitors as represented in *Film-echo/Filmwoche*. Relations between these two sections of the film industry had verged on the openly hostile ever since the producers had started selling their back catalogues of feature films to television, and, in recent years, had moved away from feature film production to concentrate increasingly on television programme production, e.g. Artur Brauner and CCC-Film in Berlin. Now, according to Axtmann, this new move by the freelancers could lead to a fully-fledged 'Spartenkampf' which would divert the industry's energy away from the establishment of a unified front for negotiations with the broadcasters and for submissions to the planned commission of inquiry into the state of competition between the mass media.

An even more critical reaction came from HR *Intendant* Werner Hess, recently appointed chairman of ARD's film industry committee, who, in a major article for *epd/Kirche und Film*, dismissed the freelancer memorandum's proposals outright as 'Nebelträume' and castigated German film producers for their 'skrupelloses

Geschäftsgebaren' (3) and the absence of any coherent, long-term and market-oriented production strategy: 'wieviele Möglichkeiten ungenutzt blieben und wieviel Züge auf dem Gleis der Entwicklung leer davon gefahren sind'; he also declared that the plans of the *Bundestag* politicians for compulsory levies on the broadcasters for a film industry support programme could be avoided by adopting what he considered 'der einzig konstruktive und gangbare Weg': abolishing the entertainment and corporation taxes for the film industry (4). He similarly found unacceptable the measures proposed for ARD and ZDF's interests in the production facilities in Munich (Bavaria Atelier), Hamburg (Studio Hamburg), Berlin (Ufa) and Wiesbaden (Taunus-Film), and asked 'weshalb öffentlich-rechtliche Körperschaften nicht auch auf wirtschaftlichem Gebiet tätig werden dürften, wenn sie für diesen Teil ihrer Tätigkeit entsprechende Steuern zahlen, und wenn die Einkünfte aus dieser Wirksamkeit nicht zur privaten Bereicherung, sondern zur Durchführung der öffentlichen Aufgaben verwandt werden' (5).

Continuing his exposition on the conflict between the film and television industries in the February issue of *epd/Kirche und Film*, Hess, who remained the ARD network's chief negotiator with the film industry throughout the 1960s and into the early 1970s - until

the drafting and signing of the 'Film/Fernseh-Abkommen' on 4 November 1974 -, remarked that the freelancers' demand for the reprivatisation of production facilities owned or part-owned by television had been met with consternation by broadcasting and film publicist circles alike (6). He reminded readers of the post-war developments which had seen the film industry unable to save these studios without outside help (television) or to build up a thriving and economically stable film production industry in spite of enormous state subsidies. Hess concluded: 'Der Wunsch, nun auch noch diese normal funktionierenden Kristallisationspunkte für eine weitere deutsche Filmproduktion zu zerschlagen, läßt erkennen, wie unrealistisch die Verbandsführung inzwischen denkt und plant'.

Hess also attempted to indicate the importance of television programme commissions to the freelance producers by detailing ARD's expenditure from 1 January 1960 to 31 December 1963 for commissioned productions (7):

**Commissions from television stations**

Production commissions.....	DM 46,221,000
Dubbing contracts.....	DM 3,236,000
Other services.....	DM 16,192,000
Commissions to firms part-owned by television.....	DM 52,647,000
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	<u>DM 118,296,000</u>

**Commissions from television's commercial subsidiaries**

Production commissions.....	DM 31,557,000
Dubbing contracts.....	DM 958,000
Other services.....	DM 42,000
Commissions to firms part-owned by television.....	DM 13,352,000
	<u>DM 45,909,000</u>

**Commissions from DEGETO**

Production commissions.....	DM 116,000
Dubbing contracts.....	DM 3,764,000
Other services.....	DM 218,000
Commissions to firms part-owned by television.....	DM 3,614,000
	<u>DM 7,712,000</u>

**TOTAL EXPENDITURE.....DM 171,917.000**

In addition, Hess reminded his readers to take into account the extensive use made by ZDF of freelance producers for programme production when assessing the importance of television as a source of employment for the film industry. Hess also felt it worth stressing the significance of the value of the contracts going to those studios part-owned by television - Bavaria Atelier and Studio Hamburg - , since the profits accruing would also benefit the film industry.

In this article Hess suggested that the freelancers may have been moved to draw up and release their memorandum as a response to the 'gegenwärtige Produktionsdrosselung' by ZDF on account of its unstable financial position; he further intimated that there



were some production companies within the freelancers' ranks 'die bis zum heutigen Tag über nichts als einen Briefkopf und einige hoffnungsvolle Querverbindungen verfügen und die den Markt im Handumdrehen verdorben haben' and declared their association incapable of bringing order to 'die wilde Gründungshausse von Filmproduktionsgesellschaften' or of demanding a minimum level of competence as an entrance qualification into its list of members (8).

#### **Controversy over the inclusion of a television levy in Dr. Martin's proposed Film Promotion Law**

Hess also turned his attention in this article for *epd/Kirche und Film* to the 'abenteuerliche Idee' of a television levy ('Fernsehabgabe') on the broadcasting of feature films which had been introduced as a new clause to the Film Promotion Law ('Filmförderungsgesetz') submitted by Dr. Berthold Martin to the *Bundestag* in early 1963.

On 25 April 1962 the Federal Government had published its 'Bericht über die Situation der deutschen Filmwirtschaft' (*Bundestags-Drucksache* 4/366) which had recommended a legally binding 'self-help' scheme for the industry (9); this had been followed in May by a public hearing in Bonn, organised by Dr. Berthold Martin, chairman of the 'Ausschuß für Kulturpolitik und Publizistik', to discuss ways of devising a rescue

plan for the West German cinema.

Ten months later, on 29 March 1963, Dr. Martin presented, with the backing of other CDU/CSU and SPD *Bundestag* deputies, an 'Initiativantrag' for an 'Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft' which envisaged the setting up of a 'bundesunmittelbare Anstalt des öffentlichen Rechts mit dem Namen "Filmwirtschaftsfonds"' whose task it would be to promote 'die Herstellung (60) deutscher Filme, deren Qualität und ihre Verbreitung'. The revenue for the production promotion would be collected from the producers, distributors and exhibitors, 'und zwar gemäß dem Hundertsatz, mit dem sie jeweils an den Einnahmen teilhaben'; this money would be paid out to producers according to their films' box-office performance and subject to approval from the Freiwillige Selbstkontrolle (FSK) (10).

The *Bundestag* gave the draft law its first reading on 15 May 1963 before passing it to the Cultural Policy and Economic Committees for detailed consultation; however, in the following months, the exhibitors, with SPD/FDP backing, protested at the proposed payments expected from them under the so-called 'Martin-Plan' and successfully effected the inclusion of an additional clause to § 10 of the draft stating that 'Filmtheater mit einem Jahresumsatz von weniger als DM 150

000 haben keinen Beitrag abzuführen'. As a way of compensating for this concession to the exhibitors, Martin suggested that the television stations should retain part of the fee paid for the broadcast rights to feature films and transfer it into the 'Filmwirtschaftsfonds'; at the 7 November 1963 meeting of the Cultural Policy Committee, Dr. Martin announced that, after close consultation with Horst von Hartlieb, a leading spokesman for the established film industry and chairman of the film distributors' trade organisation, it had been decided to include § 10(2) to the draft law which would require the television stations to pay a levy of DM 20 000 for each feature film shown in their schedules, regardless of the cost of the rights; made-for-television films would be exempt from payment of the levy.

The exhibitors were still unhappy with the draft's proposals and managed, through extensive lobbying of Hartlieb and Martin, to persuade them in December 1963 to increase the minimum turnover threshold for cinemas required to make a contribution to the 'Filmwirtschaftsfonds' to DM 200 000 from DM 150 000; again, to compensate for this additional concession, television was called on to make up the shortfall in the expected revenue: the levy was now increased to DM 40 000 for each feature film screened which, it was calculated,

could bring in some DM 8 million a year if the television stations kept to their figure of 200 feature films screened a year reached in 1963 (11).

**WDR New Year's press conference in Cologne.  
*Intendant* Bismarck attacks television levy**

At a New Year's press conference at WDR in Cologne, *Intendant* Klaus von Bismarck, who was also chairman of ARD, rejected outright the proposals for a television levy in the draft Film Promotion Law, arguing that the television stations could not be legally bound into making any such payments into the proposed 'Filmwirtschaftsfonds'; Bismarck reminded those journalists present - and was supported in this by *Fernsehdirektor* Dr. Hans Joachim Lange - that attempts had been made ten years previously to come to a mutually acceptable agreement between the film industry and television, but this had been foiled by the intransigence of the exhibitors. In spite of that impasse, close links had nevertheless been forged by television with film producers and film technicians, resulting in sizeable programme contracts, figures for the last three years being released by Bismarck at this meeting (12).

Dr. Lange announced an alternative to the television levy proposed by the 'Martin-Plan' which could help to improve relations between the two media: ARD and ZDF would each commit themselves to the co-financing of six of the sixty productions expected to receive

promotion assistance from Martin's 'Filmwirtschafts-fonds'. The television stations would either assume full responsibility for the film's financing and therefore demand a premiere on television, or provide the bulk of the finance and allow the film an 18-month theatrical release before the television screening. This co-production proposal had been forwarded, the journalists were informed, to the relevant bodies within the film industry for their responses, yet the Verband Deutscher Film- und Fernsehproduzenten e.V. maintained, when questioned by *Film-echo/Filmwoche* about the proposal, that they had not received any details of such a move by ARD.

The reaction of *Film-echo/Filmwoche* to Bismarck's proposals for a film/television co-production agreement followed the usual lines editor Horst Axtmann chose to adopt to reflect (apparently) the views of the West German exhibitors. He demonstrated his customary scepticism for the broadcasters' avowed good intentions towards the film industry: 'Wem wäre mit einer solchen Regelung für sechs oder zwölf Filme im Jahre geholfen? Doch wiederum nur ausschließlich dem Fernsehen selbst; denn ein coproduzierter oder mitfinanzierter Spielfilm ist für jede Fernsehanstalt immer noch preiswerter als ein selbst und allein hergestelltes Fernsehspiel'; and he reiterated that a film's screening chronology must

always commence in the cinemas, thus disqualifying Bismarck's option of a co-production fully-financed by television with a small screen premiere:

solange die Fernsehleute nicht ehrlich genug sind, einzugestehen, daß Kinofilme nur ins Filmtheater gehören und das Fernsehen sich mit fernsehgerechten Programmen allein versorgen muß, solange verlaufen alle Film/Fernseh-Gespräche im Endeffekt ergebnislos oder verlieren sich in Finten und Übertölpelungsversuchen von Seiten der Fernsehleute (13).

Axtmann declared that the unresolved situation between the film industry and television should be one of the major areas of study for the commission of inquiry into the state of competition between the mass media, which the *Bundestag* Economics Committee had been instructed on 15 November 1963 to set up.

In his article for *epd/Kirche und Film* in February Werner Hess also pointed out a basic fact which successive campaigners for a television levy in 1967, 1973, 1978/1979, and even 1985/1986 (14), have chosen to ignore: that the *Ländergesetze* regulating the ARD's television and radio stations and the *Staatsvertrag* regulating ZDF demand that the radio and television licence fee revenue be used exclusively for the radio and television services. Moreover, if, say, a tax of DM 40 000 was imposed on the sale of rights of feature films to television, consequently making them cost near to DM 100 000 each, the time could come, Hess suggested, when the broadcasters might consider it cheaper to

produce its films 'in-house', thus signifying a turn of events which would put a stop to the collaborative working relations which had been built up over the years between the two industries.

**Professor Dr. Walter Mallmann on the legality of the television levy in the 'Martin-Plan'**

In a commentary broadcast on 5 February 1964 on Hessischer Rundfunk's first radio channel, Professor Dr. Walter Mallmann of the University of Frankfurt, declared that the imposition of a levy on television screenings of feature films, as a means of generating income for a 'Filmwirtschaftsfonds', ran counter to the claims of the Cultural Policy Committee that the intended film promotion law was designed as a 'self-help' scheme for the ailing native film industry as well as counter to the recommendation of the Federal Government's report of 25 April 1962 which had expressly warned against any plans for the introduction of a 'Zwecksteuer'. With the introduction of § 10(2), the 'Filmselbsthilfegesetz' had in effect become a 'Fernsehsteuergesetz' (Mallmann).

The levy appeared in the draft as a 'Beitrag' along with the regulations specifying the contributions to be made by the film industry; but, as Mallmann pointed out, 'Beiträge im finanzrechtlichen Sinne sind Geldangaben zur Deckungen der Aufwendungen für eine öffentliche Einrichtung, die denjenigen abverlangt werden,

denen aus der Einrichtung besondere wirtschaftliche Vorteile erwachsen' (15). The film producers would be the main beneficiaries of the revenue accumulating in the 'Filmwirtschaftsfonds', since the draft law's main purpose was as a 'Filmhilfsgesetz'; television could not expect, therefore, to benefit in any financial sense since the law was intended solely to aid the film industry.

Mallmann echoed Werner Hess' own arguments against the levy when he declared that it represented a 'Sondersteuer, die einen grundsätzlichen Einbruch in das Finanzsystem des deutschen Rundfunks darstellt' (16) and which was in direct contradiction to the spirit of Article 5 of the *Grundgesetz* which guaranteed press and broadcasting freedoms from arbitrary levies:

Jeder hat das Recht, seine Meinung in Wort, Schrift und Bild frei zu äußern und zu verbreiten und sich aus allgemein zugänglichen Quellen ungehindert zu unterrichten. Die Pressefreiheit und die Freiheit der Berichterstattung durch Rundfunk und Film werden gewährleistet (17).

He warned that the legislator would be abdicating his constitutional obligations if he surrendered the current system to the interests of a particular group. Mallmann insisted that one should keep in mind the legal position held by the broadcasters as laid down in the *Grundgesetz* as well as the obligation of the *Bund* to respect the legal status of the *Länder*. If the



Cultural Policy Committee and the legislative insisted on retaining this apparently arbitrarily fixed levy in the Film Promotion Law draft, there was a distinct possibility of the case having to go to the Bundesverfassungsgericht in Karlsruhe.

Writing in the March 1964 issue of *Filmkritik*, film critic and historian Enno Patalas branded the latest draft 'nicht nur kein Kulturgesetz (Martin had constantly stressed that the 'Filmhilfsgesetz' was designed to function according to economic criteria since the *Bund* could not legislate on cultural grounds for fear of impinging on *Länder* sovereignty), sondern auch ein Anti-Kultur-Gesetz'; the introduction of a television levy could severely affect the content of the television schedules, making it financially restricting to show films which were likely to appeal to only a limited audience. The work done by NDR's *Der Filmclub* and ZDF's *Der besondere Film* in bringing films to the attention of the West German public ('mehr Öffentlichkeitsarbeit für die Filmwirtschaft . . . als in den Kinos, seit es diese gibt' (18)) - *Hiroshima mon amour*, *Menschen am Sonntag*, *The Long Voyage Home*, etc. - which had been neglected by West German distributors, was in real jeopardy from the Cultural Policy Committee's proposed draft.

The 'Martin-Plan' was discussed in early 1964 by the *Bundestag* Economic and Cultural Policy Committees, and

despite Hess's appearance at one of these meetings to argue against the television levy, there was an assurance from the Justice Ministry that the proposal was within the constitution. After studying the submissions from the Economic Committee and interested parties within the film industry, the Cultural Policy Committee gave a final reading to a second (revised) draft of their Film Promotion Law on 27 May 1964 when it was unanimously accepted.

In a written report (19), prepared by committee member Frau Dr. Agnes Maxsein to accompany the second 'Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft' (20) for submission to the *Bundestag* on 8 June 1964, the television levy was taken as corresponding in value to the level of contribution - 5 % of the annual turnover - being demanded of the cinemas.

The draft law presented to the *Bundestag* on 8 June included the alterations and additions made to the original 'Initiativantrag' of 29 March 1963: in § 5, 'Verwaltungsrat', the new draft specified that two representatives from the television companies, one from ARD and one from ZDF, should have seats on the *Verwaltungsrat* of the 'Filmwirtschaftsfonds'; in § 13 (2) (§ 10(2) of a later version of the 'Initiativantrag' passed by the *Bundestag* Cultural Policy

Committee on 12 December 1963), the rules regarding the television levy were spelt out:

Für die Ausstrahlung von programmfüllenden Filmen (35-Millimeter-Filme über 1600 Meter oder 16-Millimeter-Filme von 660 Meter Länge und mehr) im Fernsehen ist von der Rundfunkanstalt ein Beitrag von 40 000 Deutsche Mark je Sendung an den Filmwirtschaftsfonds abzuführen. Der Beitrag entfällt für Filme die ausschließlich für die Ausstrahlung im Fernsehen hergestellt worden sind (21).

In an interview with *Film-echo/Filmwoche*, Dr. Berthold Martin, chairman of the Cultural Policy Committee, admitted that the draft film promotion law could not claim the title of 'Wunderwerk', but no further improvements could realistically be expected at this stage; although there was still some isolated disagreement within the ranks of the parliamentary groups in Bonn, Martin thought it unlikely that there would be an extensive debate in the *Bundestag* on the draft (22).

However, Dr. Martin's optimism was short-lived: the SPD parliamentary group decided, after the draft law had been presented to the *Bundestag* on 8 June, that there were still some unanswered legal questions regarding the television levy, and it agreed by a narrow majority to submit a motion to the *Bundestag* sitting of 24 June 1964 calling for the removal of the controversial § 13(2). Then, on 16 June 1964, a high-level meeting was held in Bonn between the Cultural Policy Committee and representatives from ARD and ZDF

to explore the possibility of agreement to a voluntary payment by the broadcasters to the Film Promotion Law's 'Filmwirtschaftsfonds', which would not conflict with the television companies' constitutional rights (23). Martin had, at the same time, given the exhibitors to understand that he might be able to reduce the cinemas' own levy from 5 % to 4 % of their annual turnover if Klaus von Bismarck, ARD's chairman, agreed to the television levy; the signs though were that such hopes were illusory (24).

The SPD's growing lack of faith in Martin's draft was then shared by the CDU/CSU party's executive, which recommended that the draft be withdrawn from the agenda of the *Bundestag* sitting of 24 June 1964; this move was prompted after pressure from the churches' film 'spokesmen and after acknowledgement of the reservations towards the draft expressed by the Economics Committee in March.

The lobbyists' efforts were successful: the second draft of the 'Martin-Plan' did not come before the *Bundestag* on 24 June 1964 and was postponed until the autumn, possibly to reappear then in a new revised version which would take into account the various objections to the current one.

Writing for *Film-echo/Filmwoche* Dr. Wolfram Engelbrecht, who had been elected the new president of the

Zentralverband Deutscher Filmtheater at their meeting of 9-10 June, argued that the postponement offered 'eine einzigartige Gelegenheit, nun endlich in gemeinsamer Arbeit eine Regelung zu finden, die von allen Teilen der Filmwirtschaft angenommen werden kann' (25); he was evidently thinking of the need for the exhibitors and producers to co-ordinate their activities in future negotiations on the Film Promotion Law draft. Horst von Hartlieb, an executive member of the film producers' association, held a contrary view to Engelbrecht's on the 'Martin-Plan': the postponement had, he believed, come about as a result of a series of misunderstandings on the part of the exhibitors and other interest groups who had been referring to earlier superseded drafts in their lobbying of politicians. The possibility of a financial agreement with television, broached at the meeting of 16 June, could promise 'ein angemessenes Äquivalent für den Verlust der Beträge aus der gesetzlichen Fernsehgebühr' (26).

The contradictory positions taken by the exhibitors and the producers complicated SPIO's attempts to develop a unified policy by the West German film industry to the successive drafts of the 'Martin-Plan'; the at times open hostility between the exhibitors and producers (who were seen to be 'traitors to the cause') also served to complicate and delay moves by the broadcasters and the film industry to negotiate and

introduce an agreement which would bring (some) harmony to relations between the two media.

**Broadcasters' proposals for an alternative aid programme for the film industry**

Details of the tentative agreement reached at the 16 June meeting between representatives from ARD and ZDF and the *Bundestag* Cultural Policy Committee were disclosed at an ARD conference in Frankfurt on 2-3 July 1964. The broadcasters had declared their readiness to offer support to the ailing West German film industry 'im Rahmen ihrer rechtlichen und tatsächlichen Möglichkeiten' and proposed the following model: a specially appointed viewing panel, with members from ARD and ZDF, would view every film once it had passed the *Freiwillige Selbstkontrolle* and judge its suitability for broadcasting; if a film was deemed 'fernsehgerecht', the producer or distributor would be immediately paid for the broadcast rights, the sum being calculated according to the film's length and quality and to the probable place in the television schedule. Young screenplay authors could attract production backing from the broadcasters if their script was considered sufficiently interesting for a television company to acquire the broadcast rights.

The exhibitors' outraged reaction to this proposal by the broadcasters for their own 'Filmhilfe' is best

summed up in the commentary by Horst Axtmann ('-nn')  
in *Film-echo/Filmwoche* on 17 July:

Da haben sich die Herren auf dem hohen Roß  
etwas sehr Hübsches ausgedacht. Jedenfalls  
kann von einer Filmhilfe hierbei nicht die  
Rede sein, vielmehr handelt es sich um eine  
ausgesprochene Fernseh-Übervorteilung (27).

The exhibitors, as collected within the Zentralverband  
Deutscher Filmtheater, re-affirmed their opposition to  
any agreement with television which relieved the  
broadcasters of any direct statutory financial oblig-  
ations to the film industry when a meeting in Wiesbaden  
on 22 July passed a resolution stating that the  
exhibitors would not be prepared to pay the cinema  
ticket levy to the proposed 'Filmwirtschaftsfonds' if  
television was not under a similar obligation.

#### **Draft agreement formulated between television and the producers**

After the broadcasters' statement of intent on 2/3  
July, meetings were held throughout the summer between  
Joachim Frels, NDR's legal adviser and a member of the  
ARD's three-man film industry liaison committee, and  
representatives from the film producers and distribut-  
ors. On 26 August the first of a series of talks was  
held by ARD and ZDF with the Verband Deutscher Film-  
und Fernsehproduzenten e.V. and Verband der Filmver-  
leiher e.V., using a draft agreement worked out by  
Frels and his film industry opposite numbers.

Since the talks about the precise details and conditions of the agreement were unlikely to be concluded for a while, the ARD *Intendanten* agreed at their meeting in Stuttgart on 29 September 1964 to accept the retrospective section of the agreement which referred to the purchase of the broadcast rights to feature films from recent years of production; ZDF followed ARD's decision at a subsequent meeting.

Details of the draft agreement were disclosed by *Fernseh-Informationen* in its 1 October 1964 issue after it had received the draft document from a film industry contact. The broadcasters intended to select and acquire the rights (for two transmissions) to 100 'fernsehgeeignete deutsche Spielfilme' - 30 for ZDF, 70 for ARD - by 31 May 1965. These films would be selected from the production years of 1964, 1963, 1962, and, if necessary, of 1961, and the broadcasters reserved the right to edit the films if required. The films' suitability for television would be ascertained by a six-man committee, 3 from ARD and 3 from ZDF, who would also decide on the films' allocation to the respective channels. DM 100 000 would be paid for the rights to each film, the first half of the sum being handed over in mid-1965 and the second in mid-1966. The selected films could be screened on television once 5 years had elapsed from the date when they had passed the FSK; thus, films released in 1964 could



appear in 1969 at the earliest. The 'holdback' period could be reduced to 2 1/2 years if the film's theatrical release was concluded after 12 months. It was acknowledged that special conditions might have to prevail for films with lasting, or potentially lasting, appeal such as the Karl May series which was subsequently at the centre of a controversy over the sale of the broadcast rights of *Old Shatterhand* to television in summer 1969. Furthermore, the broadcasters intended to acquire the rights to up to 40 films a year over the next 3 years. A minimum number had not been arrived at, but could be between a third or a quarter of the annual native feature film production. This agreement, the representatives from ARD and ZDF were at pains to stress, would be rendered inoperative forthwith if the proposed Film Promotion Law required the television companies to pay a television levy or restrict the number of screenings of feature films (28).

The apparent generous gesture towards the film industry, as contained in this draft agreement, was not as straightforward as might be hoped: the viewing sessions by the ARD/ZDF panel from autumn 1964 to March 1965 offered the broadcasters the opportunity to view the whole range of West German film production of recent years, with severely disappointing results: of 59 films from the 1963 catalogue viewed in Frankfurt,

only 6 were considered 'brauchbar ohne Vorbehalt' (29), another 15 'noch möglich' in spite of the technical difficulties posed by the 'wide-screen' format of some films (30), whilst the remaining 38 - predominantly from the 'sex-and-crime' wave currently in the ascendant - were rejected outright (31). The panel was forced to draw on a further four years' production in order to meet its pledge to acquire the rights to 100 films.

Horst Axtmann, writing in *Film-echo/Filmwoche* on 21 October 1964 again articulated, as *Der Spiegel* remarked, 'mit bildkräftigem Wortschatz' (32) the exhibitors' opposition to 'the broadcasters' alternative to the television levy which had been proposed in the 'Martin-Plan' of 8 June 1964:

Nun versuchen sie (the broadcasters) mit ausgekochter Bauernschläue ihren Hauptgläubiger, die Filmwirtschaft, ein weiteres Mal übers Ohr zu hauen, indem sie die Hilfsbedürftigkeit der Filmproduzenten geradezu erpresserisch ausnutzen wollen (33),

and declared that this unilateral action by the producers and distributors, without prior consultation with the rest of the film industry (especially the exhibitors), would mean that the agreement would never be signed. Axtmann reminded readers, and especially the 'renegade' producers, of the SPIO 'Kompromißberatung', attended by producers, distributors, film technicians, and exhibitors, on 3 September 1964, which

passed a resolution, demanding that representatives of the Zentralverband Deutscher Filmtheater should be present at all further talks with the broadcasters on the concluding of an agreement with the film industry.

The Bavarian exhibitors' association followed Axtmann's lead and threatened to place a boycott on all West German films entering its members' cinemas as a form of protest against the draft agreement. The association's secretary, Ekkehardt Theile, was reported in *Die Welt* on 20 October 1964 as fearing 'daß in einer bestimmten Klausel dieses geplanten Vertrages eine Hintertür dafür geöffnet werden könnte, daß auch Filme der neuesten Produktion auf die Bildschirme kommen könnten. Das wäre für uns eine Katastrophe' (34).

These protests, justified to an extent since the exhibitors could not be blamed for wanting to safeguard their livelihoods, did not result in any shift in attitude by the producers, who continued to pursue their unilateralist overtures to the broadcasters. Thus, the exhibitors were not invited to attend any of the discussions over the following months between the producers' association and the broadcasters on the final contents of an agreement between the two sides.

**'Martin-Plan' comes before the *Bundestag* again**

After the postponement of discussion of the second

draft of the 'Martin-Plan' in the *Bundestag* on 24 June 1964, it had been envisaged that the draft would be submitted again some time in the autumn of the same year. However, in the light of several unresolved objections to individual sections of the draft law, the second draft did not come before the *Bundestag* for its second reading until 22 January 1965, when it was referred back to the Cultural Policy Committee for further discussion (35). After consulting the recommendations made by a 'Filmwirtschaft' sub-committee and the Economic and Finance Committees, the Cultural Policy Committee agreed unanimously at its sitting of 20 May 1965 to a third draft of the 'Martin-Plan' (*Bundestags-Drucksache* 4/1172), which came before the *Bundestag* the same day (36).

In this third draft of a 'Gesetz über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft', § 5(1) (9) of the previous draft, which saw two seats on the *Verwaltungsrat* of the 'Filmwirtschaftsfonds' for representatives from ARD and ZDF, was dropped, as was the controversial § 13(2) which had required the broadcasters to pay a DM 40 000 levy for each film screened on television, in recognition of the private agreement being negotiated between the producers, ARD, and ZDF.

The advantages and disadvantages of the 'Martin-Plan' had, in the meantime, caused a rift in the exhibitors' ranks: on 30 December 1964 a 'breakaway' group, calling

itself the Bundesverband Deutscher Filmtheater and led by Dr. Wolfram Engelbrecht, president of the Zentralverband Deutscher Filmtheater e.V., was established to campaign against the 'Plan' and promote the alternative of a central film bank.

When the third draft came before the *Bundestag* on 20 May 1965, certain concessions favouring the exhibitors were built in to the proposed law (37). But the two rival factions of exhibitors could not agree to settle their differences and support this latest draft of the 'Martin-Plan', with the result that the politicians lost interest in pursuing the matter further. The parliamentary progress of the draft was then brought to a halt by the *Bundestag* elections in September 1965, and the new *Bundestag* did not resume discussion on the 20 May draft when it was constituted in October, the 'urgency' of a 'self-help' aid scheme for film industry making way for more pressing matters.

**ARD and ZDF's film industry aid plan signed 21 October 1965**

By March 1965 the six-man viewing panel, chaired by HR *Intendant* Werner Hess, had seen 300 films from five years of production and selected 80 as suitable for a television screening; the remaining 20, which would make up the 100 figure agreed the previous autumn by the broadcasters, were acquired by ZDF on behalf of

the panel.

On 25 May 1965 a 'Grundsatzvertrag' was concluded at a meeting in Hamburg between ARD, ZDF and the Verband Deutscher Film- und Fernsehproduzenten e.V.: the producers assured the broadcasters that their members held the rights to all the selected films; ARD and ZDF promised to pay the agreed sum of DM 100 000 per film in three instalments: the first at the time of sale, the second in 1966, and the third in 1967; this payment would be made to a 'blocked account' for a producer and could only be withdrawn for the financing of a new production.

The three negotiating partners had agreed to issue a joint press release once the 'Grundsatzvertrag' had been signed - which could have been at the Hamburg meeting in May but was instead delayed until the ARD *Intendanten* gave their approval at their conference in Baden-Baden on 21 October 1965. The following day the press release was issued stating:

Die deutschen Fernsehanstalten und der Verband Deutscher Film- und Fernsehproduzenten e.V. haben eine Vereinbarung über den Ankauf der Fernsehrechte an 100 deutschen Spielfilmen aus den Produktionsjahren 1960 bis 1964 abgeschlossen. Die Fernsehanstalten wollen durch diesen Ankauf der deutschen Spielfilmproduzenten helfen, die Filmkrise zu überwinden. Sie hoffen, daß durch diese Aktion deutsche Spielfilme unter günstigeren Bedingungen als bisher produziert werden können. Das Entgelt wird auf ein Sperrkonto des verkaufenden Filmproduzenten eingezahlt und kann nur mit Genehmigung des Verbandes Deutscher Film- und Fernsehproduzenten

e.V. zur Herstellung neuer deutscher Spielfilme verwendet werden. Der Filmhilfscharakter dieser Aktion rechtfertigt deren besondere Bedingungen. Sie sind kein Präjudiz für Ankäufe von Fernsehrechten an Spielfilmen, die außerhalb dieser Aktion getätigt werden (38).

The list of selected films - 70 for ARD and 30 for ZDF - was not released, thereby avoiding having a detrimental effect on their theatrical releases. A spokesman for the producers' association claimed that this agreement with the broadcasters worth DM 10 million in aid to the West German film industry was 'ein beispielgebender erster Schritt für eine weitere erfolgreiche Zusammenarbeit' (39) which would guarantee the West German film a regular place in the television schedules and serve as useful publicity for current theatrical releases. The aims behind this funding agreement appear to have been attained if reference is made to a letter to ARD chairman and HR *Intendant* Werner Hess in July 1966 from Dr. Alexander Grüter, chairman of the Verband Deutscher Film- und Fernsehproduzenten e.V. (Gruppe Spielfilm), in which he wrote that the increase in feature film production from 61 to 91 films (including international co-productions) was 'eine Tatsache, die ausschließlich auf die "Aktion 100 Filme" zurückzuführen ist' and hoped 'daß . . . auch eine größere Anzahl der Jahresproduktion auf interessante und qualitätsvolle Filme entfallen wird, die für den Ankauf durch die deutschen Fernsehanstal-

ten geeignet sind' (40).

Others were not so enthusiastic: Horst Axtmann, writing in *Film-echo/Filmwoche* on 27 October 1965, described the agreement between the producers and 'das als raffgierig für Kino-Spielfilme bekannte Fernsehen' as 'eine filmwirtschaftsschädliche Manipulation, deren bittere Konsequenzen sich erst in Zukunft zeigen werden'. He directed the greater part of his barbed comments at the film producers, concluding his article with unmistakable sarcasm:

Man kommt immer mehr zu der Überzeugung, daß die Gruppe Spielfilm im Verband Deutscher Film- und Fernsehproduzenten e.V. den Filmast, auf dem sie sitzt, in dem übereifrigen Bestreben, mit dem anderen Ast (dem Fernsehen), auf dem sie auch sitzen möchte, ins Geschäft zu kommen, selber absägt (41).

Gerhard Roger, the senior writer for *Filmblätter*, questioned 'warum die Interessenverbände der Filmtheaterbesitzer in dieses mysteriöse Geschäft nicht eingeschaltet wurden', and then directed his criticism at the apparent inactivity of the West German film industry's 'umbrella' organisation, SPIO, - 'deren Aufgabe doch noch immer lautet, für die gemeinsamen Lebensfragen der Filmarbeit einen gemeinsamen Hauptnenner zumindest zu suchen, möglichst zu finden' (42) - to play a part in these negotiations between the producers and television.

At an advisory council meeting in Frankfurt on 2 November 1965 of the Hauptverband Deutscher Filmtheat-



er e.V. (constituted by the warring factions of the Zentralverband and the Bundesverband on 2 October with the condition that the future exhibitors' association would be opposed to a revival of the 'Martin-Plan'), a resolution was passed calling on the producers to inform the Hauptverband (HDF) in future of any plans to sell broadcast rights of films to television (43). The ill-feeling generated by the so-called '100-Filme-Aktion' coloured the exhibitors' reactions to future attempts at the introduction of a Film Promotion Law, especially when they perceived that the producers were likely to receive more financial benefits (production promotion) than the cinemas (modernisation and refurbishment funds were allocated limited funds by the 1968 Film Promotion Law).

Enno Patalas of *Filmkritik* (44) and Reimar Hollmann of *Film* (45) were more concerned about the effect of this agreement on the television schedules and on film production for the next five years. Patalas wrote that the West German television viewer would be offered 'zweimal im Monat *Der brave Soldat Schweyk und Frau Warrens Gewerbe, Bezaubernde Arabella und Der Jugendrichter, Ich bin auch nur eine Frau und Die glücklichen Jahre der Thorwalds* und was der deutsche Film in seinen schwächsten Jahren sonst noch an gediegenen Plotten zustande gebracht hat' (46), whilst Hollmann

remarked: 'wenn man das Angebot dieser Zeit (1960-1964) in Erinnerung hat, kann einem um das Programm angst und bange werden' (47). Their fears appear to be justified if one looks ahead to remarks made by commentators on the passing of the 'Filmförderungsgesetz' of 22 December 1967, e.g. Dietmar Schmidt of *epd/Kirche und Fernsehen*, reviewing the events leading up to the 1967 law, noted: 'was damals ausgehandelt wurde, spiegelt sich bis heute in den bundesdeutschen Fernsehprogrammen, Götterspeise für Anhänger von Papas Kino' (48).

There was yet more scepticism for the press release's claim that the broadcasters wanted 'durch diesen Ankauf der deutschen Spielfilmproduktion helfen, die Filmkrise zu überwinden'. Hollmann was not convinced that the sum of DM 100 000 (DM 30 000 as payment for the broadcast rights, DM 70 000 'Produktionshilfe') would be used by the producers to work for an upturn, commercially and artistically, whilst Patalas asked: 'Doch glaubt in den Fernsehanstalten wirklich jemand im Ernst daran, daß von den Initiatoren der May- und Wallace-Wellen, auf deren Konten die Summen fließen, für die Zukunft unseres Kinos etwas zu hoffen sei?' (49).

The directors likely to benefit from the '100-Filme-Aktion' were those established names who already dominated the West German production scene: Alfred

Vohrer (*Das Gasthaus an der Themse* (1962), *Der Hexer* (1964), and *Unter Geiern* (1965)), Harald Reinl (*Winnetou I* (1963), *Der Würger von Schloß Blackmoor* (1963), and *Winnetou II* (1964)), Franz Josef Gottlieb (*Das Phantom von Soho* (1963) and *Die Gruft mit dem Rätselschloß* (1963)), and Rolf Zehetgruber (*Das Dorf ohne Moral* (1960) and *Das Wirtshaus von Dartmoor* (1964)); young directors such as the brothers Peter and Ulrich Schamoni (Federal Film Prize for the 12-minute short *Hollywood in Deblatschka* (1965)), Alexander Kluge, Roland Klick and Volker Schlöndorff, who were deserving of support so as to develop a fresh alternative to the backward-looking established 'Papas Kino', were unlikely to be beneficiaries of this aid scheme from television since none of them had, as yet, made a full-length feature film - Kluge's *Abschied von gestern* was not released until 14 October 1966, Ulrich Schamoni's *Es* until 17 March 1966, and Schlöndorff's *Der junge Törless* until 20 May 1966.

That the '100-Filme-Aktion' did not in fact fulfil its promise to inject new life into a decaying film industry and reintroduce the keyword of 'quality' which had been absent for so long in West German films was borne out by Egon Netenjakob's remark in November 1968 about the results of the 'Aktion' and the potential fruits of the 1967 'Filmförderungsgesetz': 'Die

Effektivität der für neue Filme zu verwendenden Fernsehspenden ist für die Qualität deutscher Filme ebenso fragwürdig wie die neue gesetzliche Filmförderung' (50) ; and by a cursory glance at some of the titles of films made by the established directors - Reinl, Vohrer, Gottlieb and Zehetgruber - after 1965: e.g. *Dynamit in grüner Seide* (Reinl, 1967), *Winnetou und sein Freund Old Firehand* and *Der Bucklige von Soho* (Vohrer, 1966), *Mister Dynamit - morgen küßt Euch der Tod* (Gottlieb, 1966) and *Kommisar X: Drei gelbe Katzen* (Zehetgruber, 1966) (51).

The broadcasters' alleged desire to lend a financial helping hand to their ailing 'relative', the film industry, could not hide the fact that they had really entered into negotiations with the film producers with the specific aim of preventing the television levy of the second draft of the 'Martin-Plan' of 8 June 1964 being included in the draft Film Promotion Law when parliamentary debate resumed in 1965 on a further revised version. With this aim uppermost in their minds, the broadcasters had agreed to purchase the rights to films which they would normally have never contemplated for the television schedules. Nevertheless, in later accounts of financial partnerships between the film industry and television, the '100-Filme-Aktion' has been held up as a forerunner of the 'Film/Fernseh-Abkommen'.

**Atlas-Film chief Hanns Eckelkamp's attempts to promote better relations between the film industry and television**

Away from the lobbying for revisions to the 'Martin-Plan' drafts and negotiations by the producers for a special voluntary financial agreement ('100-Filme-Aktion') by the broadcasters, moves were also afoot at 'grass roots' level within the film industry to create a better atmosphere for co-existence by the two media.

Hanns Eckelkamp, major shareholder and managing director of Hanns Eckelkamp + Sohn Theatergesellschaft Duisburg, had founded the Atlas-Film distribution company in 1961 (52), specialising in the latest 'art-house' releases from abroad e.g. Ingmar Bergman's *Das Schweigen* which provoked a storm of moral outrage in 1963, but also provided the company with a relatively firm financial base for the future; and in first features by debuting directors e.g. Roland Klick's *Jimmy Orpheus* (1966), Johannes Schaaf's *Tätowierung* (1967), Michael Verhoeven's *Paarungen* (1967), Vlado Kristl's *Der Damm* (1964, released 4 May 1965), and Peter Schamoni's *Schonzeit für Füchse*, as well as an occasional overtly 'commercial' film e.g. Jürgen Roland's *Polizeirevier Davidswache* (1964) and *Vier Schlüssel* (1965). Moreover, at the end of 1964, Atlas-Film added four classic German silent films to its catalogue - *Das Cabinet des Dr. Caligari* (Robert Wiene), *Der letzte Mann* (Friedrich Wilhelm Murnau) and *Dr. Mabuse*

*der Spieler* and *Dr. Mabuse - Inferno des Verbrechens* (both by Fritz Lang) - which were intended as an attempt to contribute to the creation of a film culture in West Germany. Additional titles, particularly from the National Socialist period, had been ear-marked for release later on.

Once Eckelkamp had consolidated his company's position in the distribution sector - by 1963 - , he turned to backing first-time projects of young and up-and-coming directors: e.g. Roland Klick's *Ludwig, Zwei* and *Jimmy Orpheus*, Nicolas Gessner's *Diamanten-Billard*, and former television director Rainer Erler's *Professor Columbus*; as well as financing productions by more established directors like Jürgen Roland whose *Polizeirevier Davidswache* was awarded the second actor prize to Wolfgang Kieling at the German Film Prize ceremony on 27 June 1965. However, his activities on the production front were conducted without due care for the need for reserve capital in the eventuality of overspending, and the company consequently collapsed in financial ruin in 1967 (53).

At the North Rhine-Westphalia exhibitors regional association AGM (54) held in Düsseldorf on 2 April 1964, Eckelkamp, who owned eight cinemas in Duisburg and Essen, gave a speech to the assembled delegates on the competitive situation between the film industry

and television, a topic which had occupied the minds of many exhibitors since SPIO's 'Feststellungen der Filmwirtschaft zur Wettbewerbsgleichheit Film/Fernsehen', published on 11 October 1963, and the wrangling between Dr. Martin, architect of the draft Film Promotion Law, the film industry and the broadcasters over the legality of the imposition of a television levy on television screenings of feature films.

Eckelkamp declared that public opinion was with the film industry in its campaign for fairer conditions of competition with television and believed that the film industry could reach agreement with the broadcasters on a solution to their grievances if the various sectors came together and worked out a common policy. He mentioned that he had conducted private talks with officials from the television stations and could already speak of 'durchaus gute Erfahrungen'.

Thus, since Eckelkamp was in favour of trying to develop a more harmonious co-existence between the two media, the AGM on 2 April decided to appoint him as its 'Television Liaison Officer' ('Fernsehbeauftragter'), whose duties would be to mediate between the regional association and the television companies. Following on from this, the exhibitors' national body, the Zentralverband Deutscher Filmtheater e.V., set up a Television Sub-Committee, manned by Eckelkamp, Siegfried Lubliner (Television Liaison Officer for the

Zentralverband and chairman of SPIO's 'Television Committee') and Willi Wolf (chairman of the North Rhine-Westphalia exhibitors' association), which met for the first time during the 1964 Berlin Film Festival at the end of June. After preliminary talks with ARD and ZDF, the Sub-Committee wrote to the Zentralverband on 19 August 1964 explaining that there was a chance of the broadcasters agreeing to a 'kleine Lösung' which would deal with some of the grievances and requesting that the committee be told whether it should proceed with negotiations. A reminder sent on 2 December 1964 did not prompt a response from the headquarters of the Zentralverband in Wiesbaden, and by early summer 1965 Eckelkamp had abandoned any hope of a reply from either them or from the rival Bundesverband Deutscher Filmtheater e.V., founded on 30 December 1964 by Dr. Wolfram Engelbrecht, a member of the North Rhine-Westphalia association's executive.

Thus, on 30 July 1965, Eckelkamp sent a letter, on behalf of himself and Wolf, to the Zentralverband executive asking to be relieved of the responsibilities of membership of the 'Television Sub-Committee' and of the post of 'Television Liaison Officer'. Eckelkamp concluded his letter with the hope 'daß der in Gründung befindliche Hauptverband der Filmtheater auch die die Filmtheater bewegenden Fernsehfragen tatkräftig



behandeln kann' (55). Eckelkamp's wish appears to have been fulfilled, for at the 2 November 1965 sitting of the advisory council of the Hauptverband in Frankfurt, those present passed a resolution calling for the preparation for 'ein klärendes Gespräch' with ARD and ZDF (56).

Despite Eckelkamp's failure to receive support from the Zentralverband executive for possible talks with television, he did manage to organise his own form of co-operation between the film industry and television in autumn 1965: on 27 October 1965 WDR announced the production of a film with Atlas-Film which would be given its premiere in the cinemas before the television screening (57).

Atlas, WDR and a Swiss production company were joining forces on a DM 1.1 million budget adaptation of the Swiss author Max Frisch's novels *Mein Name sei Gantenbein* and *Stiller*; Bernhard Wicki, director of *Die Brücke* (1959) and *Das Wunder des Malachias* (1960), had been chosen as the film's director since Erwin Leiser, later director of the Deutsche Film- und Fernsehakademie in Berlin, had clashed with Frisch on the approach to the transferring of the novels to the screen. The film, the title at this point being *Asche eines Pfeifenrauchers* (58), was to star Ernst Schröder and Agnes Fink, Wicki's wife.

Eckelkamp's arrangement with television as co-prod-

ucer involved WDR paying DM 350 000, about a third of the film's budget, in return for the rights to a television screening six months after the theatrical premiere. But, according to a report in *Film-echo/Filmwoche* on 10 November, the 'holdback' period was 'frühestens ein ganzes Jahr später, sofern "Atlas-Film" die Kino-Auswertung nicht eher für beendet erklärt'. Enquiries to the co-production partners by *FUNK-Korrespondenz* revealed the exact conditions of the production agreement: the earliest time that the film could appear on television was after six months; if the film proved to be a box-office success, it could have its theatrical release extended up to twelve months at the most. In this latter situation, Atlas-Film would reimburse WDR 'eine bestimmte Summe' for each extra month in the cinemas (59).

This 'einmaliges Experiment', as Eckelkamp put it, marked a new development in film co-production between the film industry and television. In the previous instances of co-operation between the two media - Wolfgang Neuss's *Wir Kellerkinder* (1960), Rolf Hädrich's *Verspätung in Marienborn* (1963), and Kurt Hoffmann's *Das Haus in der Karpfengasse* (1964) - the television partner had insisted on the right to a television premiere in return for a sizeable proportion of the film's budget (60). This order of release -

television screening/cinema - had had disappointing results, with the exception of *Wir Kellerkinder*. As Reimar Hollmann noted: 'die Tatsache der vorangegangenen Fernsehvorführung war für viele Kinobesitzer ein willkommener Vorwand, sich vor einem Film mit unbequemem Thema (the East-West dilemma in Hädrich's film, the Nazi persecution of Jews in Prague in Hoffmann's) zu drücken' (61).

Günter Rohrbach, WDR's chief drama commissioning editor, believed that a co-production with the film industry could artistically outshine any 'in-house' programmes made by television and added: 'wenn der Fernsehzuschauer sich nicht an der Reihenfolge Kino - Bildschirm stört, will der WDR in Zukunft jedes Jahr zwei bis drei solcher gemeinsamer Produktionen starten' (62).

Both Enno Patalas (writing for *Filmkritik*) and Reimar Hollmann (for *Film*) welcomed the collaboration between Atlas-Film and WDR. Patalas saw it as offering the film producers and television new production possibilities which had seemed impractical in the past: 'beim Fernsehen nicht, weil Vorhaben in der Größenordnung von einer Million dessen Möglichkeiten übersteigen, bei der Industrie nicht, weil ihr das Risiko von einer Million bei Projekten, die von den eingefahrenen Bahnen abweichen, ab zu groß erscheint' (63). Hollmann believed that Atlas could become an important support-

er of the younger up-and-coming directors who were largely ignored by the established 'old guard' producers (with the exception of Franz Seitz and Heinz Angermeyer) and unlikely to benefit from the '100-Filme-Aktion', signed on 21 October 1965 between the independent television and film producers' association, ARD, and ZDF (64).

However, production of *Asche eines Pfeifenrauchers* (the name was subsequently altered to *Transit*) ran into costly delays when Wicki fell seriously ill. Further filming had to be abandoned since lead actor Ernst Schröder was by then committed to theatrical engagements (65). The postponement of this ambitious production dealt a severe blow to the already ailing fortunes of Atlas-Film, and it was only a matter of time before crippling debts drove Eckelkamp to declare his company bankrupt in 1967. The failure of this co-production venture was doubly regrettable in the light of a set of proposals made to ARD and ZDF by the Arbeitsgemeinschaft der Filmjournalisten in September 1965 (66).

The film journalists had suggested in letters to ARD chairman Werner Hess and ZDF *Intendant* Karl Holzamer that the television companies should co-produce 10-15 films with film industry partners; the production costs of approximately DM 1 million a film would be

shared equally between the two co-producers; the films' release chronology would guarantee a theatrical premiere with a 1-2 years television 'holdback' (67).

In his reply on 10 September 1965, Hess indicated that the journalists' proposals were 'allerdings nicht neu', since WDR *Intendant*, and the then ARD chairman, Klaus von Bismarck, had put forward such a co-production plan in January 1964 (68), which had been revived, with modifications, when Hess had attended a meeting of the *Bundestag* Cultural Policy Committee in March 1964. At that time Hess had offered to commit the broadcasters to involvement in 10 co-productions, 5 with television and 5 with theatrical premieres, but attempts at more detailed discussions had met with 'konkrete Schwierigkeiten'. It had been extremely difficult to find subject material which would be equally suitable to both media; the question of the release chronology - television/cinema or cinema/television - was far from resolved since the broadcasting companies were unprepared to wait 3-4 years to screen films made with considerable investment from television. It was thus in the light of these and other complications that ARD and ZDF had opted for the model of the '100-Filme-Aktion' which, Hess considered, was 'eine wirklich praktikable und vernünftige Lösung . . . die man auch für die Zukunft anwenden kann'.

Holzamer's letter of 17 September 1965 echoed some

of Hess's arguments, adding that ZDF was not in a sufficiently stable financial position to commit itself to extensive outlay on a programme of co-productions (69); ZDF had 'künstlerische Überlegungen' against the journalists' proposals centering on the inherent differences between film and television production, in terms of scale and treatment, which consequently made it impossible for them to consider a series of co-productions. Holzamer did however concede that such an agreement as proposed might be reached for 'ganz bestimmte Sonderfälle': 'Wir werden gegebenenfalls gern prüfen ob ein solches Einzelprojekt sowohl vom Buch wie von den Kosten her mit unserer Programmplanung und unseren finanziellen Möglichkeiten vereinbar ist' (70).

Co-productions between filmmakers, especially those of the so-called 'Junger Deutscher Film', and television thus developed in the future in piecemeal fashion when enlightened commissioning editors, such as Hans-Geert Falkenberg and Günter Rohrbach at WDR, and Helmut Haffner at BR, decided to back artistically ambitious or socially committed film projects which would have been ignored by the commercial mainstream producers.

However, the directors' hopes of seeing their films made in collaboration with television on the large screen were often dashed by the television companies' insistence on their right to a television premiere.

Even if these co-productions were afforded a limited theatrical release, the exhibitors were loth to take them once they had been shown on television. The seemingly makeshift agreement for co-productions, in particular the conditions for the release chronology, was not streamlined and brought within a formal framework until the signing of the 'Film/Fernseh-Abkommen' on 4 November 1974 (71).

#### **Attempts at talks between the exhibitors and the broadcasters**

At the first meeting of the HDF advisory council in Frankfurt on 2 November 1965, a resolution was passed recommending that HDF should have 'ein klärendes Gespräch' with representatives from ARD and ZDF to explore areas of possible agreement between the two sides on the question of film and television relations.

The first of these meetings was held in Frankfurt on December 1965 between HDF, represented by president Dr. Wolfram Engelbrecht and vice-president Helmut Woeller, and ARD, whose chief negotiator was HR *Intendant* and ARD chairman Werner Hess. Agreement was achieved with the broadcasters to 1. liaison in future on questions of 'wettbewerbsrechtliche Abgrenzungen der gegenseitigen Interessensphären', 2. avoid scheduling which could be detrimental to the cinemas' business, and 3. promote cinema-going through 'film-

kundliche Sendungen'.

At the same time, the decision to disband ARD's *Filmkommission* and set up a central 'Filmredaktion', akin to ZDF's, as from 1 January 1966, marked a new chapter in the relations of ARD with the film industry, together with the attempts to promote better understanding begun at the Frankfurt meeting (72).

Until now ARD's film purchasing had been co-ordinated by a central *Filmkommission*, comprising of nine representatives from the ARD member companies and Dr. Hans Joachim Lange, WDR *Fernsehdirektor* and 'Subkoordinator für Film', as chairman. However, criticism had been mounting recently (especially from NDR *Intendant* Gerhard Schröder) against the committee's procedure of receiving offers rather than bargaining on the open market, and against its apparent over-reliance on the services of Dr. Leo Kirch's BETA-Film GmbH + Co for the bulk of its feature film needs. The dubious quality of some of the titles acquired in a 750-film package from BETA in 1960 had encouraged critics of ARD's film purchasing policy to argue for a plan of total reorganisation.

Thus, at a general meeting of the ARD *Intendanten* on 28 June 1965, a proposal was made to abolish the *Filmkommission* and transfer its responsibilities for ARD's feature film purchasing to the general programme purchasing agency, Degeto, based in Frankfurt. Degeto was



provided with an initial fund of DM 10 million for the needs of the 'Filmredaktion' which would require its officials to attend international film festivals and television programme trade fairs, such as those at Milan, Cannes, and Brunn. Three film 'assessors' ('Filmbeurteiler') were engaged from 1 January 1966 to view films for possible purchase: Heinz Ungureit, film critic for the *Frankfurter Rundschau* and *Filmkritik*, Hartmut Grund, head of HR's 'Fernsehspiel' department, and Franz Everschor, editor of *film-dienst*, journal of the Katholische Filmkommission. These three officials, along with two purchasing executives, reported to Dr. Lange who in turn reported to ARD's *Programmdirektor* Lothar Hartmann.

Films shortlisted for purchase by the 'Filmredaktion' were brought by Lange to sittings of the 'Ständige Programmkonferenz', the body responsible for co-ordinating ARD's schedules, for its approval; extensive packages, however, could be brought before a specially convened six-man committee, comprising of Lange, the three assessors, and two other film experts, whilst offers from dealers requiring a swift decision could be dealt with by one of the assessors after consultation with a purchasing executive.

The reorganisation was regarded by many as ARD's response to the remarkable popular and critical

success garnered by ZDF's 'Filmredaktion', under the leadership of Klaus Brüne, since the second channel's launch in April 1963; and, equally, as a means of holding in check the prices paid for film licences, creating a stronger negotiating position in future purchasing deals, and allowing for the possibility of liaison and co-ordination with ZDF's 'Filmredaktion'.

#### **HDF meets with ZDF in Mainz, January 1966**

On 12 January 1966 HDF's executive, Dr. Engelbrecht and Helmut Woeller, and management, Dr. Hans Joachim Loppin and Robert Backheuer, met in Mainz with ZDF *Intendant* Karl Holzamer and his personal assistant, Dieter Stolte. Again, commitments were forthcoming from the broadcasters: that the film industry's interests would be taken into account when ZDF drew up its programme schedule, and no increase would be made in the number of feature films screened. ZDF would also support the film industry's campaign for more tax concessions.

The question of an acceptable level of feature films in the television schedules was one of burning topicality for exhibitors in January 1966 in the light of figures released at the beginning of the year which showed that 1965 had seen the greatest number of films being screened on West German television (73): 223 in total (74), with ARD screening 105, ZDF 88, and the

regional 'Third' channels 30 (BR 18, HR 7, NDR/RB/SFB 5). This was an increase of 50 films over 1964's total of 160 which had been 45 lower than the previous record of 205 in 1963. The protests of 'unlautere Frei-Haus-Konkurrenz' and 'Filmflut im Fernsehen' in the exhibitors' trade papers neglected to take into account the fact that 1965 had seen the introduction of three regional 'Third' channels which used *cinéaste* films as a part of their schedule of cultural, educational, and minority interest programming. Nor was mention made of the fact that, of the 223 films screened, 80 did not have an FSK certificate, signifying that they had not been acquired by a West German distributor for theatrical release.

Writing in *Film-echo/Filmwoche* on 26 January 1966, Horst Axtmann was optimistic about the future of film and television relations after these initial exploratory talks; he welcomed the 'weitgehende und ehrliche Aufgeschlossenheit' shown by the broadcasters to their opposite numbers from HDF and suggested that this served as a basis for 'ein Anfang für die seit langem erforderliche Verständigung'; he stressed that future negotiations should be conducted 'ausschließlich von einer gesamtfilmwirtschaftlichen Ebene her' thus avoiding unilateral agreements between individual sectors of the industry and television, such as the 'Aktion-

100-Filme' concluded between ARD, ZDF, and the Verband Deutscher Film- und Fernsehproduzenten e.V. on 21 October 1965, which complicated attempts at a unified 'all-industry' policy towards relations with television (75).

Surveying the current and future situation of the film industry, HDF president Dr. Engelbrecht wrote in *Filmblätter* on 2 April that the advances made at the two meetings on 14 December and 12 January - future liaison on issues affecting both sides, increase in the number of 'filmkundliche Sendungen' and a check on a further increase in the number of films screened - were 'ein ermutigender Anfang' and declared that future talks could discuss prerequisites for a genuine co-existence of the two media (76).

#### **Further talks between HDF, ARD, and ZDF**

A second round of talks between HDF officials and the broadcasters from ARD and ZDF were planned for early/mid-June 1966 when the exhibitors intended to obtain agreement from Hess and Holzamer that the feature film's rightful place was in the cinema and that television film screenings should be restricted to a minimum. Although they acknowledged that the feature film had become an integral part of the television schedules and it would be unrealistic to expect the broadcasters to forgo using films, the exhibitors felt

justified in their request that the television companies programme films at times unlikely to have a significant negative influence on cinema attendances.

HDF believed that major improvements in relations between the film industry and television could be brought about by the development of 'filmkundliche Sendungen' (77): up to this point, ARD had featured the magazine-format *Hinter der Leinwand*, launched by HR in 1961 and appearing six Sundays a year at 16.00 for 45 minutes; ZDF had a more varied selection of programmes reporting on the film industry - *Blick zurück im Film*, *Premieren von gestern*, and *Neues aus der Welt des Films*. *Kinobummel am Wochenende* - which also provided valuable (free) publicity for the latest cinema releases.

#### **Announcement of ARD/ZDF's *Programmschema* for 1966/1967**

Hess and Holzamer had promised at the first round of talks in December and January to take account of the exhibitors' demands when negotiating the new joint *Programmschema* for 1 August 1966 to 31 December 1967. However, when the *Programmschema* was unveiled at the beginning of June (78), the exhibitors were dismayed to see that their petitions had been to no avail: regular film spots were set at 22.00 on Saturdays for ARD, 20.00 and 23.05 on Saturdays for ZDF, and 21.00 on

Mondays for ZDF; ARD reserved the right to use 'Fernsehspiele' and light entertainment spots on Saturdays, Sundays, Tuesdays, and Thursdays for feature films if the space was not filled. Only Wednesdays and Fridays had been left free of feature films, yet the alternative programming - detective series and light entertainment shows - could have a similar negative influence on cinema attendances; despite assurances, particularly from ZDF's Holzamer, that the number of 'filmkundliche Sendungen' would be stepped up, there was no explicit mention of such measures being planned for the period of the *Programmschema*. In fact, ZDF announced that the popular and 'filmwirtschaftsfreundlich' *Neues aus der Welt des Films. Kinobummel am Wochenende*, fronted by film enthusiast Hannes Dahlberg, was to be replaced in mid-September 1966 by a new series *Aus der Welt des Films*, edited by Klaus Brüne of ZDF's 'Filmredaktion' and presented by Martin Büttner. At a meeting of HDF members on 3 July 1966 during the Berlin Film Festival (24 June - 5 July), Brüne had explained ZDF's plans for its 'filmkundliche Sendungen' and said that the new series would feature not totally uncritical reports by distinguished film journalists on current developments in the West German film scene (79).

The broadcasters' apparent ignorance of the exhibitors' demands was a major item on the agenda of HDF

executive and regional meetings, one delegate to a national members' meeting on 15 June suggesting somewhat cynically that the broadcasters were only interested in making concessions to the film industry if it was likely to impress the commission of inquiry led by Dr. Elmar Michel to look into charges of competitive distortion between broadcasting, press, and the film industry, which had been collecting evidence since December 1964. Thus, at a meeting in Bremen at the beginning of July 1966 between SDR *Intendant* Hans Bausch and ARD *Programmdirektor* Lothar Hartmann for ARD and Helmut Woeller and Dr. Hans Joachim Loppin for HDF, the two ARD officials were taken to task for the proposed *Programmschema* (80).

Bausch and Hartmann maintained that the agreement with ZDF was still at a provisional stage but, in any case, they would endeavour to hold the number of feature films screened to an acceptable level; the decision to reserve the right to screen extra films on Saturday evenings was ARD's response to ZDF's insistence on a film at 20.00. Moreover, only 6 films were planned for the Sunday evening slot normally reserved for a 'Fernsehspiel' or light entertainment show, with only 2 to be screened in 1966; ARD was prepared to withdraw these films if ZDF followed suit. HDF was also given a promise by the two ARD representatives that details of films lined up for screening in ARD's schedules would

be communicated to them at the earliest opportunity so that the exhibitors could avoid unnecessary clashes of programming. Since Bausch and Hartmann appeared sympathetic to bargaining, Woeller and Loppin persuaded them to agree to the postponement of a two-part television film, *Die Nibelungen*, written and directed by Wilhelm Semmelroth for WDR and scheduled for transmission in February 1967, since Artur Brauner's CCC-Film production company (in association with Avala of Belgrade) was shooting a two-part feature film version of *Die Nibelungen - I: Siegfried von Xanten* and *II: Kriemhilds Rache* - under the direction of veteran Harald Reinl for release by Constantin at the end of 1966 (81).

The ARD officials also offered their support to the film industry's campaign for the abolition of the entertainment tax, still collected in some *Länder*, and promised to explore the possibilities of increasing the amount of air-time given over to 'filmkundliche Sendungen'. The meeting concluded with the negotiating partners deciding to meet again in early 1967 for more talks, in particular about the effects of the new *Programmschema* on the cinemas' business.

An important lesson was learnt by HDF during these separate talks with ARD and ZDF in 1965-1966: that the film industry would be unlikely to secure a bind-



ing agreement from the television officials on measures to improve relations between the film industry and television if the ARD and ZDF representatives were not both present at the same time at talks with HDF. The exhibitors were not only the victims of general competition from television but also from the effects of the often cut-throat competition between ARD and ZDF, as each endeavoured to draw more viewers and register higher ratings.

#### **Sale of RIVA Studios in Munich to ZDF**

ZDF had been renting four studios (2 x 600 square metres, 2 x 250 square metres) from RIVA-film und lichttechnische Betriebe GmbH of Unterföhring, Munich, since 1 January 1963. In its contract with RIVA's owners, Dr. Hans Ritter and Dr. Wilhelm Vaillant, ZDF had an option to extend its lease of these studios for another 3 years. However, as the time approached for a decision by ZDF on the lease extension, news came from Munich that Richter and Vaillant wanted to sell 'unter allen Umständen' and had already been in contact with American buyers interested in gaining a foothold in a European production centre. Having once before been a victim of the studio landlords' somewhat devious tactics - when, in 1962, studios destined for the new ZDF were sold instead to BR - , *Intendant* Holzamer decided to call their bluff by the letting the deadline for a

decision on the lease pass, thus putting ZDF's programme producing ability into jeopardy. It was a gamble that could affect both parties: for RIVA, a studio without ZDF as a main customer would be a less attractive proposition to an outside buyer; for ZDF, if the RIVA studios were no longer available, it might have to renege on its commitment, made to the independent film and television producers, that it would not construct its own production facilities, but rather use existing ones in Berlin, Munich, and Hamburg.

In the light of this turn of events, RIVA agreed to consider selling the studio site and production facilities to ZDF and subsequently met with Holzamer, Director of Administration Franz Huch, *Programmdirektor* Josef Viehöver, Dieter Stolte, and Wolf Posselt, head of ZDF's regional studio for Bavaria, currently housed in one of the smaller studios at RIVA. By February 1966 ZDF was offering DM 27-28 million whilst Richter and Vaillant insisted on the higher sum of over DM 30 million (82). Further negotiations passed through what Holzamer called in his memoirs 'das Dickicht so vertrackter und zusammenfallender Schwierigkeiten' (83) until, in a final confrontation with Vaillant, he threatened to pull ZDF out of negotiations, an action which prompted RIVA to accept ZDF's offer of DM 27.8 million for the studios.

On 15 July 1966 ZDF's *Verwaltungsrat* agreed to the purchase of RIVA studios for DM 27.8 million to be paid in two instalments. The studio site of 17,659 square metres included the four television production studios, an administration block, two dubbing studios, one music recording studio, a film processing laboratory, two rehearsal halls, a properties store, five editing suites, five projection theatres, and workshops. The meeting also agreed to the creation of a supplementary budget ('*Nachtragshaushalt*') of DM 16 million to the existing one for 1966 to pay the first instalment of the purchase price (84). On 2 September ZDF's *Fernsehrat* met in Munich and ratified the contract with RIVA and the supplementary budget, although three abstentions from voting members representing Berlin served to highlight the concern amongst film and television producers at CCC-Film, Bufa, etc. that ZDF's ownership of its own facilities could mean that fewer programme commissions would find their way to Berlin (85).

The official signing of the contract by *Intendant* Holzamer for ZDF followed on 5 September 1966, and the board of *Fernsehstudio München Atelierbetriebsgesellschaft mbH* (FSM) - a subsidiary company specially formed to run the studios and headed by Wolf Posselt - came together for its constituent sitting in Munich on 7 November 1966.

ZDF's decision to secure overall production facilities for electronically produced programmes was a financially prudent move. The Binder Report on the future of ZDF's finances in 1965 had recommended that the channel reduce its considerable reliance on leased studio space in Munich (RIVA), Berlin (Bufa) and Hamburg (Studio Hamburg) since this cost, in 1965 alone, was DM 9 million in rent and DM 9.5 million in interest charges. Thus, buying RIVA outright would save ZDF DM 3.3 million in rent a year, in addition to punitive interest charges.

The 1 700 square metres of studio space at RIVA was a bargain compared to the expenditure of more than DM 70 million by WDR for its 1 886 square metres 'An der Rechtschule' studio in the centre of Cologne (86). Moreover, ZDF was likely to be able to keep its facilities well occupied with work by its regional studio and independent producers, whereas the ARD network had accumulated near to 25 000 square metres of television studio space, thanks to the wave of studio construction at RB, SFB, and WDR; much of this remained unused and consequently inflated the overall costs of ARD programme production. ZDF had also acted with an eye to the future: soon after the conclusion of the deal with RIVA, work began on the conversion of two of the larger studios to colour electronic programme

production, so as to be in time for the beginning of colour transmissions in late summer 1967 (87).

#### Resumption of talks between HDF and the broadcasters

HDF had learned from its talks with ARD in Frankfurt on 14 December 1965 and with ZDF on 12 January 1966, as well as from subsequent informal exchanges throughout the year, that it was of limited value to try and elicit agreement from the broadcasters on the number, or placing, of films broadcast or on the time given over to 'filmkundliche Sendungen' in the schedules if these meetings were conducted with one channel at a time. The HDF officials realised that they were affected as much by the ratings war between ARD and ZDF as by each broadcasting authority's chosen film programming policy; thus, future meetings to negotiate improvements to film and television relations required all three parties to be sitting around the same table.

Such an opportunity for progress to be made came with the decision to hold a meeting between HDF, ARD, and ZDF in Frankfurt on 2 December 1966 (88): ARD was represented by HR *Intendant* and outgoing ARD chairman Werner Hess, ARD *Programmdirektor* Lothar Hartmann, and 'Subkoordinator für Film' Dr. Hans Joachim Lange; ZDF by *Programmdirektor* Joseph Viehöver and the head of ZDF's 'Filmredaktion', Klaus Brüne; and HDF by president Dr. Wolfram Engelbrecht, vice-president Helmut

Woeller, chief executive Dr. Hans Joachim Loppin and publicity officer Robert Backheuer.

The items on the agenda corresponded with the usual preoccupations of the exhibitors as debated in previous meetings: the position and number of feature films appearing in the television schedules, and the question of increasing the air-time for 'filmkundliche Sendungen'. However, the officials from ARD, led by Hess who had been ARD's film liaison officer since January 1964, made a new offer to the exhibitors as a sign of their good faith: the withdrawal of feature films from ARD's weekend schedules - the peak business period for the cinemas - subject to agreement from ZDF to do likewise (89). Brüne and Viehöver, though, were neither prepared nor (apparently) authorised to give ZDF's approval to ARD's offer; furthermore, no official statement appeared from ZDF in the following weeks, notifying whether there were plans to follow ARD's proposal.

At the end of January 1967, the new ARD chairman, BR *Intendant* Christian Wallenreiter, announced at a press conference for the ARD *Intendantentagung* that ARD planned to heed the arguments of the exhibitors and follow the 'vernünftige und faire Entscheidung' taken by Hess in Frankfurt on 2 December 1966 to reduce the number of feature films in the schedules; it was still

not known whether ZDF would follow suit.

Klaus Brüne, though, was aware of the reasons for the conflict with the exhibitors: at a conference organised by the International Evangelical Film Centre (INTERFILM) in Arnoldshain between 4-6 October 1966, under the heading *Der Film in der Gesellschaft von morgen*, Brüne had declared in a paper, entitled 'Fernsehen, ein Garant der Filmkultur?' (90), that 'der reichliche und bisweilen rücksichtslose Filmverzehr der Fernsehstationen hat nicht dazu beigetragen, die beiden Medien zu der bewußten Partnerschaft zu veranlassen, die in ihrem Interesse liegt. Anstatt konkrete Wege der Kooperation festzulegen, kreist die Diskussion immer noch um Grundsätzliches, zum Beispiel um die Frage, ob der Kinofilm die Position, die er auf dem Bildschirm halte, zu Recht oder zu Unrecht einnehme'. Brüne argued that television should seek to rid itself of the epithets of 'Lückenbüßer', 'Programmfüller' and 'Heimkino', used to describe the fare offered by ARD and ZDF, by concentrating on the artistically ambitious, innovative and 'difficult' film, 'der oft genug im Kino von heute unsichtbar bleibt, weil er, kommerziell unergiebig, erst gar nicht hineinkommt. Hier hat das Fernsehen Gelegenheit, zu experimentieren und dem Kino, das darauf wartet, Mut zu machen, indem es ihm Erfahrungen beschert' (91).

However, the impetus for further direct talks

between the broadcasters and the HDF on the question of the use of feature films in the schedules was suspended in early 1967 by the resumption of the parliamentary passage of a film promotion law. Possibly the exhibitors envisaged the proposed 'Filmförderungsanstalt' as being the appropriate body to co-ordinate more formal negotiations for a mutually acceptable and binding agreement on the broadcasters' future use of films (92). In any case, the HDF and the broadcasters did not meet formally again until early 1968.

**The findings of the 'Michel-Kommission',  
published September 1967**

On 25 September 1967 a 250-page report (*Bundestags-Drucksache 5/2120*) was submitted to the Federal Economics and Interior Ministries by the 'Michel-Kommission', which had been charged by the *Bundestag* in 1964 with the investigation of the state of competition between the press, broadcasting, and the film industry.

The results of the Commission's investigation of the state of competition between television and the film industry were eagerly awaited by the exhibitors in particular, since they expected to have their oft-repeated claims of 'competitive distortion' between the two media and of television's negative effect on cinema admissions officially recognised, which would be welcome ammunition in their current talks with the



broadcasters on the use of feature films in the schedules. However, the Commission devoted the section entitled 'Filmwirtschaft' to showing that the current financial crisis besetting the native film industry could be better traced to the absence in the past of an 'all-industry' strategy which could have helped each section of the industry - exhibition, production, distribution, technical services - adapt to new developments than to the existence and growth in importance of the television service. Addressing the competition situation between the film industry and television, the Commission suggested that there were technical and economic factors peculiar to each medium which determined the state of competition: a television programme was transmitted over a wide area and received by millions of subscribers, whereas a film screened in a cinema was restricted in its exposure by its location and seating capacity. Similarly, television was financed by a licence fee, irrespective of the viewers' frequency of viewing or satisfaction with the programmes on offer, whereas the film industry was taking a financial risk with every new film released (93).

Although admitting that the fall in cinema admissions - from 818 million in 1956 to 320 million in 1965 - 'steht eindeutig mit der Entwicklung des Fernsehens in Beziehung' (94), the Commission did not agree that

the existence of an intensive competition between the two media meant that this competition must of necessity be distorted. Moreover, contrary to the arguments advanced by the film industry in the past, the members of the Commission could see no reason to believe that the competitive situation would alter with a privately organised television service (95).

#### **Reaction of the film industry to the findings of the 'Michel-Kommission'**

The 11 October issue of *Film-echo/Filmwoche* featured the first responses from within the film industry to the findings of the 'Michel-Kommission' regarding the competitive situation between film and television (96). SPIO welcomed the conclusion that the fall in cinema admission was clearly linked to the growth of the television service and that an intense competition existed between the two media, but was dismayed that the Commission did not regard this competition as distorted:

Die Filmwirtschaft hat kein Verständnis dafür, daß die Kommission nach fast dreijähriger Tätigkeit über diese entscheidende Wettbewerbsverzerrung zwischen Film und Fernsehen ohne überzeugende Gründe hinweggegangen ist und es darüber hinaus unterlassen hat, die sich aus ihren eigenen Tatsachenfeststellungen zwingend ergebenden Schlußfolgerungen zu ziehen (97).

The Commission's failure to back the film industry's case against television thus prompted the columnist

'-ta-' to observe in this issue: 'man ist versucht zu glauben, der umfangreiche Bericht der Kommission . . . sei ein von den Rundfunk- und Fernsehanstalten bestelltes Gutachten. Das trifft sicherlich nicht zu, im Effekt läuft es aber darauf hinaus' (98).

More extensive responses to the findings and conclusions were undertaken once the report was made available to the general public. For the 25 October issue of *Film-echo/Filmwoche* Dr. Günter Hess wrote a 'kritische Analyse' of the report, which attempted to disprove the contention that there was no 'competitive distortion' between film and television (99), and SPIO issued a 'Denkschrift zu dem Bericht der "Wettbewerbs-Kommission Presse, Funk-Fernsehen, Film"' as a special supplement to the trade paper *Filmblätter* in December 1967 (100). Hess claimed in his analysis: 'daß die richtige Tatsachenfestellung nicht zur logischen Schlußfolgerung weitergeführt ist, ganz abgesehen davon, daß einzelne Schlußfolgerungen einfach neben der Sache liegen' (101), and rejected the suggestion that the film industry's situation would not be improved by the introduction of a privately-organised television service. Hess was particularly critical of the Commission's failure to acknowledge the existence of 'competitive distortion' between the two media: 'die Filmwirtschaft ist . . . gegenüber einem überlegenen Wettbewerber benachteiligt, weil sie sich auf

Grund einer Verfassungsentscheidung des Gesetzgebers nicht der gleichen Mittel wie der Wettbewerber bedienen kann'. He argued that constraints would have to be put on the broadcasters' monopoly position if the unfair state of competition was to be improved (102). Measures to be implemented, in his opinion, could include a restriction on the number of feature films screened on television, particularly on Sundays and public holidays, and an increase in the number of programme commissions to independent producers. Neither of these measures, Hess believed, would endanger greatly the programme sovereignty of the television companies.

The SPIO document, compiled on behalf of the Verband Deutscher Spielfilmproduzenten e.V., the Verband Deutscher Dokumentar- und Kurzfilmproduzenten e.V., the Verband der Filmverleiher e.V., and the Hauptverband Deutscher Filmtheater e.V., echoed many of Dr. Hess's criticisms. It faulted the Commission for its comparison of film industry statistics for 1936 and 1964/1965, since this gave a false impression of the industry's situation, and blamed the members of the Commission for not availing themselves more extensively of SPIO for a more comprehensive picture. In conclusion, the SPIO document recommended that a 'permanente paritätische Kommission' be established (as proposed

in the report) 'in der die Mitwirkung von Vertretern des Films und des Fernsehens zusammen mit Abgeordneten des Deutschen Bundestags unabdingbar erscheint, um den Beschlüssen und Empfehlungen dieser Kommission eine größtmögliche Autorität zu verleihen' (103).

The demands for a parity committee to monitor and work for the improvement of relations between the film industry and television were met, in part, by the subsequent passing of the 'Filmförderungsgesetz' on 22 December 1967, which required the setting-up of a 'Kommission Film/Fernsehen' as a sub-committee of the 'Filmförderungsanstalt' (FFA), with representatives from the various branches of the film industry, the television companies, the *Bundestag*, the churches, and the FFA executive.

**The findings of the 'Michel-Kommission' in subsequent discussions of relations between film and television**

Whilst the film industry chose to reject the commission's contention that there was no 'competitive distortion' between the two media and to only emphasise those parts of the report which were critical of television, the broadcasters have often referred to the findings as a means of defending their record on relations with the film industry. A case in point was Elisabeth Berg's article 'Und nochmals: Film - Fernsehen' in October 1969 for *Hinweisdienst*, a media

journal published by HR's commercial subsidiary Werbung im Rundfunk GmbH (104). Her article was prompted by the exhibitors' calls during 1969 for restrictions to the number of feature films appearing on television, for a right of veto by the FFA against the broadcast of certain feature films, for an increased number of commissions to the independent producers, and for the scheduling of 'filmkundliche Sendungen' in 'prime time' slots. Using extracts from the 'Michel-Kommission' report, Berg pointed to the reasons for the current crisis in the native film industry and argued that this state of affairs could be alleviated by a double strategy of the production of attractive and well publicised films and the backing of co-productions with the television companies (105).

Berg returned to the findings of the 'Michel-Kommission' and the film industry's stubborn refusal to acknowledge its conclusions when she reported on discussions held in Würzburg and Munich in autumn 1971 on the future of the 'Filmförderungsgesetz' (it had been revised in June of that year) and the proposal of the introduction of a television levy on feature film screenings. She wrote:

Es wäre müßig, auf die Ergebnisse einer nunmehr fünf Jahre zurückliegenden Untersuchung heute nochmals hinzuweisen, gäbe nicht der Stand der Debatte um die Filmförderung die Anregung. Die Diskussion zeigt, daß offenbar weder die Argumentation der Rundfunkanstalten noch die im wesentlichen damit übereinstimmenden Ergebnisse

der Arbeit der Michel-Kommission die Vertreter  
der Filmwirtschaft zu beeindrucken vermochten  
(106).

However, the 'Michel-Kommission' report could also be used against television: in autumn 1973 the Federal Government explained its decision to revive the television levy option as part of its draft 'Filmförderungsgesetz' revision as a response to the report's documenting of the 'Entwicklung des intermediären Wettbewerbs zwischen der Filmwirtschaft . . . und dem Fernsehen auf wirtschaftlichem Gebiet' (107).

### Chapter Three: Conclusions

The events recounted in this chapter appear even more significant for the history of film/television relations when seen in hindsight. This period witnessed the first attempts to bring film and television together within a common legislative framework, an aim which was attained with the passing of the 'Filmförderungsgesetz' in December 1967; the proposal of the imposition of an obligatory fiscal measure on television for the benefit of the film industry, which has been revived on several occasions since and is still regarded by the exhibitors as a major prerequisite for any improvement to film/television relations; the conclusion of a compromise agreement by the broadcasters with the film industry to avoid the aforementioned measure, which was paralleled almost

ten years later by the broadcasters' offer of a co-production agreement (the 'Film/Fernseh-Abkommen') as an alternative to the planned television levy in the film law revision; and the publication of an officially commissioned report which had collated data on the film industry since the late 1950s and revealed the background to the industry's current crisis and the real extent of television's culpability.

Compared to the 'Film/Fernseh-Abkommen' of 1974, which formalised relations between the film industry and television, put them on a equal footing, and led to a greater emphasis on quality West German films, the 'Aktion-100-Filme' was a hurried and ill thought-out compromise, with the short-term aim of avoiding payment of a television levy masquerading as a 'commitment' to the crisis-ridden native film producers and as an impetus to quality film production. The full extent of the constraints and inevitable failings of this production aid scheme became clearer by the end of the 1960s, as indicated in Chapter Five. The 'Aktion-100-Filme' thus represented a missed opportunity by both the broadcasters and the film industry, which could have helped to boost the fortunes of the young generation of German filmmakers, such as Volker Schlöndorff and Ulrich Schamoni, who were beginning their careers in the mid-1960s. As Chapters Four and Five will show, this up-and-coming generation was effectively excluded



from the production promotion measures introduced at the end of the 1960s and had to rely increasingly on the generous patronage of television's 'Fernsehspiel' departments for financial backing of their projects.

### Notes: Chapter Three

- (1) -nn, 'Auf der Suche nach "gesundem Arrangement"', *Film-echo/Filmwoche*, 3, 8 January 1964, p. 4.
- (2) Anon, 'Will das Fernsehen den "Staatsfilm" fördern?', *Filmblätter*, 3, 18 January 1964, p. 59.
- (3) Werner Hess, 'Kann das Fernsehen den deutschen Film retten?', *Kirche und Film*, 1, January 1964, pp. 2-5 (2).
- (4) Hess had long been an outspoken critic of the West German film industry, particularly when he had held the post of 'Film- und Fernsehbeauftragter' of the Evangelische Kirche Deutschlands between 1949-1960. See Anon, '"Meidet Militärfilme"' *Frankfurter Allgemeine Zeitung*, 20 August 1958; lh, 'Geschäfte mit Filmen', *Frankfurter Rundschau*, 8 October 1958; and, dpa, 'Hess: Fernsehkonkurrenz wird Filmniveau heben', *Frankfurter Rundschau*, 11 July 1959.
- (5) *Kirche und Film*, January 1964, p. 4.
- (6) Werner Hess, 'Kann das Fernsehen den Film retten?', *Kirche und Film*, 2, 17 January 1964, pp. 2-6 (2), and in: *epd ZA*, 33, 8 February 1964, pp. 4-5; *epd/Kirche und Fernsehen*, 7, 15 February 1964, pp. 1-4.
- (7) *Kirche und Film*, 2, 17 February 1964, p. 3.
- (8) *Ibid.*, pp. 3-4.
- (9) 'Bericht der Bundesregierung . . .', *UFITA*, 40 (1963), pp. 76-99.
- (10) Enno Patalas, 'Hilfe für den deutschen Film?', *Die Zeit*, 29 March 1963, p. 9. See Entwurf eines Filmförderungsgesetzes, *UFITA*, 40 (1963), pp. 71-75.
- (11) The draft law, with amendments and additions. was put to the vote by the Cultural Policy committee at its meeting of 12 December 1963 and passed with one abstention. Cf. 'Schriftlicher Bericht des Ausschusses für Kulturpolitik und Publizistik', *UFITA*, 42 (1964), pp. 309-312 (309).
- (12) fff, 'Fernseh-Finanzhilfe für den Film...', *fff-Press*, 2, 9 January 1964, p. 2. Von Bismarck had claimed that since 1960 ARD had given production

commissions worth DM 46.2 million; dubbing contracts for foreign films worth DM 4.3 million; and programme production commissions and dubbing contracts worth DM 30.7 million to the television companies' own commercial subsidiaries of Bavaria Atelier GmbH, Studio Hamburg, and Taunus-Film.

- (13) -nn, 'Die Herren auf dem hohen Roß', *Film-echo/Filmwoche*, 6, 18 January 1964, p.4.
- (14) In the February 1985 issue of *Hörfunk Film Fernsehen*, the house journal of the film and broadcasting technicians' union RFFU, Dr. Hans-Joachim Loppin, a member of the HDF executive, called the 'Film/Fernseh-Abkommen', in existence since 4 November 1974, 'eine unbefriedigende Ersatzlösung gegenüber eine gesetzlich abgesicherten Filmabgabe'.
- (15) Prof. Dr. W. Mallmann, 'Fernseh-Abgabe zugunsten des Filmhilfsfonds?', *Media Perspektiven* archive, manuscript, 8 pp. (3).
- (16) Ibid., p. 7; NDR's legal adviser Joachim Frels compiled a report later in 1964 supporting this statement.
- (17) Bruno Schmidt-Bleibtreu and Franz Klein, *Kommentar zum Grundgesetz* (Neuwied, Darmstadt, 1977), p. 38.
- (18) Enno Patalas, 'Keine Filmkunst im Fernsehen - Folgen des Martin-Gesetzes', *Filmkritik*, 3 (1964) p. 115.
- (19) Schriftlicher Bericht des Ausschusses für Kulturpolitik und Publizistik . . . Vom 8. Juni 1964 (*Bundestags-Drucksache* 4/2324), *UFITA*, 42 (1964), pp. 309-312.
- (20) Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft (*Bundestags-Drucksache* 4/1172), *UFITA*, 42 (1964), pp. 308-320
- (21) Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft (*Bundestags-Drucksache* 4/1172), *UFITA*, 42 (1964), pp. 308-320 (318).
- (22) bg, 'Filmförderungsgesetz kein "Wunderwerk"', *Film-echo/Filmwoche*, 45, 3 June 1964, p. 3.
- (23) bg, 'Fernseh-Orakel', *Film-echo/Filmwoche*, 49/50,

19 June 1964, p. 4.

- (24) N.W., 'Energischer Widerstand', *Film-echo/Filmwoche*, 48, 13 June 1964, p. 4.
- (25) Dr. Wolfram Engelbrecht, 'Die Stunde der Filmwirtschaft', *Film-echo/Filmwoche*, 53, 1 July 1964, pp. 4, 11-12 (11).
- (26) Horst von Hartlieb, 'Die neueste Entwicklung des Filmförderungsgesetzes', *Film-echo/Filmwoche*, 53, 1 July 1964, pp. 4, 12 (12).
- (27) -nn, 'Die "Filmhilfe" der Fernsehanstalten...', *Film-echo/Filmwoche*, 57/58, 17 July 1964, p. 7.
- (28) FK, 'Schwierige Verhandlungen zwischen Film und Fernsehen über die Finanzhilfe', *FUNK-Korrespondenz*, 44, 29 October 1964, p. 10.
- (29) Anon, 'Auf Strümpfen', *Der Spiegel*, 11 November 1964, pp. 147-149 (148). These films included *Winnetou I* (Dir: Harald Reinl, released December 1963), *Herrenpartie* (Dir: Wolfgang Staudte, released 1964), and *Mein Onkel, der Gangster*.
- (30) E.g., *Das Haus in Montevideo*.
- (31) E.g., *Das große Liebesspiel*, *Gangster*, *Gold und flotte Mädchen*, *Ein fast anständiges Mädchen*, and *Frühstück im Doppelbett*.
- (32) Anon, 'Auf Strümpfen', *Der Spiegel*, 11 November 1964, pp. 147-149 (149).
- (33) *Film-echo/Filmwoche*, 85, 21 October 1964, pp. 3, 7 (7).
- (34) FK, 'Schwierige Verhandlungen zwischen Film und Fernsehen über die Finanzhilfe', *FUNK-Korrespondenz*, 44, 29 October 1964, p. 10.
- (35) Cf. Schriftlicher Bericht des Ausschusses für Kulturpolitik un Publizistik. Vom 20. Mai 1965 (*Bundestags-Drucksache 4/3486*), *UFITA*, 44 (1965), pp. 71-75 (71).
- (36) Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft, *UFITA*, 44 (1965), pp.75-84.
- (37) *UFITA*, 44 (1965), pp. 71-75 (73).

- (38) Rainulf Schmücker, 'Filmhilfe der Anstalten von 10 Mio DM perfekt', *FUNK-Korrespondenz*, 44, 28 October 1965, pp. 9-11 (10).
- (39) HA, 'Rücksichtslose Spartenpolitik', *Film-echo/Filmwoche*, 85, 27 October 1965, p. 3.
- (40) N.W., 'Die Sender können hoffen', *Film-echo/Filmwoche*, 59/60, 29 July 1966, p. 6.
- (41) *Film-echo/Filmwoche*, 85, 27 October 1965, p. 3.
- (42) Gerhard Roger, ' . . . hundert deutsche Filme an das Fernsehen verkauft !', *Filmblätter*, 44, 30 October 1965, pp. 1067-1068 (1068).
- (43) FBrG, 'Rat für die Produktion, Tat in der Werbung', *Filmblätter*, 46, 13 November 1965, pp. 1114-1115. The HDF had also asked ARD and ZDF for 'ein klärendes Gespräch', 'man will darauf drängen, daß die Kinofilme zu für die Theaterwirtschaft günstigen Terminen ausgestrahlt werden'. Cf. Rainulf Schmücker, 'Wie nicht anders zu erwarten' *FUNK-Korrespondenz*, 47, 18 November 1965, pp. 1-2 (2).
- (44) E.P., 'Hilft das Fernsehen dem Film?', *Filmkritik*, 12 (1965), p. 669.
- (45) Reimar Hollmann, 'In der Sache Filmhilfe', *Film*, 12 (1965), p. 1.
- (46) *Filmkritik*, 12 (1965), p. 669.
- (47) Hollmann, p. 1.
- (48) Dietmar Schmidt, 'Zwischen der Anstalt und den Anstalten', *epd/Kirche und Fernsehen*, 49, 29 December 1967, pp. 1-4 (1).
- (49) *Filmkritik*, 12 (1965), p. 669. *Der brave Soldat Schweyk* (Dir: Axel von Ambesser, 1960), *Frau Warrens Gewerbe* (Dir: Athos von Ratony, 1960), *Der Jugendrichter* (Dir: Paul Verhoeven, 1960), *Ich bin auch nur eine Frau* (1962), and *Die glücklichen Jahre der Thorwalds* (Dir: Wolfgang Staudte (1962)). Data collected from: *Reclams Deutsches Filmllexikon* and *Filme der Bundesrepublik Deutschland*, edited by the Export-Union des deutschen Films e.V.
- (50) Egon Netenjakob, 'Die Rundfunkanstalten als Filmförderer', *FUNK-Korrespondenz*, 47, 21 November

1968, pp. 1-3 (1). The first batch of 'Referenzfilme' announced at the end of 1968 included such unpromising titles as *Das Rasthaus der grausamen Puppen* (Dir: Rolf Olsen, Germany/Italy 1967) and *Der Mönch mit der Peitsche* (Dir: Alfred Vohrer, Germany 1967).

- (51) *Filme 1965-70. Band 1*, edited by Elisabeth Uhländer, (Cologne, 1971), pp. 72, 349, 41, 213, and 171. The Katholische Filmkommission commented as follows on these films: 'Kriminalfilm mit unnötig rohen Szenen und beschönigender Zeichnung des Gangstermilieus (72); 'Mit dem Karl-May-Roman hat nur noch der Titel etwas gemeinsam' (349); 'Ungewöhnlich brutaler, mit Gruselelementen und Sexeinlagen aufbereiteter Krimi von ungesundem Klima, sehr frei nach Edgar Wallace' (41); 'Agentenfilm, der zwischen alberner Komik und Brutalität schwankt und nicht ohne Geschmacklosigkeiten in Dialog und Bild auskommt' (213); and 'Mit Grausamkeiten und Frivolitäten angereicherte Groschengeschichte von nur mäßiger Spannung' (171).
- (52) Information about Eckelkamp's company Atlas-Film can be found in: Uwe Nettelbeck, 'Unsere Filmkrise tritt in ihr letztes Stadium', *Die Zeit*, 15 January 1965, p. 16; Uwe Nettelbeck, 'Mabuse, Caligari und der letzte Mann', *Die Zeit*, 13 November 1965, p. 13; Will Tremper, 'Die ATLAS-Krise', *Die Zeit*, 16 September 1966; Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), pp. 278, 436, and 843; Hans Günther Pflaum and Hans Helmut Prinzler, *Film in der Bundesrepublik Deutschland* (Frankfurt am Main, 1982), p. 136.
- (53) Dieter Menz, formerly export manager at Atlas-Film, headed Atlas Film International after 1967 which handled the foreign sales of Atlas-Film's back catalogue and other German releases, e.g. in 1984 *Die wilden Fünfziger*. Eckelkamp started back in business with the Atlas Schmalfilm GmbH, superseded in 1976 by atlas film + av, which distributes some 440 titles on 16 mm to schools and film societies. atlas film + av has also become an important video distributor.
- (54) -nn, Ba, 'WdF NRW bleibt beim strikten Nein', *Film-echo/Filmwoche*, 29, 8 April 1964, p. 12.
- (55) Gerhard Roger, 'Fernseh-Abwehr der Verbände im Argen', *Filmblätter*, 33, 14 August 1965, p. 830.

- (56) Rainulf Schmücker, 'Wie nicht anders zu erwarten', *FUNK-Korrespondenz*, 47, 18 November 1965, pp. 1-2 (2).
- (57) Anon, 'Fernsehen finanziert mit 0.35 mio DM Experiment der Co-existenz Film-Fernsehen', *Filmblätter*, 46, 13 November 1965, p. 1119; FK, 'Zusammenarbeit von Film und Fernsehen', *FUNK-Korrespondenz*, 47, 18 November 1965, p. 12; Reimar Hollmann, 'In der Sache Filmhilfe', *Film*, 12 (1965), p. 1; E.P., 'Das Fernsehen hilft dem Film!', *Filmkritik*, 12 (1965), p. 669.
- (58) Leiser had planned to call the film *Je ne regrette rien*.
- (59) Reported in: FK, 'Zusammenarbeit von Film und Fernsehen', *FUNK-Korrespondenz*, 47, 18 November 1965, p. 12.
- (60) *Das Haus in der Karpfengasse* was screened in three parts (154 minutes in total) on 7, 9, and 11 March 1965, with a specially-edited cinema version of 109 minutes being released by the distributor neue filmforum on 12 March 1965.
- (61) Hollmann, *Film*, 12 (1965), p. 1.
- (62) *Filmblätter*, 46, 13 November 1965, p. 1119.
- (63) Patalas, *Filmkritik*, 12 (1965), p. 669.
- (64) The main source of funding for the first-time director was the Kuratorium Junger Deutscher Film e.V. which had been set up on 1 February 1965 with a fund of DM 5 million from the Federal Interior Minister, Hermann Höcherl, to promote production of 20 film projects, and whose aim, as laid down in its constitution, was 'künstlerische Entwicklungen des deutschen Films anzuregen und den filmkünstlerischen Nachwuchs zu fördern'. Films receiving support included Alexander Kluge: *Abschied von gestern* (1966), Johannes Schaaf: *Tätowierung* (1967), Werner Herzog: *Lebenszeichen* (1967), and Jean-Marie Straub: *Chronik der Anna Magdalena Bach* (1967).
- (65) Entry for Wicki in: *Cinegraph*, edited by Hans Michael Bock, (Munich, 1984).
- (66) *FUNK-Korrespondenz*, 47, 18 November 1965, p. 12.
- (67) HA, 'Interessante Intendanten-Briefe', *Film-echo/*

*Filmwoche*, 83, 20 October 1965, pp. 3, 6 (3).

- (68) fff, 'Der WDR Intendant über Fernseh-Finanzhilfe für den Film . . .', *fff-Press*, 2, 9 January 1964, p. 2; previous articles on the potential benefits of film/TV co-productions included: epd, 'Unbegreiflicher Hochmut', *epd/Kirche und Fernsehen*, 27, 6 July 1963, pp. 1-2; FK, 'Koproduktion Film-Fernsehen', *FUNK-Korrespondenz*, 48, 27 November 1963, p. 11.
- (69) *Film-echo/Filmwoche*, 83, 20 October 1965, pp. 3, 6 (3).
- (70) *Ibid.*, p. 6.
- (71) For example: Hans Rolf Strobel and Heinz Tichawsky's 1967/1968 film *Eine Ehe* was transmitted on WDR on 29 October 1968 and did not appear in the cinemas until 4 June 1969, and Fassbinder's *Der Händler der vier Jahreszeiten* was transmitted by ZDF on 10 March 1972 at the same time as its theatrical premiere. For an account of the arbitrary nature of the conditions for co-productions between the film industry and television before the signing of the 'Film/Fernseh-Abkommen', see the section 'The importance of the 'Film/Fernseh-Abkommen' for the 'Jungfilmer'' in Chapter Five.
- (72) Cf. K.H.R./fff, 'Neuorganisation des Filmeinkaufs für das Deutsche Fernsehen', *fff-Press (Fernseh-Film)*, 49, 12 July 1965, p. 13; Anon, 'Keine Freude an "Paketen"', *Film-echo/Filmwoche*, 55/56, 16 July 1965, p. 11; FK, 'Reorganisation des Spielfilm-Einkaufs der ARD', *FUNK-Korrespondenz*, 44, 28 October 1965, p. 11.
- (73) In the short term, ARD would appear from the data on the number of films broadcast on TV to be the more co-operative of the two channels: 1965's figure of 105 films on ARD fell to 91 in 1966, whereas ZDF had a 50 % increase: from 88 (1965) to 131 (1966) !
- (74) In *Filmblätter* on 15 January 1966 the 'Television' section had stated that 219 films had been screened on television during 1965: 129 by ARD, 84 by ZDF, and 6 by the regional Third channels. This figure was corrected by *Film-echo/Filmwoche* in its 2 April issue.
- (75) HA, 'Guter Anfang', *Film-echo/Filmwoche*, 7, 26 January 1966, p. 4.



- (76) Dr. Wolfram Engelbrecht, 'Wie soll es weitergehen?', *Filmblätter*, 13, 2 April 1966, p. 275.
- (77) Cf., Ulrich Gregor, 'Die Filmflut auf dem Bildschirm', *Die Zeit*, 31 January 1964, p. 4. Gregor had attacked the amateurishness and superficiality of the reporting on the film industry and pleaded for 'eine anspruchsvolle filmkritische Sendung, die auf wichtige neue Filme hinweist, die analysiert, vergleicht, kommentiert und informiert'.
- (78) -nn, 'Kinofilm im neuen Programmschema ARD/ZDF', *Film-echo/Filmwoche*, 48, 18 June 1966, p. 4.
- (79) -nn, 'Weitere Enttäuschung von der Fernsehseite', *Film-echo/Filmwoche*, 57/58, 22 July 1966, p. 6. Axtmann's verdict on the news of ZDF's changes to its film programmes was: 'zweifellos und von vornherein schon auszumachen: ein überaus schlechter Tausch (für die Filmwirtschaft)'. But, after seeing the first two editions of the new series, Axtmann's fears were allayed. Cf. -nn, '"...schwierigen Lage der Filmtheater bewußt"', *Film-echo/Filmwoche*, 89, 9 November 1966, p. 4.
- (80) HDF, 'Erneute Aussprache zwischen ARD und HDF', *Film-echo/Filmwoche*, 59/60, 29 July 1966, p. 6.
- (81) ARD was true to its promise: the feature film version's two parts were released in the cinemas as planned on 13 December 1966 and 16 February 1967 respectively, whilst Semmelroth's much longer TV version (four hours nine minutes in total) was 'held back' until 26 and 29 October 1967. Data from: *Filme 1965-70. Band 1*, edited by Elisabeth Uhländer, (Cologne, 1971), p. 228, and, *Fernsehspiele in der ARD 1952-1972. Band 1: Titel A-Z*, edited by Achim Klünder and Hans Wilhelm Lavies (Frankfurt am Main, 1978), p. 197.
- (82) Details about the RIVA sale to ZDF in: *ZDF Jahrbuch 1966*; Karl Holzamer, *Das Wagnis* (Mainz, 1979), pp. 82-83; FK, 'ZDF-Fernsehratssitzung: Kauf der Riva-Studios und Nachtragshaushalt', *FUNK-Korrespondenz*, 38, 15 September 1966, pp. 13-14; FK, 'Wie es mit der Riva weitergeht', *FUNK-Korrespondenz*, 39, 22 September 1966, pp. 11-12.
- (83) Karl Holzamer, *Das Wagnis* (Mainz, 1979), p. 83.
- (84) The supplementary budget consisted of DM 10.8

million as the 1966 instalment, DM 5.0 million as a loan transfer, and DM 0.2 million for additional costs.

- (85) In the past there had been an attempt by ARD and ZDF to join with CCC and BUFA in a four partner consortium but this had to be dropped after BUFA's refusal to consider such a proposal. At a meeting in Berlin in September 1966 Holzamer assured the Mayor of Berlin, Willy Brandt, that ZDF intended to place DM 17 million worth of commissions with Berlin producers for 1967, but could not be held solely responsible for the future livelihood of these producers. Cf. Anon, 'Rivalitäten unter Atelier-Anbietern?', *Filmblätter*, 36, 17 September 1966, p. 788.
- (86) The first building plans had been brought before WDR's *Verwaltungsrat* on 20 October 1958; WDR *Intendant* Hans Hartmann had forecast on 25 July 1959 that construction would be completed by autumn 1961 but, due to inexplicable delays, the official opening could not take place until April 1965 ! Cf. Hans Joachim Lange, 'Das erste Jahrzehnt' in: *Aus Köln in die Welt*, edited by Walter Först (Cologne, 1974), p. 480.
- (87) Willy Brandt pressed the button at the International Radio and Television Fair in Berlin on 25 August 1967 to signal the launch of the colour television service in West Germany.
- (88) -nn, 'ARD: Am Wochenende kein Spielfilm mehr...', *Film-echo/Filmwoche*, 2, 7 January 1967, p. 4.
- (89) *Filmblätter* had written in its first edition of 1967 that 'Das Jahr begann mit einem SKANDAL' : that 50 feature films had been broadcast by the German broadcasters during the Christmas holiday period. A similar level of protest from within the film industry was provoked by the broadcasters' film programming during Christmas 1984.
- (90) epd, 'Das Fernsehen dient dem Kino von morgen', *epd/Kirche und Fernsehen*, 42, 29 October 1966, pp. 1-2.
- (91) *Ibid.*, p. 2.
- (92) The draft presented to the *Bundestag* on 15 April 1967 regarded one of the duties of the 'Filmförderungsanstalt' (FFA) as being 'die Belange der Filmwirtschaft wahrzunehmen und die Zusammenar-

beit zwischen Film und Fernsehen zu pflegen' (§ 2 (1:3). Cf. Text of draft law in *Archiv für Urheber-, Film-, Funk- und Theaterrecht* (hereafter known as *UFITA*), 50 (1967), pp. 180-193 (181).

- (93) Bericht der Kommission zur Untersuchung der Wettbewerbsgleichheit von Presse, Funk/Fernsehen und Film, *Bundestags-Drucksache*, 5/2120, Bonn, 25 September 1967, pp. 186-198.
- (94) *Ibid.*, p. 192.
- (95) *Ibid.*, p. 197.
- (96) Anon, 'Der Michel-Report', *Film-echo/Filmwoche*, 81, 11 October 1967, pp. 5, 7.
- (97) Anon, 'SPIO gegen Wettbewerbsbericht', *Film-echo/Filmwoche* 81, 11 October 1967, p. 5.
- (98) -ta-, 'Beauftragte Logik', *Film-echo/Filmwoche*, 81, 11 October 1967, p. 5.
- (99) Dr. Günter Hess, 'Irrtum und Wahrheit', *Film-echo/Filmwoche*, 85, 25 October 1967, pp. 3, 7, 8.
- (100) 'Denkschrift zu dem Bericht der "Wettbewerbs-Kommission Presse, Funk-Fernsehen, Film"', *Filmblätter*, Sonderdruck, 50, 8 December 1967.
- (101) *Film-echo/Filmwoche*, 85, 25 October 1967, p. 7.
- (102) *Ibid.*, p. 8.
- (103) *Filmblätter*, Sonderdruck, 50, 8 December 1967.
- (104) E.B., 'Und nochmals: Film - Fernsehen', *Hinweisdienst*, 132, 17 October 1969, pp. 1-11. This journal changed its name to *Media Perspektiven* with issue 136 in 1970.
- (105) *Ibid.*, p. 11.
- (106) E.B., 'Filmförderung in der Diskussion', *Media Perspektiven*, 1 (1972), pp. 3-9 (7).
- (107) *UFITA*, 70 (1974), p. 168.

## CHAPTER FOUR

The foundation for the events to be charted in Chapter Four has already been laid in Chapter Three: the plans for film funding legislation as advanced (unsuccessfully) by Dr. Berthold Martin in 1963-1965 and the start of official 'round-table' discussions between the exhibitors' association, HDF, and the broadcasters' representatives in December 1965.

This chapter opens with the passage through parliament and on to the statute books of the 'Filmförderungsgesetz' (FFG) which, in the words of one of its architects, signified 'eine institutionalisierte Zusammenarbeit' between film and television. The future of film/television relations thus appeared assured, particularly since one of the specific aims of the FFG's administering body, the 'Filmförderungsanstalt', was to foster a closer working relationship, and the regulations governing the disposal of the broadcast rights of films promoted under the auspices of the FFG aimed to compensate for the economic imbalance existing between the two media.

Despite the FFG's promise to inject more harmony into film/television relations in addition to its main objectives of the revitalisation and greater profitability of the West German film industry, the situation between the two media was marked as ever by disagree-

ment, prejudice, threats, and recriminations. Much of the first two years of the FFG's life revolved around debate of the FFA's financial support of film/television co-productions and of its mediation (or lack of) in the exhibitors' lobbying campaign for fewer feature films on television. The exhibitors' objectives - a visible reduction in the number of films and the introduction of a 'film-free' weekend - had to contend with a conflict of interests between ARD and ZDF on the acceptability or necessity of concessions to the film industry in addition to the competing aspirations within the film industry regarding relations with television.

**Filmförderungsgesetz, passed 1 December 1967,  
promises to give new impulses for a new era in  
film and television relations**

The third 'Martin-Plan' draft (1) (*Bundestags-Drucksache* 4/1172) had come before the *Bundestag* on 20 May 1965 but, as a result of intense lobbying by the exhibitors' associations, in particular by Dr. Wolfram Engelbrecht's 'breakaway' Bundesverband Deutscher Filmtheater e.V., debate was adjourned to a later sitting and finally abandoned when the parliamentarians' attention was turned in September 1965 to the *Bundestag* election campaign.

However, although Dr. Berthold Martin's plan for a

'self-help' scheme for the film industry had been scotched by internal wrangling between different sectors of the film industry and by the parliamentarians' eventual indifference to any urgency for legislation, the two years of parliamentary and public debate - from the first reading of the first draft in the *Bundestag* on 29 March 1963 to the adjournment of further discussion of the third draft on 20 May 1965 - provided later legislators, as Georg Roeber and Gerhard Jacoby assert in their *Handbuch der filmwirtschaftlichen Medienbereiche*, 'eine Grundlage, die es ermöglichte, in verhältnismäßig kurzer Zeit eine abschließende Regelung zu treffen' (2). These two years - 1963-1965 - had seen debate on the pros and cons of a 'self-help' scheme for the film industry, and on the constitutional pre-requisites for the imposition of a ticket levy ('Filmabgabe') on cinemas.

Thus, when on 15 March 1967 an 'Entwurf eines Gesetzes über Maßnahmen zur Förderung des deutschen Films' (*Bundestags-Drucksache* 5/1545) (3) was presented to the *Bundestag* by an all-parliamentary group led by Dr. Hans Toussaint (CDU), Dr. Ulrich Lohmar (SPD) and Wolfram Dorn (FDP), much of this draft film promotion law retained features contained in the failed third 'Martin-Plan': the 'Grundbetrag', the 'Zusatzbetrag' and 'Beitrag' (or 'Filmabgabe'). Work on this draft had been undertaken by Dr. Toussaint in collaboration

with Dr. Alexander Grüter, chairman of Verband Deutscher Spielfilmproduzenten e.V., during the latter half of 1966.

The proposed law was first and foremost a 'Wirtschaftsgesetz' since the *Bund* had no constitutional power to legislate according to cultural criteria, which were the sole responsibility of the *Länder* (4); it envisaged the founding of 'eine bundesunmittelbare rechtsfähige Anstalt des öffentlichen Rechts mit dem Namen "Filmförderungsanstalt"' (5) whose duties were, among others, to promote quality in German film production on a broad basis and co-operation between the film industry and television. In addition, the 'Filmförderungsanstalt' was charged with acquiring the broadcast rights for the territory of West Germany and West Berlin for films funded under the auspices of this promotion law, with the intention of selling them to ARD or ZDF 'unter Berücksichtigung und sinnvoller Koordinierung der Interessen der deutschen Filmwirtschaft und der Fernsehanstalten' (§ 2(3)) (6).

In accordance with the proposed law's aims to improve and nurture film and television relations, two officials - one each from ARD and ZDF - were provided with seats on the *Verwaltungsrat* of the 'Filmförderungsanstalt' which was given the responsibility of monitoring the activities of film promotion (7). The

extent of the mediatory role of the proposed 'Filmförderungsanstalt' between the film industry and the broadcasting authorities was set out in § 12 with respect to the broadcast rights of the promoted films:

- (1) Die Anstalt erwirbt von dem jeweiligen Spielfilmproduzenten die Fernsehlizenzrechte aller mit einem Grundbetrag geförderter Spielfilme zu einem Lizenzpreis von je 100 000 Deutsche Mark. Die Inanspruchnahme des Grundbetrages verpflichtet den Hersteller zur Übertragung der Fernsehlizenzrechte. Der Lizenzpreis unterliegt der Zweckbindung und entsprechenden Behandlung gemäß § 10.
- (2) Über die Veräußerung der Fernsehlizenzrechte eines geförderten Spielfilms an die deutschen Rundfunk- und Fernsehanstalten entscheidet der Aufsichtsrat nach Maßgabe der nach § 6 Abs. 7 erlassenen Richtlinien.
- (3) Die durch die Rundfunk- und Fernsehanstalten gezahlten Lizenzerlöse sind im jeweiligen Kalenderjahr dem Fonds für die Zuerkennung des Grundbetrages gemäß §§ 8 und 9 zuzuteilen. Erzielt die Anstalt für den jeweiligen Film einen Lizenzerlös von mehr als 100 000 Deutsche Mark, so hat die Anstalt den darüber hinausgehenden Betrag dem jeweiligen Produzenten zu überweisen (8).

After its first reading in the *Bundestag* on 14 April, the draft was passed to the Science and Cultural Policy Committee (*Ausschuß für Wissenschaft, Kulturpolitik und Publizistik*), in overall charge of discussion at committee stage, with additional discussion at sittings of the Economics and Budget Committees. Dr. Ulrich Lohmar (SPD), chairman of the Science and Cultural Policy Committee, declared in an interview with Klaus Eder and Werner Kließ in the April 1967 issue of *Film* that the draft law was 'eine Diskussions-



grundlage, die es ermöglicht . . . eine qualifizierte Sachberatung in den beteiligten Ausschüssen für Wirtschaft und Kulturpolitik zu gewinnen, in deren Rahmen alle Beteiligten der Filmwirtschaft noch einmal die Möglichkeit haben werden, die Auffassung zu sagen' (9); he saw § 12, regulating broadcast rights, as allowing the 'Filmförderungsanstalt' to play a mediatory role between the two media, and, in general, he envisaged a greater financial stability for the film industry and a raising of the standard of films, thanks to the injection of revenue generated by the ticket levy.

Klaus Eder, commenting on the draft presented to the *Bundestag*, was concerned that it would only serve to encourage the 'Konzentrationsbestrebung' of the established distributors and producers who were bringing the capital and resources available for film production into increasingly fewer hands; he was also suspicious of the composition of the *Verwaltungsrat* and *Aufsichtsrat* which, according to the draft, were to be peopled with individuals who had scant knowledge of film-making, at least of the sort which could contribute to the German cinema's financial recovery or, like Alexander Kluge's *Abschied von gestern*, Volker Schlöndorff's *Der junge Törless* and Ulrich Schamoni's *Es* restore its image internationally (10).

Enno Patalas, in an article for *Die Zeit* on 28 April 1967, entitled 'Wie ist dem deutschen Film zu helfen?' (11), echoed many of Eder's and other journalists' sentiments, seeing the proposed promotion law as serving only to prolong the old guard's dominance of the West German production and distribution markets. He maintained: 'von ihm (the film promotion law) hängt ab, ob es in Zukunft einen deutschen Film geben wird oder nicht. Und zwar nicht so sehr davon, ob es kommen wird oder nicht . . . sondern davon, wie es aussehen wird' (12).

Commenting on the paragraphs covering the procedure for the acquisition and disposal of the broadcast rights of the promoted films (§§ 2(3) and 12), Patalas charged that the compulsory surrender of the rights to the 'Filmförderungsanstalt' (FFA) would have a detrimental effect on film projects, 'die künstlerisch neue Wege gehen wollen und deshalb auf eine Beteiligung des Fernsehens bereits während der Produktion angewiesen sind' (13), in particular on the sterling work carried out by Günter Rohrbach at WDR in Cologne and Helmut Haffner for BR in Munich. The broadcasters could react to the FFA's monopoly of rights to German films by boycotting such films and turning to foreign film catalogues to fill their schedules. Moreover, young film directors who had often had a chance of getting more than DM 100 000 for their film's broadcast rights

by speaking directly with the television companies would now have to rely on the entrepreneurial skill of the functionaries appointed by the FFA. Patalas also doubted whether these conditions on the disposal of the broadcast rights satisfied the guidelines laid down in the cartel regulations (14). The insistence of the architects of the draft law that the *Bund* was empowered to legislate only according to economic criteria, with the subsequent exclusion of qualitative selection or promotion of a film culture, was disputed by Patalas who referred to Article 75(2) of the *Grundgesetz* which allowed for the *Bund* to operate on territory normally considered the sole domain of the *Länder* (15).

#### Public hearing in Bonn on draft law - 11 May 1967

On 11 May 1967 the Science and Cultural Policy Committee hosted a public hearing in Bonn on the proposed 'Filmförderungsgesetz' to which were invited representatives from all sectors of the film industry and from other bodies, such as the broadcasting authorities ARD and ZDF, which would be affected by the law. Twenty experts were asked to speak, 'die auf Grund ihrer Sachkunde Entscheidendes zur Gesamtthematik auszusagen hatten', and, according to the Committee's report, presented at its sitting on 16 November 1967, all those present supported the aims and principles of

the proposed Film Promotion Law (16).

However, this statement did not correspond to the true, more complex, state of affairs: Werner Hess (for ARD) and Karl Holzamer (for ZDF) were far from convinced of the necessity for the broadcasting authorities to have seats in the *Verwaltungsrat* of the FFA, nor of the plans for the broadcast rights of promoted films (§§ 2(3) and 12); they referred, as had become their wont when defending their record of co-operation with the film industry, to the 'Aktion-100-Filme', concluded with the Verband Deutscher Film- und Fernsehproduzenten e.V. on 21 October 1965, arguing that this had 'absolved' them of any more direct involvement with efforts to effect an economic regeneration of the film industry (17). Only after an additional meeting with the *Bundestag* committee on 17 May 1967 did ARD and ZDF agree to co-operation with the proposed 'Filmförderungsanstalt'.

#### Committee stage of the draft law

The draft was then discussed by the Science and Cultural Policy Committee, who incorporated many of the opinions and suggestions for improvements voiced at the public hearing on 11 May into a revised version, and a first reading of this draft took place on 21-22 June 1967; an inter-fractional working party was then

charged by the Committee with the task of further revision and textual improvement which was carried out on 7-8 September 1967, at the end of the parliament's summer recess. This new revised draft was subsequently passed on 12 October as *Ausschußdrucksache* No. 50 to various *Bundestag* committees for consideration during autumn 1967. One of these committees, the Economics Committee (*Ausschuß für Wirtschaft und Mittelstandsfragen*), was due to meet on 9 November 1967, but the sitting came under threat of postponement after the exhibitors' association, HDF, had discovered that the revised draft coming before the committees had new clauses, regarding the procedure of broadcast rights, which could be damaging to the cinemas.

The recently-appointed film spokesman at the Federal Economics Ministry, Hans Schübler, had met with film industry officials in Wiesbaden on 25 October 1967 to give an up-to-date report on the progress of the draft through its committee stage. However, he had neglected to mention the changes which had been made to §§ 2(3) and 12(1), changes which only came to the notice of the HDF board and SPIO's *Filmplankommission* when they read *Ausschußdrucksache* No. 51 on 7 November (18).

According to this document, revisions by the Science and Cultural Policy Committee and its working party had changed the original § 2(3):

Die Anstalt erwirbt die Fernsehlizenzrechte

. . . zum möglichen Verkauf an die deutschen  
Rundfunk- und Fernsehanstalten

to:

Die Anstalt erwirbt die Fernsehlizenzrechte . .  
. zur Übertragung an die deutschen Rundfunk-  
und Fernsehanstalten;

§ 12(1) now stipulated that the FFA would be obliged  
to offer the broadcasting authorities the broadcast  
rights to all films promoted within the auspices of  
the 'Filmförderungsgesetz'.

On the eve of the Economics Committee's 9 November  
sitting, HDF officials attempted to contact members of  
the Science and Cultural Policy Committee to persuade  
them to order the withdrawal of the offending clauses  
or the cancellation of the sitting. When this lobbying  
proved unsuccessful, the HDF board - president Dr.  
Wolfram Engelbrecht and vice-president Helmut Woeller  
- sent a statement to the Economics Committee, protest-  
ing at 'wesentliche Veränderungen zum Nachteil der  
Filmtheater . . . gegen die wir uns wenden müssen'  
and warning that, if the draft law as it now stood  
came into effect, the cinemas would be practically  
giving the films away to their main competitor: 'Eine  
derartige Vorschrift wäre wirtschaftlich absurd und  
für die Filmtheater absolut tödlich . . . Wir bitten  
daher um Verständnis, daß wir uns gegen diese Bestimm-  
ung des Gesetzentwurfs mit allen zur Verfügung stehen-  
den Mitteln zur Wehr setzen müssen' (19).

But, after a one-and-a-half hour sitting on 9 November, the Economics Committee gave its approval to the revised draft, with the proviso that the clauses which had been a matter of contention with the exhibitors should be altered.

The third reading of the draft law, in revised form, by the Science and Cultural Policy Committee followed on 16 November 1967, adhering to the intentions of the draft's architects voiced when it had come before the *Bundestag* in April. In their written report on the draft's procedure through the committees' stage, Dr. Lambert Huys and Dr. Rolf Meinecke expected great things from the broadcast rights' clauses:

Erstmalig wird eine institutionalisierte Zusammenarbeit mit den Rundfunkanstalten angebahnt, die zu einer für die Filmhersteller günstigeren Verwertung der Fernsehnutzungsrechte führen kann, aber darüber hinaus auch eine Entspannung in den wirtschaftlichen Beziehungen zwischen den beiden Massenmedien zur Folge haben dürfte  
(20).

To this end, the Committee had recommended a revision to § 2(3) 'die der Klarstellung des Gemeintendient' and which restored it to its original meaning; and had treated § 12 similarly since it believed that this would facilitate an optimum exploitation of the broadcast rights of the promoted films, the rights only to be offered to television once the theatrical release had been completed (21). The board of the FFA would decide on the timing and the conditions for the

sale of the broadcast rights to television.

The revised draft, after being passed by the Economics, Budget and Science and Cultural Policy Committees, was brought to the *Bundestag* for its second and third reading on 1 December 1967 (22). Dr. Rolf Meinecke, as one of the secretaries of the Science and Cultural Policy Committee, opened the debate by reminding those present that the nine months of work ('eine ungeheuer mühevollen Arbeit') by the committees had involved the processing of some 250 petitions and suggestions for alterations, and endeavoured to incorporate some of these into the final draft; and that the draft was intended as a 'Wirtschaftsförderungsgesetz', 'welches zwar kulturelle Impulse geben soll und geben kann, in dem es aber nicht möglich war, gewissermaßen in Paragraphen mehr als bisher kulturpolitische Akzente zu setzen' (23).

During the second reading, despite several amendment motions, the clauses for the broadcast rights were accepted without further debate. The third reading followed with the house dividing to vote by name on the draft law: 258, and 15 Berlin deputies, for the law; 12, and 2 Berlin deputies, against the law; and 12, plus one Berlin deputy, abstentions (24).

After successfully passing the *Bundesrat* on 15 December 1967, the *Gesetz über Maßnahmen zur Förderung des deutschen Films* was officially signed by Federal



President Heinrich Lübke on 22 December 1967, and came into effect as from 1 January 1968.

**Initial reaction to the passing of the 'Filmförderungsgesetz': broadcast rights**

The *Bundestag* deputies involved in seeing the draft law through the committee and parliament stages considered the regulations governing the broadcast rights of promoted films as heralding 'eine institutionalisierte Zusammenarbeit mit den Rundfunkanstalten' (25) which could lead to a lessening of tension between the two media. However, as Dietrich Schmidt noted in *epd/Kirche und Fernsehen*, 'die Rentabilität dieser Regelung leuchtet ein, solange das Fernsehen mitspielt und sich zu adäquaten Zahlungen bereit erklärt' (26). Christian Wallenreiter, ARD's chairman, opposed the very inclusion of these regulations in the film law and had declared before its second and third readings in the *Bundestag* that 'Schutzzölle und behördlich festgesetzte Preise können nicht anerkannt werden' (27). Werner Hess, who was to represent ARD in the FFA's *Verwaltungsrat*, considered that the apparently arbitrary sum of DM 100 000 was totally unrealistic in relation to the price structures current in the international market: the most the broadcasters expected to pay for a colour film was DM 80 000 whilst the average price ranged between DM 40-60 000 (28);

the sum demanded by the FFA could thus damage the broadcasters' chances of securing films at reasonable prices outside Germany if it was known that they were paying higher prices at home (29).

Moreover, there was no guarantee that ARD and ZDF would be interested in the films receiving funding from the FFA (30). Indeed, the experiences of selecting films in 1965 for the 'Aktion-100-Filme' had taught the broadcasters that few films being made in West Germany at this point would be deemed suitable for a television screening. The likelihood of most of the Film Law's revenue going to fund future projects by the major proponents of the commercially successful 'sex-and-crime wave' did not augur well for the future television schedules or for the finances of the FFA, especially when it became clear by 1970 that expenditure on the compulsory acquisition of broadcast rights was out of all proportion to the income derived from subsequent sales of these rights to television (see Table 1).

The FFA's annual income had been anticipated at between DM 25 - 30 million when the law had been passing through the *Bundestag* and the committees; yet this calculation had failed to appreciate the fall-off in cinema admissions which made such an amount, raised solely from ticket sales, increasingly unrealistic.

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Table 1 Income and expenditure of the FFA (DM mill.)  
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	Income	'Grundbetrag'	'Zusatzbetrag'	TV-rights
1968	15.334	2.4	-	1.6
1969	16.810	5.475	0.434	3.65
1970	15.354	7.275	0.365	4.85
1971	14.607	5.550	0.154	3.595

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Source: Roeber/Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche*, p. 583.  
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The FFA's obligation to acquire the rights to all the 'Referenzfilme' meant that broadcast rights soon became the second most important item of expenditure after the 'Grundbetrag' and severely curtailed funds available to films qualifying for the 'Zusatzbetrag'.

The extent of the legislator's miscalculation and misplaced optimism regarding the broadcast rights and their significance for film and television relations was all too apparent when, in 1969, the FFA sent ZDF *Programmdirektor* Joseph Viehöver a list of 48 films produced in 1967 and 1968 whose rights would soon be available for purchase; Viehöver replied to the FFA that 'nach einer ersten sorgfältigen Prüfung' he could only find six films which could be seriously considered for a television screening (31).

### The reaction of the 'Jungfilmer' to the FFG

Although in the final draft brought before the *Bundestag* on 1 December 1967 the *Arbeitsgemeinschaft Neuer deutscher Spielfilmproduzenten e.V.* were given two seats in the FFA's *Verwaltungsrat* (§ 6) 'damit . . . der Gruppe jüngerer Regisseure und Produzenten Gelegenheit gegeben (wird), die von ihnen ausgehenden Impulse auch im Verwaltungsrat der Anstalt zu Gehör zu bringen' (32), the fifteen young filmmakers collected with this association, set up in autumn 1966 in opposition to the established *Verband deutscher Spielfilmproduzenten* (50 members), decided on 19 December 1967 to boycott the FFA and its activities as a protest at what Kluge called the development of a 'Schnulzenkartell' which would only favour existing producers and established directors. Haro Senft, a member of the association's executive, had announced in a edition of the television programme *Report* on 11 December that the inclusion of the 'Sittenklausel' was another reason for the protest action by the 'Jungfilmer' since it was feared that this clause would be used to restrict the artists' expression (33),

The *Arbeitsgemeinschaft* did not occupy their seats on the *Verwaltungsrat* until the second *Novelle* of the Film Promotion Law of 3 March 1974, when Michael Fengler and Alexander Kluge were instructed to attend, their deputies being Michael Verhoeven and Michael Dost.

The disappointment at the outcome of the Film Promotion Law, despite lobbying of Bonn politicians and press campaigns (e.g. in *Die Zeit* and *Film*), was compounded later in 1968 by news of a decree from the Federal Interior Ministry on the re-organisation of the procedure for the awarding of its prizes and production premiums, and by the realisation that the *Bund* was not intending to add to the DM 5 million provided to launch the Kuratorium Junger Deutscher Film e.V. on 1 February 1965 and fund twenty first-time projects including Kluge's *Abschied von gestern*, Schaaf's *Tätowierung*, Herzog's *Lebenszeichen* and Fleischmann's *Jagdszenen aus Niederbayern* (34). Kluge and his collaborator at the Institut für Filmgestaltung in Ulm, Edgar Reitz, issued a statement, reproduced in *Die Zeit* on 8 March 1968, which reflected their and other filmmakers' pessimism about the future for independent innovative film production:

Wir werden jetzt aus einer Zeit des freien Films in eine Zeit des staatlich-anstaltsmäßig organisierten Films kommen. Die Zeit, in der man Filme in freiem Wettbewerb machen konnte . . . ist jetzt vorbei. Wir werden im Ergebnis schlechter dastehen als vor 1962. Der deutsche Film wird nicht mehr so frei sein, wie er es in den letzten eineinhalb Jahren war (35).

Under the 'Filmförderungsgesetz' (FFG) the newcomer filmmakers, collectively known as 'Junger Deutscher Film', were effectively barred from the West German film market by the 'old guard' producers, who refused

to consider backing their projects (with one or two exceptions), and by the distributors, who were unwilling to take the few films that were produced by this younger generation of directors; the distributors were, in any case, now the most powerful figures in the West German film industry, through their creation of their own production wings and the influencing of producers to tailor their films to the requirements of the 'Referenzfilm' awards from the FFA. In the light of this cut-throat policy by the established film industry, the young filmmakers turned to the only allies willing to help them through the storm: a handful of independent producers like Heinz Angermeyer and, first and foremost, the television companies. As Hans Rolf Strobel wrote in *Film* in September 1968:

So ist es zugleich Demonstration und Kampfmaßnahme, wenn Filme, die trotz Behinderung durch die Verleiher entstanden sind, in der Bundesrepublik zuerst im Fernsehen gezeigt werden. Das Fernsehen wird so - solange die Vertriebsverhältnisse nicht geordnet sind - zum Rückhalt für den neuen deutschen Film (36).

The filmmakers' reliance on television over these next few years, as the only real way of reaching their public, was alleviated to a certain extent by the founding of Filmverlag der Autoren in 1971, which was collectively administered by its film-maker owners to distribute films of theirs that had been rejected by the commercial distributors.

### Renewed attempts at talks with the broadcasters

The meeting between HDF, ARD and ZDF on 2 December 1966 had begun promisingly when Werner Hess had offered to withdraw feature films from ARD's Saturday evening schedules, but any progress which could have meant improvement for the exhibitors was halted by ZDF's refusal to follow Hess's lead. HDF, which during the rest of 1967 had been busily lobbying for a FFG favourable to the exhibitors and responding to the 'Michel-Kommission' findings on film and television competition, was prompted by the news that the number of films appearing in ZDF's schedules had risen from 131 in 1966 to 157 in 1967 to demand a meeting with ZDF officials.

At the resulting meeting in Mainz on 5 January 1968, attended on HDF's behalf by president Dr. Wolfram Engelbrecht, vice-president Helmut Woeller, Saarland regional association chairman August Welsch, HDF managing director Hans Joachim Loppin, and Constantin managing director Herbert Schmidt, and, on ZDF's behalf, by *Intendant* Karl Holzamer, his personal assistant Dr. Arzt and the head of ZDF's 'Filmredaktion' Klaus Brüne, discussion centred on the effects of ZDF's extensive, and increasing, use of feature films on cinema admissions and on the future of many exhibitors' livelihoods. The film industry officials

further urged the broadcasters to re-schedule popular detective series such as *Verräter* and *Der Tod läuft hinterher*, modelled on ARD's highly popular Francis Durbridge series, away from weekends and to refrain from the kind of publicity campaign used to accompany the transmission of *Der Tod läuft hinterher* in December 1967.

The ZDF delegation assured the HDF officials that the publicity campaign under criticism - it had included distribution of 13 000 posters advertising the series and a guest appearance of the series' star Joachim Fuchsberger in Vicco Torriani's *Der goldene Schuß* - was not likely to be repeated along such lines in the future (37). As to the question of the number and scheduling of feature films on ZDF, the broadcasters, according to an HDF press statement printed in *Film-echo/Filmwoche* on 17 January 1968 (38) and in *Filmblätter* on 19 January 1968 (39), 'fanden sich bereit, einen zunächst zeitlich befristeten Stopp der Ausstrahlung von Spielfilmen zu den Hauptsendezeiten am Wochenende in Erwägung zu ziehen'. Having (apparently) secured these major concessions from ZDF, in contrast to their uncooperative stance the previous year, the HDF officials set to arranging a similar meeting with representatives from ARD to come to an agreement on the scheduling of feature films.



However, HDF's pre-emptive action in announcing the conclusion of an agreement with ZDF led to Klaus Brüne having to release a statement through dpa, declaring that ZDF would first have to investigate whether its schedules affected cinema admissions, and that any proposal for 'film-free' weekends could not be implemented without consultation with ARD (40).

Despite the confusion surrounding the exact promises made by ZDF on 5 January, a meeting was held in Frankfurt on 7 February 1968 between HDF, represented by its top officials, Robert Backheuer, regional association chairman for Baden-Württemberg, and Horst von Hartlieb of the Verband der Filmverleiher e.V., and ARD, represented by HR *Intendant* Werner Hess, ARD's leading spokesman since 1964 on film and television relations, his personal assistant Bernd-Peter Arnold, 'Koordinator für Film' and WDR *Fernsehdirektor* Dr. Hans Joachim Lange, NDR legal adviser Joachim Frels, Degeto managing director Hans-Joachim Wack, and head of ARD's central administration in the *ARD-Büro* Christoph Strupp.

The HDF officials had high hopes of reaching an amicable agreement with ARD on a gradual reduction of the number of films screened because Werner Hess had in the past always appeared sympathetic to the film industry, and, in particular, to the exhibitors' problems; through his intervention, the number of films

scheduled on ARD's communal programme had remained relatively stable (from 105 in 1965 to 91 in 1966, rising to 102 in 1967) compared with ZDF's performance over the same period. Thus, at the 7 February meeting Hess re-affirmed ARD's commitment to avoiding policies which would intensify the state of competition between the film industry and television, and offered to consider the proposal put forward by ZDF on 5 January; a firmer decision would be forthcoming after an ARD members' meeting in Saarbrücken on 12-13 March 1968. Discussions also touched on the problems of the effectiveness of the existing 'filmkundliche Sendungen' produced on radio and television and on the areas of programming decisions which could be influenced by HDF if they had acceptable arguments for re-scheduling.

Although the HDF officials welcomed the degree of understanding shown by ARD towards their demands, many shared the misgivings outlined by Horst Axtmann in his report of the 5 February meeting in *Film-echo/Filmwoche* on 14 February (41): that if films were banned for a limited period from Saturday and Sunday evenings it would mean that the films would have to be accommodated during the weekday schedules; that ARD and ZDF could fill the spaces vacated by the feature films with programmes as (if not more) popular e.g. 'Fernsehspiele', quiz shows or sport outside broadcasts (42).

Similarly, the film industry had to be mindful of the fact that a binding agreement could only be reached with both broadcasting authorities after a joint meeting. Separate talks, although useful in themselves, would be handicapped by the broadcasters' reluctance to give their approval to a deal if they were not sure that the other authority was likely to cut similarly.

#### **ZDF rejects idea of a 'film-free' weekend**

At a press conference on 29 February 1968, ZDF *Intendant* Holzamer declared, with reference to the meeting with HDF on 5 January, that no minutes had been taken at the meeting and thus HDF should not have issued a statement on the alleged results of the talks (43). Holzamer reiterated the explanation given by Klaus Brüne in his *dpa* statement and reminded those assembled that this study of the effects of the scheduling of feature films did not necessarily mean an acceptance of the exhibitors' complaints. The study had already been carried out and the results would be sent to HDF president Engelbrecht in the next few days. Probed on the contents of the study, Holzamer revealed that the conclusions did not vindicate the exhibitors' long-held arguments; he also doubted whether the withdrawal of films from the weekend schedules would have any noticeable effect on cinema admissions: the composition of the schedule as a whole

- with light entertainment shows, quiz shows and 'Fernsehspiele' - was more likely to determine the frequency of cinema attendance.

In the communication to Engelbrecht informing him of ZDF's consideration of an experimental period of 'film free' weekends, Holzamer wrote on 7 March 1968 that the probable cost to ZDF of DM 4 million could not be countenanced in the current financial situation, and it had already provoked protests from television viewers in rural areas without cinemas.

Engelbrecht responded on 12 March 1968 with a personal letter to Holzamer, ahead of an official HDF statement, claiming that their discussions had centred on the rescheduling of films away from the weekends rather than their complete withdrawal, and that the additional costs cited by Holzamer as the obstacle to the exhibitors' demands were commensurate compensation for the broadcasters' competition with the film industry (44). Engelbrecht further warned Holzamer that if ZDF continued with its film programming policy, cinemas in urban - as well as rural - areas could be forced to close; he therefore hoped that the *Intendant's* letter of 7 March was not his last word on the matter and suggested that future talks might look at the possibility of the introduction of measures on the Italian model, which allowed one film per channel a week, excluding weekends.

These renewed attempts at talks on the ways of resolving the tensions between the film industry and television ended, as on previous occasions, in stalemate. HDF, alarmed at the increase in films shown on television (particularly by ZDF) and at the drop in the number of cinemas (from 5 209 in 1965 to 4 518 in 1967) and in admissions (from 294 million in 1965 to 216 million in 1967), had been too impatient to wait for the FFA to tackle the complex issue of film and television relations. After the failure of the most recent talks with ARD and ZDF - when most energy had been expended attempting to adduce what had actually been said and agreed to - the exhibitors now accepted that their best strategy would be to pursue their demands in the arena of the FFA's *Verwaltungsrat* where the broadcasting and film industry officials would meet together.

**'Filmförderungsanstalt' constituted: promise of an impetus for film and television relations**

On 6 March 1968 the 'Filmförderungsanstalt' (FFA), was constituted in Berlin; Dr. Hans Toussaint, the architect of the law passed in the *Bundestag* on 1 December 1967, was named as the chairman of the *Verwaltungsrat* and the *Präsidium*; and SPD *Bundestag* deputy Joachim Raffert was appointed chairman of the 'Film und Fernsehen' sub-committee which reported to

the *Verwaltungsrat*.

In an interview with *Film-echo/Filmwoche* at the end of April 1968, Raffert referred to the talks between HDF, ARD and ZDF on the question of the 'film-free' weekends as 'Geplänkel im Vorfeld' and declared that the FFA could play a crucial part in negotiating an interim solution between the two sides which would satisfy the exhibitors' demands. However, as he was quick to point out: 'Natürlich können wir dem Fernsehen keine Vorschriften machen' since the broadcasters could then claim violation of their programme sovereignty.

In his opinion, the FFA's potentially important role in negotiations between the film industry and television was underscored by its responsibility for the administration of the broadcast rights of films promoted under the auspices of the FFG (§ 12): 'durch die Bindung der Lizenzen für die Fernsehausstrahlung geförderter Filme an die Filmförderungsanstalt, bleibt diese Anstalt gegenüber den Fernsehanstalten im Vorteil' (45). Moves were already afoot for the question of 'film-free' weekends and general issues affecting the film industry and television to be discussed with the broadcaster representatives of the FFA's *Verwaltungsrat* - Werner Hess for ARD and Joseph Viehöver for ZDF.

**The establishment of the *Arbeitskommission  
Film und Fernsehen***

In accordance with § 2(1:5) of the FFG , which

required the FFA to attend to 'die Zusammenarbeit zwischen Film und Fernsehen unter Berücksichtigung der besonderen Lage des deutschen Films', a special committee was formed within the FFA to monitor relations between the two industries and act as an arena for debate on possible improvements (46). Chaired by Joachim Raffert, the committee was made up of *Staatsdirektor* Dr. Günter Brunner, *Ministerialrat* G. Fuchs, HDF president Dr. Wolfram Engelbrecht, producers Heinz Angermeyer and Gyula Trebitsch, film functionary Horst von Hartlieb, prelate A. Kochs, and broadcasters Werner Hess (ARD) and Joseph Viehöver (ZDF). Since this committee did not have the competence to pass resolutions, it would forward its recommendations to sittings of the FFA *Verwaltungsrat* for consideration. Raffert explained in an interview for *Film-echo/Filmwoche* on 2 July 1968 that he regarded the committee as playing the role of a mediator ('Friedensvermittler') between the two hostile media, film and television: 'Das dauernde Gespräch zwischen der Film- und Fernsehseite, das nicht nur bei speziellen Forderungen oder momentanen Pannen stattfinden soll, muß ergeben, wo sich die beiderseitigen Wünsche, Vorstellungen und Möglichkeiten treffen können' (47).

He outlined ways in which, in his opinion, the broadcasters could respond to the film industry's

demands for a fairer competitive situation: an increase in the number of 'filmkundliche Sendungen' which could also be beneficial to television; attempts at thematic co-ordination between the scheduling of feature films on television and latest cinema releases; arrangements for the television scheduling patterns on certain days (e.g. weekends) and at certain times (e.g. evening peak period). Raffert stressed that any agreements concluded with the broadcasters would take longer to hammer out than the exhibitors imagined, given their impatience over the progress of talks in winter 1967/1968, and were dependent on a united response from the film industry. This last condition, though, was complicated by the conflict of interests between the exhibitors and the producers. During the interview with Horst Axtmann, Raffert expressed his and the committee's readiness to hear representations from anybody who wished to contribute to better film and television relations: 'Wir wissen selbstverständlich nicht alles, lassen uns aber gerne klüger machen, indem wir beispielsweise fachlich besonders erfahrene und hauptamtlich mit dem Komplex "Film und Fernsehen" Befasste von beiden Seiten gelegentlich vor den Arbeitsausschuß bitten werden damit sie referieren, Vorschläge machen und Anregungen machen können' (48).

In the meantime, most of the activity at the FFA in Berlin was directed to building up the institution's



administrative structure, establishing the procedures for collection of the ticket levy and for the distribution of the promotion awards. Thus, little appeared in the trade press on the FFA's plans for revitalising the German film industry, and rumours consequently began circulating about the FFA's alleged plans. It was in the wake of this speculation about the FFA that *Film-echo/Filmwoche* publisher Horst Axtmann spoke with Dr. Hans Toussaint, chairman of the FFA *Verwaltungsrat* and *Präsidium*, in his Essen constituency at the end of August 1968 (49). To date, Toussaint declared, the FFA had selected 24 films from the 1967 German releases qualifying for payment of the 'Grundbetrag' (DM 150 000) and the broadcast rights (DM 100 000); the FFA's budget stood at between DM 10-12 million, considerably lower than the DM 25-30 million envisaged during the passage of the draft FFG through parliament.

Turning to relations between the film industry and television, he declared that it was important for the film industry to agree to a unified policy, particularly in its relations to television; an 'Ausgleich' between the theatrical release film and television could be reached, he maintained, through the promotion of lavish film/television co-productions and a greater incidence in the television schedules of 'filmkundliche Sendungen'.

### **Toussaint's proposals for encouraging film/television co-productions**

By the end of September, Toussaint had refined his ideas on the ways in which the broadcasters could help the film industry. These included the backing annually of 4-6 prestige co-productions with a guaranteed 18-month 'holdback'; more 'filmkundliche Sendungen'; a reduction in the number of foreign films transmitted, especially at weekends; and a commitment to 'film-free' weekends (50). At a press conference in early October, Toussaint announced that he would be meeting Werner Hess and Joseph Viehöver (along with other top broadcasting officials) later in the month to discuss the co-production proposal. The press agency dpa reported on this announcement: 'Ausgangspunkt dieses Planes ist die Überlegung, daß die dringend erforderliche Qualitätssteigerung beim deutschen Film nur erreicht werden kann, wenn man der deutschen Filmwirtschaft zu einer breiteren finanziellen Basis und damit zu einem gesünderen finanziellen Fundament verhilft' (51).

### **The experiences of film/television co-productions before Toussaint's proposals**

Although Toussaint was keen to see co-productions between film producers and television companies as a promising way of revitalising the German film production, the idea of the co-production in itself was not

a new one. Indeed, since 1960 there had been a handful of films jointly financed by film producers and television companies: Wolfgang Neuss's *Wir Kellerkin-der* (1960), Rolf Hädrich's *Verspätung in Marienborn* (1963), Kurt Hoffmann's *Das Haus in der Karpfengasse* (1964), and the aborted Bernhard Wicki project *Asche eines Pfeifenrauchers/Transit* (1965) (52).

However, they had met with violent disapproval from the exhibitors because of the television partner's requirement, as part of the co-production contract, that the film should receive its premiere on television before a theatrical release (53); the exhibitors argued, with some justification, that it made little business sense to show films which had already been seen (potentially) by millions on television. Those cinemas that had decided to programme these co-productions invariably belonged to the select number of 'art-house' cinemas scattered throughout Germany which could rely on their discerning clientele to support their innovative programming ventures. Such establishments included those owned by Walter Kirchner whose Neue Filmkunst distribution company (54) released, among others, Jean-Luc Godard's *Deux ou trois choses que je sais d'elle* (1966) (55) after its television screening; and another 'pioneer', Fritz Falter (56), who had registered reasonable returns on his decision to give theatrical runs in his Occam-

Studio in Munich to two Yugoslavian films - *Die Ratten erwachen* and *Ein Traum* (57) - after their premiere screening on television.

Interest in the advantages and disadvantages of a production partnership between the film industry and television cast the spotlight at this time on the pioneering work of Helmut Haffner, head of BR's regional 'Third' channel's film production department, who had co-produced eight films for cinema release and television screening since 1964, four with German and four with French partners. His first film had been René Allio's *La vieille dame indigne* (58) followed by Alain Resnais's *La guerre est fini* (59) through to the most recent one, George Moore's *Liebe und so weiter* (1968).

Haffner's co-production agreement corresponded roughly with the scheme favoured by Toussaint: the 'Third' channel (*Studienprogramm*) instructed its purchasing company Telepool Europäisches Fernsehprogramm Kontor GmbH to acquire the television and film rights to scripts or script outlines submitted to or developed by the film production department (60); once the film had been made, it was offered to distributors (e.g. Walter Kirchner's Neue Filmkunst) or to individual cinemas (e.g. Fritz Falter's Occam-Studio) for cinema release. The 'art-house' distributor, unable to

take large financial risks in his acquisitions, was at an advantage in this arrangement since he could take these films with the safe knowledge that the film's costs were covered by the broadcast rights. Profits accruing from the theatrical releases of the co-productions went to Telepool, which used the income to finance future productions. The television transmission of these films did not follow until after the cinema run had been concluded, which, in the case of George Moore's *Liebe und so weiter*, was set at two years after the cinema launch: this film received its premiere on 27 September 1968 in the 1000-seater Ufa-Luitpold cinema in Munich, was distributed by Kino heute and came on to the television screens on 17 November 1970.

Through Telepool, Haffner also had an interest in a variety of other productions: in Jean-Marie Straub's *Chronik der Anna Magdalena Bach*, for which he shared the producer's credits with another seven funders; in the Brazilian director Glauber Rocha's *O dragao da maldade contra o santo guerreiro* (61); in a series of ultra-short films made on 16mm by Vlado Kristl - *Sekundenfilme* - ranging in length from 1/24 of a second to 3 minutes, and, most recently in Walerian Borowczyk's *Goto* (62).

Interviewed by *Filmlätter* in June 1968 about the co-production programme of the *Studienprogramm*,

Haffner disputed the suggestion that his actions could be construed as that of the desire to become a fully-fledged film producer: 'Es ist eine natürliche Entwicklung, die unter anderem darauf abzielt, die Spannungen zwischen Film und Fernsehen abzubauen'. He stressed that the developments at BR were not unique, but part of the general shift, partly out of economic necessity, towards closer ties between the film industry and television. Until now, such a partnership had occurred in only a few isolated cases, such as HR's *Verspätung in Marienborn*, SFB/NDR's *Wir Kellerkinder*, and WDR's *Das Haus in der Karpfengasse*, but Haffner believed that this was the future for the production and distribution of artistically innovative films. The main task facing those involved in co-production was to convince the film industry 'daß wir nicht Feinde, sondern Partner sind' (63).

**The chances for film/television co-productions within the framework of the 1967 FFG**

However admirable it might be that Toussaint wished to follow the trend set by Haffner and a handful of other commissioning editors in the television companies, his hands would still be tied by the regulations in the current FFG.

§ 7, which set down the guidelines for 'Förderungshilfen' did not state explicitly that a television

company was excluded from the receipt of promotion funds, but left the definition of qualification at the ruling: 'Ein Film ist ein deutscher Film im Sinne des Gesetzes, wenn der Hersteller . . . ausschließlich oder fast ausschließlich die Herstellung von Filmen im eigenen Namen oder für eigene Rechnung betreibt' (§ 7(3:1) (64). In a 'Zwischenzeitliche Stellungnahme zur Novellierung des "Gesetzes über Maßnahmen zur Förderung des deutschen Films"', compiled by the FFA *Verwaltungsrat* in September 1970 in response to the Federal Government's 'Regierungsentwurf' (*Bundestags-Drucksache* 6/508) of 12 March 1970, it was made clear that the television companies did not satisfy the conditions stipulated in this clause (65). The *Verwaltungsrat* therefore recommended that the FFG be altered to allow for an additional clause to § 7 - clause 14 - which would give the FFA the power to recognise up to six television/film co-productions a year as 'Referenzfilme'.

Moreover, § 12, the section of the FFG regulating broadcast rights, required the producer of a film recognised as a 'Referenzfilm' to pass the broadcast rights of the subsequently promoted film to the FFA for a period of 5 years after the cinema release in return for DM 100 000. But, as Helmut Haffner wrote in an article for *Fernseh-Informationen* in 1969, many newcomer directors were effectively barred from

receiving the 'Referenzfilm' financial award of DM 250 000 ('Grundbetrag' + broadcast rights), even though they satisfied all the conditions (§ 8(2)), because part of their films' budgets had come from supportive television commissioning editors - in exchange for the broadcast rights. Thus, when the producer was asked by the FFA to hand over the broadcast rights, he was unable to do so because they were already with the co-producing television company (66).

#### **The film industry's reaction to Toussaint's co-production proposal**

Press reports of Toussaint's views of the future developments for film/television relations prompted the film industry's 'umbrella' organisation, SPIO, to convene two board meetings in Wiesbaden on 14 and 22 October 1968 to produce a response on behalf its members. The board succeeded in drawing up a 'Film/Fernseh-Konzept', supported, unusually, by the officials from the member associations, which was submitted to the first full-scale meeting of the FFA 'Film und Fernsehen' committee during the 'Presse-Tagung' in November. The 'Konzept' comprised of five recommendations, calling for an increase in the number of programme commissions to film producers; the introduction of 'film-free' weekends and an overall reduction in the number of films in the schedules; a minimum



television 'holdback' of five years; the expansion of 'filmkundliche Sendungen'; and for representation of the film industry on the *Verwaltungsräte* of the television companies (67).

These recommendations followed the usual pattern of statements and resolutions issued at regular intervals in recent years by sectors of the film industry in an attempt to curb what they saw as unfair competition from television. In their exposition of the variously held grievances, they chose, though, to ignore the fact that the broadcasters were unlikely to accept their demands for an enforced increase in the number of commissions to producers and restrictions to the number of feature films in the schedules because these would be seen as an unacceptable intrusion into the broadcasters' programme sovereignty and a threat to the working of the television-owned production facilities. Moreover, the protests about the reduction of the television 'holdback' from 5 years to 18 months neglected the fact that Toussaint was only proposing this for the 4-6 film/television co-productions, and not as a general rule for all funded films.

SPIO's demand that films should only be sold to television once their theatrical release had ended would not be opposed by the film purchasers at ARD

and ZDF. In practice, however, many of the films sold to and appearing on television had been offered in vain to a German distributor, despite the fact they represented some of the most interesting and significant new works of world cinema e.g. Robert Bresson's *Au Hasard Balthazar* and Jean-Luc Godard's *Weekend* (68). The gratitude of the *cinéaste* viewer for ARD and ZDF's adventurous programming at this time was echoed, for example, in Wolfram Schütte's comment on the screening of *Weekend* on 27 January 1969 that it was 'ein weiterer Beweis für die Wichtigkeit des Fernsehens, ohne dessen Mittlerrolle wir von entscheidenden Werken der internationalen Entwicklung des Films ausgeschlossen wären'.

ARD and ZDF were prepared where possible to meet some of the film industry's demands for more 'filmkundliche Sendungen': in January 1969 ZDF launched a new 25-episode series of *Neues vom Film* on Thursdays at 17.35; but the programme makers naturally (and were bound by their constitution) could not be seen to be favouring a particular sector of the community, nor they could countenance having the contents of their programmes dictated to them. Finally, the demand for film industry representation in the television stations' *Verwaltungsräte* was indicative of the film industry leaders' distinct lack of a realistic and practical approach to the possibilities of improvements

to relations between the film industry and television.

**FFA 'Presse-Tagung', Bonn, 12-13 November 1968**

Following on from Toussaint's announcement in October, more than 60 journalists were invited to attend the FFA's first 'Presse-Tagung' in Bonn between 12-13 November 1968 to hear presentations by Toussaint, Raffert, and others.

In his opening speech Toussaint revealed that, of the 25 'Referenzfilme' selected from the 1967 releases, 6 were by directors of the 'Junger Deutscher Film' movement (Roger Fritz, Manfred Adloff, Christian Rischert, Edgar Reitz, Peter Schamoni, and Rob Houwer) but regretted 'daß diese nicht willens sind, für den deutschen Film im Rahmen der Anstalt aktiv zu werden'. Turning to his theme of film and television, he stressed that if the German cinema was to have a future, television would have to allow it sufficient 'Lebensraum' ; and added: 'es wird zu prüfen sein, ob das Fernsehen auf die Ausstrahlung von 350 bis 380 Filmen pro Jahr einschließlich Wiederholungen angewiesen ist. Die Film- und Fernsehkommission der Filmförderungsanstalt wird hier ein besonders brennendes Problem zu lösen haben' (69).

Egon Netenjakob wrote in *FUNK-Korrespondenz* that it was revealing that Toussaint should use the SPIO-

compiled statistics on the number of films shown on television, without explaining that many of the screenings were restricted to particular regional 'Third' channels; thus, a viewer in the BR transmission region in 1967 could have seen 81 fewer films than the SPIO total and a viewer in the Westdeutsches Fernsehen region 61 fewer. By using the film industry's figures uncritically, Toussaint was, according to Netenjakob, allowing himself to be recruited into their campaign against television (70).

**First sitting of the FFA 'Film und Fernsehen' committee, 11 November 1968**

In his speech on 12 November, Joachim Raffert, chairman of the FFA's 'Film und Fernsehen' committee, outlined the points of agreement reached at the committee's first meeting in Frankfurt the previous day (71). He had had preliminary meetings in late October with the two committee members from ARD and ZDF: HR *Intendant* Werner Hess and ZDF *Programmdirektor* Joseph Viehöver, and they had been expected to attend the 11 November sitting and the subsequent 'Presse-Tagung' to answer questions on television's plans for co-operation with the film industry.

Much to the disappointment of the reporters from *Filmblätter* and *Film-echo/Filmwoche*, Hess and Viehöver chose to stay away from the meetings with the press on the following two days and sent, as replace-

ments, *ARD Programmkoordinator* Dr. Hans Joachim Lange and *ARD 'Filmredaktion'* staff member Heinz Ungureit. No record is made of the identity of the ZDF official.

Raffert announced that the debate about the effect of feature films in the weekend television schedules on cinema admissions was to be settled by a joint investigation into viewing patterns; that the number of films screened on ARD, ZDF and the regional 'Third' channels should not be increased further, although there should be an attempt to increase the percentage of German films screened - currently 30 % on ZDF and 15 % on ARD ; that the co-production of art or socio-critical films with television should be encouraged; that the FFG should be revised to allow, in exceptional circumstances, for the television 'holdback' of a 'Referenzfilm' to be reduced below the usual 5 years; that the broadcasters indicate their readiness to inform the FFA, at the earliest opportunity, of the films they wanted for a television screening and to sign deals for the transfer of broadcast rights; and that the broadcasters were investigating the ways of improving on their 'filmkundliche Sendungen' on television and of expanding their coverage on the radio.

These six points, agreed in this first sitting of the 'Film und Fernsehen' committee, formed the basis of discussion for future sittings over the next months

until the SPIO management issued another set of demands on 5 August 1969 which merely reiterated, with some modification, the arguments presented in the 'Film/Fernseh-Konzept' of October 1968 (72).

The exhibitors were initially occupied after this 'Presse-Tagung' by what they saw as a distortion of the true account of events in a *dpa* bulletin, headlined 'Fernsehen soll mehr deutsche Spielfilme bringen', which appeared in several daily newspapers including *Die Welt*. The report inferred, they claimed, that the preliminary discussions in the 'Film und Fernsehen' committee were now official FFA policy, whereas, in fact, this committee's recommendations had to be forwarded to the FFA *Verwaltungsrat* for further discussion.

Outraged at the impression given to the public by Raffert's announcement that the film industry unanimously backed these recommendations, HDF president Dr. Wolfram Engelbrecht wrote to Toussaint on 15 November declaring that the film industry delegates in the committee had neither agreed to the retention of film screenings at their current level nor to an increase in the number of German films featured. He continued:

Auch die ständige betonte Verkaufsbereitschaft fand nicht ihre Billigung. Insbesondere die Delegierten des Verleihs und der Filmtheaterwirtschaft haben allen derartigen Vorschlägen schärfstens widersprochen. Leider können auch durch solche unautorisierten und falschen öffentlichen Äußerungen Vorentscheidungen in

Lebensfragen der Filmwirtschaft fallen, die  
unserer Sache äußerst abträglich sind,

and announced - 'sowohl zum Zeichen meines Protestes  
gegen solche Methoden, aber auch um meine Handlungs-  
freiheit zu bewahren' (73) - his intention to resign  
his seat on the 'Film und Fernsehen' committee as  
well as the deputy chairmanship. In reply, Toussaint  
reminded the HDF president of his speech on film/  
television relations at the 'Presse-Tagung', where he  
had called for television to show greater considerat-  
ion for the film industry's interests, and distanced  
himself from the contents of the *dpa* report.

HDF advisory council meeting, 21 November 1968

Further action by HDF was withheld until its advis-  
ory council met in Hamburg on 21 November to discuss  
the controversial outcome of the Bonn 'Presse-Tagung'  
(74); HDF president Engelbrecht gave the delegates an  
account of the proceedings of the 'Film und Fernsehen'  
committee sitting on 11 November and accused committee  
chairman Raffert of ignoring the film industry repres-  
entatives' objections by presenting embryonic negot-  
iations as concrete proposals.

The delegates agreed to a statement, to be sent to  
the FFA *Präsidium*, which outlined the exhibitors'  
grievances, demanded that the FFA concern itself only  
with promoting cinema attendance and the production

of films for theatrical release, and made the HDF's future involvement in the FFA dependent on these demands being heeded.

As a result of Engelbrecht's resignation from the 'Film und Fernsehen' committee, and correspondence from HDF and countless exhibitors, the FFA *Verwaltungsrat* announced that its next sitting, due in January 1969, would be devoted to the question of film/television relations (75). In the run-up to this meeting, chairman Toussaint was to have consultations with HDF officials.

The exhibitors' crisis seemed to have entered a new and even more critical stage in December 1968, with the news of the closure of 459 cinemas during 1968 and with the announcement of the Christmas television schedules for ARD and ZDF. 'Das ist vorsätzlicher Kino-Mord !' screamed the headline on page 3 of the 4 December issue of *Film-echo/Filmwoche* at the news that 40 films (ARD: 12, ZDF: 14, III channels: 14) were to appear between 1 and 28 December, with 16 films concentrated in the week over Christmas (22-28 December): the titles included Lazar Wechsler's *Heidi* (1952) and *Heidi und Peter* (1954), René Clair's *Sous les toits de Paris* (1930) and Wolfgang Schleif's *Mädels vom Immenhof* (76). The exhibitors could expect additional reductions in their box-office takings thanks to ZDF's decision to show a Herbert Reinecker-



penned three-parter *Babeck* over the holiday period (the third episode, on 29 December 1968, registered 78 % ratings, making it even more popular than the most successful films shown on ZDF in 1968, e.g. *Und ewig singen die Wälder*, 73 %, 16 December 1968).

Horst Axtmann, author of this lead article, claimed that the broadcasters' programming was 'mörderisch gegenüber einem Wirtschaftszweig, den man von Fernsehseite als "hysterisch" und was sonst noch alles beschimpft, der aber in Wirklichkeit unfreiwillig die das Fernsehpublikum in der Hauptsache interessierenden Programm-Füll-Mittel, nämlich den Kino-Spielfilm, liefert' (77), and he suggested that this latest blow could serve as the stimulus for a change of direction in the broadcasters' film programming policy and the film industry's policy towards television; he urged the FFA to instigate immediate measures 'um die mörderische Film-Programmsucht der Fernsehanstalten zu stoppen'.

**The broadcasters' reaction to the exhibitors' latest attacks on their use of films in the television schedules**

ARD *Programmdirektor* Lothar Hartmann responded to Axtmann's attack on the Christmas television schedules in a letter for publication to *Film-echo/Filmwoche* (78); he maintained that it was necessary to differ-

entiate between ARD and ZDF in criticism of their film scheduling and also to be aware that care was taken to ensure the majority of films were shown at times which would not affect cinema admissions, e.g. at 22.50 (23 December), 22.40 (28 December), and 21.05 (24 December, all cinemas closed) . Moreover, he felt that SPIO's policy of including all the films appearing in the regional 'Third' channels was misleading since viewers could only see the channel for their particular region; and the very nature of the films shown here - silent films and foreign feature films of a minority appeal - were unlikely to keep the majority of the public from going to the cinema.

In ARD's defence, a cursory glance at the statistics for the total numbers of films shown on television during 1968 would indicate that Werner Hess's promises, made on behalf of ARD to HDF, of self-imposed restraint in film programming had been carried out: during 1968, ARD transmitted 10 717 minutes of feature films out of a total 163 453 minutes programming, equivalent to 6.5 % of the programming, whereas ZDF, using 31 more films, offered 12 243 minutes out of a total 166 551 minutes for the year, equivalent to a 7.9 % share (79). The difference in ARD and ZDF film programming policy could be partly explained by the second television authority's reluctance to forgo Saturday evening slots.

Despite Hartmann's attempt to defuse the hostile atmosphere brewing between the exhibitors and television, the problem of the Christmas television schedules would not be laid to rest. Each year they would become a new source of recriminations by HDF against the 'invidious' power of television. This pattern culminated most recently in the outrage that accompanied the 1984 Christmas schedules when 80 films, including *Gone with the wind* and *Dr No*, were aired on ARD and ZDF between 24 December 1984 and 1 January 1985. Throughout 1985, reports were filed of cinemas claiming 30-50 % drops in takings over the Christmas period and of the urgent necessity for the film industry to persuade the broadcasters to have more consideration for the exhibitors (80).

#### Exhibitors renew their lobbying campaign

In the wake of protests about ARD and ZDF's Christmas television schedules, an unofficial gathering of 40 exhibitors, including HDF president Engelbrecht, vice-president Helmut Woeller, SPIO chief executive Ulrich Pöschke, chief executive of the Verband der Filmverleiher e.V., Manfred Goeller, was held in Frankfurt on 8 January 1969 to discuss their future strategy for countering the television companies' growing reliance on feature films to fill their

schedules.

Agreement was reached at this meeting on a set of five recommendations, to be forwarded to the HDF *Präsidium*, which requested that the exhibitor delegates in the FFA's *Verwaltungsrat* demand adequate funds be made available for film publicity campaigns; charged HDF with the task of investigating the possibility of the creation of a 'Reprisenverleih' (a distribution company specialising in repertory programming), in association with SPIO or the FFA, in response to the flow of feature films from the producers to television; charged HDF with the responsibility of seeking a 'Konditionenkartell' from the Federal Economics Ministry to stop film sales to television going unchecked; and encouraged HDF to campaign for co-operation between the sectors of the film industry and to liaise with other groups similarly affected by television (81).

It was to the FFA's *Verwaltungsrat*, and more particularly the 'Film und Fernsehen' sub-committee, that the exhibitors turned for a final resolution to their major grievances of the number of feature films appearing on television and the unchecked activities of the film producers. Dr. Hans Toussaint, chairman of the FFA *Verwaltungsrat*, had promised in November 1968 that a meeting was in preparation between the broadcasters and the FFA to discuss the controversial out-

come of the FFA's 'Presse-Tagung'. Yet, the planned date in January was postponed and a replacement not found until 29 April when the *Verwaltungsrat* met in Berlin (82). According to *Film-echo/Filmwoche* on 20 June 1969, the meeting contributed little to harmonising film/television relations, but added rather to the ill-feeling and hostility which had been brewing over the past weeks (83).

Conscious of the (alleged) intransigence of the broadcasters on the question of the number and scheduling of films on television, a HDF members' meeting, held during the Berlin Film Festival on 27 June 1969, passed a resolution outlining the exhibitors' views on the FFA's handling of broadcast rights and declaring that the sale of these rights to the television companies was 'ein eklatanter Verstoß gegen den Zweck des Filmförderungsgesetzes . . . solange das Fernsehen nicht bereit ist, der Filmwirtschaft den zur Erfüllung ihrer Aufgaben notwendigen Lebensraum einzuräumen' (84). The exhibitors would be forced to take legal advice if these films were sold to television before the 'holdback' had expired.

The necessity for a comprehensive control to be introduced on the sale of broadcast rights had been highlighted by the recent controversy surrounding ARD's intention to screen the Karl May Western *Old*

*Shatterhand* on the afternoon of 22 June 1969.

On being notified that this film, one of a series of Karl May adaptations since 1962, was to be shown on a Sunday afternoon, the HDF *Präsidium* had reacted on 31 May 1969 by sending Artur Brauner, head of CCC-Film and the film's producer, a telegram in which it protested at his decision to sell ARD the rights to a film which could still expect to attract customers to the cinemas, especially from the younger generation, and concluded: 'Gerade in der gegenwärtigen Phase der schwierigen Auseinandersetzungen mit dem Fernsehen über die Abgrenzung der gegenseitigen Lebensinteressen stellt Ihr Verhalten eine folgenschwere Brüskierung der gesamten deutschen Filmwirtschaft dar, die die Filmtheater nicht hinnehmen werden' (85).

Additional letters and telegrams from individual exhibitors such as Fritz Rothschild of Düsseldorf ('von der Nachricht . . . tief bestürzt') and regional associations such as WdF North Rhine-Westphalia ('der gesamten Filmwirtschaft unabsehbarer Schaden zugefügt') echoed HDF's outrage. The film's distributor, Constantin, was urged by the North Rhine-Westphalia exhibitors' association to incorporate corresponding security clauses in future contracts with producers to prevent such a situation recurring. In addition, the FFA, Dr. Toussaint, and Hans Schübler of the Federal Economics Ministry were called on to give their utmost priority

to talks with ARD and ZDF about restrictions on the number of feature films screened on television (86).

Brauner's response, sent to HDF on 3 June, did not appear in *Film-echo/Filmwoche* until 11 June (87) by which time Degeto, ARD's film purchasing agency, had agreed to replace the film with *Die Flußpiraten von Mississippi* (88). In his letter, Brauner expressed consternation at the furore that had erupted over a five-year old film which, he contended, was no longer of significant commercial interest for the cinemas (89). He defended his company's record on sales to television by maintaining that only 20 of CCC's 190 productions had been sold to television; but, in the case of *Old Shatterhand*, Brauner was bound by the conditions set on the signing of the 'Aktion-100-Filme' deal between the Verband Deutscher Film- und Fernsehproduzenten e.V., ARD, and ZDF on 21 October 1965, which allowed (in this case) ARD to bring the purchased film into its schedule once the 5-year 'holdback' had elapsed.

HDF refused to accept Brauner's explanations, arguing that it had not been common knowledge ('keineswegs "branchenbekannt"') that *Old Shatterhand* was part of the 'Aktion-100-Filme' deal, since even the film's distributor, Constantin, had been in contact with Brauner, on behalf of the exhibitors, to per-

suade him to reconsider selling the film rights to ARD; moreover, Horst Wendlandt, whose Rialto Film production company had handled the majority of the Karl May films, had announced on several occasions that he had no intention of selling these films to television. HDF therefore claimed, in the light of ARD and ZDF's increasing reliance on attractive feature films for optimum ratings, 'sollte doch zumindest vermieden werden, ausgesprochen geschäftsgängige Filme von deren exklusive Auswertung die Filmtheater leben, hierbei zurückzuhalten' (90).

If the broadcasters were prepared at this point to follow Klaus Brüne's motto 'Karl May und James Bond gehören den Kinogängern' (91), which had been formulated in the ZDF film season brochure *Spielfilme 65/66*, this demarcation was soon abandoned in the 1970s when the complete series of the Karl May films from *Der Schatz am Silbersee* (1962) to *Winnetou und Old Shatterhand im Tal der Toten* (1968) made regular appearances on television, and in February 1984 13 James Bond films, including *From Russia with love* and *Dr No*, were bought by ARD in a DM 220 million film package deal with MGM/United Artists (92).

**SPIO's 'Vereinbarung zwischen Film und Fernsehen', 8 August 1969**

Although the film industry as a whole - the exhib-



itors, producers, distributors, and technicians - acknowledged the FFA's role in helping to rebuild the West German film industry over the last one and a half years: annual production had climbed from 1966's 60 films to 89 in 1968, and the German films' box-office share from 25.9 % in 1966 to 37 % in 1968 (93), the exhibitors were still disappointed that the Berlin institution had been unable to resolve the problem of harmonizing film/television relations.

In October 1968 the SPIO board had hammered out a 'Film/Fernseh-Konzept', which had been presented to members of the FFA's 'Film und Fernsehen' committee at its first sitting in Frankfurt on 11 November 1968, but any discussion of the recommendations contained within the paper was subsequently negated by chairman Raffert's premature announcement of alleged binding agreements made by the broadcasters to the committee.

At the next meeting of the 'Film und Fernsehen' committee in Berlin on 29 April 1969, although no progress was made on the resolving of the grievances outlined in the 'Film/Fernseh-Konzept', Werner Hess, ARD's representative in the FFA's *Verwaltungsrat* and 'Film und Fernsehen' committee, urged the representatives from the film industry to put forward further proposals for measures to harmonize the relations between film and television.

The outcome of subsequent negotiations within the

SPIO board on the nature of such proposals resulted in the drafting and issuing in late July of a draft 'Vereinbarung zwischen Film und Fernsehen', to be concluded between ARD, ZDF and the FFA. The five points of the draft agreement required ARD and ZDF to refrain from screening feature films on Saturday, Sunday and public holiday peak times, and to be prepared to restrict their annual total to 75 titles each (The regional 'Third' channels would be expected to retain their current programming policies); gave the FFA the option, on a maximum of 5 occasions a year, to prevent the screening of feature films if this would not be in the interests of the film industry, thus extending the 'holdback' by another 2 years, and the option to reduce the 'holdback' of an artistically ambitious film if the theatrical run had been completed; and required ARD and ZDF to increase the number of commissions to independent producers and programme more 'filmfreundliche Sendungen' in peak-time slots. This agreement was an open-ended one and would be monitored by representatives from the television companies and the FFA, who would meet twice a year to discuss the progress of relations between the two media and resolve any arising problems (94). The draft was handed to Werner Hess and Joseph Viehöver during a sitting of the FFA *Verwaltungsrat* on 5 August 1969.

As E(lisabeth) B(erg) noted in *Hinweisdienst* on 17 October, SPIO's demands were based on the (mistaken) belief that a drastic reduction in the number of feature films appearing on television - from ARD's 115 and ZDF's 146 in 1968 - to 75 each year would herald an upturn in cinema admissions and that film producers and studios were suffering as a result of the broadcasters building or taking over production facilities (95).

The correlation of fewer feature films on television to increased cinema admissions had informed the film industry campaigning at least since the 'Feststellungen der Filmwirtschaft zur Wettbewerbsungleichheit Film/Fernsehen' of 8 October 1963, which had been submitted to the *Bundestag* debate on competition between the media on 11 November 1963 and to the 'Michel-Kommission' in 1965. Yet, as Berg pointed out, the 'Michel-Kommission' report's findings clearly stated that other factors were in operation, which had had as much influence on the cinema admissions as the existence of television (96).

SPIO's demands for a greater number of programme commissions to be awarded to producers within the film industry ignored the fact that between 1960 and 1966 DM 315.8 million (DM 480 million with studios owned or part-owned by the broadcasting companies) had been spent by ARD and ZDF (since 1962) on prog-

ramme production commissions, with an additional DM 94 million in dubbing, copying and other contracts. Statistics for ZDF's programming for 1967 and 1968 revealed that 39 % was either 'bought-in' or commissioned. Any increases in the already extensive and profitable links between the production/technical sector and the broadcasting companies would have to take into account the needs of the broadcasters' own production facilities to run efficiently since, as the 'Michel-Kommission's report noted in 1967, these studios were themselves not operating at full capacity (97).

In point 1 of the draft 'Vereinbarung', the restrictions proposed on the weekend screenings of feature films had largely been followed for some time by ARD after Werner Hess had agreed to make concessions at a meeting with HDF in January 1968, in spite of ZDF's refusal to follow suit. However, as the broadcasters had warned on previous occasions, drastic reductions in the number of feature films allowed on television could result in the vacant spaces being filled by (potentially) more attractive programmes like Vicco Torriani's *Der goldene Schuß* or the *Peter-Frankenfeld-Show*, which could have a greater effect on cinema admissions.

Point 2 was, conceivably, prompted by the controversy

over the allegedly premature scheduling of a television screening of the Artur Brauner-produced *Old Shatterhand* in June 1969. Since this proposal was limited to only 5 films a year, it was likely that the broadcasters would be prepared to make such a concession.

Point 3 had formulated, with great tact, the film industry's contention that commerce was the cinemas' mainstay and that minority interest 'art' films should, if at all possible, be kept to television. SPIO had found itself able to make this magnanimous proposal since it considered these films *per se* as commercially unimportant.

In response to SPIO's demand, in point 4, for attractively scheduled magazine programmes on the film industry and latest cinema releases, Elisabeth Berg showed in her article that the current programmes made by ARD and ZDF were commanding favourable ratings: ARD's *Hinter der Leinwand* on Saturday afternoons was being seen by 3 million viewers and ZDF's *Ratschlag für Kinogänger* after the Monday evening film by over 3.5 million (98).

The call for 'filmfreundliche Sendungen' was probably prompted by HDF's annoyance at the amount of criticism directed at the established film industry and its productions by the presenters who were evidently more appreciative of the films made by the younger gener-

ation of filmmakers than those coming from the establishment camp.

It seems illusory of SPIO to believe that meetings held twice a year under the auspices of their 'Vereinbarung' between broadcasters and FFA officials, as proposed in point 5, would lead to any greater advances in the harmonizing of film/television relations than those already achieved by the FFA's own 'Film und Fernsehen' committee, given the one-sided nature of the demands of the film industry's representatives and the (partial) intransigence of the broadcasters.

**ARD *Intendanten* meeting held in Nuremberg on  
11 September 1969**

At a conference of the ARD *Intendanten* in Nuremberg on 11 September 1969, Werner Hess, ARD's chief spokesman in the FFA committees, reported on the SPIO draft document handed to him on 5 August (99). At the behest of the other *Intendanten*, he assumed the responsibility for representing ARD's views in the FFA *Verwaltungsrat* and 'Film und Fernsehen' committee, with the aim of bringing about a resolution to the vexed question of film/television relations. In addition, Hess was empowered, subject to discussion by the *Ständige Fernsehprogrammkonferenz*, to offer the withdrawal of feature films from Saturday evening

schedules at the next sitting of the 'Film und Fernsehen' committee (100).

Further liaison with other ARD committees on the feasibility of such a binding agreement with the FFA, as well as with ZDF on the implications for the planning of schedules, would, however, be necessary before Hess could commit ARD fully to acceptance of the conditions of the draft 'Vereinbarung'. As Hess wrote the following year in ARD's *Jahrbuch 70*, when negotiating the number and scheduling of films on television it was necessary to differentiate between the films in the schedules 'um festzustellen, durch welche Filmgattung und durch welche zeitliche Platzierung die Filmtheater wirklich beeinträchtigt werden könnten' (101).

**'Allmählich langweilen uns diese Vorwürfe' - Joseph Viehöver criticises the film industry's demands**

The chances of SPIO having their set of proposals accepted by both ARD and ZDF were thrown into doubt, though, after the publication in *fff-Courier* on 20 October 1969 of an interview with ZDF *Programmdirektor* Joseph Viehöver, ZDF's chief spokesman in the FFA committees. Viehöver, who had never shared Werner Hess's enthusiasm and commitment to the harmonizing of film/television relations and had effectively blocked his ARD colleague's proposal for 'film-free' weekends

in 1968, told reporter Uwe Kuckei:

Die dort gemachten Vorschläge (in the SPIO document) sind aber so unrealistisch, daß man auf dieser Basis nicht verhandeln kann . . . Die Filmwirtschaft sollte doch endlich die maßlosen Beschimpfungen gegen uns stoppen . . . Allmählich langweilen uns diese Vorwürfe . . . Ich meine, man kann uns nicht nach 15 Jahren Fernsehen noch immer den Vorwurf machen, daß es uns gibt (102).

Moreover, he was disparaging about the film industry representatives in the FFA *Verwaltungsrat*, who could shift from attacking him one minute to offering him film rights the next; and he was insistent that ZDF's film programming, particularly at evening peak-time, would stay the same in the future. He stressed that any future discussions with the film industry would require a more flexible stance from what he called the 'Engelbrecht-Fraktion'. However, if this intransigent group persisted in its stonewalling policy, ARD and ZDF could be forced to re-consider their participation in the FFA *Verwaltungsrat*. On the question of the broadcasting companies' acquisition of the broadcast rights held by the FFA, Viehöver revealed that, after studying a provisional list of 48 films released in 1967 and 1968, he had informed Hans Toussaint that a maximum of 6 films came into consideration for purchase by ZDF, and he assumed that ARD would only be interested in a similar figure (103).

Viehöver's attacks on the unrealistic demands set



by the film industry of the broadcasting companies and on the exhibitors' allegedly perverse blocking of any progress within the FFA committees prompted a vigorous riposte from Wolfram Engelbrecht in the 12 November issue of *Film-echo/Filmwoche* (104). Engelbrecht denied that the film industry wished to dictate to the broadcasters the format of their programming: 'Was wir wollen ist lediglich, die Verwendung unseres eigenen Mediums - des Spielfilms - im Fernsehen auf ein erträgliches Maß zurückzuführen'. But he demanded that restrictions must be imposed on television film screenings as one of the most important prerequisites for an upturn in the fortunes of the German film industry. At the same time, he was quick to point out: 'es geht keineswegs darum, den Fernsehanstalten unzumutbare Beschränkungen aufzuerlegen, sondern' - echoing Toussaint's paper on 'Film und Fernsehen' the previous November - 'lediglich darum, dem privatwirtschaftlich organisierten Film einen Lebensraum neben dem Fernsehen zu erhalten'. He urged Viehöver to have more understanding for the cinemas' plight and for the crucial nature of 'eine für beide Parteien annehmbare Regelung' (105), and concluded his letter by suggesting that Viehöver draft a counter-proposal to the SPIO draft agreement of 5 August, in time for the 28 November sitting of the FFA's 'Film und Fernsehen' committee.

**ARD press conference (October 1969) to launch the 1969/1970 film season adds fuel to exhibitors' campaign**

At a press conference in Frankfurt in mid-October 1969 to launch the new 112-page brochure for ARD's 1969/1970 film season, ARD *Programmdirektor* and film programming co-ordinator, Dr. Hans Joachim Lange, spoke to the assembled journalists on the progress made in the forging of closer contacts between the broadcasters and the film industry since the introduction of the FFG on 1 January 1968 (106). In Lange's opinion, little had been achieved in these two years, apart from the inevitable posturing and one-sided demands of the film industry. Joint consultations between ARD and ZDF on the possibility of following SPIO's demand for a reduction in the number of feature films on television had resulted in both broadcasting authorities deciding that neither could accept such a demand, especially since ARD had only seven Sunday afternoons planned for films and was not intending to expand its film programming.

Lange expressed disappointment at the lack of interest from the film industry in a co-production programme with television. But, as has been indicated beforehand, this was in part explained by the paradoxical situation created by the FFG, which encouraged film/television co-productions but, at the same time,

penalised those producers who received television finance (107). More promising developments, however, had been reached with the 'art-house' cinema circuit thanks to the efforts of Walter Kirchner's Neue Filmkunst distribution company. The managing director of Degeto, Hans Joachim Wack, reported that, similar to ZDF, ARD was likely to be interested in only about 5 of the films currently on offer by the FFA from the list of 1967/1968 releases. As the reporter from *epd/Kirche und Fernsehen* commented: 'Die von der Filmförderungsanstalt genannten Titel von Kino-Kassen-Füllern wie *Otto ist auf Frauen scharf*, *Das Paradies der flotten Sünder* oder *Der Mönch mit der Peitsche* sprechen eine zu deutliche Sprache, um sie überhaupt als diskutabel zu bezeichnen' (108).

**'Film und Fernsehen' committee meeting, 28 November 1969; prospects for improvement**

Although unable to give specific details of the proceedings of the FFA's 'Film und Fernsehen' committee meeting, Joachim Raffert, who, in addition to being this committee's chairman, had now succeeded Hans Toussaint as chairman of the FFA *Präsidium* and *Verwaltungsrat*, revealed to *Film-echo/Filmwoche* at the end of 1969 that agreement had been reached on three, and possibly four, of the five proposals in SPIO's draft 'Vereinbarung'; and an official announ-

cement could be expected from the broadcasting companies in the near future, possibly as early as February 1970, in which they would state their readiness 'zu wichtigen Abmachungen . . . die von entscheidender Bedeutung für das Verhältnis der beiden Medien Film und Fernsehen sein dürften'.

*Film-echo/Filmwoche's* reporter '-nn' commented that the apparent change in the broadcasters' stance - especially ZDF's - towards the SPIO proposals was to be welcomed and supported in the light of the damage inflicted on many cinemas' takings by the broadcasting companies' attractive Christmas schedules, which had featured *The Birds*, *For Whom The Bell Tolls*, *Gentlemen Prefer Blondes*, *Die Feuerzangenbowle*, and *Rosen im Herbst*, among 36 films transmitted over the last two weeks of 1969 (109).

Whilst waiting for the official announcement from the FFA of the agreement reached in the 'Film und Fernsehen' committee, *Film-echo/Filmwoche* reported in its 18 February 1970 issue that 'ein deutlicher Silberstreifen am Horizont zwischen Filmwirtschaft und Fernsehen wird sichtbar' and added 'daß sich da und dort die Bemühung der Programmverantwortlichen abzeichnet, die Kinofilm-Sendungen (nach bester Möglichkeit) so zu legen, daß kinowillige Fernsehzuschauer nicht unbedingt davon abgehalten werden, auch einmal wieder außer Haus und in ein Filmtheater zu gehen' (110).

The sudden shift in mood by the exhibitors in their attitude towards the broadcasting companies was further prompted by the announcement of changes in the format of the 'filmkundliche Sendungen' on ARD and ZDF, the first results of the talks at the November 1969 meeting. ZDF's *Neues vom Film*, hosted by former film journalist Martin Büttner, had appeared on 25 occasions in 1969 on Thursdays at 17.35, but from April 1970, was to be moved to a later time on Friday evenings for an extended 45-minute programme (111). In addition, ZDF planned to show Austrian Television's (ORF) successful *Apropos Film* at six-weekly intervals late on Friday evenings. Produced by film critics Peter Hajek and Helmut Dimko, this programme concentrated on festival reports and features from the sets of films currently in production. ARD's communal programme would in future broadcast the film quiz show *Kennen Sie Kino?* once a month on Wednesdays between 21.00 and 21.45; hosted by Werner Schwier, this programme originated from the regional 'Third' channel operated jointly by NDR, RB and SFB, and had its first national showing on 11 February 1970 (112).

*Fernseh-Informationen* commented that, although these changes were 'keine fundamentale Sensation', 'wenn es möglich ist, mit diesen Entscheidungen im Programm die Fronten aufzuweichen, und wenn die Film-

wirtschaft darauf so spontan wie positiv reagiert, sollte das Fernsehen seine Überlegungen in dieser Richtung aktiv fortsetzen' (113). Moreover, the film industry had also come to the realisation that mutual recriminations would not improve its situation.

Further intimations of the concessions which the broadcasters were prepared to make for the film industry were revealed by Dr. Pohl, deputy chairman of WDR's *Rundfunkrat*, at a members' meeting of the North Rhine-Westphalia exhibitors' regional association in early April 1970 (114). Pohl had been contacted by Werner Hess with the news of four responses by the broadcasters to the film industry's proposals, as contained in the draft 'Vereinbarung' of 5 August 1969. The four provisionally agreed concessions had been arrived at during sittings of the FFA's 'Film und Fernsehen' committee on 28 November 1969 and 23 February 1970 and would be announced publicly by the broadcasters at the next sitting on 20 April 1970.

The proposals stated that the regional 'Third' channels should have a free hand in their programming of feature films; that ARD would stop screening films on Sundays and restrict those shown on Saturdays to after 23.00; and that both ARD and ZDF would commit themselves to reducing their screenings of feature films to one a week. These proposals in fact reflected a programming strategy, which had been practised by

ARD's schedulers for some time, in particular the restraints imposed on weekend programming. The first proposal, with respect to the scheduling of the regional 'Third' channels, reiterated the argument posited in ARD's communication to SPIO on 22 July 1969 about film programming on these channels (115). However, at the same time, this allowed the regional channels the chance to boost the number of films screened, e.g. BR III, whose annual total jumped from 62 in 1969 to 109 in 1970, and HR III from 14 in 1969 to 62 in 1970 (116).

The new mood of optimism within the film industry, which had been nurtured by Hess's set of proposals, was then dispelled by subsequent events at the 20 April sitting of the 'Film und Fernsehen' committee. HDF president Wolfram Engelbrecht told *Film-echo/Filmwoche* that ZDF Programmdirektor Joseph Viehöver had defended in a lengthy speech ZDF's right to continue having 26 films a year on Saturday evenings, as at present, with the proviso that up to half of them would feature films from the Friedrich-Wilhelm-Murnau-Stiftung, a collection of productions from former state-owned film companies, which was now administered by the German Institute for Film Studies (Deutsches Institut für Filmkunde) in Wiesbaden (117). The lengthy debate within the film industry, the broadcasting

companies, and the FFA for a solution to the exhibitors' grievances had in the end been to no avail, foundering as it did on the particular intransigence of ZDF to make an immediate reduction in the number of feature films screened.

**'Ein für die Bundesrepublik erstmaliges Experiment'  
- Georg Ramcke's season of films first shown on television**

In February 1969 the Hamburg 'art-house' cinema owner Georg Ramcke featured a two-and-a-half week season in his 400-seater Liliencron cinema of quality foreign films which had received their German premiere on ARD's *Das Film-Festival* series, since no German distributor had come forward to release them even on the 'art-house' circuit.

Until now, enthusiasts of artistically ambitious and innovative world cinema had had to rely on the efforts of 'art-house' distributors like Hanns Eckelkamp, whose Atlas-Film began to neglect its commitment to minority interest releases when financial troubles loomed, Heiner Braun of Neue Filmforum, and, in the forefront, of Walter Kirchner, whose Neue Filmkunst had handled many of the most important new films in world cinema, often after their appearance on television, e.g. Robert Bresson's *Mouchette* and Jean-Luc Godard's *Weekend*.

The sterling work undertaken by the staff of the



ARD and ZDF film programming units in viewing films at international festivals and securing broadcast rights was also of benefit to the 'art-house' distributors and exhibitors. *FILM-TELEGRAMM* was told by ARD in June 1967 that 'erst durch den Erwerb der Fernsehrechte wird der Preis der Kinorechte für diese Filmverleiher tragbar' and that the television screening was also an incentive for the public to expect these films to appear in its local 'art-house' cinema. ZDF explained to *FILM-TELEGRAMM* that television was not trying to compete with the distributors: 'Falls während der Verhandlungen sich auch nur die Möglichkeit der Kinoauswertung für einen Film ergibt, so verzichten wir auf ihn' (118).

Thus, it was in the light of such harmonious relations between the 'art-house' sector and the television companies that Georg Ramcke approached the ARD 'Filmredaktion' in early 1969 with the idea of a season of films, which had been premiered on *Das Film-Festival* (119). The film unit agreed to the venture - the first of its kind in Germany where so many un-distributed films would be shown in a matter of days - , and 'Filmredaktion' staff, Heinz Ungureit and Franz Everschor, selected 16 films from the last two *Filmfestival* seasons, including Alfred Hitchcock's *Shadow of a doubt*, the Marx Brothers' *Duck Soup* and

*Monkey Business*, and Jerzy Skolimowski's *Bariera*.

At a press conference, attended by Ungureit and Everschor to launch this experiment, the critic Manfred Delling voiced reservations about the selection of films, suggesting that some of them were too esoteric to give the initiators of the experiment an indication of whether the venture had been successful. Ungureit countered that the cinema's site in the suburbs of Hamburg would also have an influence on the admissions.

The admission figures for the 58 performances over the 16 days averaged out at 171 a day - no more nor less than a usual day's trade - with a total 2 989 admissions for the whole season; Hitchcock's *Shadow of a Doubt* and Henry Koster's *All about Eve* proved to be the most popular films, with *Duck Soup* registering 284 admissions and *Monkey Business* 151 in a late-night show, despite the fact that these last two had been only moderately popular on television; the lowest attendance had numbered 4 for one screening.

To test the public's reaction to having films premiered on television being then shown in the cinema, Ramcke asked his patrons to put their ticket stubs in specially designated boxes on their way out so as to signify whether they had seen the film at the time of its television premiere and whether they supported the idea of bringing these films into the cinema. 91 %

of the 'voters' had not seen the films on television, and of these 76 % were supportive, 15 % negative; of the remaining 9 % who had seen the films before, 7 % supported the venture, with only 2 % giving a negative verdict.

Although the selection of films had not attracted a larger audience, the results of Ramcke's survey did reveal that a film's screening on television - especially that of a quality film - did not necessarily mean that it was pointless for film distributors and exhibitors to consider a limited and carefully targeted release. For, of the 1 051 'votes' cast by the season's patrons, some 900 were by people who had been motivated enough to see a film they had missed at the time of its television screening.

Ramcke refused to be beaten into submission by his venture's detractors and announced after this season that he had already been having negotiations with Dieter Krusche of ZDF with the view to staging a second season in mid-March to early April of films which had first appeared in ZDF's *Der besondere Film* seasons. This was with the proviso that the selection should be more comprehensive. Even if this second season repeated the first's admission figures, Ramcke was satisfied with the welcome publicity generated for the cinema by press, radio, and television reports

as well as by the distribution of a pamphlet compiled by ARD's 'Filmredaktion' in collaboration with the cinema owner.

Other instances of such co-operation between the television companies and the 'art-house' circuit became more frequent with the appearance in 1970 of the Kommunales Kino model in Frankfurt, which soon spread to other cities in Germany. Close contacts have been sustained, in particular, between the staff of ZDF's *Das kleine Fernsehspiel*, which supports young and experimental filmmakers, and the Kommunale Kinos: for example, between 4-30 November 1977 a selection of 22 *Das kleine Fernsehspiel* productions, including Stephen Dwoskin's *Behindert* (1974), Werner Schroeter's *Goldflocken* (1976), and Krzysztof Zanussi's *Hypothese* were shown in Frankfurt's Kommunales Kino at the Historisches Museum (120).

Six years later at the Mainzer Tage der Fernseh - Kritik, which that year had as its theme the relationship between film and television, a declaration, the 'Mainzer Erklärung', was drafted and signed by Hans-Geert Falkenberg, Alexander Kluge, Günter Rohrbach, Heinz Ungureit and Gunther Witte, in which the broadcasting and film industries were urged to consider 'Kooperationsmöglichkeiten auf dem Gebiet des Vertriebs und der Filmtheater'. In this the ninth of ten 'Thesen' in the declaration, the signatories

asserted: 'es gehört zum Kulturauftrag des Fernsehens, die Vorführung von Fernsehproduktionen und Produkten, die aus der Kooperation Film/Fernsehen entstanden sind, unter unmittelbar Anwesenden zu pflegen. Ein solches Netzwerk direkter Öffentlichkeit kann in Zusammenarbeit mit Filmtheatern über das Land erstreckt werden' (121).

The first evidence of the broadcasters' new co-operation with the 'art-house' circuit after this declaration in October 1983 has been the organising by ZDF's *Das kleine Fernsehspiel* with the Arbeitsgruppe für kommunale Filmarbeit of an eleven film season of American independent productions fully or part-financed by ZDF - *Trotz Hollywood. Der unabhängige amerikanische Film* - which toured Kommunale Kinos and 'art-house' cinemas in early 1986 (122).

Ramcke's experiment was also one of the topics on the agenda of the annual general meeting of the Gilde deutscher Filmkunsttheater in Bielefeld on 22 April 1969. After hearing a speech by Ramcke, the delegates expressed their interest in staging similar seasons in other cinemas, although allowing each selected film a longer run than one day, as had been the case with Ramcke's February season with ARD. In addition, there were proposals that closer contacts should be sought with the regional 'Third' channels 'zu einer

gemeinsamen Pflege des anspruchsvollen Films' (123), which would lead to minority interest films appearing for limited theatrical runs in cinemas of the Gilde before their television transmission.

ARD's views on the feature film programming policies in its regional 'Third' channels were subsequently outlined in a paper sent to SPIO on 22 July 1969 in response to the exhibitors' grievances and the discussions which had been taking place within the FFA since autumn 1968. The text of the paper, which later appeared in Werner Hess's survey of film/television relations in the 1960s for the 1970 *ARD Jahrbuch*, comprised five points (124). The paper claimed that even if the regional 'Third' channels were required to reduce the number of feature films shown in their weekend schedules, this would not have any discernible benefit for the 'art-house' circuit since the films screened were, in the main, ones without theatrical distribution and thus represented a valuable addition to what the cinemas offered. Hess again voiced ARD's frustration at SPIO's habit of including all films screened by the 'Third' channels in its calculation of the total number of films shown by ARD and ZDF, despite the fact that the 'Third' channels were only received by their respective regions. If all the broadcasting companies were required to withdraw films from the weekend schedules, the vacated slots would

probably be filled with 'Fernsehspiele' and light entertainment programmes, which could pose an even greater and more direct threat to the cinemas. Finally, the 'Third' channels fulfilled an educational role and catered for minority interests - this work should not be curtailed because of contentious arguments by the exhibitors of 'competitive distortion'.

Although appreciative of the hard work put into compiling the series of *Der besondere Film* (ZDF), *Das Filmfestival* (ARD), and of the 'Third' channels' film seasons, some film critics were beginning in mid-1969 to have misgivings about television's near monopoly on the presentation of foreign feature films in Germany. They were prompted to these reservations by the news that ten films 'in competition' at the Berlin Film Festival in 1969 had already been sold to ARD or ZDF before they had arrived in Berlin, and four of the subsequent prize-winners - *Rani radovi* (125), *Made in Sweden* (126), *Greetings* (127), and *La voie lactée* (128) - were subsequently only seen on television. *Die Zeit* reporter Wolf Donner, later a director of the Berlin Film Festival, took stock of the prevailing situation for the quality minority interest film in Germany in an article appearing in August 1969:

Neue internationale Filmkunst . . . findet nicht mehr im Kino statt, sondern höchstens noch bei Festivals, in der Fachpresse, in Ministerreden, bei den großen Retrospektiven im

Ausland - und jetzt im Deutschen Fernsehen. Hier hat sich ein Dauerfestival etabliert das die Reise nach Cannes, Venedig oder Berlin überflüssig macht und das längst die gebührende Resonanz gefunden hat: Kino-Spielfilme, so teilte das Infratest-Institut mit, sind die beliebtesten Sendungen im Fernsehen (129).

Donner also lambasted the film industry for its crass differentiation between 'commercial' feature films and 'minority, financially unprofitable' 'art-house' films - unkindly labelled 'Filme für die Blindenanstalt' - whose true place, the commercial exhibitors argued, were exclusively on television. For instance, Werner Herzog's 1967 film *Lebenszeichen*, although lauded by the critics and awarded a Federal Film Prize, did not repeat the (relative) commercial success of other directors of the 'Junger Deutscher Film', such as Volker Schlöndorff's *Der junge Törless* and Ulrich Schamoni's *Es*, and was thus subsequently extolled by *Film-echo/Filmwoche* as a 'text-book' example of 'Filme dieser Art', i.e. 'für die Blindenanstalt'. Donner returned to this artificial equation, commerce = cinema, art = television, in another article for *Die Zeit* in October 1969 when he concluded:

die These . . . , Kunstfilme . . . seien auf dem Bildschirm am besten aufgehoben, fordert den Widerspruch aller an guten Filmen Interessierten heraus. Diese Behauptung leugnet nicht nur die fundamentalen Unterschiede zwischen den Medien Film und Fernsehen, sie verkehrt sie in ihr Gegenteil: Der gute Film gehöre ins Zwergen kino, der durchschnittliche auf die große Leinwand.



Donner stressed that in debating the rightful place of the feature film - in particular that of the 'art-house' film - , one should remember: 'daß die zwei Kunstformen Fernsehen und Kinofilm nur unter Zwang vereinbar sind, daß sie nach zu stark divergierenden ästhetischen und dramaturgischen Prinzipien vorgehen' (130). The exploration of the mutually exclusive conditions of reception for a feature film appearing in the cinema and for one appearing on television, although touched on here by Donner, was elaborated upon in extensive, and sometimes bitter, articles against television's apparent 'appropriation' of the *cinéaste* film by, *inter alia*, Enno Patalas and Frieda Grafe in *Filmkritik* in February 1970, by Hans Christoph Blumenberg in the *Kölner Stadt-Anzeiger* on 3 December 1970, and again much later in articles for *Die Zeit* in 1977 and 1978, and by Andreas Meyer in *Medium* in autumn 1977 (131).

#### Chapter Four: Conclusions

The expectation of the *Bundestag* deputies, who guided the FFG through the parliamentary assembly and committee stage, and of the FFA functionaries that the Film Promotion Law would mark the beginning of a more structured and formalised stage in relations between the film industry and television, centring in particular on the procedure for the disposal of the broad-

cast rights of the 'Referenzfilme', proved to be both illusory and too much of a constraint on the as yet untapped potential for co-operation between the two media. As Chapter Five will indicate, subsequent revisions of the FFG sought to open the legislation up for a greater exploitation of this potential.

The most fruitful links between television and the film industry, therefore, continued to exist outside the jurisdiction of the FFA on something of an *ad hoc* basis: in the form of commissioned television films with or without theatrical 'holdbacks' - this will be discussed at length in Chapter Five when assessing the significance of the 'Film/Fernseh-Abkommen' for the young generation of filmmakers - and of partnerships between television stations and 'art-house' exhibitors (e.g. Georg Ramcke) and distributors (e.g. Walter Kirchner and Fritz Falter) for the theatrical release of foreign films premiered on television.

In the exhibitors' view, the FFA's policy on film/television relations had failed in these first two years of the FFG to change the situation regarding the number and scheduling of feature films on television, despite the fact that a sub-committee of the FFA *Verwaltungsrat*, the 'Kommission Film/Fernsehen', had been established to address itself to such problems. In the absence of an authoritative mediat-

or - the decisions made at the 'Kommission Film/Fernsehen' were always subject to rumour and counter-rumour about their actual content - the exhibitors continued their lobbying campaign against television, as before the passing of the FFG, with the formulation of resolutions and declarations on the future regulation of feature film screenings made independently of FFA committees. As Chapter Five will recount, the FFA sought to make amends for its lack of decisiveness on a question which was of paramount importance for the exhibitor, by including a right of veto on television screenings of feature films in the 1971 FFG revision.

In fact, the progress of film/television relations during this period was more the result of the pragmatism and magnanimity of the broadcasters, particularly within the 'Fernsehspiel' departments, than of any impetus from the clauses of the FFG relating to film/television relations.

#### Notes: Chapter Four

- (1) 'Entwurf eines Gesetzes über Maßnahmen auf dem Gebiet der deutschen Filmwirtschaft', *UFITA*, 44 (1965), pp. 75-84.
- (2) Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p. 568.
- (3) 'Entwurf eines Gesetzes über Maßnahmen zur Förderung des deutschen Films', *UFITA*, 50 (1967), pp. 180-193.
- (4) But Article 75, Clause 2 of the *Grundgesetz* states: 'Der Bund hat das Recht, unter den Voraussetzungen des Artikels 72 Rahmenvorschriften zu erlassen über die allgemeinen Rechtsverhältnisse der Presse und des Films'.
- (5) *UFITA*, 50 (1967), pp. 180-193.
- (6) *Ibid.*, p. 181.
- (7) *Ibid.*, p. 183.
- (8) *Ibid.*, p. 189; cf. also broadcast rights clauses in later revisions of the 'Filmförderungsgesetz': § 12 (9 August 1971), § 12 (3 March 1974), § 30 (25 June 1979).
- (9) Klaus Eder and Werner Kließ, 'Gespräch über das Gesetz *Film*, 4 (1967), pp. 49-50 (49).
- (10) k.e., 'Zur Lage', *Film*, 4 (1967), p. 50.
- (11) Enno Patalas, 'Wie ist dem deutschen Film zu helfen?', *Die Zeit*, 28 April 1967, pp. 19-21.
- (12) *Ibid.*, p. 20: Alexander Kluge opposed Toussaint's plans: 'Mit der marktverzerrenden Macht von 30 Millionen Filmgroschen soll das alte aufwendige Unterhaltungsfilm-Ideal der 50er Jahre wiederhergestellt werden'.
- (13) *Ibid.*, p. 19.
- (14) *Ibid.*, p. 20.
- (15) Cf. also: epd, 'Filmhilfegesetz soll auch Filmsendungen regulieren', *epd/Kirche und Fernsehen*, 15, 22 April 1967, pp. 2-3.

- (16) 'Schriftlicher Bericht des Ausschusses für Wissenschaft Kulturpolitik und Publizistik (8. Ausschuß)', *UFITA*, 51 (1968), pp. 235-246 (237).
- (17) H-n, 'Wie kommt Wettbewerbsgleichheit zustande?', *Film-echo/Filmwoche*, 42, 27 May 1967, p. 4; Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 1970*, pp. 73-83 (77).
- (18) HA, 'Aufregung über Fernsehklausele', *Film-echo/Filmwoche*, 91, 15 November 1967, p. 5; Anon, 'Fernsehrechte nicht verjubeln', *Filmblätter*, 47, 17 November 1967, p. 1062: *Filmblätter* gave the date of Schüßler's meeting with film industry officials as 20 October.
- (19) *Film-echo/Filmwoche*, 91, 15 November 1967, p. 5.
- (20) *UFITA*, 51 (1968), p. 238.
- (21) *Ibid.*, p. 243.
- (22) 'Zweite und Dritte Lesung im Bundestag', *UFITA*, 51 (1968), pp. 247-257.
- (23) *Ibid.*, p. 248.
- (24) *Ibid.*, pp. 254-257. The passage of the 'Filmförderungsgesetz' through the *Bundestag* and its committees from 15 March 1967 to its taking effect on 1 January 1968 can be followed in: Roland A. Casparý, 'Beratung und Verabschiedung des deutschen Filmförderungsgesetzes', *Film und Recht* 2 (1968), pp. 53-60.
- (25) *UFITA*, 51 (1968), p. 238.
- (26) Dietmar Schmidt, 'Zwischen der Anstalt und den Anstalten', *epd/Kirche und Fernsehen*, 49, 29 December 1967, pp. 1-4 (3).
- (27) Klaus Keller, '"Kino und Fernsehen - keine Alternativmedien" - aber Konkurrenzmedien', *FUNK-Korrespondenz*, 13, 28 March 1979, pp. 1-4 (2).
- (28) In the 1970s ARD and ZDF expected to pay up to DM 126 000 for a feature film, including VAT and dubbing costs. It was claimed that this figure - low in comparison with other countries - had been arrived at in consultation with Leo Kirch whose BETA-Film GmbH supplied the bulk of the channel's film needs, cf. Hans Günther Pflaum and Hans Helmut Prinzler, *Film in der Bundesrepublik Deutsch-*

*land* (Frankfurt am Main, 1982), p. 94.

- (29) The broadcasters, concerned that rising operating costs would not be met by the current licence fee, had issued in December a 'Denkschrift über die Zusammenarbeit der deutschen Rundfunkanstalten', which, together with a 'Zahlenwerk I' issued on 28 June 1967, argued for increases to the radio and television licences - the first since the founding of both services. An increase of DM 0,50 for the basic charge and DM 1 for the TV supplement charge came into effect on 1 January 1970 (new charges: Dm 2,50 + DM 6). Cf. Günter Herrmann, '25 Jahre ARD', *Rundfunk und Fernsehen*, 3 (1975), pp. 211-239 (232).
- (30) Indeed, Hans Schübler, film spokesman for the Federal Economics Ministry, had admitted, in an interview with Georg M. Bartosch for *Filmtelegramm* on 12 December 1967, that he did not expect the broadcasters to buy all the 'Referenzfilme' rights. In: *Jahrbuch der Filmkritik VIII*, edited by the Arbeitsgemeinschaft der Filmjournalisten (Emsdetten/Westf., 1968), p. 77.
- (31) Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 70*, pp. 73-83 (77).
- (32) *UFITA*, 51 (1968), p. 240.
- (33) Anon, 'Ach, der Papili', *Der Spiegel*, 25 December 1967 pp. 86-96 (96).
- (34) At a *Länder* Education and Finance ministers' conference on 3 July 1969, agreement was reached to provide the Kuratorium with an annual budget of DM 750 000 as from 1 January 1970, a paltry sum, which was not increased until 1978, and by 1983 was annually DM 2.2 million. For more details about the Kuratorium see: Dr. Norbert Kückelmann, 'Filmkunstförderung unter sozialstaatlichem Aspekt Dargestellt am Modell des Kuratoriums junger deutscher Film', *UFITA*, 59 (1971), pp. 115-151; Hermann Gerber, *Kuratorium Junger Deutscher Film. Zielsetzung, Entwicklung, Förderungsweise* (Munich, 1977); and Volker Baer, *Stiftung Kuratorium Junger Deutscher Film* (Wiesbaden, 1984).
- (35) Enno Patalas, 'Das Kino der Genossen', *Die Zeit*, 8 March 1968.
- (36) Hans Rolf Strobel, 'Ich bin kein Kinotier, ich bin ein Filmemacher', *Film*, 9 (1968), p. 10.

- (37) Anon, 'Leichen zum Lachen', *Der Spiegel*, 15 January 1968, p. 114.
- (38) HDF, 'Fernseh-Wochenende ohne ZDF-Spielfilme?', *Film-echo/Filmwoche*, 5, 17 January 1968, p. 6.
- (39) HDF, 'Stoppt die Fernsehflut !', *Filmblätter*, 3, 19 January 1968, p. 55.
- (40) -nn, 'Der Kreis schließt sich: "Zweites" tippt beim "Ersten" an', *Film-echo/Filmwoche*, 9, 31 January 1968, p. 4.
- (41) -nn/HDF, 'Spielfilmfreies Wochenende: Alles in Fluß', *Film-echo/Filmwoche*, 13, 14 February 1968, p. 4.
- (42) See Werner Hess's comment in *ARD Jahrbuch 70*: 'Ob aber dergleichen Sendungen wie Der Goldene Schuß oder Vergißmeinnicht nicht mindestens ebenso publikumswirksam sind wie ein Spielfilm und ob durch ihre Sendung der Besuch des Filmtheaters nicht ebenso zu leiden hätte, bleibt offen. Vermutlich würde die Filmindustrie bei der Durchsetzung dieser ihrer Forderung auf ein filmfreies Wochenende einen eindrucksvollen "Pyrrhus-Sieg" erringen' (80).
- (43) Reported in: *Aktueller Fernsehdienst*, 18, 2 March 1968 in: fe, 'ZDF-Intendant Prof. Holzamer sagt ab', *Film-echo/Filmwoche*, 19, 6 March 1968, p. 4.
- (44) Anon, 'Holzamers Holzhammer !', *Filmblätter*, 12, 22 March 1968, p. 245.
- (45) -nn, 'Kann es zu einer freiwilligen Lösung kommen?', *Film-echo/Filmwoche*, 34, 27 April 1968, p. 4.
- (46) -nn, 'FFA-Kommission Film und Fernsehen an der Arbeit' *Film-echo/Filmwoche*, 52, 29 June 1968, p. 4.
- (47) HA, 'So einfach ist die Sache nicht', *Film-echo/Filmwoche*, 53, 2 July 1968, pp. 3, 5.
- (48) Ibid., p. 3.
- (49) Horst Axtmann, 'Mehr als guter Wille', *Film-echo/Filmwoche*, 71, 4 September 1968, pp. 3, 8.

- (50) -nn, 'Das FFA-Programm für Verhandlungen mit den Fernsehanstalten', *Film-echo/Filmwoche*, 78, 28 September 1968, p. 4.
- (51) -nn, 'FFA exerziert erste Bewährungsprobe', *Film-echo/Filmwoche*, 81, 9 October 1968, p. 4.
- (52) *Wir Kellerkinder* (26 June 1960); *Verspätung in Marienborn* (ARD transmission: 4 July 1963); *Das Haus in der Karpfengasse* (WDR transmission: 7, 9, 11 March 1965; cinema release: 12 March 1965); and *Asche eines Pfeifenrauchers* (never completed). Data collected from *Fernsehspiele in der ARD 1952-1972*, edited by Achim Klünder and Hans-Wilhelm Lavies (Frankfurt, 1978).
- (53) If it had been completed, *Asche eines Pfeifenrauchers/Transit* would have marked a distinct change in television's approach to co-productions since WDR was prepared to allow the film up to 12 months in the cinemas before the television screening.
- (54) Kirchner's Neue Filmkunst: founded in the early 1950s, specialised in 'art house' films, went bankrupt in 1974. Pflaum and Prinzler, p. 136.
- (55) *Deux ou trois choses que je sais d'elle*, released by Neue Filmkunst on 1 November 1968.
- (56) Fritz Falter: opened the first 'art cinema' in 1951 - Occam Studio für Filmkunst; closed 1970 after the landlord (a Munich brewery) decided to convert the premises into a restaurant (Roeber and Jacoby, p. 299)
- (57) *Budjenje Pacova (Die Ratten erwachen)* transmitted by ARD on 22 June 1968;
- (58) *La vielle dame/Die unwürdige Greisin*, distributor Neue Filmkunst.
- (59) *La guerre est fini*, distributor Neue Filmkunst; released 17 March 1967.
- (60) Telepool had been established on 19 April 1963 by Bayerischer Rundfunk (48 %), Österreichische Rundfunk GmbH (26 %), and Schweizerische Radio- und Fernsehgesellschaft (SRG) (26 %) to market the three shareholders' productions and mediate in programme purchasing and international co-productions. The Austrian partners withdrew on 31 December 1968, with the shares now re-



distributed 50-50 between BR and SRG. Cf. *epd/Kirche und Fernsehen*, 27, 15 July 1967, pp. 1-2.

- (61) *Antonio das mortes*, 1968; distributor Neue Filmkunst, released 8 April 1970.
- (62) *Goto - Insel der Liebe*; distributor Cinema Service, released 14 November 1967.
- (63) Anon, 'Helmut Haffner: . . . nicht Feinde, sondern Partner', *Filmblätter*, 26a, 25 June 1968, p. 546, and, H.J. Weber, 'Coproduktionen zwischen Film und Fernsehen', *Film-echo/Filmwoche*, 77, 25 September 1968, pp. 3, 5.
- (64) 'Filmförderungsgesetz, III. Materialien', *UFITA*, 62 (1971), pp. 243-247 (244).
- (65) 'Filmförderungsgesetz. I. Gesetz über Maßnahmen zur Förderung des deutschen Films vom 22. Dezember 1967 (BGBl. I S. 1352) in der Fassung des Gesetzes zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films vom 9. August 1971 (BGBl. I S. 1251), *UFITA*, 62 (1971), pp. 183-200 (189). The 1971 FFG revision included the additional § 7(14), which allowed the FFA *Präsidium* to recognise up to 6 film/television co-productions per year as 'Referenzfilme'.
- (66) Helmut Haffner, 'Widersprüche der Filmförderung', *Fernseh-Informationen*, 29 (October 1969), pp. 678-680.
- (67) -n, 'Das Film/Fernseh-Konzept der Spitzenorganisation', *Film-echo/Filmwoche*, 87, 30 October 1968, p. 7.
- (68) Often, thanks to public and press interest generated by the television screening, these films subsequently found their way via Walter Kirchner's distribution company into the cinemas: e.g. Robert Bresson's *Mouchette* (1966; broadcast by ZDF 26 September 1967; distributed by Neue Filmkunst), *Der Prozeß der Jeanne d'Arc* (1961: cinema release after TV broadcast, 24 January 1969, by Neue Filmkunst), and Jean-Luc Godard's *Weekend* (1967; cinema release after TV broadcast, 27 January 1969: 25 April 1969 by Neue Filmkunst) Cf. also letter to *Die Zeit* from Klaus Brüne, head of ZDF's 'Filmredaktion', in the 30 September 1966 edition.
- (69) bo, 'Die FFA tritt an die Öffentlichkeit', *Film-*

*echo/Filmwoche*, 92, 27 November 1968, pp. 7-8  
(8).

- (70) Toussaint's views were indeed adopted and reproduced by the film trade press critical of the television channels' film programming policies, cf. *Film-echo/Filmwoche*, 15 January 1969.
- (71) *FUNK-Korrespondenz*, 47, 21 November 1968, pp. 1-3 (2-3).
- (72) The text of SPIO's proposal for a 'Vereinbarung zwischen Film und Fernsehen' appeared in *Film-echo/Filmwoche*, 90, 8 November 1969, p. 6. SPIO's general approach towards television was still guided by the conclusions reached in its 'Feststellungen der Filmwirtschaft über Wettbewerbsungleichheit Film/Fernsehen' of 11 October 1963.
- (73) Anon, 'Dr. Engelbrecht protestiert gegen "solche Methoden"', *Film-echo/Filmwoche*, 95, 27 November 1968, p. 4.
- (74) -xtn-, 'HDF fordert Kinofilm-fördernde Politik der FFA', *Film-echo/Filmwoche*, 95, 27 November 1968, pp. 4, 7.
- (75) The next sitting of the FFA *Verwaltungsrat* was in fact delayed until 29 April 1969 (G.H., 'FFA-Arbeit eingespielt', *Film-echo/Filmwoche*, 37, 7 May 1969, p. 6).
- (76) Horst Axtmann, 'Das ist vorsätzlicher Kino-Mord!', *Film-echo/Filmwoche*, 97, 4 December 1968, pp. 3, 7.
- (77) *Ibid.*, p. 3.
- (78) Anon, 'ARD: Kein vorsätzlicher Kino-Mord', *Film-echo/Filmwoche*, 1/2, 4 January 1969, p. 6.
- (79) E.B., 'Und nochmals: Film - Fernsehen', *Hinweisdienst*, 132, 17 October 1969, pp. 1-11 (6).
- (80) Cf. Anon, 'Kino und Video im Wettlauf gegen das Fernsehen', *Videomarkt*, 3 (1985), pp. 18-26, and, Billy Kocian, 'Theatres vs. the New Media', *Hollywood Reporter*, 12 February 1985, pp. 51, 54.
- (81) Anon, '"Ordnung in den eigenen Reihen der Filmwirtschaft schaffen"', *Film-echo/Filmwoche*, 5, 15 January 1969, p. 5.

- (82) HA, 'Abwehr nach zwei Seiten', *Film-echo/Filmwoche*, 26, 29 March 1969, p. 3; G.H., 'FFA-Arbeit eingespielt', *Film-echo/Filmwoche*, 37, 7 May 1969, p. 6.
- (83) -A, 'Das Fernsehen hat immer eine gute Ausrede', *Film-echo/Filmwoche*, 49/50, 20 June 1969, p. 4.
- (84) *Film-echo/Filmwoche*, 26, 29 March 1969, p. 8.
- (85) -nw-, 'HDF-Protest bei Artur Brauner', *Film-echo/Filmwoche*, 45, 4 June 1969, p. 4. In the FFA's response to the Federal Government's draft revision to the FFG in 1970, the *Verwaltungsrat* proposed that the 'holdback' ruling should be extended for another five years for a maximum of 15 cases a year, citing the Karl May films and *Die Feuerzangenbowle* as films that fitted into this category, cf. *UFITA*, 62 (1971), p. 245.
- (86) Anon, 'Old Shatterhand löst Protestwelle aus', *Film-echo/Filmwoche*, 46, 7 June 1969, p. 6.
- (87) Anon, 'Artur Brauner antwortet', *Film-echo/Filmwoche*, 47, 11 June 1969, p. 7.
- (88) *Die Flußpiraten von Mississippi/ Agguato sul grande fiume/ Les pirates du Mississippi* (1963): a German - French - Italian co-production, directed by Jürgen Roland, a specialist in TV police series for NDR.
- (89) *Old Shatterhand* premiered theatrically 30 April 1964.
- (90) Anon, 'Old Shatterhand', *Film-echo/Filmwoche*, 48, 14 June 1969, p. 4.
- (91) Georg Alexander, 'Das Kino im Zeitalter seiner elektronischen Reproduzierbarkeit. Kinofilme im Fernsehen' in: *Fernsehsendungen und ihre Formen*, edited by Helmut Kreuzer and Karl Prümm (Stuttgart, 1979), pp. 140-154 (149).
- (92) Dr. H.M., 'Degeto tätigt für Deutsches Fernsehen 80-Mio.-Dollar-Vertrag', *Film-echo/Filmwoche*, 10, 17 February 1984, p. 5.
- (93) Data source: *Filmstatistisches Taschenbuch*. It is important to note that a sizeable proportion (1968 - 44 %, 1969 - 50 %) of the increased film production belonged to the current 'sex-and-

crime' wave, which was unlikely to contribute to the promotion of 'die Qualität des deutschen Films auf breiter Grundlage' (§ 2(1:1) FFG).

- (94) Anon, 'SPIO-Vorschläge für eine Fernseh-Vereinbarung', *Film-echo/Filmwoche*, 90, 8 November 1969, p. 6.
- (95) EB, 'Und nochmals: Film - Fernsehen', *Hinweisdienst*, 132, 17 October 1969, pp. 1-11 (1).
- (96) Die Kommission zur Untersuchung der Wettbewerbsgleichheit von Presse, Funk/Fernsehen und Film, *Bundestags-Drucksache*, 5/2120, 25 September 1967, pp. 120, 130-131.
- (97) Ibid., p. 129: 'Die Untersuchungen der Kommission haben ergeben, daß auch die im Mehrheitsbesitz der Anstalten befindlichen Ateliers nicht voll ausgelastet sind'.
- (98) *Hinweisdienst*, 132, 17 October 1969, p. 9.
- (99) A.B., 'Um eine Neuregelung des Verhältnisses zwischen Film und Fernsehen', *Fernseh-Informationen*, 26 (September 1969), pp. 306-307.
- (100) Anon, 'Gegenvorschlag erbeten', *Film-echo/Filmwoche*, 91, 12 November 1969, pp. 3-4 (4).
- (101) Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 1970*, pp. 73-83 (81-82).
- (102) Uwe Kuckei, 'Zur Zusammenarbeit mit der Filmwirtschaft bereit...', *fff-Courier*, 20 October 1969.
- (103) Anon, '"Allmählich langweilen uns die Vorwürfe"', *Film-echo/Filmwoche*, 90, 8 November 1969, pp. 3, 6-7.
- (104) *Film-echo/Filmwoche*, 91, 12 November 1969, pp. 3-4.
- (105) Ibid., p. 3.
- (106) epd, 'Noch kein Gewinn in der Zusammenarbeit mit der Filmförderungsanstalt', *epd/Kirche und Fernsehen*, 42, 1 November 1969, pp. 6-7; Dr. H.M., 'Spielfilme im Deutschen Fernsehen 1969/70', *Film-echo/Filmwoche*, 95, 26 November 1969, pp. 3, 8.

- (107) Cf. Helmut Haffner, 'Widersprüche der Filmförderung', *Fernseh-Informationen*, 29 (October 1969), pp. 678-680.
- (108) *epd/Kirche und Fernsehen*, 42, 1 November 1969, pp. 6-7 (6). *Otto ist auf Frauen scharf*: directed by Franz Antel, released 28 June 1968; *Das Paradies der flotten Sünder*: directed by Rolf Olsen, released 19 April 1968; *Der Mönch mit der Peitsche*: directed by Alfred Vohrer, released 11 August 1967.
- (109)-nn, 'Kommt eine Film/Fernseh-Vereinbarung zustande?', *Film-echo/Filmwoche*, 1, 7 January 1970, p. 4.
- (110)-ta-, 'Für das Kino: Silberstreifen am Fernseh-Horizont', *Film-echo/Filmwoche*, 14, 18 February 1970, p. 4, and FI, 'Ein Silberstreifen am Horizont', *Fernseh-Informationen*, 7 (March 1970), pp. 163-165.
- (111) *Neues vom Film*, later renamed *Kino Kino*, was taken out of the schedules in January 1977 and its coverage of new film releases continued by *Aspekte* and *Apropos Film*.
- (112) *Kennen Sie Kino ?* was later moved to Tuesdays at 20.15 six times a year, with Hellmuth Lange as presenter. He has since become 'der monatliche Prüfstein für Cineasten und Filmfreunde' for the mass circulation film magazine *Cinema*.
- (113) *Fernseh-Informationen*, 7 (March 1970), pp. 163-165 (164).
- (114) Walter Müller-Bringmann, 'Land in Sicht?', *Film-echo/Filmwoche*, 31, 18 April 1970, p. 3.
- (115) Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 1970*, pp. 73-83 (80-81).
- (116) Data collected in SPIO's *Filmstatistisches Taschenbuch*.
- (117)-nn, 'Die übertriebene Konkurrenzsucht des ZDF', *Film-echo/Filmwoche*, 35, 2 May 1970, p. 4.
- (118) FK, 'FILM-TELEGRAMM zum Thema Filmkunst auf dem Fernsehschirm', *FUNK-Korrespondenz*, 25, 22 June 1967, p. 12.
- (119) Herbert H. Hegedo, 'Über den Bildschirm gelaufen

- für das Kino "gestorben" ?', *Film-echo/Filmwoche*, 15/16, 21 February 1969, p. 8; FI, 'Ein interessanter Versuch TV-Spielfilme im Kino', *Fernseh-Informationen*, 7 (March 1969), pp. 172-173.

- (120) Heinrich v. Nussbaum, 'Besuch im Überwintergarten oder Versuch eines Selbstporträts von außen', *Medium*, 2 (1978), pp. 8-12 (12).
- (121) Hans Helmut Hillrichs and Heinz Ungureit, *Fernseh - Kritik XVI: Filmkultur - Filmverbrauch. Zum Stand der Beziehungen zwischen Kino und Fernsehen* (Mainz, 1984), p. 304.
- (122) Werner Grassmann, 'Das zweite Kino-Sterben', *Die Zeit*, 22 November 1985, pp. 49-51 (50), and, ZDF, *Trotz Hollywood* (Mainz, 1986), brochure printed to accompany the season which visited several 'Kommunale Kinos'.
- (123) Anon, 'Zusammenarbeit mit III. Programmen', *Film-echo/Filmwoche*, 35/36, 2 May 1969, p. 6.
- (124) Werner Hess, 'Massenmedien wandeln sich', *ARD Jahrbuch 70*, pp. 73-83 (80-81).
- (125) German title: *Frühe Werke*, Yugoslavia 1969, awarded the Golden Bear; transmitted by ARD 20 October 1969.
- (126) Sweden 1969, awarded the Silver Bear for best direction; transmitted by ARD 6 January 1970.
- (127) USA 1969, awarded a Special Prize; transmitted by ARD 8 December 1969.
- (128) Italy/France 1969, awarded the Interfilm Prize; transmitted by ARD 6 October 1970.
- (129) Wolf Donner, 'Wollt ihr den totalen Sex ?', *Die Zeit*, 29 August 1969, p. 20.
- (130) Wolf Donner, 'Im Kino hat man mehr vom Film', *Die Zeit*, 10 October 1969, p. 21.
- (131) Enno Patalas, 'Warum wir das beste Fernsehen und deshalb das schlechteste Kino haben', *Filmkritik*, 9 (1970), pp. 471-475; Hans C. Blumenberg, 'Das Fernsehen als großer Verhinderer', *Kölner Stadt-Anzeiger*, 3 December 1970 and 'Bildschirm contra Leinwand', *Die Zeit*, 23 May 1978; Andreas Meyer, 'Das Fernseh-Kino', *Medium*, 10 (1977), pp. 27-30.

## CHAPTER FIVE

With the passing of the 'Filmförderungsgesetz' in December 1967, as chronicled in Chapter Four, it was envisaged that relations between the film industry and television, for the most part strained except for individual co-operative initiatives, would now improve significantly through the (economic) regulation of the broadcast rights of films promoted under the auspices of the FFG ('Referenzfilme') and through the mediation of the FFA's 'Kommission Film und Fernsehen'. However, as Chapter Four revealed, the great promise of the FFG for film/television relations was not fulfilled since the majority of films being promoted were of such low quality as to be unacceptable for the television companies. In addition, the FFA's financial commitment to pay out DM 100 000 for the broadcast rights of every 'Referenzfilm' had been made without due regard to the true income of the FFA in a climate of contracting admissions.

This chapter attempts to detail the steps that were taken in the first FFG revision of 1971 to solve this financial dilemma, the subsequent plans for a major re-think on the aims of the FFG - with a greater emphasis on the promotion of projects according to qualitative criteria - the revival of the option of an obligatory levy payment by television for every

feature film screened, and the struggle to avert the introduction of such a punitive measure and the instigation of legal proceedings by offering a co-production agreement between film and television, the 'Film/Fernseh-Abkommen', which would also give official acknowledgement to the productive partnerships developed over the years between filmmakers and the television companies' 'Fernsehspiel' departments.

The amendments made in the 1971 revision - allowing up to 6 film/television co-productions a year to be considered for 'Referenzfilm' status and making payment of the broadcast rights at the FFA's discretion rather than automatic - did little to exploit the potential for co-operation between film and television, which had to continue developing, as in previous years, outside of legislative frameworks and official agreements on an informal and uncertain basis (financial constraints were beginning to be felt within the television stations from the early 1970s).

Subsequent debate in 1972 and 1973 on a more far-reaching revision to the FFG prompted the revival of the concept of a levy payment on the television screening of feature films, which had been dropped from the 'Martin-Plan' in the 1960s after vehement protests from broadcasters (see Chapter Three), as an additional (or substitute) source of finance for the FFA. The arguments for and against the incorporat-



ion of the levy in a revised FFG, and the very question of television's involvement in the FFA - led to a stark division within the *Bundestag* and the film industry: the CDU and CSU allied themselves with the film industry establishment (the exhibitors, distributors, and 'Altproduzenten' collected within SPIO) while the SPD and FDP supported the young generation of filmmakers led by Alexander Kluge and the broadcasters in the submission of an alternative agreement between the film industry and television, the 'Film/Fernseh-Abkommen', which would supplement the provisions of the FFG, in particular in the promotion of quality projects, and adhere to the broadcasters' charters.

**The revision of the 1967 FFG - 1970/1971; the worsening financial state of the FFA**

During the debate on the FFG in the *Bundestag* and government committees in 1967, it had been anticipated that, on the basis of 1966's cinema admissions, the DM 0,10 ticket levy would realise annually approximately DM 25 million for the FFA to use in its activities of production promotion ('Grundbetrag' and 'Zusatzbetrag'), acquisition of broadcast rights, cinema refurbishment and modernisation programmes, and national and international publicity campaigns.

In practice, though, the FFA's income was dictated by the annual level of cinema admissions, which were

still following the downward trend begun after the peak year of 1956 (817.5 million admissions): from 1967's total of 216 million, admissions slipped the following year to 180 million, recovered slightly in 1969 to 181 million, only to fall again in 1970 to 167 million (1). The resulting income to the FFA was consequently insufficient for the promotion institute to fulfil its obligations as set out in the FFG: DM 15 334 000 in 1968, DM 16 810 000 in 1969, and DM 15 354 000 in 1970.

As indicated in the table 'Income and Expenditure of FFA 1968/1969' (overleaf), the FFA's funds were largely used in the payment of awards of the 'Grundbetrag' to those films, which qualified according to § 8 of the FFG, and in acquiring the broadcast rights of 'Referenzfilme'; due to the restricted funds available to the FFA, few films came into receipt of the additional 'Zusatzbetrag', which was intended to promote the raising of standards in German film production (cf. § 2(1:1) of the FFG). The FFA's funds were also subject to the pressure of an increased number of feature films being submitted to the FFA for allocation of production promotion funds: in 1967 the production total climbed to 82 from the previous year's 'all-time' low of 60 films, to 99 in 1968 and 121 in 1969, much of this growth due to the film industry's concent-

INCOME AND EXPENDITURE OF THE FFA 1968/1969 (DM Mn.)						
Levy income	Grundbetrag		Zusatz betrag	TV-rights	Cinemas	Puby.
	long	short				
1968						
15.334	2.4	0.562	-	1.6	-	0.117
1969						
16.810	5.5	2.121	0.434	3.65	1.656	0.176

Source: Georg Roeber/Roland Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p.583. (Puby.= Publicity)

ration on countless cheaply-made, low-quality films, which would satisfy the FFG's 'Referenzfilm' conditions and thus be entitled to at least DM 150 000 (3).

Convinced of the need to re-organise the FFA's financial arrangements - in particular the burden of the broadcast rights - and to counter growing public awareness of the failure of the FFG to raise the standard of German film production (4), the Federal Economics Ministry, acting on behalf of the Federal Government, collaborated with FFA chairman, Joachim Raffert, on a draft revision of the existing FFG, known as the *Regierungsentwurf*. On 18 March 1970 the *Bundestag* gave its first reading to the Federal Economics Ministry's, the *Regierungsentwurf*, the 'Entwurf eines Gesetzes zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films' (*Bundestags-Drucksache* 6/508) (5), which recommended, among

other things, sweeping changes to the regulations governing the broadcast rights of 'Referenzfilme' (§ 12) (6).

With respect to the broadcast rights of films recognised by the FFA as 'Referenzfilme', the *Regierungsentwurf* proposed that §12(1) be altered to read:

Die Mitteilung gemäß § 7 Abs. 10 (producer's application for FFA funding) verpflichtet den Hersteller, der Anstalt unverzüglich das ihm zustehende ausschließliche Fernsehnutzungsrecht an dem Referenzfilm für den Geltungsbereich dieses Gesetzes auf die Dauer von fünf Jahren, beginnend mit dem Ablauf des Erstmonopols von fünf Jahren bei der Filmtheaterauswertung, zum Erwerb anzubieten (7).

This change obliged the producer to surrender the broadcast rights of his film to the FFA from the moment he applied for recognition as a 'Referenzfilm', and consequently, as Klaus Eder remarked in *Fernsehen + Film*, barred him from offering these rights to television during the film's theatrical release (8).

Payment for the broadcast rights by the FFA would be further restricted to films satisfying the conditions of § 9(1) of the FFG (9). This was proposed in the light of the experiences of the first two years of the FFA's activities when the promotion institute had been obliged by the existing § 12 to automatically pay out DM 100 000 to every film recognised as a 'Referenzfilm', and thus acquired the rights to such films as *Otto ist auf Frauen scharf*, *Die Nichten der Frau Oberst*, and *Der Mönch mit der Peitsche*, whose salacious

subject matter made it unlikely that they would ever be bought by ARD or ZDF, which had to comply with stringent scheduling guidelines regarding the protection of youth and programme content (10).

As time passed, the FFA found itself burdened with a growing 'back catalogue' of rights to films, each bought at the inflated price of DM 100 000 and the majority of which would never be sold to television. Indeed, at the ARD *Intendantenkonferenz* in Hamburg between 25-26 October 1972, it was announced that out of 86 films offered by the FFA to ARD and ZDF, both broadcasting authorities were only prepared to take three films each, with a further three 'nur mit gequältem Gewissen' (11). Later, in May 1974, it was claimed that the FFA had paid out DM 15 million for broadcast rights since the introduction of the FFG on 1 January 1968 and recouped this outlay in only ten cases, although it could not be verified whether the full DM 100 000 had been paid by the broadcasting companies in each of these cases (12).

The new § 12(1) was to conclude with the proposal that the level of the broadcast right payment should be dictated by the total number of rights bought in a year (13):

Die Anstalt hat dem Hersteller im Falle des Erwerbs der Fernsehnutzungsrechte als weitere Förderungshilfe einen Betrag von 100 000 Deutsche Mark zu zahlen; werden in einem Kalender-

jahr Fernsehnutzungsrechte an mehr als 35  
Filmen erworben, so vermindert sich der Betrag  
entsprechend (14).

In this way, the broadcast rights' burden on the  
FFA's finances was held to a maximum of DM 3.5 mill-  
ion each year (15). Thus, in § 18 ('Haushalts- und  
Wirtschaftsführung der Anstalt'), (2:3) was altered so  
as to limit the annual expenditure on broadcast rights  
to DM 3.5 million (35 X DM 100 000), which would free  
extra funds for cinema refurbishment and modernisation  
programmes (§ 14 of the FFG). Moreover, income derived  
from the sale of broadcast rights to ARD and ZDF was  
to be used to supplement the funds allocated for the  
'Grundbetrag' and 'Zusatzbetrag' (16).

After its first reading - without parliamentary  
debate - on 12 March 1970 in the *Bundestag*, the *Re-  
gierungsentwurf* was passed to the *Bundestag* Economics  
Committee, which was responsible for co-ordinating  
debate of the draft FFG revision within the Education  
and Science, Interior, and Budget committees who were  
acting in an advisory capacity to the Economics  
Committee (17).

**The FFA's response to the *Regierungsentwurf* -  
September 1970**

On 14 September 1970 the FFA's *Verwaltungsrat*,  
under the leadership of chairman Joachim Raffert,  
released a 'Zwischenzeitliche Stellungnahme zur  
Novellierung des "Gesetzes über Maßnahmen zur För-

derung des deutschen Films (FFG)''', which welcomed the Federal Government's moves to solve the FFA's financial crisis and to promote greater quality in German film production, but also recommended alterations to the existing FFG which would replace or supplement those proposals already made in the *Regierungsentwurf* (18).

These alterations were designed to allow greater involvement by the television companies in the FFG and to strengthen the exhibitors' bargaining power vis-a-vis the broadcasters on the question of feature film screenings on television. Contrary to the *Regierungsentwurf*, which still envisaged up to DM 3.5 million a year being spent on the broadcast rights of 'Referenzfilme', the FFA proposed that § 2(3) should in future state that there was no longer any obligation to buy the broadcast rights of promoted films. An 'Ausnahmeregelung' was to be introduced as § 7(5) which would allow the FFA to promote co-productions between film producers and television companies. The FFA *Präsidium* would be empowered to allow up to six co-productions to apply for promotion assistance, in accordance with the conditions of § 12 as proposed in this FFA paper (19). The FFG in its present form had discouraged film/television co-productions since they were excluded from receipt of promotion funds by the stipulation in § 12 that the broadcast rights of a

'Referenzfilm' should be surrendered to the FFA. In the case of most co-productions, however, the broadcast rights had already been handed over to the television financier as part of the co-production contract (20). But the figure of six co-productions a year was highly unrealistic given that practically all of the new generation of directors were having to rely on some form of television finance for their films, in the absence of distribution guarantees or established producers' backing. Moreover, the 'holdback' of five years imposed on these co-productions would find little favour with the television companies, who normally expected a shorter delay before films co-produced with them appeared on television.

The FFA further proposed that, in a major shift from the current practice, it would no longer pay DM 100 000 for the broadcast rights to any of the 'Referenzfilme', but, 'in Abwägung der Interessen sowohl der Filmwirtschaft als auch der Rundfunk- und Fernsehanstalten', would instead introduce 'eine zeitlich differenzierte Sperre der Ausstrahlung geförderter Filme' (21). According to this proposed revision of § 12(1), every promoted film would be subject to a five-year 'holdback', common practice in the film industry, but an additional five years could then be imposed by the FFA on up to 15 films a year 'wenn es im filmwirtschaftlichen Interesse liegt', e.g. 'ever-



green' films such as *Die Feuerzangenbowle* with the universally popular Heinz Rühmann or popular film series such as the Karl May wave of 1962-1968, for which the film's producer would be compensated by the payment of an extra DM 100 000 (22). The funds for these 'holdback' payments would be drawn from the monies designated by § 18(2) ('Haushalt der Anstalt') for cinema refurbishment and modernisation programmes. This was supported by the representatives of the HDF on the FFA committees because, as the *Verwaltungsrat* document noted:

Die Filmtheater werden durch Spielfilmausstrahlung im Fernsehen stark betroffen. Ihr Interesse an einer zeitlichen Verschiebung der Fernsehauswertung bestimmter Spielfilme ist daher besonders groß (23).

The five-year 'holdback' could be reduced to a minimum of two years for films 'mit hohen künstlerischen Ansprüchen, die im Filmtheater nach relativ kurzer Zeit ausgewertet sind', although the HDF representatives in the FFA *Verwaltungsrat* would have the right to veto any proposed reduction which they considered could potentially affect their admissions (24). Evidently, the exhibitor and distributor lobby had been successful in persuading the rest of the *Verwaltungsrat* to agree to a ruling which could give them the power further to squeeze the unorthodox and (allegedly) uncommercial films of the younger generation of

directors out of the West German film market.

**Response from the Arbeitsgemeinschaft Neuer  
Deutscher Spielfilmproduzenten e.V. to the FFG  
revision draft - October 1970**

During the Mannheim International Film Week (5-10 October 1970) the 33-member strong Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V. issued a statement on the *Regierungsentwurf*, signed by directors Alexander Kluge, Edgar Reitz, Christian Rischert, Haro Senft, and Michael Verhoeven, which was subsequently published in the 7 October issue of the daily *Mannheimer Presse*. Their views were controversial and unsettling: 'Die Produktion ist im Eimer, die technische Qualität ist zum Teil im Eimer, die Kinos sind im Eimer, das Publikum ist frustriert, der Nachwuchs ist weg, der Export nicht entwickelt. "Schlechter kann es nicht werden, höchstens besser"' (25). They asserted that the crisis in the German film industry could only be resolved by, firstly, abandoning the *Regierungsentwurf*, 'der nur oberflächliche Schönheitsreparaturen vorsieht', and secondly, by devising a new scheme of film funding which would benefit and involve those groups currently excluded from the FFG: the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V.; the Syndikat der Filmemacher; the Verband Deutscher Film- und Fernsehregisseure; the Arbeitsgemeinschaft der Filmjournalisten; film schools and

institutions. There was also a need to attend to the development of new distribution outlets, forms of cooperation with other media, film research and export: 'Das wirtschaftliche Ziel kann nicht sein: Befriedigung der Interessen einzelner tonangebender Theaterbesitzergruppen, sondern die wirtschaftliche Entwicklung des gesamten Films' (26).

In the subsequent months, the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V. spearheaded a campaign lobbying parliamentarians to reject the proposed revisions of the FFG, as submitted by the FFA chairman Joachim Raffert, and demand a complete re-think of the future format of film promotion in West Germany, and drafted, in collaboration with the Syndikat der Filmemacher, the Verband Deutscher Film- und Fernsehregisseure, and the Arbeitsgemeinschaft der Filmjournalisten, a set of proposals for an FFG revision, the 'Vorschläge zur Neuregelung der Verhältnisse im deutschen Film', which were made public on 4 March 1971 (27).

The young filmmakers' arguments attracted support from a variety of sources, including some of Raffert's colleagues in the Social Democratic Party (SPD): Wilhelm Dröscher, a deputy from the Rhineland-Palatinate, supported the demand made by the Arbeitsgemeinschaft for Raffert's resignation from the FFA in

early 1971 and wrote in the *Frankfurter Rundschau*: 'der seinem Gewissen unterworfenene Bundestagsabgeordnete gehört in den Bundestag und nicht an die Spitze einer Wirtschaftsförderungsanstalt, die es gerade nicht mit dem Allgemein-Interesse aller Bürger, sondern mit Brancheninteressen zu tun hat' (28); and Martin Hirsch rebuked Raffert in April 1971, saying: 'Du wirst doch zustimmen, wenn ich sage, daß das Scheiße ist, was wir da zwei Jahre hatten . . . Das wirst du uns doch nicht noch einmal verkaufen wollen . . . Wenn man an dem Gesetz nur herumflickt, wird es in Zukunft auch nicht besser werden' (29). The opposition to Raffert's plans had grown to such proportions by April 1971 that there was talk within the ranks of the SPD of submitting a motion to the *Bundestag* demanding the complete scrapping of the FFG.

In spite of the many protests and calls for his resignation, Raffert followed the *Regierungsentwurf*, and the additional recommendations from the FFA, through the parliamentary committee stage to the publication of a final report by the Economics Committee on 29 April 1971, which set out the draft revision to be submitted to the *Bundestag* on 18 June for a second and third reading.

The Economics Committee's report ('Schriftlicher Bericht', *Bundestags-Drucksache* 6/2144) of 29 April 1971 supported the Federal Government's original decis-

ion in early 1970 to introduce a revision to the FFG in the light of the FFA's worsening finances (30); and agreed with the *Regierungsentwurf* that this problem could best be solved by a re-organisation of the FFA's expenditure since an increase in the ticket levy was inadvisable in the prevailing economic climate (31).

After consideration of the paper from the FFA *Verwaltungsrat*, issued in September 1970, and additional oral and written depositions made by Raffert to the individual committees, the Economics Committee proposed the following amendments to the FFG: the withdrawal of § 2(3), since the FFA would no longer be required to purchase the broadcast rights of 'Referenzfilme' (32); the introduction of § 7(14) - § 7(5) in the FFA *Verwaltungsrat* paper of September 1970 -, which allowed the FFA to support film/television co-productions directly:

Deutsche Filme, die unter Mitwirkung einer Fernsehen betreibenden öffentlich-rechtlichen Rundfunkanstalt, die im Geltungsbereich des Gesetzes liegt, hergestellt worden sind, können als Referenzfilme anerkannt werden; jedoch nur jährlich bis zu sechs Filmen. Die Entscheidung bedarf der Genehmigung des Präsidiums, das hierbei die Interessen der Filmwirtschaft und die der Rundfunkanstalten zu berücksichtigen hat.  
(33)

(The Economics Committee regarded this addition to the FFG as 'einen wirksamen Beitrag zu einem ausgewogenen Interessenausgleich zwischen der Filmwirtschaft und dem Fernsehen' (34)); the revision of § 12, in line

with the extensive recommendations made in the FFA *Verwaltungsrat* paper of September 1970, to reduce the financial burden on the FFA caused by the obligation to acquire the broadcast rights to the 'Referenzfilme' - the two clauses of the new paragraph stated that the rights were to be 'held back' for five years before being offered to television, that the FFA could block the sale of the rights for another five years for a maximum of fifteen films a year on payment of DM 100 000, and that the FFA *Präsidium* could reduce the 'holdback' to two years in exceptional cases (35); and the procedure for the income derived from, and expenditure on, the broadcast rights was set out in an amended § 18(2):

Die für die Verlängerung der Sperrzeiten gemäß § 12 Abs. 1 Satz 5 erforderlichen Mittel werden bis zum Höchstbetrag von 1,5 Millionen Deutsche Mark jährlich von den für die Erneuerung und Verbesserung der Filmtheater vorgesehenen Mitteln in Abzug gebracht. Die von den Rundfunkanstalten für die Übertragung der Fernsehnutzungsrechte gezahlten Beträge sind im jeweiligen Kalenderjahr dem Fonds für die Zuerkennung des Grundbetrags zuzuteilen (36).

Income from the sale of the broadcast rights was now restricted, unlike the *Regierungsentwurf* proposal, to 'top-up' the 'Grundbetrag' funds since the 'Zusatzbetrag' was guaranteed DM 1 million per annum from funds previously ear-marked for the acquisition of broadcast rights and DM 1.6 million from a specially created 'Ufi-Abwicklungserlös' (§ 21a of the draft FFG

revision), part of the winding-up procedure of the former state film company's assets (37). The Economics Committee also requested that the life of the FFG be extended until the end of 1973 so that the FFA and the parliamentary committees would have sufficient time to discuss and draft a more thorough revision of the FFG for the film promotion measures to continue unimpeded beyond this date.

**Second and third readings of the draft FFG  
revision - 18 June 1971**

The amendments to the FFG, as proposed by the Economics Committee in its report of 29 April 1971, were brought before the *Bundestag* on 18 June 1971 and given a Second and Third Reading; they were passed unanimously with the proviso, as demanded in a joint SPD/FDP motion (both of these parties were calling for a radical re-think to the direction of the film promotion apparatus), that the FFG be extended for only one year (to 31 December 1972) instead of for two years as proposed in the Economics Committee's final version (38).

An unanimous vote of approval for the amendments to the FFG was also received from the *Bundesrat* at its sitting of 9 July 1971, with the proviso that the Federal Government begin preparations for a more thorough re-organisation of the film promotion struct-

ure in collaboration with the *Länder* . The Gesetz über Maßnahmen zur Förderung des deutschen Films vom 22. Dezember 1967 in der Fassung des Gesetzes zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films vom 9. August 1971 was published in the *Bundesgesetzblatt* on 12 August 1971, and came into effect the following day, 13 August 1971 (39).

The amendments to the FFG did not, however, silence critics of the promotion structure and of the films produced under its auspices. FFA chairman Raffert insisted, though, that this had been only a preliminary revision, a *Kleine Novelle*, before a major review of the FFG which would be tackled in 1972, and that the introduced amendments had been crucial to give the FFA a more stable financial base from which to operate.

The debate on the FFG revision had also given the FFA and the Federal Economics Ministry the opportunity finally to resolve the tensions between the film industry and the television companies; but this, too, had been wasted. The changes affecting the relations between the two media tended to concentrate on meeting the specific demands of the exhibitors for a curb on the television screening of feature films: in § 12 (1), the exhibitors could now effect an extension to the five-year 'holdback' by another five years if the television screening of a film (after the original



'holdback') was still likely to affect cinema admissions; on the other hand, the 'holdback' could also be reduced from five to two years, if it was deemed to be in the film industry's (i.e. the cinemas') interests. This latter ruling, which had been first mooted in the FFA *Verwaltungsrat* paper of September 1970 and was intended to apply, in particular, to quality films, can be seen as a tactical move by the mainstream exhibitors' and distributors' lobby to banish what they considered 'Filme für die Blindenanstalt' from the West German film market after as short a theatrical release as possible. The founding of the Filmverlag der Autoren in April 1970 and the opening of the first 'Kommunales Kino' in Frankfurt in 1971 were largely prompted by such strategies.

The area where film/television co-operation could have been encouraged to the benefit of both media: namely, the co-production, was restricted in the new § 7(14) to a paltry six films a year, which were hardly sufficient to accommodate the many directors of the 'Junger Deutscher Film', who relied on television co-finance, and editorial and dramaturgical advice in the absence of distributors' guarantees or backing from the established film production companies. However, the fact that the FFA was now prepared to recognize the television companies as equal partners, who

could become actively involved in the production of films, laid the foundation for the later debate and legislation for the 'Film/Fernseh-Abkommen' of November 1974.

**Aftermath of the 1971 FFG revision and the start of plans for a second FFG revision and the 'Film/Fernseh-Abkommen'**

At the sitting of 9 July 1971 to debate the FFG revision passed by the *Bundestag* on 18 June 1971, the *Bundesrat* recommended that the Federal Government enter into negotiations with the *Länder* in the near future 'mit dem Ziel einer grundsätzlichen Neuregelung staatlicher Filmförderung', which would take effect as from 1 January 1973 when the current, and extended, FFG expired (40).

Parliamentary discussion began within the Federal Ministry for Economics and Finances after the parliamentary summer recess on the future format of the FFG, and, on the initiative of the ministry, a two-day conference was organized in Würzburg between 29-30 October 1971 to which were invited representatives from the film industry, the *Länder*, the churches, trades unions, broadcasting authorities, and the FFA 'um zum ersten Mal gemeinsam die wirtschaftlichen Voraussetzungen für eine Verbesserung der Qualität und der internationalen Konkurrenzfähigkeit des deutschen Films zu erörtern' (41).

There was a general consensus of opinion among the delegates that the FFG had ultimately failed in its brief 'die Qualität des deutschen Films auf breiter Grundlage zu steigern', but there was little agreement on the solutions offered to improve the situation. Some argued that the funds available to the FFA - from the 'Filmgroschen' and, since 13 August 1971, from the 'Ufi-Abwicklungserlös' - were insufficient to carry out its funding activities, others that the FFA funds had not been used sufficiently to promote quality in German film production.

The conference, though, was marked by the welcome absence of the usual confrontations and mutual recriminations between the established film producers (the so-called 'Altproduzenten') and the 'Jungfilmer' gathered in the Arbeitsgemeinschaft Neuer deutscher Spielfilmproduzenten e.V. and the Syndikat der Filmemacher. Both sides had apparently come to the realisation that a unified stand was needed to convince the *Bund* that they were serious in their commitment to improvements to the German film industry. In the new atmosphere of mutual concern, the 'Altfilm-Jungfilm' camps agreed at this conference to the release of a *Würzburger Manifest*, reproduced in full in the 5 November 1971 issue of *Film-echo/Filmwoche* and in the January 1972 issue of *Media Perspektiven*, which

outlined an 'all-industry' strategy for the debate on the future of state film funding (42).

This manifesto called for an end to the internal wrangling within the film industry, for more diversification in film production and exhibition methods, and for the establishment of a supplementary film promotion body, to be administered jointly by the *Bund* and *Länder*, in the spirit of the recommendation made by the *Bundestag* at the end of the original FFG's third reading on 1 December 1967 (43).

During the conference demands were voiced from some delegates that the television companies should be required to contribute to the extra funds needed for the proposed expansion in the film promotion structure - by way of a levy payment for each feature film broadcast. The representatives from the broadcasting authorities, Heinz Ungureit for ARD and Enno Friccius for ZDF, reacted to this new turn of events by reiterating the arguments used in 1963 and 1964 against Dr. Berthold Martin's proposal for the introduction of a television levy (44) and by indicating that, although Article 74 Number 11 of the Constitutional Law (*Grundgesetz*) had allowed the *Bund* to pass the FFG in 1967, it did not have any authority to legislate on the broadcasting authorities since they were not part of the private economy (45). Moreover, the imposition by the *Bund* of a levy on the broadcasters would

signify a direct and unacceptable intrusion into their financial and programme sovereignty. However, the legal implications of such a measure were not elaborated upon during this conference in Würzburg since the film industry was primarily concerned with developing an 'all-industry' strategy for negotiations with the *Bund* about film promotion. Consequently, it was decided to continue the debate on the future of the film promotion structure at a similar meeting in Munich on 3 December 1971.

On 30 November, shortly before the Munich meeting, a conference was held in Bonn of the film officers (*Filmreferenten*) of the *Länder* economics ministries, collectively known as the *Länderausschuß Filmwirtschaft*, to discuss the future plans for film promotion and the role to be played in these by the *Länder*. Again, the television levy was proposed as an ideal way of raising the additional income needed in the future by the FFA (46).

At the resumption of the Würzburg talks in Munich on 3 December 1971, the 40 delegates in attendance were divided into three seminar groups to discuss the proposals from the Federal Ministry of Economics and Finances for a major FFG revision (*große Novelle*) and possible alternative sources of income for the FFA, the introduction of a 'Projektförderung' in a revised

FFG, and the opportunities for improving relations between the film industry and television.

The seminar group debating the improvements to the co-operation between the film industry and television suggested that more should be done to encourage co-productions between the two media; that co-productions with a two-year 'holdback' should be eligible for consideration as 'Referenzfilme'; that applications should be allowed to the FFA *Präsidium* for the television 'holdback' on a co-production to be reduced to 18 or 12 months if the cinema run had been concluded; and that the limit of six co-productions qualifying as 'Referenzfilme' be scrapped. The delegates also believed that the broadcasting authorities should be obliged to pay a levy towards the support of the film industry, commensurate with the benefits gained from screening feature films. The broadcasters present re-iterated their rejection of any such proposal as blatant interference in the running of their affairs and, furthermore, legally impractical.

At the end of the one-day conference, chairman Jörg Bieberstein of the Federal Economics and Finances Ministry suggested that the unfinished discussion on the broadcasters' obligation, financial or otherwise, to the film industry could be resumed at the next sitting of the FFA *Präsidium* and at the ministry's hearing in Bonn in February when the film industry

and other interested groups would be invited to give their opinion on a *Große Novelle* of the FFG, due to be brought before the *Bundestag* on 31 March 1972.

In the light of the broadcasters' continued refusal to entertain the notion of a levy on television screenings of feature films - in particular of an 'allgemeine Filmabgabe' as proposed at the December conference -, Alexander Kluge, chief spokesman for the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., advanced an alternative plan whereby the television levy would pass into a 'Sonderfonds' or 'Topf' to be used for financing co-productions between the film industry and television. Films completed under this scheme would have a two-year 'holdback' before appearing on television.

Werner Hess, speaking in the January 1972 issue of *Media Perspektiven*, warned of the dangers facing 'die inzwischen vielfältige Verwobenheit und das gegenseitige Zusammenspiel zwischen Film und Fernsehen' by the proposals from all sections of the film industry: 'Alles was bisher in den vergangenen Jahren an gemeinsamen Aktionen zwischen den einzelnen Sparten der Filmwirtschaft . . . entwickelt worden ist, sollte nicht durch den Versuch einer unangemessenen gesetzlichen Regelung zerstört werden' (47).

Moreover, in anticipation of the February Bonn hear-

ing on the FFG revision and of the next sitting of the FFA's 'Film und Fernsehen' committee, the ARD *Intendantenkonferenz*, meeting in Mainz on 18 January 1972, discussed the renewed demands for a television levy by the film industry and issued a communiqué on 19 January outlining ARD's view. The conference re-iterated the argument that the proposed imposition of a television levy was not legally acceptable, since, among other things, it represented an intrusion into the broadcasters' operational sovereignty, which was guaranteed by the *Grundgesetz*. If the levy was nonetheless incorporated into a revised FFG, ARD would be forced to consider legal action. Reference was then made to the extensive support and encouragement given in the past by television to the 'art-house' filmmakers. This was followed by a re-affirmation of the ARD member companies' commitment to these filmmakers in the future, but, at the same time, with a warning that these independent and varied initiatives could be jeopardised by the introduction of a compulsory levy (48).

Kluge's proposal, which was similarly opposed by the HDF president Engelbrecht, afforded the film trade press another opportunity to attack the young directors' campaigning for more recognition from the FFG. In the 7 January 1972 issue of *Film-echo/Film-woche*, reporter '-nn' recommended that the 'Jungfilm-



er' should ensure that they received television programme commissions, which would allow them 'ihr Handwerk so präzise zu erlernen, daß sie später zu Buchschlagenden Ausrutscher vermeiden . . . Davon müßten inzwischen auch die seither unverbesserlichsten Wolkenkuckucksheimer im deutschen Filmnachwuchs überzeugt sein', with the inference that these directors were still not making films for the general cinema audiences (49).

The Federal Ministry of Economics and Finances incorporated several of the points raised at the Würzburg and Munich meetings in its draft of a *große Novelle*, an Entwurf eines 2. Gesetzes zur Änderung des Gesetzes über Maßnahmen des deutschen Films, which was due to come before the Federal Cabinet in May 1972 (50). However, at the Bonn FFG revision hearing, originally planned for mid-February, but put back until mid-April, the invited representatives from the film industry learnt that the *große Novelle* would now be like its 1971 predecessor and concern itself with only minor alterations rather than a full-scale re-organisation of the FFG (51).

The major alterations proposed in this intermediate measure were none the less controversial. ARD and ZDF would be required to pay a levy of DM 20 000 for every feature film broadcast, or, as a concession to the

broadcasters' extensive use of 'art-house' films, DM 10 000 for those films awarded a *Prädikat* by the Film Assessment Board (FBW); non-commercial exhibitors, such as film clubs, would also be subject to the payment of a levy to the FFA; and the 'Filmgroschen', currently DM 0.10 from every cinema ticket sold, would in future be calculated as a percentage of a cinema's annual turnover.

The exhibitors, collected within HDF, were dismissive of the plans for the 'Filmgroschen', which were intended to help the smaller enterprises, whilst the Arbeitsgemeinschaft der Filmjournalisten added its voice to those opposing the introduction of a television levy, by sending a letter of protest to the FFA in which it declared that 'eine Durchsetzung dieses Anspruchs im Verhandlungsweg dürfte länger dauern als das Gesetz läuft. Hier wird über Mittel verfügt, die gar nicht vorhanden sind'. The FFA was adamant, though, that this proposal could be put into effect, as shown in its Bonn spokesman, Georg M. Bartosch's reply to the journalists: 'die Fernsehgebühr ist rechtlich fundiert und sachlich begründet. Entsprechende Rechtsgutachten liegen meines Wissens vor' (52).

Progress on the draft *Novelle* was then halted by other more pressing problems concerning Federal Chancellor Willy Brandt's SPD/FDP coalition government:

Finance Minister Alex Möller's resignation on 13 May 1971 had been followed later in 1971 and early 1972 by a spate of resignations by parliamentary state secretaries and ministers unhappy with Brandt's *Ostpolitik* and budget strategies (53). Moreover, on 27 April 1972, the CDU/CSU political parties in the *Bundestag* had proposed a constructive vote of no confidence in the Brandt administration, on behalf of their Federal Chancellor candidate Rainer Barzel, which, although unsuccessful, led to a parliamentary stalemate and Brandt's proposed budget being rejected after a tied vote ('Stimmengleichheit') the following day, the 28th.

Thus, in view of these problems besetting Brandt, the Chancellor's office announced at the end of May 1972 that the draft *Novelle* would now not come before the Federal Cabinet until after the summer recess. Horst Axtmann, writing in *Film-echo/Filmwoche* at the beginning of June, calculated that this would mean that the draft would not reach the *Bundestag* committee stage until early 1973, the final readings in the *Bundestag* until summer/autumn 1973, and the statute book until 1 January 1974 (54).

**The film industry's *Alternativ-Entwurf* for the FFG revision**

With further debate on the Economic and Finance

Ministry draft *Novelle* suspended until after the summer recess, a new initiative was announced, coming from within the ranks of the film industry, for the preparation of an *Alternativ-Entwurf* by September 1972 (55). This initiative drew support from groups diametrically opposed to another on most questions affecting the film industry: the Verband Technischer Betriebe für Film und Fernsehen (VTFF), the Hauptverband Deutscher Filmtheater e.V., the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., the Syndikat der Filmemacher, and the Rundfunk-Film-Fernseh-Union (RFFU).

Initial discussions centred on the VTFF's wish that its members should become eligible for receipt of FFG assistance, on the HDF's opposition to the proposals for the 'Filmgroschen', and on its demands for more funds to be directed to cinema refurbishment and modernisation programmes as well as the promotion of more varied film programming. The 'Jungfilmer', whilst supporting many of the exhibitors' demands, were anxious that their concept of a 'Projektförderung', as an alternative to the current retroactive 'Referenzfilm' awards, should be part of a future FFG draft *Novelle*.

#### *Alternativ-Entwurf* made public - Early 1973

At an HDF advisory council meeting held in Munich

on 17 January 1973, the main topic of discussion was the four major proposals advanced in the *Alternativ-Entwurf*, worked out by HDF president Engelbrecht and the young generation of filmmakers' spokesman, Alexander Kluge (56), including the draft of a more formalised arrangement between the film industry and television, it was proposed that ARD and ZDF should be required to pay an annual DM 8 million into a 'Clearing-Stelle', administered by the FFA, for the financing of co-productions between the two media (57).

The delegates attending the meeting were divided in their support for the *Alternativ-Entwurf*, some being suspicious of their president's 'unholy alliance' with Kluge, others unhappy at Engelbrecht's habit of taking decisions without consulting HDF officials. Nevertheless, out of a sense of allegiance to their president, they decided to accept, in principle, the *Alternativ-Entwurf* as a realistic alternative to the Economics and Finances Ministry's draft FFG *Novelle*. The rest of the 'Kluge/Engelbrecht-Entwurf', as it came to be known, was not made public until the staging of a press conference in the Schwabing district of Munich in March 1973, at the same time as the publication of the churches' own draft FFG *Novelle*. (58).

Reaction to the draft presented by Engelbrecht and Kluge in Munich was positive if not overly ecstatic.

Rudolph Ganz, writing in the *Frankfurter Rundschau* on 14 March 1973, declared that this 'Neuentwurf', as he called it, was 'alles in allem ein Entwurf, der reale Chancen einer Verwirklichung hat; der zwar keine flammende Begeisterung auslösen kann . . . aber als vermutlich optimale Lösung für die nächsten Jahre gelten darf' (59). Critics of the existing FFG's 'Förderungsautomatik' were disappointed that this draft, and that of the churches, retained the basic framework of the 'Grundbetrag' and the 'Einspielklausel' (§ 8), but accepted this was doubtless as a concession to the 'Altproduzenten'. In any case, as Dr. Peter Glotz, the SPD chief media affairs spokesman, commented in *funk-report*, time was not available for a 'Neuordnung' of the film funding structure, especially since the 1971 FFG revision had expired at the end of 1972 (60).

The 'Kluge/Engelbrecht-Entwurf' was more important on account of its avowed intention to encourage greater co-operation between the film industry and television (§ 12) (61). The draft's proposals based on an idea advanced by Kluge at the December 1971 conference on the FFG *Novelle* in Munich, which had been rejected at the time by both the attending broadcasters and HDF's Engelbrecht. In the *Alternativ-Entwurf*, § 12, which (currently) regulated the broadcast rights of promoted

films, received a new clause setting out the establishment of a special co-production fund ('Sonderfonds') or 'Clearing-Stelle' (62).

An 'Abkommen' would be concluded between the broadcasting authorities and the FFA, with the monitoring of the provisions of the agreement being undertaken by a specially-appointed eight-man committee. This committee would comprise of four members from the broadcasting authorities (ARD and ZDF), and of four members from the FFA *Verwaltungsrat*, nominated by the HDF, the Verband Deutscher Spielfilmproduzenten e.V., the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., and the Verband der Filmverleiher; its brief would be to decide on the allocation of the co-production fund's monies and on the length of the television 'holdbacks' which, as a rule, should be a minimum of 24 months (63).

These regulations for a formalised co-production agreement provided the basis for the beginnings of a dialogue between the film industry officials and the broadcasters on the practicality of such an agreement. Whereas previous plans for television's financial involvement in the FFA had not envisaged the broadcasters being allowed to voice their opinion on the allocation of funds by the FFA - ARD and ZDF had been merely required to pay a set levy for each broadcast feature film - this proposed co-operation gave them

ample representation on the eight-man selection committee so that they could exert influence on project selection commensurate to their financial input.

Writing for *funk-report* on 23 March 1973, Peter Glotz, who was later one of the chief mediators, along with Alexander Kluge, between the film industry and the broadcasters during talks on the co-production agreement proposal, warned that ARD and ZDF could soon be faced with an ultimatum of either accepting the Kluge/Engelbrecht proposal or paying a television levy on each broadcast film, as proposed in the churches' draft, and having no control on the distribution of the resulting income to the FFA apart from the limited influence in the FFA *Verwaltungsrat* and the 'Film und Fernsehen' committee (64).

The churches' draft FFG *Novelle*, which was made public at the same time as the Kluge/Engelbrecht draft, re-iterated the arguments advanced by the Federal Economics and Finances Ministry in its draft *Novelle* of 20 April 1972 and, in particular, supported the ministry's proposal for a television levy:

Eine Filmabgabe für Spielfilme, die von Rundfunk- und Fernsehanstalten ausgestrahlt werden, erscheint notwendig. Die Bestrebungen des Bundesministeriums für Wirtschaft, in die *Novelle* zum Filmförderungsgesetz eine Ermächtigung aufzunehmen, durch Rechtsverordnung die Anstalten zu einer Abgabe heranzuziehen, werden daher unterstützt.

This was expected to provide the FFA with an annual



DM 2 million for the new 'Projektförderung' fund. The television levy could only be dropped if the broadcasting authorities concluded an acceptable statutory agreement with the FFA, which afforded, in particular, sufficient 'holdbacks' and a commensurate financial provision (65).

**The Federal Ministry of Economics returns to the debate on the FFG revision - April 1973**

When the Federal Ministry of Economics turned its attention in April 1973 to the draft *Novelle* abandoned in September 1972 at the end of the last *Bundestag*, it decided to ignore the views and suggestions advanced in the Kluge/Engelbrecht draft on the possibilities for improving relations between the film industry and television, and chose instead to retain its original draft revision, along with certain modifications proposed by the churches. Appearing as an *Entwurf eines Zweiten Gesetzes zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films (Bundestags-Drucksache 7/974)* (66), the so-called *Regierungsentwurf* proposed that § 7(14) of the FFG (the promotion of co-productions between the film industry and television) should be subject to the same 'hold-back' rulings as laid out in § 12(2), and that the current § 15(2) - 'Die Filmabgabe wird bis zum 31. Dezember 1973 erhoben' (67) - should be replaced by a

new clause which set out the procedure for the collection of a television levy from the broadcasting companies:

Die Rundfunkanstalten im Geltungsbereich dieses Gesetzes haben zum Zwecke eines filmwirtschaftlichen Ausgleiches für die erstmalige Ausstrahlung eines Films im Ersten oder Zweiten Programm, der als programmfüllender Film in einem Filmtheater erstaufgeführt worden ist, eine Abgabe in Höhe von 20 000 Deutsche Mark an die Anstalt zu entrichten. Bei der Ausstrahlung von Prädikatsfilmen ermäßigt sich die Abgabe um 50 vom Hundert. Der Bundesminister für Wirtschaft wird ermächtigt, die Erhebung der Abgabe insoweit auszusetzen, als in anderer Weise eine angemessene Beteiligung der Rundfunkanstalten am filmwirtschaftlichen Ausgleich sichergestellt ist (68).

The ministry claimed that the inclusion of the television levy clause was merely in response to demands from the film industry over the years for television to make a realistic financial contribution to the funding of film production, commensurate with the financial and resource benefits gained by programming feature films in its schedules. Reference was made in this context to the 'Michel-Kommission' report of 25 September 1967, where, in a section on 'Der intermediäre Wettbewerb zwischen Filmtheater und Fernsehen', it was stated that 'der Rückgang der Besucherzahlen steht eindeutig mit der Entwicklung des Fernsehens in Beziehung' (69). Admittedly, the Federal Government was to be given the option of waiving the television levy payment if another scheme involving

the broadcasters could be arranged which provided for 'eine angemessene Beteiligung der Rundfunkanstalten am filmwirtschaftlichen Ausgleich', but it was uncertain whether the 'Abkommen', proposed in § 12 of the Kluge/Engelbrecht draft, would meet this condition (70).

**Rough draft of a co-production agreement between the FFA and the television companies**

Whilst the Federal Economics Ministry pursued its plans for a television levy, negotiations were similarly apace between the architects of the Kluge/Engelbrecht draft FFG *Novelle* and the broadcasters for agreement on the 'Abkommen', as proposed in § 12(1) of their draft. In the 22 May 1973 issue of *funk-report*, Peter Glotz wrote on the eve of the presentation of the *Regierungsentwurf* to the Federal Cabinet that, 'in schwierigen und langwierigen Verhandlungen', Werner Hess, ARD's senior representative in the FFA, had managed to convince his fellow *Intendanten* of the necessity (in the light of a threat of a television levy) and desirability (viz. the beneficial partnership between broadcasters and filmmakers in the past) of a more formalised co-production agreement with the film industry (71).

The outcome of these negotiations within the broadcasting companies, and between the broadcasters' representatives and the film industry, was the drawing

up of an Entwurf eines Abkommens zwischen der Filmförderungsanstalt einerseits und den Landesrundfunkanstalten sowie dem ZDF andererseits (72), which, according to the authors of *Filmwirtschaft in der BRD und in Europa*, was, like the Kluge/Engelbrecht draft *Novelle*, 'allerdings das, was auf Grund der bestehenden Macht- und Interessenkonstellation durch Verhandlungen als erreichbar gelten kann' (73).

The aim of this agreement was, as set out in § 1, 'die Herstellung qualitativ hochwertiger deutscher Filme zu ermöglichen und dadurch das Programmangebot sowohl der Filmtheater als auch des Fernsehens zu bereichern' (74), which would be financed by an annual payment of DM 4 million each from ARD and ZDF (§ 2) with a minimum television 'holdback' of two years (§ 3(3)) (75). Extensions or reductions to the 'holdback' period could only be accepted after prior application to the joint eight-man committee appointed to administer the 'Abkommen'. The broadcasters would further their commitment to the promotion of worthwhile projects by making DM 2 million (ARD and ZDF DM 1 million each) available each year to the proposed 'Projektförderung' fund in return for the broadcast rights to these films (§ 8) (76).

Glötz suggested that this plan, which was a compromise between the various factions within the film industry and the broadcasters, represented 'die

beste aller möglichen Lösungen', since ARD and ZDF could then avoid having to resort to the lengthy (and costly) legal proceedings which they threatened to take if the Federal Government persisted in its plans for the introduction of a television levy into the FFG (77). Moreover, closer involvement by television in the funding of film production would lead to a raising of standards, since most of the quality films made in recent years had only been possible thanks to television's financial support.

But this draft agreement's chances of success were marred by ZDF's contention that it could not afford to commit itself to the annual payment of DM 4 million for co-productions (78). This move by ZDF looked as if it could have the 'knock-on' effect of either prompting Werner Hess's opponents within ARD to demand that ARD's contribution be likewise reduced, or of sabotaging the whole agreement. Glotz therefore implored ZDF to continue negotiating with ARD and the film industry on the contents of the agreement, since this was the only realistic form of co-operation between the two media put forward so far.

**Broadcasters' draft of a co-production agreement  
made public - September 1973**

On 13 August 1973 a letter, signed by ZDF *Intendant* Karl Holzamer and HR *Intendant* Werner Hess, announced

that the draft of a co-production agreement between the film industry and television would be made public shortly 'da die Anstalten unbeschadet ihrer Bedenken gegen den Entwurf der Gesetzesnovelle an einer Zusammenarbeit mit der Filmwirtschaft interessiert sind' (79), and that the broadcasters were 'bereit, auf freiwilliger Grundlage und innerhalb der vorgegebenen rundfunkrechtlichen Ordnung mit der Filmförderungsanstalt zu Absprachen . . . zu Nutzen beider Seiten zu gelangen'. The letter, together with a copy of the draft agreement, was sent to the FFA in late August whilst a press conference to launch the broadcasters' proposals was set for 13 September 1973.

The film trade journal *Film-echo/Filmwoche* managed, however, to obtain a copy of the draft agreement in advance and published it in its 12 September 1973 issue under the provocative headline of 'Fernsehförderung statt Filmförderung?', a day before the planned press conference (80). The contents of this draft, as it stood in early September, contained certain important modifications to the one which had been the centre of debate in late Spring 1973 and had appeared in the Dost/Hopf/Kluge book, *Filmwirtschaft in der BRD und in Europa*. Firstly, the sums being made available for co-productions over the next five years would now be increased in stages: from DM 5 million in 1974 to DM 6 million in 1975, DM 7 million in 1976, and DM 8

million in 1977 and 1978, to total DM 34 million over the five years. Secondly, these co-productions would each have a 'holdback' of only 18 months, with reductions to 6 months or extensions to 24 months possible on special application to the eight-man monitoring committee; and, thirdly, an additional DM 2 million a year would be provided by ARD and ZDF towards the funding of a minimum of 5 'deutsche Qualitätsfilme', in the form of advance options on broadcast rights. The FFA's 'holdback' ruling of 5 years would operate for these particular films. This new draft, worked out between ARD and ZDF, was conditional on the Federal Government agreeing to withdraw its proposed § 15(2) (the television levy) before the *Regierungsentwurf* came before the *Bundestag* on 20 September 1973.

However, the ARD/ZDF press conference due to take place in Bonn on 13 September 1973 to publicise the broadcasters' own ideas of a co-production agreement with the film industry was cancelled at the last minute. At an *Intendantenkonferenz* in Stuttgart on 12 September, the current ARD chairman, SWF *Intendant* Helmut Hammerschmidt, explained that the meeting was to be postponed 'weil sich in den Verhandlungen, die seit langem von der ARD geführt werden, mit den zuständigen Behörden die Möglichkeiten einer Verständigung ergeben hat, die jedoch im Verhandlungswege

nicht ausreicht, um sie zu verhindern' (81). Wilhelm Roth's report in *Die Zeit* on 21 September 1973 on the progress of the efforts to revise the FFG was more forthcoming than Hammerschmidt in its explanation of the postponement of the 13 September press conference (82). It indicated that Jörg Bieberstein, *Filmreferent* in the Federal Economics Ministry and a recipient of the broadcasters' draft co-production agreement in late August, had informed them on 10 September that the FFA was unlikely to accept this draft's proposals and would, moreover, be seeking to obtain financial support from the broadcasters for the 'Grundförderung' and the proposed 'Projektförderung', since the FFA's budget would be too stretched to operate both types of production funding given the limited, and decreasing, returns from the 'Filmgroschen'. In addition, the 'Altproduzenten' and major German distributors were unlikely to accept a reduction in the 'Grundförderung' payments necessitated by the pressure on the FFA's funds.

**First reading of the *Regierungsentwurf* in the Bundestag, 20 September 1973**

Before the re-scheduled ARD/ZDF conference could take place, the Federal Government's *Regierungsentwurf* (*Bundestags-Drucksache* 7/794) was brought before the Bundestag on 20 September (83) after being passed by the Cabinet on 23 May and by the *Bundesrat* at its 7



July sitting (84). The *Bundestag* assembly chose to accept the draft on its first reading without discussion and passed it to the Economics, Interior, Education and Science committees for more detailed consideration.

Thus, it was with the knowledge of the government's stubborn adherence to its demand for a television levy that ARD and ZDF set its press conference on the co-production agreement for the new date of 26 September 1973 (85). Those present included the leading negotiators, Dr. Karl Holzamer and Werner Hess, ZDF's legal adviser Ernst Fuhr, ZDF *Programmdirektor* Gerhard Prager, SWF *Fernsehdirektor* (and later ZDF *Intendant*) Dieter Stolte, and Degeto managing director Hans Joachim Wack.

Little had been altered to the draft in circulation in early September, except that the amount to be made available for the advance purchase of broadcast rights was to be halved to DM 1 million a year, allowing for the funding of five films at DM 200 000 each, which as Günther Pflaum (later Hans Günther Pflaum) noted in *FUNK-Korrespondenz*, would only apply to filmmakers working in the 'low-budget' sector of film production (86). The other DM 1 million was to be channelled into the 'Projektförderung' fund in return for an option on the broadcast rights with the proviso that

'eine angemessene Anzahl fernsehgeeigneter Projekte' should be among the selected projects. During the press conference Hess and Holzamer outlined their conditions for the realisation of these proposals of involvement in film funding. These were: the abolishment of § 15(2) of the official FFG draft; allocation of two seats in the to-be-formed *Projektkommission*; the 'holdbacks' of the FFG draft were to be aligned with those of the agreement (87).

A special study of the constitutional and legal problems surrounding the television levy proposal in the *Regierungsentwurf* had been commissioned by ARD in summer 1973 from Professor Dr. Peter Lerche of Munich, who had concluded:

die vorgeschlagene gesetzgeberische Erstreckung der Filmförderungsabgabe auf Ausstrahlungen im Fernsehen vermag sich auf keine Bundeskompetenz zu stützen (88).

The broadcasters hoped this opinion would convince the Federal Government to step down from its call for the introduction of a television levy to a revised FFG.

In the *Regierungsentwurf* which had come before the *Bundestag* on 20 September, there had been no mention in § 14a(3) of representation for the broadcasters on the committee charged with administering the 'Projektförderung'. Admittedly, the version of the draft agreement circulating in early September had withdrawn

the annual DM 2 million commitment to the 'Projektförderung', specified in the rough draft which had appeared in the spring (89), in favour of the advance acquisition of broadcast rights at the script stage of film projects (90). Thus, the Federal Government was, to an extent, justified in its exclusion of the broadcasters from the *Projektkommission*. Nevertheless, once ARD and ZDF had revised their draft to include a financial commitment to the 'Projektförderung' fund, there should not be any obstacles to them receiving seats on the committee.

Hess and Holzamer made it clear at the press conference on 26 September that they were prepared to take 'relevant' measures if the government rejected the proposed co-production agreement. Although concerned that being too specific might spoil their chances in talks with the Economics Committee which was responsible for the *Regierungsentwurf* in its committee stage, the broadcasters nevertheless hinted that possible action might include the curtailing of their continued involvement in the FFA committees, the increased use in their schedules of feature films without an FSK certificate, i.e. films which had never had a cinema release, or of films with a *Prädikat*, which only attracted a DM 10 000 levy payment, importing more programmes from abroad, and the blocking of the theatrical rights of co-productions with film-

makers so that they premiered, and were only seen, on television. As had been argued by the broadcasters on previous occasions during the debate on the draft FFG *Novelle*, the imposition of a television levy could have an irreversible and detrimental effect on the favourable atmosphere of co-operation, which had been built up over the years between the various sectors of the film industry and the television companies.

The prospects for the success of the broadcasters' agreement with the film industry were gloomy. At a sitting of the FFA *Verwaltungsrat* on 17 September, 9 days before the ARD/ZDF joint press conference, a resolution had been passed backing the demand in the *Regierungsentwurf* for a television levy and rejecting the broadcasters' alternative plan: 'der von den deutschen Rundfunkanstalten vorgelegte Entwurf stellt nach einhelliger Auffassung des Verwaltungsrats keinerlei Äquivalent für die vorgesehene Regelung dar'. The resolution concluded: 'eine Fernsehgebühr - in welcher Erscheinungsform auch immer - erscheint dem Verwaltungsrat notwendig und gerechtfertigt' (91). In addition, a legal report, commissioned by the Verband Deutscher Spielfilmproduzenten e.V. from Dr. Peter Weides of Cologne, appeared in mid-October 1973 supporting the case of the *Regierungsentwurf*, the FFA, and the 'Altproduzenten' in their call for a fixed

levy payment from the television companies as a contribution commensurate with the economic benefits that television derived from using cheaply acquired feature films in its schedules (92).

In view of the hard line being taken by the Federal Government and the FFA, the broadcasters' next move was to lobby the members of the *Bundestag's* Economic Committee, which was responsible for co-ordinating discussion of the *Regierungsentwurf* at committee stage before the second and third reading in the *Bundestag*. However, the government's demand in late October for ARD and ZDF to provide, between them, another DM 1 million directly to the FFA's funds on top of the annual DM 1 million to the 'Projektförderung' fund prompted the broadcasters to make a set of concessions regarding their co-production agreement, which, they hoped, would dissuade the Bonn politicians from pursuing these new demands (93). ARD and ZDF promised to forward any income from the theatrical runs of co-productions to the FFA and to relinquish any rights to income from funding allocated to co-productions being made with the television companies. The broadcasters were also prepared to raise the minimum television 'holdback' from 18 to 24 months. These concessions were made, though, with the proviso that ARD and ZDF be given seats in the *Projektkommission*.

By the end of November, the Economics Committee had

set a deadline of the 28th for a response from the broadcasters on the demand for an additional DM 1 million, whilst ARD and ZDF both declared that they would not be making any more concessions on the contents of their co-production agreement. Moreover, if the *Regierungsentwurf* still contained the television levy (§ 15(2)) when it was brought before the *Bundestag* for a second reading, the broadcasting authorities would be forced to consider leaving the FFA and instigating legal proceedings through the Federal Constitutional Court in Karlsruhe.

**Economics Committee sitting, 5 December 1973, and report, 7 December 1973**

The broadcasters' intensive lobbying of the Economics Committee continued until 3 December, shortly before the committee's final discussion of the *Regierungsentwurf* on 5 December, yet the signs were that the government draft's proposals, including the television levy, were to be retained despite doubts expressed by the *Ausschuß für Kulturfragen* about the constitutional acceptability of the levy and a recommendation from the Education Committee that the broadcasters' co-production agreement be supported. On 5 December, though, as the committee's report prepared on 7 December by *Bundestag* deputy Peter Schmidhuber (CSU) reveals, the Economic Committee chose to respond

to the arguments advanced by the broadcasters and their allies in the film industry and recommend a series of alterations to the *Regierungsentwurf* (94).

The committee decided that the offer by the broadcasters of a co-production agreement with the film industry had reached a stage which would allow it to drop plans for the television levy (95). This decision had been achieved despite a minority faction's view that it was unwise to scrap the television levy clause before the conclusion of the co-production agreement, and that the broadcasters were afforded undue influence in the decision-making of the proposed *Projektkommission* (§ 14a(3)).

Further alterations were made with the aim of speeding up the negotiations between the broadcasters and the FFA on the details of the co-production agreement; and of encouraging closer co-operation between the two media. § 7(14), which in the 1971 FFG revision had restricted co-productions between the film industry and television being considered as 'Referenzfilme' to a maximum of six a year was now to be opened up to accept all television/film co-productions, and the promotion finance could be paid to the television station partner (96). § 12(2), which currently specified that the five-year 'holdback' for 'Referenzfilme' could, in special cases, be reduced to two years, was to include an extra ruling covering

co-productions between the film industry and television, which reduced this period even further to six months (97). Since the broadcasters had declared their intention in their co-production agreement proposals to provide an annual DM 1 million for the 'Projektförderung' fund, the Economic Committee decided to acknowledge this welcome move by specifying in § 14a(3) of the draft FFG *Novelle* that ARD and ZDF were both to be given a seat on the *Projektkommission* (98) and that the clause on selection criteria for the 'Projektförderung' (§ 14b(2)) should include the sentence: 'Unter den geförderten Filmvorhaben sollen sich in angemessenem Umfang solche befinden, die auch zur Ausstrahlung im Fernsehen geeignet sind' (99).

**Second and third reading of the *Regierungsentwurf*,  
13 December 1973**

The *Regierungsentwurf*, with the alterations made at the sitting of the Economics Committee on 5 December, came before the *Bundestag* on 13 December for its second and third reading, and was accompanied by amendments tabled by the CDU/CSU (*Bundestags-Drucksache* 7/1402) and by the SPD/FDP coalition (*Bundestags-Drucksache* 7/1427) (100).

Whilst the second reading passed without debate, the third reading was marked by impassioned speeches from both sides of the assembly. Peter Glotz, speaking



for the SPD, remarked that the intensity of the lobbying from the various film industry interest groups had been 'verwunderlich und manchmal einer Kritik würdig' (101), and he added that none of the political parties should feel themselves to be registrars ('Urkundsbeamte') for the film industry who were obliged to meet the demands from every interest group (102). The draft *Novelle*, as it now stood, was an attempt to break down the 'Kartell von etablierter Filmindustrie und rechter Gesellschaftspolitik', the success of the the revised FFG to be then consolidated by further media policy measures during the life of the SPD/FDP coalition's term of office (103).

CDU deputy Jürgen Wohlrabe, however, attacked the revised draft's intention, through the 'Projektförderung' (§ 14) and the easing of 'Referenzfilm' prerequisites (§ 8(2a) (104)) , to support 'einige unterschiedliche Gruppierungen, die wirtschaftlich kaum in Erscheinung treten, die beim Publikum, wie die Besucherzahlen zeigen, wenig Resonanz finden, die dafür jedoch politisch besonders stark motiviert sind' (105). The CDU/CSU's amendments to the *Regierungsentwurf* which wanted to restore it to the version presented to the *Bundestag* on 20 September 1973 'sollen', according to Wohlrabe, 'dazu beitragen, daß dieses Wirtschaftsförderungsgesetz nicht zu einem

Testfall linker Medienpolitik gemacht wird' (106).

Burkhard Hirsch for the FDP protested at the 'ideologische Aufladung dieser Diskussion' and declared 'daß der Gesetzentwurf so, wie er vorliegt, mit den uns zur Verfügung stehenden Mitteln das Beste aus der gegenwärtigen Situation macht' (107). The FDP had joined with the SPD in opposing the introduction of a television levy (§ 15(2) of 7/974) 'weil es sinnlos wäre, Film und Fernsehen in einen Gegensatz zu bringen, und weil es notwendig ist, beide im Rahmen einer freiwilligen Vereinbarung zusammenarbeiten zu lassen' (108). Moreover, the alterations to the original *Regierungsentwurf* had been made after consultations with the film industry and were geared to promote increased production of quality films.

*Bundesrat* sitting, 20 December 1973

After passing the third reading by the *Bundestag* on 13 December, the *Regierungsentwurf* came before the *Bundesrat* on 20 December. One *Land*, Bavaria, representing the views of those who had opposed the Economic Committee's alterations of 5 December, proposed a series of amendments (*Bundestags-Drucksache* 7/1475) to the FFG draft and called for its referral to the Mediation Committee (*Vermittlungsausschuß*), in accordance with Article 77, Paragraph 2 of the *Grundgesetz* (109).

This committee rejected the *Bundesrat* proposals and offered its own revisions which were unanimously accepted by the *Bundestag* in its fourth reading of the draft FFG *Novelle* on 24 January 1974, and by the *Bundesrat* at its sitting of 15 February; after receiving the Federal President's signature on 27 February the *Zweites Gesetz zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films* came into effect on 3 March 1974 (110).

The final stages of negotiations for the co-production agreement (later known as the 'Film/Fernseh-Abkommen')

With the wranglings over the FFG *Novelle* resolved, talks could now resume in earnest on the co-production agreement proposed between the FFA and the broadcasting companies, which had persuaded the *Bundestag* to reject the concept of a television levy.

Peter Glotz, one of the chief mediators in talks between the FFA, the Federal Economics Ministry, filmmakers, and the broadcasters, had envisaged the agreement being ready for signing before the second and third reading of the draft FFG revision in the *Bundestag* on 13 December 1973 (111). However, the revision's passage was then complicated by the *Bundesrat* objection which consequently diverted attention away from the urgency for talks on the conclusion of a film/television co-production agreement.

In spite of the fact that the television levy had not been re-instated into the draft FFG revision, the HDF was adamant that ample consideration should be given in the final version of the co-production agreement of the cinemas' interests: a restriction on the number of feature films allowed in the television schedules and more 'filmkundliche Sendungen'; and, at a meeting in mid-February, passed a resolution making the association's membership of the FFA *Verwaltungsrat* conditional on these demands being heeded.

Others were uncertain of the benefits the agreement would bring to the West German cinema film industry and its directors: Andreas Meyer, writing in *KINO* in May 1974, charged that the DM 34 million ARD and ZDF were proposing to make available over the next five years would only be shifted from existing budgets for co-productions with the film industry. He commented on this: 'Hier sind einige gutgläubige Reformisten kräftig hereingelegt worden !' (112). Moreover, he was doubtful whether the agreement would actually be concluded committing the broadcasters to these payments, given the strained financial position of West German broadcasting (113) and the court judgement requiring ZDF to pay off a backlog of taxes (114).

A modified draft of the co-production agreement had been sent by ARD and ZDF to the chairman of the FFA *Verwaltungsrat*, Dr. Günter Brunner, on 18 December

1973, after consultation with media spokesmen of the parliamentary political parties and officials from the Federal Economics and Interior Ministries, offering DM 34 million for co-productions over five years until and including 1978; DM 2 million annually for the acquisition of broadcast rights to films currently in development; and DM 1 million annually to be paid into the FFA's 'Projektförderung' fund. This offer would be for six months from the date of the new FFG coming into effect.

Anticipating a successful conclusion to their efforts for a co-production agreement, the ARD *Intendanten* agreed at a sitting in Stuttgart on 30-31 January 1974 to the appointment of their representatives on the so-called *Achter-Kommission*, which was to monitor the operating of the 'Film/Fernseh-Abkommen': Dieter Stolte, SWF *Fernsehdirektor* and Hans Joachim Wack of Degeto-Film GmbH; and of their representatives on the *Projektkommission* of the soon-to-be passed FFG: Günter Rohrbach, head of WDR's 'Programmbereich Spiel und Unterhaltung', with deputy Dieter Meichsner, head of NDR's 'Fernsehspiel' department. Stolte was also responsible for co-ordinating and monitoring the ARD's representation in the various FFA committees. ZDF had also met during January to decide on representation in these committees and had appointed Stefan Barcava,

head of the 'Fernsehspiel und Film' department, and Dr. Ernst Fuhr to the *Achter-Kommission*, and Klaus Brüne, head of ZDF's 'Filmredaktion', to the *Projektkommission*, with colleague Dieter Krusche as his deputy. Heinz Ungureit, head of ARD's 'Filmredaktion', a representative from Degeto, and an official from ZDF would form the three-man sub-committee (the future *Vorabkaufkommission*) which decided on the advance purchase of broadcast rights of film projects by the two television networks (115).

Once the FFA had considered the latest offer from the broadcasters, a five-man 'Sonderkommission' was appointed, comprising of Dr. Günter Brunner, president of FFA, Alexander Kluge and Alexander Grüter for the film producers, Dr. Herbert Schmidt for the distributors, and Klaus Scepanik for the exhibitors, to meet with officials from ARD and ZDF to discuss and finalise the details of the co-production agreement. A conclusion to the negotiations was delayed however by wrangling over certain fine points which could be construed as giving the broadcasters an unfair advantage over the film industry.

There was the question, for instance, as to whether the broadcasting companies' commercial subsidiary production companies - Bavaria Atelier (WDR/SDR) and Studio Hamburg (NDR/RB) - or freelance producers closely allied through long-term commission contracts

to ZDF would be allowed to benefit from the production finance opportunities to be afforded in the proposed agreement. The film industry was concerned that ARD and ZDF could so influence the allocation of projects that the funds committed to the agreement would in reality remain with the broadcasters. In response to this fear, the broadcasters agreed at a meeting at Hessischer Rundfunk in Frankfurt on 3 September 1974 to a modification of § 4 of the draft 'Film/Fernseh-Abkommen' which would counter any possible charges of favoritism: 'Dabei soll grundsätzlich vermieden werden, daß die Rundfunkanstalten mit Herstellern koproduzieren, die von ihnen wirtschaftlich abhängig sind oder auf die sie einen bestimmenden Einfluß haben' (116). According to Elisabeth Berg of *Media Perspektiven*, the television companies' commercial subsidiaries had handled only a third of the DM 1.2 billion turnover made by German production companies from programme commissions from ARD and ZDF between 1960 and 1971. But, as Marianne Engels-Weber noted in *FUNK-Korrespondenz* on 4 September, 'das Schlüsselwörtchen ist "grundsätzlich"; es sind jedoch Ausnahmen von der Regel möglich' (117). Indeed, once the agreement had been signed, the television companies were not too strict in their adherence to this ruling, although the *Achter-Kommission*, set up to administer the

'Abkommen', would be empowered to intervene if necessary (118).

The film industry also considered part of § 1, which read 'das Programmangebot sowohl der Filmtheater als auch des Fernsehens zu bereichern' (119), to be biased in favour of the broadcasters and, consequently, requested for an additional pre-requisite to be included for the selection of projects for co-production finance. An addition was thus made to § 4 stating: 'Filme, die speziell und typisch zur Fernsehausstrahlung und nicht auch zur Auswertung in Filmtheatern geeignet erscheinen, sollen nicht Gegenstand der Gemeinschaftsproduktionen sein' (120).

There had also been some disagreement over who would be ultimately responsible for the selection of projects for the co-production funds and for the option advances for broadcast rights. The *Achter-Kommission* was accepted by all parties after it was acknowledged that the FFA's *Präsidium* was already faced with a heavy workload and, in any case, did not include any members from the broadcasting companies.

All remaining problems were resolved, though, at the 3 September meeting in Frankfurt, and, as Wolfram Schütte put it in an article in *Frankfurter Rundschau*: "Es geht also" - nachdem man lange Zeit den Eindruck hatte, "nichts geht" (121). Surprisingly, Horst Axtmann declared himself satisfied with the outcome of



these talks, since the broadcasters' negotiators had 'deutlich zum Ausdruck gebracht, daß sie nur solche Filme in Gemeinschaft mit der Filmwirtschaft seitens der FFA gefördert wissen wollen, die als Publikumsfilme angesprochen werden können'. Now holding himself up as a 'Verfechter intensiver und wahrer Zusammenarbeit von Kinofilm und Fernsehen', he applauded what he saw as the broadcasters' desire to exclude 'die elitären Problemfilme' and 'Filme für die Blindenanstalt', which had allegedly made up the majority of previous co-production ventures between the film industry and television, from benefiting from the co-production agreement: 'Die Minderheiten nützen dem Fernsehen gar nichts, im Gegenteil, sie vergraulen die Masse der Zuschauer' (122).

Now that agreement had been reached between the film industry and the broadcasters on the final version of the 'Film/Fernseh-Abkommen', it was a matter for the representatives from ARD, ZDF, and the FFA to bring the co-production agreement before their respective committees for official approval. The ARD *Intendantenkonferenz*, meeting in Bremen between 10-12 September 1974, was the first to accept the 'Abkommen', followed by the FFA *Verwaltungsrat* on 1 October and ZDF's *Verwaltungsrat* on 29 October (123).

The Abkommen zwischen der Filmförderungsanstalt

einerseits und den in der ARD zusammengeschlossenen Landesrundfunkanstalten sowie dem ZDF andererseits (popularly known as the 'Film/Fernseh-Abkommen') was subsequently signed in Berlin on 4 November 1974 by Roland Caspary and Robert Backheuer for the FFA, and by Werner Hess and Karl Holzamer for ARD and ZDF respectively (124). Apart from modifications made to the agreement at the 3 September meeting, the final version followed the draft submitted to the FFA on 18 December 1973. Legally speaking, the 'Abkommen' was 'ein verbindlicher Vertrag zwischen zwei öffentlich-rechtlichen Anstalten (the FFA and ARD/ZDF), also ein öffentlich-rechtlicher Vertrag', which represented 'eine sog. flankierende Maßnahme der Filmförderung' (125).

**Individual paragraphs of the 'Film/Fernseh-Abkommen' signed on 4 November 1974**

§ 1 stated that the aim of the formalised co-operation was 'die Herstellung von Filmen zu ermöglichen, die den Voraussetzungen des Filmförderungsgesetzes (FFG) und der Rundfunkgesetze entsprechen und dadurch das Programmangebot sowohl der Filmtheater als auch des Fernsehens bereichern' (126). § 2 specified that DM 34 million would be made available over five years from 1974-1978 for the part-funding of co-productions with film industry partners who were to provide at least 25 % of the budgeted costs (§ 3b)

(127). The 'holdback' period was fixed at two years (§ 3c) with exceptions being allowed 'wenn der Hersteller keinen Verleiher für die Filmtheaterauswertung oder eine ähnliche Organisation gefunden hat' (§ 3c) so that the 'holdback' could be reduced, but to no less than six months (128).

§ 4 covered the establishment of an eight-man committee - the *Achter-Kommission* - with two members each from ARD and ZDF, and four members from the FFA *Verwaltungsrat* representing the Hauptverband Deutscher Filmtheater e.V., the Verband Deutscher Spielfilmproduzenten e.V., the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., and the Verband der Filmverleiher e.V.. The committee, acting on a simple majority, would select projects for co-production finance from those which were submitted to one of its meetings by a 'sponsoring' 'Fernsehspiel' department either from within the ARD network or from ZDF; the selection procedure was required to heed in particular the prerequisites of §§ 3b and c (129). Any profits accruing from these co-productions after their theatrical release would revert after costs to the film industry partner and the co-producing television partner, according to the extent of their respective financial input. However, as § 7 stated, 'die Rundfunkanstalten verpflichten sich, die ihnen zufließenden

Erlösanteile zur Aufstockung der in § 10 genannten Zuwendung (to the 'Projektförderung' fund) zu verwenden' (147).

In addition to the DM 34 million committed to the financing of co-productions, the 'Abkommen' foresaw in § 9 the annual provision by ARD and ZDF of a total of DM 1 million towards the advance acquisition of the rights to a minimum of five films currently in the script stage (131). A six-man *Vorabkaufkommission* would make its selection, independent of pressure from film industry interests, and advance a third of the rights fee once the initial contract had been signed (§ 9(3)) (132). The broadcasters' support of the newly instigated 'Projektförderung' fund was outlined in § 10: ARD and ZDF would each make provision for an annual payment of DM 0.5 million to the FFA, with the proviso 'daß unter den von der Projektkommission geförderten Filmen sich in angemessenem Umfang Projekte befinden, die neben der Qualifikation im Sinne von § 16(2) FFG erwarten lassen, daß sie auch für eine Verwertung im Fernsehen geeignet sind' (133).

#### Initial reaction to the signing of the 'Film/Fernseh-Abkommen'

In Bonn opinions varied among the politicians about the significance and effect this agreement would have on the fortunes of the West German film industry. SPD and FDP *Bundestag* deputies, who had been instrumental

in bringing the traditionally hostile parties together, considered that this new injection of finance into film production could give the industry the basis for the attempt to compete again on the international market. Dr. Friedrich Zimmermann, chairman of the CDU/CSU's film and media committee, was, however, sceptical of the advantages for the film industry as a whole. He suspected that the greater part of the DM 34 million would be concentrated with a relatively small number of people who were already well known to the television companies' commissioning editors from past co-production ventures, and who were aware of the type of project which would find favour with the broadcasters' representatives on the *Achter-Kommission*. Dr. Manfred Wörner, speaking for the CDU, declared that the ratified agreement was a definite improvement on the original draft: 'Es wird nun an den Beteiligten liegen, bisherige Vorurteile abzubauen und das Vertragswerk mit dem Geist einer echten Partnerschaft zu erfüllen. Der Filmwirtschaft mit ihren mittelständischen Unternehmungen müssen die gleichen fairen Chancen eingeräumt werden wie den Rundfunk- und Fernsehanstalten' (134).

Commentators on the media scene were similarly divided in their reaction to the 'Abkommen': Andreas Meyer, writing in *Medium* before the official signing

in November, declared: 'Nur böswillig-hartnäckige Ignoranz wird die Augen vor den so offensichtlichen Vorteilen verschließen, die das Abkommen allen Beteiligten in Aussicht stellt' (135), whilst Eckhardt Schmidt, an outspoken critic of the 'Jungfilmer', claimed: 'Kein Zweifel kann daran bestehen, daß diese Regelung in der Konsequenz ein klarer Sieg des Fernsehens ist' (136).

The broadcasters were optimistic about the benefits that might come from this closer and more formal co-operation with the film industry, but, at the same time, they were not under any illusions that all the problems existing between the two media would be resolved immediately. In an interview with *TV-Courier*, Dieter Stolte, SWF's *Fernsehdirektor* and a member of the *Achter-Kommission*, suggested: 'Es bestehen berechtigte Hoffnungen, daß dank dieser Zusammenarbeit der deutsche Spielfilm auch seine Weltgeltung zurückgewinnen wird, die er in den vergangenen Jahren - nicht zuletzt unter dem Einfluß branchenfremder und verantwortungsloser Hasardeure - verloren hatte'. He regarded the chronology of 'theatrical release-television screening' for the co-productions made under the auspices of the 'Abkommen' as a potentially stimulating one for those filmmakers and screenwriters who had previously worked almost exclusively within the confines of the 'Fernsehspiel' departments. The cinema-

going public's approval or rejection, measured by the box-office receipts, would be 'eine lehrreiche Erfahrung . . . die sicherlich nicht ohne Auswirkung auf das übrige Programm bleiben wird' (137). However, one should not assume, Stolte continued, that all of these co-productions would be commercial successes: it was probable that during the five-year term of the 'Film/Fernseh-Abkommen' around ten of the sixty-seventy projects would be an above-average success on a par with that of, say, Johannes Schaaf's *Trotta* (138). This formal partnership with the film industry would also see a renewed effort by the broadcasters to give comprehensive coverage to news about the film industry and recent cinema releases: for example, Heinz Ungureit, head of ARD's 'Filmredaktion', was preparing a new film magazine series, *Schaukasten*, which was scheduled to appear 6-8 times a year from May 1975 (139). Ungureit, in an interview with Josef Rölz of *epd/Kirche und Rundfunk*, stressed: 'bei diesem Abkommen geht es darum, Filme in dem Sinne zu machen . . . die wirklich für beide Medien in Frage kommen' (140). The two ingredients which would guarantee the success of these co-productions in both media were, he believed, 'Qualität und Kinoattraktivität': 'Produzenten, Regisseure, Autoren produzieren im Hinblick auf die Kinoauswertung, natürlich immer unter der Voraus-

setzung, daß hier Qualitätsmaßstäbe gesetzt sind. Denn nur Qualitätsfilme sollen und können gefördert werden. Es geht nur beides zusammen !' (141).

Thus, the broadcasters did not intend, as feared by the exhibitors and other critics of the new partnership, to use the 'Abkommen' for the production of 'Fernsehfilm' or 'Fernsehspiele'; as Ungureit stressed in the interview with Rölz: 'man schaltet hier einfach den Bereich aus, der natürlich im Fernsehen weitergemacht wird und weitergemacht werden soll und da gute Möglichkeiten hat, der aber nicht gleichzeitig gute Kinochancen hat. Insgesamt wird man sich um ein besseres Klima für Kinokultur bemühen müssen' (142). Indeed, as Horst von Hartlieb notes in his (up-dated) commentary on film-funding legislation, the legal advisers, who had collaborated on the wording of the 'Abkommen', had been careful to stress that the partnership's chief aim was to promote film production for theatrical release: 'Da das Film/Fernsehabkommen mit seinen Fernsehmitteln den Beitrag der Rundfunkanstalten zur Filmförderung nach dem FFG darstellt, müssen nach diesem Förderungszweck von ihm in erster Linie Filme erfaßt werden, die zur Vorführung im Filmtheater bestimmt und brauchbar sind' (143). The secondary importance of the television screening had further been acknowledged by the formulation 'das Programmangebot sowohl der Filmtheater als auch des Fernsehens



zu bereichern' in § 1 of the 'Abkommen' (144).

**The importance of the 'Film/Fernseh-Abkommen'  
for the 'Jungfilmer'**

The formalising of relations between the film industry and the television stations in West Germany which came with the signing of the 'Film/Fernseh-Abkommen' on 4 November 1974 was of particular significance for those filmmakers collectively known as the 'Jungfilmer' since they were now able to free themselves from an over-reliance on the favours of television 'Fernsehspiel' departments, which had been able since 1968 to take advantage of the negative effects of the FFG on the artistically ambitious filmmaker.

When the FFG came into effect on 1 January 1968, its promotion assistance structure had from the outset favoured box-office success and thereby encouraged rampant speculation by established film producers and distributors (with their production arms) who devised winning formulas in order to be in constant receipt of production assistance, e.g. the development of the long line of the 'Pauker' and 'Lümmel' films. The productions of the 'Jungfilmer', appealing to a more sophisticated audience, were unlikely to achieve the stipulated subsidy qualification of DM 500 000 takings (DM 300 000 with a *Prädikat*) within two years of their release. They were thus effectively excluded

from the distribution market and so unable to recoup their production costs to go on to make further films.

As the script and production premiums offered each year by the Interior Ministry were insufficient to cover a film's total budget (145) and the production assistance administered by the Kuratorium Junger Deutscher Film e.V. was intended for first-time directors (146), those filmmakers with risky or sophisticated film projects came to acknowledge the television stations as an alternative source of finance and as a sympathetic supporter of the artistically ambitious and socially critical films they wanted to make. The broadcasters chiefly responsible for encouraging the development of links between the television 'Fernsehspiel' departments and the 'Jungfilmer' were Günter Rohrbach at WDR (147), Helmut Haffner of BR's 'Studienprogramm' (148), and Dietmar Schings and Hans Prescher at HR; they acted as 'substitute' producers on co-productions with a director's own production company or commissioned the handling of a television film's production by another company such as Bavaria Atelier GmbH (e.g. Volker Vogeler's *Jaidler*, 1971, and Reinhard Hauff's *Mathias Kneißl*, 1970/1971) or Intertel (e.g. Fassbinder's *Wildwechsel*, 1972).

Volker Schlöndorff, who was grateful for the respite from the vagaries of the commercial film industry

which television (here HR) offered him after *Mord und Totschlag* and the debacle of *Michael Kohlhaas - Der Rebell*, tells Egon Netenjakob in May 1970 in *Fernsehen + Film* that the commissioning editor in a 'Fernsehspiel' department was more attuned to his method of work: 'Wenn Sie in einem Filmkonzern einem Producer gegenüber sitzen, sitzen Sie dort (in the case of television) einem Abteilungsleiter oder Programmdirektor gegenüber. Der Unterschied besteht darin, daß die einen von der Börse kommen und die anderen von der Universität' (149). The 'Jungfilmer' were particularly welcome at WDR's 'Fernsehspiel' department, where Günter Rohrbach, who had been head since 1 May 1965 after having been the leader of the planning group for WDR's regional 'Third' channel, Westdeutsches Fernsehen (WDF), espoused a policy of filmed television drama dealing predominantly with topical issues: Eberhard Itzenplitz's *Dubrow Krise* (150), Peter Beauvais's *Der Unfall* (151), Erika Runge's *Ich heiße Erwin und bin 17 Jahre* (152), as well as supporting experimentation with the television medium: Peter Zadek's *Rotmord* (153) and *Piggies* (154). With WDR Intendant Klaus von Bismarck's backing, Dr. Hans-Geert Falkenberg of WDF and colleagues from the 'Fernsehspiel' department visited the Deutsche Film- und Fernsehakademie in Berlin, which opened in 1967 under the directorship of Erwin Leiser, and the Hochschule für Film und Fern-

sehen in Munich to meet students being trained there and offer them the opportunity to work for WDR. The films co-produced with Christian Ziewer (*Liebe Mutter, mir geht es gut*) and Erika Runge (*Ich heiÙe Erwin und bin 17 Jahre*) were a result of such contacts being forged between the broadcasters and the new generations of directors (155).

Moreover, Rohrbach was keen to encourage film directors to work in television since he believed that both sides could benefit from the experience: 'Nichts aber könnte den ambitionierten Kinofilm entschiedener fördern als eine finanzielle Abstützung durch das Fernsehen, wie umgekehrt die freie Konkurrenz des Kinomarktes den Fernsehfilm von seiner muffigen Provinzialität befreien würde' and further justified this intensified co-operation between the two media by stating 'daÙ beide Medien, von Ausnahmen abgesehen, das gleiche Produkt verlangen' (156), so anticipating his later championing (in 1977) of the 'amphibischer Film', a film which was equally at home in the cinema and on television (157).

Although the filmmakers who worked with television were grateful to the commissioning editors for the opportunities to experiment and perfect their craft away from commercial considerations, they were none the less critical of some aspects of this relation-

ship which saw the television stations taking advantage of the directors' dependence on them. Volker Schlöndorff complains in an interview with Corinna Brocher in 1972 (158) that his films made for HR - *Baal*, *Der plötzliche Reichtum der armen Leute von Kombach*, *Die Moral der Ruth Halbfäß*, and *Strohfeuer* - had been produced 'immer unter unglaublichem finanziellen Druck' (159): 'Das Fernsehen ist bereit, für eine gewisse Qualität zu bezahlen, aber eine Qualität, die eine übliche Fernsehnorm übersteigt, auch noch zu honorieren, dazu sind sie nicht bereit' (160). He points out that the finances for these films were so tight that compromises had to be made during work on the screenplay and shooting. The number of characters was kept to a minimum and the number of scenes on location restricted. Decisions also had to be taken on whether a film was to be made in the 16mm or 35mm format, which would affect the resulting film's chances of a commercial theatrical release either after or before its television transmission. The choice of actors and actresses was dictated by a 'ceiling' ('Gagenstop') of DM 15 000, which prevented directors from attracting 'star names' that would have raised these films from the level of an average television film. Schlöndorff explained to Brocher that he had only been able to afford Senta Berger for the title role of *Die Moral der Ruth Halbfäß* after he

had obtained extra money from a source other than HR (161). In his view, these co-productions between the 'Jungfilmer' and television needed about 30 % larger budgets to stop the finished products being too provincial, and more time and effort should be expended on the construction of the sets, designing the costumes, and on the actual filming.

Reinhard Hauff, speaking to Barbara Bronnen, echoes Schlöndorff's reservations when he talks about his film *Mathias Kneißl*, which was produced by Bavaria Atelier GmbH for WDR for DM 700 000, a modest sum compared to the costs of similar scale feature films and other television programmes. The lack of sufficient funds for these co-productions or commissioned films has, he feels, a negative effect on the director's filmmaking craft: 'das ist es, was man beim Fernsehen lernt, mogeln, ungenau arbeiten' (162). Attention to detail was not paramount for films which were destined only for the small screen, but the 'Jungfilmer' working within the 'Fernsehspiel' departments did not subscribe to this opinion. Although operating now in this small scale medium, they were nevertheless more interested in working in terms of the feature film, the 'Kinofilm', and for audiences viewing their productions in cinemas as opposed to the television screen.

After several of these co-productions between the 'Jungfilmer' and the television stations won awards at the German Film Prize ceremony in 1970 and in 1971 (163), a feeling grew among the filmmakers that their films, which, qualitatively, could not be compared with the cheap moneyspinners flooding the German cinemas, should be given the chance of a theatrical release, since they were broadcast at the most twice and then disappeared into the co-producing television station's film archives. The filmmakers argued that the appearance of these co-productions in the cinemas would generate a valuable dialogue between the audience and the directors which could influence the development of their work. Volker Vogeler tells Corinna Brocher that working for television brought him little recognition: 'Ich lieferte ein Produkt ab im Fernsehen, und es verschwindet. Kino hat für mich die Vorstellung, da bleibt es, es taucht immer wieder auf' (164), whilst Volker Schlöndorff, in an interview with Eckhardt Schmidt for *Medium*, spoke of his isolation from the film market-place and the audience through working for HR: 'Die Arbeit mit dem Fernsehen war eine interessante Arbeit, aber das ist eine Arbeit, bei der man sich nicht erneuert, bei der man nicht genug gefordert ist. Bei der man vor allen Dingen kein Echo hat - man arbeitet ja nicht im Dialog' (165).

However, as Reinhard Hauff remarks in his conversat-

ion with Barbara Bronnen, 'wie die meisten Mäzene wollen sie (the commissioning editors) sich nicht gerne um "ihre Premiere" bringen lassen' (166). Any 'holdback' of a television co-production (or 'in-house' commission) was, unlike the stipulated five years for films assisted under the auspices of the FFA (§ 12 of the FFG) (167), subject to a voluntary agreement being reached between the 'Fernsehspiel' department and the filmmaker. The broadcasters were not bound, though, by any legislation to grant these films a theatrical release, and any postponement of a film's television transmission to allow a limited theatrical run was often regarded by them as yet another example of television's magnanimity towards the filmmakers.

In many cases, especially where the television station had provided all of the finance for a film, the broadcasters insisted on their right to a television premiere (e.g. Peter Lilienthal's *Malatesta*, Volker Schlöndorff's *Der plötzliche Reichtum der armen Leute von Korbach*, Reinhard Hauff's *Mathias Kneißl*, and Wim Wenders's *Die Angst des Tormanns beim Elfmeter*) with the possibility of a theatrical release afterwards. Some of WDR's 'in-house' productions handled by Bavaria Atelier GmbH, such as Volker Vogeler's *Jaider* and Jerzy Skolimowski's *Deep End* (168), were



given a limited theatrical run before their television transmission once ARD was persuaded that these films had commercial potential (169).

The individual television stations were also prepared to allow the filmmakers 'token' runs in the cinemas before demanding that the films should come into the schedules. Uwe Brandner, who sold the broadcast rights of *Ich liebe Dich, ich töte Dich* to WDR for DM 80 000, was allowed a six weeks 'holdback' after the film's release on 4 July 1971. He tells Corinna Brocher: 'es war ganz gut, dem Fernsehen mal klarzumachen, daß es sich ja nicht schadet, daß Fernsehen und Kino keine konkurrierenden Medien sind, sondern auf jeden Fall, vor allem bei Produkten dieser Art, sich ergänzen' (170). Christian Ziewer's *Liebe Mutter, mir geht es gut* was allowed less than a month in the cinemas before it was broadcast by WDR on 18 September 1972, but copies continued to be distributed after this date, particularly in the non-commercial sector on 16mm to trades union groups and political meetings (171). In a handful of instances the launch of a television co-production in the cinemas coincided with its television transmission (172). Peter Zadek's *Piggies* was broadcast on ARD at 22.00 on 25 May 1970 at the same time as the film was premiered in Munich's Film-Casino cinema, because, as commissioning editor Günter Rohrbach explained, it was 'zu schade . . . daß selbst die

besten Fernsachsendingen höchstens zweimal gezeigt werden und dann in den Archiven verschwinden' (173); Hans-Jürgen Syberberg's *Ludwig* had its television premiere on ZDF on 23 June 1972 and was screened the same evening in Munich's Arri-Kino; and Werner Herzog's *Aguirre, der Zorn Gottes*, which was broadcast by ARD on 16 January 1973 at the same time as the film's (dubbed) German version was premiered at the Cinemathek in Cologne (174).

Since many of these co-productions were now winning film awards and attracting plaudits from critics at international film festivals, the broadcasters were more responsive to calls for a longer 'holdback', which allowed the films a wider exposure in the cinemas. Increasingly, the television co-producer accepted specification of a twelve months or eighteen months 'holdback' as part of the co-production contract (175). The broadcast rights to Horst Bienek's *Die Zelle* were sold for DM 80 000 on the understanding that Bienek would have at least a year for his film to be shown in the cinemas. HR's commercial subsidiary, Junior-Film GmbH, paid Eberhard Pieper DM 250 000 as its contribution towards the budget of *Zoff* but allowed the film eighteen months' distribution in the cinemas by the commercial distributor Gloria. Uwe Brandner sold the broadcast rights to *Kopf oder Zahl*

to ZDF for DM 180 000 in return for the assurance of a ten-twelve month 'holdback', which allowed him to give the film more exposure than was possible from one or two television transmissions alone (176).

If the filmmakers were only able to persuade the co-producing television partners to allow their films into the cinemas after the television premiere, they were then confronted by the obstacle of the distributors and exhibitors united in their opposition to the theatrical release of television co-productions. As Reinhard Hauff recalls about *Mathias Kneißl* coming into the cinemas after its television premiere: 'die Tatsache, daß etwa 10 Millionen Zuschauer den Film im Fernsehen gesehen haben, müßte doch Reklame genug sein, daß sich eine Auswertung im Kino noch lohnt' (177). But, Horst Axtmann, in an editorial for *Film-echo/Filmwoche*, claimed that many exhibitors feared 'daß das Kino sich allmählich zum Nachspieler von Fernsehausstrahlungen entwickelt' and recommended that the distributors be charged with specifying in their catalogues and publicity literature which films were 'in-house' television productions or ones first shown on television, 'so daß nicht nur jeder Filmtheaterbesitzer klar erkennen kann, was er da anmietet, sondern auch jeder Kinobesucher darauf aufmerksam gemacht wird, welche Filme er vom Fernsehen her schon kennt' (178). Axtmann's journal subsequently propagated

the myth that these television films were obscure, elitist and patently uncommercial, and frequently labelled them 'Filme für die Blindenanstalt'. It was, however, rather the commercial distributors' indifference to these and other films by the 'Jungfilmer' than their content which prevented them from attracting an audience on the scale expected by the readers of *Film-echo/Filmwoche*.

The filmmakers, faced with this hostility from the established film industry, could opt to handle the distribution of their films themselves. There had been precedents in the past: Wolfgang Neuss had canvassed individual cinemas to take his *Wir Kellerkinder* after its transmission by ARD on 26 June 1960 (179); Hans Rolf Strobel and Heinz Tichawsky had assumed responsibility for the distribution of *Eine Ehe* after a disagreement with their producer/distributor Atlas Film (180); and Hans Jürgen Syberberg had marketed his film *San Domingo* with a circular entitled 'An die Kinobesitzer und die Presse anstelle eines sogenannten Werberatschlags. Anlässlich San Domingo', offering it singly or as part of a package with Rainer Fassbinder's *Der amerikanische Soldat*, Werner Herzog's *Auch Zwerge haben klein angefangen*, George Moore's *Lenz*, and Edgar Reitz's *Cardillac* (181). But, as Volker Schlöndorff remarks in his interview with Corinna Brocher,

self-distribution was not a cost-effective method of getting one's film greater exposure, since the box-office returns were unlikely to cover the incurred expenses and the filmmaker's energies were diverted from his main activity of making films.

Thus, until at least 1971, most filmmakers would try to interest Walter Kirchner's Neue Filmkunst distribution company and its circuit of Lupe cinemas or the Gilde Deutscher Filmkunsttheater for a theatrical release, although, as Schlöndorff points out, 'das kleine Kunstgeschäft' (182) was not even sufficient to cover the films' distribution costs. Films made with Bavaria Atelier GmbH or Maran Film (183), however, were able to take advantage of a distribution agreement with the small Ceres Filmverleih GmbH/Jugendfilm Verleih GmbH of Berlin (184). Rainer Werner Fassbinder's *Warum läuft der Herr R. Amok ?*, Jerzy Skolimowski's *Deep End*, Volker Vogeler's *Jaider*, and Reinhard Hauff's *Mathias Kneißl* were all distributed by this company but, as Vogeler recounts to Corinna Brocher, in the case of *Jaider* the arrangement did not have the anticipated success since Ceres/Jugendfilm was more attuned to the handling of B films and sex movies than to minority interest films (185).

The limited opportunities for getting their films into the cinemas and a growing dissatisfaction with the conditions contained in the television co-product-

ion contracts prompted the filmmakers to set about improving their situation themselves. On 18 April 1971 20 'Jungfilmer' founded the Filmverlag der Autoren in Frankfurt, which was to oversee the development of scripts, administration of film rights and contracts, negotiation of television commissions with filmmakers, and the organisation of distribution and export of completed productions made by the independent production unit Produktion 1 im Filmverlag der Autoren (PIFDA 1) (186). This new distributor, whose shareholders were Hark Bohm, Michael Fengler, Peter Lilienthal, Hans Noever, Pete Ariel, Uwe Brandner, Veith von Fürstenberg, Florian Furtwängler, Thomas Schamoni, Laurens Straub, Wim Wenders, Hans W. Geissendörfer, and Volker Vogeler, was granted by television stations commissioning television films from PIFDA 1 the opportunity to release these films and other television co-productions handled by Filmverlag in the cinemas before their screening on television (187). The first successes for Filmverlag der Autoren were two films made outside PIFDA 1: Uwe Brandner's *Ich liebe dich - Ich töte dich* and Rainer Werner Fassbinder's *Der Händler der vier Jahreszeiten*. Fassbinder circumvented ZDF's insistence on a television premiere on 10 March 1972 by releasing his film in Munich's Cinemonde cinema half an hour before the television transmission.

Two weeks later the film had broken the cinema's house record (previously set by *Ich liebe dich, Ich töte dich*), grossed DM 16 432 and was booked in ten other cities (188).

An additional aid to filmmakers wanting to see their films appear in the cinemas was the decision by the Kuratorium Junger Deutscher Film e.V. to transfer its annual budget of DM 750 000 from assisting the projects of first-time directors to contributing towards the expenses of distributing films previously funded by the Kuratorium or films awarded a rating by the Film Evaluation Board (FBW); DM 30 000 could be provided for the distribution of a 35 mm print, with DM 15 000 for a 16 mm print (189). Films receiving aid from the Kuratorium included Rainer Werner Fassbinder's *Götter der Pest*, Uwe Brandner's *Ich liebe dich, Ich töte dich*, Horst Bienek's *Die Zelle*, Wim Wenders's *Die Angst des Tormanns beim Elfmeter*, and Ula Stöckl's *Das goldene Ding* (190).

The appearance of Filmverlag der Autoren and the distribution policy adopted by the Kuratorium coincided with the beginnings of an alternative cinema circuit which provided the ideal venues for the television co-productions and independently produced films of the 'Jungfilmer'. During 1970 the Arsenal Cinema in Berlin was opened by the Freunde der Deutschen Kinemathek e.V., the Filmforum in Duisburg by Horst Schäfer,

the Abaton-Kino in Hamburg by Winfried Fedder and Werner Grassmann, and the Cinemathek, as a private initiative, in Cologne. This was followed in autumn 1971 by the establishment by Hilmar Hoffmann in Frankfurt of West Germany's first 'Kommunales Kino', which has since served as the model for a network of 150 similar institutions throughout the country. The situation was further improved by the decision of twelve exhibitors in 1972 to band together to form the Arbeitsgemeinschaft Kino, whose aim, according to its constitution, was 'künstlerisch bedeutsame und filmhistorisch wichtige Filme der Öffentlichkeit zugänglich zu machen durch Beschaffung solcher Filme und Vorführung durch ihre Mitglieder' (191). An office was opened at Grassman's Abaton-Kino in October 1973 to co-ordinate the purchase of films for the group's 150 members and organize the annual viewing session, the 'Hamburger Kinotage' at the end of June/beginning of July.

The stipulations in the 'Film/Fernseh-Abkommen' that all television co-productions undertaken within this framework agreement should be made primarily for the cinemas (§ 1) (192) and would, accordingly, be afforded a 24-month 'holdback' to allow them a satisfactory theatrical run (§ 3c) (193) were thus in direct response to the filmmakers' complaints up to 1974 that



they were imprisoned in a cultural ghetto existence working for the 'Fernsehspiel' departments and, consequently, were becoming out of touch with the developments in world cinema; and that they wanted to make films for the cinema rather than just 'Fernsehfilme'. The stress on the theatrical exploitation of these co-productions also acknowledged the growing importance of the subsidised Kommunale Kinos and the commercial 'art-house' circuit as an alternative set of venues for a film's release.

#### **Chapter Five: Conclusions**

The revisions made to the FFG in March 1974, in particular the establishing of the 'Projektförderung' fund, and the signing of the 'Film/Fernseh-Abkommen' in November of the same year signified the beginning of a new and dynamic chapter in the development of film/television relations. Seen in the context of the evolution of this relationship since the mid-1950s, the measures implemented in 1974 were the culmination of all the isolated co-operative initiatives between the film industry and television down the years (especially the achievements of recent years): a formalised arrangement with the sole purpose of enabling co-productions to be made between the two industries.

As will be seen from the account of the debate of

the revisions to the the FFG in 1971-1974, the majority of the proposals for the promotion of better film/television relations merely revolved around the 'fine tuning' of specific clauses in the existing FFG and the introduction of measures which would simultaneously burden the broadcasters and relieve the film industry financially. Thanks to the efforts of Alexander Kluge, Wolfram Engelbrecht, and allies both in television and the *Bundestag*, an alternative was worked out which would draw on the good-will existing between large sections of the film industry and the television stations and move film/television relations from being a succession of reactions to crisis situations and ultimatums from hostile factions.

The events of 1974 advanced the broadcasters on to an even footing with the film industry, with representatives now sitting on the *Projektkommission* and *Achter-Kommission* responsible for the selection of projects for funding. Thus, the dramaturgical and financial support given to the filmmakers by the 'Fernsehspiel' commissioning editors for the production of television films since the late 1960s (described in Chapter Six) could be continued - officially - under the auspices of the 'Projektförderung' and the 'Film/Fernseh-Abkommen'.

Although comparisons might be drawn between the

'Film/Fernseh-Abkommen' and the 'Aktion-100-Filme' (Chapter Three) since they had both been concluded to prevent the imposition of a levy on the television screening of feature films, the parallel ends there. The 'Abkommen' was a more progressive, forward-looking measure which, unlike the 'Aktion' or the FFG's 'Referenzfilm' awards, was not retroactive but sought to support films from the project stage (as did the 'Projektförderung'), thus being able to target funds at the promotion of the quality end of the German film market, an area which had been seriously neglected by the FFG until now.

The prospect of a harmonising of relations between film and television would seem assured now, given that there were representatives of all the major interest groups sitting on the committees governing the running of the 'Film/Fernseh-Abkommen' and the FFG and seeing that television did not exert an inordinate influence on the films promoted. However, as Chapter Six will show, despite the benefits of the formalised co-production agreement with its obligatory 24-month theatrical 'holdback' - a major coup for the young generation of filmmakers previously 'excluded' from commercial distribution - there were still many unconvinced of the benefits likely to come to the film industry with the arrival of the 'Film/Fernseh-Abkommen' and sought to return the film funding legislation to the situat-

ion before March 1974.

#### Notes: Chapter Five

- (1) Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p. 206.
- (2) *Ibid.*, p. 582.
- (3) The FFG's emphasis on box-office success for payment of the 'Grundbetrag' encouraged producers to create low common denominator variations on one winning theme e.g. the Lümmel-Filme: *Die Lümmel von der ersten Bank-Zur Hölle mit den Paukern* (April 1968), *Pepe, der Paukerschreck* (August 1968), *Immer Ärger mit den Paukern* (October 1968), and *Zum Teufel mit der Penne* (December 1968), etc..
- (4) § 2(1): 'Die Anstalt hat zur Aufgabe, 1. die Qualität des deutschen Films auf breiter Grundlage zu steigern'.
- (5) *UFITA*, 62 (1971), pp. 207-218.
- (6) *Ibid.*, pp. 208-210.
- (7) *Ibid.*, p. 209.
- (8) Klaus Eder, 'Was die Filmindustrie nicht wahrhaben will', *Fernsehen + Film*, 7 (1970), pp. 25-27 (27). Eder was unhappy with this proposed ruling because it would restrict the producer's freedom, regardless of whether the film was later awarded FFA funds.
- (9) *UFITA*, 62 (1971), p. 209.
- (10) Cf. Joseph Viehöver of ZDF had seen a provisional list of 50 films from 1967/1968 in 1969 and intimated that ZDF would be interested in a maximum of six titles, including *Kopfstand Madam*, *Zur Sache Schätzchen*, and *Mahlzeiten*. Hans Joachim Lange, ARD's film coordinator, told journalists in mid-October 1969 that ARD was similarly interested in, at most, half a dozen films.
- (11) Axel, 'Das Fernsehgeschäft der FFA', *Film-echo/Filmwoche*, 65, 17 November 1972, p. 6.
- (12) HA, 'Soll die FFA der Spielfilm-Lieferant für das Fernsehen sein?', *Film-echo/Filmwoche*, 27, 15 May 1974, p. 4.

- (13) *UFITA*, 62 (1971), p. 209.
- (14) *Ibid.*, p. 210.
- (15) Expenditure on broadcast rights by the FFA had risen at an alarming rate: DM 3.65 million in 1969 to DM 4.85 million in 1970. With the 1971 FFG revision, this increase was checked: outgoings on broadcast rights in 1971 amounted to only DM 3.595 million (Roeber and Jacoby, p. 583)
- (16) *UFITA*, 62 (1971), p. 210.
- (17) *Ibid.*, p. 218.
- (18) 'B. Filmförderungsanstalt. Zwischenzeitliche Stellungnahme zur Novellierung des "Gesetzes über Maßnahmen zur Förderung des deutschen Films" (FFG). Vom September 1970', *UFITA*, 62 (1971), pp. 243-247.
- (19) *Ibid.*, p. 244.
- (20) Helmut Haffner, 'Widersprüche der Filmförderung', *Fernseh-Informationen*, 29 (October 1969), pp. 678-680.
- (21) *UFITA*, 62 (1971), p. 245.
- (22) Cf. the controversy in June 1969 over the (allegedly) premature television screening of the Artur Brauner-produced *Old Shatterhand* (1964).
- (23) *UFITA*, 62 (1971), p. 247. The money saved on the acquisition of broadcast rights would, under the FFA proposal, be re-directed into 'topping-up' the funds for the 'Zusatzbetrag' (§ 9 of the FFG) payments.
- (24) *Ibid.*, p. 245.
- (25) Anon, '"Filmpolitik ist Gesellschaftspolitik"', *Film-echo/Filmwoche*, 82, 14 October 1970, pp. 3-4, and, kpa, 'Umstrittene Morgengabe der "Mannheimer Filmwoche"', *Film-echo/Filmwoche*, 82, 14 October 1970, pp. 3-4 (4).
- (26) *Ibid.*, p. 3.
- (27) 'Vorschläge zur Neuregelung der Verhältnisse im deutschen Film' in: Dieter Prokop, *Materialien zur Theorie des Films* (Frankfurt, 1971), pp.

295-308 (extracts only).

- (28) Klaus Eder, 'Die Macht der Lobby', *Fernsehen + Film*, 5 (1971), p. 3.
- (29) Anon, 'Wie in Hongkong', *Der Spiegel*, 18 April 1971, pp. 197, 199.
- (30) 'Schriftlicher Bericht des Ausschusses für Wirtschaft (Bundestags-Drucksache 6/2144)', *UFITA*, 62 (1971), pp. 218-242.
- (31) *Ibid.*, p. 220.
- (32) *Ibid.*, p. 230.
- (33) *Ibid.*, pp. 231-232.
- (34) *Ibid.*, p. 222.
- (35) *Ibid.*, pp. 235-236.
- (36) *Ibid.*, p. 239.
- (37) *Ibid.*, pp. 240-241.
- (38) *Ibid.*, p. 243; Anon, 'Filmförderungsgesetz verabschiedet', *HFF*, 3-4 (July/August 1971), pp. 18, 20 (18).
- (39) 'I. Gesetz über Maßnahmen zur Förderung des deutschen Films vom 22. Dezember 1967 (BGBl. I S. 1352) in der Fassung des Gesetzes über Maßnahmen zur Förderung des deutschen Films vom 9. August 1971 (BGBl. I S. 1251)', *UFITA*, 62 (1971), pp. 183-200.
- (40) E.B., 'Filmförderung in der Diskussion', *Media Perspektiven*, 1 (1972), pp. 3-9 (3).
- (41) HA, 'Das Manifest von Würzburg', *Film-echo/Filmwoche*, 63, 5 November 1971, p. 3. This issue of *Film-echo/Filmwoche* included a complete list of participants: representing the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V. - Alexander Kluge, Christian Rischert, and Michael Dost; the Syndikat der Filmemacher - Reinhard Hauff, Volker Schlöndorff, and Hans Jürgen Syberberg; and the Verband Deutscher Spielfilmproduzenten - Alexander Grüter, Heinz Angermeyer, and Franz Seitz.
- (42) *Film-echo/Filmwoche*, 63, 5 November 1971, p. 3,

and *Media Perspektiven*, 1 (1972), pp. 3-9 (4).

- (43) 'Das Gesetz über Maßnahmen zur Förderung des deutschen Films sollte aber alsbald durch eine von Bund und Ländern gemeinsam getragene verstärkte kulturelle Förderung des deutschen Films ergänzt werden', *UFITA*, 51 (1968), p. 258. The current commitment by the *Länder* to film promotion amounted to a paltry DM 750 000 given each year to the Kuratorium Junger Deutscher Film e.V. since 1 January 1970.
- (44) Cf. Prof. Dr. Walter Mallmann's commentary on HR of 5 February 1964, 'Fernseh-Abgabe zugunsten des Filmhilfsfonds?', (*Media Perspektiven* archive), and Werner Hess, 'Kann das Fernsehen den Film retten?', *epd/Kirche und Fernsehen*, 15 February 1964, pp. 1-5.
- (45) Art. 74 No. 11: 'Die konkurrierende Gesetzgebung erstreckt sich auf folgende Gebiete: . . . 11. das Recht der Wirtschaft'.
- (46) *Media Perspektiven*, 1 (1972), pp. 3-9 (5).
- (47) *Ibid.*, p. 2.
- (48) Anon, 'ARD-Kommunique: Keine Filmhilfsabgabe zu Lasten des Fernsehens', *Media Perspektiven*, 1 (1972), pp. 42-43.
- (49) -nn, 'Junge Produzenten drängen zum Fernsehen', *Film-echo/Filmwoche*, 2, 7 January 1972, p. 4.
- (50) A slightly modified version of this draft *Novelle* appeared a year later from the Federal Ministry of Economics, see: *UFITA*, 70 (1974), pp. 152-159. The two ministries of Economics and Finances were administered by Karl Schiller from 13 May 1971 - 7 July 1972 after Finance Minister Alex Möller's resignation, and by former Defence Minister Helmut Schmidt from 7 July 1972 - 22 September 1972. From 15 December 1972 the Economics Ministry was run by Hans Friderichs and the Finance Ministry by Helmut Schmidt (Hans Ulrich Behn, *Die Bundesrepublik Deutschland* (Munich, 1974), pp. 213-215).
- (51) -t-, 'Hearing zur zweiten Novelle des FFG', *Film-echo/Filmwoche*, 24, 22 April 1972, p. 3.
- (52) Helmut Haffner, 'Die Filmförderung ist der Politik zum Opfer gefallen', *Fernseh-Informationen*,



23 (October 1972), pp. 878-879 (879).

- (53) Behn, *Die Bundesrepublik Deutschland* (Munich, 1974), pp. 213-215.
- (54) ha, 'FFG-Novelle bleibt vorerst auf der Strecke', *Film-echo/Filmwoche*, 32, 2 June 1972, p. 4.
- (55) -nn, 'Im September kommt ein Alternativentwurf zum FFG', *Film-echo/Filmwoche*, 41, 4 August 1972, p. 4.
- (56) HA, 'Die Stunde der Wahrheit für den Engelbrecht/Kluge-FFG-Entwurf', *Film-echo/Filmwoche*, 6, 26 January 1973, p. 4.
- (57) A scheme advanced by Kluge in Munich on 3 December 1971.
- (58) Details of the Kluge/Engelbrecht draft, as revealed in *Film-echo/Filmwoche* on 26 January 1973, were syndicated through dpa to the daily newspapers, e.g. 'Einigung hinter den Kino-Kulissen' in the *Frankfurter Rundschau* on 2 February 1973.
- (59) Rudolph Ganz, 'Vorsichtiger Anfang', *Frankfurter Rundschau*, 14 March 1973.
- (60) Dr. Peter Glotz, 'Für eine Kooperation von Film und Fernsehen', *funk-report*, 7, 23 March 1973, pp. 1-2.
- (61) Anon, 'Wie sieht das neue FFG aus?', *Film-echo/Filmwoche*, 17, 23 March 1973, pp. 4-8. The text of the draft FFG revision is also in: Michael Dost, Florian Hopf and Alexander Kluge, *Filmwirtschaft in der BRD und in Europa* (Munich, 1973), pp.184-201.
- (62) FFG of 13 August 1971: *UFITA*, 62 (1971), pp. 183-200 (193).
- (63) *Film-echo/Filmwoche*, 17, 23 March 1973, pp. 4-8 (7).
- (64) *funk-report*, 7, 23 March 1973, pp. 1-2.
- (65) *Film-echo/Filmwoche*, 17, 23 March 1973. pp. 4-8 (7).
- (66) 'Entwurf eines Zweiten Gesetzes zur Änderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films (*Bundestags-Drucksache 7/974*)',

- UFITA, 70 (1974), pp. 152-170.
- (67) UFITA, 62 (1971), p. 195.
- (68) UFITA, 70 (1974), pp. 157-158.
- (69) 'Die Kommission zur Untersuchung der Wettbewerbsgleichheit von Presse, Funk/Fernsehen und Film (Bundestags-Drucksache 5/2120)', p. 192.
- (70) Cf. Werner Kließ, 'Die Anfänge sozial-liberaler Filmpolitik', *Kino*, 4 (July-August 1973), pp. 17-20.
- (71) Dr Peter Glotz, 'Filmabgabe der Fernsehanstalten', *funk-report*, 12 (1973).
- (72) The complete text appeared in: Michael Dost, Florian Hopf and Alexander Kluge, *Filmwirtschaft in der BRD und in Europa* (Munich, 1973), pp. 204-207, and was regarded as a compromise solution between the film industry interest groups and the broadcasters from ARD and ZDF.
- (73) *Ibid.*, p. 208.
- (74) *Ibid.*, p. 204.
- (75) *Ibid.*, p. 205.
- (76) *Ibid.*, p. 207.
- (77) *funk-report*, 22 May 1973.
- (78) The broadcasters' precarious financial situation had been one of the arguments advanced against the introduction of a television levy to the FFG; negotiations were held during the first half of 1973 for a licence fee increase with the result that the *Ministerpräsidenten* agreed on 5 July 1973 to the monthly licence fee being increased from DM 7.50 to DM 10.50 as from 1 January 1974. Cf. Günter Herrmann, '25 Jahre der ARD', *Rundfunk und Fernsehen*, 3/4 (1975), pp. 211-239.
- (79) Günther Pflaum, 'Welche Filme soll das Fernsehen retten?', *FUNK-Korrespondenz*, 42, 17 October 1973, pp. 6-9 (9).
- (80) Anon, 'Fernsehförderung statt Filmförderung?', *Film-echo/Filmwoche*, 50, 12 September 1973, pp. 3, 6 (3).

- (81) HA, 'Fernsehgebühr wird zur politischer Kraftprobe', *Film-echo/Filmwoche*, 52, 21 September 1973, p. 4.
- (82) Wilhelm Roth, 'Mehr Geld für bessere Filme?', *Die Zeit*, 39, 21 September 1973, p. 22.
- (83) *UFITA*, 70 (1974), p. 173.
- (84) *UFITA*, 70 (1974), pp. 170-173. The *Bundesrat* claimed in its 7 July sitting that, according to Article 84, Paragraph 1 of the *Grundgesetz*, the *Bundestag* required approval from the upper house for its ruling on the television levy. This suggestion was rejected by the Federal Government (pp. 170, 172).
- (85) Cf. Günther Pflaum, 'Welche Filme soll das Fernsehen retten?', *FUNK-Korrespondenz*, 42, 17 October 1973, pp. 6-9; F.W. Hymmen, 'ARD und ZDF wehren sich gegen Zahlung staatlicher Filmabgabe', *epd/Kirche und Fernsehen*, 35, 29 September 1973, pp. 1-3; and 'Materialien zu: Fernsehen und Filmförderung', *Media Perspektiven*, 10 (1973), pp. 501-502.
- (86) Günther Pflaum, 'ARD/ZDF wollen wichtige Filme auch zugunsten des Kinos fördern', *FUNK-Korrespondenz*, 43, 22 October 1973, pp. 8-10 (9).
- (87) *FUNK-Korrespondenz*, 42, 17 October 1973, pp. 6-9 (9).
- (88) ifi, 'Zu den Auseinandersetzungen um die Beteiligungen der Rundfunkanstalten an der Filmabgabe', *Film und Recht*, 12 (1973), pp. 621-629 (621-623).
- (89) Dost, Hopf and Kluge, p. 207.
- (90) *Film-echo/Filmwoche*, 50, 12 September 1973, pp. 3, 6.
- (91) Anon, 'FFA Verwaltungsrat für Fernsehgebühr', *Film-echo/Filmwoche*, 55, 5 October 1973, p. 7.
- (92) *Film und Recht*, 12 (1973), pp. 621-629 (623-629).
- (93) epd, 'Weitere Zugeständnisse von ARD und ZDF in Sachen Filmförderung', *epd/Kirche und Fernsehen*, 40, 3 November 1973, p. 7.
- (94) 'Schriftlicher Bericht des Ausschusses für Wirtschaft (9. Ausschuß). Vom 7. Dezember 1973

- (*Bundestags-Drucksache 7/1388*)', *UFITA*, 70 (1974), pp. 173-201.
- (95) *Ibid.*, pp. 175-176.
- (96) *Ibid.*, pp. 177, 183.
- (97) *Ibid.*, p. 188.
- (98) *Ibid.*, p. 191.
- (99) *Ibid.*, p. 193.
- (100) Extract from the Third Reading of the FFG revision in: *UFITA*, 70 (1974), pp. 202-220.
- (101) *Ibid.*, p. 204.
- (102) *Ibid.*, p. 203.
- (103) *Ibid.*, p. 208.
- (104) *Bundestags-Drucksache 7/1388*, *UFITA*, 70 (1974), pp. 173-201 (184).
- (105) '5. Zweite und Dritte Lesung, *UFITA*, 70 (1974), pp. 202-220 (211).
- (106) *Ibid.*, p. 216.
- (107) *Ibid.*, p. 220.
- (108) *Ibid.*, p. 219.
- (109) '6. Anrufung des Vermittlungsausschusses durch den Bundesrat', *UFITA*, 70 (1974), pp. 220-221.
- (110) Full text in : *UFITA*, 70 (1974), pp. 115-138.
- (111) Anon, 'Betr.: Filmförderungsgesetz', *Informationen*, 6 December 1973, pp. 1-2 (1).
- (112) Andreas Meyer, 'Drei vor und zwei zurück !', *Kino*, 14, 15 May 1974, pp. 33-35 (35).
- (113) Günter Herrmann, '25 Jahre der ARD', *Rundfunk und Fernsehen*, 3/4 (1975), pp. 211-239 (236).  
The licence fee had been increased on 1 January 1974, but talks for an additional increase began soon in early 1975.
- (114) A ruling by the Bundesfinanzhof on 30 May 1973 declared that ZDF was liable for retrospective

payments of corporation and trade tax on its advertising revenue since 1972, totalling DM 1.012 billion; cf. Anon, 'Offene Flanke', *Der Spiegel*, 26 September 1973, pp. 174-178.

- (115) Anon, 'ARD und ZDF benennen Vertreter für diverse Filmkommissionen', *FUNK-Korrespondenz*, 7, 15 February 1974, pp. 9a-9b (9a).
- (116) 'Abkommen zwischen der Filmförderungsanstalt einerseits und den in der ARD zusammengeschlossenen Landesrundfunkanstalten sowie dem ZDF andererseits', *Media Perspektiven*, 11 (1974), pp. 555-559 (557).
- (117) *FUNK-Korrespondenz*, 36, 4 September 1974, pp. 20-22 (21).
- (118) EB, 'Fernsehen - ökonomisches Standbein der Filmwirtschaft', *Media Perspektiven*, 6 (1977), pp. 330-339 (337-338).
- (119) *Media Perspektiven*, 11 (1974), pp. 555-559 (555).
- (120) *Ibid.*, p. 557.
- (121) Wolfram Schütte, 'Was wir sehen werden - oder auch nicht', *Frankfurter Rundschau*, 18 September 1974, p. 8
- (122) Axel, 'Demaskierung', *Film-echo/Filmwoche*, 51, 18 September 1974, p. 6.
- (123) ARD, 'Fernsehen fördert Film', *Media Perspektiven* 9 (1974), p. 455.
- (124) The full text of the first 'Film/Fernseh-Abkommen' signed on 4 November 1974 in Berlin can be found in: *Media Perspektiven*, 11 (1974), pp. 555-559.
- (125) Horst von Hartlieb, *Handbuch des Film-, Fernseh- und Videorechts* (Munich, 1984), p. 106.
- (126) *Media Perspektiven*, 11 (1974), p. 555.
- (127) *Ibid.*, pp. 555-556.
- (128) *Ibid.*, p. 556.
- (129) *Ibid.*, pp. 556-557. The members of the *Achter-Kommission* were: for ARD, Hans-Otto Grünfeldt (*Programmdirektor* for television at HR) and Hans

Joachim Wack; for ZDF, Heinz Ungureit and Dr. Ernst Fuhr; and, for the film industry, Alexander Kluge, Alexander Grüter, Horst von Hartlieb, and Klaus Scepanik.

(130) Ibid., p. 557.

(131) Ibid., p. 558.

(132) The *Vorabkaufkommission* members were: for ARD, Franz Everschor and Klaus Lackschewitz (both of ARD's 'Filmredaktion'), and Günther Langhard; and for ZDF, Klaus Brüne and Dieter Krusche (both of ZDF's 'Filmredaktion'), and Hans Blank.

(133) *UFITA*, 70 (1974).

(134) fe, 'Chance für den internationalen Wettbewerb', *Film-echo/Filmwoche*, 66, 29 November 1974, p. 8.

(135) Andreas Meyer, 'Auf dem Wege der Besserung', *Medium*, 10 (1974), pp. 4-5 (4).

(136) Ibid., p. 5.

(137) In: J.A., 'Bald selber Gegenstand der Kritik', *Film-echo/Filmwoche*, 64, 15 November 1974, p. 3. Cf. also Alexander Kluge's comments in: *Kino*, 14, 15 May 1974, p. 39.

(138) *Trotta*: director, Johannes Schaaf; producers: Independent/Schaaf/SDR; theatrical release: 16 November 1971.

(139) Josef Rölz, 'Ein Produkt, das bereichernd ist für's Kino und für's Fernsehprogramm', *epd/Kirche und Rundfunk*, 81, 27 November 1974, pp. 1-4 (4).

(140) Ibid, p. 2. This aim echoes Rohrbach's concept of the 'amphibischer Film' first posited in *Fernsehen + Film* in March 1970 and later elaborated upon in April 1977.

(141) Ibid., p. 3.

(142) Ibid., p. 2.

(143) Horst von Hartlieb, *Handbuch des Film-, Fernseh- und Videorechts* (Munich, 1984), p. 107.

(144) *Media Perspektiven*, 11 (1974), p. 555.

(145) Johannes Schaaf's *Trotta* received DM 200 000

script premium, DM 100 000 'Nachwuchs' assistance, and an additional DM 50 000 premium.

- (146) Films assisted by the Kuratorium Junger Deutscher Film e.V. from 1968 included Jean-Marie Straub's *Chronik der Anna Magdalena Bach*, Ula Stöckl's *Neun Leben hat die Katze*, Wim Wenders' *Die Angst des Tormanns beim Elfmeter*, and Ula Stöckl's *Das goldene Ding*. Cf. Volker Baer, *Stiftung Kuratorium Junger Deutscher Film* (Wiesbaden, 1984).
- (147) For details of Günter Rohrbach's work at WDR, see Egon Netenjakob, 'Der Fernsehfilm ist - Film', *Fernsehen + Film*, 8 (1970), pp. 35-38; Vincent Porter and Richard Collins, *WDR and the Arbeiterfilm* (London, 1981); Dorothea Holloway, 'A tribute to WDR-Fernsehspiel Cologne', *KINO German Film*, 22 (Spring 1986).
- (148) Details of Helmut Haffner's work at BR can be found in Helmut Haffner, '. . . nicht Feinde, sondern Partner', *Filmblätter*, 26a, 25 June 1968, p. 546. and H.J. Weber, 'Coproduktionen zwischen Film und Fernsehen', *Film-echo/Filmwoche*, 77, 25 September 1968, pp. 3. 5.
- (149) Egon Netenjakob, 'Für Veränderung. Gespräch mit Volker Schlöndorff', *Fernsehen + Film*, 5 (1970), pp. 21-23 (23).
- (150) *Dubrow Krise*, broadcast 9 January 1969.
- (151) *Der Unfall*, broadcast 7 November 1968.
- (152) *Ich heiße Erwin und bin 17 Jahre*, broadcast 19 May 1970.
- (153) *Rotmord*, broadcast 21 April 1969.
- (154) *Piggies*, broadcast 25 May 1970.
- (155) *Liebe Mutter mir geht es gut*, broadcast 18 September 1972. See Vincent Porter and Richard Collins, *WDR und the Arbeiterfilm* (London, 1981).
- (156) Günter Rohrbach, 'Nicht Springer, sondern die eigene Untätigkeit bedroht das Fernsehen', *Fernsehen + Film*, 3 (1970), pp. 34-35 (35).
- (157) Günter Rohrbach, 'Das Subventions-Kino. Plädoyer für den amphibischen Film' in *Jahrbuch Film 77/78*, edited by H.G. Pflaum (Munich, 1977), pp. 95-100.

- (158) In: Corinna Brocher and Barbara Bronnen, *Die Filmemacher. Der neue deutsche Film nach Oberhausen* (Munich, 1973), pp. 74-88.
- (159) Ibid., p. 80.
- (160) Ibid., p. 81.
- (161) Once this film had been made, the American distributor CIC, impressed by its cinematic qualities, picked it up for theatrical distribution. The television transmission was thus held back for over two years until 4 June 1974.
- (162) Brocher and Bronnen, p. 189.
- (163) *Filme 1965-70 Band 2*, edited by Elisabeth Uhländer (Cologne, 1971), pp. 230-231. In 1970, Peter Lilienthal's *Malatesta* won prizes for second Best Film/Film Ribbon in Gold worth DM 400 000, Best Director/Film Ribbon in Gold worth DM 250 000, Best Supporting Actor, Best Photography, and Best Design. In 1971 prizes were presented to Volker Vogeler's *Jaider* (Best Arrangement/Film Ribbon in Silver worth DM 150 000); Michael Fengler and Rainer Werner Fassbinder's *Warum läuft Herr R. Amok ?* (Best Direction/Film Ribbon in Gold); Volker Schlöndorff's *Der plötzliche Reichtum der armen Leute von Kombach* (Best Direction/Film Ribbon in Gold); Horst Bienek's *Die Zelle* (Best Newcomer Director/Film Ribbon in Gold); and Reinhard Hauff's *Mathias Kneißl* (Film Ribbons in Gold for performances by Hanna Schygulla and Eva Mattes).
- (164) Bronnen and Brocher, p. 151.
- (165) Eckhardt Schmidt, 'Professional - Pragmatisch - Ambitioniert', *Medium*, 6 (1973), pp. 15-18 (17).
- (166) Bronnen and Brocher, p. 189.
- (167) The five-year 'holdback' was altered in the 1971 FFG revision to two years (§ 12(2)) cf. **Gesetz über Maßnahmen zur Förderung des deutschen Films vom 22. Dezember 1967 in der Fassung des Gesetzes über Maßnahmen zur Förderung des deutschen Films vom 9. August 1971, UFITA**, 62 (1971), pp. 183-248 (193). This was further altered, in the case of television co-productions, by the second FFG revision of 1974 to allow the 'holdback' to be reduced to six months, cf. **Zweites Gesetz zur**



**Anderung des Gesetzes über Maßnahmen zur Förderung des deutschen Films vom 3. März 1974, pp. 1-35 (17).**

- (168) See PREMIERE/HOLDBACK table at the end of these notes.
- (169) In an article in 1970 Günter Rohrbach spoke about how the television stations' commercial subsidiaries should be allowed to market and distribute the stations' 'in-house' productions: 'es müssen, unter Mitwirkung dieser Tochterfirmen, rechtliche Konstruktionen gefunden werden, die es erlauben, Eigenproduktionen der Fernsehanstalten vor der Verbannung in die Archive zu bewahren'. Rohrbach, *Fernsehen + Film*, 3 (1970), p. 35
- (170) Bronnen and Brocher, p. 218.
- (171) Basis Filmverleih GmbH was founded to distribute this film, cf. *Film in Berlin: Der Basis Film Verleih, Kinemathek*, 65 (October 1983).
- (172) See PREMIERE/HOLDBACK table at the end of these notes.
- (173) Anon, 'Wirklich Schweinchens', *Der Spiegel*, 18 May 1970. p. 207.
- (174) The original English version had been screened at the Cinemathek on 29 December 1972, cf. Hans C. Blumenberg, 'Sterben für El Dorado', *Kölner Stadt Anzeiger*, Silvester 1972, p. 37.
- (175) Cf. Anon, 'Zu Roß ins Freie', *Der Spiegel*, 17 January 1972, p.103. Co-productions with Telepool, in operation since 1965, had always foreseen a two-year 'holdback'. See Note 148.
- (176) Bronnen and Brocher, p. 212: 'Wenn man so einen Film macht, hat man eine gewisse Vorstellung und eine gewisse Lust, und diese sind nicht unbedingt dadurch befriedigt, daß das einmal im Fernsehen durch die Röhre läuft'.
- (177) Bronnen and Brocher, p. 189.
- (178) ha, 'Fein säuberlich trennen', *Film-echo/Filmwoche*, 28, 13 May 1972, p. 4. In 1960 Hans Joachim Loppin, a leading official of the then Zentralverband der Deutschen Filmtheater e.V. (ZDF), had warned that the precedent set by Wolf-

gang Neuss's *Wir Kellerkinder* coming into the cinemas after its television premiere could mean that cinemas would be transformed into 'zweitran-gige Nachspieler von Fernsehfilmen'. See: Anon, 'Einer kam durch', *Der Spiegel*, 14 September 1960, pp. 89-92 (90).

- (179) Cf. Anon, 'Nicht förderungswürdig?', *Der Spiegel*, 22 June 1960, pp. 61-62; Anon, 'Einer kam durch', *Der Spiegel*, 14 September 1960, pp. 89-92 (90); Anon, 'Macke', *Der Spiegel*, 23 November 1960, pp. 92-93.
- (180) Cf. hjw, 'Filmeinsatz nach Meinungsumfrage', *Film-echo/Filmwoche*, 63/64, 8 August 1969, p. 6 and Anon, 'Kampf den Verleihern', *Der Spiegel*, 27 October 1969, p. 134.
- (181) Cf. *Film-echo/Filmwoche*, 96/97, 4 December 1970, p. 7 (advertisement) and Hans Jürgen Syberberg, *Syberbergs Filmbuch* (Frankfurt am Main, 1979).
- (182) Bronnen and Brocher, p. 75.
- (183) Maran Film is a subsidiary of SDR and produced Fassbinder's *Warum läuft der Herr R. Amok?* and, in partnership with the American Kettle Drum Films, Jerzy Skolimowski's *Deep End*.
- (184) Jugendfilm GmbH passed from Willy Wohlrahe in 1978 to his son Jürgen, who served as a CDU deputy in the *Bundestag* from 1969 to 1979, as a member of the FFA's *Verwaltungsrat* from 1971 to 1978, and as a member of the Berlin assembly since 1979.
- (185) Bronnen and Brocher, pp. 150-151.
- (186) For details of the genesis of Filmverlag der Autoren, see Helmut H. Diederichs, 'Fangschuß für furchtlose Flieger', *Medium*, 3 (1977), pp. 4-9.
- (187) Twenty films were produced by PIFDA 1 between autumn 1970 and November 1974, including Veith von Fürstenberg's *Furchtlose Flieger* (the first PIFDA production commissioned by WDR and broadcast on 20 June 1971), Wim Wenders' *Die Angst des Tormanns beim Elfmeter* (cinema release: 29 October 1972), Helma Sanders' *Erdbeben in Chili* (broadcast by ZDF on 21 March 1975), and Hark Bohm's *Tschetan - Der Indianerjunge* (cinema release: 22 June 1973; the only PIFDA film to be made independent of television).

- (188) Anon, 'Kino (Szene)', *Der Spiegel*, 17 April 1972, p. 156. Fassbinder had accepted that *Rio das Mortes* would appear on television first in 1970 'weil Filme im Fernsehen wirklich an die Menschen kommen, und nicht mehr für so ein paar Auserwählte in irgendwelchen Kunstkinos gemacht sind' (Klaus Eder, 'Das Interview. 14. 2.: *Rio das Mortes*', *Fernsehen + Film*, 2 (1970), p. 43.). However, he had changed his attitude two years later when ZDF demanded that its payment of DM 55 000 (a third of the budget of *Der Händler der vier Jahreszeiten*) gave it the right to a television premiere, even though it had promised Fassbinder a limited cinema run. Fassbinder commented in an interview with Corinna Brocher: 'wenn der Film Scheiße gewesen wäre und ihnen nicht gefallen hätte, denn hätten sie bestimmt gesagt, ja, kannst ihn ins Kino bringen' (Bronnen and Brocher, p. 179).
- (189) Cf. Volker Baer, *Stiftung Kuratorium Junger Deutscher Film* (Wiesbaden, 1984) - 'Vertriebsförderungsrichtlinien' of 1 January 1984, pp. 44-47. The Kuratorium sabotaged the chances of its assisted films in the cinemas by preferring projects which were to receive finance from television and neglecting to insist on a 'holdback' for the finished project. This discrepancy was remedied in the revision of the production guidelines of 1 January 1984 which stipulate in § 5 (4d) that a producer must ensure that the sale of broadcast rights can only take place on the understanding 'daß. . . die Ausstrahlung des Films im Fernsehen . . . erst nach einer angemessenen - in der Regel einjährigen - Vorfrist zur ausschließlichen Lichtspielauswertung erfolgt' (Baer, p. 42). See also § 1(2): 'Gefördert werden sollen nur Filmprojekte die einen zur öffentlichen Vorführung in Lichtspieltheatern oder anderen Filmabspielstellen geeigneten Film erwarten lassen' (Baer, p. 40).
- (190) Complete list given in Baer, pp. 66-86.
- (191) Helmut H. Diederichs, 'Wider die kommerzielle Filmkultur. Ein Bericht über "alternative Filmverleiher". NDR III, 11 June 1978' in: *Aus der Reihe "Medienreport" (7): Kino - Film - Politik*, edited by Michael Wolf Thomas, NDR, pp. 81-97 (85).
- (192) Text of 'Film/Fernseh-Abkommen' of 4 November

1974 in: ARD/ZDF, *Filmförderung 1974-1979. Der Deutsche Film und das Fernsehen. Sechs Jahre Film/Fernseh-Abkommen. Eine Bilanz* (Frankfurt/Mainz, 1980), pp. 37-39 (37).

- (193) Ibid., p. 38. In exceptional circumstances - i.e. if a distributor could not be found for a film - the 'holdback' could be reduced to six months. This ruling corresponded with the addition to § 12(2) of the revised FFG of 3 March 1974, which similarly allowed for a reduction to six months. The twenty-four month rule was also in line with the new guidelines for the allocation of production premiums and film prizes by the Federal Interior Ministry passed on 16 April 1972; cf. -t-, 'Keine Preise für Fernsehfilme', *Film-echo/Filmwoche*, 33, 9 June 1972, p. 3.

P R E M I E R E / H O L D B A C K T A B L E

DIRECTOR	FILM	CO-PRODUCER	TV TRANSMISSION	CINEMA RELEASE	THEATRICAL DISTRIBUTION
<b>PREMIERE IN CINEMA</b>					
George Moorse	Kuckucksjahre	Telepool	31.12.68 (BR3) 5.1.69 (N3)	7.11.67	Inter (ceased operating 1971)
George Moorse	Liebe und so weit- er	BR	17.11.70	27.9.68	neue filmforum
Peter Zadek	Ich bin ein Elef- ant Madame	RB/WDR	13.10.70	6.3.69	Obelisk
Rainer Werner Fass- binder	Warum läuft der Herr R. Amok ?	SDR	28.12.71	5.2.71	Ceres
Jerzy Skolimowski	Deep End	SDR	17.10.72	20.4.71	Jugendfilm
Horst Bienek	Die Zelle	-	13.11.72	26.6.71	-
Uwe Brandner	Ich liebe Dich, ich töte Dich	WDR	--	4.7.71	Filmverlag der Autoren
Volker Vogeler	Jaider	WDR	28.11.72	9.7.71	Jugendfilm
Johannes Schaaf	Trotta	SDR	--	16.11.71	Constantin
Eberhard Pieper	Zoff	HR	17.7.73	21.1.72	Gloria
Volker Schlöndorff	Die Moral der Ruth Halbfaß	HR	4.6.74	14.4.72	CIC

**PREMIERE ON TELEVISION**

George Moorse	Der Findling	BR	10.6.67	28.2.69	Neue Filmkunst
Hans Strobel/Heinz Tichawsky	Eine Ehe	WDR	29.10.68	4.6.69	Strobel/Tichawsky
Peter Lilienthal	Malatesta	SFB	26.5.70	?	?
Volker Schlöndorff	Der plötzliche Reichtum der armen Leute von Korbach	HR	26.1.71	5.2.71	Neue Filmkunst
Reinhard Hauff	Mathias Kneißl	WDR	20.4.71	28.5.71	Ceres
Bernhard Wicki	Das falsche Gewicht	ZDF	21.11.71	26.1.73	Scotia
Hans W. Geissendörfer	Carlos	WDR/BR	23.11.71	?	Beta-Film
Edgar Reitz/Ula Stöckl/Nico Perakis	Das goldene Ding	WDR	11.1.72	?	Ula Stöckl/Basis
Wim Wenders	Die Angst des Tor- manns beim Elfmeter	WDR	29.2.72	13.10.72	Filmverlag der Autoren
Rosa von Praunheim	Leidenschaften	ZDF	9.5.72	31.5.72	?
Peter Lilienthal	La Victoria	ZDF	17.9.73	20.9.73	Filmverlag der Autoren
Ingo Kratisch	Lohn und Liebe	WDR	12.2.74	22.4.74	Filmverlag der Autoren
Wim Wenders	Alice in den Städten	WDR	3.3.74	17.5.74	Filmverlag der Autoren
Reinhard Hauff	Die Verrohung des Franz Blum	WDR	26.3.74	9.8.74	Filmverlag der Autoren

Christian Ziewer	Liebe Mutter, mir geht es gut	WDR	18.9.72	24.8.72	Basis
Volker Schlöndorff	Strohfeuer	HR	2.11.72	1.11.72	Hallelujah/Filmverlag der Autoren
Werner Herzog	Aguirre, der Zorn Gottes	HR	16.1.73	29.12.72 (English version)	Filmverlag der Autoren
Rainer Werner Fassbinder	Wildwechsel	SFB	9.1.73	30.12.72	Atlas Filmverleih
Uwe Brandner	Kopf oder Zahl	ZDF	5.12.73	5.1.73	Filmverlag der Autoren
Christian Ziewer	Schneeglöckchen blühen im September	WDR	12.11.74	24.6.74	Basis
Wim Wenders	Falsche Bewegung	WDR	18.5.75	14.3.75	Filmverlag der Autoren
Bernhard Sinkel/ Alf Brustellin	Lina Braake	WDR	29.6.76	11.7.75	Filmverlag der Autoren

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**SIMULTANEOUS PREMIERE ON TELEVISION AND IN CINEMA**

Peter Zadek	Piggies	WDR	25.5.70	25.5.70	Shown in Munich's Film-Casino
Hans Jürgen Syberberg	Ludwig II	ZDF	23.6.72	23.6.72	Atlas
Werner Herzog	Aguirre, der Zorn Gottes	HR	16.1.73	16.1.73 (German version)	Filmverlag der Autoren
Rainer Werner Fassbinder	Händler der vier Jahreszeiten	ZDF	10.3.72	10.3.72	Filmverlag der Autoren

**THE RELATIONSHIP BETWEEN THE FILM INDUSTRY AND  
TELEVISION IN THE FEDERAL REPUBLIC OF GERMANY  
FROM 1950 TO 1985**

**Martin John Blaney**

**V O L U M E T W O**



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## CHAPTER SIX

With the introduction of the 'Projektförderung' to the FFG and the passing of the 'Film/Fernseh-Abkommen', the young generation of filmmakers known as the 'Jungfilmer' were afforded access to the production finance - denied to them until now by the overtly commercial and speculative requirements of the 'Referenzfilm' procedure of the FFG - and to theatrical releases long enough to give their films sufficient exposure and allow them to recoup part, if not all, of the production costs.

Chapter Six opens with the account of the production histories of the first two films funded and released under the auspices of the 'Film/Fernseh-Abkommen' - Volker Schlöndorff's *Die verlorene Ehre der Katharina Blum* and Bernhard Sinkel and Alf Brustellin's *Berlinger* - and reveals the extent of the new production finance opportunities available to the artistically ambitious filmmaker.

However, as this chapter will show, the passing of the 'Abkommen' did not herald a resolution of the (fundamental) differences of opinion between the film industry and television on the question of television's involvement in feature film production: the exchange between Dieter Stolte and HDF in 1976 was symptomatic of widely diverging viewpoints. The opposition of the established film industry to collaborat-

ion between film and television deepened with Günter Rohrbach's proclamation in 1977 of the 'amphibischer Film' as an all-embracing term for film/television co-productions as practised under the 'Film/Fernseh-Abkommen'. His enthusiastic support of closer links with film and television was the target of bitter attacks from such commentators as Hans C. Blumenberg and Andreas Meyer, who demand a strict distinction to be made between the production of feature films and television films.

The controversy over Rohrbach's pronouncements coincided in 1979 with the beginning of discussions of the plans for the FFG extension and the 'Film/Fernseh-Abkommen', which is marked by attempts from the conservative wing of the film industry to reverse the reforms introduced to the FFG in 1974, notably the 'Projektförderung', and by the demands of a new generation of filmmakers, the 'Nachwuchsfilmer', for provision to be made within the FFG and the 'Abkommen' for the financing of their projects.

#### The 'Film/Fernseh-Abkommen' in operation

On 17 December 1974 the *Achter-Kommission*, the parity committee of representatives from the film industry and the two television channels, ARD and ZDF, convened for the first time to decide on the allocat-

ion of co-production funding within the framework of the 'Film/Fernseh-Abkommen'. The film industry was represented by Alexander Grüter of the Verband Deutscher Spielfilmproduzenten e.V., Alexander Kluge of the Arbeitsgemeinschaft neuer deutscher Spielfilmproduzenten e.V., Klaus Scepanik of the Hauptverband Deutscher Filmtheater e.V., and Herbert Schmidt of the Verband der Filmverleiher e.V.; the television channels by Dieter Stolte, SWF *Fernsehdirektor*, and Hans Joachim Wack, managing director of DEGETO, for ARD, and Stefan Barcava, head of the film and 'Fernsehspiel' department, and Ernst Wolfgang Fuhr, legal adviser, for ZDF.

DM 3.6 million of the DM 5 million budgeted for 1974 for co-productions was allocated to seven of the twenty-one projects submitted to the meeting for consideration (1). They were as follows:

T i t l e	Director	TV Station	Amount
Natalie (2)	Norbert Kückelmann	SWF	DM 350 000
Berlinger	Sinkel/Brustellin	ZDF	DM 700 000
Tal der Witwen (3)	Volker Vogeler	SDR	DM 200 000
Jeder für sich und Gott gegen alle	Werner Herzog	ZDF	DM 490 000

Die verlorene Ehre der Kath- arina Blum	Volker Schlön- dorff	WDR	DM 500 000
Ansichten ein- es Clowns (4)	Vojtech Jasny	WDR	DM 750 000
Wölfe (5)	Thomas Schamoni	ZDF	DM 410 000

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Source: Filmförderungsanstalt, *Geschäftsbericht 1982*,  
Anlage Nr. 20.  
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The remaining DM 1.6 million would be carried over to the 1975 budget.

There was confusion, however, on the part of the broadcasters as to the nature of the projects which were supposed to be submitted to the *Achter-Kommission*. Two of the films appearing before the committee on 17 December and granted funds - *Jeder für sich und Gott gegen alle* and *Tal der Witwen* - were not true projects at all; in the case of Herzog's film, it had been shot between May and September, premiered in Dinkelsbühl, one of the film's locations, on 1 November 1974, and put out on general release by Filmverlag der Autoren on 11 November. This attempt to make retrospective awards, akin to the procedure for the 'Referenzfilm' within the FFG, went counter to the avowed intentions of the 'Film/Fernseh-Abkommen', as stated in § 1: 'Ziel der Zusammenarbeit der Partner dieses Abkommens ist es, durch Gemeinschaftsproduktionen. . . die Herstellung von Filmen zu ermöglichen'

(6) and in § 5(2): 'Der Anmeldung sollen Drehbuch, Besetzungsliste, Kalkulation und Finanzierungsplan sowie der Koproduktionsvertrag oder dessen Entwurf beigelegt werden' (7). There were, moreover, some broadcasters who believed that the financial commitment of DM 11 million made by ARD and ZDF for co-productions within the 'Film/Fernseh-Abkommen' for 1974 and 1975 had already been fulfilled by existing contracts concluded between television stations and filmmakers without recourse to the mediation of the *Achter-Kommission*. Circumvention of this committee and the wholesale granting of co-production funds in retrospect could be prevented, though, by the film industry representatives voting together and producing a tied vote, which signified a project's rejection (§ 4). Nevertheless, the decision to grant funding to a film already playing in the cinemas was repeated at the second meeting of the *Achter-Kommission* on 7 February 1975, when Alexander Kluge's *In Gefahr und größter Not bringt der Mittelweg der Tod* was allocated DM 200 000 despite the fact that it had been released on 18 December 1974.

These initial hiccups in the running of the *Achter-Kommission* were perhaps inevitable in the first months as the filmmakers and television drama commissioning editors acquainted themselves with the procedures for submitting film projects to the committee

for funding: within ARD, each 'Fernsehspiel' department was prepared to be approached by filmmakers seeking a television station's sponsorship at a sitting of the *Achter-Kommission*, while ZDF established a special 'Anlaufstelle' to monitor all projects received.

The confusion at the beginning of the work of the *Achter-Kommission* was also indicative of the paucity of the projects submitted for funding. Werner Hess, one of the architects of the 'Abkommen', complained in a speech on film and television relations at an ARD press seminar in Königstein between 27 and 28 May 1975, 'daß es noch viel zu wenig große Projekte, die vom Inhalt, Aufwand und Machart her eine echte Chance haben, im Kino ein Erfolg zu werden, oder gar auf dem ausländischen Filmtheatermarkt zu reüssieren' (8), and recalled that during the campaigning for the 'Film/Fernsehen-Abkommen' in 1973 and 1974, it had been assumed by the broadcasters that money rather than attractive subjects was the main problem confronting the filmmakers (9). The *Projektkommission* brought into being by the second revision of the FFG in March 1974 had similarly had difficulties in finding sufficient suitable film projects to back (10), and the ARD/ZDF six-man *Vorabkaufkommission*, charged with distributing DM 1 million amongst 5 film projects in

return for an option on the television broadcast rights, had had to extend its deadline twice for funding applications to find five projects which fulfilled the basic requirement that the resulting film should have box-office potential (11).

In an interview in April 1975 with Dieter Stolte, who had been appointed ARD's feature film co-ordinator on 1 March and the network's co-ordinator for film funding in January, Josef Rölz of *epd/Kirche und Rundfunk* suggested that the projects selected so far for co-production funding read much like 'eine große Liste der großen Namen, sowohl was die Vorlagen betrifft als auch die Autoren, Regisseure und den übrigen Stab' (12), e.g. with directors like Völker Schlöndorff, Werner Herzog, Rainer Werner Fassbinder, and Alexander Kluge, and two projects based on books by Heinrich Böll, *Die verlorene Ehre der Katharina Blum* and *Ansichten eines Clowns*. The filmmakers outside of the mainstream of West German cinema, experimentalists and avantgarde directors like Werner Schroeter, Jean-Marie Straub, and Rosa von Praunheim had, Rölz claimed, been passed over in the rounds of funding allocations (13).

Stolte responded to Rölz's criticism of the selection criteria of the *Achter-Kommission* by reminding him of two other sources of production finance open to the as yet unknown director: the 'Projektförderung'



and the *Vorabkaufkommission* funds. But, in speaking of the 'Projektförderung' as a viable alternative to the funds of the *Achter-Kommission*, Stolte had neglected the fact that § 16(2) of the FFG, which set out the pre-requisites for a submitted project receiving funding, states that 'die Darlehensgewährung setzt voraus, daß das Filmvorhaben aufgrund des Drehbuches sowie der Stab- und Besetzungsliste einen Film erwarten läßt, der geeignet erscheint, die Qualität und die Wirtschaftlichkeit (my emphasis) des deutschen Films zu verbessern' (14). Although a consensus of opinion might be reached within the *Projektkommission* that a project submitted by one of these 'outsider' directors fulfilled the committee's cultural criteria, the members representing the film industry, in particular the HDF, would argue that these minority interest films would not fulfil the other important condition: namely, that of contributing to the greater profitability of West German film production.

However, such filmmakers were more likely to be excluded from these alternative sources of funding because of their idiosyncratic approach to filming, preferring an improvisatory technique to the constraints imposed by a fixed shooting script, cast and crew list, which were details required in funding applications to the *Projektkommission*, *Achter-Kommiss-*

ion, and *Vorabkaufkommission* (15). In addition, the films funded by these three committees were all destined, at the first instance, for theatrical release (16) which, again, operated against these filmmakers who did not necessarily work in terms of the commercial feature film.

Thus, Schroeter, Praunheim, and the new generation of filmmakers who had appeared in the 1970s, continued to rely on ZDF's *Das kleine Fernsehspiel* department, the regional 'Third' channels, and the main 'Fernsehspiel' departments of the ARD network for financial support. As Günter Rohrbach and Gunther Witte showed in an article for a joint ARD/ZDF brochure celebrating the first six years of the 'Film/Fernseh-Abkommen', the 'informal' financial co-operation between filmmakers and television, which had existed before 4 November 1974, continued after this date to support those projects which did not appear to have the promise of commercial success needed to secure the votes of the film industry representatives in the *Achter-Kommission*, often because they were submitted by first-time feature film directors such as Margarethe von Trotta or Erwin Keusch. In fact, several of these co-productions made outside the 'Film/Fernseh-Abkommen' proved as successful, if not more so, as those made within the 'Abkommen', with many of them enjoying extended theatrical runs before their television

transmissions (17). Although Dieter Stolte admitted in the interview with Josef Rölz that the financial commitment made by ARD and ZDF to the co-production fund of DM 34 million was 'eher eine Umverteilung' of the budgets which the television stations had had for co-productions before the passing of the 'Film/Fernseh-Abkommen' (18), sizeable budgets were still made available for 'informal' co-productions: for example, WDR, the largest and richest ARD station, spent DM 21.5 million, SDR DM 6.14 million, and ZDF DM 30.4 million between 1974 and 1979 on this type of co-production.

Another view of the first months' of work of the *Achter-Kommission* was gained from one more of ARD's representatives, Hans Joachim Wack, in an interview with Georg M. Bartosch in *Film-echo/Filmwoche* (19). Wack declared himself satisfied with the general progress of the committee's work, but was somewhat perturbed that there were still too many small-scale projects being submitted. Clearly, many filmmakers, who had been working within the financial constraints of the 'Fernsehspiel' budgets away from the commercial film industry, had failed, as yet, to make the transfer from small-scale thinking to the larger scale requirements of the feature film for theatrical release. Wack maintained, however, that the overall atmosphere

between television and the film industry had undergone a considerable improvement since the signing of the 'Film/Fernseh-Abkommen', and further progress was likely once a specially created *Ständige Kommission Film/Fernsehen* met from May 1975 onwards to deal with 'special requests', from the exhibitors in particular, such as the re-scheduling by the television stations of feature films currently enjoying a renaissance in the cinemas (20), and to explore the possibility of extending the amount of air-time given over to reporting on the latest film releases in the 'filmkundliche Sendungen' (21).

**First two co-productions funded under the auspices of the 'Film/Fernseh-Abkommen' released in the cinemas - autumn 1975**

In autumn 1975 the first two of the co-productions granted funding by the *Achter-Kommission* - Volker Schlöndorff's *Die verlorene Ehre der Katharina Blum* and Bernhard Sinkel and Alf Brustellin's *Berlinger* - were released in the cinemas in West Germany to high hopes among the supporters of the New German Cinema for the much-awaited commercial breakthrough and to suspicion from the established film industry afraid of this other generation of filmmakers usurping its dominance of the West German film scene (22).

### **Die verlorene Ehre der Katharina Blum**

Sponsored by WDR after HR, Schlöndorff's usual co-producing television station, turned it down, the film project of Heinrich Böll's *Die verlorene Ehre der Katharina Blum* was allocated DM 500 000 by the *Achter-Kommission* at its first meeting on 17 December 1974 and DM 300 000 by the *Projektkommission* at its meeting of 28 January 1975. The remaining DM 900 000 of the DM 1.7 million budget was put up by the West German branch of the American Paramount-Orion distributors and Schlöndorff's own production company, Bioskop Film (23). Distribution was to be handled by the American Cinema International Corporation GmbH (CIC), which had scored a modest success with Schlöndorff's television film *Die Moral der Ruth Halbfuß*.

During the eight-week shoot through February and March 1975 of *Die verlorene Ehre der Katharina Blum*, Schlöndorff told journalists visiting the set that he intended to make 'eine gradlinige und starke Kinogeschichte' (24), thus making his return to feature films after an absence of six years. To achieve this, he had purposely avoided actors familiar from regular television appearances. Angela Winkler, who was chosen to play the lead role of Katharina Blum, had been a member of Peter Stein's actors' ensemble at the Berlin Schaubühne since 1971, and had had only one feature film role - in Peter Fleischmann's *Jagdszenen aus*

*Niederbayern* in 1969 - and two 'Fernsehspiel' roles: Max von der Grün's *Schichtwechsel*, transmitted on 29 September 1968, and Peter Stein's Schaubühne staging of *Peer Gynt* shown on the regional 'Third' channels (except BR 3) at Christmas 1971. Mario Adorf, who played the police inspector Beizmenne, was chiefly known by West German cinema audiences for his portrayals of villains in the Karl May films of the 1960s, and his most recent appearance in a German film had been in Edgar Reitz's *Die Reise nach Wien* (released 26 September 1973). Jürgen Prochnow, playing the suspected terrorist Götten, had become better known to cinema audiences recently through his leading roles in Wolfgang Petersen's first feature film, *Einer von uns beiden* (released 22 April 1974), and Reinhard Hauff's *Die Verrohung des Franz Blum* (released 9 August 1974) (25), but his exposure on television had been restricted to three 'Fernsehspiele' at the beginning of the 1970s.

Schlöndorff was confident that the strategy of high production values and a storyline of burning topicality would ensure that his film was a critical and commercial success, particularly since Böll's 'Erzählung' had already sold over 200 000 copies since its publication at the beginning of October 1974 and had been in the best-sellers lists for months. He asserted:

'wir wollen die Zahlen von großen ausländischen Filmen erreichen, nicht die Achtungserfolge in einigen Großstadtkinos. Und ich bin überzeugt, daß uns das mit diesem Stoff gelungen wird' (26). Thus, when Rupert Neudeck and Hans Günther Pflaum of *FILM-Korrespondenz* asked Schlöndorff about the fact that *Die verlorene Ehre der Katharina Blum* would eventually be appearing on television, he replied 'daß ich mir darüber überhaupt keine Gedanken mache, wenn der Film später im Fernsehen läuft' (27).

Despite the attempts by *Bild-Zeitung* to discredit Schlöndorff's film and the (connected) hesitation of exhibitors to take such an allegedly politically controversial film - an initial launch in 9 cinemas on 10 October 1975 was, however, soon followed by a further 25 bookings - *Die verlorene Ehre der Katharina Blum* soon approached the audience figures Schlöndorff had intended and became the most successful West German film of 1975 and 1976. A year after its release, it had registered 1 million admissions and DM 2.5 million in distributors' receipts (28), and was acclaimed by the critics for combining quality with entertainment. The Swiss *Neue Zürcher Zeitung* enthused: 'es sieht so aus, als sei mit Volker Schlöndorff und Margarethe von Trotta's Film der Durchbruch des einzig ernstzunehmenden bundesdeutschen Films gelungen: der Durchbruch zum Publikum, zur Darstellung der unmittel-

baren Gegenwart, zum Kino' (29). Due to the film's lasting success in the cinemas, its 'holdback', set by the 'Film/Fernseh-Abkommen' at 2 years, was extended, in accordance with § 3, so that the television transmission did not take place until 28 May 1978.

### Berlinger

Bernhard Sinkel and Alf Brustellin's *Berlinger*, released on 6 November 1975, was, like Schlöndorff's film, budgeted at around DM 1.7 million. The combination of public and private finance to produce this film served in the future as a 'textbook example' of the possibilities for a filmmaker to attract production promotion from a variety of public institutions as well as from commercial producers (30). ZDF provided DM 700 000 as part of its commitment to the 'Film/Fernseh-Abkommen'; DM 300 000 came from the Federal Interior Ministry in 1973 in the form of a project premium; DM 300 000 from the FFA's *Projektkommission* at its first meeting on 28 October 1974; DM 150 000 as a distribution guarantee from Constantin; and the remaining DM 250 000 - 15 % of the budget - from producer Heinz Angermeyer's Independent Film and the directors' own production company ABS-Film (31). Talking to Helmut Müller of *Film-echo/Filmwoche* in Frankfurt in November 1975, Sinkel and Brustellin rejected any suggestion that ZDF's major contribution



- 41 % - to the film's budget had meant that the commissioning editor had imposed conditions on them during shooting: 'Das Fernsehen hat uns in unsere Arbeit nicht hineingeredet und vor allem nicht versucht uns zu bewegen, einen Fernsehfilm zu machen'. Brustellin recalled that Willi Segler from ZDF's 'Fernsehspiel' department had encouraged them to make a 'Kinofilm' with the result that 'wir haben an das Fernsehen überhaupt nicht gedacht' and 'bei keiner Einstellung nach der Wirkung auf dem FS-Bildschirm gefragt' (32).

The ambitious epic style of *Berlinger*, which did not eschew spectacular action sequences, including the exploding of an aircraft hangar, was welcomed by the critics when the film opened in autumn 1975. The reviewer in *Die Zeit* declared that the film's structure 'wird Filmgeschichte machen und ist höchstens mit der Technik von Orson Welles vergleichbar', and the *Süddeutsche Zeitung* went as far as claiming that *Berlinger* was on a par with Welles's *Citizen Kane* (33). The high budgets of these first films made under the auspices of the 'Film/Fernseh-Abkommen' and the *Projektkommission* meant, of course, that they had to appeal to a wide audience to have a hope of recouping their production costs (34). But, as a Berlin advertising agency Cinepromotion concluded in a survey of the

market for German films in autumn 1975, a high quality German film could only expect to attract a maximum of 900 000 admissions which, taking the average ticket price at almost DM 5, would bring a film like *Berlinger* total box-office receipts of some DM 4 million (35). After subtracting the exhibitors' cut of 60 % - DM 2.5 million - and the film's promotional costs, the film's producers would be left with less than DM 1.5 million, which was not sufficient to cover the initial financial outlay or to make a repayment on the loan from the *Projektkommission*.

**Reaction from within the film industry to the 'Film/Fernseh-Abkommen' and the 'Projektförderung'**

During 1975, as the exhibitors awaited the first films selected and backed by the *Projektkommission* and *Achter-Kommission*, their trade paper, *Film-echo*/*Filmwoche*, devoted editorials and articles reinforcing those prejudices which the established film industry had harboured for years against the young generation of filmmakers and against television's involvement in film production. Horst Axtmann wrote in June 1975 in an article entitled 'Findet Film- oder Fernsehförderung statt ?' that there was the fear 'daß also letztlich Filme . . . entstehen, die eigentlich gar keine Chance in den Kinos haben, beim Fernsehen jedoch eine Programmlücke füllen, die ohne besondere Rücksicht auf Zuschauerwünsche recht billig, sprich: preiswert,

geschlossen werden kann' (36). In November he claimed that a situation had developed whereby film projects turned down by the *Projektkommission* were often then submitted to the *Achter-Kommission* and granted production funds, despite the fact that the *Projektkommission* had considered the project unlikely to make a commercial or artistic contribution to the West German cinema. Axtmann maintained, at a time when *Die verlorene Ehre der Katharina Blum* and *Berlinger* were attracting large numbers to the cinemas: 'Die ersten Titel, die von der Film/Fernseh-Kommission der FFA (the *Achter-Kommission*) ausgewählt und inzwischen fertiggestellt worden sind, haben - wie filmwirtschaftliche Beobachter nach Sicht übereinstimmend feststellen - jedenfalls nur ganz geringe Chancen, jemals in den Kinos zu reüssieren' (37).

However, Hans Günther Pflaum, in a review of 1975 for the December issue of *FILM-Korrespondenz*, claimed that, on the basis of the co-productions produced so far within the framework of the 'Film/Fernseh-Abkommen', 'Fernsehnormen haben sich nicht durchgesetzt, und in den kommenden Monaten dürfte eine ganze Reihe attraktiver, hierzulande produzierter Filme (*Ansichten eines Clowns*, *Sommergäste*, and *Nordsee ist Mordsee*) in unsere Kinos kommen, die ohne Fernsehmittel kaum entstanden wären' (38). The 'unknown' or 'unorthodox'

filmmakers, though, were still being neglected in favour of the more established and (potentially) commercially successful directors of the New German Cinema.

**Further debate on the 'Film/Fernseh-Abkommen' and the 'Projektförderung'**

Despite the awarding of the Ecumenical Jury and the International Film Critics (FIPRESCI) prizes to Werner Herzog for *Jeder für sich und Gott gegen alle* at the Cannes Film Festival in May 1975 (39) and the encouraging commercial success of three German films - Bernhard Sinkel's *Lina Braake - Die Interessen der Bank können nicht die Interessen sein, die Lina Braake hat*, Volker Schlöndorff's *Die verlorene Ehre der Katharina Blum*, and Sinkel and Brustellin's *Berlinger* - the overall situation for the West German film industry was far from promising. The market share of German films had fallen from 1974's figure of 26.5 % to an all-time low of 12.9 %, whilst American films increased their share by 6.6 % to 41.4 %. Admissions also continued the downward path to register 128.1 million in 1975, 8.1 million down on the previous year. It was against this background of what *Der Spiegel* called a 'Branche ohne Zukunft' that the progress of the 'Film/Fernseh-Abkommen' and the 'Projektförderung' was debated in public by various sections of the film industry with

representatives from the television companies (40).

At the first members' meeting of the Bundesverband für Fernseh- und Filmregisseure in Deutschland e.V. (41), a lobby group for independent producers working in the film and television industries, in Munich on 10 January 1976, speeches were heard from Günter Rohrbach, head of WDR's 'Fernsehspiel' department, about the 'Film/Fernseh-Abkommen', Manfred Purzer, chairman of the *Projektkommission*, on the 'Projektförderung', and from Dieter Lattmann, SPD *Bundestag* deputy, on the future of independent production in the worsening financial climate prevailing within the television stations (42).

Rohrbach admitted in his talk that a number of the co-productions made under the auspices of the 'Film/Fernseh-Abkommen' would be unlikely to have the commercial success hoped for because the filmmakers being supported by this fund had, in many cases, been working until now predominantly for television and become out of touch with the prerequisites for a 'big screen' commercial success. Purzer, meanwhile, used this meeting as an opportunity to attack the funding procedure of the *Projektkommission* which, he claimed, amounted to little more than *Projektergänzung*: a final 'topping up' after the rest of a film's budget had been assembled from other film promotion bodies such as the Federal Interior Ministry, the Kuratorium Junger

Deutscher Film e.V., and the *Achter-Kommission* (43).

A week later, on 17 January 1976, the CDU and CSU staged the first of their annual 'Filmgespräche' in Munich, to which were invited film producers, directors, distributors, broadcasters, churchmen, and trades unionists to discuss the future structure of the film promotion system once the current FFG had run out on 31 December 1978 (44). CSU General Secretary Gerold Tandler opened the event by outlining the CDU/CSU's proposals for revisions to the current FFG, which, in effect, would reverse the dynamic reforms such as the 'Projektförderung' made by the SPD/FDP coalition with the second FFG *Novelle* of March 1974. It was proposed that the *Bund*, which currently provided funds through the Federal Interior Ministry for production and script premiums and for the German Film Prize awards (45), should withdraw its culturally-oriented backing and hand over this responsibility to the *Länder*. Bavaria's Economics Ministry had already announced its intention to make provision in its budget for an annual allocation of DM 800 000 to be awarded to film projects made in Bavaria, and other *Länder* such as Berlin were likely to follow (46); the 'Projektförderung' fund would no longer be financed by the FFA's ticket levy income, but would in future come from the *Bund*, the *Länder*, and television, amounting in total to

DM 9 million (47). This would be a major increase in television's direct contribution to the FFA, since it was currently providing DM 1 million annually for projects funded through the 'Projektförderung'; and reconsideration would be given to the introduction of a television levy as recompense for the vast benefits television derived from using the products of the film industry.

Klaus Eder, in his report on the 'Filmgespräch' for *epd/Kirche und Rundfunk*, attacked the CDU/CSU's uncritical support of the conservative established film industry's opposition to film promotion based on cultural as well as economic criteria, as practised by the *Projektkommission*, and cited the successes of *Die verlorene Ehre der Katharina Blum* and *Berlinger* as proof of the wisdom of introducing the 'Projektförderung' to the FFG (48). Eder claimed that the 'Altbranche' and its allies within the CDU and CSU preferred to ignore the commercial success of these two films which far outshone the performances of films made outside the funding systems or with 'Referenzfilmförderung', and to propagate the myth that the funds for the 'Projektförderung' were being used to back films with 'politically suspect' themes, an accusation previously levelled by CDU/CSU politicians at the SPD/FDP coalition during the parliamentary debate on the second FFG revision in December 1973.

### **Broadcasters respond to criticisms of television's involvement in film production**

Werner Hess, now chairman of ARD, responded to criticisms by the established film industry of the co-production agreement when he spoke at a film policy discussion on the eve of the SPD's party conference in Dortmund on 17 July 1976 (49). He declared that ARD and ZDF were providing the amounts of funds required of them by § 2 of the 'Abkommen'; the resulting co-productions were coming into the cinemas before the television transmission, as required by § 3c; and any profits from the theatrical releases, which were due to the co-producing television station in relation to its financial contribution to the film's budget would be forwarded to the 'Projektförderung' fund (§ 7) and would not remain in the broadcasters' coffers (50). Hess concluded that opponents of the 'Abkommen' (within the film industry) were less interested in reasoned argument than in misrepresenting the situation to politicians, in anticipation of the debate on the revision of the FFG from 1 January 1979, 'um zum dritten Mal das Fernsehen im Sinne einer Steuer-Abgabe zur Kasse zu bitten und den Geldsegen dann unter den "aus crime- und sex-kassenträchtigen" Produzenten mit der Gießkanne zu verteilen' (51).

Earlier in 1976 Günter Rohrbach had revealed in an



article entitled 'Fernsehfilm Kinofilme' for WDR's 'Fernsehspiel' brochure that a 'seltsames Kartell des Schweigens' had been promoted by filmmakers and critics alike to suppress mention of television's financial and editorial contributions to the recent successes of the New German Cinema in their publicity handouts and newspaper and magazine articles (52). Rohrbach focussed on two of WDR's 'in-house' productions which had originally been conceived for television transmission only - Wim Wenders's *Falsche Bewegung* and Bernhard Sinkel's *Lina Braake - Die Interessen der Bank können nicht die Interessen sein, die Lina Braake hat* - and showed how they had been transformed from modest television films into highly regarded feature films.

*Falsche Bewegung*, a television film for DM 700 000 commissioned from WDR 'house director' Wim Wenders, was made between September and November 1974 by Peter Genée and Bernd Eichinger's Solaris Film- und Fernsehproduktion (53). However, on the film's completion, Wenders and the commissioning editor at WDR, Peter Märthesheimer, agreed that it would be too sophisticated a film to launch on the television audience 'straight' and that a limited theatrical release could create a 'word of mouth' interest in the film. Thus, as Rohrbach explains in the article, *Falsche Bewegung* was launched on 14 March 1975 into selected

cinemas (distributed by Filmverlag der Autoren) 'in der Hoffnung, die Filmkritik würde den Film sorgfältiger beobachten, als es die unter weitaus härteren Bedingungen arbeitende Fernsehkritik möglicherweise getan hätte' (54). This strategy surpassed even its initiators' expectations. Representative for most of the critical reception of the film, Siegfried Schober, writing in *Der Spiegel* on 10 March 1975, enthused that Wenders's film was one of the most important German films since Ernst Lubitsch, Fritz Lang, and Friedrich Murnau, and the critic of *Die Zeit* (as quoted by *Der Spiegel*) claimed that, along with Fassbinder's *Fontane Effi Briest*, *Falsche Bewegung* was 'das erste authentische Meisterwerk des deutschen Films der siebziger Jahre' (55). As Rohrbach remarked: 'Obwohl kein Filmproduzent, kein Verleiher auch nur einen Pfennig (oder gar einen Gedanken!) an dieses Werk gewendet hatte, feierte sich der deutsche Film in dem ihm unverhofft zugefallenen Produkt auf opulente Weise' (56). At the Federal Film Prize awards in Berlin on 27 June 1975, *Falsche Bewegung* subsequently received six Film Ribbons in Gold for best direction (Wim Wenders), screenplay (Peter Handke), cinematography (Robby Müller), ensemble acting (the cast), music (Jürgen Knieper), and editing (Peter Przygodda) (57). Despite Rohrbach's protests in this article, surveys of the New German Cinema have

persisted in perpetuating the mistaken belief that *Falsche Bewegung* is a feature film rather than a television film (58).

According to Rohrbach, *Lina Braake* had 'ein ähnliches, wenn auch in wichtigen Nuancen unterschiedliches Schicksal' (59). In 1973 Bernhard Sinkel had received DM 80 000 from the Kuratorium Junger Deutscher Film e.V. on the basis of his script for *Lina Braake*, but had calculated that the total budget would be near to DM 700 000. He himself provided DM 20 000, and the remaining finance was put up by WDR's 'Fernsehspiel' department on the understanding that the television transmission would be held back for a limited theatrical release of 4-6 weeks in accordance with the funding conditions of the Kuratorium Junger Deutscher Film e.V. (60). When Sinkel exceeded the original budget - the final figure was around DM 750 000 - , WDR agreed to a six-month theatrical release by Filmverlag der Autoren as a way of recouping the additional production costs. However, before the film's launch on 11 July 1975 it was given a special preview within the Internationales Forum des Jungen Films of the Berlin Film Festival (27 June - 8 July).

The critics' reaction to the film was overwhelmingly positive. West Berlin's *Spandauer Volksblatt* enthused: 'Alles redet von einer Renaissance des deutschen Films . . . Das beginnt bei Bernhard Sinkel und seinem

Publikumsknüller *Lina Braake*, einem Film, der in bisher nicht erfahrener Form Ansprüche an Unterhaltung gesellschaftliches Engagement und Humor erfüllt' (61). Siegfried Schober, writing in *Der Spiegel*, spoke of the film as 'klug, einfühlsam und wirkungsvoll inszeniertes Kino' (62). Further references to this film in studies on the New German Cinema have consistently called *Lina Braake* a 'Kinofilm', e.g. Hans Günther Pflaum and Hans Helmut Prinzler's survey in 1979 and Hans-Joachim Neumann's *Der deutsche Film heute* in 1986 (63).

The film's triumph at the Berlin Film Festival, and at the Federal Film Prize ceremony on 27 June where it was named 'Best Film' and awarded a Film Ribbon in Silver worth DM 350 000, was followed by a theatrical release which 'registered 500 000 admissions and DM 2 million in distributor receipts in the first six months after the film's launch, making *Lina Braake* the second most popular German film in 1975 after *Die verlorene Ehre der Katharina Blum* (64). WDR agreed to a further six months' 'holdback', on the condition that DM 100 000 be paid back by Sinkel, and finally screened the film on 29 June 1976 (65). But, as Rohrbach noted, there was scarcely any mention in the press in connection with this film of the patronage of television and of its agreement to forgo the televis-

ion screening for almost a year.

Rohrbach asserted that the exhibitors' association, the HDF, actively encouraged the sustaining of conflict and disharmony between the film industry and television by withholding the facts about the broadcasters' involvement in film production from its members, 'obwohl seit Jahren kein wichtiger deutscher Film mehr ohne (minoritäre oder gar majoritäre) Mithilfe des Fernsehens entstand' (66) and 'obwohl schließlich neuerdings im Kino immer mehr Filme reüssieren, die ohne das Fernsehen nie gedreht worden wären' (67). He further claimed that this conspiracy of silence had found supporters among those film distributors who had failed to back the young generation of filmmakers in the past and were now loathe to admit that television was the major force behind the raising of the quality of German films; among filmmakers who saw better chances of advancing their careers as feature film directors and of winning film prizes if they referred to these commissioned television films as 'Kinofilme' at press conferences and in interviews; and among film journalists who did not wish to mar the filmmakers' (potential) reputations as directors for the cinema by referring to the role played by television (68). Finally, Rohrbach noted with resignation, the television stations chose not to challenge these misrepresentations, thereby helping to perpetuate the myths

constructed by the film industry against and about television.

**Exhibitors step up their attacks on television's involvement in film funding**

In an article entitled 'Halbzeit für das FFG - Eine traurige Bilanz' (69), which appeared in the Berlin Film Festival issue of *Film-echo/Filmwoche* on 25 June 1976, the HDF *Präsidium*, president Klaus Scepanik (70) and vice-president Helmut Woeller, declared: 'ohne jegliche Polemik kann man heute sagen: Das FFG ist zu einem Fernsehförderungsgesetz geworden' (71), and reiterated the argument put forward by Manfred Purzer and Gerold Tandler earlier in the year that the allegedly disastrous performance of films funded by the *Projektkommission* and the *Achter-Kommission* could be attributed to the involvement of television in the decision-making on the selection of projects; and that only one of these films - Schlöndorff's *Die verlorene Ehre der Katharina Blum* - had had any widespread success in the cinemas, whilst a few others had registered average returns on the restricted 'art-house' circuit. 'Diese magere Bilanz', they concluded, had come about because 'jedes Filmvorhaben zunächst über den Redaktionstisch einer Fernsehanstalt gehen muß', which meant that 'im wesentlichen (werden) nur Drehbücher vorgelegt, die mit ihrer Thematik nur eine

kleine Zuschauerschicht ansprechen, den Geschmack breiterer Publikumsschichten dagegen außer Acht lassen'. Moreover, they claimed that representation of the film industry on the *Achter-Kommission* was only for appearances' sake. The 'Projektförderung' was, they charged, 'völlig in diesen Sog dieser Tendenzen des Film/Fernseh-Abkommens geraten' (72), pointing to the fact that 15 out of 20 films receiving production finance from the *Projektkommission* had also been successful in their application for funds from the *Achter-Kommission* (73). This, the HDF officials concluded, allowed the broadcasters two opportunities to ensure that a funded film was 'fernsehgeeignet', in other words corresponding to television's requirements and, in their opinion, anathema to the needs of the commercial film industry (74).

In response to this (allegedly) perilous situation, the HDF's *Präsidium* issued a declaration calling on the FFA to use its influence to bear on the broadcasters to ensure that greater attention was paid in the *Projektkommission* and the *Achter-Kommission* to the box-office potential of a submitted project; that the number of film magazine programmes should be increased, scheduled preferably in 'peak time' and should be less critical of the film industry; that measures should be implemented to effect a visible reduction in the number of feature films shown in the television sched-

ules (75) and to explore the possibility of introducing 'film-free' weekends (76); and that the main television channels, ARD and ZDF, should be required to make further financial contributions to the FFA 'in einem angemessenem Verhältnis zu dem großen und ständigen Nutzen . . . den das Fernsehen durch die Ausstrahlung von Spielfilmen zieht' (77).

#### **Response from Dieter Stolte to HDF's accusations**

A swift response to these accusations and demands by HDF came from Dieter Stolte, ZDF's *Programmdirektor*, in the July issue of ZDF's 'in-house' newspaper *ZDF Journal* (78). He maintained that the fall in cinema admissions, which had prompted the two HDF officials to launch an attack on television, could be attributed to a variety of other factors. Rising unemployment in West Germany meant that many people did not have so much disposable income and consequently had to restrict their leisure activities such as going to the cinema. The rapid increase in the price of a cinema ticket, poor service, uncomfortable seats, out-of-focus prints, and unimaginative programming were cited by Stolte as additional reasons for the continued downward trend in admissions (79).

Stolte answered the HDF's demands for a reduction in the number of feature films in the schedules and



the question of film-free weekends by referring to the fact that light entertainment programmes such as Rudi Carrell's *Am laufenden Band* (the German version of *The Generation Game*) and Hans Rosenthal's *Dalli Dalli* on a Saturday evening made a greater impact on cinema admissions than feature films. He further reminded the exhibitors that, up to June 1976, ARD and ZDF had provided DM 15.9 million for the funding of 30 film projects within the framework of the 'Film/Fernseh-Abkommen'. However, if the television levy proposal had been successful, ZDF would have only had to pay out the smaller sum of DM 5.82 million since January 1974. The critical and commercial successes of films co-produced with television ought to lead HDF, Stolte concluded, to re-assess its attitude towards television, in particular 'eingedenk der Tatsache, daß seit Jahren kein wichtiger deutscher Spielfilm mehr ohne Mithilfe des Fernsehens entstanden ist'.

This riposte by Stolte provoked a lively correspondence of 'open letters' to *Film-echo/Filmwoche* during August and September between Scepanik and Stolte. Based on ingrained prejudice, Scepanik's arguments centred on the claims that if television halted further screening of feature films in its schedules, the cinema admissions would soon begin to rise; and that the funds provided within the 'Film/Fernseh-Abkommen'

by ARD and ZDF were not genuine new commitments. In his replies, Stolte maintained that the exhibitors' demands would amount to an untenable influence by outsiders on the structure of the television schedules and that this could not be countenanced given that feature films represented less than 9 % of ZDF's total air time. He also held to the belief that the future of the West German film industry would be more secure with involvement from television as provided in the arrangement of the 'Film/Fernseh-Abkommen'.

Stolte's defence of television's involvement with the film industry did not, however, stop Horst Axtmann from continuing to argue in *Film-echo/Filmwoche* on 19 November 1976, 'daß die Filmförderung durch die FFA, an der das Fernsehen finanziell oder auch nur durch Erreichung einer Stimmenmehrheit in den entsprechenden Kommissionen mitwirkt ausschließlich dem Fernsehen zugute kommt' (80). Therefore, Heinz Ungureit, head of ZDF's Film and 'Fernsehspiel' department, devoted two articles in the February 1977 issue of *Das Fernsehspiel im ZDF* (81) and in the 1976 *ZDF Jahrbuch* (82) to outline the reasons for the current ills besetting the German film industry and defend television's record in its dealings with the film industry, be it co-productions or the screening of feature films in the schedules.

Echoing the articles by Rohrbach and Stolte, he

declared: 'es gab kaum einen beachtenswerten deutschen Film der letzten beiden Jahre, an dem nicht eine deutsche Fernsehanstalt finanziell, zum Teil auch redaktionell, beteiligt gewesen wäre' (83). Critical success had been accompanied by commercial success: Volker Schlöndorff's *Die verlorene Ehre der Katharina Blum* had attracted one million admissions within its first year of release and grossed over DM 3 million in distributor receipts, two co-productions had grossed over DM 1 million and another three DM 500 000. The three-quarters of German films produced between 1974 and 1976 without television money could not better these results, Ungureit remarked, despite the fact that they were made on the open commercial market without the influences of committees or television commissioning editors. Alfred Vohrer's *Der Edelweißkönig*, based on a novel by Ludwig Ganghofer, an author supposedly synonymous with box-office success, had struggled to reach DM 500 000 (84), and debut director Manfred Purzer's *Das Netz*, based on a novel by popular writer Hans Habe, had likewise failed to live up to the industry's expectations.

Ungureit suggested that the commercial success of the cinema/television co-productions was all the more remarkable given the harsh competition now facing small- and medium-budget German films from the big-budget American films which tended to manoeuvre the

commercially risky home product out of many cinemas. With the number of screens declining each year, it was increasingly difficult for the German filmmaker to obtain a wide enough release for his film to recoup its production costs. This was particularly acute in 1976, when the cinemas (and box-office receipts) were concentrated in a handful of American 'disaster' blockbusters, the new film genre for the 1970s: Michael Winner's *Death Wish* and Steven Spielberg's *Jaws* both grossed DM 10 million, whilst Mark Robson's *Earthquake* and John Guillermin and Irwin Allen's *The Towering Inferno* took over DM 6 million. Ungureit continued that the fall in cinema admissions was, contrary to HDF's contention, not solely attributable to television but should be seen as a phenomenon present in other Western countries as well. The FFA's *Studie über den deutschen Filmmarkt*, which had appeared in December 1976, had suggested that the general economic climate was an important factor affecting the well-being of the film industry.

As for the HDF's demands for a levy on the television screening of feature films, Ungureit recommended that the exhibitors acquaint themselves with the details of the broadcasters' financial commitment within the 'Film/Fernseh-Abkommen'. ARD and ZDF were currently providing DM 8.8 million annually to the

*Achter-Kommission*, *Projektkommission* and the *Vorab-kaufkommission*, whereas the DM 20 000 levy which had been originally proposed during the debate on the 1974 FFG revision would have raised no more than DM 6 million. HDF's claim that every co-production project had first to pass the scrutiny of a television station's commissioning editor before being submitted to the *Achter-Kommission* ignored the fact that projects could now be submitted by the filmmaker directly to a meeting of the selection committee (85).

**Günter Rohrbach's concept of the 'amphibischer Film' and the ensuing debate**

In April 1977 Günter Rohrbach, head of WDR's 'Fernsehspiel' department, entered the debate on television's collaboration with, and obligation to, the film industry by coining the term 'amphibischer Film' to describe co-productions between the film industry and television which, technically and aesthetically, could exist and succeed on both the large and small screens; and by championing this collaboration between the two media as being indispensable and mutually beneficial. As Martin Wiebel (86) recalls in an interview with Ronald and Dorothea Holloway for *KINO German Film* in Spring 1986: 'the importance here (at WDR) of Günter Rohrbach was that he was a major trendsetter. First, he would sense that "something was there" although in

a rough-hewed form. Then out of necessity to bring order into decisions, he would fashion a theoretical system and pass it on as doctrine' (87). So it was with the 'amphibischer Film'.

The seeds of the 'amphibischer Film' had been sown much earlier in Rohrbach's career at WDR. As Egon Netenjakob illustrated in an article on the work of WDR's 'Fernsehspiel' department for *Fernsehen + Film* in August 1970, Rohrbach had actively propagated the use of film for television plays, especially when covering socio-critical topics, and had rebelled against the term of 'Fernsehspiel' which, he argued, only served to complicate matters: 'man macht eben Filme und benutzt gewisse technische Apparate, um sie zu zeigen' (88). Rohrbach had written earlier in 1970 for *Fernsehen + Film*: 'man wird die Konsequenzen daraus ziehen, daß beide Medien (film and television), von Ausnahmen abgesehen, das gleiche Produkt verlangen' (89). This was a view which was gradually gaining ground amongst broadcasters at this time, as shown by Gerhard Prager, head of ZDF's Film and 'Fernsehspiel' department, who forecast in June 1970: 'das Fernsehspiel wird immer enger mit dem Spielfilm zusammenarbeiten . . . Diese Cooperation wird um so leichter möglich sein, als sich die Aufnahme-, Vervielfältigungs- und Wiedergabetechnik des Fernsehens immer stärker der Filmtechnik angleicht' (90). Five years

later, Rohrbach was calling for greater co-operation between the film industry and television after news that the budgets for the 'Fernsehspiel' departments were to be drastically reduced, and justified this policy of convergence of the two industries by declaring: 'spätestens seit Beginn der siebziger Jahre sind . . . , von wenigen Ausnahmen abgesehen, alle wichtigeren deutschen Fernsehspiele Spielfilme gewesen' (91).

Rohrbach's opportunity to develop further his thoughts on the relationship between cinema and television in West Germany into a theory was provided by a two-day conference, the 'Römerberg Gespräche', on 29-30 April 1977 in Frankfurt, under the general title 'Sie schlagen uns das Kino tot' (92). Rohrbach's paper, entitled 'Das Subventions-Kino. Plädoyer für den amphibischen Film', was to be delivered on the second afternoon, but earlier speeches ran over their allotted time so that neither Rohrbach nor Heinz Ungureit (who had been invited to speak on 'Subventionierte Filmproduktion') could in fact present their papers. Therefore, Rohrbach's introduction of the term 'amphibischer Film' into the West German media vocabulary did not become widely known until his and Ungureit's paper were printed in May issues of *epd/Kirche und Rundfunk* (93) and, in Rohrbach's case, in the first edition of Hanser

Verlag's *Jahrbuch Film* series compiled by Hans Günther Pflaum (94).

In his paper, Rohrbach stressed that the developments of recent years which had seen film co-productions being made between the film industry and television within and without the framework of the 'Film/Fernseh-Abkommen', and the increasing popularity of the feature film in the television schedules had created an interdependence between the two media: 'ein Fernsehen ohne Spielfilm wäre eine Illusion. Kino und Fernsehen werden miteinander leben können, weil sie miteinander leben müssen' (95). The film industry had benefited financially from television's collaboration on film production - WDR had spent DM 35 million on co-productions since the late 1960s (96) - and was likely to continue to rely on this source of finance as other funds contracted. In addition, film producers had come to appreciate through their partnership with broadcasters on such matters as the selection of script and cast that film was not just an industrial product, but also part of the nation's culture. Rohrbach was prepared to admit that the commissioning editors' contribution 'hat . . . mehr dem gegolten, was am Film Kultur als was an ihm Kommerz ist', but added that several artistically ambitious films had shown that they could be commercially attractive as well (97).



Rohrbach's enthusiasm for the 'amphibischer Film' was naturally founded to a great degree on self-interest. The television stations needed a constant supply of new programme material to fill their schedules, and feature films were by far the most popular type of programme on offer. Moreover, feature films, 'bought-in' or co-produced, could no longer easily be replaced by the costlier 'in house' 'Fernsehspiele', since 'die genuinen Formen schwinden, die amphibischen haben Konjunktur'. Consequently, Rohrbach was addressing his appeal to feature film directors 'die mit ihrer Phantasie für Bilder, ihrer Leidenschaft für Geschichten, das Programm reicher und menschlicher machen'.

Television needed film producers with their ability for greater creativity and flexibility to develop an alternative to the cumbersome broadcasting hierarchy.

He stressed, however, at the same time that television did not wish to make the cinema as a place of entertainment redundant. The cinemas were needed, he declared, for the resulting co-productions to be given a theatrical run before their transmission on television, since films which only appeared on television could not be classified feature films and 'weil Film zunächst und vor allem ein Gemeinschaftserlebnis ist'. Rohrbach was aware that the publicity and interest generated around these films' theatrical releases

would make them more attractive in the television schedules than if they had been presented as straightforward 'Fernsehfirme'. Television's dependence on the cinema for this special aura was summed up by Rohrbach with the words 'Fernsehen wird durch Kino erst schön' (98).

#### Reaction to Rohrbach's championing of the 'amphibischer Film'

Rohrbach's championing of the 'amphibischer Film' as the centrepiece of future developments in the relationship between television and the film industry soon prompted a reply from one of those who had long been critical and disparaging of television's high profile in the field of film production (99). Hans C. Blumenberg, writing in *Die Zeit* at the end of August and beginning of September 1977, claimed that the television stations in West Germany were both aiding and killing off the native film industry (100). The filmmakers were indeed indebted to Rohrbach and Ungureit for their support of the production of quality films and for the subsequent warm critical reception of these films at film festivals abroad. But the 'amphibischer Film' - in Blumenberg's words, 'eine Mischform aus Film und Fernsehen' - could spell the end of cinema as a venue for screening films 'wenn im Kino die gleichen Filme laufen wie im Fernsehen, und dazu kaum noch zeitversetzt, tun die Leute tatsächlich

besser daran, zuhause vor dem Bildschirm zu bleiben' (101). This state of affairs could become reality, Blumenberg argued, if every film director insisted that all of his films be given a theatrical release, regardless of whether they were suited to being viewed on the large screen. He cited Christian Ziewer's *Der aufrechte Gang* as being 'ein nützlicher Fernseh-Abend', but added 'mit Kino hat er nichts zu schaffen' (102).

Cinema, which, in Blumenberg's argument, was apparently synonymous with the term 'Kinofilm', had, he declared, to forge its own identity independent of the influence of television: 'das Kino muß die Faszination der großen Leinwand ausspielen, es muß Geschichten, die dem Fernsehen zu riskant oder zu belanglos erscheinen, auf eine Weise erzählen, die im Fernsehen nicht möglich ist' (103). Recent German films, which fulfilled these pre-requisites, included, in his opinion, Wim Wenders's *Der amerikanische Freund*, Werner Herzog's *Stroszek*, and Bernhard Sinkel and Alf Brustellin's *Der Mädchenkrieg*. It should be noted, though, that all three had been part-funded either within the framework of the 'Film/Fernseh-Abkommen', through the *Projektkommission*, or in direct co-production with a television station (104).

Unlike Rohrbach, who was keen to pass over the differences between the 'Kinofilm' and the 'Fernseh-

spiel' in favour of the all-embracing 'amphibischer Film', Blumenberg was concerned that filmmakers should make a conscious distinction between their work for television and for the cinema, and held up Klaus Lemke and Rainer Werner Fassbinder as examples of directors who had adopted such a working strategy. If this practice did not become universal, Blumenberg argued, the German cinema would soon amount to little more than 'Fernsehspiele' masquerading as 'Kinofilme'.

**Elaboration of Blumenberg's argument by Andreas Meyer in *Medium***

Blumenberg's criticisms of Rohrbach's championing of the 'amphibischer Film' were subsequently expanded and elaborated upon by the Munich media researcher Andreas Meyer for a three-part polemical article, 'Auf dem Wege zum Staatsfilm ? Bausteine zur Situationsanalyse des bundesdeutschen Kinos', which appeared in the October, November, and December issues of the Frankfurt specialist media journal, *Medium* (105). Meyer, who had been the author of an as yet unpublished M.A. thesis on 'Spezifik und Komplementarität der Medien - dargestellt am Beispiel von Kino und Fernsehen in der Bundesrepublik Deutschland' (106), addressed himself to the problem of defining the specific characteristics of the 'Kinofilm' as opposed to those of the 'Fernsehfilm'. In his first article, entitled 'Das Fernseh-Kino', he aimed to show that 'die

Vorstellung einer realisierbaren Produktkomplementarität ist eine Fiktion zu Lasten des Kinos und der Grundirrtum des FFG/Rahmenabkommens !'. In order to do this, he listed what he considered to be the particular attributes of television and cinema which distinguished them from each other: cinema was a medium of expression and emotion which could be reduced to the concepts of 'Attraktion, Sensation, Jahrmarkt, Zirkus', whereas television, with its cumbersome bureaucratic administrative apparatus, represented 'Maß, Mitte, Kompromiß, Neutralität' (107).

In Meyer's opinion, the 'Fernsehfilm', as produced in West Germany, was 'eine weitgehende Depravation genuiner Elemente, die das Kino in seinem über achtzigjährigen Traditionszusammenhang hervorgebracht und kultiviert hat' because of the restricted screen size, greater reliance on the word rather than on visual images, and because of the simpler, mundaner working methods dictated to the filmmakers by the limited budgets available to films made by, or with, television (108). The 'Lehr-, Tendenz- und Gesinnungstheater', propagated in particular by Rohrbach at WDR, had, he argued, contributed to the development of an 'Ästhetik der redenden Köpfe', making the German cinema resemble 'radio with pictures'.

Ideally, Meyer would have liked to have seen a

strict division between production by the television stations and the film industry, but economic necessity dictated that the close links built up over the years between the two industries would be impossible to disband. Nevertheless, he was confident that a scheme could be devised to rid the film industry of the aesthetic and editorial influences of the broadcasters imposed on film projects at their selection in the *Projektkommission* or the *Achter-Kommission*. He proposed that a levy should be imposed on the screening of feature films on television, if feature films could not be banned completely from the television screens. The levy, which would be held in a fund, independent of the broadcasters' control, could either be collected as a set fee (DM 30 000) for each film or as a supplement (e.g. DM 0.15) to the monthly television licence fee. The prospect of legal proceedings and the scrapping of the 'Film/Fernseh-Abkommen' did not perturb Meyer, since it was evident that the television stations would have to continue with co-productions so as to ensure that they had a constant source of programme material for the schedules. Further measures he had in mind included 'film-free' weekends, television's film purchasing agencies opening their archives to distributors wanting to give transmitted films a second run in the cinemas, and television withdrawing from competition with film distributors

for the rights to films.

#### Reaction to Meyer's series of articles

Peter Christian Hall, editor of *medium*, noted in the rubric 'An die Redaktion. Aus der Redaktion' in the March 1978 issue: 'die sachliche Auseinandersetzung, die *medium* damit zu provozieren beabsichtigte, ist jedoch über winzige Ansätze nicht hinausgekommen' (109). Dr. Maximilian von Andrenyi, an official in the Bavarian State Ministry for Economics and Transport, wrote on 12 January 1978 that he considered Meyer's articles to be 'die gründlichste und am klarsten durchdachte Analyse unserer gegenwärtigen desolaten Filmsituation', whilst Manfred Purzer, in another letter of assent, declared that Meyer's arguments were 'so klarsichtig und so einleuchtend, daß es Widerspruch eigentlich nur dort geben kann, wo man den Widerspruch um seiner selbst willen pflegt'.

The broadcasters, though, had restricted themselves, according to Hall, to complacency and arrogance in the face of the charges made by Meyer against television's overwhelming of the West German film industry. Günter Rohrbach, whose 'amphibischer Film' had been the target of Meyer's polemical onslaught, responded to *medium's* request for a statement by writing on 19 December 1977: 'Wäre ich ein unabhängiger Kritiker, würde ich Herrn Meyer gern und in vielem auch heftig

widersprechen wollen. Da ich dies aber nicht bin, sondern eher alles andere, reizt es nicht (*sic*) nicht so sehr' (110). Heinz Ungureit had, on the other hand, written a three-page article, entitled 'Gibt es den reinen Kinofilm?', for the February issue of *epd/Kirche und Film* in which he attacked 'diese Weihbischöfe des Kinos, die ihrem Tempel die höheren Weihen zu geben vermeinen . . . merken gar nicht, daß sie es sind, die in Wahrheit mithelfen, durch ihre unzulässige Vereinnahmung des Kinos alle Ungläubigen aus dem Tempel zu vertreiben und ihn damit leerer und leerer zu machen' (111). Ungureit dismissed Meyer's attempts at a strict division between the 'Kinofilm' and 'Fernsehfilm' by asserting: 'Filme sind eben heute längst Mehrzweckprodukte geworden, und das Kino mag dabei immer noch der schönste, aber beileibe nicht mehr der einzige Zweck sein'. Although he would not claim that the 'Film/Fernseh-Abkommen' was perfect, Ungureit could not accept Meyer's proposal for a *tabula rasa* of the existing arrangements between the film industry and television: 'Restriktive Maßnahmen, Verbote, rigide Trennungen und dergleichen werden nichts bessern, sondern die Lage nur verschlimmern. Das müßten vor allem die einsehen, denen der gute Film (im Kino und im Fernsehen) noch etwas bedeutet' (112).



Blumenberg's 'Bildschirm contra Leinwand' article

Hans C. Blumenberg returned to the debate on the 'amphibischer Film' in another article for *Die Zeit*, entitled 'Bildschirm contra Leinwand?', which appeared on 23 June 1978 (113) and was prompted by the controversy over the planned West German premiere of the Cannes prize-winner *Padre Padrone* by Paolo and Vittorio Taviani by ARD's main first channel in November 1978 (114). Much of this article addressed itself to the same questions and problems dealt with by Andreas Meyer in his series of articles for *medium*, but was versed in a more accessible language. In a direct allusion to Heinz Ungureit's criticisms in *epd/Kirche und Film* in February, Blumenberg maintained: 'es kommt nicht darauf an, die Fernsehwechsler aus dem Kinotempel zu vertreiben, sondern darauf, ihnen die Unterschiede zwischen den Medien in einem Maße zu verdeutlichen, daß sie dem Kino seine ästhetische Eigenständigkeit belassen' (115).

The two opposing viewpoints held by Blumenberg and Rohrbach were given added exposure when a public debate, entitled 'Leinwand contra Bildschirm - Zwei Medien und ihre Bildsprache', was staged, under the chairmanship of Wolf Donner, as an accompanying event to the Federal Film Prize ceremony in Berlin on 30 June 1978 (116). Blumenberg reiterated the arguments set out in his article for *Die Zeit* a week earlier,

and concluded that the 'amphibischer Film' was leading to an impoverishment of visual culture. Rohrbach countered that little profit was to be gained in an involved discussion of the differences between the 'Kinofilm' and the 'Fernsehfilm'. He was concerned, though, that Blumenberg's arguments were likely to be taken up by the established film industry and used as 'ammunition' in the debate on the forthcoming revision of the FFG, which was due to expire on 31 December 1978. Rohrbach did not dispute that there were fundamental aesthetic differences between television and cinema, but he was adamant that feature films occupied a legitimate place in the television schedules and that they could 'work' 'auch unter den veränderten und verminderten Bedingungen des Fernsehens' (117).

Whether the established film industry and their allies in the press and the *Bundestag* arrived at the same conclusions as Meyer and Blumenberg is debatable. If they were opposed to the socio-critical television films, the so-called 'Thesenfilme', which had been chiefly promoted by WDR, it was not only because they regarded the 'wordy' journalistic approach as incompatible with the aspirations of a filmmaker working for the cinema. Media analyst Knut Hickethier remarks in his historical survey *Das Fernsehspiel in Deutschland* that he had misgivings about the calls for the

injection of more imagination into the films being produced since this could be construed as being just a pretext to undermine attempts at political analysis and critical comment (118). Aware of a heightened atmosphere of nervousness within West German broadcasting after the events of autumn 1977, Rohrbach turned from defending the 'amphibischer Film' model and began calling for the emancipation of the 'Fernsehspiel' (and, in effect, the New German Cinema) from dogged naturalism. In a paper given at the Mainzer Tage der Fernsehkritik in September 1978, he warned that if the 'Fernsehspiele' increasingly came to resemble the *Tagesschau*, they would consequently come under more stringent controls; the more daring a story was, and the stronger the emotions portrayed, the better depiction, he believed, of reality (119).

Rohrbach made a final break with his concept of the 'amphibischer Film' when he declared at the Mainzer Tage der Fernsehkritik in November 1983 that it was 'ein Wort . . . das ich nicht mehr so gern in den Mund nehme'. His championing of productions of films which could be successful in the cinemas and on television had, he claimed, been something of a publicity stunt. At the time the German cinema was in a state of flux: 'und wir hatten Angst, daß uns diese Leute verlorengehen, daß wir sie für das Fernsehen nicht gewinnen könnten' (120). Despite Rohrbach's distancing

himself, the term has been revived on occasions to describe, *inter alia*, Wolfgang Petersen's *Das Boot* (1981), with its two-and-a-half hour feature film and a five-hour television series, and Edgar Reitz's fifteen hours forty minutes-long *Heimat* (1984) (121), and television films made under the *Film on Four* banner for Britain's Channel Four (122).

**The third revision of the 'Filmförderungsgesetz' -  
25 June 1979**

When discussion began in earnest in the summer of 1977 on the future structure of the existing 'Filmförderungsgesetz' (FFG), which was due to expire on 31 December 1978, the debate on and criticism of Günter Rohrbach's concept of the 'amphibischer Film' served as another stick with which the established film industry could beat the broadcasters, the young generation of filmmakers, and the politicians who had supported the reforms of the 1974 FFG revision. The 'Altbranche' of exhibitors and producers were bolstered in their campaign against the beneficiaries of the 'Projektförderung' and the 'Film/Fernseh-Abkommen' by the depressing statistics for the German film industry's performance during the previous two years: the market share for German films had fallen to an all-time low of 11.4 %; admissions had further contracted from 128.1 million in 1975 to 115.1 million in 1976;

and gross box-office takings had likewise fallen from DM 626.5 million in 1975 to DM 591.9 million in 1976 (123). They argued that the reforms of 1974, and in particular the 'Projektförderung', had failed to create a more profitable film industry, and that a revised FFG should address itself to measures which would give increased assistance to commercially-oriented film production, attract a more comprehensive financial contribution by ARD and ZDF to the FFA, commensurate with their use of feature films in the television schedules, and less involvement by the broadcasters in the allocation of the FFA's funds (i.e. within the *Projektkommission*).

Once the Federal Government had announced that the Economics Ministry would have a draft revision prepared by the beginning of 1978, the various interest groups within the film industry set to formulating their own demands and expectations of a revised FFG from 1 January 1979. The film industry's 'umbrella organisation', SPIO, representing the conservative establishment, launched its 'Denkschrift zur Neufassung des Filmförderungsgesetzes' on 18 October 1977, which called for adequate incentives for the production of 'publikumsrelevante und marktkonforme Filme', and demanded that the disputed 'Projektförderung' should orientate itself more to the 'Publikumsbedürfnis', and that ARD and ZDF, as well as the *Bund* and

the *Länder*, should be required to make greater financial contributions to the FFA's funds (124).

A more radical approach was taken by a joint paper issued on 23 December 1977 by the Arbeitsgemeinschaft der Filmjournalisten, Deutscher-Journalisten-Verband and the Rundfunk-Fernseh-Film-Union, the 'Gemeinsame Vorschläge zur Novellierung des Filmförderungsgesetzes' (125). This paper recommended the elimination of the 'Grund-' and 'Zusatzbeträge' in favour of an up-grading and expansion of the 'Projektförderung', with an increased emphasis on funding according to qualitative criteria since the most successful films since 1974 had been artistically ambitious ones. The co-production funds, which had been made available under the auspices of the 'Film/Fernseh-Abkommen', should be doubled, whilst the funds at the disposal of the *Vorabkaufkommission* should be trebled.

The mood of opinion within the exhibition sector of the West German film industry on the outcome of the forthcoming official discussion of the FFG revision was neatly summed up in a statement issued by the HDF's *Präsidium*, president Klaus Scepanik and vice-president Gerhard Closmann, and published in the last issue for 1977 of *Film-echo/Filmwoche*, which declared that 1978 would be a 'Jahr der Entscheidung' when the 'Stunde der Wahrheit' would strike for the FFG and

its future. Scepanik and Closmann warned that the HDF would move to block the passing of the FFG revision 'unter Einsatz aller rechtlichen, politischen und wirtschaftlichen Möglichkeiten' if its petitions, as contained in the SPIO 'Denkschrift' went unheeded. 'Die Geduld der deutschen Filmtheater nach zehnjähriger Filmförderungspraxis ist erschöpft', they concluded (126).

**Third CDU/CSU 'Filmgespräch' - 14 January 1978, Munich**

Much of the discussion at the third of the CDU/CSU's annual film talks in Munich centred on the arguments and proposals being put forward for the revision to the existing FFG (127). In an opening speech, Herbert Huber, chairman of the CSU's Film Committee and a member of the Bavarian *Landtag*, indicated that his party and the CDU's views on the FFG had already been outlined in the 1976 and 1977 film talks (128). Speaking on the concept of quality within an economically oriented film promotion law, Huber declared: 'Qualität heißt hier in erster Linie Kino-Qualität. Eine zur Leinwandgröße aufgeblasene Fernsehproduktion ist in diesem Sinne nicht qualitativ' (129). However, it was in a paper by Jürgen Wohlrabe, CDU *Bundestag* deputy and a member of the FFA's *Verwaltungsrat*, that a forthright attack was launched on television and the 'Film/Fernseh-Abkommen'. He claimed that the 'Abkommen'

had created a situation whereby the German cinema was almost totally dependent on the television stations. 'Wir von der Union sind nach wie vor der Meinung', he maintained, 'daß es höchste Zeit wird, seine geistige und wirtschaftliche Unabhängigkeit wiederzuerstellen'. Wohlrabe warned that if the current dependence on television was allowed to continue, the film industry would become a mere supplier of television programmes which fulfilled television's requirements rather than the cinema's 'und orientiert sich nicht zuletzt am Geschmack und an der politischen Einstellung des jeweiligen Redakteurs'. Furthermore, he claimed, the 'Film/Fernseh-Abkommen' had done little to stimulate growth in the German film market and resulted instead in the 'Subventionsmentalität' prevalent now among the filmmakers seeking production finance assistance.

Wohlrabe argued that this state of affairs could be remedied if television committed itself to 'ein klares Bekenntnis zum Kino und zum Kinofilm'. This could be achieved if ARD and ZDF agreed to the promotion of 'der originäre, kraftvolle Kinofilm', independent of the broadcasters' influence, which, in Wohlrabe's opinion, would involve the introduction of a television levy (first mooted at the 'Filmgespräch' in 1976 and again in 1977) of, say, DM 0.15 per licence fee owner, to be paid into a fund which would be able to create 'jene Freiheitsräume . . . , auf die es ihnen



(the filmmakers) und auch uns ankommt' (130). The imposition of such a levy on ARD and ZDF would, he suggested, also require a redefining of the conditions under which co-operation between the film industry and television could operate.

Asked by Horst Axtmann in the subsequent discussion of his paper as to the likelihood of such a levy being incorporated into the FFG revision, Wohlrabe declared that a concrete answer could not as yet be given, but all the parliamentary channels would be employed by the CDU and CSU to ensure that 'ein Desaster wie das von 1973', when the television levy proposal had been dropped in favour of a voluntary agreement (the 'Film/Fernseh-Abkommen') between ARD, ZDF and the FFA, was avoided on this occasion. The broadcasters' outright opposition to such a proposal had been reiterated, however, as recent as 10 October 1977 when, at a press conference held in the Hilton Hotel in Mainz by ARD and ZDF to launch a joint brochure celebrating the first four years of the 'Film/Fernseh-Abkommen' - *Der deutsche Film und das Fernsehen - Filmförderung 1974 - 1977* - , the broadcasters had rejected the idea of a levy for the ( well-known) legal and financial reasons. The anticipated increase in the licence fees for radio and television would, they had argued, only be sufficient to keep pace with the rising operational costs and

would not allow television to make additional payments to the film industry.

That the papers by Huber and Wohlrabe led to any discussion was, as Joachim Gerner noted in his report on the 'Filmgespräch' for *Film und Recht*, largely thanks due to contributions by ZDF's *Programmdirektor* Dieter Stolte and Laurens Straub, formerly of *Filmverlag der Autoren* (131). As Gerner writes: 'Das Forum wurde sonst zur Abgabe von Statements benutzt, die weniger den Charakter von Diskussionsbeiträgen hatten, sondern eher Presseerklärungen gleichen' (132). Stolte responded to Wohlrabe's attacks on television by reminding those present that the film industry's current crisis could not be blamed solely on television, since mismanagement within the industry and neglect of the younger generation of filmmakers were important contributory factors. The CDU politician's charge that television exerted an unacceptable influence on the selection of projects for funding within the 'Film/Fernseh'Abkommen' ignored, Stolte argued, the fact that film scripts could also be submitted directly to the *Achter-Kommission* without first having to be 'sponsored' by a 'Fernsehspiel' department of a television station (133).

**Publication of the Federal Economics Ministry's  
'Entwurf eines 3. Gesetzes zur Änderung des Film-  
förderungsgesetzes'**

On 8 February 1978 the Federal Economics Ministry announced its Entwurf eines 3. Gesetzes zur Änderung des Filmförderungsgesetzes, which had been compiled after consultation of the various documents submitted to the ministry by SPIO, the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., and by the group headed by the Deutsche-Journalisten Union, as well as after discussions between the ministry's film affairs spokesman, Dr. Ernst von Beauvais, and representatives from the film industry (134).

The revision's proposals provoked a hostile reaction from the HDF and SPIO: a crisis meeting of the member associations was convened in Munich on 17 February to re-affirm the 'all-industry' commitment to the resolutions set out in the SPIO 'Denkschrift' of 18 October 1977 and to formulate their strategy for a hearing on the future FFG which was to be hosted by the Federal Economics Ministry in Bonn on 21 February (135). At the hearing, however, Dr. Beauvais could give no assurances about the likelihood of a television levy being introduced.

Since the discussions on the FFG revision were evidently progressing counter to the wishes of the exhibitors, and therefore, in their view, counter to the interests of the film industry as a whole, HDF

president Klaus Scepanik, now also chairman of the SPIO board, chose the opportunity of this hearing to read out an official statement which had been agreed upon at the meeting of the 17th. According to this statement, SPIO could not accept the ministry's draft FFG, 'da er filmwirtschaftliche Notwendigkeiten in wesentlichen Punkten unberücksichtigt läßt, die Abgaben und die Finanzierungsseite völlig unbefriedigend regelt und dem Gewicht der filmwirtschaftlich relevanten Gruppen in keiner Weise Rechnung trägt' (136). Furthermore, a revised FFG would only be acceptable to the film industry, 'wenn endlich auch das Fernsehen zu einer angemessenen, gesetzlich festgelegten bedingungslosen Abgabe herangezogen wird' (137).

**Offer of an extension and expansion of the 'Film/  
Fernseh-Abkommen' by ARD and ZDF**

Evidently disturbed by the renewed calls for a television levy to be imposed on the screening of feature films in the television schedules from the film industry and parliamentary politicians, ARD and ZDF sent a letter to the Federal Economics Ministry in March 1978, announcing their willingness to increase the funds made available under the auspices of the 'Film/Fernseh-Abkommen' for co-productions from the current sum (for 1 November 1974 to 31 December 1978) of DM 34 million to DM 54 million for the period of 1 January

1979 to 31 December 1983. The additional DM 10 million of the current 'Abkommen', which had been allocated to the 'Projektförderung' (DM 5 million) and to the *Vorabkaufkommission* (DM 5 million), was to be increased in the broadcasters' proposed extension to DM 22.5 million, which would include a special fund for script assistance. This near doubling of the funds for the 'Film/Fernseh-Abkommen' was, however, on the condition that the ministry dropped plans to introduce a television levy into its draft FFG revision (138).

**SPIO issues an 'Erklärung zum Entwurf eines 3. Gesetzes zur Änderung des Filmförderungsgesetzes'**

On 6 April 1978 the SPIO membership convened in Wiesbaden for a crisis debate on the latest draft revision from the Federal Economics Ministry which altered some of the proposals made public on 8 February. An 'Erklärung zum Entwurf eines Gesetzes zur Änderung des Filmförderungsgesetzes' (139) was sent to the film spokesmen at *Bund* and *Länder* level, to the parliamentary parties, the press, and to the FFA's *Verwaltungsrat*, reiterating the film industry's 'fundamental' and 'indispensable' demands of a revised FFG which Klaus Scepanik had already outlined at the Economics Ministry's hearing on 21 February and at the sitting of the FFA's *Verwaltungsrat* on 27 February. The declaration stated that SPIO was prepared to cont-

inue making a contribution to the film promotion system so long as the ticket levy was in the form of a fixed rate. However, this was conditional on ARD and ZDF being required to pay a statutory levy to the FFA, commensurate with their use of feature films in the schedules, or calculated per licence fee owner (140). The 'Film/Fernseh-Abkommen' was not deemed a suitable replacement. In conclusion, the SPIO document reminded the revisers of the FFG of the law's specific obligations as an economically oriented law, and called for increased emphasis on 'der publikumsrelevante Film' (141).

#### **Beginning of the draft revision's parliamentary progress**

Despite SPIO's lobbying of the Economics Ministry to delete those amendments in the draft revision which were unacceptable to the HDF, a 36-page draft FFG revision came before the Federal Cabinet on 10 May 1978 and was given its first reading. The time-scale for this draft's passage through parliament envisaged it coming before the *Bundesrat* on 23 June, having its first reading in the *Bundestag* at the beginning of October, after which time it would pass to the parliamentary Economic, Interior, and Education and Science Committees for discussion before returning for the second and third readings in the *Bundestag*. It was doubted, however, whether the draft could pass through

all these stages in time for a revision to come on to the statute books by 31 December 1978, when the current FFG expired. Therefore, a joint parliamentary party motion was submitted to the *Bundestag* on 31 May 1978, proposing that the current FFG be extended by an additional six months to 30 June 1979 (142), and accepted at the *Bundestag* sitting of 19 October 1978 (143).

As expected, the draft revision came before the *Bundesrat* on 23 June 1978 where recommendations were made, *inter alia*, that the Economics Ministry's proposal on the financial assistance for cinema modernisation programmes should be modified and that the two broadcasting corporations should be prepared to make a greater contribution to the FFG, although there was no suggestion that this should take the form of a television levy (144). This second recommendation by the *Bundesrat* was echoed by the new Federal Interior Minister Gerhart Baum, when, in his address to the Federal Film Prize award ceremony in Berlin on 30 June 1978, he declared: 'Ich richte den dringenden Appell an den (*sic*) Anstalten, über den bisherigen Betrag hinaus sich den Filmtheaterbesitzern mit einem adäquaten Finanzbetrag zum Filmförderungsgesetz solidarisch zur Seite zu stellen' (145).

**First reading of the draft revision, 5 October 1978**

The Federal Government assumed responsibility for the parliamentary passage of the Economic Ministry's draft FFG revision after the cabinet sitting of 10 May 1978, presenting an Entwurf eines Gesetzes über Maßnahmen zur Förderung des deutschen Films (Filmförderungsgesetz - FFG) (*Bundestags-Drucksache* 8/2108), as the draft was now known, to the *Bundestag* on 19 September 1978 (146). The draft subsequently came before the parliamentary assembly for its first reading at a sitting on 5 October 1978.

The draft, which expanded the explanatory details of the regulations from the 28 clauses of the 1974 FFG to 77, ran counter to the exhibitors' demands by resisting the call for a television levy and arguing that the Federal Government expected ARD and ZDF to make a sizeable increase in their financial support of the 'Film/Fernseh-Abkommen' (147).

Opening the debate on 5 October, the parliamentary state secretary from the Federal Economics Ministry outlined the amendments to the current FFG, as proposed in the draft revision, and explained that discussions had been successfully held with the broadcasters about a substantial increase in their financial contribution to film funding which thus had allowed the officials drafting the FFG revision to dispense with the introduction of a television levy (148). Dr.



Anke Martiny-Glotz, speaking on behalf of the SPD, welcomed the plans for a greater contribution from television to the FFG and, with reference to the controversy over the television screening of *Padre Padrone*, declared that television should be friendlier to the cinemas. Jürgen Wohlrabe, speaking for the CDU, reiterated the standpoint he had delivered at the 'Filmgespräch' in Munich in January 1978: 'Wer mehr als 1000 Filme pro Jahr spielt - und das in den drei Programmen des Fernsehens der Fall - , muß sich zu einer hohen Abgabe zugunsten des deutschen Films bereitfinden' (149). He suggested that the constitutional dilemma posed by the imposition of the levy, as claimed in the parliamentary debate of the 1974 FFG in November and December 1973, could be solved if the three parliamentary political parties were to meet with the broadcasters. Manfred Haussmann, speaking for the FDP, warned utmost caution against plans for a television levy, as advanced by Wohlrabe, and offered his support for the concluding of a voluntary agreement with the broadcasters to continue after the current 'Film/Fernseh-Abkommen' expired.

The draft revision received its second and third readings in the *Bundestag* on 11 May 1979, and, despite subsequent attempts at intervention from the *Bundesrat*, was passed at a final fourth reading in the *Bundestag*

on 22 June, and came into effect as from 1 July 1979 (150). SPIO's first reaction to the passing of the draft into law was to see it as a provocation of the film industry and a parody of an economic and 'self-help' law which would trigger a worsening of the West German film industry's situation. The mood within the industry, and, in particular, amongst the exhibitors, was summed up by a comment in *Film-echo/Filmwoche* on 29 June 1979:

Die Verantwortlichen dieses Gesetzes haben es sich selbst zuzuschreiben, wenn es jetzt zu einem bedingungslosen Widerstand gegen die Filmförderung kommen wird. Die entscheidenden Gremien der Filmwirtschaft, insbesondere der HDF, werden kurzfristig über die nunmehr zu ergreifenden Maßnahmen beschließen. Dabei läßt sich jetzt schon mit Sicherheit sagen: Die Zeichen stehen auf Konfrontation (151).

The exhibitors collected within the HDF subsequently considered the options of boycotting the FFA's *Verwaltungsrat* and other committees or refusing to collect the ticket levy as a response to the new regulations in the FFG which affected the cinemas. However, the HDF's assumption that its concerns and demands would be automatically embraced by the rest of the film industry in a sign of solidarity eventually began to try the patience of the production and distribution sectors of the industry who saw that certain amendments in the new FFG could bring positive financial benefits, e.g. the ticket levy revenue would be increased under the sliding scale percentage scheme

which would guarantee the FFA's future commitment to payment of the 'Grundbetrag' (§ 22(2)) and 'Zusatzbetrag' (§ 22(3)), thus dispelling fears of the established film producers and the younger generation of filmmakers (152). As Hans Günther Pflaum observed in his report on the revised FFG for *Jahrbuch Film 79/80*, the HDF campaign against the amendments to the ticket levy had been of greatest urgency for those exhibitors owning chains of cinemas or first-run sites (153). Many of these exhibitors occupied senior positions in the HDF administration and thus used the association's lobbying power to represent their particular interests, although ignoring the needs of the smaller and financially weaker independent cinema owner. HDF's strategy thus alienated these less influential members and made it harder in the future for the exhibition sector to organise a united front in response to changes to the funding system. When HDF's planned campaign against the new FFG did not materialise, president Scepanik and his deputy Gerhard Closmann took this as a cue to resign and withdraw from active lobbying.

**A new improved offer by the broadcasters for a revised 'Film/Fernseh-Abkommen'**

Although there were frequent calls during the debate on the FFG revision during 1978 and 1979 for the int-

roduction of a television levy, the broadcasters had always reminded supporters of such a proposal of the arguments which had been used in autumn 1973 against a levy being incorporated in the 1974 FFG, and referred them to § 11(2) of the current 'Film/Fernseh-Abkommen', which stated that the agreement could be suspended without notice 'wenn das FFG in der ab 3. März 1974 geltenden Fassung in einer die Interessen der Rundfunkanstalten berührenden Frage geändert wird' (154).

The broadcasters' offer of DM 76.5 million over five years from 1 January 1979, which had been made in March 1978 to the Federal Economics Ministry during its preparation of a draft revision to the FFG, had served as the basis for discussion between the FFA and television during 1978 (155). In the *Bundestag* FFG debate on 5 October 1978, Jürgen Wohlrabe, a major proponent of the television levy, referred, though, to a sum of DM 7 million a year coming from television for the 'Film/Fernseh-Abkommen' for co-productions (§2) thus signifying a slight increase on the March offer.

However, it was not until 13 February 1979 that a 'förmliches und verlockendes Angebot' was submitted by HR *Intendant* Werner Hess and ZDF *Intendant* Karl-Günther von Hase to the Federal Economics Ministry, outlining the extent of their revised commitment to the 'Film/Fernseh-Abkommen', which, in accordance with

the *Bundestag* decision of 19 November 1978 on the extension of the FFG's validity, had been likewise extended by six months to 30 June 1979 (156). The funds for co-productions between the film industry and the television stations was to be increased to DM 56.5 million, with DM 1.5 million a year being reserved for film projects submitted directly to the *Achter-Kommission* (157). The monies available to the *Vorabkaufkommission*, which allocated an average DM 200 000 in return for the broadcast rights to a film project, remained at DM 5 million, whilst the broadcasters' contribution to the 'Projektförderung' of the FFG was stepped up from the current DM 5 million to DM 17.5 million. An additional DM 2.5 million (ARD and ZDF allocating DM 250 000 each per year) was to be made available for the first time for assistance with the writing of screenplays; however, this would only be drawn upon if the script subsidies' fund administered by the *Projektkommission* had been exhausted (158). Furthermore, greater consideration was to be given, the broadcasters promised, to the funding of 'low-budget' film projects and 'newcomer' directors, and to television 'holdbacks'.

The 'Hamburger Erklärung' of 22 September 1979 and a further revised offer by the broadcasters for an extension to the 'Film/Fernseh-Abkommen'

At a film festival held in Hamburg between 18 and

23 September 1979 in response to attempts by the CDU/CSU politicians and the established film industry to stage a show-business film event in Munich, a declaration was arrived at by the filmmakers present which set the agenda for the direction of the New German Cinema in the future. Taking stock of the developments in the West German film industry 17 years on from the Oberhausen Manifesto of 28 February 1962, the declaration argued that the filmmakers should have a greater say in the decision-making process on the allocation of production finance from the various funding institutions:

Phantasie läßt sich nicht verwalten. Gremienköpfe können nicht bestimmen, was der produktive Film tun soll. Der deutsche Film der achtziger Jahre kann nicht mehr von Gremien, Anstalten und Interessengruppen so wie bisher fremdbestimmt werden (159).

During a press conference on 22 September, the assembled filmmakers issued a paper on the current situation which singled out television for particular criticism, although at the same time acknowledging certain commissioning editors' role in the promotion of the New German Cinema. The television stations were charged with making judgements on the content of screenplays, although this was outside of their jurisdiction; allowing their bureaucratic apparatus to encourage self-censorship amongst the filmmakers and editors; conforming too rigidly to the 'tyranny' of

the schedules - a covert form of censorship - and imposing a uniform visual language on the co-produced films. The 'Film/Fernseh-Abkommen', the paper declared, had neglected the documentary, experimental, and 'low-budget' film genres, despite the broadcasters' offer to increase the funds for mainstream feature film production by 100 %. The funds available to the *Vorabkaufkommission* were inadequate to meet the requirements of the filmmakers working in these genres. The television stations were further called on to open up their archives for use by the circuit of 'Kommunale Kinos' and other non-commercial cinemas.

There was a need for a renewed commitment by the television stations to newcomer directors, who had been neglected so far by the 'Film/Fernseh-Abkommen'. This latest generation of filmmakers had organised themselves on 3 September 1978 into the Verband Deutscher Nachwuchsfilm, based in Frankfurt, which had campaigned via the pages of the specialist film magazine, *Filmfaust*, for greater recognition of the newcomer directors in the draft FFG revision that was passing through the *Bundestag* and its committees (160). In a press release reproduced in the October/November 1978 issue of *Filmfaust*, the association described itself as acting as a 'Durchgangsstadium, als Schleuse für den jeweils sich erneuernden Film-

nachwuchs' and serving as 'eine Plattform zur Verwirklichung dessen. . . , was zu Recht ein "Alternativer deutscher Film" genannt werden könnte'. It outlined its basic demands of the subsidy legislation: a budget for first films in the FFG on a par with the 'Grund-', 'Zusatz-', and 'Projektförderung'; encouragement of the hiring of young 'untried faces' for acting roles; the right to a personal discussion of a funding application; the publication of a committee's decisions on the selection or rejection of projects; and equal representation of the newcomer directors on all funding committees (161).

These newcomer directors were also concerned that § 8(8) of the new FFG that came into effect on 1 July 1979, which specified that the *Vergabekommission* (the new name for the *Projektkommission*) could set up a three-man sub-committee to decide on promotion assistance up to DM 200 000 (162), supposedly for 'low-budget' productions, was, on the contrary, being used as a 'Rentenkasse' by the established commercial directors and the 'Autorenfilmer' of the New German Cinema to 'top up' the production aid from other sources.

**ZDF's *Das kleine Fernsehspiel*: a helping hand for experimental and unorthodox filmmakers**

Those filmmakers who preferred unorthodox or experimental approaches to their work thus were faced with



having to continue to rely on the financial assistance and dramaturgical advice offered by the commissioning editors of ZDF's long-established alternative forum for filmmakers, *Das kleine Fernsehspiel*, since the Kuratorium Junger deutscher Film, the other source of funding for first-time directors, could do little to meet the demand with its paltry DM 1.115 million budget.

### *Das kleine Fernsehspiel* in the 1960s

The *Das kleine Fernsehspiel* department was in existence from the very start of ZDF's operations on 1 April 1963, with the responsibility for 25-minute programmes every Thursday between 18.55 and 19.20 as 'ein experimentelles Gegengewicht zur Serienunterhaltung an den übrigen Wochentagen' and particular emphasis being placed on the 'Original-Fernsehspiel' as an alternative to the stage plays and novels of the mainstream 'Fernsehspiel' (163). Beginning with Prosper Mérimée's unstaged *Die Unzufriedenen* on 4 April 1963, directed by the Viennese theatre director Veit Relin, the department either 'bought in' short films from abroad, in particular from France, Belgium, and Eastern Europe (164), commissioned productions from newcomer German directors such as Werner Grassmann, who made *Gammlerballade* (broadcast 9 November 1967), *Evarella 68* (broadcast 5 December 1968) and *Unternehmen Mewkow* (broadcast 6 November 1969), and

Wolfgang Petersen, a graduate of the Deutsche Film- und Fernsehakademie, who made two shorts - *Der Eine - Der Andere* (8 mins./1967) and *Ich nicht* (15 mins./1968) whilst still a student in Berlin, and from young foreign filmmakers such as the Yugoslav Ceko Zamurovic, who had made five films for *Das kleine Fernsehspiel* by 1967, and the Pole Romauld Dobraczynski (*Der Gänsebraten vom Dienst*, 14 March 1968) (165), or produced 'in-house' 'Fernsehspiele' (166). Departmental head Hajo Schedlich considered the limited time available for the filmmakers to be more of a virtue than a disadvantage: 'die kurze Form ist besonders geeignet, um den experimentellen und avantgardistischen Bemühungen der Jungfernseher Ausdruck zu geben . . . vermindert das mit jedem Experiment verbundene finanzielle Risiko auf ein Minimum und bietet gleichzeitig den Reiz der Episode, die Konzentration auf eine Grundsituation' (167). In addition, the criteria for the selection of films were never influenced by their scheduling within the 'commercial framework' ('Werberahmenprogramm'); as Eckart Stein, Schedlich's successor in 1975, recalled in 1976:

Für uns wurden nie Richtlinien erlassen, unsere Sendungen so bunt und populär wie möglich zu gestalten . . . Es lag im Wesen begründet, auch unbequeme, manchmal sogar unverdauliche, zumeist anspruchsvolle will heißen fast immer unpopuläre Kost anzubieten. Wir haben nie mit der Publikumsgunst geflirtet und gingen nie auf Zuschauermaximierung aus (168).

The efforts of Schedlich and his editors to offer first-time directors opportunities to experiment away from commercial pressures and build a 'bridge' between the up and coming generation of artistically ambitious filmmakers and television received critical acclaim for what was in effect the opening up of new territory: the *Frankfurter Allgemeine Zeitung* wrote on 16 November 1964 that these 25-minute programmes had 'mehr an künstlerischer Kraft als das ganze übrige stundenlange Theater der Woche zusammen' (169), whilst the *Stuttgarter Zeitung* observed on 25 February 1966: 'unter abfotografiertem Theater, aufgewärmten alten Filmen und raren Bildschirmstücken, die zu hören oftmals genügen würde, tanzt ein Programm erfreulich aus der Reihe: Das kleine Fernsehspiel des ZDF. Hier . . . wird . . . das Experiment gehätschelt, wird versucht dem Bildschirm zu geben, was er optisch braucht' (170).

**1970: *Das kleine Fernsehspiel* moves to a late-night slot**

In 1970 the *Das kleine Fernsehspiel* department was re-organised and its programmes rescheduled to 22.00; there had been the occasional film shown under the banner of the *Studioprogramm* late on Sunday evenings from May 1966, and on Fridays from April 1968. In the autumn the *Kamerafilm* series was launched, transmitted at monthly intervals, which, according to Schedlich,

would feature 'vorwiegend persönliche Filme . . . der Filmemacher ist sein eigener Autor, Kameramann, Regisseur und Cutter. Auf diesem Weg hoffen wir zu einem Wahrheitsgehalt zu finden' (171). In a review of the *Kamerafilm* seasons, Stein remarked at the Mainzer Tage der Fernseh-Kritik in 1982 that the thinking behind the introduction of this venture had been 'eine zunächst sehr behelfsmäßige und wacklige, schließlich aber immer gangbare und immer häufiger begangene Brücke zur damaligen Underground-Filmgeneration' (172). Filmmakers who had worked for this particular strand of *Das kleine Fernsehspiel* included Werner Schroeter (*Der Bomberpilot*/1970, *Goldflocken*/1976), Herbert Achternbusch (*Bierkampf*/1977), Stephen Dwoskin (*The Silent Cry*/1977), Helmut Costard (*Der kleine Godard*/1979), and Peter Krieg (*Septemberweizen*/1980).

Other Thursdays were filled with films for the *Studioprogramm* season which had been running since 1966: titles shown under this banner included *Reifezeit* (Sohrab Shahid Saless/1976), *Ein ganz und gar verwahrlostes Mädchen* (Jutta Brückner/1977), and *Es herrscht Ruhe im Land* (Peter Lilienthal/1980). Furthermore, since autumn 1978 another strand had been introduced - *Zeugen der Zeit* - which aimed to feature 'Filme, die Lebensgeschichte als Zeitgeschichte darstellen' (173), and has so far screened, *inter alia*, *Ich denke oft an Hawaii* (Elfi Mikesch/1978), *Unver-*

*söhnliche Erinnerungen* (Klaus Volkenborn/1979), and *Das höchste Gut einer Frau ist ihr Schweigen* (Gertrud Pinkus/1980).

#### **Unique features of *Das kleine Fernsehspiel***

In comparison with the budgets provided for the main 'Fernsehspiel' departments of ZDF and ARD, the editors of *Das kleine Fernsehspiel* were required to operate within particularly stringent conditions. In 1982 the budget allocation for some 46 productions ('bought in' and commissioned) was DM 12 million, with the prospect of this figure being cut by 25 % in 1983 as a result of the uncertainty over the proposed increase to the monthly licence fee (174). Consequently, the department was always seeking for co-producers - ranging from the Kuratorium Junger Deutscher Film and the Federal Interior Ministry to (increasingly) foreign broadcasting companies such as I.N.A. in France and Channel Four in Great Britain (from 1982), which would allow it to provide its productions with more generous budgets. The limited funds were viewed by the commissioning editors, though, as being something of a virtue, forcing them 'zu einer grundsätzlich anderen Konzeption, als sie dem großen Fernsehspiel möglich ist . . . die Ökonomie ist die Stiefmutter unserer Dramaturgie'. Thus, there was a conscious emphasis on small, modest forms of film-

making, which, according to Stein, would create 'auf einer schmalen Bühne im Licht spärlicher Glühbirnen eine Off-Broadway-Wirklichkeit im Fernsehen' (175).

The department was highly regarded for the flexible nature of its administration of applications for production funding from filmmakers. Although there was obviously constant pressure on the commissioning editors to have material for the forty-six slots a year - a problem which could have been solved by making long-term programming and commissioning plans -, Stein and his colleagues were loath to let *Das kleine Fernsehspiel* become another purveyor of the 'Konservenfabrikation', and preferred instead to be receptive to new ideas and artistic innovations and to support these whilst they were still topical. Stein declared in autumn 1977: 'Diese aktuelle Dramaturgie ist unseres Erachtens eine der wesentlichen Voraussetzungen für den Freiraum, in dem wir arbeiten' (176). Furthermore, in accordance with the policy of openness adopted by the editors in their production policy, there were no apparent limitations on the type, form or content of the productions which could come under the banner of *Das kleine Fernsehspiel*: programmes have ranged from experimental films, studio discussions, and video experiments to 'Fernsehspiele' and camera reportage, and from feature films to musical narratives.

A significant contribution to the improvement of film/television relations was also made by the support of *Das kleine Fernsehspiel* for the theatrical presentation of its commissioned or co-produced productions at film festivals and on the 'art house' circuit. By 1980 over 90 % of the films appearing in the *Das Kleine Fernsehspiel* slot had been given a theatrical release. Normally, the film would have its premiere on television and would then be released into the cinemas, usually the 'Programmkinos' or the 'Kommunale Kinos'. However, there had been isolated instances where a *Kleines Fernsehspiel* production was first shown at a film festival or in selected cinemas before the television transmission. The editors were ever mindful of handling each film according to its own particular merits, and of the need 'durchlässig zu sein im Sinne eines allgemeinen und gemeinsamen kulturellen Interesses am Film' (177). Eckart Stein summarised the department's policy on the theatrical release of its (co-)productions in 1980 when he wrote: 'das Hemd des *Kleinen Fernsehspiels* am Donnerstag (ist) näher als die Jacke einer Filmauswertung, daß uns andererseits aber ein Publikum so wichtig ist wie das andere und daß ein Film das Publikum haben soll, das er ansprechen will und verdient' (178). Moreover, the department has co-operated with the non-commercial

exhibition sector on the staging of retrospectives of productions screened as part of the *Das kleine Fernsehspiel* programming: e.g the 'Werkschau' of 22 films shown between 4 and 30 November 1977 in Frankfurt Kommunales Kino and a package of films by American independent filmmakers entitled *Trotz Hollywood - Der unabhängige amerikanische Film*, which toured several 'Kommunale Kinos' in early 1986 (179).

This department also represents an important link for German cinema with the developments in innovative and artistically ambitious filmmaking abroad through its commissioning or co-producing of works by directors from Europe, the USA, and the Third World. Agnès Varda's *Daguerrotypen* (1975) marked the beginning of ZDF's work with the French Institut National de l'Audiovisuel (INA), which has been followed by collaborations with, *inter alia*, Theo Angelopoulos (*Die Jäger*) and Frank Cassent and René Richion (*Der rote Steckbrief*). Stephen Dwoskin (*Handicapped*) and Robert Wilson (*VIDEO 50*) are two directors who have worked with the ZDF department, but have yet to receive proper recognition in their own countries (Great Britain and the USA respectively). In addition, between 1978 and 1982 the *Kleines Fernsehspiel* team provided finance for sixteen American independent filmmakers, including Charles Burnett's *My Brother's Wedding*, Horace B. Jenkins *Cane River*, Charlie Hearn's



*Wild Style* (180), and purchased, commissioned or co-produced films from Third World filmmakers as part of its *Filme aus der dritten Welt*: e.g. Merzak Allouade's *Omar Gatlato* (Algeria), Haile Gerima's *Ernte: 3000 Jahre* (Ethiopia), Taieb Louhichi's *Mareth-Linie* (Tunisia), and Martha Rodriguez and Jorge Silva's *Erinnerung an Freiheit* (South America) (181).

The 'mühsame Entwicklungsarbeit mit allen ihren Risiken' (Stein) carried out under 'laboratory conditions' by the *Das kleine Fernsehspiel* department is regarded by its editors and other broadcasters in West Germany as indispensable for the future development of the native film culture. In the winter 1977/1978 issue of *Das Fernsehspiel im ZDF* Stein remarked in the light of the depressed state of the film industry at the time: 'daß die wenigen Regisseure an der Spitze der deutschen Filmpyramide den deutschen Film kommerziell nur dann werden retten können, wenn die vielen an der Basis ihre Erstlingsfilme oder auch ihre unspektakulären und schwer zugänglichen Filme drehen können' (182). This role was acknowledged by Günter Rohrbach and Gunther Witte when they wrote a review of the first five years of the 'Film/Fernseh-Abkommen' for a joint ARD/ZDF brochure in February 1980; they declared: 'Kaum einer dieser Filme hat der Filmwirtschaft unmittelbaren finanziellen Nutzen

gebracht. Sie alle helfen aber mit, Kino als Kultur zu konstituieren und somit Kino als Wirtschaftsfaktor langfristig möglich zu machen' (183). Encouraged by the work of *Das kleine Fernsehspiel*, attempts were subsequently made by television companies within the ARD network to emulate this model: in 1981 the 'Third' regional channel of WDR, Westdeutsches Fernsehen, introduced the monthly *Die WDF-Spielfilmproduktion* (Mondays at 22.00), which produced, for instance, Hellmuth Costard's *Echtzeit*, Adolf Winkelmann's *Jede Menge Kohle* and Doris Dörrie and Suse Reichel's *Dazwischen*; NDR followed in 1982 with *Experiment Fernsehspiel*, and RB with its funding of documentary filmmakers such as Axel Engstfeld, Alfred Behrens, and Michael Kuball, under the heading *Filmprobe* (184).

#### New offer for a revision to the 'Film/Fernseh-Abkommen'

The issuing of the 'Hamburger Erklärung' and the newcomer directors' airing of their grievances towards all sections of the West German film industry and the television stations coincided with the delivery on 24 September to the FFA of a further revised offer for a new 'Film/Fernseh-Abkommen' from Werner Hess and Karl-Günther von Hase (185). Although not departing from the total commitment of DM 79 million over five years as proposed in the letter to the Federal Economics Ministry on 13 February 1979, the new offer did

involve minor alterations to the funds being made available to the individual categories of assistance: the broadcasters' contribution to the 'Projektförderung' had been reduced from DM 17.5 million to DM 15 million, and DM 2.5 million had been officially included in the budget of the 'Abkommen' for script assistance ('Autorenförderung'), although these funds would only be drawn on if those held by the *Projektkommission* were already exhausted (186).

A response from the FFA to this latest offer could not be expected, however, until the new *Verwaltungsrat* held its constituent meeting on 12 November 1979. In the meantime, Alexander Kluge, who had been a primary force in the organisation of the film festival in Hamburg and in the formulation of the declaration, met with officials from ARD and ZDF in early October 1979 to discuss the practical nature of the broadcasters' latest proposals and to present the arguments of the newcomer directors for greater recognition in the film funding arena.

#### **Discussion within the FFA of the broadcasters' latest offer**

The first meeting of the *Verhandlungsgruppe Film/Fernsehen* (187) under the new FFG took place on 19 December 1979 to discuss the latest proposals from the broadcasters for a renewal of the 'Film/Fernseh-

Abkommen', which had expired on 30 June 1979 (188). As a result of Kluge's meeting with the broadcasters in October, the representatives from ARD and ZDF were prepared to transfer the DM 5 million, committed to the pre-purchase of broadcast rights to the support of 'low-budget' and experimental filmmakers within the newest generation of directors. Werner Hess commented at this meeting that this alteration was relatively painless, since the pre-purchase option had not been as heavily used as anticipated, given that the arrangement allegedly kept the broadcasters' editorial influence on a film project to the barest minimum. The pre-purchase option had failed to have the intended results from the very outset of the 'Film/Fernseh-Abkommen' in 1974: the closing date for the submission of projects to the *Vorabkaufkommission* had had to be extended twice before the committee's first meeting could be held on 25 March 1975 (189). Moreover, the projects selected over the four years from 1975 to 1979 tended to come from established directors such as Wim Wenders (e.g. *Im Lauf der Zeit* and *Nick's Film - Lightning over water*) and Werner Herzog (e.g. *Herz aus Glas* and *Woyzeck*). In 1976 Klaus Brüne and Dieter Krusche of ZDF's 'Filmredaktion' had expressed their disappointment at the failure of the *Vorabkaufkommission*, which had been consciously geared to the newcomer and experimental directors (190). Either the

filmmakers were unaware of the existence of this fund or, as Krusche suggested, they were more interested in receiving the (larger) sums of money paid out by the *Projektkommission* (up to DM 700 000) or by the *Achter-Kommission* (up to DM 1.3 million for Fassbinder's *Lili Marleen* on 31 October 1979), and viewed the broadcast rights fund as only a final alternative, or an additional source of 'topping up' the production costs of a project (191).

Agreement was thus reached at this meeting on 19 December to recommend a revised version of the offer of 24 September, which replaced the pre-purchase of broadcast rights by financial backing of projects from newcomer and experimental directors. This recommendation and the rest of the proposed revised 'Film/Fernseh-Abkommen' would come before the FFA's *Verwaltungsrat* on 20/21 February 1980 during the Berlin Film Festival for official ratification.

The *Verband Deutscher Nachwuchsfilm e.V.* was not, however, placated by Kluge's negotiations on its behalf nor by the proposed creation of a new section in the 'Film/Fernseh-Abkommen' for the 'low-budget' film. The newcomer directors informed its established 'sister' organisation, the *Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V.*, that a minimum of DM 1.5 million should be allocated in the 'Film/

Fernseh-Abkommen' to 'low-budget' film production, and that this money should be made available exclusively to newcomer directors. The association furthermore declared that 'low-budget' should be treated as a synonym for 'Nachwuchs', and that this latter term should be defined as restricted to 'Personen, die noch kein abendfüllendes Filmprojekt realisiert haben'.

**Meeting of the FFA's *Verwaltungsrat* and postponement of the signing of a new 'Film/Fernseh-Abkommen' - 20/21 February 1980**

When a joint ARD/ZDF press conference was staged on the afternoon of 21 February 1980 in the Palace Hotel in Berlin to release a brochure celebrating the first six years of the 'Film/Fernseh-Abkommen' (*Filmförderung 1974-1979. Der Deutsche Film und das Fernsehen*), it was expected that an official announcement of the final negotiations within the FFA's *Verwaltungsrat* on the 'Film/Fernseh-Abkommen' would be made (192).

In an address to the assembled journalists and filmmakers, Werner Hess, ARD's representative on the FFA's *Verwaltungsrat*, stressed that television was 'an der Existenz einer gesunden und potentiell auch mit ihren Produktionen sich bessernden Filmwirtschaft mehr als interessiert' (193), and declared that a basic principle of this co-operation between the two industries was the fact that all the box-office profits and festival prizes amassed by the co-productions within

the 'Film/Fernseh-Abkommen' would be channelled back into the film industry, and not into the coffers of the co-producing television station (194). Dieter Stolte, ZDF's representative, took the opportunity in his speech to remind those present of the additional links between the film industry and television outside of the formal framework of the 'Film/Fernseh-Abkommen', e.g. the acquisition of the feature film licences, the utilisation of the film industry's technical services, and the commissioning of television films (195).

The optimism of the two broadcasters about the state of relations between the film industry and television was disputed by the filmmakers present at the press conference. Alexander Kluge, speaking on behalf of the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., declared his members would like to see the funds for 'low-budget' film production increased to DM 2 million a year, by drawing DM 1 million from television's contribution to the 'Projektförderung' fund, and warned: 'Die Sparflamme beim Nachwuchs ergibt Geschrei und Konkurrenzdenken beim Verteilungskampf' (196). Laurens Straub, of the Verband Deutscher Nachwuchsfilm e.V., called for a clear and unequivocal definition of the term 'Nachwuchs', since there was a real danger that the limited funds proposed in the

new 'Film/Fernseh-Abkommen' would only benefit those filmmakers who already had several productions behind them and could attract funding from a variety of sources. He therefore proposed, on behalf of the newcomer directors, adoption of the formulation 'ein Filmemacher, der noch keinen abendfüllenden Film gemacht hat' as an acceptable description of 'Nachwuchs' (197).

Rolf Meinecke, chairman of the FFA's *Verwaltungsrat*, responded to Kluge's claim that the newcomer directors and the filmmakers of the New German Cinema did not have representation on the *Achter-Kommission* commensurate with their importance for the West German film industry, by declaring: 'beim ersten Abkommen hatten wir aus der (Filmförderungs)-Anstalt herausdelegiert. Jetzt aber hat es sich herausgestellt, daß sich auch in der Produktion über Generationen hinweg die Gewichte verschoben haben' (198). He therefore suggested that the signing of a new 'Film/Fernseh-Abkommen' planned for 21 February, should be postponed for a couple of months' 'Denkpause' to allow further negotiations between the FFA, ARD, and ZDF on the question of wider representation of the directors in the *Achter-Kommission*.

On the following day, 22 February, a new 'umbrella' organisation, the Bundesvereinigung des deutschen Films, was established in Berlin to serve as a counterweight to the established film industry collected



within SPIO and to co-ordinate the younger filmmakers' demands for the expansion of the film funding schemes (199). United within one organisation, there was the possibility that these filmmakers would be able to bring the broadcasters around to the further alterations to the 'Film/Fernseh-Abkommen' proposed in Berlin on 21 February 1980.

#### Final negotiations on the 'Film/Fernseh-Abkommen'

A concluding round of negotiations on a new 'Film/Fernseh-Abkommen' was held by the FFA's Verhandlungsgruppe Film/Fernsehen on 20 June 1980, when discussion centred on the outstanding questions affecting representation of the newcomer generation within the *Achter-Kommission* and an increased financial commitment to 'low-budget' productions. With a final version agreed upon, the FFA, represented by Rolf Meinecke, Robert Backheuer, and Roland Caspary, gave its official approval on 26 June 1980 in Berlin, followed by Werner Hess's signature, on behalf of ARD, on 1 July in Frankfurt, and by Karl-Günther von Hase's, on behalf of ZDF on 8 July in Mainz (200).

Although there was no change in the total sum of funding being made available by ARD and ZDF within the framework of the 'Film/Fernseh-Abkommen' - DM 79 million over five years from 1 July 1980 to 30 June

1985 - , there had been a shift in the concentration of funds to the advantage of the newcomer directors. Co-productions between film and television were to receive DM 54 million instead of the former DM 56.5 million and the 'Projektförderung' fund DM 15 million over the next five years; but the budget for newcomer directors, entitled 'Nachwuchs- und Innovationsförderung' (§ 9), had been increased from DM 5 million to DM 7.5 million for the shorter period of 1 January 1980 to 31 December 1983. The two-man sub-committee of representatives from ARD and ZDF set up to administer this fund were empowered to make an additional concession to those newcomer and experimental filmmakers submitting projects: 'Von der Vorlage eines Drehbuches kann insbesondere abgesehen werden, wenn auf andere Weise dargetan wird, daß das Filmvorhaben einen Film im Sinne der Aufgabenstellung dieses Sonderfonds erwarten läßt' (201). The script development fund (§ 11) remained pegged at DM 2.5 million.

The grievances of the newcomer directors had been further heeded in changes to the composition of the *Achter-Kommission*, which now became known as the *Zehner-Kommission*, since it consisted of four representatives from ARD and ZDF, and six representatives from the film industry (202). Whereas the *Achter-Kommission* had had its film industry representatives named by the HDF, the Verband Deutscher Spielfilmprod-

uzenten e.V., the Verband der Filmverleiher e.V., and the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., thus creating an imbalance in favour of the 'Altbranche', the film industry representatives for the *Zehner-Kommission* were equally divided between the two generations: three representatives were named by the Verband Deutscher Spielfilmproduzenten e.V., the HDF, and the Verband der Filmverleiher e.V., and the other three named by the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., in consultation with the Bundesvereinigung des deutschen Films, one of which had to be an exhibitor.

Thus, the *Zehner-Kommission*, which first met on 21 August 1980, consisted of, for the FFA: Alexander Grüter of the 'Altproduzenten', Horst von Hartlieb of the distributors, Herbert Strate of HDF, Alexander Kluge, Christel Buschmann, and the cinema owner Johannes Kalbfell (all of the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V.), and, for television: Hans-Otto Grünefeldt and Hans Joachim Wack (ARD), and Heinz Ungureit and Ernst Fuhr (ZDF) (203). The only newcomers to this committee were Strate (who had been appointed HDF's president after Klaus Scepanik resigned in November 1979), Buschmann, and Kalbfell.

Despite the intention of the second 'Film/Fernseh-Abkommen' to cater for the needs of the newest gener-

ation of filmmakers, i.e. those newcomer directors who had yet to realise their first full-length feature film, this was hardly put fully into practice if one considers the choice of productions made by the ARD/ZDF two-man 'low-budget' sub-committee. The first set of the films receiving funding from this committee included Raimund Koplín and Renate Stegmüller's *Schnelles Geld* (DM 300 000 from WDR), Helmut Costard's *Echtzeit* (DM 300 000 from NDR), Herbert Achternbusch's *Der Neger Erwin* (DM 100 000 from BR), Ulrike Ottinger's *Freak Orlando* (DM 300 000 from ZDF), and Ingo Kratisch's *Logik des Gefühls* (DM 120 000 from SFB). Yet, four of these filmmakers had made full-length feature films before: Herbert Achternbusch - *Das Andechser Gefühl* (1974) and *Bierkampf* (1976/1977); Ulrike Ottinger - *Bildnis einer Trinkerin* (1979); Ingo Kratisch - *Lohn und Liebe* (1973) and *Familienglück* (1975); and Helmut Costard - *Der kleine Godard an das Kuratorium junger deutscher Film* (1977/1978) (204). Furthermore, every project, except Ottinger's *Freak Orlando*, had been allocated funding by the *Vergabekommission*, taking it out of the true realms of the real 'low-budget' film.

The genuine newcomer director therefore had to continue to rely on the production funds administered by the Kuratorium Junger Deutscher Film e.V., whose guiding principle was 'dazu beizutragen, deutschen

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Nachwuchsregisseuren die finanzielle Möglichkeit zu geben, ihren ersten programmfüllenden Film herzustellen oder neue Entwicklungen im Bereich des Films zu erproben' (205), or those made available by the Federal Minister of the Interior (206), or those provided by ZDF's *Das (Kleine Fernsehspiel)* department for independent film production. The *Länder* responded to the calls from politicians and filmmakers alike for a visible financial commitment to the film industry, and certain of the measures implemented by Bavaria, Berlin, Hamburg, and North Rhine-Westphalia benefited the newcomer directors. According to the guidelines for Hamburg's 'Projektförderung' passed on 20 January 1981, feature length films could be funded up to a maximum of DM 300 000 (207); this was followed on 17 September 1981 by a funding agreement between the Arts Minister of the *Land* of North Rhine-Westphalia and the Filmbüro Nordrhein-Westfalen e.V. which provided up to DM 400 000 for a single project (208). The Bavarian Film Promotion Programme, announced by the Bavarian State Ministry for Economics and Transport on 27 August 1981 and 5 July 1982, made provision for an annual DM 300 000 to cover the costs of a diploma film of a final year student at the Hochschule für Fernsehen und Film in Munich (209), whilst the Berlin Senate's programme, launched on 28 September 1982,

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allowed for credits of up to 70 % being paid on 'low-budget' films costing no more than DM 300 000 (210).

The new 'Film/Fernseh-Abkommen' did not, however, make any mention of the documentary, despite the demands set out in the press release which had accompanied the 'Hamburger Erklärung' in September 1979. Confronted by the funding institutions' continued ignorance of this genre of filmmaking, 80 documentary filmmakers joined together to form the Arbeitsgemeinschaft Dokumentarfilm e.V. at the beginning of the fourth Duisburger Filmwoche on 19 September 1980 and issued a 'Duisburger Erklärung' calling for the inclusion of the documentary in the FFG's 'Projektförderung' and for increased 'air time' on television (211). This new organisation's campaigning eventually resulted in the documentary film being included in the section on 'Nachwuchs- und Innovationsförderung' when the 'Film/Fernseh-Abkommen' was extended for a second time on 10 November 1983, a measure welcomed by the signatories of the 'Mainzer Erklärung' at the Mainzer Tage der Fernseh-Kritik, who remarked: 'Erneuerungen des Spielfilms beginnen immer aus dem Geiste des Dokumentarischen' (212).

## Chapter Six: Conclusions

Although the 'Jungfilmer' may have welcomed the passing of the 'Film/Fernseh-Abkommen' in 1974 as

their emancipation from over-possessive television patrons, subsequent events have shown, as this chapter records, that one form of dependence was exchanged for another: from a near exclusive reliance on television for the funding of artistically ambitious film projects to one on the production finance from the television stations through the 'Projektförderung' and the 'Film/Fernseh-Abkommen'. As broadcasters were apt to declare - rather smugly - when challenged by their detractors about their support of film/television co-productions, no German film of any importance from the mid-1970s onwards had been produced without some input, financial and/or editorial, from television.

At the same time, though, it was largely due to the formalising of television's financing of co-productions with the film industry through the 'Projektförderung' and the 'Film/Fernseh-Abkommen' that the German cinema was returning to the world status it had enjoyed in the 1920s, a process which had begun with the 'unofficial' partnership between the 'Jungfilmer' and television from the late 1960s.

As noted in Chapter Five, improvements to film and television relations now tended to centre on the 'fine tuning' of existing film funding legislation, with the question of the number of feature films appearing on television and the demands for 'film-free' weekends so popular in the 1960s (see Chapter Four) of secondary

importance. The 'Film/Fernseh-Abkommen', for instance, soon came to be accepted as a *fait accompli* despite the repeated suggestions from the established film industry and its allies in the CDU and CSU of its replacement by a television levy or by a re-directing of its monies into the FFG's 'Grundförderung' fund. Although even the architects of the 'Abkommen' were aware of its failings and not afraid to voice their misgivings in public, they were none the less convinced that it was better to work for improvements and refinements on the basis of this agreement than to call for a *tabula rasa*.

Whereas the young generation of filmmakers, now called the 'Autorenfilmer', had presented a united front in opposition to the 'Altbranche' during the debate on the passing of the FFG in 1967, its first two revisions in 1971 and 1974, and the 'Film/Fernseh-Abkommen', the lobbying for changes to the film funding legislation discussed in this chapter witnessed the rise to prominence of a new generation of filmmakers, the 'Nachwuchsfilmer', who demanded a fairer distribution of the promotion institutions' funds, with more consideration for the first-time and documentary filmmaker, and greater democracy in the film projects' selection procedure, as demonstrated by the publication of the 'Hamburger Erklärung' in Sept-



ember 1979 and the campaigning of the Verband deutscher Nachwuchsfilm e.V..

In the future, as Chapter Seven will recount, the 'Film/Fernseh-Abkommen' would aim to be receptive to the needs of this up and coming generation of directors working predominantly in the 'low budget' end of the market. In addition, individual television stations would seek to establish informal co-operative links with these filmmakers outside of the 'Abkommen' and the FFG. However, all of these ventures would be undertaken in an increasingly worsening financial situation within the broadcasting authorities, which would not be allayed by the level of monthly radio and television licence fee agreed upon in 1982.

### Notes: Chapter Six

- (1) In an interview for *TV-Courier* in November 1974 Dieter Stolte revealed that ARD had 12 projects ready for submission to the *Achter-Kommission*. Cf. J.A., 'Bald selber Gegenstand der Kritik?', *Film-echo/Filmwoche*, 64, 15 November 1974, p. 4.
- (2) The title was later changed to *Angst ist ein zweiter Schatten* when the film was released in the cinemas on 23 October 1975; broadcast on television on 5 April 1977.
- (3) Renamed *Das Tal der tanzenden Witwen* for cinema release on 23 May 1975; broadcast on television on 6 September 1977. This film had been awarded a production premium by the Federal Interior Ministry in 1972; cf. *Filme 1971-76*, edited by Elisabeth Uhländer (Cologne, 1977), p. 491.
- (4) This film had been awarded a production premium by the Federal Interior Ministry in 1974 worth DM 250 000, Uhländer, p. 492.
- (5) *Wölfe*, which was awarded a production premium of DM 250 000 by the Federal Interior Ministry in 1974, does not appear in any future documentation on the 'Film/Fernseh-Abkommen'. A letter to Thomas Schamoni in December 1986 to clarify the fate of this film remains unanswered.
- (6) The text of the 'Film/Fernseh-Abkommen' from 4 November 1974 in: ARD/ZDF, *Filmförderung 1974-79. Der Deutsche Film und das Fernsehen* (Frankfurt am Main/Mainz, 1980), p. 37.
- (7) *Ibid.*, p. 38.
- (8) Werner Hess, 'Film und Fernsehen' in: *ARD 1950 - 1975 Königsteiner Gespräche*, edited by Hans Bausch, pp. 106-115 (111).
- (9) The dilemma facing the West German film industry of not having enough interesting topics for films formed the basis of a speech given by Gerhard Zwerenz at the Römerberg Gespräche in April 1977. Cf. Gerhard Zwerenz, 'Die falschen Stoffe' in: *Jahrbuch Film 77/78*, edited by H.G. Pflaum (Munich, 1977), pp. 41-49.
- (10) Only one project - *Berlinger* - was funded at the first meeting of the *Projektkommission* on 28 October 1974.

- (11) *Filmförderung 1974-79*, pp. 38-39. At the first meeting of the *Vorabkaufkommission* on 25 March 1975, DM 200 000 was advanced by ARD to Ottokar Runze's *Das Messer im Rücken* (released 11 July 1975), Rainer Werner Fassbinder's *Mutter Küsters Fahrt zum Himmel* (released 2 January 1976), and Wim Wenders' *Im Lauf der Zeit* (released 4 March 1976); and by ZDF to Peter Schamoni's *Potato Fritz* (released 6 May 1977) and Michael Fengler's *Sonne von Mexiko* (later renamed *Eierdiebe* and released 11 February 1977).
- (12) Josef Rölz, 'Partnerschaft zwischen Film und Fernsehen?', *epd/ Kirche und Rundfunk*, 26, 19 April 1975, pp. 1-7 (5).
- (13) Werner Schroeter's *Goldflocken (Flocons d'or)*, made during 1975 and 1976, was co-produced by ZDF's *Das kleine Fernsehspiel* with its French counterpart INA and the French production company Les Films du Losange outside of the 'Film/Fernseh-Abkommen'. Jean-Marie Straub's next film *I cani del Sinai (Die Hunde von Sinai)* was filmed entirely in Italy, with finance from Italian, British, American, and West German sources. Rosa von Praunheim filmed *Underground and Emigrants* during 1975 and 1976 as a co-production between SFB, the DAAD, and the Berlin Film Festival.
- (14) *Filmförderungsgesetz*, Text of revision of 3 March 1974, p. 23.
- (15) Ibid. and §§ 5(1) and 9(2) of the 1974 'Film/Fernseh-Abkommen'. The dangers of wandering from the script submitted for production assistance had been highlighted by Alexander Kluge's experiences on *Gelegenheitsarbeit einer Sklavin* when the Federal Interior Ministry demanded the return of a production premium of DM 175 000 after Kluge and his sister altered the script to take into account current events and discussions on the film's theme. The ministry relented after a campaign mounted in the press supporting Kluge. Cf. *Herzog Kluge Straub*, edited by Peter W. Jansen and Wolfram Schütte (Munich, 1976), pp. 158-159.
- (16) See § 4 of the 'Film/Fernseh-Abkommen' which envisaged a 24 month 'holdback' before a co-production could be broadcast; films part-financed by the *Projektkommission* and the *Vorabkaufkommission* were subject to the FFG's ruling of a

five-year 'holdback', cf. § 12(1) of the FFG.

- (17) Günter Rohrbach and Gunther Witte, 'Kooperation außerhalb des Abkommens' in ARD/ZDF, *Filmförderung 1974-79. Der Deutsche Film und das Fernsehen* (Frankfurt am Main Mainz, 1980), pp. 28-30. Such films included Geissendörfer's *Die Wildente*, Hauff's *Messer im Kopf*, Fassbinder's *In einem Jahr mit dreizehn Monden*, and Schilling's *Der Willi-Busch-Report*.
- (18) Rölz, p. 6. Stolte stressed though that the DM 10 million over five years committed to the 'Projektförderung' fund and the *Vorabkaufkommission* were genuine additional funds.
- (19) Wack was also ARD's representative in the FFA's Verhandlungsgruppe Film/Fernsehen and, until 1977, Werner Hess' deputy in the FFA's *Verwaltungsrat*.
- (20) In an interview between Norbert Wiesner, Gerhard Closmann and Dieter Stolte for *Film-echo/Filmwoche* on 2 May 1975, Stolte revealed that HDF vice-president and a member of the *Achter-Kommission*, Klaus Scepanik, had asked him in his capacity as co-ordinator of ARD's feature film programming to 'hold back' the network's transmission of Roman Polanski's *Rosemary's Baby* since it was doing good business as a re-release in the cinemas. The television transmission was consequently put back from a March date to 2 November 1975. Cf. N.W./G.C., 'Die Neue Situation. Gespräch mit Dieter Stolte', *Film-echo/Filmwoche*, 2 May 1975, pp. 3-7.
- (21) A new programme, *Schaukasten*, was to be launched in May 1975 and would appear 6-8 times a year.
- (22) Volker Vogeler's *Das Tal der tanzenden Witwen* had been released on 23 May 1975 but could hardly have been conceived as a genuine co-production of the 'Film/Fernseh-Abkommen', since it had been in pre-production since since 1972. See Note (3).
- (23) Bioskop Film was founded by Schlöndorff with partners Reinhard Hauff and Eberhard Junkersdorf in 1973. His other production company in partnership with Peter Fleischmann - Hallelujah Film - has been in existence since 1969.
- (24) hjw, 'besuch bei den dreharbeiten: *Die verlorene*

*Ehre der Katharina Blum*, *Film-echo/Filmwoche*, 21, 12 April 1975, p. 11.

- (25) *Die Verrohung des Franz Blum* had been broadcast on ARD 26 March 1974, so the subsequent theatrical release would have been limited.
- (26) *Film-echo/Filmwoche*, 21, 12 April 1975, p. 11.
- (27) Rupert Neudeck and Hans Günther Pflaum, 'Interview mit V.S.', *FILM-Korrespondenz*, 3, 11 March 1975.
- (28) Note that Schlöndorff's success was still modest compared to the audience figures registered for American films released at this time, e.g. *Jaws*, released on 18 December 1975, which attracted 8.5 million admissions in 10 months, *Young Frankenstein*, released 5 September 1975, and *One flew over the cuckoo's nest*, released in March 1976, which both registered 3 million admissions within one year of release. Cf. Henryk M. Broder, 'Film in der Bundesrepublik. Der Verleiher (NDR III, 11 April 1977)' in: *Aus der Reihe "Medienreport" (7): Kino-Film-Politik*, edited by Michael Wolf Thomas, NDR, pp. 39-53 (45).
- (29) *Der Spiegel* devoted an extensive article to the new commercial and critical successes of the New German cinema in its 17 November issue: Anon, 'Lorbeer für die Wunderkinder', *Der Spiegel*, 17 November 1975, pp. 182-198 (197).
- (30) For example, see: Anon, 'Lorbeer für die Wunderkinder', *Der Spiegel*, 17 November 1975, pp. 182-198 (192) and Henryk M. Broder, 'Film in der Bundesrepublik. Die Macher (NDR III, 3 April 1977)' in: *Aus der Reihe "Medienreport" (7) : Kino-Film-Politik*, edited by Michael Wolf Thomas, NDR, pp. 1-18 (11).
- (31) Heinz Angermeyer backed many films of the younger generation of West German filmmakers, from Alexander Kluge's *Abschied von gestern* (1965/1966) to Johannes Schaaf's *Trotta* (1971) and *Traumstadt* (1973), and Vojtech Jasný's *Ansichten eines Clowns* (1976).
- (32) Dr. Helmut Müller, '"Unser ganzes Streben gilt dem Kinofilm"', *Film-echo/Filmwoche*, 12 November 1975, p. 2.
- (33) Anon, 'Lorbeer für die Wunderkinder', *Der Spiegel*,

17 November 1975, pp. 182-198 (192).

- (34) Cf. Klaus Eder, 'Die Macht der Gremien', *epd/Kirche und Film*, 3 (March 1977), pp. 4-6. Sinkel and Brustellin's first film together, *Lina Braake*, had cost DM 750 000 but the costs for *Berlinger* were artificially inflated to DM 1.7 million due to the stipulation in the regulations governing the 'Projektförderung' that projects submitted to the *Projektkommission* must provide evidence of additional sources of production finance.
- (35) Anon, 'Film: Eine Branche ohne Zukunft?', *Der Spiegel*, 26 January 1976, pp. 114-115 (115).
- (36) HA, 'Findet Film- oder Fernsehförderung statt?', *Film-echo/Filmwoche*, 21 June 1975, p. 4.
- (37) HA, 'Nachteiliger Wettbewerb zweier FFA-Kommissionen', *Film-echo/Filmwoche*, 12 November 1975, p. 4.
- (38) H.G. Pflaum, 'Das Jahr des Aufschwungs', *FILM-Korrespondenz*, 12, 23 December 1975, p. 1.
- (39) FIPRESCI= Fédération Internationale de la Presse Cinématographique.
- (40) Cf. Anon, 'Eine Branche ohne Zukunft?', *Der Spiegel*, 26 January 1976, pp. 114-115.
- (41) The Bundesverband der Film- und Fernsehregisseure in Deutschland e.V. had been founded in July 1975 to represent the interests of 200-odd directors working in feature film, television film, and 'Fernsehspiel' production. Evolving from the former Interessengemeinschaft der Fernsehregisseure, the new association's executive included directors Rainer Erler, Eberhard Hauff, Franz Peter Wirth, and Eberhard Itzenplitz. Cf. hjw, 'Regisseure fordern mehr Rechte', *Film-echo/Filmwoche*, 39, 11 July 1975, p. 14.
- (42) hjw, 'Information "aus erster Hand"', *Film-echo/Filmwoche*, 23 January 1976, p. 5.
- (43) Ibid.. See also Klaus Eder's comments in 'Die Macht der Gremien', *epd/Kirche und Film*, 3 (March 1977), pp. 4-6 (5).
- (44) Anon, 'Bundesländer sollen in der Filmförderung tätig werden', *Fernseh-Informationen*, 2, January

1976, pp. 31-33, and Klaus Eder, 'Wiederherstellung der Kinomiserie vor '74: Ziel der Union', *epd /Kirche und Rundfunk*, 5, 21 January 1976, pp. 3-4.

- (45) Until 1976 the Federal Interior Ministry also awarded premiums worth DM 250 000 to completed films; in 1975 these were given to Peter Stein's *Sommergäste*, Peter Lilienthal's *Es herrscht Ruhe im Land*, and Sohrab Shahid Saless's *In der Fremde* (*Filme 1971-76*, pp. 492-493).
- (46) This DM 800 000 'topped up' the funds of the 'Projektförderung' from 1978 onwards. Berlin followed on 20 December 1978 with the Senate's decision to establish an annual DM 5 million film promotion programme.
- (47) The 'Altbranche' was concerned that, in a period when the FFA's ticket levy income was falling, the payments of 'Referenzfilmförderung' should be secured.
- (48) In 1975 77 % of all German films released that year made less than DM 500 000 in distributors' receipts, which was about enough to cover promotional costs; on the other hand, only 40 % of the 'Projektförderung'- supported films brought in less than DM 500 000.
- (49) Werner Hess, 'Das Verhältnis von Film und Fernsehen', *epd/Kirche und Rundfunk*, 58, 24 July 1976, pp. 2-5.
- (50) Up until 31 December 1986 the 'Projektförderung' had not received any additional funds from this source.
- (51) Hess, 24 July 1976, pp. 2-5 (5).
- (52) Günter Rohrbach, 'Fernsehfilm Kinofilm', *Fernsehspiele Westdeutscher Rundfunk*, January - June 1976, pp. 4-9.
- (53) In this article, Rohrbach mistakenly gives the dates of the film's production as autumn 1973 (p. 4).
- (54) Ibid.. *Falsche Bewegung* was premiered on television on 18 May 1975 on the regional 'Third' Channels Westdeutsches Fernsehen and Nord 3.
- (55) Siegfried Schober, 'Die Leiden des Wilhelm M',

*Der Spiegel*, 10 March 1975, pp.134-137.

- (56) Rohrbach, p. 6.
- (57) *Filme 1971-76*, edited by Elisabeth Uhländer (Cologne, 1977). pp. 487-488. According to the guidelines for the German Film Prize introduced on 16 April 1972, films made exclusively for television could not be recipients of the film prizes. Wenders circumvented this regulation by giving his film a limited release between March and May 1975.
- (58) For example: Hans Günther Pflaum and Hans Helmut Prinzler, *Film in der Bundesrepublik Deutschland* (Bonn, 1985), p. 208.
- (59) Rohrbach, p. 6.
- (60) This did not correspond with Burkhard Dreher's statement in his study of the film funding system in West Germany that, unlike the FFG and the Federal Interior Ministry, the Kuratorium did not specify a 'holdback' for its funded films. (An enquiry to the Kuratorium on 5 December 1986 did not help to clarify this divergence of opinions).
- (61) Robert Fischer and Joe Hembus, *Der neue deutsche Film 1960 - 1980* (Munich, 1981), p. 107.
- (62) Siegfried Schober, 'Lob der List', *Der Spiegel*, 7 July 1975, pp. 115-116 (116).
- (63) Pflaum and Prinzler (Bonn, 1985), and, Hans-Joachim Neumann, *Der neue deutsche Film heute* (Frankfurt am Main/Berlin, 1986).
- (64) *Filme 1971-76*, edited by Elisabeth Uhländer (Cologne, 1977), p. 487.
- (65) Cf. Fernseh-Vorschau in: *Der Spiegel*, 28 June 1976, p. 151.
- (66) Rohrbach, p. 7.
- (67) Ibid., p. 8.
- (68) Cf. Rupert Neudeck, 'Anbetungessays und Fernsehfeindschaft' in: *Jahrbuch Film 78/79*, edited by Hans Günther Pflaum (Munich 1978), pp. 150-160: 'Filmkritik in der Bundesrepublik lebt vom Affekt gegen das Fernsehen. Und dieser Affekt wird



größer mit dem geheimen, aber verdrängten Wissen, daß das Fernsehen einer, wenn nicht der einzige Faktor ist, der den deutschen Film über Wasser hält. Bei manchen Fernsehprojekten kann sich dieser Affekt geradezu austoben' (150). In an attack on Blumenberg, Neudeck writes: 'Blumenberg staunt sich immer aufs neue dumm und klug, wenn er wieder . . . einen Film entdeckt, der nur mit Unterstützung der Anstalten, ja vielleicht sogar in diesen alles nivellierenden Treib-TV-Häusern entstanden ist' (160).

- (69) Helmut Woeller and Klaus Scepanik, 'Halbzeit für das FFG - Eine traurige Bilanz', *Film-echo/Filmwoche*, 35, 25 June 1976, pp. 3-4.
- (70) Scepanik was the HDF's representative in the *Achter-Kommission*, the FFA's *Verwaltungsrat*, and Verhandlungsgruppe Film/Fernsehen.
- (71) *Film-echo/Filmwoche*, 25 June 1976, p. 3.
- (72) *Ibid.*, p. 4.
- (73) However, § 6 of the 'Film/Fernseh-Abkommen' states: 'Mit der Anerkennung durch die Kommission (*Achter-Kommission*) nimmt der Film an allen Förderungsmaßnahmen des FFG unter den dort genannten Voraussetzungen teil'.
- (74) The term 'fernsehgeeignet' as used in § 16(2) of the 1974 FFG and § 10(2) of the 'Film/Fernseh-Abkommen' has been misinterpreted by the exhibitors to serve their campaign against television. 'Für eine Verwertung im Fernsehen geeignet' corresponds rather to the broadcasters' requirement to take heed of the broadcasting guidelines than to the particular needs of the small screen's aesthetics.
- (75) The Statistics Department of SPIO calculated that 346 feature films had been screened on ARD (167) and ZDF (179) in 1975, with a further 422 (BR: 142; HR: 73; NDR/RB/SFB: 65; WDR: 87; S3: 55) on the regional 'Third' channels. Cf. Anon, 'Tendenz: steigend', *Film-echo/Filmwoche*, 65, 19 November 1976, p. 3.
- (76) The 'film-free' weekend had been a popular demand of the exhibitors at the end of the 1960s. Cf. HDF, 'Spielfilmfreies Wochenende: Alles im Fluß', *Film-echo/Filmwoche*, 13, 14 February 1968, p. 4.

- (77) *Film-echo/Filmwoche*, 26 June 1976, p. 4. Evidently, Scepanik and Woeller were alluding here to the demand, revived at the first CDU/CSU 'Filmgespräch' in January 1976, for a levy on television's use of feature films in its schedules.
- (78) Cf. Anon, 'Dieter Stolte: "Feindbild korrigieren"', *Film-echo/Filmwoche*, 42, 6 August 1976, p. 4, or F-Ko, 'Korrektur eines Feindbildes', *FILM-Korrespondenz*, 7-8, 10 August 1976, pp. 1-2.
- (79) Between 1970 and 1975, the number of cinemas fell from 3673 to 3163, yet the gross box-office receipts increased from DM 542.5 million to DM 625.2 million.
- (80) HA, '1977: Jahr des Kinofilms . . . im Fernsehen', *Film-echo/Filmwoche*, 65, 19 November 1976, pp. 3-4 (4).
- (81) Heinz Ungureit, 'Koproduzierte Spielfilme kommen auf den Bildschirm', *Das Fernsehspiel im ZDF*, 16, March - May 1977, pp. 3-4.
- (82) Heinz Ungureit, 'Zur Entwicklung des Verhältnisses Film/Fernsehen', *ZDF Jahrbuch 1976* (Mainz, 1977), pp. 94-99.
- (83) *Ibid.*, p. 94.
- (84) Alfred Vohrer was a 'textbook example' of the 'Altbranche' director having made, *inter alia*, *Das Gasthaus an der Themse* (1962), *Winnetou und sein Freund Old Firehand* (1966), *Der Mönch mit der Peitsche* (1967). In the late 1970s he was a regular director of episodes of the ZDF crime series *Der Alte* and *Derrick*; in 1985/86 he directed episodes of the immensely popular (but critically slated) *Die Schwarzwaldklinik*.
- (85) In § 5(3) of the 'Film/Fernseh-Abkommen' revised on 8 July 1980, it was stated: 'Die Projekte . . . können vom Hersteller auch ohne Vorabsprache mit einer Rundfunkanstalt vorgeschlagen werden'. This procedure was put into practice from 1977.
- (86) Martin Wiebel began in 1969 as a commissioning editor with WDR's regional Third channel, replacing Peter Märthesheimer who had transferred to the main first channel. Wiebel later himself moved to the main 'Fernsehspiel' department at WDR and was responsible for, *inter alia*, *Im Zeichen des Kreuzes* (1983).

- (87) The Editors, 'Interview Gunther Witte/Martin Wiebel Programmgruppe Fernsehspiel - WDR Cologne', *KINO German Film*, 22 (Spring 1986), pp. 5-30 (18).
- (88) Egon Netenjakob, 'Der Fernsehfilm ist - Film', *Fernsehen + Film*, 8 (1970), pp. 35-38 (38).
- (89) Günter Rohrbach, 'Nicht Springer, sondern die eigene Untätigkeit bedroht das Fernsehen', *Fernsehen + Film*, 3 (1970), pp. 34-35 (35).
- (90) epd, 'Auskünfte und Prognosen eines Fernsehspielchefs', *epd/Kirche und Fernsehen*, 22, 13 June 1970, pp. 1-3 (2).
- (91) Günter Rohrbach, 'Kommt das Fernsehen in die Kinos?', *Frankfurter Allgemeine Zeitung*, 15 February 1975, p. 19.
- (92) The proceedings of the Römerberg Gespräche were reported by Peter Nau in his article 'Die ehrenwerte Gesellschaft. Römerberg-Stenogramme', *Filmkritik*, 6 (1977), pp. 274-281.
- (93) Günter Rohrbach, 'Das Subventions-Kino. Plädoyer für den amphibischen Film', *epd/Kirche und Rundfunk*, 34, 4 May 1977, pp. 4-7., and Heinz Ungureit, 'Subventionierte Filmproduktion', *epd/Kirche und Rundfunk*, 36, 14 May 1977, pp. 1-4.
- (94) *Jahrbuch Film 77/78*, edited by Hans Günther Pflaum (Munich, 1977), pp. 95-100.
- (95) Ibid., p. 100.
- (96) Cf. EB, 'Fernsehen - Ökonomisches Standbein der Filmwirtschaft', *Media Perspektiven*, 6 (1977), pp. 330-339
- (97) Pflaum, *Jahrbuch Film 77/78*, p. 99.
- (98) Ibid., p. 100.
- (99) Blumenberg was following in a long tradition of film critics who occasionally turned their attention to television's 'crimes' against the film industry, e.g. Wolf Donner, 'Im Kino hat man mehr vom Film', *Die Zeit*, 10 October 1969, p. 21; Frieda Grafe and Enno Patalas, 'Warum wir das beste Fernsehen und deshalb das schlechteste Kino haben', *Filmkritik*, 9 (1970), pp. 471-475,

and Klaus Eder, 'Der Mäzen als Vampir' in: *Millionenspiele - Fernsehbetrieb in Deutschland*, edited by Theo van Alst (Munich, 1972), pp. 119-127. In 1970 Blumenberg had written of the film seasons compiled by ARD's 'Filmredaktion': 'So wird das Fernsehen zum großen Verhinderer, zum Feind des Kinos, dem keine Chance mehr gelassen wird' (*Kölner Stadtanzeiger*, 3 December 1970). Cf. Anon, 'Pressestimmen 1966 - 1975', *Spielfilme im Deutschen Fernsehen 1976* (Frankfurt, 1976), pp. 88-91 (89). It is ironic, however, that when Blumenberg turned film director in 1984 to make *Tausend Augen* he was not above accepting DM 300 000 from ZDF through the 'Nachwuchsförderung' fund and DM 100 000 from the *Vergabekommission*.

(100) Hans C. Blumenberg, 'Glanz und Elend des neuen deutschen Films. I: Acht Thesen, acht Widersprüche', *Die Zeit*, 26 August 1977, - , - II: Im Würgegriff des Fernsehens', *Die Zeit*, 2 September 1977. Reprinted in: *Jahrbuch Film 77/78*, edited by Hans Günther Pflaum (Munich, 1977), pp. 64-84.

(101) Pflaum, p. 83.

(102) Ibid., p. 84. The entry in *Filme 1971-76* for *Der aufrechte Gang* states: 'Durch einige Unglaubwürdigkeiten belastetes, um Differenzierung bemühtes Lehrstück, dessen Konflikte teilweise zu konstruiert erscheinen' (p. 24). Ziewer's films have been more successful in the non-commercial 16mm market for film clubs and workers' discussion groups.

(103) Ibid., p. 84.

(104) *Der amerikanische Freund* allocated DM 500 000 by the *Projektkommission* on 3 July 1975 and DM 500 000 by the *Achter-Kommission* on 14 October 1975 and a further DM 100 000 on 28 January 1977; *Stroszek* allocated DM 650 000 by the *Achter-Kommission* on 27 September 1976; *Der Mädchenkrieg* allocated DM 600 000 by the *Projektkommission* on 29 June 1976 and further funds provided directly by SDR.

(105) Andreas Meyer, 'Auf dem Wege zum Staatsfilm? Bausteine zur Situationsanalyse des bundesdeutschen Kinos. 1. Das Fernseh-Kino', *Medium*, 10 (1977), pp. 27-30; 2. Das Gremien-Kino', *Medium*, 11 (1977), pp. 14-19; 3. Alternativen', *Medium*, 12 (1977), pp. 15-21.

- (106) Referred to by Hans C. Blumenberg in: 'Bildschirm contra Leinwand?', *Die Zeit*, 23 June 1978, p. 28.
- (107) Meyer, 10 (1977), pp. 27-30 (28).
- (108) Ibid., p. 29.
- (109) P.C.H., 'An die Redaktion. Aus der Redaktion', *Medium*, 3 (1978), p. 38.
- (110) Ibid..
- (111) Heinz Ungureit, 'Gibt es den reinen Kinofilm?', *epd/Kirche und Film*, 2 (1978), pp. 11-13 (12).
- (112) Ibid., p. 13.
- (113) Hans C. Blumenberg, 'Bildschirm contra Leinwand?', *Die Zeit*, 23 June 1978, p. 28.
- (114) Cf. HCB, 'Kino in Ketten', *Die Zeit*, 28 April 1978, and Brigitte Jeremias, 'Film ist im Kino am schönsten', *Frankfurter Allgemeine Zeitung*, 12 May 1978. The controversy surrounding *Padre Padrone*, financed solely by the Italian state television service RAI, had begun after the Munich film distributor Prokino had been beaten to the theatrical rights by a Hamburg firm, Polytel International GmbH, which subsequently sold the broadcast rights to ARD. Although the ARD 'Filmredaktion' had not demanded a television premiere, Polytel refused to entertain offers by Prokino for the theatrical rights or for a shared release. A public protest on 25 April 1978 by film directors Werner Herzog, Volker Schlöndorff, Hans Noever, and colleagues in front of the Leopold-Kino in Munich to highlight the absurdity of a situation which saw West Germany as the only country in West Europe not giving *Padre Padrone* a theatrical release, proved fruitless. A compromise was reached, however, whereby Jugendfilm released the film in the cinemas on 24 November 1978, two days before ARD's screening.
- (115) Blumenberg, *Die Zeit*, 23 June 1978, p. 28.
- (116) F-Ko, 'Streitgespräch im Namen der feindlichen Brüder', *FILM-Korrespondenz*, 7, 11 July 1978, pp. 10-11.
- (117) Ibid., p. 10.

- (118)Knut Hickethier, *Das Fernsehspiel in Deutschland* (Tübingen, 1980), p. 60. Ludin, commenting on Meyer's opposition to the 'Thesenfilm' writes: 'Damit dürfte er den Rotfunk-Schwarzsehern, den Staatsvertrags-Auflösern und einigen Herren in der SPIO-Führung aus dem Herzen sprechen' (11).
- (119)Günter Rohrbach, 'Hinauswagen über die Wirklichkeit', *Frankfurter Rundschau*, 21 September 1978, p. 20.
- (120)Ian Christie, 'A Beginner's Guide to the Telefilm Jungle' in: *The Screen on the Tube: Filmed TV Drama*, edited by Jayne Pilling and Kingsley Canham (Norwich, 1983), pp. 10-11.
- (121)Hans Helmut Hillrichs and Heinz Ungureit, *Filmkultur - Filmverbrauch. Zum Stand der Beziehungen zwischen Kino und Fernsehen* (Mainz, 1984), p. 197.
- (122)Cf. Joachim Hausschild, 'Für die Medien-Zukunft bestens gerüstet', *Münchener Merkur*, 6 April 1981, and, Wilhelm Roth, 'Ein amphibisches Ereignis', *epd/Kirche und Rundfunk*, 53, 7 July 1984, pp. 3-4.
- (123)Data from: Anon, *Daten zur Mediensituation in der Bundesrepublik. Basisdaten 1985*, Media Perspektiven (Frankfurt am Main, 1985).
- (124)Horst von Hartlieb, 'Neue Akzente für die Filmförderung. Zur SPIO-Denkschrift', *Film-echo/Filmwoche*, 70, 16 December 1977, pp. 3, 6. The SPIO document was not released to the press until 13 December when a press conference was held in Bonn, attended by Horst von Hartlieb of Verband der Filmverleiher e.V., Klaus Scepanik of HDF, and Alexander Grüter of the Verband Deutscher Spielfilmproduzenten e.V..
- (125)AGF/dju/DJV/RFFU, 'Gemeinsame Vorschläge zur Novellierung des Filmförderungsgesetzes', Munich, Stuttgart, Bonn, 23 December 1977, 4 pp..
- (126)Klaus Scepanik and Gerhard Closmann, 'HDF Präsidium: 1978 - Jahr der Entscheidung', *Film-echo/Filmwoche*, 72, 30 December 1977, p. 4.
- (127)EKZ, '3. CDU/CSU-Filmgespräch. Umfassende medienpolitische Bestandsaufnahme zur FFG-Novelle', *Film-echo/Filmwoche*, 4, 21 January 1978, pp. 3, 10-11, and ifi, 'Novellierungsgespräche zur Film-

- förderung', *Film und Recht*, 3 (1978), pp. 169-181
- (128) *Film und Recht*, 3 (1978), pp. 174-175.
- (129) *Film-echo/Filmwoche*, 4, 21 January 1978, p. 3.
- (130) *Ibid.*, p. 10.
- (131) Joachim Gerner, 'Rück- und Ausblicke zur Filmförderung', *Film und Recht*, 3 (1978), pp. 172-181
- (132) *Ibid.*, p.175.
- (133) This procedure was incorporated in the revision of the 'Film/Fernseh-Abkommen' of 26 June 1980 under § 5(3) which stated: 'Projekte, die sich für die Realisierung als Gemeinschaftsproduktionen im Sinne des § 3 eignen, können vom Hersteller auch ohne Vorabsprache mit einer Rundfunkanstalt vorgeschlagen werden'. In: *Fischer Film Almanach 1981*, edited by Willi Bär and Hans Jürgen Weber (Frankfurt am Main, 1981), pp. 217-226 (221).
- (134)-nn, 'Hartes Bonner Papier', *Film-echo/Filmwoche*, 9, 17 February 1978, p. 3.
- (135) *Film-echo/Filmwoche*, 9, 17 February 1978, p. 3.
- (136)-nn, 'Marathon in Bonn', *Film-echo/Filmwoche*, 11, 25 February 1978, pp. 3-4 (3).
- (137) *Ibid.*, p. 4.
- (138) Axel, 'Bluff mit Zahlen', *Film-echo/Filmwoche*, 19, 5 April 1978, p. 10.
- (139) Anon, 'Drei Punkte, auf die es ankommt', *Film-echo/Filmwoche*, 23, 22 April 1978, p. 6.
- (140) Federal Interior Minister Gerhart Baum (FDP) had stated in mid-February that the broadcasters should be required to make a larger contribution to the FFA.
- (141) The three demands made by HDF of the Economics Ministry were detailed in special statements published in *Film-echo/Filmwoche* during May 1978. Obviously, HDF considered itself to be the spokesman for the whole film industry on the question of the FFG revision. Cf. Anon, 'Zweite Grundforderung: Auch das Fernsehen muß eine Abgabe leisten', *Film-echo/Filmwoche*, 26, 10 May 1978, pp.

4-5, and Anon, 'Dritte Grundforderung: Die Förderung des publikumsnahen Kinofilms', *Film-echo/Filmwoche*, 27, 14 May 1978, pp. 6-7.

- (142) ifi, 'Initiativantrag der drei Bundestagsfraktionen für eine befristete Verlängerung des jetzigen Filmförderungsgesetzes', *Film und Recht*, 7 (1978), pp. 454-456.
- (143) rb. (ifi), 'Gesetzliche Maßnahmen zur Filmförderung', *Film und Recht*, 11 (1978), pp. 760-765 (760-762).
- (144) For details of these recommendations, see *Bundesrat* document BR 228/78.
- (145) *Jahrbuch Film 78/79*, edited by Hans Günther Pflaum (Munich, 1978), p. 221.
- (146) *Film und Recht*, 11 (1978); pp. 760-765 (762-765).
- (147) *Ibid.*, pp. 764-765.
- (148) Anon, 'Parteien - Positionen. Bundestagsprotokoll', *Film-echo/Filmwoche*, 58, 14 October 1978, pp. 7-10.
- (149) *Ibid.*, p. 9.
- (150) *Ibid.*, pp. 354-355. Text of the revised FFG reproduced in: *Fischer Film Almanach 1980*, edited by Willi Bär and Hans Jürgen Weber (Frankfurt am Main, 1980), pp. 167-200.
- (151) -t, 'Filmförderungsgesetz verabschiedet', *Film-echo/Filmwoche*, 36, 29 June 1979, p. 3.
- (152) The annual ticket levy revenue collected by the FFA increased from DM 19.394 million in 1978 to DM 26.1 million in 1979. Source: Hans Günther Pflaum, 'Dreißig Jahre Filmförderungsversuche', *FILM-Korrespondenz*, 11, 20 November 1979, pp. I-XIII (VI) and Filmförderungsanstalt, *Geschäftsbericht 1982*, Anlage Nr. 22.
- (153) Hans Günther Pflaum, 'Ein Maximum des Machbaren' in: *Jahrbuch Film 79/80*, edited by Hans Günther Pflaum (Munich, 1979), pp. 163-168.
- (154) ARD/ZDF, *Filmförderung 1974-1979. Der Deutsche Film und das Fernsehen* (Frankfurt am Main/Mainz, 1980) p. 39.



- (155) Cf. Axel, 'Bluff mit Zahlen', *Film-echo/Film-woche*, 19, 5 April 1978, p. 10.
- (156) Klaus Keller, 'Kinobesucher und TV-Zuschauer - ziemlich unbekannte Wesen', *FILM-Korrespondenz*, 4, 10 April 1979, pp. 3-8 (4).
- (157) This special concession to directly-submitted projects was incorporated in the final version of the second 'Film/Fernseh-Abkommen' as § 5(3). Cf. *Fischer Film Almanach 1981*, edited by Willi Bär and Hans Jürgen Weber (Frankfurt am Main, 1981), p. 221.
- (158) Cf. §§ 47 and 68(1.5) of the revised FFG formally signed on 25 June 1979. Source: *Fischer Film Almanach 1980* (Frankfurt am Main, 1980), pp. 188-189, 195-196.
- (159) F-Ko, 'DOKUMENTATION. "Hamburger Erklärung" der Filmemacher', *FUNK-Korrespondenz*, 43, 24 October 1979, pp. D1-D2.
- (160) *Filmfaust* has had a long-standing history of supporting the demands of the newcomer directors, having itself been founded by directors Bion Steinborn and Peter Krieg as a channel for their lobbying of the funding bodies. Cf. Bion Steinborn, "Filmwirtschaft will Nachwuchs eliminieren" *Filmfaust*, 7 (March 1978), pp. 18-23.
- (161) Presseerklärung, 'Filmnachwuchs kontra SPIO und Autorenkino', *Filmfaust*, 9/10 (October/November 1978), p. 6
- (162) *Fischer Film Almanach 1980* (Frankfurt am Main, 1980), p. 174.
- (163) *Fernsehen + Film*, 9 (1971), pp. 21-22.
- (164) H.-D.R., 'Der Kauffilm', *Das Kleine Fernsehspiel 1967/1968*, p. 35. Episodes from the television writer Rod Serling's *The Twilight Zone* were screened in the early evening slot in summer 1968
- (165) E.St., 'Die Auftragsproduktion', *Das Kleine Fernsehspiel 1967/68*, p. 34.
- (166) E.St., 'Die Eigenproduktion', *Das Kleine Fernsehspiel 1967/68*, p. 33.
- (167) Hajo Schedlich, 'Opas Fernsehen ist tot?' in: Christian Longolius, *Fernsehen in Deutschland*

- (Mainz, 1967), p. 82.
- (168) *Das Fernsehspiel im ZDF*, Heft 13 (1976), p. 12.
- (169) *Frankfurter Allgemeine Zeitung*, 16 November 1964 in: 'Pressestimmen', *Das Kleine Fernsehspiel 1967/68*, p. 46.
- (170) *Stuttgarter Zeitung*, 25 February 1966 in: 'Pressestimmen', *Das Kleine Fernsehspiel 1967/68*, p. 48.
- (171) Hajo Schedlich, 'Die optische Zukunft hat schon begonnen', *Kamerafilme im ZDF*, Mainz, 1976. Pamphlet.
- (172) Eckart Stein, 'Alternative Ästhetik - alternative Techniken' in: *Versuche, es anders zu machen*, edited by Anna-Luise Heygster and Günter Rohrbach (Mainz, 1983), pp. 37-41 (39).
- (173) *Das Fernsehspiel im ZDF*, Heft 22 (1978).
- (174) Anne Even wrote to the author on 16 April 1986 to say that the annual budget for *Das Kleine Fernsehspiel* was now DM 11 million.
- (175) Eckart Stein, 'Werkstatt', *Das Fernsehspiel im ZDF*, Heft 15 (1976/1977), p. 42.
- (176) Eckart Stein, 'Werkstatt', *Das Fernsehspiel im ZDF*, Heft 18 (1977), p. 40.
- (177) Eckart Stein, 'Werkstatt', *Das Fernsehspiel im ZDF*, Heft 20 (1978), p. 34.
- (178) Eckart Stein, 'Werkstatt', *Das Fernsehspiel im ZDF*, Heft 31 (1980), p. 54.
- (179) See: Heinrich v. Nussbaum, 'Besuch im Überwintergarten oder Versuch eines Selbstporträts von außen', *Medium*, 2 (1978), pp. 8-12, and, ZDF, *Trotz Hollywood. Der unabhängige amerikanische Film*, 1986.
- (180) Cf. *Trotz Hollywood. Der unabhängige amerikanische Film*, 1986.
- (181) Eckart Stein, 'Das kleine Fernsehspiel, the ZDF workshop for independent film within television', *EBU Review. Programmes, Administration, Law*, Vol XXXIV No 4 (July 1983), pp. 26-30 (30).

- (182) Eckart Stein, 'Werkstatt', *Das Fernsehspiel im ZDF*, Heft 19 (1977/1978), p. 42.
- (183) Günter Rohrbach and Gunther Witte, 'Kooperation außerhalb des Abkommens' in: ARD/ZDF, *Der Deutsche Film und das Fernsehen* (Frankfurt am Main, Mainz, 1980), pp. 28-30 (29).
- (184) Cf. Gunter(*sic*)Witte, 'Fragestellen - Nachdenken - Überprüfen. Demonstrationen zum Thema Alternativer Ästhetik, Alternativer Technik' in: Heygster and Rohrbach, pp. 43-48. A re-organisation of *Die WDF-Spielfilmproduktion* in March 1987 led to the launching of *Extra-Spiel-3*, under Martin Wiebel, to be targeted at 'Debütfilme junger Regisseure und Erstlingsgeschichte neuer Autoren . . . ebenso wie semidekomentarische (*sic*) Formen, filmische und elektronische Experimente': FK, 'Engagierte Hilfe für eine "bedrohte Art"', *Frankfurter Rundschau*, 17 March 1987, p. 14. For details of the *Filmprobe* series, see: Elmar Hügler, '"Signale abseits der Routine"', *Deutsches Fernsehen/ARD*, 45 (1982), pp. I/2-I/8.
- (185) Klaus Keller, 'Schwierige Verhandlungen zum neuen Film/Fernseh-Abkommen', *FUNK-Korrespondenz*, 43, 24 October 1979, p. 12.
- (186) § 47 of the FFG - 'Förderung von Drehbüchern sowie der Planung und Vorbereitung von Filmvorhaben' - in: *Fischer Film Almanach 1980*, pp. 188-189.
- (187) The Verhandlungsgruppe Film/Fernsehen was an additional forum within the FFA for the discussion of film and television relations. The FFA was represented by: Alexander Kluge (Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V.), Alexander Grüter (Verband Deutscher Spielfilmproduzenten e.V.), Horst von Hartlieb (Verband der Filmverleiher e.V.), Herbert Strate (HDF), and Rolf Meinecke (chairman of the FFA's *Verwaltungsrat*; the broadcasters were represented by: Werner Hess (HR *Intendant*), Hans Otto Grünfeldt (ARD film funding co-ordinator), Hans Joachim Wack (managing director of DEGETO-Film GmbH), Dieter Stolte (ZDF *Programmdirektor*), Ernst Wolfgang Führ (ZDF's legal adviser), and Heinz Ungureit (head of ZDF's Film and 'Fernsehspiel' department).
- (188) Cf. Klaus Keller, 'Es geht nicht um's Geld allein', *FUNK-Korrespondenz*, 9, 27 February 1980,

pp. 17-19.

- (189) Josef Rölz, 'Partnerschaft zwischen Film und Fernsehen?', *epd/Kirche und Fernsehen*, 26, 19 April 1975, pp. 1-7.
- (190) Rupert Neudeck, '"Wir sind eher Vertreter des Kinos gegenüber dem Fernsehen" - Gespräch mit Klaus Brüne und Dieter Krusche (Spielfilmredaktion des ZDF)', *FILM-Korrespondenz*, 11, 2 November 1976, pp. 17-20.
- (191) Ibid., p. 17.
- (192) Peter F. Gallasch, 'An der Förderung des Nachwuchses schieden sich die Geister', *FILM-Korrespondenz*, 3, 11 March 1980, pp. 1-3; ARD/ZDF, *Filmförderung 1974-1979. Der Deutsche Film und das Fernsehen* (Frankfurt am Main, Mainz, 1980).
- (193) Ibid., p. 2. ; Cf. also Werner Hess, 'Die Skeptiker sind widerlegt' in: *Filmförderung 1974-1979*, pp. 5-6.
- (194) According to § 7 of the 'Film/Fernseh-Abkommen', 'die Rundfunkanstalten verpflichten sich, die ihnen zufließenden Erlösanteile zur Aufstockung der in § 10 ('Projektförderung') genannten Zuwendungen zu verwenden'. Up to 31 December 1986 no such money had been forthcoming (letter to the author from Roland Caspary of the FFA executive, 17 February 1987).
- (195) Cf. Günter Rohrbach and Gunther Witte, 'Koope-ration außerhalb des Abkommens' (pp. 28-30) and Elisabeth Berg, '"Konkurrent" Fernsehen: gewichtiger Auftragsgeber für die Filmwirtschaft' (pp. 31-34) in: *Filmförderung 1974-1979. Der Deutsche Film und das Fernsehen*.
- (196) Arnold Hohmann, 'Nachwuchs bewirkte Aufschub - Stück vom großen Kuchen zu klein', *Westfälische Rundschau*, 23 February 1980.
- (197) Gallasch, p. 3.
- (198) Ibid., p. 2. Alexander Kluge had represented the interests of the 'Autorenfilmer' in the *Achter-Kommission* and the Verhandlungsgruppe Film/Fernsehen from 1974-1979. He had also been on the FFA's *Projektkommission* from 1974 until May 1977, and again from 12 November 1979.

- (199) J.A., 'Neuer Film' baut sich ein Dach', *Film-echo/Filmwoche*, 12, 27 February 1980, p. 4. *Filmfaust* gave over some of its pages to a BUFI 'Arbeitsjournal' from issue 24 (October/November 1981) to issue 30 (October/November 1982).
- (200) Anon, 'Neues Film-Fernseh-Abkommen jetzt abgeschlossen', *epd/Kirche und Rundfunk*, 54, 12 July 1980, p. 6, and Anon, 'Neues Film/Fernseh-Abkommen unterzeichnet', *FUNK-Korrespondenz*, 29, 16 July 1980, p. K4.
- (201) *Fischer Film Almanach 1981* (Frankfurt am Main, 1981), pp. 222-223 (223). According to the minutes of the meeting on 20 June 1980, the Verhandlungsgruppe Film/Fernsehen was prepared to waive the requirement of a screenplay for the co-productions, as specified in § 5, 'wenn aufgrund der Besonderheiten des Filmtyps auch auf andere Weise eine nach § 4 (Achter-Kommission) entscheidungsfähige Grundlage dargetan wird' (p. 225). This applied, in particular, to feature-length documentaries.
- (202) Cf. § 4 of the new agreement (p. 220).
- (203) Willi Bär and Hans Jürgen Weber, 'Kino und Fernsehen sind aufeinander angewiesen' in: *Fischer Film Almanach 1981* (Frankfurt am Main, 1981), pp. 213-217 (216).
- (204) Cf. *FFA Geschäftsbericht 1982*, Anlage 20. In addition, Wim Wenders' *Der Stand der Dinge* was co-produced by ZDF through the 'Nachwuchsförderung' fund, with the maximum payment of DM 300 000 being awarded.
- (205) 'Produktionsförderungsrichtlinien der Stiftung Kuratorium Junger Deutscher Film', § 1(1) in: *Filmförderung*, edited by Kurt Hentschel and Karl Friedrich Reimers (Munich, 1985), p. 165.
- (206) § 9 of 'Richtlinien zur Förderung des deutschen Films' in Hentschel and Reimers, p. 157.
- (207) § 2 of 'Vereinbarung über die Richtlinien für die Projektförderung in Hamburg' in: Hentschel and Reimers, p. 185.
- (208) 'Auszüge aus den Richtlinien zur kulturellen Filmförderung NW' in: Hentschel and Reimers, p. 198.

- (209)§ 3.12 of the 'Richtlinien zur Durchführung des Bayerischen Filmförderungsprogramms' in: Hentschel and Reimers, p. 174.
- (210)§ 2(b) of the 'Grundsätze für die Durchführung des Berliner Filmförderungsprogramms' in: Hentschel and Reimers, p. 179.
- (211)Willi Bär and Hans Jürgen Weber, 'Auch die Dokumentarfilmer organisieren sich' in: *Fischer Film Almanach 1981* (Frankfurt am Main, 1981), pp. 246-248.
- (212)'3. Film/Fernseh-Abkommen' (Text), *Media Perspektiven*, 11 (1983), pp. 804-807 (806), and 'Erklärung zum Verhältnis Film/Fernsehen anlässlich der Mainzer Tage der Fernseh-Kritik 1983', pp. 811-812 (812).

## CHAPTER SEVEN

In Chapter Six the progress of film and television relations from 1974 to 1980 was seen to take place predominantly within the respective frameworks of the FFG - in particular the 'Projektförderung' - and the 'Film/Fernseh-Abkommen', since they were recognised by both the film industry and the broadcasters as the appropriate arena for the discussion of measures promoting greater harmony between the two media. At the same time, some broadcasters (rather than film producers) were aware of the existence of a new generation of filmmakers in need of support and sought to negotiate more flexible and informal channels of co-operation between these filmmakers and television such as had existed between the 'Jungfilmer' and the 'Fernsehspiel' departments in the making of co-productions before 1974.

In the period covered by Chapter Seven (1981-1985) the 'Film/Fernseh-Abkommen' extended its provisions to include the funding of documentary filmmakers, but film/television relations *in toto* now faced new and unpredictable challenges from without: the uncertainty of the broadcasting authorities' revenue from the monthly licence fee from the early 1980s onwards is set to have repercussions for their programme production contracts with independent producers (this was of

particular importance for ZDF's producers) and for the film production plans of the 'Fernsehspiel' departments over and above their financial commitment to the 'Projektförderung' and the 'Film/Fernseh-Abkommen'; and the public broadcasters drew up their programming responses to the (impending) arrival of the private operators of cable and satellite on to the West German media scene.

In spite of these complications to the film/television relationship there was a general consensus of opinion that the formal co-operative links between the two media should be continued, and the broadcasters were insistent on fulfilling their obligations to the 'Projektförderung' and the 'Abkommen', albeit for shorter terms than previously so as to allow for a reappraisal of the needs of both partners in the rapidly changing climate. However, at the same time, the aggressive acquisitions and programming policies adopted by ARD and ZDF from 1983 to keep viewers away from the private broadcasters led to the revival of exhibitors' demands for restrictions on the number of feature films screened on television, 'film-free' weekends, and for the imposition of a television levy as commensurate compensation for the increased competition from the evening television schedules which were allegedly plunging the cinemas into a major existential crisis.



**Film and television's working partnership jeopardised by the uncertainty over the licence fee increase**

Although ARD and ZDF practically doubled the funds made available to the 'Film/Fernseh-Abkommen' on its renewal on 1 July 1980, from DM 44 million of the first agreement to DM 79 million, and increased its general expenditure on the film industry (*inter alia*, for programme commissions, studio hire, film processing and dubbing, and film licence acquisition) from DM 535.6 million in 1979 to DM 592.4 million in 1980 (1), the future situation of the working partnership between the film industry and television, within and without the 'Film/Fernseh-Abkommen', was put into jeopardy in September 1981 by the publication of a set of official recommendations on an increase to the monthly licence fee from the Kommission zur Ermittlung des Finanzbedarfs der Rundfunkanstalten (KEF) (2).

This commission of inquiry had been appointed by the *Ministerpräsidenten* of the *Länder* on 20 February 1975 to investigate the financial requirements of the broadcasting authorities and report on a commensurate increase in the monthly licence fee. A report was published by the commission in 1977 and a second one in 1979, both of which recommended measures to the broadcasters for increased efficiency in the administration of their finances and, in the case of the

July 1977 report, advocated a level of increase in the licence fee which ARD and ZDF immediately rejected, claiming that it would be insufficient 'um ein qualitativ hochwertiges Programmangebot auf längere Frist finanziell abzusichern' (3).

In the KEF's third report, which was scheduled to appear in September 1981, the commission intended to present a comparative study of the financial organisation of the broadcasting authorities and to give the *Ministerpräsidenten* an indication of the level of increase needed in the monthly licence fee. To this end, the broadcasters had been requested to provide the commission with documentation of their accounts and future financial planning in January 1981; and top-level discussions had been held between KEF and officials from ARD and ZDF on the question of the monthly licence fee increase at the beginning of March 1981. An ARD *Hauptversammlung* subsequently held on 25 March passed a resolution calling for a new licence fee to come into effect as from 1 January 1983.

However, when the KEF's recommendations regarding an increase in the licence fee appeared in abbreviated form, in advance of the main report, in early September 1981, they found little favour with either ARD or ZDF (4). In its letter of recommendations to the *Ministerpräsidenten* on 10 September 1981, the

commission proposed that the monthly licence fee should be raised from the current rate of DM 13 (radio: DM 3.80; television: DM 9.20) which had been in existence since 1 January 1979, to DM 15.25 as from 1 January 1984, a year later than the date requested by the broadcasters. On the following day, ARD and ZDF issued a joint press statement, criticizing the KEF's proposals and calling attention to the effect they could have on the future television schedules, such as cutbacks to 'in-house' production and to commissions from independent film and television producers, and the consequent increase in use of inexpensive foreign 'bought-in' programming.

On 15 September the independent film and television producers followed the broadcasters' lead and sent their own protest letter to the *Ministerpräsidenten* and the *Landesparlament* politicians in the form of a paper, entitled 'Erhöhung der Funk- und Fernsehgebühr' (5). The signatories, who encompassed the majority of the creative community working within and outside the broadcasting authorities, were as follows: Claus Hardt and Helmut Ringelmann for the Bundesverband Deutscher Fernsehproduzenten e.V., Eberhard Hauff and Tim Toelle for the Bundesverband der Fernseh- und Filmregisseure in Deutschland e.V., Dr. Norbert Kückelmann for the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., Franz Seitz and Luggi Wald-

leitner for the Verband Deutscher Spielfilmproduzenten e.V., Walter Pindter for the Verband Technischer Betriebe für Film und Fernsehen e.V., and Stefan Meuschel for the Bundesfachgruppe Bühne Film Fernsehen (BFF) in der DAG. The paper called on the politicians to agree to an adequate increase - between DM 3 and DM 4 - to take effect from 1 January 1983, which would ensure that ARD and ZDF could continue to fulfil their obligations to the independent film and television producers and their 50 000 employees. At the same time, it recommended that the broadcasters should undertake a re-appraisal of their administrative structure and of their strategies for planning programme production, and channel any resulting savings into more commissions from the independent producers.

Whilst the implementation of the KEF's proposals could not affect the scale of funds committed to the 'Film/Fernseh-Abkommen' within the life-span of the current agreement (not due for renewal until 1 January 1984), it was possible that an insufficient increase in the monthly licence fee would have a devastating effect on the budgets available for programmes commissioned from the independent producers. These producers had always experienced shifting fortunes ever since ZDF's financial crisis after its launch in April 1963. But, from the end of the 1960s, the situation

had become even more uncertain as programme production and the broadcasters' operating costs spiralled. In February 1971 Claus Hardt, chairman of the Bundesverband Deutscher Fernsehproduzenten e.V., had written in *Fernseh-Informationen*: 'die schon nicht mehr trabende, sondern schon galoppierende Kosteninflation in unserem Sektor droht alle Planungen für die kommenden Jahre zu sprengen' (6). A year later, at the ZDF annual working conference with independent producers held in Berlin on 20 October 1972, *Programmdirektor* Joseph Viehöver had forecast that by 1974 the channel's financial situation would have become critical, and, by 1975 definitely unresolvable, 'wenn nicht endlich der erbrachten Programmleistung und dem gegebenen Preisniveau angepaßte Gebühren beschlossen werden bzw. ein Teil der erforderlichen Mehrkosten durch Ausdehnung der Werbezeit hereinkommt' (7). Thus, some respite was offered to the broadcasters when the monthly licence fee was increased on 1 January 1974 from DM 8.50 to DM 10.50 and, five years later on 1 January 1979 to DM 13 (8). However, the debate on the increases was usually accompanied by much political infighting, so that the finally agreed amount was inevitably something of a compromise.

At a press conference on 16 September 1981 in Munich's Presseclub, organised by the Bundesverband Deutscher Fernsehproduzenten e.V., the Bundesverband

der Fernseh- und Filmregisseure in Deutschland e.V., and the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., the independent producers outlined the extent of the threat posed to their livelihoods by the KEF's recommendations (9). They maintained that the proposed increase of DM 2.25 to the monthly licence fee would be unlikely to keep up with the rate of inflation, thus necessitating the broadcasting authorities having to look for cutbacks in their expenditure; and, since the television stations' personnel, administration and technical services were fixed items in their budgets, the cutbacks would be more likely to occur in the area of programme production, in particular those programmes commissioned from independent producers, in spite of the fact that commissioned programme production made up only 10 % of the broadcasting authorities' total budget (10).

The resulting financial constraints imposed on the television stations would thus mean fewer programmes being produced in West Germany and more material being 'bought-in' from abroad, in particular the USA: an episode of *Dallas* could be bought for DM 73 500 whilst a home-made television play cost ZDF DM 700 000. A quantitative study commissioned by the Bundesverband Deutscher Fernsehproduzenten e.V. from Karl-Otto Saur, the media page editor of the *Süddeutsche Zeitung* (11),

and presented at the September press conference showed that, over the past ten years, the feature film had consolidated its place in the television schedules, rising from 9.8 % in 1971 to 13.5 % in 1981, whilst the share of the 'Fernsehspiel' in the schedules had contracted from 7.1 % in 1971 to 3.9 % in 1981, and by 25 % in real terms (12). This was in spite of the fact that the amount of 'air time' on the analysed stations (ARD with the Bavarian regional early evening programme, ZDF, and the Bavarian 'Third' Channel) had increased by a third since 1971 and additional slots for 'Fernsehspiele' had been created with the introduction of a Monday evening drama series slot by ARD in 1978 (13).

Norbert Kückelmann, representing the Arbeitsgemeinschaft Neuer Deutscher Spielfilmproduzenten e.V., declared that the continuation of the trends revealed by Saur's study could only be halted if a quota was imposed on the television schedules which required a fixed number of native West German programmes to be shown, so as to secure the livelihoods of those working in the independent sector, to preserve the West German film and television cultures, and to guarantee all those working in the media their statutory rights as laid down in the *Grundgesetz* (14). He further claimed that the broadcasters would be neglecting their obligations, as laid down in the broadcasting

laws and the *Grundgesetz*, if they were forced by the KEF commission's ruling to reduce their support of the creative community.

Günter Rohrbach, who was also present at this press conference - now in his capacity as the managing director of Bavaria Atelier GmbH (15) - , gave a cautionary warning to those who assumed that any licence fee increase would mean better programmes; rather, it meant that the television stations would be able to ride out the current crisis, to fulfil existing obligations, but not to enter into any costly new enterprises. However, if the *Länder* followed the recommendations of the KEF commission and opted for a lower and later increase, Rohrbach argued, the television schedules were most likely to suffer.

#### Official reaction from ARD to the KEF recommendations

The arguments from the independent sector were followed on 10 December 1981 by the publication of ARD's 'Stellungnahme zur KEF-Empfehlung' which was presented to the press by ARD chairman and BR *Intendant* Reinhold Vöth on 12 December (16). The KEF recommendation on the question of the licence fee increase, which had been published in full on 15 October, did not, according to ARD, guarantee the network the necessary financial security with which it could fulfil



its obligations as set down by law, its constitution, and autonomous organs. An increase was required which was commensurate with the financing of current projects, of the preparation for cable pilot projects and satellite systems, and of the re-organisation of the financial adjustment scheme ('Finanzausgleich'), which had been in operation since 1959 and channelled money from the richer broadcasting corporations to the poorer ones so that each member of ARD could fulfil its obligations to produce and broadcast an adequate programme of its own. The increase ARD had in mind was DM 3.30 on the monthly television and radio licence fees as from 1 January 1983; the KEF recommendation, though, was for a DM 2.25 increase as from 1 January 1984. The broadcasters within ARD calculated that they would need an additional DM 1.6 billion before the end of 1983 if operations were to be kept at the current level. KEF's recommendation of a 17 % increase had been made despite the fact that there was a 28.7 % general increase in prices; that programme production costs, 'in house' and commissioned, had been hit by inflation; and that the annual increase in the licence fee revenue was slowing down as television ownership reached saturation point (17).

A special meeting was held by the *Intendanten* and the administrative directors of the ARD network in

Munich on 18 February 1982 to discuss the question of the licence fee increase and the broadcasters's future stance towards the KEF commission. A series of recommendations agreed upon at this meeting were forwarded to the *Fernsehkommision* of the *Ministerpräsidenten*, underlining the need for an increase of DM 3.30 per month to the licence fee. However, in the last week of June 1982, as final negotiations on the licence fee was being conducted by the *Ministerpräsidenten* in Bonn, a figure of DM 3.25 appeared as the probable increase even though this would in effect only amount to DM 2.25, since DM 1.00 would be retained for the funding of the cable pilot projects, of Deutschlandfunk, of the expansion of the broadcasting network, and of innovations. SFB *Intendant* Wolfgang Haus was pessimistic about the future of the ARD network after hearing of the proposed increase at the centre of the negotiations in Bonn, while Johannes Rau, *Ministerpräsident* for North Rhine-Westphalia, and Wilhelm Nobel, SPD's media affairs spokesman, both asserted that the licence fee proposals could have the utmost significance for the future existence of public broadcasting in West Germany since the CDU/CSU-controlled *Länder* were using the licence fee debate to break the monopoly in broadcasting held by ARD and ZDF and to facilitate the (future) launch of competing private broadcasting (18). The fears of the broadcasters and

of the SPD politicians were succinctly expressed in a feature by the media expert Bernd-Peter Lange on NDR 3's *Medienreport* on 30 May 1982 when he warned:

es besteht die Gefahr, daß diejenigen Ministerpräsidenten, die bisher . . . für die Zulassung privater Rundfunkanstalten eintreten, die Rundfunkgebühren als Hebel benutzen können, um die Rundfunkanstalten auf dem Status quo ihres Programmangebots festzuhalten, um dann die zukünftigen 'Lücken' im Angebot, wenn die Rundfunkanstalten finanziell nicht in der Lage sind, die neuen Übertragungskapazitäten mit Inhalten zu füllen, für die privaten Veranstalter freizuhalten (19).

However, despite the growing opposition to the proposed increase, the *Ministerpräsidenten* agreed on 2 July 1982 to what Karl Geibel calls in his book *Medienschungel. Eine kritische Bestandsaufnahme* 'kein bedarfsgerechter, sondern ein politischer Preis' (20). According to the 'Staatsvertrag zur Erhöhung der Rundfunkgebühr und zur Änderung des Staatsvertrags über einen Finanzausgleich zwischen den Rundfunkanstalten', the combined monthly radio and television licence fees were to be increased by DM 3.25 to DM 16.25 as from 1 July 1983, with DM 0.20 being retained for the financing of the cable pilot projects, DM 0.20 for the running of Deutschlandfunk, DM 0.15 for 'Fernseherestversorgung', and DM 0.45 for innovations (21).

**The effect of the licence increase (from 1 July 1983) on the independent film and television producers in West Germany**

The effects of an inadequate monthly licence fee increase on the independent television programme production sector and on the film industry had been anticipated before the signing of the inter-Land treaty on 6 July 1982 by, among others, Herbert Huber, chairman of the CSU's Film Affairs Committee, and Eberhard Hauff, an executive member of the Bundesverband der Fernseh- und Filmregisseure in Deutschland e.V. . Huber had declared at the seventh CDU/CSU 'Filmgespräch' in Munich on 16 January 1982 that the monthly licence fee increase being proposed by the KEF commission was likely to step up the pressure on the production funds administered by the FFA: 'Die augenblickliche Finanzenge bei den Fernsehanstalten, die mit dazu führt, daß pure Fernsehambition mit an jene Quellen drängt, die in erster Linie, und ich möchte fast sagen: ausschließlich dem Kinofilm zugedacht sind' (*sic*) (22). He had therefore proposed that moves should be taken to re-organise the 'Film/Fernseh-Abkommen', which was due for renewal at the end of 1983, so as to take into account the television stations' impoverished state.

Eberhard Hauff, in an interview in the June 1982 issue of *Medium*, expressed the view that the licence fee increase at the centre of negotiations between ARD

and the *Ministerpräsidenten* could mean a 30 % reduction in budgets for commissioned programmes from 1983. He had no illusions about the scale of the dilemma: 'es wird ein schlimmes Erwachen geben für sehr viele Leute. Und es wird sich 1984 fortsetzen. Auch eine geringfügige Gebührenerhöhung 1984 kann das nicht ausgleichen' (23). A DM 10 increase to the monthly licence fee would solve the broadcasters' problems in an instant, but Hauff was aware that such a proposal was a non-starter given the regular reports in the press of the television stations' allegedly wasteful administrative and personnel apparatus.

The extent to which the decision of the *Ministerpräsidenten* would affect the programme producers working for television within the independent sector and the film industry became even more apparent with public announcements in autumn 1982 by ZDF *Intendant*, Dieter Stolte, and WDR's 'Fernsehspiel' head, Gunther Witte. At the annual working conference between ZDF and the independent film and television producers, held in Düsseldorf between 22 and 23 November 1982, Stolte declared that pressure on the insufficient licence fee revenue allocated to ZDF would demand 'eine kritische Überprüfung aller Aufwandspositionen und zwar der direkten wie der indirekten Kosten' (24), thus involving cutbacks in the number of commissioned

programmes from independent producers. By the eighth CDU/CSU 'Filmgespräch' on 15 January 1983, Stolte was convinced that the uncertain financial future for ZDF would require the commissions' budget to be cut from annually DM 200 million to DM 180 million, so jeopardising the livelihoods of many independent producers reliant on work from ZDF (25).

In a podium discussion at an annual conference organised by the Katholische Filmkommission between 1 and 3 December 1982 in Munich (26), Gunther Witte addressed himself to the question of the future of the working relationship between the film industry and television, within and outside the 'Film/Fernseh-Abkommen', in the future uncertain economic climate that was likely to be created for the broadcasters by the inadequate licence fee increase which was currently passing through the *Land* parliaments for their approval: 'Mindestens 1984 werden auch bei uns deutlich Sparbeschlüsse wirksam werden wie in allen Sendern. Wir werden uns in dieser Konkurrenzsituation auch zurückbesinnen müssen auf die spezifischen Fähigkeiten des Fernsehens, nämlich live zu senden . . . Das alles heißt ganz klar ein Zurückdrängen der Beteiligung des Fernsehens am deutschen Film' (27). He was concerned, moreover, that the filmmakers who had been making their films with money from television over the past years had failed to realise that the

broadcasters' generosity to the film industry was likely to be curbed in the near future.

The potential effect on the television stations' economies were further spelt out by Dieter Stolte when he reported at the CDU/CSU 'Filmgespräch' on 15 January 1983 on the initial discussions about the extension to the current 'Film/Fernseh-Abkommen' (28). According to Stolte, in the light of the many incalculable factors confronting them ARD and ZDF were only prepared to commit themselves to a three year extension from 1 January 1984, as opposed to the five year terms of the first two agreements. A major prerequisite for a new agreement being concluded, however, was the acceptance by the *Land* parliaments of the licence fee increase of July 1982. In addition, there was a need, Stolte felt, for the West German film industry to develop a greater sense of independence, financially and creatively, away from television's 'Fernsehspiel' departments.

**Misgivings about the 'Film/Fernseh-Abkommen' from within the ranks of the broadcasters**

Whilst the debate on the level of increase of the monthly television and radio licence fees promised to have repercussions on the extent of the broadcasters' financial commitment to a second extension of the 'Film/Fernseh-Abkommen', some broadcasters were

reflecting on how this working partnership had evolved and was likely to develop in the future, and offered alternative courses of action for a revised agreement once the current one came to an end on 31 December 1983.

Gunther Witte, who had succeeded Günter Rohrbach in February 1979 as the head of WDR's 'Fernsehspiel' department, openly voiced his reservations about the 'Film/Fernseh-Abkommen' in speeches and articles during the life of the second agreement, and has continued to do so up to the present day (29). At a two-day seminar held in Cologne between 5 and 6 February 1981, to which were invited writers and filmmakers who had already worked in collaboration with the WDR 'Fernsehspiel' department, Witte announced that WDR was to adopt a strategy of greater emphasis on the 'Fernsehspiel' made specifically for television rather than as a co-production within the framework of the 'Film/Fernseh-Abkommen'. He was particularly critical of the prerequisite of the two-year 'holdback' for all co-productions made under the auspices of the film/television agreement (30):

Gerade bei brisanten politischen Stoffen ist er verheerend. Zur besonderen Qualität eines politischen Films gehört es, mit größter Sensibilität den Nerv der jeweiligen Situation zu treffen. Jahre später ist dieser Film zumeist tot; er ist historisch geworden,

but was also dismayed at the fact that, contrary to



the situation that had existed before November 1974, when the filmmakers and the commissioning editors had worked in close collaboration on film projects, projects submitted to the 'Fernsehspiel' department for co-production funding now invariably arrived as *faits accomplis* 'eingebunden in Förderungsmaßnahmen, längst abgesichert durch Verleih und Vertrieb' (31). Moreover, there was still the snobbishness of filmmakers, supported in the past by television, to the idea of making a television film in between projects for the cinema. WDR was therefore planning to co-finance the production of two films over and above its annual commitment to the 'Film/Fernseh-Abkommen', on the condition of a shorter 'holdback', and the production of several 'low-budget' films by the newcomer generation of filmmakers as part of a series of 'Fernsehspiele' on its regional 'Third' Channel, Westdeutsches Fernsehen, under the general title of *Die WDF-Spielproduktion* (50 films were made over the next six years).

A year later Witte returned to the question of relations between the film industry and television and the need for reform of the 'Film/Fernseh-Abkommen' in an article entitled 'Neue Wege zur Partnerschaft' for the January-March 1982 issue of ARD's 'Fernsehspiel' brochure (32). His main criticism was again the requirement of the two-year 'holdback' which, he

claimed, prevented the schedulers from making long-term planning for television drama and restricted the commissioning editors in their choice of subject matter on topical issues. In his view, 'die kurzlebigen, die auf eine bestimmte aktuelle Situation bezogenen, den Nerv dieser Situation treffenden (Filme mittlerer Qualität), erscheinen schal und abgestanden, wenn wir sie senden können' (33). At the annual Mainzer Tage der Fernseh-Kritik, which in October 1983 was devoted to the relations between the film industry and television, Witte revealed that WDR had DM 28 million of co-productions languishing in the archives awaiting their television transmission, despite the fact that many of them had already completed their theatrical releases. He concluded: 'sobald es diese Zweijahresfrist nicht mehr gäbe, sähe die Zusammenarbeit schon ganz anders aus' (34).

In the article at the beginning of 1982, Witte recommended that only those co-productions with 'echte Kinochancen' should have the full two-year 'holdback', while 'smaller' films with less commercial potential should be made available for an earlier television transmission; that there should be greater concentration on the funding of films with budgets of up to DM 1 million, on the understanding that they had a limited 'holdback', and an opening up of funds to the newcomer generation of filmmakers, who could be allocated 'air

time' on the regional 'Third' Channels. At that point in early 1982, ZDF's *Das kleine Fernsehspiel* was the only regular slot in the television schedules for the screening of works by newcomer and experimental filmmakers (35).

Echoing criticisms of the film industry made by Günter Rohrbach in 1976 and Heinz Ungureit in 1978 (36), Witte attacked the film producers and distributors for concealing the fact of a television station's involvement in a film's production during press conferences and at film festivals to suit their promotion of a director as a feature filmmaker; if a co-production was a commercial failure, the television involvement was invariably held to blame. In addition, he castigated those filmmakers who had perfected their directorial skills within the television stations in the late 1960s/early 1970s before the signing of the 'Film/Fernseh-Abkommen', but now adopted an arrogant dismissive stance to the offer of television films, as a break from feature film production, claiming that working for television was now beneath them.

Günter Rohrbach, now managing director of Bavaria Atelier GmbH, added his voice to several of Witte's criticisms of the attitudes between television and the film industry when he wrote a guest column for the film and broadcasting technicians' journal, *Hörfunk*

- *Film - Fernsehen*, in February 1982, but, at the same time, he warned both sides from intensifying any feelings of animosity (37). The 'Film/Fernseh-Abkommen' was too important an arrangement to founder on ill-feeling: the film industry needed the funds provided by the television stations for the co-productions, since the other film funding schemes in existence were unlikely to be expanded greatly, and television needed new and attractive programming for the competition with the new entertainment providers of video, cable, and pay-TV in the coming years.

#### Discussion of a third 'Film/Fernseh-Abkommen'

It was against such a background of opinion about the 'Film/Fernseh-Abkommen' that preparatory talks began towards the end of 1982 on the question of an extension to the agreement which was due to expire on 31 December 1983. At the eighth CDU/CSU 'Filmgespräch' in Munich on 15 January 1983, ZDF *Intendant* Dieter Stolte announced that preliminary discussion had already taken place between ARD and ZDF and within the FFA's *Film/Fernseh-Kommission*, the consensus of opinion being 'daß es richtig ist, diese Kooperation fortzusetzen' (38). Stolte stressed that the future of this working partnership between the film industry and television needed to be seen and evaluated in the light of the arrival in West Germany in a year's time

of cable and of the concomitant changes in the methods of distribution and exploitation of feature films:

'Man wird das Fernsehen freilich auch nicht nur als Finanzierungsquelle ansehen und dann an die letzte Stelle der Auswertungskette setzen dürfen' (39).

It had been tentatively proposed, Stolte announced, to keep the television stations' financial commitment on the same scale as for the current agreement, despite the financial cutbacks being made throughout the broadcasting apparatus (40). Thus, ARD and ZDF had provisionally accepted to provide the sum of DM 52.5 million for a three-year extension of the 'Abkommen', to take effect from 1 January 1984: DM 36 million would be provided for the financing of co-productions, DM 9 million as television's financial obligation to the 'Projektförderung' fund administered by the FFA, DM 6 million for newcomer directors and innovative film projects (an annual increase of DM 0.5 million over the current agreement), and DM 1.5 million for the support of screenplay writers. This whole financial package was, Stolte underlined, conditional on a satisfactory outcome to the progress of the monthly radio and television licence fee increase through the *Länder* parliaments (41).

In his statement to those assembled at the 'Filmgespräch' Stolte remarked that further negotiations on the extension to the 'Abkommen' were likely to

centre on whether the production funds should be directed primarily at 'low-budget' films or at larger commercial projects, at international European co-productions or - 'gerade angesichts der Gefahr allgemeiner Verwischungen durch die neuen Medien' - at specifically German films; whether the pre-purchase option on broadcast rights to film projects (dropped from the first 'Abkommen' on the signing of its successor) should be re-introduced; whether a video 'holdback' or levy should be incorporated in a new 'Abkommen'; and whether there should be more flexibility in the 'holdback' ruling for co-productions made within the 'Film/Fernseh-Abkommen', given that the broadcasters were prepared to hold their financial commitment at the same level as in the previous 'Abkommen'. Stolte also took the opportunity of this public platform to ask whether the West German film industry, with some DM 80 million in production funding at its disposal each year from various funding bodies, could not attempt to break free from its dependence on television and make a commercial mass-entertainment film.

The conciliatory mood between the film industry and the broadcasters - both producer Franz Seitz and film functionary Horst von Hartlieb believed that the 'Abkommen' should be continued - was vigorously opposed

at this meeting in Munich by Bernd Eichinger and Wolfgang Fischer. Eichinger, joint owner of the Solaris Film GmbH + Co and managing director of the distributor Neue Constantin, claimed that television had destroyed the cinema in West Germany through the 'Film/Fernseh-Abkommen' and, through its funding application and co-production procedures, had forced filmmakers to conduct 'eine Zensur im Kopf' so as to win a commissioning editor for their projects. Fischer similarly blamed television for the desolate state of the native film industry and called for emphasis to be put on the opening of markets and the establishment of forms of co-operation where the television stations were restricted to being only mediators for co-production projects. Both men returned to attack television's record of involvement with the film industry when they spoke at the Mainzer Tage der Fernseh-Kritik at the end of October 1983.

**Third 'Film/Fernseh-Abkommen' - signed 10 November 1983**

Negotiations proceeded within the FFA's 'Film/Fernseh-Kommission' after Stolte's announcement in January, with final agreement on the contents of the third 'Film/Fernseh-Abkommen' being reached at a meeting in Cologne on 30 September 1983 attended by WDR *Intendant* Friedrich Wilhelm von Sell (for ARD), ZDF

*Intendant* Dieter Stolte (for ZDF), HDF president Herbert Strate (in his capacity as deputy chairman of the FFA's *Verwaltungsrat*), and the FFA executive of Robert Backheuer and Roland Caspary. News of the conclusion of negotiations was announced by Stolte in his opening address at the Mainzer Tage der Fernseh-Kritik on 24 October 1983, with the official signing of the new agreement taking place in Bonn on 10 November (42).

At a press conference organised jointly by ARD and ZDF, details of the third 'Film/Fernseh-Abkommen', which was to run from 1 January 1984 to 31 December 1986, were made public (43). ARD and ZDF were to make DM 51 million available during this three-year period for the financing of co-productions, projects selected by the FFA's *Vergabekommission*, films by newcomer and documentary filmmakers, and script development: DM 36 million, DM 12 million for each year, would be provided for the financing of co-productions, as set out in § 3 of the agreement, although the 15 % of these funds which had been reserved in the second 'Abkommen' for film projects submitted directly to the *Zehner-Kommission* were now also open to the option of pre-purchase of broadcast rights, since the direct submission procedure had not been as successful as anticipated (44); DM 9 million would be paid by ARD and ZDF over the three years to the 'Projektförderung' fund of the



FFA, on the understanding that a sufficient number of projects would be selected which would be suitable for transmission on television; DM 5.25 million for the funding of newcomer, experimental, innovative and feature-length documentary filmmakers; and DM 0.75 million for the support of screenwriters (45).

A new clause in § 9, regarding the funding of the newcomer generation, allowed the two-man selection committee who recommended projects to the *Zehner-Kommission* to dispense, at its discretion, with the need for a screenplay 'wenn auf andere Weise dargetan wird, daß das Filmvorhaben einen Film im Sinne der Aufgabenstellung dieses Sonderfonds erwarten läßt' (46). The inclusion of the documentary in the 'Abkommen' for the first time was largely due to the efforts within the FFA's *Verwaltungsrat* of Alexander Kluge, who saw this development as 'eine Ermunterung für alle, die etwas wagen wollen' (47), and of potential benefit for the feature film: 'Ich glaube, daß immer dann der Spielfilm einen neuen Impuls erhielt in der Filmgeschichte, wenn er vom Dokumentarfilm her sich angereichert hat, wenn er also sachlicher wurde' (48). In view of the growing importance of the home video industry in West Germany (8.6 % of all households had a video recorder by January 1983), agreement had also been reached on the introduction of a video 'holdback'

to the co-productions made within the 'Film/Fernseh-Abkommen': a co-production could not be released on video until six months after its theatrical release (49).

As Dieter Stolte stated in his opening address to the Mainzer Tage der Fernseh-Kritik on 24 October 1983, it had proved impossible to increase the funds for the 'Abkommen' 'weil die Fernsehanstalten Schwierigkeiten genug haben, mit der beschlossenen Gebührenerhöhung für die vorgesehene Zeit über die Runden zu kommen' (50). The decision to restrict the extension to only three years had also been motivated partly by the broadcasting authorities' financial instability, partly by the fact that the current FFG would expire on 31 December 1986, and partly by the unpredictable future ahead with cable and satellite television. As Friedrich Wilhelm von Sell remarked at the press conference on this latter factor: 'Wir werden die Entwicklung der "neuen Medien", ihre Auswirkungen auf das Kino und auf uns sehr genau beobachten müssen, um unsere Haltung für die Zeit nach 1986 zu bestimmen' (51).

#### Mainzer Tage der Fernseh-Kritik, 24-26 October 1983

The signing of the third 'Film/Fernseh-Abkommen' was preceded two weeks previously by the sixteenth Mainzer Tage der Fernseh-Kritik, which, in 1983, was devoted

to discussion on the situation of relations between cinema and television and their future together with the first of the planned cable television pilot projects coming into operation in Ludwigshafen in January 1984 (52). The opinions voiced at this two and a half day conference, attended by two hundred and fifty producers, directors, writers, critics, media experts, distributors, exhibitors, and broadcasters, served to indicate to the broadcaster and film industry negotiators of the 'Abkommen' of the necessity and desirability of a continuation of this formal working partnership.

In an opening address ZDF *Intendant* Stolte made the official announcement of the conclusion of negotiations on 30 September on the extension to the 'Film/Fernseh-Abkommen', at the same time implying that this fact was evidence in itself that the preceding two 'Abkommen' had been successful in bringing about a stabilisation of relations between the two media:

die zehn Jahre partieller Gemeinsamkeiten haben immerhin gezeigt, daß gute, wichtige, vielfältige, in der Welt beachtete Filme für beide Medien kooperativ herstellbar sind . . . es gibt Erfahrungen auf beiden Seiten, an die geknüpft werden kann - hoffentlich ohne Zorn und gegenseitige Verdächtigungen (53).

Now that cinema and television had both lost the aura which had made them special, there was the possibility of a new beginning, perhaps even of a new solidarity

being forged between the two media.

Several of the conference's participants were prepared to echo Stolte's self-congratulatory stance by offering their own pronouncements of solidarity with the results of co-operation between television and cinema within the 'Film/Fernseh-Abkommen'. The film producer Franz Seitz declared: 'die Kooperation, wie sie in den letzten Jahren war, sollte einfach fortgesetzt werden. Meine persönliche Erfahrung geht auch dahin, daß die Einmischung der Redakteure niemals eine Art Würgegriff gewesen ist' (54), while Volker Schlöndorff similarly painted a picture of cosy co-existence, stating: 'Ich glaube, daß auf dem Gebiet der Zusammenarbeit Film/Fernsehen die Zeit der Beschimpfungen nun wirklich vorbei ist' (55). However, as Knut Hickethier observed in his report for *epd/Kirche und Rundfunk*, 'die mehrfach wiederholte Beschwörung der neuen Solidarität. . . erschien. . . allzusehr als Harmonisierungsstrategie, die die bestehenden Widersprüche und Konflikte vorschnell unter den Tisch kehrte' (56). The first sign of a more critical and controversial response to the development of film and television relations came with Heinrich von Nussbaum's comment that the level of discussion on Wolf Donner's paper, entitled 'Ware Kunst. Beobachtungen und Thesen zur Entwicklung des Films', was 'zu sehr nach Erntedankfest ausgerichtet' (57).

'Die notwendigen Kontroversen', as chairman of the discussion Günter Rohrbach put it, were not aired until the second day of the conference, when Heinz Ungureit and Alexander Kluge engaged in a polemical dialogue, entitled 'Naht- und Bruchstellen zwischen Kino und Fernsehen' (58). In the subsequent discussion on the various points raised by these two about the state of relations between the film industry and television, two mutually exclusive schools of thought emerged. There were those, such as Bernd Eichinger, Robert van Ackeren and Günter Rohrbach, who subscribed to the view that the film industry should free itself from the editorial and aesthetic influences of television which had evolved with the establishment of the formalised working partnership between the two industries; and there were those, such as Heinz Ungureit and Alexander Kluge, who sought to defend television's record against arguments and criticisms which had, in fact, been in circulation from the start of the 'Film/Fernseh-Abkommen'. Kluge also attempted to strike a balance between the two factions, by arguing against the insistence from the television stations of a rigid control on the production procedure for co-productions within the 'Abkommen' and proposing that a future co-operation could be conducted outside of both camps in a neutral environment.

Bernd Eichinger, who had voiced his opposition to the 'Film/Fernseh-Abkommen' at the CDU/CSU 'Filmgespräch' in January 1983, argued that the West German film industry should have a greater regard for the cinema-going public and less for the preferences of funding bodies or television: 'Kunst kann nur existieren, wenn sie unabhängig ist, und unabhängig wird sie im Kino dadurch, daß man Leute reinbekommt, die für das zahlen, was sie da sehen' (59). He claimed that it would be impossible to make good (i.e. commercial) films 'wenn ich überhaupt nicht mehr denken kann, ohne das Fernsehen zu fragen, und wenn ich nicht mehr denken kann, ohne die Meinungen der Gremien einzuholen' (60). His hostility towards attempts at closer co-operation between the film industry and television was shared by Robert van Ackeren, who, speaking from the experience of the controversial treatment meted out to his film *Die Reinheit des Herzens* (61), warned: 'es nützt nichts, daß wir uns über irgendwelche Kontaktstellen verständigen, und dann kommen Projekte, die eine Chance im Kino hätten, nicht zustande - und zwar schon im Vorfeld nicht, oder indem sie nachträglich wieder herausgesetzt werden' (62).

Günter Rohrbach, who is, as we have seen, one of the key figures in the development of the working relationship between film and television in West Germany, called for the emancipation of the film industry from

the protective clutch and for a spirit of greater self-confidence among the film producers 'die nicht mit krummen Rücken an den Pfortnern vorbeigehen, sondern die mit geraden Rücken in die Sender hineinkommen und die sagen, bitte, wir haben das und das zu bieten, wenn Ihr es nicht wollt, gehen wir woanders hin' (63). Rohrbach also recommended that the broadcasters take on a more aggressive attitude towards acquiring film projects for their schedules rather than wait for production proposals from film producers. Such a strategy, he believed, would have meant a greater involvement by television in Bavaria Atelier's DM 60 million *Die unendliche Geschichte*.

Heinz Ungureit countered the allegations of television's inordinate editorial control on co-productions and questions of censorship by reminding those present at the conference of the underlying purpose behind the establishment of the 'Abkommen': to enable the two sides to collaborate in a working partnership: 'Deshalb heißt es auch Kooperation oder Koproduktion, was mit der ersten Zielrichtung aufs Kino geht und mit der zweiten aufs Fernsehen' (64). He further argued against the strict division between cinema and television proposed by Eichinger, claiming that such 'Ausschließlichkeitsdenken' was part of a debate which had long since been concluded (65). Although

films made in co-production with television were required to heed the broadcasting legislation and programme guidelines, Ungureit did not agree that the resulting films were no more than 'verflachende Filme nach Maßen der mittleren Qualität von Fernseh-dramaturgie'. Despite the fact that television was invariably held to blame for the poor commercial success of West German films in the cinemas, Ungureit suggested that the filmmakers should give their own capabilities closer scrutiny. Although wishing to defend television against unjustified criticisms, he was concerned that any debate on the relationship between film and television should not deteriorate into a mutual apportioning of guilt, but rather seek for new avenues of co-operation.

Alexander Kluge, meanwhile, strove to answer the critics of television's involvement with the film industry, by suggesting that a new form of co-operation between the two media be established, comparable to sluices or intermediate points, 'damit man unter Nutzung . . . der Werkstattformen, durch Berührungsf lächen auf der Ebene der Arbeit und nicht nur auf der Ebene der Finanzen die gemeinsamen Nenner findet' (66). These intermediate or neutral points could, Kluge suggested, be jointly administered communal cinemas showing material from the broadcasting authorities' archives, an independent distribution



structure to make this material available to the public, workshops for filmmakers, commissioning editors and journalists collaborating on projects, possibly with the filmmakers and broadcasters exchanging jobs, or a fixed amount of 'air time' of the television schedule being reserved for independent producers on the lines of the British Broadcasting Corporation's open access programme slot, *Open Door*.

Despite isolated dissenting voices, the general mood at the conference was to support the aims of harmonious co-existence between film and television within the 'Film/Fernseh-Abkommen', and these were reaffirmed by the decision to draft and accept a ten-point 'Mainzer Erklärung', acknowledging the achievements of the co-operation between the two media and pointing to the ways in which new partnerships could be developed (67). Drafted as a collaborative effort by Günter Rohrbach, Heinz Ungureit, Gunther Witte, Alexander Kluge, and Hans-Geert Falkenberg, the declaration adopted several of the proposals for future co-operation which had been aired in the discussion between Ungureit and Kluge.

The declaration began by reaffirming the signatories' commitment to the 'Film/Fernseh-Abkommen' and its creation of an additional 'public arena' between film and television and followed with the statement

that the experience of film history had enriched television, while the West German feature film had itself become rich in social experience and perception of reality through its involvement with television. Each medium's intrinsic difference from the other was as important as its similarities, thus making such modish concepts as the 'amphibische Film' or the 'internationally accessible product' redundant. The future demanded the creation of communal enterprises, with equal representation for the film industry and television, to develop joint ventures in the face of competition from the private commercial programme providers; close collaboration between broadcasters and filmmakers, with their work being distributed theatrically or screened on television, cable, or satellite; and the establishment of commercial distribution and exhibition structures, jointly organised by film and television, to exploit the television companies' back catalogues of programme material. These initiatives were needed as a response to the challenge of the new media and to the changes in the fabric of society.

**Film purchasing and programming policies of the public broadcasters threatens to jeopardise film and television relations**

The apparent mutually desired solidarity of purpose between the film industry and the public broadcasters,

as signified by the signing of the 'Mainzer Erklärung' and the third 'Film/Fernseh-Abkommen' in autumn 1983, was thrown into jeopardy by the broadcasters' film purchasing and programming policies - the wholesale 'buying up' of film licences, the so-called 'Hamsterkäufe', and concentrated scheduling of attractive, recent feature films - which aimed to gain the upper hand over the private broadcasters before they had even begun operating (the Ludwigshafen cable pilot project did not start transmissions until 1 January 1984).

#### **ARD's film package talks with MGM/UA**

In summer 1983 it was revealed that Hans Joachim Wack, managing director of DEGETO, ARD's film and television programme buyer, had been holding talks with Metro-Goldwyn-Mayer (MGM) since autumn 1982 with a view to acquiring a film package for future television schedules (68). That DEGETO was in direct negotiations with the Americans rather than using its usual 'middle man', the film dealer Dr. Leo Kirch, was part of deliberate strategy by the purchasing agency to transform itself into a more active, aggressive, and independent enterprise (69). The memory was still fresh of the embarrassing denouement of ARD's negotiations with Twentieth Century Fox in 1981, when

the DEGETO board chairman, Friedrich Wilhelm von Sell, learnt in Los Angeles that a deal for the 400 films on offer had already been signed by Fox's president Marvin Davis with Kirch (70). ARD, and in particular DEGETO, was therefore keen to break (or at least lessen) Kirch's influence over its programme acquisition decisions.

Kirch, who was once called the 'Howard Hughes of Germany' by Munich's *Abend-Zeitung* because of the seemingly impenetrable veil of secrecy which surrounds the activities of his companies of BETA-Film GmbH, Taurus Film, and BETA Technik, has played a key role in ARD and ZDF's feature film and television programme acquisitions since the early 1960s (71). He started business, though, in 1956 with the purchase of Federico Fellini's *La Strada* for DM 20 000 against a rival bid from Gloria-Film boss Ilse Kubaschewski. However, his first major transaction came in 1960 with a 600 film package to ARD at a total cost of DM 16.5 million, each film licence costing on average DM 27 500. Kirch, correctly anticipating that the 'bought in' feature film would become a major and indispensable component of the television schedules because of its cheapness and popularity with the viewers, secured the rights to hundreds of feature films, from Germany and elsewhere, so as to offer them in packages at

regular intervals to ARD and, from 1963, to ZDF. Over the years, BETA-Film GmbH, which handles the world market, and Taurus Film, which handles the German language markets, have consolidated their position as the major programme providers to ARD, ZDF, and Austria's ORF network, offering the whole gamut of feature films and television series as varied as *Bonanza*, *Flipper*, and *Kung Fu*.

Although there had been criticisms during the 1960s from within ARD of the quality of the film packages bought from Kirch (72), his share of film licence transactions with DEGETO remained constant, increasing even from a share in 1971 of 31.4 % to 38.5 % in 1976. The extent of Kirch's control on ARD's feature film programming alerted the broadcasters to the need for the introduction of a 'ceiling' on the amount of material bought from BETA and Taurus. However, as the trade journal *Rundy* reported in September 1983, ARD had in the past year acquired 550 films, 33 % of its annual requirement of feature films, from Kirch for the television schedules (73). Evidently, the *Zeit* headline from 1976, 'Ohne Kirch kann keiner', will remain valid into the future despite DEGETO's attempts at emancipation.

But the extent of Kirch's influence on programming has been yet more marked at ZDF, and this prompted an in-depth report by Siegfried Schmidt-Joos (not named

in the article) for *Der Spiegel* in May 1976 under the title 'ZDF im Würgegriff', itemising particular instances of Kirch's involvement in the development, production, selection and purchasing of programmes for ZDF's schedules (74). Schmidt-Joos's revelations led to legal proceedings being (successfully) taken out against *Der Spiegel* by ZDF and Kirch, and to the disgraced *Spiegel* journalist being forced to leave the magazine. The negative publicity surrounding the *Spiegel* article prompted ZDF's *Fernsehrat*, however, to pass a resolution calling for Kirch's share of contracts with ZDF to be restricted to a maximum of 40 %; at one point, he had been supplying up to 48.5 % of the feature films shown on ZDF.

It was against such a background that DEGETO was striving to reduce its dependence on Kirch for its feature films, by negotiating with one of the last major American studios not yet under contract with Kirch's BETA-Film. Wack's negotiations with MGM were thrown into disarray, however, when it was announced at the end of July 1983 that Kirch, who enjoyed a long-standing business arrangement with MGM since acquiring a package of 900 MGM films in 1963, had recently concluded an agreement with studio boss Frank Yablans on a \$ 50 million deal for the whole of the MGM/UA film archive of 3000 films. Frantic transat-

lantic telephone calls between DEGETO and MGM revealed that, on the contrary, nothing had as yet been signed between Kirch and Yablans, and that MGM head office in Los Angeles was keen on further direct talks with ARD if a top-level delegation could be dispatched right away. Thus, on the weekend of 12-13 August 1983, ARD chairman and BR *Intendant* Reinhold Vöth sent a five-man delegation, comprising ARD *Programmdirektor* Dietrich Schwarzkopf, NDR *Programmdirektor* Jobst Plog, DEGETO's managing director Hans Joachim Wack, and his colleagues, Franz Everschor and Klaus Lackschewitz, to Los Angeles with an offer of \$ 50 million for MGM's film archive. At first, Yablans rejected the ARD delegation's offer as being lower than that made by Kirch, but then he revealed that MGM was similarly interested in establishing direct business links with ARD which would circumvent Kirch in future film package deals. Therefore, the film studio was prepared to consider a package of 1500 films selected from the MGM/UA archives, including all of the James Bond films (a particularly attractive proposition to the broadcasters' delegation), 10 new MGM productions annually for the next 15 years, and a selection of television programmes and MGM cartoons, for a total asking price of \$ 130-150 million.

The ARD delegation then returned to West Germany with the intention of securing the ARD member compan-

ies' nod of approval to the signing of a deal with MGM, but, at a DEGETO shareholders' meeting at Hessischer Rundfunk on 23 August 1983, Jobst Plog, who was also chairman of the DEGETO shareholders' assembly, revealed that Kirch was still claiming that he held the rights to the MGM/UA film licences currently on offer to ARD, and was offering them to DEGETO for \$ 110 million, significantly below the sum negotiated by ARD's delegation. However, rather than agree to Kirch's admittedly attractive offer, which would have scotched any attempts by DEGETO to reduce its dependence on 'middle men', the five-man delegation returned to Los Angeles on 24 August with an offer of \$ 120 million for MGM, which they hoped would be sufficient to outbid Kirch.

The film package deal saga took an unexpected and more complicated turn, though, when on 26 August the delegation was informed in its Los Angeles hotel that Kirch had decided the previous day to file a law suit through the Californian Superior Court against DEGETO, accusing it of causing MGM to break its contract with Taurus Film GmbH + Co and claiming damages totalling DM 3.6 billion, the largest in West German television history, including DM 250 million from each member of the delegation (75). Kirch claimed to have signed a deal with MGM in 1970, securing a first option on the rights to major MGM releases, and another deal for



the current package at the end of July in Munich, but this was denied by both Frank Yablans and MGM lawyer Brian C. Lysaght, who disputed the existence of any binding agreements between MGM and Taurus.

Meanwhile in Germany, Kirch informed *Intendant* Vöth by telex of his readiness to offer ARD a smaller package of films than MGM's, with only 5 new MGM productions annually over the next 15 years, for only \$ 80 million, and indicated that the ARD delegation was agreeing to sums twice the market norm for feature film licences. At this news, Vöth decided to recall the delegation from its talks with MGM, who, incensed at Kirch's meddling in its affairs, filed its own law suit for damages on 2 September for DM 2.6 billion against Kirch, Taurus Film GmbH + Co, and his American lawyer Milton A. Rudin, claiming a breach of anti-trust and cartel regulations.

At a press conference, organised at short notice by DEGETO on 9 September 1983 in the Haus des Rundfunks in Berlin during the Radio and Television Exhibition, von Sell and Plog reported on the progress of the negotiations on the film package with MGM, Plog declaring that Kirch's claim for damages was 'ein Versuch der Einschüchterung. Bei der Höhe der Summe ist natürlich auch ein Schuß Hollywood dabei' (76). In a press release distributed by DEGETO after the conference, it was revealed that there were no plans by the

delegation to press MGM for the film licences of *Gone with the Wind*, *Ben Hur*, or *Dr Zhivago*, which together would have cost \$ 20 million, in the light of the current dispute with Kirch and the fact that he claimed already to have a purchase option on these films. Nevertheless, Plog expressed optimism that negotiations with MGM on the film package would be concluded in ARD's favour (77).

A third and final round of negotiations was held in London from 4-10 February 1984 between an ARD delegation, comprising von Sell, Plog, Schwarzkopf, Wack, Everschor, and Lackschéwitz, and MGM's Yablans and two associates when agreement was reached on the terms of a film package worth \$ 80 million (DM 220 million) (78). At a press conference held at HR on 14 February by DEGETO, full details of the conditions of the package were revealed: ARD would pay \$ 80 million for the broadcast rights, valid for 15 years via television, cable or satellite (pay-television excepted) in all German-speaking countries, i.e. West Germany, East Germany, Austria, Switzerland, Liechtenstein, and Luxembourg, to 1350 feature films selected from 3000 films in the MGM/UA archives and the Warner Brothers pre-1948 back catalogue; for an option on at least 150 new MGM productions spread over the next 15 years; and for 390 hours of television programming and all

MGM cartoons made up to 1983. In addition, ARD had secured the rights to a number of other films currently held by a third party but available from 1990. The average cost of each film licence would, according to DEGETO's calculations, be DM 145 000 (plus DM 60 000 dubbing costs for the future MGM productions), but, as von Sell stressed at the press conference, ARD had been able, through this deal with MGM/UA, to secure rights to 'Filme von morgen zu Preisen von heute' (79). ARD *Programmdirektor* Dietrich Schwarzkopf viewed the deal in more sober terms, calling it 'eine Ergänzung des laufenden Programmangebots' (80).

However, when the deal came to the individual companies of the ARD network for ratification, BR, whose *Rundfunkrat* had expressed its dismay at the wranglings between ARD and Kirch at a meeting on 15 September 1983 (81), decided to withhold its 17 % share of the payment for the film package and use this money instead to acquire its own independent film stock. In August 1984 it was announced that BR had acquired a package of 300 German and European feature films for DM 46 million, the majority of these titles coming from the catalogues of Leo Kirch's BETA and Taurus companies (82). Much was made in statements on the film package in 1984 by BR officials, such as deputy *Intendant* Albert Scharf (83), and by Bavarian politicians, such as Gerold Tandler of the CSU's Film

Affairs Committee (84), of BR's decision purposely to acquire only European films for its schedules as opposed to ARD's concentration on American films.

Despite BR's action, DEGETO was bolstered by the success of its film package deal with MGM/UA and its plan to circumvent Kirch into becoming a more confident and aggressive buyer of film rights. Thus, at the beginning of November 1984, an agreement was signed worth DM 6.2 million between DEGETO and the Walt Disney International subsidiary, Buena Vista International, giving ARD 45 feature length Walt Disney productions, including *Mary Poppins*, *The Black Hole*, and *The Love Bug*, and several animated films, including the European television premieres of *Alice in Wonderland* and *Dumbo* (85).

#### ZDF acquires a film package from Kirch, March 1984

Although ARD's deal with MGM/UA was something of a setback for Kirch, he did not find ZDF harbouring similar thoughts of independence from 'middle men' when it began negotiations for its own film package in 1983 and 1984. When ZDF's *Fernsehrat* ratified a package of 1264 'handpicked' feature films, including 651 American and 251 West German, 'zur Sicherung seiner Programmtradition in den achtziger und neunziger Jahren' at a cost of DM 258 million, 750 of

these films had been provided by Kirch's BETA and Taurus (86). The cost of each film licence, including the much-sought after *Gone with the Wind*, was given as a maximum of DM 204 000, with no extra dubbing costs to be incurred since the package only consisted of existing titles. *Intendant* Stolte, in open criticism of the allegedly inflated prices paid by ARD for the MGM package, re-affirmed ZDF's preference for using 'middle men' such as Kirch in its film purchase transactions, stating that for him the deciding factor here was 'ob das Programm stimmt, ob es das ist, was wir haben wollen, und ob der Preis, der für dieses Programm bezahlt werden muß, den Marktbedingungen entspricht' (87).

**Reaction within the film industry and among broadcasters and media politicians to these film package transactions by ARD and ZDF**

When the news was released in February and March 1984 of the acquisition of these film packages, the subsequent criticism from the press and film industry officials was directed primarily at ARD and DEGETO for spending such vast sums on American rather than on European feature films and for committing funds to 15 years of future productions. Kraft Wetzel commented in the July 1984 issue of *epd Film*: 'selbstverständlich käme es der ARD nicht in den Sinn, einen deutschen Produzenten die Abnahme seiner Gesamtproduktion bis zum

Ende dieses Jahrtausends zu garantieren' (88), whilst Claus Hardt and Helmut Ringelmann of the Bundesverband Deutscher Fernseh-Produzenten demanded, in an interview with the *Münchener Merkur* in August 1984, for a minimum quota to be set on the number of German programmes appearing in the television schedules, so as to guarantee the livelihoods of the independent production community. The newspaper followed this interview with a series of statements, collected from Gerold Tandler, CSU general secretary (89), Thomas Wilsch, head of programmes at RTL-plus (90), Peter Glotz, SPD media affairs spokesman (91), Albert Scharf, deputy BR *Intendant* (92), and Alexander Kluge, which gave a comprehensive impression of the potential effects of the 'Hamsterkäufe' on the native production sector: Tandler called for the stimulation of artistic creativity through greater emphasis on film funding programmes, Scharf for sufficient licence fee revenue to allow the public broadcasters to continue commissioning programmes at current levels from the independent producers, Glotz for a quota for German programmes and/or European co-productions, and Kluge for an 80 % quota for German/European programmes, i.e. films which had been awarded a 'Prädikat' by the Filmbewertungsstelle (FBW) or were 'part of film history', and brand new product-

ions from the USA. Kluge argued that one should approach this question from the perspective of the young generation: 'Ich will zum Beispiel nicht, daß mein Kind nur Auslands-Ware vorgesetzt bekommt, daß ihm so der Kopf verdreht wird. Es soll auch etwas von dem erleben, was seine unmittelbare Erfahrung angeht' (93).

These criticisms of ARD (in particular) and ZDF prompted the broadcasters to defend their record on the support given to the creative community in West Germany and to re-affirm their commitment to the production, in the future, of specifically German programming. ZDF *Intendant* Dieter Stolte reacted to a resolution passed at the HDF annual conference in Berlin on 22 June 1984 which attacked the acquisition of film packages, with a letter on 9 July stating that the transaction afforded ZDF 'den Freiraum für eigene Produktionen (auch Koproduktionen mit der Filmwirtschaft)'. He explained: 'Uns geht es gerade um den Erhalt der Eigenleistungen in dem jetzt erreichten Anteil und damit auch im weiteren Sinne um den Erhalt einer leistungsfähigen Infrastruktur für deutsche Film- und Fernseh-Produktionen' (94). WDR *Intendant* Friedrich Wilhelm von Sell stressed at the SPD's media conference in Dortmund on 1 September 1984 that more emphasis should be given in production planning and scheduling to 'home grown' programming: 'indem wir sie

möglichst gut plazieren im Programm, daß sie nicht am späten Abend . . . angeboten werden, und die großen amerikanischen Spielfilme und attraktiven Programme haben die Primetime' (95).

This renewed emphasis on the 'Eigenleistungen' of the public broadcasters' 'in house' programme makers or commissioned producers was further stressed by Dietrich Schwarzkopf, ARD *Programmdirektor*, in a paper to the press committee of the Deutscher Gewerkschaftsbund (DGB) in Dortmund on 13 November 1984 (96), and at a forum on the future of public broadcasting organised by the media journal *FUNK-Korrespondenz* where he declared that the public broadcasting authorities were the natural allies for German authors, actors and directors: 'seine Aufgabe (der öffentlich-rechtliche Rundfunk) wird darin liegen, ihnen Entfaltung- und Entwicklungschancen zu bieten' (97). Similarly, Alois Schardt, ZDF's *Programmdirektor*, stated in an article written for *Media Perspektiven* that, despite the print media's emphasis on the broadcasters' allegedly vast expenditure on imported television series and feature films, 'home grown' productions were ZDF's 'ureigenstes Anliegen' (98).

The debate of the effect of ARD's transaction with MGM/UA on the programme-making and filmmaking communities in West Germany was fuelled, however, by a key-



note speech given by Bavaria's *Ministerpräsident* Franz-Josef Strauß at the tenth CDU/CSU 'Filmgespräch' in Munich on 19 January 1985. Entitled 'Bayern als Motor der Medienentwicklung', Strauß's speech had some harsh words for ARD's actions:

Ich habe nie ein Hehl aus meiner Meinung gemacht, daß das Geld, das zum Beispiel von der ARD nach Amerika geschafft wurde, besser in Deutschland investiert worden wäre. Aufregende Kreativität auf dem deutschen Markt wäre sinnvoller gewesen als die kommerzielle Aufgeregtheit, mit der die amerikanischen Archive leergeräumt werden (99);

and warned against a complete Americanisation of the media market which, he believed, could be best combated by a process of targeted funding of projects with commercial promise.

In a letter dated 21 February 1985, WDR *Intendant* Friedrich Wilhelm von Sell replied to Strauß's criticisms by defending ARD's film package deal with MGM/UA as 'eine angesichts der ungewissen Marktverhältnisse und Medienentwicklung unseres Erachtens eine ebenso weitsichtige wie pflichtgemäße Vorsorge' (100) which would meet ARD's feature film needs until 2014. Von Sell further disputed the term 'kommerzielle Aufgeregtheit' used by Strauß to describe ARD's actions, and pointed to its renewed (in autumn 1983) financial commitment to the 'Film/Fernseh-Abkommen' (101), to its programme commissions from independent producers (102), to WDR and SDR's engagement over 20 years in the running and development of the Bavaria Atelier

studios, which had produced the award-winning *Das Boot* and *Die unendliche Geschichte* (103), and to the fact that nine films, produced with WDR, were being screened at the Berlin Film Festival that year.

**The broadcasters' feature film programming provokes a vigorous protest campaign from the exhibitors - autumn 1984**

The film industry's criticism of the public broadcasters' decision to spend sizeable sums of licence fee revenue on packages of feature films as part of their strategy to combat the anticipated competition from the private broadcasters was followed by a campaign, launched in autumn 1984 by HDF, which protested at the 'mass appeal' feature film programming by ARD and ZDF and claimed that this more aggressively competitive programming policy was having a detrimental effect on the cinema admissions, which, three months into 1984, were 10 % down on the same period for 1983 (104).

With the publication of a 'Memorandum zur Lage der deutschen Filmwirtschaft' in Bonn on 6 September 1984, the exhibitors aimed to provide 'eine konkrete Standortbestimmung der Filmtheaterwirtschaft in Gegenwart und Zukunft . . . aus der sich für Gesetzgeber, Regierung und Verwaltung in Bund und Ländern sowie darüber hinaus für alle verantwortlichen Stellen auf dem

Gebiete der Medienpolitik unabdingbare Schlußfolgerungen ergeben', particularly in the light of the start of negotiations on a revision to the current FFG which was due to expire on 31 December 1986 (105). The memorandum also addressed the relations between the film industry and television, with special emphasis on the position of the cinemas, and attacked ARD and ZDF for both wanting to maximise their audiences through the screening of feature films to the detriment of the cinemas. It was proposed that a limit should be imposed on the television screening of feature films according to the number, year of production, subject matter, and schedule time, so as to counter the growing trend over recent years of a greater utilisation of feature films in the television schedules; and that the public and private broadcasters would be required, within a revised FFG, to pay a levy on all feature film screenings. These proposals were subsequently incorporated in SPIO's submission to the Federal Economics Ministry on the proposed format of the FFG from 1 January 1987, along with arguments which had been advanced by HDF in a document entitled 'Neufassung des Filmförderungsgesetzes (FFG) - Der HDF-Standpunkt zu einer notwendigen Reform' from 7 December 1983 (106). The broadcasters were informed of the memorandum's proposals for changes to film/television relations by HDF president Herbert Strate at sittings of the FFA *Verwaltungsrat* and

*Film/Fernsehen Kommission* during autumn 1984 and winter 1984/1985.

The tension between the exhibitors and television increased yet further when, in December 1984, ARD and ZDF programmed, as the trade magazine *VideoMarkt* recalled in March 1985, 'eine Kinofilmbeschörung . . . von der die Kinos noch lange alpträumen werden' (107). According to the film industry, 80 feature films were broadcast by ARD and ZDF between 24 December 1984 and 1 January 1985, including such popular favourites as *Die Mädels vom Immenhof* (24 December), *Drei Männer im Schnee*, the Sissi trilogy (28, 29 and 30 December), repertoire cinema 'evergreens' like *Gone with the Wind* (25 December), recent American features like *The French Lieutenant's Woman* (24 December) and *Victor Victoria* (1 January 1985), and an early James Bond film, *Dr No* (28 December). Werner Grassman, chairman of the 'art house' cinemas' association, AG Kino, claimed in an lengthy article for *Die Zeit* in November 1985 that, through their Christmas holiday schedules, ARD and ZDF were pursuing 'einen haarsträubenden, mit den Staatsverträgen wohl kaum zu vereinbarenden Kommerzkurs, schlimmer als man es von den Privaten befürchtet hätte' (108). Some cinemas reported drops in admissions of between 50-70 % on the business normally expected at this time of year, and Steffen

Kuchenreuther, owner of several cinemas in Munich, told *VideoMarkt* that 'am 25. Dezember als *Vom Winde verweht* (which was seen by upwards of 18 million television viewers) und noch andere Filme im Fernsehen liefen, gab es Kinos, die keinen einzigen Besucher gezählt hatten' (109).

**Exhibitors' response to the broadcasters' film scheduling policies**

When HDF's advisory council met in Munich on 17 January, the Christmas schedules of ARD and ZDF were high on the meeting's agenda. A resolution was passed on this occasion which reiterated the HDF demands as contained in the memorandum of September 1984: 'faire Wettbewerbsbedingungen und Chancengleichheit im Medienbereich', possibly entailing the limiting of the screening of feature films on television according to number and subject matter; and the introduction of a levy system which would collect monies from all those responsible for the worsening situation of the film industry (110). The resolution also called for a more positive response from the *Bund*, *Länder*, and the municipalities since the initial official reaction to the September document had been largely disappointing.

HDF's reiteration of its demands from the autumn subsequently received backing from within the film industry, the political arena, and the film trade press: the Gilde Deutscher Filmkunsttheater e.V.,

which specialised in 'art-house' and repertory-style programming, appealed to television to give the cinemas 'wesentliche Unterstützung und Beteiligung' (111); the Arbeitskreis der Erstaufführer passed a resolution at a meeting concurrent with HDF's in Munich on 17 January (on the occasion of the CDU/CSU 'Filmgespräch'), calling for the conclusion of a 'Medienvereinbarung' which, it claimed, was 'zum Erhalt der deutschen Theaterwirtschaft unabdingbar' (112); and the Interessengemeinschaft der Bayern Information supported the view that ARD and ZDF should reduce the number of films in the evening television schedules, particularly at weekends, and encouraged HDF to appeal to the *Länder* for action to curb the public broadcasters' scheduling onslaught against the new private competitors since this was having a negative 'knock-on' effect on the cinemas. The exhibitors' grievances also prompted Herbert Huber, chairman of the CSU's Film Affairs Committee, to write to ZDF *Intendant* Dieter Stolte and ARD chairman Friedrich Wilhelm Räuher on 27 March 1985 about 'die immer groessere massierung von spielfilmen in ard und zdf' during the Christmas holiday period and as planned for Easter 1985. He declared that there was a need, on the part of the schedulers, for 'ein groesseres wohlverhalten gegeneber den berechtigten anliegen der filmtheater' (113), which could be achiev-

ed by the introduction of 'film-free' weekends, as practiced in France, or, at the very least, by a self-regulation by the broadcasters of the number of feature films screened.

In addition, HDF received wider publicity for its demands thanks to a petition, entitled 'Das Kino muß leben !', which was launched in April 1985 by the Hamburg-based mass-circulation film magazine *Cinema* (114). Signed by several directors such as Wolfgang Petersen, Margarethe von Trotta and Peter Zadek, and by actors and actresses such as Jürgen Prochnow and Senta Berger, the petition appealed for the introduction of a statutory requirement for all users of feature films to pay a levy; for public and private broadcasters to be obliged to keep at least two weekdays of their schedules free of films; and for the *Bund* and *Länder* to guarantee the exhibitors a future, as had been afforded the public broadcasters by the *Ministerpräsidenten* in March 1984. The collected signatures would be sent by *Cinema* to Federal Interior Minister Friedrich Zimmermann, although *Film-echo/Filmwoche*, in its report on the petition on 18 May 1985, suggested that the magazine should also send details of the petition to Dr. Ernst Beauvais at the Federal Economics Ministry, since he was responsible for the drafting of the FFG revision due to come into effect on 1 January 1987.

### Broadcasters' response to Huber

The broadcasters' response to Huber's letter sought to correct the erroneous interpretations given to the film programming over the Christmas holiday period, and to indicate the extent of the benefits of co-operation between the film industry and television and the broadcasters' readiness to meet to resolve problems. In his reply on 16 April, Dieter Stolte reaffirmed ZDF's commitment, through negotiation and voluntary agreement, to ensure 'daß ein friedliches Nebeneinander der allerdings konkurrierenden Medien möglich bleibt' (115), but disputed the figure of 80 feature films which had allegedly been screened at Christmas, arguing that this figure included films like Ingmar Bergman's *Fanny och Alexander* or Dieter 'Didi' Hallervorden's *Der Schnüffler*, which had been co-financed or co-produced by ZDF. In addition, he rejected the notion, still prevalent within the film industry, that there was a direct causal link between the television screening of feature films and the fall in cinema attendances: 'vielmehr handelt es sich um eine Strukturkrise aufgrund eines veränderten Freizeit- und Sozialverhaltens weiterer Kreise unserer Gesellschaft' (116). Räuker's reply on 30 April, on behalf of ARD, avoided covering the same ground as Stolte's letter, but pointed out that the film industry had been mistaken to include



all the films shown on the regional channels in its calculation of the number screened over the Christmas period since these 'Third' channels transmitted to geographically restricted areas (117). Despite the confusion which had been created by this campaign against television, ARD and ZDF had shown readiness, Räuher declared, at sittings of the FFA *Verwaltungsrat* and the *Verhandlungsgruppe Film/Fernsehen* for improvements to relations between the film industry and television.

#### Public broadcasters still on the defensive

The debate on the exhibitors' grievances prompted a further two formal responses in May 1985 when WDR *Intendant* Friedrich Wilhelm von Sell presented a *Bericht über die Zusammenarbeit mit der Filmwirtschaft* to an ARD conference in Saarbrücken (118) and ZDF *Programmdirektor* Alois Schardt addressed the question of 'Film im Fernsehen versus Film im Kino' at a ZDF press conference in Munich (119). In his report, von Sell referred to the recent developments which had brought about a new tension between the film industry and television and to the arguments advanced by the film industry's representatives at meetings of the FFA *Verwaltungsrat*, and he reiterated ARD (and ZDF's) response to these demands: that a restriction, by

whatever criteria, of the screening of feature films on television would not be agreed to and that a direct levy on the screening of films was similarly out of question. However, von Sell declared, the broadcasters were conscious of the need for 'die Erhaltung der Kinos als einer originären Abspielstätte für den Kinofilm' (120), and he suggested that, in the light of a meeting of the Verhandlungsgruppe Film/Fernsehen on 21 May 1985, the two sides should consider forms of co-operation which would find the support of the broadcasters, such as co-production within, or independent of, the 'Film/Fernseh-Abkommen', the expansion of 'filmkundliche Sendungen', the retention of the 'holdback' regulation for co-productions, the inclusion of video as a source of income for the FFA, and the launching of a study into the habits of the cinema-going public.

Alois Schardt, speaking in Munich on 13 May, defended television's record, with regard to its relations with the film industry, and listed the areas of involvement which had been developed over the years: co-financing and co-production; information on latest releases and developments; re-construction of film classics; staging of film seasons; and, through the financing of film production, support of authors, directors and actors. He further stressed that ZDF was prepared to discuss with representatives of the

film industry (in particular the exhibitors) ways of alleviating their grievances against television.

**Meeting of the Verhandlungsgruppe Film/Fernsehen,  
Mainz 21 May 1985**

The next meeting of the FFA's sub-committee responsible for discussing the progress of film and television relations convened in Mainz on 21 May 1985 and discussed the HDF demands from September 1984 and January 1985 and the public broadcasters' counter-arguments, in connection with a major debate on the format of the fourth 'Film/Fernseh-Abkommen' which was to come into effect on 1 January 1987. As was subsequently revealed by the television and radio listings magazine *Gong* on 21 June, the broadcasting authorities' representatives agreed in principle - and so as to avoid the introduction of a television levy to the FFG revision currently being drafted by the Federal Economics Ministry - to keep Thursdays free of screenings of feature films and restrict screenings on Friday and Saturday evenings to films which would not be of immediate appeal to the 14-29 age-group, who made up 80 % of the cinemas' audience (121). It was proposed at this meeting that these restrictions by ARD and ZDF be part of a three-month experiment, beginning on 1 September 1985, which

would provide the basis for an empirical study of the effect of the television screening of feature films on cinema admissions. The broadcasters promised to get their committees' approval to this experiment before the next meeting of the FFA sub-committee on 4 July.

At the 4 July meeting - attended by von Sell and Hans Joachim Wack for ARD; Stolte, Ungureit, and Ernst Fuhr for ZDF; Herbert Strate, Horst von Hartlieb, Franz Seitz, and Alexander Kluge for the film industry; and Robert Backheuer and Roland Caspary for the FFA - the proposal for a three-month experiment was accepted, holding Thursdays free of feature films until the end of 1986 (with the exception of ZDF's 'special request' film season in the summer months) and restricting films on Friday and Saturday evenings to films which were not of direct interest to the younger generation (122). The study, which would analyse the effects of this experiment on the cinema admissions, would be paid for by ARD, ZDF, and the FFA, and monitored by Media Control of Baden-Baden, ZDF's media research group, and Dr. Uwe Magnus of WDR's media study unit. A second three-month 'control' study period between January and March 1986 would be undertaken so as to allow for comparative analysis.

In official communiques ARD and ZDF indicated how

the agreement to the three-month experiment would influence their schedulers' programming of feature films. ZDF declared that, although three scheduled Bud Spencer/Terence Hill films had been postponed, it would not have to withdraw any of its other films planned for autumn 1985 since they were not of special interest to the major cinemagoing audience of the 14-29 age-group, i.e. films like William Wyler's suspense story *How to steal a million* (1966), Fred Zinnemann's *The Day of the Jackal* (1973) and Tom Gries's *Breakheart Pass* (1976). Nevertheless, ZDF hoped that the accompanying empirical study would provide a 'Versachlichung der in der letzten Zeit vor allem von der Kinowirtschaft ausgelösten Debatte über den Zusammenhang zwischen den rückläufigen Besucherzahlen der Kinos und dem Fernsehprogramm' (123). In a statement from the ARD *Programmdirektor* Dietrich Schwarzkopf, it was admitted that there would in fact be no alteration to the scheduled film programme for Friday evenings (the main film night on ARD) for autumn 1985 since the planned films, including *Airport 1980* (1977), *Herbie rides again* (1974), and *Griechen sucht Griechin* (1966), were not considered likely to be popular with the cinemagoing generation. Moreover, the next James Bond film, *You only live twice* (1967), was not to be screened until the first quarter of 1986, after the three-month experiment (124).

It was against this background of a 'sanftes Entgegenkommen' by the public broadcasters, ARD and ZDF, towards the exhibitors that negotiations were held during autumn and winter 1985/1986 on the format of a fourth 'Film/Fernseh-Abkommen', final agreement being reached on 26 March 1986, and on the amendments to the FFG which would expire on 31 December 1986 (125).

### **Chapter Seven: Conclusions**

Chapter Seven has shown that the early 1980s witnessed a watershed in the development of relations between film and television in West Germany. Whilst the two industries were concerned in previous years with merely reacting to each other's actions, they were now confronted by a new challenger in the competition for viewers - the 'New Media' - , which led the two sporadically warring factions to work to settle their differences and unite against what they both perceived to be a common aggressor. This atmosphere of a brotherly solidarity, particularly in evidence from some of the participants at the Mainzer Tage der Fernseh-Kritik in autumn 1983 and in the pronouncements of broadcasters in their publicity literature, was not able, however, to assuage the exhibitors' age-old grievances against television, which were refuelled by the extent of the broadcasters' programme acquisition (viz. the

MGM/UA film package purchase of 1984) and scheduling policies in their ratings battle with the private broadcasters. Indeed, many of the film industry's demands, as ever originated and promoted by the exhibitors, centred around proposals for punitive financial measures to halt the television stations' exploitation of the popularity of feature films for their schedules, since this was (allegedly) the major reason for the latest downward swing in cinema admissions.

In addition, pressure was put on the broadcasters' links with the independent production sector by the insufficient increase to the monthly licence fee sanctioned by the *Ministerpräsidenten* in 1982, which resulted in reductions or stagnation in the annual budgets for commissioned productions and a marked concentration of the available production finance, including that from the film funding institutions, into large-scale television mini-series/feature film enterprises, such as those productions examined in Chapter Eight, which are afforded 'prime-time' slots in the schedules, together with the (predominantly) American feature films 'bought-in' as part of the film packages. The indigenous single productions, the 'Einzelspiel', meanwhile, were given fewer and later starting slots - a trend which provoked widespread protest amongst the heads of the 'Fernsehspiel' depart-

ments of ARD in winter 1985/1986 -, thus restricting co-productions made within the auspices of the 'Film/Fernseh-Abkommen' to an even more select audience.

Despite these recent complications and hindrances to the progress of film/television relations, which have been compounded by the CDU/CSU administration's insistence on the importance of commercial criteria in all facets of film funding (viz. the revisions to the funding guidelines of the Federal Interior Ministry's production fund and of the FFG revised in autumn 1986), there is a will and commitment from broadcasters and film industry alike to retain the co-operative arrangement of the 'Film/Fernseh-Abkommen' and, as proposed in the 'Mainzer Erklärung' of October 1983, to explore the possibilities of developing new channels for co-operation between the two industries.



### Notes: Chapter Seven

- (1) Data cited from: Elisabeth Berg, 'Fortsetzung einer bewährten Zusammenarbeit. Zum Verhältnis Film/Fernsehen', *Media Perspektiven*, 9 (1983), pp. 610-614.
- (2) Cf. Günter Herrmann, '25 Jahre ARD', *Rundfunk und Fernsehen*, 3 (1975), pp. 211-239 (236). Herrmann comments on the KEF: 'Es ist zu hoffen, daß diese Kommission durch Form und Inhalt ihrer Arbeit die Befürchtung ausräumt, hier sei erneut ein Beispiel dafür gegeben, daß der Rundfunk in der Bundesrepublik Deutschland als "faktischer Finanzverbund" mehr und mehr durch staatliche Beamte als durch die gewählten Selbstverwaltungsorgane der Anstalten gelenkt wird'.
- (3) Karl Geibel, *Medienschungel. Eine kritische Bestandsaufnahme* (Gerlingen, 1983), p. 269.
- (4) Cf. Margita Behnke-Gürtler, 'Kritik an KEF-Empfehlung', *FUNK-Korrespondenz*, 39, 23 September 1981, pp. 4-6; Margita Behnke-Gürtler, '(Film) Kulturdämmerung vorgezeichnet', *FILM-Korrespondenz*, 13, 29 September 1981, pp. 2-3; and makro, 'Der Film lebt vom Fernsehen', *Stuttgarter Zeitung*, 18 September 1981.
- (5) Bundesverband Deutscher Fernsehproduzenten e.V. et al, 'Erhöhung der Funk- und Fernsehgebühr', September 1981.
- (6) Claus Hardt, 'Sorgen um die galoppierende Kosteninflation', *Fernseh-Informationen*, 5 (February 1971), pp. 116-117.
- (7) FI, 'Aussprache zwischen ZDF und freien Fernsehproduzenten in Berlin', *Fernseh-Informationen*, 24 (October 1972), pp. 918-919.
- (8) *Media Perspektiven, Daten zur Mediensituation in der Bundesrepublik* (Frankfurt, 1985), p. 6.
- (9) Cf. *FUNK-Korrespondenz*, 39, 23 September 1981, and *FILM-Korrespondenz*, 13, 29 September 1981.
- (10) Cf. Elisabeth Berg, 'Fortsetzung einer bewährten Zusammenarbeit', *Media Perspektiven*, 9 (1983), pp. 610-614. Although ARD and ZDF's budgets for commissioned programming continued to increase in absolute terms, there was a visible 'slowing down': 1980 saw a DM 44.5 million increase, 1982

only a DM 20.5 million increase in the budgets over the previous year.

- (11) Karl-Otto Saur, 'Die Programmentwicklung im deutschen Fernsehen im Verlauf von zehn Jahren. Quantitative Untersuchung in Stichproben', 27 June 1981, not paginated.
- (12) Ibid., 2450 minutes (1971) to 1760 (1981).
- (13) Fears about the reduction in the number of 'Fernsehspiele' being produced were expressed in 1974 and 1975 by independent producers and broadcasters alike. Cf. tvc, 'Das ZDF und die freien Produzenten', *TV-Courier*, 31, 14 October 1974, pp. 5-6; Wolf Donner, 'Weniger Aufwand, mehr Service. Interview mit Günter Rohrbach', *Die Zeit*, 1 November 1974, p. 19; and Günter Rohrbach, 'Kommt das Fernsehen in die Kinos?', *Frankfurter Allgemeine Zeitung*, 15 February 1975, p. 19.
- (14) *FILM-Korrespondenz*, 29 September 1981, pp. 2-3 (3).
- (15) Rohrbach had become managing director at Bavaria Atelier studios on 1 February 1979.
- (16) ARD, 'Stellungnahme zur KEF-Empfehlung', *ARD Jahrbuch 1981*.
- (17) Cf. *Daten zur Mediensituation in der Bundesrepublik* (Frankfurt, 1985) - table: 'Anzahl der angemeldeten Rundfunkempfangsgeräte - Zuwachsrate und Dichtegrad', p. 5.
- (18) Anon, 'Der Milliarden-Wirrwarr', *Der Spiegel*, 28 June 1982, p. 38.
- (19) Bernd-Peter Lange, 'Wirtschaftsstruktur des öffentlich-rechtlichen Rundfunks' in: *Aus der Reihe "Medienreport (8) : Überlegungen zur Medien-Zukunft*, edited by Michael Wolf Thomas, pp. 280-296 (296).
- (20) Karl Geibel, *Medienschungel. Eine kritische Bestandsaufnahme* (Gerlingen, 1983), p. 273.
- (21) Text in *ARD Jahrbuch 83* (Hamburg, 1983), pp. 399-400. Cf. also Anon, 'Synopse zur Diskussion um die Rundfunkgebühren und den Finanzausgleich der Rundfunkanstalten in den Landtagen - Beschlüsse und Auflagen', *Media Perspektiven*, 11 (1983), pp. 794-800.

- (22) AB, 'Filmförderung und Fernsehverdrossenheit', *Fernseh-Informationen*, 2 (January 1982), p. 35.
- (23) Alf Mayer, '...so weiter wursteln in alle Ewigkeit', *Medium*, 6 (1982), p. 33.
- (24) Anon, 'Rückgang des Auftragsvolumens des ZDF', *Fernseh-Informationen*, 22 (November 1982), p. 590.
- (25) epd, 'Neues Film/Fernseh-Abkommen in Aussicht gestellt', *epd/Kirche und Rundfunk*, 5, 19 January 1983, p. 7. In the event, ZDF was able to allocate DM 193 million for commissioned programmes during 1984 (Cf. Anon, ". . . war es dem ZDF möglich den die mittelständischen Betriebe der Film- und Fernsehwirtschaft gefährdenden Abwärtstrend abzufangen", *TV-Courier*, 20, 20 August 1983, p. 13, although the combined commissions budgets for ARD and ZDF showed a noticeable reduction compared to previous years: an increase in DM 30.9 million between 1982 and 1983, but only DM 7 million between 1983 and 1984. At the same time, the expenditure on the acquisition of (cheaper) film licences rocketed from DM 145.6 million in 1983 to DM 539.5 million in 1984 largely due to ARD and ZDF's film package acquisitions. Cf. *Media Perspektiven, Daten zur Mediensituation in der Bundesrepublik* (Frankfurt am Main, 1985), p. 10.
- (26) The individual speeches and the podium discussion are reproduced by the Katholische Filmkommission in a brochure: *Der neue deutsche Film. Versuch einer Bilanz, Versuch eines Ausblicks* (Bonn, March 1983), 161 pp.
- (27) *Ibid.*, p. 158.
- (28) *epd/Kirche und Rundfunk*, 5, 19 January 1983, p. 7.
- (29) Cf. Witte's speech at the 'Film and Television - A European Partnership' conference organised by the BFI and the European Commission between 1 and 2 October 1986. Manuscript (in German) from WDR's 'Fernsehspiel' department, 13pp..
- (30) Cf. § 3c of the 'Film/Fernseh-Abkommen'. Films made outside the agreement were subject to a five-year 'holdback' according to § 12 of the FFG, unless special arrangements were made by

the co-producing partners.

- (31) Anon, 'Mehr Identifikationsmöglichkeiten für die Zuschauer', *WDR Information*, 24, 10 February 1981, pp. 1-3 (1).
- (32) Gunther Witte, 'Neue Wege zur Partnerschaft', *ARD Fernsehspiel*, Jan-Mar 1982, pp. 18-21.
- (33) *Ibid.*, p. 19.
- (34) *Fernseh-Kritik. Filmkultur - Filmverbrauch*, edited by Hans Helmut Hillrichs and Heinz Ungureit (Mainz, 1984), p. 181. Witte's views on the 'holdback' ruling were shared by Clara Burckner of Basis Film, who, in an interview with Erika and Ulrich Gregor on 24 September 1983, stated: 'Die Auswertung eines Films im Kino ist in der Regel nur auf wenige Monate und nur bei großem Erfolg mit einem einmaligen Wiedereinsatz auf ein paar Monate länger beschränkt' (*Film in Berlin Der Basis-Film Verleih, Kinemathek*, October 1983, p. 113).
- (35) Witte re-organised the 'Fernsehspiel' programming for Westdeutsches Fernsehen in March 1987 when he entrusted Martin Wiebel with the task of developing a new 'Fernsehspiel' slot - Extra-Spiel-3 - which was to be geared to first-time directors, and semi-documentary and experimental filmmakers: FK, 'Engagierte Hilfe für eine "bedrohte Art"', *Frankfurter Rundschau*, 17 March 1987, p. 14.
- (36) Günter Rohrbach, 'Fernsehfilm Kinofilm', *Fernsehspiele Westdeutscher Rundfunk*, January-June 1976, pp. 4-8, and Heinz Ungureit, 'Gibt es den reinen Kinofilm?', *epd/Kirche und Film*, 2, February 1978, pp. 11-13.
- (37) Günter Rohrbach, 'Gefährliche Animositäten', *HFF*, 2 (1982), p. 15.
- (38) epd, 'Neues Film/Fernseh-Abkommen in Aussicht gestellt', *epd/Kirche und Rundfunk*, 5, 19 January 1983, p. 7. See also: Anon, 'Stolte: Film sollte auch ohne Fernsehen existieren können', *Westfälische Rundschau*, 17 January 1983; Anon, 'Film-Fernseh-Ehe stand in München auf dem Prüfstand', *Westfälisches Volksblatt*, 12 February 1983; and F.H., 'Allgemeinplätze', *Frankfurter Rundschau*, 18 January 1983.
- (39) Dieter Stolte, 'Leistungen bis heute. Und in

Zukunft?', *TV-Courier*, 2, 20 January 1983, pp. 4-5 (5). The future of cinema/television relations in a new order for the media in West Germany was discussed by Helmut Oeller, ARD's co-ordinator for feature film programming and BR *Programmdirektor*, in a speech entitled 'Kooperation unter neuen Vorzeichen'. Cf. Helmut Oeller, 'Kooperation unter neuen Vorzeichen', *FILM-Korrespondenz*, 3, 1 February 1983, pp. V-IX.

- (40) For the second 'Film/Fernseh-Abkommen' which had come into effect on 1 July 1980, ARD and ZDF had made DM 79 million available over five years.
- (41) Stolte, *TV-Courier*, 2, 20 January 1983, p. 5.
- (42) The text of the third 'Film/Fernseh-Abkommen' is reproduced in: *Media Perspektiven*, 11 (1983), pp. 804-807.
- (43) U.K., 'Notizen zu einer Pressekonferenz von ARD und ZDF', *TV-Courier*, 28, 18 November 1983, pp. 1-6.
- (44) § 5(3): 'Erweist sich, daß die Absicht von ARD und ZDF, 15 % der Mittel des § 2 für den genannten Zweck einzusetzen, nicht realisierbar ist, so können in diesem Rahmen auch unmittelbar vorgelegte Projekte durch Vorabkauf der Fernsehnutzungsrechte gefördert werden'.
- (45) This fund had been cut 'nachdem sich herausgestellt hat, daß in dem bisherigen Umfang kein sachgerechter Bedarf bestand' (von Sell). (*TV-Courier*, 18 November 1983, p. 1.)
- (46) § 9(2) of the 'Film/Fernseh-Abkommen'.
- (47) M. Ue., 'Mut zum Experiment soll geweckt werden', *Kölner Stadt-Anzeiger*, 12 November 1983.
- (48) *TV-Courier*, 18 November 1983, p. 1-6 (6).
- (49) § 3 d) of the 'Film/Fernseh-Abkommen'.
- (50) Hillrichs and Ungureit, p. 26.
- (51) *TV-Courier*, 18 November 1983, p. 1-6 (2).
- (52) The proceedings of the conference are reproduced in: *Fernseh-Kritik. Filmkultur - Filmverbrauch*, edited by Hans Helmut Hillrichs and Heinz Ungureit (Mainz, 1984). Conference reports in the press

include: Wolfgang Würker, 'Versuchte Nähe', *Frankfurter Allgemeine Zeitung*, 29 October 1983, p. 25; Knut Hicketier, 'Schulterschluß gesucht' *epd/Kirche und Rundfunk*, 85/86, 2 November 1983, pp. 3-5; Waldemar Schmid, 'Neue Medien *ante portas*: Die alten Partner müssen zusammenhalten!', *FUNK-Korrespondenz*, 44, 4 November 1983, pp. 1-3.

- (53) Hillrichs and Ungureit, p. 26.
- (54) *Ibid.*, p. 69.
- (55) *Ibid.*, p. 72.
- (56) Hicketier, p. 3.
- (57) Hillrichs and Ungureit, p. 79.
- (58) *Ibid.*, pp. 153-176.
- (59) *Ibid.*, p. 117.
- (60) *Ibid.*, p. 187.
- (61) *Die Reinheit des Herzens* was withdrawn from the ARD evening schedule for 2 August 1981, after a protest from BR, and later broadcast by the regional 'Third' channels (with the exception of BR3) on 18 January 1982. For details of the controversy surrounding the decision to postpone van Ackeren's film, see: *epd*, 'Der Streit um den Film "Die Reinheit des Herzens". KIFU-DISPUT zwischen Heinz Werner Hübner und Norbert Kückelmann', *epd/Kirche und Rundfunk*, 87, 11 November 1981, pp. 1-6.
- (62) Hillrichs and Ungureit, p. 202.
- (63) *Ibid.*, p. 197.
- (64) *Ibid.*, p. 296.
- (65) *Ibid.*, p. 206.
- (66) *Ibid.*, p. 168.
- (67) *Ibid.*, pp. 303-306. Text also appeared in *Media Perspektiven*, 11 (1983), pp. 811-812.
- (68) Anon, 'Unter die Löwen geraten', *Der Spiegel*, 12 September 1983, pp. 110, 112. Franz Everschor of ARD's 'Filmredaktion' wrote in January 1984 that the ARD negotiations with MGM were 'eine ins

Auge zu fassende Notwendigkeit im Hinblick auf den sich durch Kabel- und Satellitenprogramme verstärkenden Bedarf und die sicherlich weiter zunehmende Konkurrenz' in: 'Die Beschaffung und Auswertung von Spielfilmen in den Fernsehprogrammen', *Studienkreis Rundfunk und Geschichte Mitteilungen*, 1 (1984), pp. 70-81.

- (69) For articles on DEGETO's activities, see: Hans Joachim Wack, 'Filmeinkauf für Millionen', *ARD Jahrbuch 73*, pp. 71-81; Friedr. Wilh. Hymmen, 'ARD-Filmredaktion/Degeto', *Medium*, 11 (1981), p. 51.; MB, 'ARD Filmeinkauf durch die Degeto (Interview with Hans Joachim Wack)', *Medien Bulletin*, 5 (1983), pp. 6-7; and, Anon, 'Wer ist eigentlich die Degeto?', *Neue Medien*, 7 (September 1985), p. 30.
- (70) Anon, 'Wie die ARD für 80 Millionen Dollar gegen Kirch das MGM/UA-Paket kaufte', *Neue Medien*, 7 (September 1985), pp. 32-33 (32).
- (71) For articles on the activities of Leo Kirch, see: Anon, 'Fernsehen: ZDF im Würgegriff', *Der Spiegel*, 3 May 1976, pp. 196-212; Günter Lüdcke and Michael Wolf Thomas, 'Woher das Fernsehen seine Filme bekommt (NDR III/26 June 1977)' in: *Aus der Reihe "Medienreport" (4): Rundfunk- und Kommerz-Programmprobleme*, edited by Michael Wolf Thomas (Hamburg, 1979), pp. 25-39; and, Georg Kacher, 'Leo Kirch: the unknown power of German TV', *TV World*, January 1979, p. 38. A letter requesting BETA-Film's own literature about its activities was answered (in English) on 23 March 1986 by Terry Swartzberg of Press and Public Relations with the statement that 'unfortunately, no such materials exist and we are therefore not in the position to fulfill your request'.
- (72) Cf. K.H.R./fff, 'Keine "Film-Pakete" mehr einkaufen!', *fff-Press (Fernseh-Film)*, 49, 12 July 1965, p. 13.
- (73) Anon, 'Das Monopol macht mobil', *rundy*, 37, 14 September 1983, pp. 1-2.
- (74) *Der Spiegel*, 3 May 1976, pp. 196-212. An example of Schmidt-Joos's report reads: 'Ein privater Medien-Monarch herrscht auf dem Lerchenberg. Er hat beim ZDF Redakteure und Programmdirektoren am Gängelband. Mit Geld und Geschick hat der Filmhändler und TV-Produzent Leo Kirch die Branche in Furcht und Abhängigkeit versetzt' (196).

Schmidt-Joos is now head of Light Music at RIAS in Berlin (has since moved to SFB - late 1987).

- (75) The legal proceedings between Kirch and DEGETO were settled in early 1985, cf. *Neue Medien Newsletter*, 9 February 1985, p. 7.
- (76) epd, 'Rechtsstreit zwischen Leo Kirch und Degeto wegen MGM-Filmpaket', *epd/Kirche und Rundfunk*, 71, 10 September 1983, p. 6.
- (77) In the account of the events given a year later, in September 1985, by *Neue Medien*, it was revealed that after the press conference, documents detailing Kirch's correspondence with MGM came into ARD's hands after a lawyer representing Kirch had attended the event as a journalist and mistakenly left the documents behind. This unexpected stroke of luck gave the ARD delegation a clear insight into the strategy necessary for future negotiations with MGM.
- (78) Cf. DEGETO press release, 14 February 1984, 'Größter Film-Ankauf in der Geschichte des Deutschen Fernsehens', 6 pp. Press reports included: Herbert Fritz, 'Das größte Filmpaket aller Zeiten', *Frankfurter Rundschau*, 16 February 1984, p. 8; Dr. H.M., 'Degeto tätigt für Deutsches Fernsehen', *Film-echo/Filmwoche*, 10, 17 February 1984, p. 5; and, Wilhelm Roth, 'Hamsterkäufe von ARD und ZDF', *epd Film*, 3 (1984), p. 10.
- (79) DEGETO press release.
- (80) *Film-echo/Filmwoche*, 10, 17 February 1984, p. 5.
- (81) epd, 'BR-Rundfunkräte vorwiegend skeptisch gegenüber "Einkaufsskandal" der Degeto', *epd/Kirche und Rundfunk*, 74, 21 September 1983, p. 9.
- (82) WR, 'Bayerischer Rundfunk schert aus', *epd Film*, 8 (1984), p. 2.
- (83) Albert Scharf, 'Wir brauchen die privaten Produzenten', *Münchner Merkur*, 18 August 1984.
- (84) Gerold Tandler, 'Mit starren Quoten läßt sich nichts reglementieren', *Münchner Merkur*, 16 August 1984.
- (85) Anon, 'Disney-Filme im Ersten Deutschen Fernsehen von Mary Poppins bis Alice in Wonderland', *Nord-*



*deutscher Rundfunk Information*, 48 (1984), p. 7,  
and, Anon, 'ARD Europäische Disney-TV-Premiere',  
*neue medien newsletter*, 10 November 1984.

- (86) Wilhelm Roth, *epd Film*, 3 (1984), p. 10.
- (87) Peter Christian Hall, '...viele noch mit Fragezeichen versehen', *Medium*, 2 (1984), pp. 12-19 (18). Later it was admitted that ZDF had only covered two-thirds of its feature film needs for the late 1980s and 1990s with this package deal. An additional package was purchased from Kirch in autumn 1985 including *Dr Zhivago* for screening as the major attraction during the Christmas holiday. Cf. jn/FK, 'Neuer Einkauf bei Kirch', *Frankfurter Rundschau*, 11 December 1985, p. 8.
- (88) Kraft Wetzell, 'Kino und Neue Medien', *epd Film*, 7 (1984), p. 7.
- (89) Deutsche TV-Filme in Gefahr ? (1), 'Gerold Tandler: "Mit starren Quoten läßt sich nichts reglementieren"', *Münchener Merkur*, 16 August 1984.
- (90) - (2), 'Thomas Wilsch, Programmchef RTL-plus: Deutsch ist fernsehfein', *Münchener Merkur*, 17 August 1984.
- (91) - (3), 'Stellvertretender Intendant des BR, Albert Scharf: Wir brauchen die privaten Produzenten', *Münchener Merkur*, 18 August 1984.
- (92) - (4), 'Peter Glotz (SPD): Garantie für einheimische Produktionen ist nötig', *Münchener Merkur*, 20 August 1984. The SPD's Medienkommission called for 'Mindestquoten für einheimische Produktionen bzw. für europäische Gemeinschaftsproduktionen' in its 'Medienpolitisches Aktionsprogramm', launched in mid-February 1984 and a quota scheme was subsequently supported at the party conference in Essen in July, and by party leaders in September and November 1984.
- (93) - (5), 'Regisseur Alexander Kluge: Wir brauchen eine 80-Prozent-Quote', *Münchener Merkur*, 21 August 1984. Kluge's proposal was advanced by Volker Schlöndorff at a conference of European filmmakers, hosted by France's Culture Minister, Jack Lang, in November 1984, where he called for a 'gentleman's agreement' between the public broadcasters of the European Community to guarantee European programmes as large a share of the schedules as that currently afforded to American

ones. Cf. Andreas Johannes Wiesand, 'Dämme gegen eine Flut von Billig-Programmen?', *Media Perspektiven*, 3 (1985), pp. 191-213 (193-194).

- (94) N.W., 'ZDF unterstützt "wesentliche Forderungen" des HDF...', *Film-echo/Filmwoche*, 41, 27 July 1984, p. 5.
- (95) Gunther Witte, 'Über den Ernst der Lage', *ARD Fernsehspiel*, January-March 1985, pp. 10-13 (13).
- (96) Dietrich Schwarzkopf, 'Profil zeigen im Wettbewerb. Die Zukunft des öffentlich-rechtlichen Fernsehens', *Media Perspektiven*, 12 (1984), pp. 919-922.
- (97) Marianne Engels-Weber, 'Identitätsverlust droht', *FUNK-Korrespondenz*, 9, 1 March 1985, pp. 1-4 (4).
- (98) Alois Schardt, 'Leistungen und Profil des öffentlich-rechtlichen Rundfunks oder: Die Bestands- und Entwicklungsgarantie ist kein "medienpolitisches Gnadensbrot"', *Media Perspektiven*, 12 (1984), pp. 913-918 (915). Cf. also: Alois Schardt, 'Continuity and change - an approach to schedule-building in Germany', *EBU Review. Programmes, Administration, Law*, Volume XXXVI, 3 (May 1985), pp. 26-30.
- (99) Franz-Josef Strauß, 'Bayern als Motor der Medienentwicklung', *epd/Kirche und Rundfunk*, 7, 27 January 1985, pp. 17-24. Reports on the 'Filmgespräch' include: H.G. Pflaum, 'Fest ohne Kontroversen', *Süddeutsche Zeitung*, 21 January 1985, p. 22, and, HG, 'Launig-merkwürdiges vom Landesvater', *Film-echo/Filmwoche*, 5, 25 January 1985, pp. 6-7.
- (100) Anon, 'Von Sell verteidigt gegenüber Strauss die ARD-Filmpolitik', *Fernseh-Informationen*, 4 (February 1985), pp. 96-97 (96), Von Sell gave a further account of the reasoning behind ARD's decision to acquire a film package from MGM/UA in the 1985 *ARD Jahrbuch*: 'Das Schönste am Fernsehen - der Film?', *ARD Jahrbuch 85*, pp. 29-33.
- (101) Together with ZDF, ARD had agreed on 30 September 1983 to a third 'Film/Fernseh-Abkommen', worth DM 51 million, to run until 31 December 1986.
- (102) Between 1960 and 1982 ARD and ZDF had expended more than DM 7 billion on contracts with the film industry. By the end of 1984 this figure was

nearer DM 9 billion.

- (103) Strauß suggested in his speech that Bavaria Atelier had attained its current prime position among the European film production centres 'nicht zuletzt aufgrund gezielter Förderungsmaßnahmen des bayerischen Filmförderungsprogramms' (*epd/Kirche und Rundfunk*, 26 January 1985, p. 18).
- (104) Some of the films purchased by ARD from MGM/UA were broadcast in 1984, e.g. Alan Parker's *Fame* on 11 August 1984. Foreign feature films have increased their share of the schedules since the film package deals of 1983/1984, as is indicated by Karl-Otto Saur in his up-dated analysis of the public broadcasters' programming on 15 September which shows these films increasing their percentage share from 11.9 % in 1983 to 14.9 in 1985.
- (105) HDF, 'Memorandum zur Lage der deutschen Filmwirtschaft', *Film-echo/Filmwoche*, 52, 19 September 1984, pp. 6-7.
- (106) HDF, 'Neufassung des Filmförderungsgesetzes (FFG) - Der HDF-Standpunkt zu einer notwendigen Reform', 4 pp.
- (107) Anon, 'Kino und Video im Wettlauf gegen das Fernsehen', *Video Markt*, March 1985, pp. 18-26.
- (108) Werner Grassman, 'Das zweite Kino-Sterben', *Die Zeit*, 22 November 1985, pp. 49-51.
- (109) *Video Markt*, March 1985, p. 18.
- (110) N.W., 'HDF: Schnelles handeln tut not', *Film-echo/Filmwoche*, 5, 25 January 1985, p. 5.
- (111) Uwe Kuckei, 'Im Brennpunkt: Fernsehen und Kinofilm', *TV-Courier*, 12, 28 May 1985, pp. 1-12 (10).
- (112) N.W., 'Wider die Film-Flut im Fernsehen', *Film-echo/Filmwoche*, 5, 28 January 1985, p. 14.
- (113) *TV-Courier*, 12, 28 May 1985, p. 1.
- (114) Cf. *Film-echo/Filmwoche*, 27, 18 May 1985.
- (115) *TV-Courier*, 12, 28 May 1985, p. 1.
- (116) *Ibid.*, p. 2.

- (117) Ibid., pp. 2a-2b.
- (118) Friedrich Wilhelm von Sell, 'Bericht über die Zusammenarbeit mit der Filmwirtschaft', *Erstes Deutsches Fernsehen/ARD (Pressedienst)*, 26 (1985), pp. I,5-I,7, and *TV-Courier*, 12, 28 May 1985, pp. 3-5.
- (119) *TV-Courier*, 12, 28 May 1985, pp. 6-7.
- (120) *TV-Courier*, 12, 28 May 1985, p. 5.
- (121) Jochen Kahn, 'Spielfilm-Verbot am Freitag und am Samstag im Fernsehen', *Gong*, 21 June 1985, p. 5, and, N.W., 'Zahmer Freitag in der ARD', *Film-echo/Filmwoche*, 35/36, 28 June 1985, p. 5.
- (122) Anon, 'Kinofreundliche Tage im Fernsehen', *Film-echo/Filmwoche*, 38/39, 12 July 1985, p. 5, HPK, 'Ein "sanftes" Entgegenkommen des Fernsehens', *FUNK-Korrespondenz*, 28, 12 July 1985, pp. P9-P10. More details about the empirical study can be obtained from: Bernward Frank, 'Kinobesuch und Fernsehen', *Media Perspektiven*, 11 (1985), pp. 784-790.
- (123) Uwe Kuckei, 'ZDF Pressegespräch', *TV-Courier*, 17, 26 July 1985, Anhang, pp. I-II (I), and, Anon, 'ZDF-Stolze über die TV/Kino-Vereinbarung', *Blickpunkt Film*, 22 10 August 1985, p. 6.
- (124) Ibid.. *TV-Courier*, 17, 26 July 1985, Anhang, pp. I-II. *You only live twice* was screened on 30 March 1986, being billed in *ARD Magazin* as 'Das Superei im Filmprogramm zu Ostern': *ARD Magazin*, 1 (1986), p. 47.
- (125) For information on the extensions to the 'Film/Fernseh-Abkommen' and the FFG in 1986, see: Enno Friccius, 'Zum Abschluß des 4. Film/Fernseh-abkommens und zum Stand der Bemühungen um die Novellierung des Filmförderungsgesetzes', *Media Perspektiven*, 4 (1986), pp. 249-253; The texts of the revised legislation is reproduced in: '4. Film/Fernseh-Abkommen', *Media Perspektiven. Dokumentation*, I (1986), pp. 36-40; 'Gesetz über Maßnahmen zur Förderung des deutschen Films (Filmförderungsgesetz - FFG)', *Bundesgesetzblatt*, Teil I Nr. 59, 26 November 1986, pp. 2046-2063.

## CHAPTER EIGHT

With the account of the development of the working relationship between the film industry and television in West Germany from the early 1950s to the mid-1980s now completed, Chapter Eight addresses itself to a detailed examination of four examples of large-scale co-productions between West German television stations and filmmakers made in the late 1970s/early 1980s: Rainer Werner Fassbinder's *Berlin Alexanderplatz* (1979), Wolfgang Petersen's *Das Boot* (1981), Hans W. Geissendörfer's *Der Zauberberg* (1982), and Edgar Reitz's *Heimat* (1984).

The sub-chapter for each work focuses on the production conditions (finance, scripting, shooting, etc.), on the nature and order of exploitation (i.e. television and/or theatrical release), and on the co-productions' critical and popular reception, all considered in the context of the film/television relationship to show how each production has affected, or could affect, the subsequent development of this relationship and to demonstrate the similarities between them in production method or exploitation pattern.

These four productions have been selected primarily according to the following criteria: 1. the four filmmakers - as with practically all West German directors - have an extensive record of collaboration with television, which no doubt has influenced and aided their work

on these particular productions: Fassbinder alternated with exemplary ease between feature films, 'Fernsehspiele', television series, and variety shows; Petersen acquired his directorial experience on the *Tatort* episodes for NDR in 1971-1972 and during his 'house director' status at WDR, starting with *Smog* in 1972; Geissendörfer had had television as a partner on nine of his films, beginning with *Der Fall Lena Christ* in 1967/1968, and two television series (for WDR) - *Lobster* (1975) and *Theodor Chindler* (1978/1979) (after the critical and popular failure of his next film after *Der Zauberberg - Ediths Tagebuch*, Geissendörfer devoted his energies to masterminding the launch in 1985 of West Germany's answer to such British 'soap operas' as *Coronation Street* and *Eastenders: Lindenstraße*); Reitz similarly had worked in the past with TV, with WDR (*Das goldene Ding, Stunde Null*) and ZDF (*Kino zwei*);

2. the work on these productions makes use of the infrastructure which has been constructed as a result of the close working relationship of film and television: e.g. *Berlin Alexanderplatz* and *Das Boot* are produced by Bavaria Atelier GmbH, whose major shareholders are WDR and SDR, and part of the production of *Der Zauberberg* was handled by Berliner Union studios, which is part-owned by ZDF; 3. three of these productions, in particular, have enjoyed extensive (negative

and positive) popular and critical attention at home and abroad; 4. *Das Boot* and *Der Zauberberg* are German examples of a growing international trend in the climate of spiralling costs in television programme production: the co-operation of film and television partners on the model of the feature film/mini-series which can be placed in a variety of markets; 5. The theatrical release of *Berlin Alexanderplatz* and *Heimat* before or after their television transmission has thrown light on the question of the most appropriate outlet for television productions made by directors working according to feature film aesthetic criteria: should this take the form of extended screenings in a cinema over a weekend or are several episodes on television over a number of weeks to be preferred ?

#### BERLIN ALEXANDERPLATZ

When Rainer Werner Fassbinder's 14-part, 924 minute long film *Berlin Alexanderplatz* was transmitted by ARD in autumn 1980, it had a revealing impact on the television audience's perception of the medium of television and on television's perception of itself; prompted a reassessment by media analysts of the format of the Monday evening television series; threw light on the broadcasters' attitudes towards their audience, the viewers; and raised questions about the aesthetic differences between productions made for the cinema

and those made only for television.

Fassbinder's involvement with the production of a television series of Alfred Döblin's *Berlin Alexanderplatz* was preceded, however, by the controversial, and some would argue, politically motivated decision by WDR *Intendant* Friedrich Wilhelm von Sell in March 1977 to turn down as thematically too risky a proposed 10-part series based on Gustav Freytag's *Soll und Haben*, which was to be directed by Fassbinder. The scripts for the first three episodes had been written by Herbert Knoop of Bavaria Atelier and Peter Märthesheimer of WDR's 'Fernsehspiel' department, with the overriding aim of presenting 'insgesamt endlich einmal die Vorgeschichte unserer Geschichte, die Geschichte, die Geschichte derer, die immerhin die Welt vorbereitet haben, in der wir heute leben - und die, die wir 1945 hinter uns gebracht haben'. Von Sell, however, acted without consulting these scripts or his colleagues in the 'Fernsehspiel' department, and issued a communiqué claiming: 'Nach Meinung des Intendanten . . . ist die historische Aufarbeitung der Phänomene Antisemitismus und Antislavismus auf der Grundlage des Romans auch im Hinblick auf die Größe des geplanten Unternehmens zu vielen Risiken und Mißverständnissen ausgesetzt' (1). He maintained, in an interview with *Der Spiegel* on 2 May 1977, that a speedy unilateral decision by him had



been advisable 'um keine unnötige, weitere Probleme produzierende Diskussion anlaufen zu lassen' (2).

The cancellation of the series prompted 31 directors, including Hans W. Geissendörfer, Volker Schlöndorff, and Wolfgang Staudte, to issue a statement in Berlin on 7 April accusing von Sell of mediocrity and conformity and suggesting that he had disregarded abilities of his commissioning editors and preferred to adopt a more authoritarian line of approach (3). In his frustration and anger at von Sell's decision, Fassbinder 'used' the cancellation of the *Soll und Haben* project in interviews during spring 1977 to cast doubts on his future as a filmmaker in Germany and on the future of West Germany itself. He told Danish film critic Christian Braad Thomsen in Berlin: 'everything is "kaput", everything is divided . . . you know, Germany is really a very, tiny provincial country. I'm afraid about developments over the next few years, because Nazism is creeping back in new forms - just like a repeat of the 1930s' (4). In addition, he claimed, in an interview published by *Der Spiegel* on 11 July 1977, which had been given to Helmut Karasek and Wolfgang Limmer during the Berlin Film Festival: 'Da kommen so Punkte zusammen, wo man spürt, daß man in einer Situation arbeitet, wo alles, was sich an Grenzen begibt, Gefahr läuft, boykottiert zu werden', and formulated with characteristic hyperbole the instantly quotable

statement: 'Wenn die Situation noch schlimmer wird, möchte ich lieber in Mexiko Straßenkehrer sein als in Deutschland Filmemacher' (5). (He had publicly announced his intention to emigrate to the USA at the Berlin Film Festival.)

Fassbinder was, however, persuaded to postpone his emigration 'plans' when WDR's head of the 'Fernsehspiel' department, Günter Rohrbach, and commissioning editor, Peter Märthesheimer, offered him the chance to make a television series based on Alfred Döblin's *Berlin Alexanderplatz*, a move Brigitte Desalm of the *Kölner-Stadt-Anzeiger* remarked later as being 'in gewisser Weise eine Wiedergutmachung des WDR an dem Regisseur Fassbinder' (6). He immediately accepted as Döblin's novel had played an important and formative role in his life since his teens, as he recalls in an essay written especially for the series *Die ZEIT-Bibliothek der 100 Bücher*: 'es (the book) war mir, einem echt Gefährdeten in der Pubertät, auch eine echte, nackte, konkrete Lebenshilfe' (7). He adds: 'es hat mir geholfen, nicht kaputtzugehen', and he reveals that he had long cherished the dream 'eines Tages, und warum erst eines Tages, das weiß ich nicht mehr, vielleicht, wenn ich genug können würde, den Versuch zu unternehmen, mit Döblins "Berlin Alexanderplatz" das Protokoll einer Beschäftigung mit dieser ganz speziel-

len Literatur mit meinen filmischen Mitteln letztlich wohl als Experiment zu wagen' (8). In the ten years from having first seen Piel Jützi's version of *Berlin Alexanderplatz* from 1930 to beginning on the production of his own adaptation, Fassbinder had included several allusions to Döblin's novel in his films by calling characters Franz, or even Biberkopf as in *Faustrecht der Freiheit* in 1974, and had adopted the pseudonym 'Franz Walsch' for his credit as editor on many of his, and others', films (9).

By September 1977 concrete details of this projected television series by Fassbinder appeared: the film director was to make two versions of *Berlin Alexanderplatz* at a total cost of DM 15 million - one being a 2 1/2 hour feature film version, and the other a nine hour television series. Michael Fengler, who had worked with Fassbinder since his first film *Der Stadtstreicher* in 1965, declared that the feature film would distinguish itself from the television version in more ways than just the difference in screen size, doubtless having less concern about the appropriateness of the depiction of scenes, which would be considered unsuitable for use on television (10). Plans were also afoot, according to reports on 20 September by the *Ruhr-Nachrichten* and the *Kölner-Stadt-Anzeiger*, to sign the French actor Gérard Depardieu for the central part of Franz Biberkopf, with other roles to be taken by Jeanne

Moreau, Bernhard Wicki, Isabelle Adjani, and Helmut Berger, thus making the project a major international production. A seven-month shooting schedule was envisaged as starting in February 1978, with the feature film being ready for theatrical release by the end of the year, before the transmission of the television series. The production of the two versions for cinema and television was being co-ordinated by Michael Fengler's Albatros production company, which had already received 'gewisse Zusagen' from WDR regarding financing, as well as promises of additional funding from the Berlin production funding programme and the French producer Gaumont. Fengler was keen to avoid having to rely on the 'tax shelter' method of film financing which had spawned the phenomenon of the 'Abschreibungsfilm', as practised by Helmut Jedele at Bavaria Atelier since 1976 (11).

The feature film version announced in September 1977, however, did not materialise after all, although Fassbinder did intimate in autumn 1980 that he was interested in returning to *Berlin Alexanderplatz* after his next project, *Lola*, and in locating the action in New York's Times Square or Paris's Place Pigalle (12). The abandonment of plans for the theatrical version resulted from a rift between Fassbinder and Fengler over the timing of the filming of *Die Ehe der Maria*

*Braun* and the delay to the television series: Fassbinder had worked on the 3000-page script to *Berlin Alexanderplatz* for three months during autumn/winter 1977 - reference is made to his work on this project in his contribution to the collective film *Deutschland im Herbst*, which was premiered at the Berlin Film Festival on 3 March 1978 -, but he had then turned his attentions to shooting *Die Ehe der Maria Braun*, between January and March 1978, *In einem Jahr mit 13 Monden*, between July and August 1978, and *Die dritte Generation*, between December 1978 and January 1979. Fengler, in frustration, sold the television broadcast rights for *Berlin Alexanderplatz*, as per contract, to WDR, but retained the cinema rights and refused to let Fassbinder proceed with a theatrical version (13).

Preparations for the shooting of the series began in earnest in October 1978 with the selection of the actors and actresses, many coming from Fassbinder's own 'repertory' company, but with 'new faces' such as Barbara Sukowa and the relatively unknown Günter Lamprecht (14); and with the scouting for suitable locations, the construction of sets, and the collecting together of props (15). Principal photography commenced on 18 June 1979 and lasted 154 days until 3 April 1980, with three months in Berlin and the remainder based at Bavaria studios in Geiseltal outside Munich. Most of the Berlin street scenes were recreated in the so-

called 'Bergman -' or 'Berliner Straße' on the Bavaria studios site, which had been specially constructed in 1976 for the Swedish director Ingmar Bergman's international production *The Serpent's Egg*. However, there was no attempt by Fassbinder at a faithful re-construction of Alexanderplatz as it would have been in Döblin's time and as it existed for Jutzi's film version; Fassbinder explained in an interview with Klaus Eder on Bavaria Radio on 29 December 1980: 'das wäre etwas, was mir nicht so gut gefiele, weil es halt in jedem Fall 'ne Kulisse wäre' (16).

The ten-month shooting schedule for this series was ground-breaking for West German television: a normal television programme was four to six weeks in production, whilst a feature film could often be completed in between eight and ten weeks. In fact, Fassbinder brought the production to a close ahead of time, no doubt due to his efficient and economical style of working with the cast and crew. Most scenes were only shot once, and cameraman Xaver Schwarzenberger, who was working with Fassbinder for the first time and stayed with him for what turned out to be the last four films - *Lili Marleen*, *Lola*, *Die Sehnsucht der Veronika Voss*, and *Querelle* - , could concentrate on the lighting of the sets, since the camera angles and movements were already indicated and detailed in Fass-

binder's shooting script. Relations with the staff at Bavaria Atelier, which was producing the series on behalf of WDR, were even smoother than might normally be expected, since Fassbinder was working with two of his most enthusiastic champions at WDR's 'Fernsehspiel' department, Günter Rohrbach and Peter Märthesheimer, who had moved to senior positions at the Munich studios in February 1979. Fassbinder was also especially welcome at Geiseltal because he was credited, through the production of *Ich will doch nur, daß Ihr mich liebt* here in 1975, with attracting 'studio-shy' filmmakers of the New German Cinema to working at Bavaria Atelier.

The DM 13.1 million budget for the 15 1/2-hour long series of *Berlin Alexanderplatz* was provided by WDR, in collaboration with the Italian state television network, RAI, which had agreed to a payment of DM 1 million to WDR and the exchange of an 8-part series, *Eine italienische Legende - Giuseppe Verdi*, for the Fassbinder series (17). The programme cost per minute for the series was calculated at between DM 13 500 and DM 14 000, which compared favourably with other major television series produced by ARD member companies. For instance, HR's production (in collaboration with Leo Kirch's Taurus Film, ORF of Austria, and Film Polski of Poland) of Thomas Mann's *Die Buddenbrooks* in eleven episodes, filmed on 35 mm and using locations

as far afield as Frankfurt, Sylt, Gdansk, and Warsaw, had cost DM 16 000 per minute (18), WDR's eight-part series *Theodor Chindler*, transmitted in May and June 1979, DM 14 000 per minute, and ZDF's *Wallenstein*, transmitted in November and December 1978, DM 23 000 per minute (19).

*Berlin Alexanderplatz* had been commissioned by WDR for the Monday evening serial slot at 20.15, which had been introduced in January 1978 and become one of the ARD network's most successful programming moves: the first of the series, Wolfgang Staudte's SWF-commissioned *MS Franziska*, transmitted between 2 January and 6 February 1978, attracted audiences of more than 20 million (20), and Franz Peter Wirth's *Die Buddenbrooks*, transmitted spring 1979, registered, on average, audiences of up to 15 million for each of the eleven episodes. Thus, going on the trend of the previous series' popularity, Fassbinder was assured of a sizeable first-night audience for his television film adaptation of Döblin's novel. He wanted, though, to break with the 'tradition' within this Monday evening slot for opulent but somewhat routine costume dramas such as the reliable Hans W. Geissendörfer's *Theodor Chindler*, or for light pieces such as Staudte's *MS Franziska* about life on a Rhine barge. The radio and television listings magazine *FUNK UHR* quoted Fassbinder



as saying that he wanted 'das Publikum endlich mal von so peinlichem Serienmist wie *MS Franziska* wegzubringen und an die große literarische Kunst heranzuführen' (21). His aim was 'durch etwas unterhalten, was nicht blöd macht' (22). At the same time, he was not interested in making the series appeal only to the artistic sensibilities of the intelligentsia or of those who had followed his work in the cinema; rather, he was concerned that the story of Franz Biberkopf be made accessible to the average television viewer so that he or she could have a chance of being emotionally moved as much as Fassbinder had been on reading the Döblin novel for the first time. Although arguing for as wide exposure as possible for his series, Fassbinder was under no illusion that the story, let alone his interpretation, of *Berlin Alexanderplatz* would mark an abrupt departure from the more easily 'consumable' series by Wirth and Geissendörfer. In his article for *Die Zeit* in March 1980 he had recalled: 'die ersten Seiten, es mögen vielleicht um die zweihundert gewesen sein haben mich so trostlos gelangweilt, daß ich das Buch beiseitegelegt, nicht zu Ende und dann auch mit ziemlicher Sicherheit nie mehr gelesen hätte' (23).

#### **Re-scheduling of the series, August 1980**

Fassbinder's understanding that his series would be broadcast at 20.15 was called into question, however,

by a recommendation of the *ARD Programmkonferenz*, meeting between 5-6 August 1980, calling for *Berlin Alexanderplatz* to be moved to the later starting time of 21.30, although *WDR Programmdirektor* Heinz Werner Hübner was the only person present at the conference who had actually seen any of the series. At a meeting in the third week of August, WDR's administration decided to accept the recommendation of the *Programmdirektoren*, with Hübner stressing that this move was not a criticism of Fassbinder's work: 'in diesem Falle handelt es sich um ein Kunstwerk, und ich bin davon überzeugt, daß dieser Film in Zukunft zu den großen, den gelungenen Produktionen zählen wird' (24). As Dieter Ertel, head of WDR's 'Fernsehspiel', entertainment, and family programming department, commented in the *ARD Fernsehspiel* brochure for October-December 1980, the WDR administration had indeed been aware of the nature of the Döblin novel and of Fassbinder's screenplay when the go-ahead had been given for production, and there had been some misgivings from the outset about the suitability of the subject matter for family viewing, i.e. before the 21.00 'watershed': 'Aber hätten wir denn Fassbinder hindern sollen, sein Riesenwerk zu beginnen, nur weil die Programmstruktur keinen anderen Serienplatz ausgewiesen hat als den am Montag um 20.15 Uhr?', Ertel asked. (25). As Brigitte

Desalm noted in the *Kölner-Stadt-Anzeiger* on 27 August 1980, the decision to commission a series of this novel for the early evening slot from Fassbinder had been evidence of excessive daring by the 'Fernsehspiel' department (26). The official reason given by WDR for the re-timing of the series was 'um die künstlerische Gestaltung des Gesamtwerks zu erhalten', a vague formulation to cover all eventualities; however, Gunther Witte, head of one of the 'Fernsehspiel' sections, was nearer to the truth when he revealed that a 20.15 start would have necessitated a number of cuts to certain scenes, and that a 21.00 alternative would have been preferable, but this had proved impossible to co-ordinate with ZDF's scheduling, which was fixed according to the *Programmschema* agreed between the two networks so as to avoid clashes of similar types of programmes.

**Press conference, Munich, 25 August 1980**

Between 25-27 August 1980 a press preview screening of the series was staged at the studios of Bavaria Atelier for upwards of 50 journalists, including several leading film critics who were usually disparaging of anything produced by or for television. In acknowledgement of the importance of this series for WDR, and for the ARD network as a whole, Dieter Ertel and his colleagues from WDR were joined for the press

conference on the first day of screening by Fassbinder and Hanna Schygulla. Fassbinder, who was an inveterate self-publicist and exaggerator, took the opportunity of this open forum, attended by many of his supporters from among the film critics' community, to lambast WDR for accepting the recommendation made by the *Programmdirektoren*; in a calculated move to appear the injured party, the director claimed: 'wie vereinbart, haben wir den Film für die Zuschauer um 20.15 Uhr gemacht. Entweder hat die Programmkommission das Drehbuch nicht gelesen - oder sie hält sich jetzt nicht an die Vereinbarung'. He accused the administration in Cologne of 'Angst', 'Selbstzensur', and 'Blamage', and challenged those officials present to explain why they had agreed to a later time slot.

Dieter Ertel responded at this press conference with an account of the arguments which had persuaded them to re-consider the starting time of the series. *Programmdirektor* Hübner had been influenced in his decision by a letter of protest from the Catholic prelate and media spokesman, Wilhelm Schätzler, who had been outraged at a (sensationalised) report in the weekly magazine *Quick*, which alleged blasphemous scenes in the final (fourteenth) episode. More persuasive, though, had been ARD's (voluntary) programme guidelines, which stipulated that television programmes

broadcast before a 21.00 'watershed' should be accessible to the whole family, whilst more 'adult' material should be consigned to a late evening slot. The brutality featured in the series - in particular between Franz Biberkopf and his succession of girlfriends - was too explicit for an early evening start, especially since, according to WDR's Media Research group, a survey had shown in 1979 that 9 % of all 3-13-year-olds, i.e. 800 000 children, were still watching television between 20.00 and 21.00. As Ertel wrote in the 'Fernsehspiel' brochure': 'wenn auch nur ein paar Dutzend von ihnen durch Fassbinders Film traumatisiert würden, wäre mir der "Mut", den Fassbinder dem WDR abverlangt, schon zu hoch bezahlt' (27). Moreover, as Hendrik Schmidt observed in *epd/Kirche und Rundfunk*, the broadcasters were obliged to assume the responsibility of monitoring programmes for their suitability for family viewing, since many parents were unwilling or incapable of controlling their children's viewing. However, if violence was the main reason for the change in the starting time, ARD was, according to Roland Keller of the *General-Anzeiger*, decidedly inconsistent in its assessment of what constituted 'family viewing' before 21.00: an episode of the *Tatort* police series on 24 August 1980, entitled *Streifschuß*, had included scenes of eroticism and violence, and American detective series with unmotivated scenes of violence were

regularly shown before 21.00 (28).

#### Consequences of WDR's decision to re-schedule

Michael Schmid-Ospach, WDR's press officer, claimed that a 21.30 start for the series was still a 'Termin für Millionen', despite counter-claims from others, including Hanna Schygulla at the press conference, that the re-timing would restrict *Berlin Alexanderplatz* to the 'Fassbinder-Gemeinde'. The television critic Uwe Kammann, writing in *epd/Kirche und Rundfunk*, subscribed to the view that ARD would be cutting down on its potential audience for the series, and that the regular viewers of the Monday evening series at its normal time of 20.15 after the *Tagesschau* would be less likely to stay for the whole of each episode at the new (later) time, especially since many viewers had to get up early for work (29).

More importantly, perhaps, for the schedulers with an eye on the probable rating figures was the fact that *Berlin Alexanderplatz* would now be placed in direct competition with ZDF's Monday night film slot, which started at 21.20. ZDF's schedulers had co-operated with ARD on the co-ordination of its programming against the series at the original starting time, but were unable (or not prepared) to revise their schedules when WDR announced its re-timing decision. Thus, for

example, the second episode of *Berlin Alexanderplatz* on 13 October 1980, ran against the last in the popular *Alpensaga* series by Peter Turrini and Wilhelm Pevny, *Ende und Anfang*, the third episode against Vojtech Jasny's *Die Einfälle der heiligen Klara*, the fourth episode, on 27 October, against Richard 'Dick' Lester's suspense drama *Juggernaut* (1974), and the fifth episode, on 3 November, against ZDF's prestige commissioned production of Ingmar Bergman's *Aus dem Leben der Marionetten*.

The headlines generated by the recriminations passing between Fassbinder and his supporters and WDR over the re-timing of his series created, as the late Michael Schwarze of the *Frankfurter Allgemeine Zeitung* observed, 'eine Publizität, die die Aufmerksamkeit der Zuschauer sicher in die falsche Richtung lenkt' (30). Despite Fassbinder's and his followers' protests to the contrary, *Berlin Alexanderplatz*, as a television series, was unlikely to appeal to the mass audience, and any viewers attracted to the programme merely by the lurid headlines and hullabaloo would probably find little in the events on the screen to keep them watching week after week, as had been the case with HR's *Die Buddenbrooks*, especially if they tuned in to the series during the protracted meeting between the Jew and Franz Biberkopf, conducted in near pitch darkness (31).

Some television critics chose to interpret WDR's decision as further evidence of a conspiracy theory, claiming that broadcasting in West Germany was oversensitive and too easily allowed itself to be subjected to political pressure. Günther Kriewitz, for instance, wrote in the *Stuttgarter Zeitung* on 28 August: 'die Vermutung ist nicht von der Hand zu weisen, daß eher übergroße Vorsicht und das Bestreben, einflußreiche Gruppen unserer Gesellschaft nicht zu verärgern, sich auch sonst Proteste aller Art zu ersparen, zu dem Beschluß . . . geführt haben', despite the fact that the series, even at its later timing, managed to provoke a barrage of protest letters to WDR and the press (32). Uwe Kammann similarly saw the re-scheduling as an 'Ausdruck einer allgemeinen Tendenz: Neigung zum Abschleifen des Sperrigen oder zu dessen wattiger Verpackung, die alles institutionalisierbar macht' (33), and referred, in connection with this, to an article by Peter W. Jansen (no lover of television), entitled 'Kino radikal', in *Jahrbuch Film 80/81*, in which the film critic had claimed that film directors were consciously producing films which would never comply with the television companies' guidelines because aiming at television's mass, homogeneous audience demanded 'notwendigerweise Nivellierung, Anpassung und Gleichmacherei' - a biased and unjustif-



ied view, since it had been, for example, television and not the film industry which had financed such an unorthodox and ambitious project as *Berlin Alexanderplatz* (34).

Other critics viewed the re-timing as indicative of the standing of the television audience in the eyes of the broadcasting authorities' administrators. For instance, Roland Keller of the *General-Anzeiger* interpreted WDR's move thus: 'spätestens hier stellt sich die Frage, ob das Fernsehen für uns oder wir fürs Fernsehen da sind . . . Leider hat man sich an diese oberlehrerhafte und obrigkeitliche Geistehaltung in den Anstalten schon fast gewöhnt' (35), and a letter to *Der Spiegel* once the series had begun in October claimed: 'Die Verschiebung der Sendezeit ist ein Affront gegen den mündigen Fern-Seher' (36). These reactions, however, failed to take into account the responsibilities the broadcasters had toward the viewing public because of the universal accessibility of the programmes' transmission.

As to the series itself, the critics were nigh unanimous in their praise for Fassbinder, his cast, and crew. Ulrich Greiner wrote in *Die Zeit* on 10 October that the adaptation was 'Fassbinders größtes und schönstes, ein erschreckendes und hinreißendes, ein wildes und zugleich äußerst diszipliniertes Werk', and he considered it to be among the best ever broadcast

by German television or produced by the German film industry (37); Peter Buchka declared in the *Süddeutsche Zeitung* of 11 October that Fassbinder had 'mit diesem *Alexanderplatz* eine ästhetische Position erreicht, die gegenwärtig einmalig sein dürfte' (38); whilst *Der Spiegel*, which devoted a cover story and interview to the director and series, claimed that *Berlin Alexanderplatz* had 'alle Elemente eines reifen Spätwerks' (39).

However, amid all their enthusiasm for the filmmaker (as opposed to the television series-maker) Fassbinder, the critics had neglected to take into account the exceptional circumstances under which they had viewed the full fourteen episodes in August: concentrated into three days and on a large cinema-size screen in a preview theatre on the Bavaria studio lot. Those critics not invited to the preview screening and the television audience at home, on the other hand, would be watching the series over almost three months on the (smaller) television screen, whose 625 lines had much lower definition than that of cinema projection. The previewers' experience of the series could not be compared to the subsequent reaction once the series began on 12 October 1980. According to *Welt am Sonntag* on 19 October, after the broadcast of two episodes, there were extensive passages (notably between the Jew and Biberkopf) 'bis an die Grenze der Sichtbarkeit

unterbeleuchtet' and the television screen was at times given over to 'eine braune Soße, über die gelegentlich ein Lichtfleck huschte' (40). Although these descriptions were part of Axel Springer's campaign against the (allegedly) excessive nature of Fassbinder's series, the discrepancies between the previewers' and the audience's viewing experiences were compounded by the fact that, according to collaborator Harry Baer, Fassbinder had not given any thought when filming to the owners of black-and-white television sets, 40 % of all the viewers in West Germany. As Baer recalls: 'das führt dann dazu, daß in Millionen bundesdeutscher Haushalte wie verrückt die Helligkeits- und Kontrastregler betätigt werden, weil die Leute glauben, daß ihr Fernseher im Eimer ist' (41). Dieter Ertel admitted in answer to reports of the 'plight' of the black-and-white television set owners that the series had not in fact been previewed by staff of WDR's 'Fernsehspiel' department on black-and-white monitors, but Peter Märthesheimer, who had been liaising between Bavaria Atelier and WDR during production of the series, claimed arrogantly: 'Daß es dunkel blieb, ist ein Beweis für unsere extreme Anstrengung' - a view which was unlikely to endear him to the black-and-white television set owners (42).

### Springer press draws up against Fassbinder's series

In addition to the negative coverage for the series over WDR's decision to re-time and to the unrealistically high expectations generated by the effusive response to the previews, *Berlin Alexanderplatz* became the target of a campaign, orchestrated by press baron Axel Springer through his empire of daily and weekly newspapers and magazines, from *Bild* to *Welt am Sonntag*, from *Hör zu* to *FUNK UHR*, to discredit it before the television viewers had a chance to see any of the episodes. The likely reason was Fassbinder's participation in the issuing at the Frankfurt Book Fair at the beginning of October of a boycott declaration, 'Wir arbeiten nicht für Springer Zeitungen', and also Springer's belief that his newspapers knew whether their readers would be offended by Fassbinder's series or not (his editorial staff would promote only one line of argument regardless of any merits the series might have). As Werner Pietsch, editor-in-chief of the radio and television listings magazine *FUNK UHR*, wrote at the end of November 1980:

Als wir zusammen mit anderen Kollegen von Zeitungen und Zeitschriften die Möglichkeiten hatten, das 'Werk' vor der ersten Ausstrahlung zu sehen, haben wir es anschließend für unsere Pflicht gehalten, unsere Leser darauf hinzuweisen, daß hier ein Ärgernis auf sie zukommt . . . Während man allüberall noch Lobeshymnen über Regisseur und Film verbreitete, hieß es bei uns klipp und klar: Diese Serie mit ihren Obszönitäten und Verfälschungen wird ein Reinfall werden (43).

The magazine featured a 'große Reportage' on the series in the issue of 11 October, before the first two episodes (on 12 and 13 October), but emphasised the scenes of violence depicted with such passages as: 'zu befürchten steht, daß die Mehrzahl der Zuschauer nicht bereit sein wird, die von Fassbinder inszenierten Gewalttätigkeiten und Obszönitäten als "große literarische Kunst" zu akzeptieren', and criticised Fassbinder for departing from the Döblin original 'um seinen privaten Bedrängungen Ausdruck zu verleihen, ohne Rücksicht auf den logischen Zusammenhang und die Vorstellungskraft der Zuschauer' (44). In *FUNK UHR*'s opinion: 'das, was Döblin am wichtigsten war (as if a *FUNK UHR* staff writer would have such insight !), ist Fassbinder völlig Wurscht: Die authentische Atmosphäre im Berliner Osten der wilden zwanziger Jahre' (45). After constructing the perspective through which its readers should view the series, *FUNK UHR* concluded the feature article with a call to readers to telephone in their opinions of the first two episodes: 'Vielleicht sind wir ja mit Herrn Fassbinder zu hart ins Gericht gegangen und sein *Alexanderplatz* wird tatsächlich ein Erfolg ? Oder aber unsere Kritik wird von Ihnen bestätigt ?' (46).

The readers of *FUNK UHR* responded accordingly to the implicit message in this leading question: the first batch of telephone comments to appear in *FUNK UHR* (in

the 1 November issue) included such observations as 'Das ist der größte Mist. Vielen Dank, daß Sie uns vorher aufgeklärt haben' from Frau Petrowski 'und viele Kollegen' from Kiel, 'Eine widerliche und obszöne Schweinerei. *FUNK UHR* hat mit ihrem Bericht echt untertrieben' from Anne Forbinger of Bonn, and 'Eine Zumutung ! Ich schließe mich Ihrer Kritik voll an' from Margret Weber of Attendorn (47).

In reports appearing in *Welt am Sonntag*, greater emphasis was put on the cost of the series and the (apparent) absence on the screen of evidence of such investment - in series such as *Die Buddenbrooks* it was clear where the money had been spent. A week after the first two episodes, the paper declared that the series was 'die teuerste und verheerendste Pleite, die Deutschlands Fernseh-Zuschauern in den letzten Jahren zugemutet wurde' (48) and, in a subsequent denigrating 'portrait' of Fassbinder, 'Der Mann, der das Millionen-Ding drehte', on 2 November, asked 'Was ist das eigentlich für ein Mann, der diesen aufwendigsten Flop des Jahres baute' (49). The paper was aided in its baiting of WDR by the recruitment of former SFB *Intendant* Franz Barsig, who wrote an article on 9 November 1980, asking for clarification of cost of *Berlin Alexanderplatz*, since it seemed doubtful to him as a practitioner in programme production that the officially released

figure of DM 13 million was correct (50). Dieter Ertel's reply on 23 November, under the letter page heading of '"Berlin Alexanderplatz" - schade um das viele verplemperte Geld', explained that the series' costs were 'außerordentlich niedrig' since they were 'begründet in der ungewöhnlich ökonomischen und effektiven Arbeitsweise von Rainer Werner Fassbinder' (51). Barsig, however, was not prepared to accept Ertel's explanation and detailed his misgivings in a statement for the *Berliner Morgenpost* on 27 November 1980, and in a letter to *Welt am Sonntag* on 30 November (52).

The negative, and at times openly hostile, public reaction to Fassbinder's *Berlin Alexanderplatz* - the director had to have police protection after threats were made on his life (53) - is said to have had a devastating effect on the filmmaker. Harry Baer recalls that Fassbinder was 'für ein paar Wochen echt gebrochen' (54), and, in an interview with Wolfgang Limmer, Fassbinder claimed that the series was 'eigentlich überhaupt nicht dazu geeignet . . . Aggressionen gegen sich selbst zu wecken' (55). In a radio interview with Klaus Eder for Bavarian Radio, he made no secret of the fact that he had been aware of the 'difficult' nature of the series: 'Mir war immer klar, daß das kein so simpel konsumierbarer Fernsehfilm ist, der wie amerikanische Serien eben zu genießen ist, sondern ich

war halt darauf, daß das Publikum sich auseinandersetzt damit, aber damit und nicht dagegen' (56). His only public appearance to defend the series during its run on ARD was shortly before the third episode (on 20 October) when he was invited by Munich's *Abendzeitung* to take part in a 'phone-in' with readers. Of over 40 callers, the majority were 'enthusiastic' to 'interested', whilst only two restricted themselves to curt insults directed at the person of Fassbinder.

The ratings for *Berlin Alexanderplatz* - ranging from 27 % for the first episode to 11 % by the fourth, and to 8 % for the epilogue - were disappointing if compared with the more orthodox, 'easily consumable' series like *Die Buddenbrooks*, which had registered 44 % (57). But, as Sigrid Schniederken observed in her summing-up of the series in *FUNK-Korrespondenz* on 7 January 1981, *Berlin Alexanderplatz* was 'selbstverständlich . . . eine Zumutung, eine Herausforderung, ein Schocker - nicht für sich genommen, wohl aber gemessen an der verabreichten Fernsehhausmanns- und -schonkost' (58) because of Fassbinder's refusal to make any concessions to the viewers' expectations of the Monday evening series which had been moulded by the likes of Hans W. Geissendörfer's *Theodor Chindler*, Wolfgang Staudte's *Der eiserne Gustav*, and Franz Peter Wirth's *Die Buddenbrooks*. Fassbinder's series differed in that he



had adopted a more personalised approach to his material and interpreted it likewise: in the interview with Eder he declared that he believed one could say that a subjective adaptation of a literary subject would be nearer the truth than an objective one (59).

Similarly, he had made few concessions to the 'fernsehübliche Präsentationsform'. The opening credits referred to *Berlin Alexanderplatz* as 'ein Film (not a 'Fernsehfilm') in 13 Teilen und einem Epilog', a film, which, for convenience's sake, was being divided into fourteen parts for television transmission. The credits themselves were unusual for television productions in that they gave equal billing with Fassbinder to the technical crew - Xaver Schwarzenberger (camera), Milan Bor (sound), and Helmut Gassner (set design) - and to the lead actor, Günter Lamprecht. The imaginative and complex use of the lighting and the soundtrack made *Berlin Alexanderplatz*, as *Der Spiegel* remarked, 'eine Serie, die zum Zuschauen, zum Zuhören zwingt' (60), unlike the 'Fernsehspielästhetik . . . die quasi Fortsetzung der Tagesschau ist, eine, wo alles heil ist und schnell vonstatten geht' (Fassbinder) or 'die übliche illustrierende Filmmusikuntermalung' (61). Contrary to observations Fassbinder had made in the early 1970s about his work for television (62), his approach to the making of this series had been to employ the same working methods he used in his feature

films; in the above-mentioned interview with Klaus Eder, he declared: 'Ich finde es richtig, daß man fürs Fernsehen im Grunde mit den gleichen ästhetischen Mitteln arbeiten muß wie fürs Kino' (63). Those familiar with his work in the cinema would therefore have not been perturbed by his highly individualistic approach to the subject matter of Döblin's novel, and probably made up the majority of the supportive letters sent to the newspapers, magazines, and television companies.

Fassbinder's series further challenged the contention among some broadcasters within ARD that television should not be radical, provocative, or diverge from the norm of programme fare, particularly in a supposedly prestige and 'peak time' production as had been intended with *Berlin Alexanderplatz*. SWF Intendant Willibald Hilf was quoted by Sigrid Schniederken as expressing misgivings about television being involved in the future in the production of a series like Fassbinder's: 'Übernehmen wir uns nicht mit einem Experiment von dreizehn Folgen ? . . . Wir sind ein durch Pflichtgebühr unterhaltenes Massenmedium. Insoweit sind wir in der Experimentierfreudigkeit mit Rücksicht auf die, die uns zwangsfinanzieren, ein wenig eingeschränkt' (64). This viewpoint has not gained enough ground, however, to preclude the making,

since *Berlin Alexanderplatz*, of Edgar Reitz's *Heimat* (1984), a collaboration between WDR and SFB, and of Bernhard Sinkel's *Väter und Söhne* (1986), produced by WDR (65).

Some critics remarked in retrospect after the end of the series that WDR could have better 'prepared' its viewers for Fassbinder's interpretation of Döblin's novel and for the story itself. True, the cultural 'Third' channel of NDR Radio had featured *Berlin Alexanderplatz* in 27 instalments read by Hannes Messemer from 3 March 1980, and Hans-Dieter Hartl had made a documentary, entitled *Beobachtungen bei den Dreharbeiten*, which was shown on 12 October 1980 on ARD, just three hours before the first episode of the series. But this was minimal compared to the programme of features and discussions which had accompanied *Holocaust* in January 1979, or to the series of short introductory 'Historische Stichworte' which had followed each episode of *Roots* in 1978 (66). The critic Klaus Umbach declared at the Mainzer Tage der Fernsehkritik in 1982 that the broadcasters had shown 'nicht zum ersten Mal, aber besonders eindrucksvoll . . . wie es (television) lohnens- und lobenswerte Unternehmungen seinen Zuschauern unvorbereitet zum Fraß vorwirft und sich dann darüber mokiert, daß der Verdauungsprozeß ebenso plausible wie penetrante Rülpsen hervorbringt' (67). When the series was repeated - at the end of

August-beginning of September 1984, as part of the regional 'Third' channels' summer schedule - , the episodes, shown in blocks of three starting at 21.15, were introduced by Günter Rohrbach, one of the key figures responsible for the making of *Berlin Alexanderplatz*.

**A television series or an extended feature film ?**

Fassbinder's *Berlin Alexanderplatz* has, since its transmission in 1980, come to be held by many observers of the German cinema as a primary example of the symbiotic relationship of film and television in West Germany and to be as much 'at home' in the cinema as on the television screen. Wilhelm Roth subscribed to this view when he wrote in his 'Kommentierte Filmografie' for the Hanser Verlag monograph on Fassbinder that 'the series was 'ein Zwitter zwischen Kino und Fernsehen' (68), but Hans-Christoph Blumenberg, who has been a long-time critic of television's involvement in feature film production in Germany, was characteristically blunt in his evaluation of *Berlin Alexanderplatz*, declaring: 'Fassbinders Kunst . . . gehört diesmal wirklich nur auf den Bildschirm . . . Alles andere ist ein ärgerlicher Etikettenschwindel' (69). This judgement, though typical of Blumenberg, had been influenced by the fact that he had seen the series under far from

optimum screening conditions in a tent at the Venice Film Festival in September 1980.

However, once the series finished on 28 December 1980, there were calls for it to be given a theatrical release in selected cinemas in Germany (70). Apart from the Venice Film Festival screening, there had been two other public presentations - in Düsseldorf and at the Duisburg Film Festival. Munich's *Abendzeitung* reported on 4 February 1981 that it had received a large number of letters from readers who were keen to see the series 'im Block und auf großer Leinwand - zum konzentrierten Filmgenuß' (71). Enquiries made by reporter Angie Dullinger at Bavaria Atelier, WDR, and Filmverlag der Autoren revealed that such a venture was improbable. Bernd Strasser of Bavaria Atelier's production department declared that a theatrical release was not possible for a variety of reasons: mainly, the lack of prints and the problem of the distribution rights. Michael Röhrig of the studio's press and publicity office admitted that talks had been held with Filmverlag der Autoren, but the problem of the music copyright was proving to be the major stumbling block, with more than 35 song titles being featured in the Epilogue alone.

Theo Hinz of Filmverlag der Autoren recalled that during production of the series in 1979-1980, Fassbinder had met with him to discuss a plan for a shorter

theatrical version of the series, but this had met with (understandable) disapproval from WDR. Filmverlag was currently waiting the outcome of negotiations between the lawyers of the various parties on the question of the performance and music rights, and would only be able to proceed with preparations for a theatrical launch once these problems had been clarified. The legal position was not resolved, though, until over four years later: a special screening of *Berlin Alexanderplatz* was staged over two days, 15-16 October 1985, at the Theater am Turm (TAT) in Frankfurt, which Fassbinder had run, amid controversy, from January 1974 to June 1975, since when the series has been shown in 'Kommunale Kinos' as a special cinema 'event'.

In the United States, on the other hand, *Berlin Alexanderplatz* has always been promoted as an (extended) feature film. The innovative 'art house' distribution company Teleculture placed it at the Museum of Modern Art in New York for a two-day screening in autumn 1982 after a successful presentation at the Center Screen in Cambridge, Massachusetts (72). A longer run was staged in two New York cinemas over five weeks from 10 August to 13 September 1983, screening the series in three-hour segments which were changed each week. 80 % of the tickets were sold in

advance and all evening performances were fully booked. Subsequent presentations were organised in Los Angeles, San Francisco, Chicago, Cleveland, Detroit, Milwaukee, Seattle, and Boston. The series has since appeared on cable television and been marketed on video in the U.S.A., all the while accompanied by plaudits from critics such as Andrew Sarris's comment in *Village Voice* that *Berlin Alexanderplatz* was 'a Mount Everest of modern cinema ! It surpasses just about everything that has been done in the cinema these past two decades' (73).

Stanley Kauffmann, writing in *The New Republic* on 8 August 1983, touched on another aspect of the theatrical release of *Berlin Alexanderplatz* which has relevance for other television series-cum-extended feature films. Kauffmann stated that Fassbinder had 'committed an act of mind-opening, aesthetic imperialism, claiming the same time-territory for a film that we would give Döblin's 635-page novel' (74). With the making of Fassbinder's 15 hours 21 minutes-long film, one was forced to ask the question: How long is a film ? Kauffmann argued that the cinema audience's expectations of a feature film in the 90- to 120-minute range were derived from its experiences of theatre, whereas Fassbinder intended to replace these expectations with those one had while reading a novel. According to him, 'to see *Berlin Alexanderplatz* is to

experience, right from the start, a sensation of danger, of venture, A film is going to take time (the phrase acquires a new meaning): take time to explore themes, delineate architecture' (75).

The 'acceptability' of *Berlin Alexanderplatz* on the television screen as a television series and on the large cinema screen as an extended feature film would appear to fulfil Günter Rohrbach's criteria for his concept of the 'amphibischer Film', a film workable in both media. Whether this is the case or not, Fassbinder's film has so changed 'art-house' cinema-goers' conception of what constitutes a feature film and a visit to the cinema that they found no difficulty in responding to the challenge of Edgar Reitz's marathon *Heimat* in 1984.



Notes: Berlin Alexanderplatz

- (1) Rupert Neudeck, 'Der WDR und die "Kultur"', *Frankfurter Hefte*, 6 (1977), pp. 6-9 (7).
- (2) Anon, '"Ich habe keine Zwerge im Garten"', *Der Spiegel*, 2 May 1977, pp. 202-203 (203).
- (3) epd, 'Filmregisseure kritisieren "Soll und Haben"-Entscheidung des WDR Intendanten', *epd/Kirche und Rundfunk*, 27, 16 April 1977, p. 12.
- (4) Christian Braad Thomsen, 'Five Interviews with Fassbinder' in: *Fassbinder*, edited by Tony Rayns (London, 1980), pp. 82-101 (101). According to Fassbinder, one of the major arguments of the projected series of *Soll und Haben* would be 'to show that National Socialism wasn't an accident but a logical extension of the German bourgeoisie's activities, which haven't altered to this day' (95).
- (5) Anon, '"Lieber Straßenkehrer in Mexiko sein..."', *Der Spiegel*, 11 July 1977, pp. 140-142 (141).
- (6) Brigitte Desalm, 'Selbstzensur oder Rücksicht?', *Kölner Stadt-Anzeiger*, 27 August 1980.
- (7) Rainer Werner Fassbinder, 'Die Städte des Menschen und seine Seele', *Die Zeit*, 14 March 1980, pp. 39-40 (39).
- (8) *Ibid.*, p. 40.
- (9) Characters called Franz appeared in: *Liebe ist kälter als der Tod* (1969), *Götter der Pest* (1969), *Der amerikanische Soldat* (1970), and *Faustrecht der Freiheit* (1974). Fassbinder was credited as 'Franz Walsch' (which also expressed his admiration for the American director, Raoul Walsh) in the following films: *Liebe ist kälter als der Tod*, *Katzelmacher*, *Götter der Pest*, *Warum läuft der Herr R. Amok?* (all 1969), *Die Niklashauser Fart*, *Warnung vor einer heiligen Nutte* (both 1970), *Die Zärtlichkeit der Wölfe* (1973), *Spiel der Verlierer*, *In einem Mond mit 13 Monden* (both 1978), *Lili Marleen* (1980), and *Lola* (1981).
- (10) Cf. Anon, 'Fassbinder bleibt und dreht Döblins Alexanderplatz', *Ruhr-Nachrichten*, 20 September 1977, and, dpa, 'Berlin-Roman für Kino und Fernsehen', *Kölner-Stadt-Anzeiger*, 20 September 1977.

- (11) Bavaria Atelier's managing director Jedele had attempted to attract big-budget productions to Geiseltal with offers of easy financing via the tax incentives provided by the 'Abschreibungs-film'. Films made under this arrangement included *Twilight's last gleaming* (1976) and *The Devil's Advocate* (1976).
- (12) Cf. Anon, '"Der Biberkopf, das bin ich"', *Der Spiegel*, 13 October 1980, p. 240.
- (13) Fengler never worked with Fassbinder again after this disagreement.
- (14) Fassbinder 'regulars' included: Hanna Schygulla, Brigitte Mira, Gottfried John, Barbara Valentin, Margrit Carstensen, and Volker Spengler. Lamprecht did not come into this category, although he had appeared in two productions by Fassbinder for WDR: *Welt am Draht*, transmitted 14 and 16 October 1973, and *Martha*, transmitted 28 May 1974. He had played a lead part in Erwin Keusch's *Das Brot des Bäckers*, transmitted by ZDF on 8 January 1979, but was best known for regular appearances in 'Fernsehspiele', e.g. Peter Beauvais's *Rückfälle*, transmitted by ARD on 18 September 1980, shortly before the start of *Berlin Alexanderplatz*.
- (15) An account of the filming of *Berlin Alexanderplatz* is given in Fassbinder and Harry Baer's co-authored *Der Film "Berlin Alexanderplatz". Ein Arbeitsjournal* (Frankfurt am Main, 1980), published by Zweitausendeins.
- (16) Klaus Eder, 'Warum denn Ärger mit Franz Biberkopf', *Frankfurter Allgemeine Zeitung*, 29 December 1980, p. 15.
- (17) For details of the Verdi series, which starred the British actor Ronald Pickup as Verdi, see: *ARD Fernsehspiel*, April-June 1985, pp. 36-39.
- (18) Filmed by Franz Peter Wirth between 18 April and 20 December 1978, *Die Buddenbrooks* was a great success with the West German television viewers, and was sold to upwards of twenty broadcasting organisations around the world, including PBS in the USA, which featured it in its showcase, *Great Performances*, with an introduction on the historical and social background by Sir John Gielgud. Cf. *ARD Fernsehspiel*, April-June 1984, pp. 40-43.
- (19) Cf. Klaus Umbach, 'Glanz im Müll', *Der Spiegel*,

14 May 1979, p. 212, and, Heinz Höhne, "Film ist Film, und Buch ist Buch", *Der Spiegel*, 13 November 1978, pp. 233, 236, 238.

- (20) Cf. Teleforum, 'Drei Autoren über eine Sendereihe: *MS Franziska*', *Das Parlament*, 18 February 1978, p. 16.
- (21) Norbert Thomas, 'Das 13-Millionen-Spektakel', *FUNK UHR*, 41, 11-17 October 1980, pp. 4-5, 7 (4).
- (22) Günther Kriewitz, 'Prolog für Fassbinders Superding', *Stuttgarter Zeitung*, 28 August 1980.
- (23) *Die Zeit*, 14 March 1980, pp. 39-40 (39).
- (24) Anon, 'Kinder sollen von *Berlin Alexanderplatz* ferngehalten werden', *epd/Kirche und Rundfunk*, 66, 23 August 1980, pp. 8-8a.
- (25) Dieter Ertel, 'Zensur gegen Fassbinder?', *ARD Fernsehspiel*, October-December 1980, pp. 36-37 (37).
- (26) Brigitte Desalm, 'Selbstzensur oder Rücksicht?', *Kölner Stadt-Anzeiger*, 27 August 1980.
- (27) *ARD Fernsehspiel*, October-December 1980, p. 37.
- (28) Roland Keller, 'Wußte der WDR nicht was er tat?', *General-Anzeiger*, 28 August 1980.
- (29) Uwe Kammann, 'Augenwischerei', *epd/Kirche und Rundfunk*, 69, 3 September 1980, pp. 3-4.
- (30) Michael Schwarze, 'Das Fernsehen als Oberlehrer', *Frankfurter Allgemeine Zeitung*, 27 August 1980.
- (31) Fassbinder had commented on the difficulty of Döblin's novel in his article for *Die Zeit* in March 1980. Cf. also Thomas Mann's observation about Döblin: 'Es gibt sehr wenige Leute, die Döblins Bücher bis zu Ende lesen können', cited in: Osman Durrani, 'The End of *Berlin Alexanderplatz*: Towards the Terminus of Döblin's Tramway Odyssey', *German Life and Letters*, Vol. XL No. 2 (January 1987), pp. 142-150 (142).
- (32) Günther Kriewitz, 'Prolog für Fassbinders Superding?', *Stuttgarter Zeitung*, 28 August 1980.
- (33) Kammann, p. 4.

- (34) Peter W. Jansen, 'Kino radikal' in: *Jahrbuch Film 80/81* (Munich, 1980).
- (35) Keller, 28 August 1980.
- (36) Letters page in *Der Spiegel*, 3 November 1980.
- (37) Ulrich Greiner, 'Die Schrecken der Liebe', *Die Zeit*, 10 October 1980, pp. 45-46 (45): Similar plaudits greeted Edgar Reitz's *Heimat* in 1984.
- (38) Peter Buchka, 'Gibt es ein Leben vor dem Tod?', *Süddeutsche Zeitung*, 11-12 October 1980.
- (39) Anon, '"Der Biberkopf, das bin ich"', *Der Spiegel*, 13 October 1980, p. 240.
- (40) Andrea Kuron and Gerhard Mumme, 'Das 13-Millionen-Ding des Rainer Werner Fassbinder', *Welt am Sonntag*, 19 October 1980, p. 3.
- (41) Harry Baer, *Schlafen kann ich wenn ich tot bin* (Cologne, 1982), p. 152.
- (42) Kuron and Mumme, p. 3.
- (43) Werner Pietsch, 'Ein paar Wahrheiten über den Alexanderplatz und unser Fernsehen', *FUNK UHR*, 48, 29 November-5 December 1980, p. 2.
- (44) Norbert Thomas, 'Das 13-Millionen-Spektakel', *FUNK UHR*, 41, 11-17 October 1980, pp. 4-5, 7 (4). Döblin's novel provoked its fair share of outrage when it was serialised in the *Frankfurter Zeitung* in 1929 before publication in book form. Durrani cites two correspondents to the paper who complained: 'Die Zeitung ist nicht das Forum zur Aufdeckung von Eiterbeulen, es genügen uns vollauf die Prozeßberichte', and implored the editor 'doch auf das Ausland Rücksicht zu nehmen, dem man solche Einblicke in deutsches Leben nicht geben dürfe' (*German Life and Letters*, January 1987).
- (45) *Ibid.*, p. 5.
- (46) *Ibid.*, p. 7.
- (47) Letters Page, 'Empörung über Fassbinders Alexanderplatz', *FUNK UHR*, 44, 3 November 1980, p. 9.
- (48) Kuron and Mumme, p. 3.
- (49) B.C., 'Der Mann, der das Millionen-Ding drehte',

*Welt am Sonntag*, 2 November 1980, p. 8.

- (50) Franz Barsig, 'Alexanderplatz: wie teuer war er wirklich?', *Welt am Sonntag*, 9 November 1980.
- (51) Letters Page, 'Berlin Alexanderplatz - schade um das viele verplemperte Geld', *Welt am Sonntag*, 23 November 1980.
- (52) 'Barsigs Antwort an den WDR', *Welt am Sonntag*, 30 November 1980, and, Anon, 'Das Dreizehn-Millionen-Mark Ding', *Berliner Morgenpost*, 27 November 1980.
- (53) Anon, 'Dunkler Sinn', *Der Spiegel*, 3 November 1980.
- (54) Baer, p. 154. Baer recalls that the adverse reaction to the series changed Fassbinder's approach to his work: 'Ab nun bezeichnet er die Filme bis zum "Alexanderplatz" als idealistische Periode und die nach "Alexanderplatz" als berufsmäßige Ausübung des Metiers Film-Regisseur'.
- (55) Wolfgang Limmer, *Rainer Werner Fassbinder Filmmacher* (Reinbek, 1981).
- (56) Klaus Eder, 'Warum denn Ärger mit Franz Biberkopf', *Frankfurter Allgemeine Zeitung*, 29 December 1980, p. 15.
- (57) Ratings for the whole series are given in: *TV-Courier*, 1, 19 January 1981, p. 8.
- (58) Sigrid Schniederken, 'Einmal Kunst und nie mehr wieder?', *FUNK-Korrespondenz*, 1-3, 7 January 1981, p. 3.
- (59) Eder, 29 December 1980, p. 15. Note: as the chairman of WDR's *Verwaltungsrat*, Konrad Grundmann, stated in an interview with the station's 'house journal', *WDR Print*: 'Wer Fassbinder nahm, mußte "Berlin Alexanderplatz" so wollen' (*WDR Print*, December 1980, p. 10).
- (60) *Der Spiegel*, 13 October 1980, p. 240. The multi-levelled soundtrack technique employed in this film had been taken to an unbearable extreme in *Die dritte Generation*, which merely irritated the cinemagoers rather than succeeded in making them take a more critical stance to the events portrayed.
- (61) Thomas Thieringer, 'Mir scheint, die Filmkritiker

haben doch recht gehabt', *epd/Kirche und Rundfunk*, 94, 29 November 1980, p. 20, and, Eder, 29 December 1980.

- (62) For example, Corinna Brocher's interview with Fassbinder in: *Die Filmemacher. Der neue deutsche Film nach Oberhausen* (Munich, Vienna, Gütersloh, 1973), pp. 179-180.
- (63) Eder, 29 December 1980.
- (64) Schniederken, 7 January 1981, p. 3.
- (65) Bernhard Sinkel's 'Fernseh-Epos', broadcast in November 1986, attempted to recount 'ein entscheidendes Kapitel deutscher (Industrie-) Geschichte, of the collaboration between the chemical industry and Hitler. Cf. *ARD Magazin*, 4 (1986).
- (66) Cf. Klaus Umbach, 'Der Dschungel bebt', *Der Spiegel*, 20 February 1978, p. 184.
- (67) Anna Heygster, *Fernseh-Kritik. Versuche, es anders zu machen* (Mainz, 1983), p. 56.
- (68) Wilhelm Roth, 'Kommentierte Filmografie' in: *Fassbinder*, edited by Peter W. Jansen and Wolfram Schütte (Munich, 1982), p. 242.
- (69) Hans-C. Blumenberg, 'Märchen der Gewalt, Untergänge ohne Trauer', *Die Zeit*, 12 September 1980.
- (70) For example: Thomas Basgier, 'In Memoriam: Rainer Werner Fassbinder', *Filmfaust*, 53 (June-July-August 1986), pp. 8-15.
- (71) Angie Dullinger, 'Die Juristen ziehen noch die Notbremse', *AZ*, 4 February 1981, and, *epd*, 'Kinoauswertung von "Berlin Alexanderplatz" ist noch fraglich', *epd/Kirche und Rundfunk*, 13, 18 February 1981, pp. 9-10.
- (72) Anon, 'Berlin Alexanderplatz - On Main Street America', *Kino/German Film*, 12 (Autumn 1983), p. 37.
- (73) Sylvie Wickert, 'Der Mount Everest des Cinemas', *WDR Print*, September 1983, p. 5.
- (74) Stanley Kauffmann, 'Maximum Opus', *The New Republic*, 8 August 1983, pp. 20-23 (23).

## DAS BOOT

Initial plans by Fassbinder to make a television series and a shorter theatrical version of *Berlin Alexanderplatz*, following the successful example of Francis Ford Coppola's *The Godfather*, had been confounded by wranglings over the ownership of the performance rights. With the production of *Das Boot* in 1980-1981, however, there was a conscious aim from the very start to adopt the series/feature film combination, which has since become a popular model for ambitious television/film co-productions, e.g. Hans W. Geissendörfer's *Der Zauberberg* (1982), Bernhard Sinkel's *Väter und Söhne* (1986), and Fassbinder's proposed *Hurra, wir leben noch*. In addition, because of the harmonious working relationship between the film industry and television, *Das Boot* was able to break into the international film market and show that German films could compete on equal terms with the most commercially attractive films coming out of Hollywood.

### BAVARIA ATELIER BEFORE *DAS BOOT*

A booklet, compiled in 1965 by the studios of Bavaria Atelier GmbH to review the first six years of operations under the new owners, WDR and SDR (through their commercial subsidiaries, Westdeutsche Werbefernsehen GmbH/WWF and Rundfunkwerbung Stuttgart GmbH/RFW), described the position that had faced Bavaria

Atelier in July 1959 in the following terms:

Am Anfang stand die Verpflichtung einem Unternehmen, das durch Krisen gefährdet war, neue Impulse zu geben, brachliegende technische und wirtschaftliche Energien in vollem Umfang nutzbar zu machen (1).

Since the studios were to concentrate their facilities on meeting their television masters' voracious appetite for programme material, capital investment was geared to adapting the studios to the requirements for television programme production: two sound stages (numbers 6 and 7) were converted to television programme recording, and the Electronic-Cam system of filming was developed with Arri, Siemens, and Bosch-Fernsehen, so cutting shooting schedules to a mere 18 days. Between 1959 and 1971 over DM 50 million were invested in modernisation and rationalisation programmes, with building projects throughout the 1970s adding more post-production facilities such as sound and film processing laboratories. The annual production total soon rose once the studios started making programmes for their broadcaster owners, climbing from 56 in 1960 to 103 in 1961, and averaging at just over 100 during the 1960s and 70s until another significant increase in the early 1980s. The amount of business in programme commissions sent to Bavaria Atelier by WDR, SDR, and their respectable commercial subsidiaries, and, from 1963, by ZDF, was reflected in the fact



that the studios' turnover quadrupled from DM 10 million in 1959 to DM 40 million by 1965, and had reached DM 80-100 million by 1978, when Günter Rohrbach arrived to take over the post of managing director.

Hans Gottschalk, head of production, and Helmut Jedele, managing director, were the two 'masterminds' behind the direction and success of Bavaria Atelier's programme production strategy. Before coming to Geiseltal in 1959, they had both acquired a significant reputation at SDR in Stuttgart for an innovative policy to the 'Fernsehspiel' genre and for their patronage of burgeoning new talent in writing and direction. Their intention was to develop a 'Genie-Stall' at Bavaria Atelier as well and, to this end, they hired directors such as Franz Peter Wirth, Rainer Erler, Michael Braun, Heinz Liesendahl, and Michael Pflögl on long-term contracts to the studios and cultivated close links with some of the most promising new authors such as Leopold Ahlsen, Heinar Kipphardt, Dieter Meichsner, Theodor Schübel, and Karl Wittlinger, who, unlike the writers collected within the 'Gruppe 47', were keen to work for the medium of television (2). Gottschalk's script development department thus became 'so etwas wie eine Ersatz-Rundfunk-Anstalt' in the early years, as it was described in a special 25th anniversary issue of the studios' 'house journal', *Die Klappe*; Bavaria Atelier developed and

proposed ideas for programmes to the television companies, who did not have the necessary resources in manpower or experience to undertake this time-consuming and demanding work (3). Gottschalk recalled in the jubilee issue of *Die Klappe* in October 1984 that the television companies' commissioning editors hardly ever interfered in the work of the studios' own 'Dramaturgen'. However, this state of affairs changed as the 'Fernsehspiel' departments tired of having their programme needs dictated to them by Bavaria Atelier and made moves to develop their own projects, e.g. Günter Rohrbach's support of the 'Arbeiterfilm' and the young film directors of the 'Junger Deutscher Film'.

Bavaria Atelier's studios prided themselves on innovation, quality and efficiency in their programme production and, consequently, were commissioned to handle contracts for programmes from most sections of the television schedules. In recognition of the business-like manner with which programme production was undertaken at Geiseltal, Karl Günter Simon wrote in his portrait of the studios in 1967: 'Die Coincidentia oppositorum aus Kunst und Geschäft ist möglich' (4). Much of the studios' output consisted of the 25-minute early evening series - the 'Vorabendserien' - which were to complement the advertising spots feat-

ured at regular intervals between 18.00 and 20.00.

Such series included, *inter alia*, 35 episodes of *Funkstreife Isar 12* (1961), 18 episodes of *Der Nachtkurier meldet* (1964), and 7 episodes of *Die phantastischen Abenteuer des Raumschiffs Orion* (1965). Other specialities were the variety shows made by Heinz Liesendahl (*Marika Röck-Show*, 1962; *Gitte und Rex*, 1965) and Michael Pfléghar (*Valente Show I*, 1960; *Monte Carlo, c'est la rose*, 1967; and *Zu jung, um blond zu sein*), operas like *Die Entführung aus dem Serail* (1967), and ballets like *Der Nußknacker* (1963).

In addition, through their promotion of young writing and directorial talent, Gottschalk and Jedele made a lasting impact on the 'Fernsehspiel' written specifically for television - the 'Original-Fernsehspiel'. Over half of Bavaria Atelier's 'Fernsehspiele' were from original scripts and included such award-winning productions as Rainer Erler's *Seelenwanderung*, Franz Peter Wirth's *Die Geschichte von Joel Brand*, and Erler's *Orden für die Wunderkinder*, as well as stylized adaptations of classic English and German drama in what came to be known as the 'Atelier-Stil': *Hamlet* (1960), *Wallenstein* (1961), and *Don Carlos* (1963).

Feature film production at the studios, on the other hand, was now of secondary importance, managing director Jedele arguing: 'Auf diesem Gebiet haben wir als Rundfunk-Anstalt nichts zu suchen' (6). The stud-

ios' resources were now concentrated on servicing the needs of the broadcaster shareholders and became even more so when the film industry partner in Bavaria Atelier, Bavaria Filmkunst GmbH, sold its distribution arm at the end of 1964 to the American Columbia Pictures and closed down its production interests. Whilst the feature films made under the new ownership, such as Franz Marischka's *So liebt und küßt man in Tirol* (1959) and Kurt Hoffman's *Spukschloß im Spessart* (1960), had not differed much in subject matter or treatment to the type of film which had precipitated the financial collapse of the former Bavaria Filmkunst in 1959, the studios' involvement in feature film production was increasingly restricted to servicing visiting American or British productions, in the same way as Pinewood and Elstree nowadays rely on big budget productions from the USA to use their facilities for most of the year. Such 'visiting' productions to Geiseltal included *The Great Escape* (Dir: John Sturges, 1962), *Jack of Diamonds* (Dir: Don Taylor, 1967), *Willy Wonka and The Chocolate Factory* (Dir: Mel Stuart, 1971), and *Cabaret* (Dir: Bob Fosse, 1971), the latter film winning set designer Rolf Zehetbauer an Oscar in 1971 and bringing Bavaria Atelier into the limelight of the international film world.

However, by the beginning of the 1970s, the number

of feature films, including foreign productions, being serviced by Bavaria Atelier had slumped to single figures, a situation which was not made any better by the fact that the new generation of German filmmakers, the 'Jungfilmer', consciously avoided what they deemed as the artificial studio atmosphere in favour of realistic settings on location, which were more attuned to the subject matter of their films. In any case, these filmmakers would have been unlikely to be able on their limited production budgets to afford the studios' charges for the hiring of its production facilities. As Friedrich Wilhelm Hymmen remarked in his brief history of Bavaria Atelier GmbH for his 'Medienlexikon' page in *Medium* in 1972: 'Auch freie Produzenten gehen nicht allzu gern nach Geiseltal. Zwar werden sie dort mit äußerster Perfektion bedient, aber auch zu äußersten Preisen' (7). Some of the 'Jungfilmer' did use the facilities at Bavaria Atelier in the early 1970s. Volker Vogeler's *Jaider* (1970), Rosa von Praunheim's *Nicht der Homosexuelle ist pervers, sondern die Situation, in der er lebt* (1970), Reinhard Hauff's *Mathias Kneißl* (1970), and Hans W. Geissendörfer's *Marie* (1972) and *Eltern* (1973) were all made there, but this was invariably a condition of their production contracts with WDR or SDR. Directors of the New German Cinema did not start coming to the studios at Geiseltal of their accord until

Fassbinder made the television film *Ich will doch nur, daß Ihr mich liebt* there in November/December 1975, and was soon followed by Wim Wenders with *Der amerikanische Freund* and Hans W. Geissendörfer with *Die gläserne Zelle* (8).

Similarly, expansion in the studios' production capacity for 'Fernsehspiele' and other programme material for WDR, SDR, their respective commercial subsidiaries, and ZDF could not be expected, since the television companies had embarked on an extensive programme of building or acquiring studio facilities in the 1960s, e.g. SFB's purpose-built studios or ZDF's purchase in 1966 of the RIVA studios in Unterföhring (Munich), and thus become increasingly self-sufficient in programme provision; the directors of television films had followed the trend initiated by the 'Jungfilmer' and spent more time on location than in the studio; the production facilities at Bavaria Atelier had been technologically overtaken by new developments, meaning that electronically-taped programmes had to be handled elsewhere such as at Fernsehstudio München Atelierbetriebsgesellschaft mbH (FSM), owned by ZDF; and the broadcasters' growing financial problems in the 1970s necessitated cutbacks in programme production, and thus contracts to Bavaria Atelier, and a 'stepping-up' of the purchase of 'bought-

in' foreign material. By 1978 the studios could rely on the television companies for only 50 % of their DM 80-100 million annual turnover, the remainder having to be found from film processing and copying contracts (30 %) and from commissions on the open market (20 %) (9).

### The 'Abschreibungsfilm' experiment

In 1975-1976 Bavaria Atelier's managing director Jedele set out to revitalize the studios' stagnating feature film production facility so as to break the dependence on (contracting) programme commissions from television. To this end, he entered into negotiations with Germania Finanzberatungs-Gesellschaft für Anlageberatung und Vermögensplanung mbH of Munich, to organise financial backing for a package of films to be produced by Bavaria Atelier. In accordance with a judgement of the Bundesfinanzhof of 20 November 1970 (cf. AZ VI R 44/69), a film could be considered an 'immaterial economic entity' ('immaterielles Wirtschaftsgut') and its production costs be 'written off' from a financial year until the film was released (10). Upwards of DM 100 million was attracted from private investors like dentists and lawyers, keen to take advantage of this tax concession and, they hoped, make a profit, and was used to finance two ventures, known as Geria I and Geria II, for the production of six

feature films aimed at the international cinema-going audience, in particular the United States. Films made under this 'tax shelter' scheme between 1976 and 1978 included Robert Aldrich's *Twilight's Last Gleaming* (released 28 October 1977), Billy Wilder's *Fedora* (released 29 June 1978), Rainer Werner Fassbinder's *Despair* (released 19 May 1978), and Guy Green's *The Devil's Advocate* (released 27 October 1977).

The anticipated success and profits from these films did not, however, materialise: they were commercial failures in Europe and the USA. Although working on these ambitious projects - at DM 14 million *Twilight's Last Gleaming* was the most expensive film made in Germany to date - had allowed the studio's workforce to acquire and develop expertise which could be of use in the future, the experiment with the so-called 'Abschreibungsfilm' had not brought any tangible income to the studios which could be used to engage in further productions. In spring 1978 the chairman of the studio's *Aufsichtsrat*, Alex Möller, and SDR *Intendant* Hans Bausch expressed their concern at the effect these ventures might have on the studio's production commitments to its broadcasters shareholders (11). But when Jedele chose to ignore these misgivings from the *Aufsichtsrat*, he was confronted in July 1978 with an ultimatum from the highest level of either abandoning



this production strategy or of tendering his resignation. Jedele decided to offer his resignation as managing director in the belief that his contract with Bavaria Atelier would be revised and renewed. The *Aufsichtsrat* surprised him, though, by accepting this resignation and starting to look for a successor.

At first, Hans Gottschalk, who had been head of production until 30 June 1973, was mooted as a possible successor to Jedele, but, by August 1978, it was clear that the new managing director of Bavaria Atelier GmbH would be Günter Rohrbach, currently head of WDR's 'Fernsehspiel' department, who would officially assume office on 1 February 1979 (12). Rohrbach, who had been tipped by some as a future *Intendant* at WDR, welcomed the challenge of the management of a production facility such as Bavaria Atelier, since his work within WDR's 'Fernsehspiel' department had been hampered of late by programming decisions taken over his head by *Intendant* Friedrich Wilhelm von Sell, who, in March 1977, had turned down a proposed ten-part television series by Fassbinder of Gustav Freytag's *Soll und Haben*.

Talking to Joachim Hausschild of the *Münchner Merkur* after a few months at Geiseltasteig, Rohrbach outlined his reasons for accepting the offer of the post from Bavaria Atelier:

Für mich hat sich die Frage gestellt, ob ich bei der zunehmenden Schwierigkeit in den Anstalten große Fernsehfilme und große Serien zu produzieren, ob ich nicht das Produzieren, das die Lust meiner Arbeit ausmacht, in einer Gesellschaft tue, die genau das macht. Ich habe mich für das Sinnlichere, das Lustvollere entschieden (13).

In a *Playboy* interview with reporter Herbert Kistler, Rohrbach declared that the move to Munich had been liberating for him: 'Ich wollte endlich einmal ohne Zwänge und Richtlinien arbeiten können. Ich habe durch diesen Schritt Macht eingebüßt, aber Bewegungsfreiheit gewonnen !' (14). In another interview, this time with Florian Hopf for the *AZ*, he argued that, unlike the television companies where the programme makers have to be 'Vielzweck-Akteure', capable of turning their hand to any type of programme, working in a studio environment such as Bavaria Atelier would allow him to consider projects which required specialist skills and undivided attention (15). Such a project - *Das Boot* was slated for production in the near future. As to the financing of this project and other feature films produced by Bavaria Atelier, Rohrbach considered the 'tax shelter' option promoted by Jedele to be redundant now: 'Film ist als Spekulationsobjekt nur bedingt geeignet' (16), and suggested, rather, a continuation and consolidation of the working partnership between the studios and its broadcaster owners: 'Ich glaube, daß Fernsehen und Kino nach wie vor aufeinander

der angewiesen sind . . . und auf lange Zeit sein werden. Insbesondere natürlich der Kinofilm auf das Fernsehen' (17). The first major production to put these aims into practice was the feature film version of Lothar-Günther Buchheim's novel *Das Boot*.

#### Background to the start of production of *Das Boot* in 1980

Lothar-Günther Buchheim's account in novel form of his experiences as a war correspondent on a submarine during the Second World War was published in August 1973 under the title of *Das Boot* and soon became a best-seller: over 2 million copies were published in more than 13 languages, with 1.3 million for the USA market alone (18). When Helmut Krapp, head of production at Bavaria Atelier, wrote to Buchheim on 12 September 1973, expressing an interest in a film adaptation of the novel, the author replied 'kurz und bündig': 'An einer Verfilmung meines Buches bin ich nicht interessiert. An einem Film jedoch sehr. Und für den habe ich auch konturierte Vorstellungen'. Buchheim writes in his subsequent book on the making of *Das Boot* that he was particularly wary of film adaptations: 'Was ich an Literaturverfilmungen gesehen hatte, war eher erschreckend als Lust machend' (19), but Krapp and his superior, managing director Helmut Jedele, were nevertheless able to secure the film rights and

begin the search for finance to what would evidently be a costly production.

In the early stages of planning the idea of making an early evening serial - a 'Vorabend-Serie' - from the novel was mooted and then discarded (20). The Bavaria Atelier management soon realised that the financial outlay for this production would necessitate being made for the international market; and, since the North American market comprised 60 % of the world film market, this film would have to be so structured to appeal to the Americans so as to be sure of sufficient returns from the theatrical exploitation. Krapp and Jedele were of the opinion that such an ambitious project could not be entrusted to a German director (no one at this stage in Germany appeared to possess the commercial acumen to handle a big budget international production) and thus began looking in 1975 for a suitable American director to hire. Directors like Don Siegel, Sidney Pollack, and John Sturges (who had made *The Great Escape* at Geiseltal in 1962) were short-listed, and an American cast, headed by Robert Redford in the key role of the Captain, was discussed. The budget of approximately DM 20 million was to be furnished by Germania Finanzberatungs-Gesellschaft für Anlageberatung und Vermögensplanung mbH (Geria for short), the studios' partner on several other internationally-targeted co-productions (21); pre-product-

ion commenced in autumn 1976 and principal photography was set to begin in early 1978, using the production facilities at Bavaria Atelier's own studios.

A 'hack' screenwriter, Ronald M. Cohen, was hired by the studios to draft a screenplay from Buchheim's book which was duly delivered in summer 1977, but the original author was outraged: 'Man hat aus meinem Buch einen japanischen Remmi-demmi-Film gemacht und die Deutschen als Blutsäufer hingestellt', Krapp was equally disappointed: 'Für einen Film der Propoganda-klichees gibt es auch in Amerika keinen Markt mehr', but when Buchheim produced his own 600-page adaptation, commenting: 'Was sich so ein amerikanischer Lohnschreiber abwichst, kann ich schon lange besser', this too found little favour with the Bavaria Atelier 'Dramaturgen' or their American partners (22). Buchheim was quoted in 1981 by *Der Spiegel* as recalling: 'Die haben mir nicht einmal eine Postkarte mit der Absage geschickt' (23).

By mid-1978 over DM 6 million had been paid out by Geria on scale models of the original U-96 submarine, including a 67 metre long 'true to life' copy, which was to become a major feature of the 'Filmtour' introduced by the studios on 1 August 1981. With the decision by the American partners to withdraw their support and the growing misgivings of the studios'

*Aufsichtsrat* about the production policy adopted by Jedele, plans to revitalise feature film production appeared to be evaporating fast. As Wilhelm Bittorf recalled in a feature in *Der Spiegel*: 'Es sah ganz so danach aus, als werde es der Bavaria mit dem *Boot* ähnlich ergehen wie einst dem Deutschen Reich mit seiner unterseeischen Marine' (24).

The production plans received a new lease of life, however, with the arrival in November 1978 of the future managing director of Bavaria Atelier, Günter Rohrbach, from WDR, who, in a complete turnaround from Jedele's strategy, proposed that *Das Boot* should be made in the German language and financed with German money. Backing for the film came from a variety of sources: DM 2 million from the Bavarian Film Promotion Programme, DM 700 000 from the FFA's *Projektkommission* (decided at a sitting on 27 December 1979), DM 250 000 from the Federal Interior Ministry, DM 1.5 million from WDR and SDR under the auspices of the 'Film/Fernseh-Abkommen' (decided at a sitting of the *Achter-Kommission* on 31 March 1980), DM 2 million from the Société Française de Production (a 100 % commercial subsidiary of French public service television), DM 1.7 million from the distributor Neue Constantin, and the remaining DM 10 million - to make up the total budget of DM 20 million, from Bavaria Atelier itself (25).

Rohrbach further changed the production strategy by adopting a two-pronged approach to the filming of the novel: in addition to a feature film version of *Das Boot*, there would be a longer television series version, six hours in six episodes, which would have a minimum four years 'holdback' from the film's theatrical release. The management at Bavaria Atelier was encouraged in these plans for *Das Boot* by the successful precedent set by American director Francis Ford Coppola, whose Oscar-winning *The Godfather II* (1974) had been turned into a television 'mini-series' with additional footage after production on the original feature film, and also by the feature film/television series format promoted by the Italian state television service RAI in the making of *Padre Padrone* (1977) by Paolo and Vittorio Taviani, and *L'Albero degli Zoccoli* (1978) by Ermanno Olmi. Plans by Bavaria Atelier to produce a television series version also enabled Rohrbach to attract finance from foreign broadcasting authorities like Britain's BBC, France's ORTF, and Italy's RAI in return for the broadcast rights.

The choice of director for this ambitious venture did not come hard to Rohrbach, unlike his predecessor, Jedele, who had only considered commercial American filmmakers; as Rohrbach recalled for ARD's 'Fernsehspiel' brochure in winter 1985, Wolfgang Petersen -

'der beste Erzähler unter unseren jüngeren Regisseuren, der handwerklich genaueste, der zäheste und zuverlässigste' - had always been mooted as the probable choice for an all-German production even before Rohrbach arrived in Munich (26). In addition, Petersen had made several of his television films in the 1970s with WDR's 'Fernsehspiel' department, productions such as *Smog* (1972), *Stellenweise Glatteis* (1974/1975), *Vier gegen die Bank* (1976), *Die Konsequenz* (1977), and *Schwarz und weiß wie Tage und Nächte* (1978) (27). Thus he was well acquainted with Rohrbach's approach to production and with his expectations.

#### Production of *Das Boot* and advance publicity

Petersen started work on his screenplay in June 1979, and shooting of the storm sequences were done near Helgoland in the North Sea during the autumn of the same year. Principal photography did not commence until 7 July 1980 and lasted 250 days, in the studios at Geiseltasteig and on location at La Rochelle on the French Atlantic coast, until the production 'wrapped' on 9 June 1981.

The projected film and television series became the target of the Springer press in autumn 1980, when *Welt am Sonntag* took some temporary respite from its vigorous campaign against Fassbinder's *Berlin Alexanderplatz* and turned its attention to what reporter



Claude Larass labelled 'das nächste Millionending':  
'Aufmachung: unbekannt. Ablauf: unbekannt. Länge: unbekannt. Liefertermin: 1985. Das sind die besonderen Kennzeichen einer Serienproduktion, an der WDR und SDR maßgeblich beteiligt sind'. According to Larass, the two television companies were providing a third of the total budget of DM 21 million, 'aber die Anstalten haben keine Ahnung davon, was auf sie zukommt'. Gunther Witte, Rohrbach's successor to the post of head of WDR's 'Fernsehspiel' department, explained: 'wir warten jetzt erst einmal ab, wie der Kinofilm aussieht. Dann sprechen wir präzise die Fernsehserie ab'; the television series would comprise of material shot for, and in addition to, the feature film, with an option for further scenes to be shot after the theatrical release. Larass 'remained unconvinced and, in keeping with the general tenor of the Springer press's attitude to WDR at this time, concluded: 'Verglichen mit den Risiken, die WDR und SDR mit dem *Boot* eingingen, war *Berlin Alexanderplatz* ein grundsolides Unternehmen' (28). However, as Rohrbach stressed in conversation with Jochen Kahn of *Gong* magazine in October 1981, the longer television version would consist of more scenes of dialogue, 'die Action-Szenen werden umfangreicher sein, auf das Schicksal der einzelnen U-Boot-Fahrer wird detailliert eingegangen' (29); and, significantly,

it had been filmed by Petersen 'wie eine Kinoproduktion mit gleicher Intensität und gleichem Qualitätsanspruch für alle fünf Stunden' (30). When principal photography had been completed in summer 1981, the production costs had risen to DM 25 million, making *Das Boot* then the most expensive German film since the war; this figure increased yet further to DM 30 million, which included DM 9 million from WDR and SDR for the television series, which, at DM 1.5 million an episode or DM 25 000 a minute, was almost twice as much as Fassbinder's *Berlin Alexanderplatz* and four times as expensive as the average 'Fernsehspiel' (31).

A mammoth publicity campaign, the like of which had never been seen in Germany before, launched 'Deutschlands größter Film' (distributor's billing) into 200 cinemas on 18 September 1981, promising 'eine Reise ans Ende des Verstandes' (32). The abbreviated feature film version of *Das Boot* was geared to appeal directly to the senses; as director Petersen explained to Wilhelm Bittorf of *Der Spiegel* in winter 1980: 'unsere Idealvorstellung ist, daß die Kinos Spucktüten bereithalten müssen, weil die Leute bei den Sturmsequenzen seekrank werden'. This more frantically-paced version also met distributor Bernd Eichinger's requirement of 'spektakuläre Bilder: das brennende Meer, wenn ein Tanker getroffen wird und in die Luft fliegt. Oder Wasserbomben-Explosionen, die die Leinwand füllen und

ausschauen, als ob eine Atombombe losginge' (33).

Since the critical reaction to the feature film of *Das Boot* was, on the whole, negative, e.g. Norbert Grob, who wrote in *Die Zeit*: 'Fürs Kino genügt es einfach nicht, nur mit den tollsten Dampf-, Wasser-, oder Rütteleffekten zu arbeiten' (34), its success has been largely measured in the level of admission figures and theatrical rentals. Even before the West German theatrical launch, the film had been sold to more than 35 countries world-wide, a fact which convinced *Bild* for one that Bavaria Atelier and Petersen had achieved their goal of a German film with international appeal (35). According to PSO (Producers Sales Organisation) managing director Mark Damon, in an appearance on a documentary, entitled *Made in Germany*, made by *Variety's* Germany correspondent Dr. Ronald Holloway for ZDF in 1985, *Das Boot* has grossed world-wide DM 120 million (\$ 22 million) in rentals, with \$ 12 million coming from the USA alone, and has been seen by 20 million cinemagoers in upwards of 120 countries around the world (36). In a table of top grossing films in West Germany compiled by the media journalist Alf Mayer for *Media Perspektiven* in autumn 1985, *Das Boot* rates as the fourth most popular German film for the period 1 January 1980 to 31 August 1985 with 3 586 000 admissions, after *Die unendliche*

*Geschichte* (another Petersen film for Bavaria Atelier, 4 600 000), *Wir Kinder vom Bahnhof Zoo* (4 681 000), and *Otto-Der Film* (6 191 000) (37). Bavaria Atelier anticipated receiving approximately 18 % of the rentals, i.e. DM 20 million as a return on its investment of some DM 10 million, and further income from sales of the video cassette release (38).

When *Das Boot* was released in Great Britain in a dubbed and shortened version (21 minutes off the original 149 minutes running time) in two London premiere cinemas, the Leicester Square Theatre and the Odeon Kensington, on 16 April 1982, with a wider national release following on 14 May, the reaction to a film about the Second World War from Germany was somewhat muted. David Robinson, writing in *The Times*, suggested that *The Boat* would appear 'rather antiquated' to British audiences raised on wartime adventures starring Jack Hawkins - a point also made by Geoff Brown in his 'Preview' review for *The Times* in May - and added that the version released in Great Britain was nothing more than 'a dogged recital of mechanical disasters' (39). Richard Combs of the *Monthly Film Bulletin* was similarly unimpressed; for him, the 'style and tone overall is very roughly cobbled-together rhetoric, veering from comic-strip and *Boy's Own* to painterly moments . . . and even designs that look rather operatic' (40). He rated it much lower than either *Cross*

of *Iron*, an Anglo-German production produced by Luggi Waldleitner and directed by Sam Peckinpah in 1977, or *Battle of the River Plate*, directed by Michael Powell and Emeric Pressburger in 1956. In what appears to have been a slack season for cinema admissions in Great Britain, *The Boat* performed respectably enough at the box-office, reaching the number seven position for three weeks in the chart of top-grossing films in London, and was later re-released in a sub-titled version in response to requests from cinemagoers.

In autumn 1982 *Das Boot* was released in the USA in a specially dubbed version for the American market and was greeted by a more enthusiastic response, e.g. Lenny Rubenstein of *Cineaste*, who labelled it 'an aquatic *All Quiet on the Western Front* (41). Further recognition of Petersen's and Bavaria Atelier's achievement came with the news in early 1983 that this English-language version had garnered six Oscar nominations: for best direction (Petersen), best screenplay based on material from another medium (Petersen), best cinematography (Jost Vocano), best sound (Milan Bor), best film editing (Hannes Nickel), and best sound effects (Karl Baumgartner). Günter Rohrbach pointed the paradox of the situation when interviewed by *FUNK UHR*: 'Daß unser Film nun über die amerikanisch synchronisierte Fassung für ein halbes Dutzend "Oscars"

zur Wahl steht, entbehrt nicht der Komik' (42). The German language version had been passed over for submission by the German Export-Union for consideration in the 'Best Foreign Language Film' category in 1982 and 1983 in favour of Fassbinder's *Lili Marleen* and Werner Herzog's *Fitzcarraldo* respectively; neither of these films was subsequently short-listed by the Academy to the final four. The nominations for *The Boat* did not translate into awards, mainly because of exceptionally stiff competition from the winners, Sir Richard Attenborough's *Gandhi* and Steven Spielberg's *E.T.*.

#### **The television series version of *Das Boot***

In conversation with Werner Höfer in 1985, shortly before the West German screening of the television series of *Das Boot*, Günter Rohrbach declared that the involvement of WDR and SDR in the production of the feature film and series had been 'ein herausragendes Beispiel' of the possibilities of co-operation between the two media, and added that the ambitious venture would have never been realised without the DM 9 million from television (43). As Wolfgang Petersen remarked in a short piece for ARD's 'Fernsehspiel' brochure to accompany the series, the scale of budget made possible by the television companies had allowed him as a director 'eine im Kino und im Fernsehen bis dahin nicht

gekannte Sorgfältigkeit; ein technischer Aufwand, der ein Maximum an Authentizität vermittelt, eine Kostbarkeit im Detail, die man auf der Leinwand und auf dem Bildschirm wirklich sieht'.

The five-hours running time of the series enabled Petersen to make some significant improvements to the impression which had been made with the feature film version. The narrative could now be expanded to cover what Petersen called in the 'Fernsehspiel' brochure article 'notgedrungene Unterlassungen und Defizite', which had been neglected in the abbreviated version because of the emphasis on 'die Action-Sequenzen, die Szenen mit hohem Tempo, die emotionalen Höhepunkte' (44). More attention and time (literally) was given to the so-called 'Gammelphasen' inside the submarine when nothing special happened for days, weeks, or months on end. The concentration in the feature film on the characters of the Kapitänleutnant (played by Jürgen Prochnow) and Leutnant Werner, the war correspondent (played by Herbert Grönemeyer), gave way in the series to involvement with Pilgrim (Jan Fedder), Frenssen (Ralph Richter), Ario (Claude-Oliver Rudolph), and Johann (Erwin Leder). The television series, with its less frenetic pace, was also able to address itself to questions about the morality of warfare and the moral dilemmas, and to show the suffering caused.

Rohrbach was at pains to stress that, contrary to the impression cultivated by the German critics on the release of *Das Boot* in 1981, Petersen's film was not intended to be the latest in a long line of pictures glorifying war; it was, rather, 'ein Film über den Krieg . . . mehr ein Film über Leidenschaft als über Aggressionslust' (45). Michael Schmid-Ospach, WDR's press officer, was quoted in *FUNK-Korrespondenz* as expressing the hope that the series might direct people's thoughts to the likely form of a future war - 'darüber, daß U-Boote der Supermächte heute anders heißen, "seegestützte Raketensysteme", daß sie nicht nur Schiffe torpedieren, sondern große Städte in die Luft sprengen mit Atombomben' (46).

#### Television premiere of series in Great Britain

The world premiere of the five-hour television series of *Das Boot* took place on Great Britain's BBC 2 channel between 21-25 October 1984 in a subtitled version. Writing in *Radio Times* on the eve of the transmission, reporter Robert Ottoway suggested that this imported series could in theme, and in length, be 'a test of our tolerance and magnanimity', hardly enthusiastic support for the BBC's decision to purchase it (47). Foreign-language series were usually consigned to the 'dead' mid-evening slots on Saturday evenings, but, on this occasion, the BBC had chosen



to concentrate the transmissions over a short period (five days) during the week: starting on Sunday 21 October with a 'special feature-length introduction', lasting 90 minutes, followed by four episodes of 55 minutes each from Monday 22 to Thursday 25 October (48). A short documentary on the life aboard British submarines in World War II had been broadcast on the Saturday as way of a brief introduction to the series (49).

The BBC's programming strategy, which sustained the feeling of suspense and the viewers' identification with the sailors; fates from one night to the next, proved to be a resounding success with most critics and viewers. Sean French of *The Sunday Times* wrote that the effect of five nights enclosed with the submarine crew had been 'horrifyingly successful', and he congratulated the BBC for its 'bold selection' (50). Philip Purser of *The Sunday Telegraph* declared that the series was 'a war story that in every respect - accuracy, realism, excitement, enormity - leaves almost everything we have done in the way of war stories looking feeble or silly or strident', and he concluded by calling it 'a television achievement which only *The Jewel in the Crown* has lately been able to match in ambition, scale and getting it right' (51). *The Guardian's* critics, however, preferred to poke fun at the series rather than give a straightforward

opinion: Hugh Hebert declared that what was being offered by the series was 'derived less from the German experience of war than from the director's experience of American films', whilst Nancy Banks-Smith contented herself with tired wisecracks about the quality of the subtitles - 'alone worth the price of admission' - and unfunny comments such as 'Should you ever feel in need of a pair, do not hesitate to buy your boots in Berlin. German boots are built to last - in this case five and a half hours' (52). The viewers' reactions were more honest and forthright. In a series of letters to the *Radio Times* 'Letters Page', there were such comments as 'Just when we were beginning to think that the BBC had long ceased to televise anything which could hold us spellbound in the armchair, along came *The Boat* . . . five evenings of superb viewing' from Shelagh Aldworth of Faversham, Kent, and 'It is about time we showed our ex-enemy's side of the Second World War . . . Until the showing of *The Boat*, films and television plays seem to only have depicted the Nazi element of the Germans, so prolonging the real-enemy hatred' from Heron Maund of Little Milton, Oxfordshire (53). According to Dr. Kurt Fischer of the Embassy of the Federal German Republic in London, the series had had a profound and salutary effect on the British people's image of the Germans,

showing 'daß nämlich auch auf den deutschen U-Booten Menschen dienten und keine eiskalten Vernichtungsmaschinen' (54).

The viewers' enthusiasm in their letters to the BBC was also reflected in the rating figures, which were outstanding for a foreign-language subtitled television series. The first episode on Sunday 21 registered at 7.05 million as the most popular programme on BBC 2 that week, with the comedy series *To The Manor Born* trailing in second place with 5.50 million. Three other episodes - Tuesday, Wednesday, and Thursday - appeared in the Top Ten for the week ending 28 October, with the final episode reaching 8.70 million and third place below an international snooker final and the comedy series *Lame Ducks* (55). Bavaria Atelier's UK representative Eva Redfern reported back to the studio's 'house journal', *Die Klappe*, in December 1984 that, to her knowledge, this was the first foreign-language series to enjoy such popularity (56). A repeat screening was staged in January 1986, this time in the form of three segments as shown in Germany, and attracted 4.25 million to the first third on Sunday 5 January.

#### **West German transmission of the series**

ARD had originally planned to broadcast the series in six episodes over consecutive Monday evenings between 25 February and 1 April 1985, and the 'Fernseh-

spiel' brochure had announced it thus as 'ein Fernsehfilm in sechs Teilen' (57). Each episode was to be preceded by a 'Historisches Stichwort' from Georg Borgel, which would give the historical background to the conflict in the Atlantic, using documentary footage and eye-witness accounts from, among others, Captain Lehmann-Willenbrok, the original commander of the U 96. However, the programme schedulers decided at short notice to broadcast the five hours in three longer episodes on 24, 27 February, and 3 March. A documentary, which had been made by *Spiegel* reporter Wilhelm Bittorf for SDR to coincide with the release of the feature film version of *Das Boot* in September 1981, *Die Feindfahrt von U 96*, was re-broadcast as an introduction to the series on 23 February, but Borgel's 'historische Stichworte' were dropped and a documentary compiled by Lothar-Günther Buchheim, *Zu Tode gesiegt - Vom Untergang der U-Boote*, was moved out of a 'peak-time' slot and from the main ARD communal evening schedule to a less attractive slot on the regional Third channels. HR III was the only station to show the documentary at the earlier and more accessible time of 20.15, albeit a day after the last episode. This shoddy treatment of Buchheim by the schedulers was paradoxical since ARD had declared at the beginning of 1985 that this documentary was an 'ungewöhnliches historisches Zeugnis' and a 'Report, wie er authen-

tischer nicht sein könnte' (58).

The previews of the series which appeared in the press from mid-December 1984 were full of praise for this extended version of the critically lambasted feature film. Hanns-Jochen Kaffsack, writing for the *Westdeutsche Allgemeine* on 13 December 1984, stated: 'Die TV-Fassung ist, anders als weitgehend üblich, glaubwürdiger und in sich stimmiger als der mitunter action-überfrachtete Welterfolg' (59). Moreover, Buchheim, on seeing the series version for the first time, was moved to claim that it was a first-rate achievement: 'Das ist kein Wasserbombenangriff auf das Publikum wie die Remmidemmi-Version fürs Kino. Das hat den langen Atem dieser Irrsinns-Odysee von U-96' (60). In an 'exclusive' article for *Hör zu* on 23 February 1985, he completed his reappraisal of Petersen's adaptation of his novel with the following words of reconciliation:

Da fand ich mein Buch endlich wieder: Da ging es nicht mehr nur hektisch zu wie in der Spielfilmfassung . . . sondern es gab großartige und an den richtigen Stellen sitzende Szenen vom Bordleben, deren Wahrhaftigkeit mich sehr berührte . . . Ich war mit Produzent und Regisseur ausgesöhnt' (61).

The ratings success of the series in Great Britain the previous autumn was repeated in Germany, with more viewers joining with each successive episode: 47 % of all television-owning households (20.19 mill-

ion viewers) for episode 1, 51 % (20.58 million) for episode 2, and 57 % (23.52 million) for episode 3, i.e. the opposite trend to the ratings of *Berlin Alexanderplatz* in autumn 1980. The third episode was the most popular television programme in ARD or ZDF's schedules between January and May 1985, narrowly beating the 9 February edition of Frank Elstner's 'audience participation' stunt show *Wetten, daß. . .?* on ZDF, which attracted 23.41 million viewers. The viewers' reactions, as expressed, for instance, in letters to the radio and television listings magazine *Gong*, ranged from high praise to condemnation on a par with that meted out to Fassbinder's *Berlin Alexanderplatz* in 1980. Karl Eichinger of Munich wrote: 'Dieser Film gehört zu den absoluten Spitzenleistungen des deutschen Fernsehens. Eine echte Sternstunde', whilst Marina Peinkert of Maroth declared: 'Alle, und ganz besonders Jürgen Prochnow, haben Glanzleistungen vollbracht mit ihrer schauspielerischen Leistung'. For some, the most impressive aspect of the series was its depiction of the grim reality of warfare: e.g. Hans Teufel of Burglengenfeld, who wrote : 'Dieser Film zeigt wie kein anderer das unvorstellbare Leid, das der Mensch sich zufügt, indem er zu den Waffen greift'. For others, any enjoyment of the series was marred by the coarse language used in the all-male environment of the submarine. Anne Maria Hagenbusch of Munich claimed

that it was 'unverständlich, daß die Verantwortlichen für Drehbuch, Gestaltung und Terminierung dieses Films (s. Anfangsszenen mit ihren Schweinereien) ihn zu einer Zeit ausstrahlen ließen, in der Kinder noch vor dem Fernsehschirm sitzen' - a protest which revived memories of the problems over the scheduling of *Berlin Alexanderplatz*. Retired seaman Rudolf Goldschaldt of Grassau was even more vociferous: 'was muß das doch für ein "Mensch" sein, der dieses Drehbuch geschrieben hat und den Marinern in diesem Film solche ordinären und sadistischen Ausdrücke in den Mund legt. Der kann m.E. nie bei der Kriegsmarine und schon gar nicht an der Front gewesen sein !' (62). However, Werner Hermann, the second watch officer on the original U-96, stated on Saarländischer Rundfunk's morning 'phone-in' programme, *Wortgefecht*, on 4 March: 'Es war wirklich so - aber hoffentlich kommt so etwas nie wieder vor' (63).

The popular and critical success of the television series of *Das Boot* - it was awarded the Broadcasting Press Guild prize for Best Foreign Language series in autumn 1984 and an Emmy in the USA for Best Foreign Language Television Series in 1986 - has resulted in its being held up by public broadcasters within Germany and throughout Europe as being, along with another German success, Edgar Reitz's *Heimat*, the type of programming European broadcasters should be concent-

rating their energies into in their response to the challenge from the private operators of cable and satellite television stations, and from the flow of programming from the USA (64).



### Notes: Das Boot

- (1) Karl Günter Simon, 'Der fruchtbare Schoß der Bavaria', *Film*, 5 (1967), pp. 36-39 (36).
- (2) Works by these writers include: *Der arme Mann Luther* (Ahlsen), *Die Geschichte von Joel Brand* (Kipphardt), *Freundschaftsspiel* (Meichsner), *Karl Sand* (Schübel), and *Seelenwanderung* (Wittlinger).
- (3) Anon, '25 Jahre Bavaria Atelier', *Die Klappe*, Sonderausgabe, Autumn 1984, p. 4.
- (4) Simon, p. 36.
- (5) Franz Peter Wirth was the leading exponent of the 'Atelier-Stil'.
- (6) Anon, 'Bavaria-Grund zum Feiern', *Der Spiegel*, 22 July 1959, p. 58.
- (7) Friedrich Wilhelm Hymmen, 'Bavaria', *Medium*, 2 (1972), p. 40.
- (8) Fassbinder developed a particular affection for the studios at Geiseltal whether he was filming there or using the technical expertise of its workforce for productions made elsewhere: *Bolwieser* (1976/1977), *Despair* (1977), *Berlin Alexanderplatz* (1979/1980), *Lili Marleen* (1979/1980), *Lola* (1980/1981), *Die Sehnsucht der Veronika Voss* (1981/1982), and *Querelle* (1982).
- (9) Cf. also Heidi Dürr, 'In die Arme des Feindes', *Die Zeit*, 28 May 1976.
- (10) Anon, 'Ab morgen reich und ehrlich', *Der Spiegel*, 10 January 1977, pp. 108-112 (112). A similar scheme operated in the UK until the passing of the 1985 Films Bill.
- (11) Cf. Kurt Sabrotzki, 'Medienunternehmen in der Krise', *Frankfurter Rundschau*, 6 June 1978, and, Hans Jürgen Weber, 'In Europa an der Spitze', *Der Tagesspiegel*, 9 July 1978.
- (12) Cf. Hans-Gerd Heine, 'Die Bavaria mit der Germania auf Erfolgskurs', *Süddeutsche Zeitung*, 12/13 August 1978, p. 24. In fact Rohrbach arrived at the studios a few months before the official changeover date, and he had sent Peter Märthesheimer ahead of him to monitor the situation at

Bavaria Atelier.

- (13) Joachim Hausschild, 'Buchheims *Boot* wird nun bald in Geiseltal nachgebaut', *Münchner Merkur*, 23 June 1979.
- (14) Herbert Kistler, 'Mann im Gespräch: Günter Rohrbach', *Playboy*, 6 (June 1979), p. 190.
- (15) Florian Hopf, 'Der Kommerz drückt das Niveau', *AZ*, 27 June 1979.
- (16) Kistler, p. 190.
- (17) Hausschild, 23 June 1979.
- (18) Review of Lothar-Günther Buchheim's *Das Boot* by: Anon, 'Bommtsch-jwumm', *Der Spiegel*, 13 August 1973, pp. 97-98.
- (19) Lothar-Günther Buchheim, *Der Film Das Boot* (Munich, 1981), p. 20.
- (20) Anon, '7ter Tag: *Das Boot*', *Westfalen Blatt*, 23 February 1985, p. 4.
- (21) In a letter to prospective investors, Geria III stated that the production costs were expected to reach DM 24 million, with DM 7 million coming from Geria II and DM 17 million from Geria III. Cf. Buchheim, p. 23.
- (22) Wilhelm Bittorf, 'Das Boot: Als Wahnsinn imponierend', *Der Spiegel*, 29 December 1980, pp. (81).
- (23) Anon, 'Rauschhaftes Erlebnis', *Der Spiegel*, 14 September 1981, p. 231.
- (24) Bittorf, p. 82.
- (25) WDR and SDR's financial contribution later rose to DM 9 million - 'eine noch nicht dagewesene Beteiligung'.
- (26) Günter Rohrbach, 'Stichwörter zu einem Abenteuer', *ARD Fernsehspiel*, Jan-Mar 1985, p. 34.
- (27) Egon Netenjakob, 'Chancen des populären Films. Das Fernsehspiel-Porträt: Wolfgang Petersen', *Medium*, 6 (1975), pp. 10-14.
- (28) Claus Larass, 'Das Boot wird das nächste Million-

ending', *Welt am Sonntag*, 9 November 1980.

- (29) Jochen Kahn, 'Mit Fernseh-Millionen wurde *Das Boot* flott gemacht', *Gong*, 3 October 1981.
- (30) Anon, '7ter Tag: *Das Boot*', *Westfalen Blatt*, 23 February 1985, p. 4.
- (31) Hans-Jochen Kaffsack, 'Das Boot kommt. . .', *Westdeutsche Allgemeine*, 13 December 1984.
- (32) Peter Christian Hall, 'Mords-Geschäft', *Medium*, 10 (1981), pp. 2-3 (2). Outgoing editor of *epd Film*, Dietmar Schmidt, contributed a short piece, based on a radio commentary, in which he protested at the extent of hype surrounding the launch of *Das Boot* (3).
- (33) Bittorf, p. 79.
- (34) Norbert Grob, 'Bis in den Tod: funktionieren', *Die Zeit*, 25 September 1981, p. 56.
- (35) Hall, p. 2.
- (36) *Made in Germany. Wie die Amerikaner das deutsche Kino sehen*, Von Dorothea und Ronald Holloway, ZDF, 24 April 1985, 45 minutes.
- (37) Alf Mayer, 'Die bundesdeutsche Kinokrise', *Media Perspektiven*, 11 (1985), pp. 791-803. These figures have now been superseded by Doris Dörrie's *Männer* (1985) and Jean-Jacques Annaud's *Der Name der Rose* (1986).
- (38) *Das Boot* was re-released on 4 May 1984 into 100 selected cinemas in Germany. Cf. Anon, '"Das Boot" sticht erneut in See', *Die Klappe*, 2 (1984), p. 1.
- (39) David Robinson, 'Appalling vision of human cruelty', *The Times*, 8 April 1982, p. 13, and, Geoff Brown, 'The Boat', *The Times*, 7 May 1982, Preview I.
- (40) Richard Combs, 'The Boat', *Monthly Film Bulletin*, Vol. 49, No. 580 (May 1982), p. 81. Cf. also John Coleman, 'Same Boat?', *New Statesman*, 9 April 1982, p. 29.
- (41) Lenny Rubenstein, 'The Boat', *Cineaste*, 12 (1982), p. 60.

- (42) Michael Grenzebach, 'Das Boot kämpft um kleine goldene Männchen', *FUNK UHR*, 1 April 1983.
- (43) Werner Höfer, 'Das Boot - Made in Bavaria', *Bunte Wochen-Zeitung*, 23 February 1985, p. 8.
- (44) Wolfgang Petersen, 'Eine Serie ? Ein Film ?', *ARD Fernsehspiel*, Jan-Mar 1985, p. 31.
- (45) Günter Rohrbach, 'Stichwörter zu einem Abenteuer' *ARD Fernsehspiel*, Jan-Mar 1985, p. 39.
- (46) Paul-Josef Raue, 'Imponierender Aufwand, aber ein Stück Aufklärung unter Wasser gedrückt', *FUNK-Korrespondenz*, 10, 8 March 1985, p. P 7.
- (47) Robert Ottoway, 'A journey through Hell', *Radio Times*, 20 October 1984, pp. 3-4 (4).
- (48) A similar programming strategy for Edgar Reitz's *Heimat* in April 1986 - over 11 consecutive nights - was not so well advised.
- (49) *Submarines At War*, 23.05-23.15 on BBC 2: British submariners recounted their experiences.
- (50) Sean French, 'Bill's adventures in Minderland', *The Sunday Times*, 28 October 1984.
- (51) Philip Purser, 'Putting the Boat in', *The Sunday Telegraph*, 28 October 1984.
- (52) Hugh Hebert, 'Crash dive', *The Guardian*, 22 October 1984, p. 15; and, Nancy Banks-Smith, 'Das Boot', *The Guardian*, 27 October 1984, p. 10.
- (53) Letters, 'We're glad we didn't miss *The Boat*', *Radio Times*, 17 November 1984, p. 96. The Letters Editor noted that his department had received dozens of letters about *The Boat*; without exception, they had been full of praise.
- (54) Anon, 'Das Boot. Fünf Abende waren Englands Straßen so gut wie leer', *BZ*, 31 October 1984.
- (55) BARB (British Audience Research Board) ratings. Cf. *The Television Yearbook*, edited by Dick Fiddy (London, 1985), p. 175. The success of the television series of *Das Boot* in the UK 'torpedoed' the commercial potential of the video release of the feature film version, according to Steve Bernard, managing director of the film's video distributor. Cf. Anon, 'Boat haul', *The Sunday*

*Times*, 11 November 1984.

- (56) Anon/Eva Redfern, 'Beispielloser Erfolg der *Boot*-Fernsehserie in England', *Die Klappe*, December 1984, p. 2.
- (57) See *ARD Fernsehspiel*, Jan-Mar 1985, pp. 24-27 for the running times of the three segments.
- (58) tsr, 'Tiefe Wunden hinterlassen', *Süddeutsche Zeitung*, 23/24 February 1985, p. 31.
- (59) Hans-Jochen Kaffsack, 'Das Boot kommt...', *Westdeutsche Allgemeine*, 13 December 1984.
- (60) Wilhelm Bittorf, '"Der lange Atem dieser Irrsinnsodysee"', *Der Spiegel*, February 1985, p. 192.
- (61) Lothar-Günther Buchheim, '"Ich bin versöhnt: Die Serie im Fernsehen ist besser als der Film"', *Hör zu*, 8, 15 February 1985, p. 40.
- (62) Letters Page, 'Super - Boot', *Gong*, 15 March 1985.
- (63) Dieter Baukloh and Joachim Sondermann, 'U 96 hält 20 Millionen Bundesbürger in Atem', *Stuttgarter Nachrichten*, 1 March 1985.
- (64) *Das Boot* and *Heimat* were the most frequently cited examples of the model for European television series in speeches by Jeremy Isaacs, chief executive of Channel 4 of Great Britain, Gunther Witte of WDR's 'Fernsehspiel' department, and by Hans-Geert Falkenberg of the international broadcasting unit of WDR, at the BFI/European Commission conference 'Film and Television. A European Partnership' at the National Film Theatre in London, 1-2 October 1986.

## DER ZAUBERBERG

The production strategy adopted by Bavaria Atelier in the making of *Das Boot* served as a model for Hans W. Geissendörfer's film adaptation of Thomas Mann's 'Zeitroman' *Der Zauberberg*, which was to be released as a feature film in February 1982, with a six-hour three-episode television series following for transmission in 1984. As with *Das Boot* this production was a conscious attempt by a German film to appeal through international financing, lavish production values, and, unlike *Das Boot* which had saved money on casting unknown 'faces', a multi-lingual cast, to an international, i.e. North American, audience.

The novel's author, Thomas Mann, had recognised its screen potential as early as 1928: 'kühn angegriffen könnte das ein merkwürdiges Schaustück werden !' (1), but subsequent attempts by, *inter alia*, CCC-Film boss Artur Brauner in 1964 (2), Italian director Luchino Visconti and American director Joseph Losey in the 1960s, and German theatre director Peter Zadek to film the book were confounded either by objections from the Mann family or from insufficient finance. Losey recalls in a conversation with the French film critic Michel Ciment that he had been approached by a West German television station 'some years ago' to direct a seven-hour television series of the whole book (3). Once a script had been completed by the late English

writer David Mercer, it was decided to make a feature film instead. The venture, however, came to nothing despite the fact that Mercer's interpretation of the novel was, according to Losey, 'so careful and so detailed and so inspired'. In 1970 WDR announced that, in collaboration with Leo Kirch's production company, Iduna-Film GmbH, the holder of the film rights to the novel, a feature film was to be directed by Peter Zadek from a screenplay by the Englishman Leo Lehmann (4). However, Golo Mann, representing the Mann family, objected to the choice of Zadek, who had been the director of the experimental *mélanges* of film and theatre for WDR, *Rotmord* (broadcast 21 April 1969), *Piggies* (broadcast 25 May 1970), and *Ich bin ein Elefant, Madame* (broadcast 13 October 1970), and this project was subsequently also abandoned.

But in May 1979 Horst Wendlandt of Rialto-Film, later producer of Fassbinder's *Lola* (1981) and co-producer of *Lili Marleen* (1980) and *Die Sehnsucht der Veronika Voss* (1982), offered Hans W. Geissendörfer, who had recently completed an eight-part television series for WDR of Bernhard Brentano's *Theodor Chindler*, the chance to make a film adaptation of *Der Zauberberg* (5). Geissendörfer, who as a student at Marburg University had written a seminar paper on the 'Begriff der Zeit im *Zauberberg*', readily accepted and set to drafting a

screenplay for a three-hour feature film. At a subsequent meeting with Wendlandt on 6 September 1979, Geissendörfer was given the 'go-ahead' to produce a final version of the screenplay, which he completed in January/February 1980, in the knowledge that it had now been decided to make two versions - a three-hour feature film and a five-hour television series for ZDF - instead of the single film.

However, in April 1980 Wendlandt withdrew from the production and passed the responsibility of producer to Franz Seitz, who had long been interested in the idea of a film of *Der Zauberberg*. Seitz, who had produced Volker Schlöndorff's first and latest feature films - *Der junge Törless* (1965/1966) and *Die Blechtrommel* (1979) -, was himself no stranger to film adaptations of the works of Thomas Mann: in 1964 he had produced *Tonio Kröger* and *Wälsungenblut*, both directed by Rolf Thiele, and, in 1976, he had combined the roles of producer, director and screenplay author for an adaptation of *Unordnung und frühes Leid* (6). Although Geissendörfer had been working on pre-production for almost a year now, Seitz is alleged, according to a report in *Der Spiegel*, to have approached Schlöndorff to take over the job of directing, but Schlöndorff claimed to have 'keine Affinität' to Mann, and so Seitz decided to retain Geissendörfer (7).

Initial preparations for filming began in July-Aug-



ust 1980: the Dutchman Robby Müller, who had worked with Geissendörfer on *Sternsteinhof*, *Die gläserne Zelle*, and *Theodor Chindler* and was a close collaborator with Wim Wenders on *Im Lauf der Zeit* and *Der amerikanische Freund*, was engaged as the lighting cameraman; Heidi and Toni Lüdi, responsible for decor and set designs, began painstaking research throughout Europe for props necessary to recreate the atmosphere in the sanatorium as described by Mann, and they discovered the neglected Grand Hotel in Leysin on the banks of Lake Geneva which was transformed at a cost of DM 800 000 into Mann's sanatorium 'Schatzalp' (8). Financial backing for the film's DM 20 million budget was drawn, as with most German films, from a variety of sources, including DM 250 000 from the Federal Interior Ministry, DM 500 000 from the FFA's *Projektkommission* (decided at a sitting on 14 October 1980), DM 1 840 000 from ZDF under the auspices of the 'Film/Fernseh-Abkommen' (decided at a sitting of the *Zehner-Kommission* on 18 November 1980), and monies from the Berlin Film Promotion Programme (some of the filming was to be done at studios in Berlin), the French production/distribution company Gaumont, and Opera-Film of Rome. The international financing was matched by a similar approach to the casting of the leading players in the film. The American Rod Steiger was engaged as

Mynheer Peeperkorn (as a selling point for the North American market; F. Murray Abraham was used in the same way in the casting for the big budget German-Italian production of *Der Name der Rose* in 1986), Charles Aznavour as Naphta, Flavio Bucci as Settembrini, and Marie-France Pisier as Madame Chauchat. German character actors such as Hans Christian Blech, Kurt Raab, Irm Hermann, Rolf Zacher, and Tilo Prückner were chosen for the secondary roles, with newcomer Christoph Eichhorn in the pivotal role of Hans Castorp. The theatrical release in West Germany was to be handled by United Artists, who were linked to co-producer Leo Kirch through their partnership in the CIC-Taurus Video label. Marketing of the film internationally would be handled by Kirch via his many contacts in the film and television industries. However, by 1983, the theatrical rights to the feature film had been sold only to Liechtenstein, Luxembourg, Austria, and Switzerland.

Principal photography of *Der Zauberberg* commenced on 12 January 1981 in a year when Thomas Mann was being 'sozusagen ausverfilmt': Bernhard Sinkel was directing a five-episode television series for ZDF of *Die Bekenntnisse des Hochstaplers Felix Krull* at Bavaria Atelier's studios and on location, and Franz Seitz was planning a film adaptation of *Doktor Faustus* to start in summer 1981 (9). However, there were soon

differences of opinion between producer Seitz and Geissendörfer over Müller's lighting, which had been planned as progressive transformation from light at the beginning to darkness at the end of the film. This approach had been marred, though, by a faulty camera and subsequent damage to the negative stock. Seitz claimed, according to *Der Spiegel*: 'Wenn ich hier schon ein Visconti-Ambiente habe, will ich später auf dem Bildschirm keine schwarzen Löcher sehen' (10). This sensitivity over the darkness of the first rushes was, as reporter Ursula von Kardoff observed, evidently a result of what was now being termed the 'Fassbinder-Syndrom', i.e. the controversy in the press over the lighting on *Berlin Alexanderplatz*, which was still fresh in the minds of producers working for television (11). Geissendörfer attempted to have his friend Müller reinstated, but Seitz was adamant that, given the considerable financial outlay on the film's production, 'wenn die Experimente machen wollen, sollen sie es bitte von ihrem eigenen Geld tun' (12). The cinematographer Walter Lassally, well-known for his long association with the American director James Ivory, was hired at short notice, but he did not satisfy Seitz's requirements either. Finally, on 26 February, Geissendörfer turned to Michael Ballhaus, who had worked with Fassbinder on fifteen films from

*Warnung vor einer heiligen Nutte* (1971) to *Die Ehe der Maria Braun* (1979) and was just coming to the end of another filming commitment in Munich. He joined the film crew in the Tempelhof studios of the Berliner-Union-Film GmbH + Co, Studio KG on 5 March 1981 and managed to catch up on the time lost in the first eight weeks of shooting. Although this was the first time that Ballhaus and Geissendörfer had worked together, the partnership went smoothly enough for them to come together on Geissendörfer's subsequent feature film adaptation of Patricia Highsmith's *Ediths Tagebuch* in 1983. However, Ballhaus found this latter collaboration less enjoyable as he revealed in a *Tip* interview in February 1984: 'weil der Hans Geissendörfer jemand ist, der sich unheimlich intensiv auf einen Film vorbereitet. Er arbeitet einfach alles aus und er hat das Gefühl, eigentlich könnte er den ganzen Film auch alleine machen' (13).

As with *Das Boot*, the theatrical release of Geissendörfer's film was preceded by a plethora of magazine and newspaper 'behind the scenes' features such as Jürgen Kesting's report for *Stern* and Michael Schwarze's preview in the *Frankfurter Allgemeine Zeitung* (14). S. Fischer Verlag, Thomas Mann's publishers, reprinted *Der Zauberberg* with a dust jacket featuring a scene from the film and issued the screenplay of the television series and accompanying articles edited

by Gabriele Seitz, daughter of producer Franz. ZDF, as a major investor in the production, commissioned a 45-minute location report, *Hundert Tage auf dem Zauberberg*, from Seitz junior, which was transmitted on 28 February 1982, the weekend of the national theatrical release. The critical response to the film was more varied than that which had greeted Petersen's *Das Boot* the previous autumn. J.M. Thie of the *Filmbeobachter* regarded it as 'eine Literaturverfilmung, die ihrer Vorlage denkbar gerecht wird . . . imponierend und eindrucksvoll, professionell und souverän genug, um den literarisch unbelasteten Rezipienten ebenso anzusprechen wie den Thomas-Mann-Liebhaber, vorausgesetzt, es handelt sich nicht um einen einsichtigen Puristen' (16), whilst Wolf Donner wrote in the monthly *Konkret* in March that Geissendörfer's film would dispel 'das Dauer-Lamento unserer Filmkritik über die angebliche Plage deutscher Literaturverfilmungen' (17). These two views were, however, in the minority, for most critics, although respecting Geissendörfer's taking up the challenge of filming the allegedly 'unfilmable', considered the result to be a reduction, dilution, and trivialisation of the many complex strands of ideas running through Mann's novel. For instance, Peter Buchka declared in the *Süddeutsche Zeitung*: 'Als ich den *Zauberberg* zum erstenmal sah,

war ich der festen Überzeugung, das sei der schlechteste Film, der je mit solcher Ambition und solchem Aufwand produziert wurde' and finally dismissed it as 'eine angeberische Ausstattungssorgie' (18). Michael Schwarze in the *Frankfurter Allgemeine Zeitung* stressed the fact that Geissendörfer had chosen to concentrate on lavish set pieces rather than tackle the important philosophical questions aired in the novel: 'Geissendörfer hat keinen intellektuellen Film gemacht, sondern einen bildersüchtigen. Er kaprizierte sich auf den Schauwert einer vergangenen Epoche', and, in anticipation of the longer television series, declared: 'Jede Minute, die dieser Film länger dauert, rettet etwas mehr vom Wesen und Geist der Vorlage' (19). *Filmfaust* reviewers Raimund Gerz and Erich Langendorf similarly expressed their misgivings about the abbreviation and trivialisation of Thomas Mann's work in the current spate of adaptations: 'komplexe, sich der schnellen Lektüre widersetzen und daher auch kaum verfilmbare literarische Werke (werden) durch Film und Fernsehen verkürzt, mediengerecht aufbereitet und dem Zuschauer als leicht verdauliche Kost vorgesetzt' (20).

Despite the predominantly negative critical response, *Der Zauberberg* was, along with Werner Herzog's *Fitzcarraldo*, one of the most successful German films of 1982, registering more cinema admissions than

either Steven Spielberg's *Raiders of the Lost Ark* (released 30 October 1981) or Ridley Scott's *Blade Runner* (released end of October 1982). By almost a year after its theatrical release, Geissendörfer's film had been seen by 637 372 cinemagoers, a thoroughly respectable achievement for a German film - Margarethe von Trotta's *Rosa Luxemburg* registered about the same total in 1986 -, but, no doubt, below the co-producers' expectations for such an ambitious production. As Hans Joachim Neumann remarks in his highly polemical study of the ills of the West German film industry, *Der deutsche Film heute*, in 1986, the admissions total for *Der Zauberberg* was 'ein Publikumszuspruch, der nicht im entferntesten auch nur Kostendeckung erwarten ließ - von Gewinnen ganz zu schweigen' (21).

#### Screening of the television series version

According to a background article written by Geissendörfer for ZDF's *Das Fernsehspiel im ZDF* brochure, the six-hour television series in three episodes, which were broadcast the week before Easter on 15, 17, and 20 April 1984, was 'das, war (*sic*) er nach dem Willen seiner Macher sein soll: Er dokumentiert unsere Arbeit. Jede Sekunde Film ist von uns, den Machern so gewollt. Wir hatten die Freiheit, die jeder braucht, um gut zu

sein'. The feature film version, on the other hand, according to the director, 'blieb ein Torso, blutend aus zahlreichen Schnittwunden', since the distributors United Artists refused to entertain Geissendörfer's proposal to release a five-hour long version into the cinemas in 1982, particularly after the fiasco of budget overrun and wrangling over the right to the final cut which had plagued the filming of *Heaven's Gate* by Michael Cimino (22). The television critics were not, however, convinced that this extended version of *Der Zauberberg* was an improvement on the feature film - unlike their reaction a year later to the television series of Wolfgang Petersen's *Das Boot*. H.V. of *Frankfurter Rundschau* called the series 'ein epochales Fernseh-Fresko', whilst Anne Rose Katz complained in the *Süddeutsche Zeitung* of the surfeit of visual detail and opulence for its own sake: 'Riesentableaux voll wimmelnder Wirklichkeit (äußerst penibel und teuer realisiert) stopften das bescheidene Handlungsgerüst prall wie den Darm eines Schwartensmagens . . . Endlose Schwenks über eidgenössische Touristenziele, über erleuchtete Hotelfassaden und klappernde Mittagstafeln gaben Atmosphäre, Atmosphäre' (23). The viewing ratings were similarly disappointing: episode 1 registered 18 % of all television households (5.8 million viewers), but this fell off to 16 % (4.5 million) for episode 2, and 14 % (4.3 million) for



episode 3. In comparison, Fassbinder's *Berlin Alexanderplatz*, at a later time in the schedule and with a less palatable subject matter, had fared exceptionally well, with ratings ranging from 27 % for the first episode on 12 October 1980 to 8 % for the controversial Epilogue on 28 December 1980; Franz Peter Wirth's eleven-part adaptation of *Die Buddenbrooks* had scored 44 % for each episode; and Wolfgang Petersen's three-part *Das Boot* was seen by an average 21.43 million in February/March 1985.

**The significance of *Das Boot* and *Der Zauberberg* for cinema/television relations in West Germany**

Both productions of *Das Boot* and *Der Zauberberg* were realised thanks solely to the close working partnership which obtains between the film and television industries in West Germany. Wolfgang Petersen wrote in the ARD's 'Fernsehspiel' preview brochure that the DM 9 million provided by WDR and SDR, which brought the budget of *Das Boot* up to DM 25 million (later DM 30 million), had allowed him 'eine im Kino und im Fernsehen bis dahin nicht gekannte Sorgfältigkeit, ein technischer Aufwand, der ein Maximum an Authentizität vermittelt, eine Kostbarkeit im Detail' (24). Franz Seitz, producer of *Der Zauberberg*, is particularly direct about his indebtedness to television when he wrote in his production notes: 'die Kooperation mit

dem Fernsehen - hier ZDF - war ein ganz wesentlicher Faktor für das Zustandekommen des Projektes, ja, man kann sagen, daß die eine Fassung ohne die andere nicht möglich gewesen wäre' (25).

The production of the *Das Boot* feature film and television series at the Bavaria Atelier studios for WDR and SDR was also valuable experience for launching the studios into the international market for handling big-budget film production. The commercial success of *Das Boot* in the USA, where it 'racked up' over \$ 12 million in rentals, and its subsequent Oscar nominations were used as a visiting card by the studios' management, led by Günter Rohrbach, and by its 'house director', Wolfgang Petersen, to attract American finance for feature film production based in Germany and targeted at the international market. Consequently, Petersen was hired in 1983 to direct a DM 60 million feature film adaptation of Michael Ende's best-selling novel *Die unendliche Geschichte*, to be shot in English using American, British, and German actors, and a German technical crew augmented by specialists from the UK and USA. The bulk of the financing for this film came from 20th Century Fox, which, pleased at the resulting film's worldwide commercial success, engaged Petersen for another large-scale production, *Enemy Mine*, which was shot at the Geisel-

gasteig set in 1985.

West German television's increasing preference of large-scale, big-budget, international-appeal productions such as *Das Boot*, *Der Zauberberg*, and, more recently, *Väter und Söhne*, to fill its 'Fernsehspiel' slots in the schedules - ARD on Mondays at 20.15, ZDF on Sundays at 20.15 - could mean the 'squeezing out' of the available air-time of the single 'Fernsehspiel', which is supposed to represent the one genre peculiar to the medium of television, and to act as a platform for writers and directors to try out their ideas. As Gunther Witte admitted in an interview with Hans Vetter of the *Frankfurter Rundschau* in April 1985 after the controversy about the 'Fernsehspiel' in the proposed changes to the 'Programmschema' from 1 January 1986: 'Die Entwicklung geht offensichtlich dahin, mit großangelegten Werken Aufmerksamkeit zu erregen und ein großes Publikum zu gewinnen' (26). This strategy of an emphasis on big-budget production, inevitably with international partners, has been seen by many observers as further evidence of the public broadcasters taking pre-emptive measures against the challenge which they perceive will come in the near future from the private commercial operators of satellite and/or cable television. Knut Hickethier remarked in *Medium* in early 1983 that this trend could result in the disappearance of the single 'Fernsehspiel', and,

in turn, to an emphasis on tried-and-tested programme models such series based on well-known books (27)

Finally, the production of *Der Zauberberg* and *Das Boot* has also prompted many to question whether film production promotion monies should be increasingly concentrated into a small number of large-scale projects. The fact that Geissendörfer's film had attracted over DM 3 million from various promotion bodies and Petersen's film DM 12 million meant that there was less money available in the annual budgets of the promotion institutions and of the television stations' 'Fernsehspiel' departments to fund other smaller-scale productions.

### Notes: Der Zauberberg

- (1) Ursula von Kardoff, 'Drei Tage auf dem Zauberberg', *Zeit Magazin*, 31 July 1981, pp. 4-11 (6).
- (2) Cf. Uwe Nettelbeck, 'Hat der deutsche Film noch eine Chance?', *Die Zeit*, 17 July 1964, p. 16.
- (3) Michel Ciment, *Conversations with Losey* (London, New York, 1985), p. 334.
- (4) Zadek had directed *Ich bin ein Elefant, Madame* in co-production with Iduna-Film.
- (5) Franz Seitz, 'Zauberberg bewegt' in: *Der Zauberberg*, edited by Gabriele Seitz (Frankfurt am Main, 1982), pp. 177-182.
- (6) Seitz has produced over 70 films and scripted over 40. He assumed the responsibility of directing *Doktor Faustus* from Johannes Schaaf after a divergence of opinions. In autumn 1986 Seitz was elected president of SPIO.
- (7) Rolf Becker, 'Dunkelangst am Zauberberg', *Der Spiegel*, 16 March 1981, pp. 234-236 (235).
- (8) Heidi and Toni Lüdi, 'Bericht von einer Bergbesteigung' in: *Der Zauberberg*, pp. 183-194.
- (9) Sinkel's series was shown by ZDF on 29 and 31 January, 7, 14, and 21 February 1982. *Doktor Faustus* was released by UIP on 17 September 1982. *Felix Krull* was broadcast by Great Britain's Channel 4 between 28 May and 25 June 1983 in an English-dubbed version.
- (10) Becker, p. 236.
- (11) Kardoff, p. 8.
- (12) Becker, p. 236.
- (13) Anon, 'Von Alexanderplatz nach Hollywood', *Tip*, 9 (1984), pp. 88-93 (90). Ballhaus has now worked exclusively in the USA on such films as John Sayles's *Baby It's You* (1983) and Martin Scorsese's *After Hours* (1985).
- (14) Jürgen Kesting, 'Der Zauberberg', *Stern*, 26 February 1982, pp. 88-94; Michael Schwarze, 'Sterben in Davos', *Frankfurter Allgemeine Zeitung*, 26 February 1982; and Ursula von Kardoff, 'Drei Tage

auf dem Zauberberg', *Zeit Magazin*, 31 July 1981, pp. 4-11.

- (15) Gabriele Seitz, who the coordinated the press and publicity for her father's production, had received her doctorate for a study on 'Film als Rezeptionsform von Literatur' in the works of Thomas Mann.
- (16) J.M. Thie, 'Der Zauberberg', *Filmbeobachter*, February 1982, pp. 3-4.
- (17) Wolf Donner, 'Der Zauberberg', *Konkret*, March 1982, p. 118.
- (18) K.W., 'Opulentes Bildnis einer europäischen Epoche', *Frankfurter Rundschau*, 14 April 1984.
- (19) Schwarze, 26 February 1982.
- (20) Raimund Gerz and Erich Langendorf, 'Der Zauberberg', *Filmfaust*, 27 (April/May 1982), p. 25.
- (21) Hans-Joachim Neumann, *Der deutsche Film heute* (Frankfurt am Main, Berlin, 1986), p. 43.
- (22) Hans W. Geissendörfer, 'Arbeit am "Zauberberg" - zwei Jahre danach', *Das Fernsehspiel im ZDF*, 44 (March-May 1984), pp. 18-20 (20). See Steven Bach's *Final Cut* (London, 1986) for a detailed 'behind the scenes' account of the making and budget overrun of Michael Cimino's *Heaven's Gate*.
- (23) H.V., 'Fernseh-Fresko', *Frankfurter Rundschau*, 25 April 1984, p. 8, and, Anne Rose Katz, 'Vollmundig in die Endzeitstimmung', *Süddeutsche Zeitung*, 24 April 1984, p. 18.
- (24) Wolfgang Petersen, 'Eine Serie ? Ein Film ?', *ARD Fernsehspiel*, Jan-Mar 1985, p. 31.
- (25) Franz Seitz, 'Zauberberg bewegt' in: *Der Zauberberg*, pp. 177-182 (178).
- (26) Hans Vetter, '"Man muß auch Risiken eingehen"', *Frankfurter Rundschau*, 3 April 1985, p. 22.
- (27) Knut Hickethier, 'Fernsehspiel und neue Medien', *Medium*, 1 (1983), pp. 14-15.

## HEIMAT

Unlike many television series produced and transmitted by ARD and ZDF, Edgar Reitz's *Heimat*, a 15 hour 24 minute 10 seconds chronicle of life in a fictitious German village called Schabbach between the years 1919 and 1982, was largely well received by West German critics and public alike. The success of *Heimat* throws light on the nature of the working relationship between the filmmakers and the broadcasters and points to the likely path for future co-production ventures.

### Production history of *Heimat*

As Reitz recalls in the press book to *Heimat*, he had the basic idea for the production 'schon vor 15 Jahren in meiner Ulmer Zeit (in 1965 he was a joint founder with Alexander Kluge of the Institut für Filmgestaltung in Ulm and was its director until 1968). Die Geschichte hieß: Der Mann der wegging . . . Das ist die Story von einem Mann aus einem Hunsrück-Dorf, der eines Tages sagt, daß er ein Bier trinken geht und spurlos verschwindet, der Jahrzehnte verschollen bleibt' (1). Although he originally planned this as a ninety-minute feature film, Reitz soon realised after working on the 'treatment' that the story would turn into a much larger venture. But, since he did not have much of a feeling at the time for his roots in

the Hunsrück - he was born in Morbach - , the project was put to one side. The idea of a feature film going beyond the universally accepted length of 100 minutes appears to still have interested Reitz in later years. In an interview with Barbara Bronnen for her co-authored (with Corinna Brocher) book *Die Filmemacher* in 1973, Reitz declared: 'eine im Film bisher überhaupt noch nicht entwickelte Form ist die des filmischen Romans' (2).

In December 1978 Reitz experienced a major crisis in his career as a filmmaker with the release of *Der Schneider von Ulm*, which was slated by the critics and flopped badly at the box-office, never qualifying as a 'Referenzfilm' despite being rated 'besonders wertvoll' by the Filmbewertungsstelle. Wolfgang Limmer, writing in *Der Spiegel* on 18 December 1978, claimed that the film had 'eine Dramaturgie, die so viel Spannung und Interesse erzeugt wie das Verzeichnis der Postleitzahlen . . . Wer hat denn noch Interesse an derart hochsubventionierter Schulfunkmentalität vermischt mit professoraler Vorstellung von Sinnlichkeit?' and concluded by calling it 'der bei weitem langweiligste Film des Jahres' (3). Reitz believes that the harsh treatment meted out to his film by the critics was a response to the various promotion boards' (apparent) preference for projects based on literary texts such as Heidi Geneé's *Grete Minde* and Wolf



Gremm's *Taugenichts* over projects concerned specifically with contemporary West German issues: *Der Schneider von Ulm* had received a total of DM 400 000 from the *Projektkommission*, at its sittings of 15 March 1977 and 24 February 1978, and a total of DM 1 million from the *Achter-Kommission*, at its sittings of 27 September 1976 and 13 April 1978 (4).

Faced with estimated DM 250 000 debts from the making of *Der Schneider von Ulm* and a further DM 55 000 in unpaid back taxes (5), as well as suffering the bitter disappointment over the reception of his film, Reitz fled from home and work in Munich to the island of Sylt on the North Sea coast. In the *Heimat* pressbook he recalls in conversation with Bernd Eichinger: 'ich habe mich erst einmal beschäftigt mit dem Abhauen, mit dem "Alles-über-Bord-schmeißen" und irgendwie von ganz vorne anzufangen. Und da konnte ich nicht über Film nachdenken'. Whilst on Sylt he was confined to his lodgings by heavy snowfalls and, for want of something better to do, watched the American 'mini-series' *Holocaust*, which was broadcast on the regional 'Third' channels on 22, 23, 25, and 26 January 1979. The negative impression this series made on him prompted him to return to the abandoned project of 'Der Mann der wegging': 'ich habe mich so geärgert darüber, daß die Bilder nicht stimmen, daß hier eine deutsche Geschichte erzählt wird, deutsche Schicksale erzählt werden, bis

hin zu den gräßlichsten Dingen, die geschehen sind, ohne daß ein einziges Bild wirklich stimmt, ohne daß im Lächeln ein Wort, ein Satz, der gesprochen wird, so vorkommt, wie es wirklich gewesen sein muß' (6). He was outraged at 'the horrible crocodile tears of our nation' which were being shed because of an American soap-opera travesty of German history (7).

Thus, as Reitz recalls in his conversation with Eichinger, he attempted to write in novel form 'eine Geschichte, die sich auf eine ganz extreme Weise mit meinen persönlichen Erfahrungen in unserem Lande beschäftigt' (8). However, being unaccustomed to this form of writing, Reitz reverted to the drafting of a 'treatment', which developed into a 250-page manuscript for a 20-hour film by April 1979. On his return to Munich from Sylt, Reitz called on an old friend, Joachim von Mengershausen, commissioning editor in the WDR 'Fernsehspiel' department in Cologne, who had worked with him on *Die Reise nach Wien* in 1973, and showed him this first draft of the story of *Heimat*. Mengershausen said that it had the makings of a film, but Reitz, who was considering turning the 'treatment' into a proper novel, was hesitant: 'in dem Moment, als das als Filmstoff erkannt wurde, hatte ich zunächst einmal Hemmungen, weil ich mir sagte, da ist ja ein Unding, ein filmisches Unding von den Dimensionen her'

(9). According to an interview Reitz gave to Paul Pawlikowski of the British film and television journal *Stills*, Mengershausen also warned him that the story in the manuscript 'was too long and amorphous to work as a feature film: it couldn't be pared down to its narrative skeleton, because it didn't really have one. Nor could it be turned into a television series: for that, the narrative was too fluid and not sufficiently pointed' (10). Nevertheless Reitz realised that if he was to continue with this project - as a 20-hour venture - , it could only be financed by television.

Mengershausen suggested that Reitz work on a full script with Peter Steinbach, who had collaborated with him on *Stunde Null* in 1976 (11). Thus, without any script commission or development money from WDR or any other television station, the two withdrew to Woppenroth in the Hunsrück region, Reitz still living in debt and on loans, and rented a small hut from a farmer in order to work on the script and to become better acquainted with the village life. Thirteen months passed, from June 1979 to July 1980, as Reitz and Steinbach worked on the 2000-page screenplay for *Heimat* and it was only on its completion that they received a script commission from WDR. During this year they came to realise that they had embarked on a venture which was likely to be 'first' in West German television history: 'wir wußten sehr gut, daß wir

hier etwas machten, das zunächst einmal in kein Programm- und Förderungsschema paßte' (12).

The production was originally budgeted at DM 20 million, and moves were undertaken by Mengershausen to interest NDR and SWF in backing *Heimat*, but they turned it down with the claim that the scripts produced so far were not that promising (13). WDR, however, which had committed funds to the first six hours of the series, was able to win over Hans Kwiet of SFB's 'Fernsehspiel' department to provide finance for an additional six hours. WDR then concluded a further two contracts with Reitz for the last three-and-a-half hours including the epilogue. During the filming of *Heimat*, Reitz also made a documentary on the Hunsrück region, entitled *Geschichten aus den Hunsrückdörfern*, which, in his words, comprised of 'alle Motive . . . die ich in meinen Filmen seit fast 20 Jahren behandle. Insofern ist der Film ein Schlüssel zu meinem Werk, und er zeigt auch im Verhältnis zu den Bildern und den Menschen meine Einstellung zu unserem Metier' (14). This film, made in co-production with WDR, was premiered in the 'Neue Deutsche Filme' section of the Internationales Forum des Jungen Films at the Berlin Film Festival on 18 February 1982.

Production on *Heimat* was unlike that of any previous television series, since Reitz refused to make any

compromises in his working methods for the commissioning editors. In an allusion to such large-scale productions as Fassbinder's 14-part *Berlin Alexanderplatz* or Klaus Emmerich's *Rote Erde*, Reitz told Frauke Liesenborghs, reporting for *Medium* in early 1983: 'Wir sind meines Wissens seit Menschengedenken die totale Ausnahme, da ein Projekt dieses Umfangs nicht von irgendwelchem großen Studiounternehmen durchgeführt wird sondern von einem Team, das es selber macht, ohne daß irgendwelche gewerblichen Absichten betreffend der Produktionsmittel damit verbunden sind' (15). He pointed to the case of Bavaria Atelier GmbH, which had constructed the 'Berliner Straße' for Ingmar Bergman's *The Serpent's Egg* in 1976 and re-used this set since for *Berlin Alexanderplatz*. *Heimat*, though, was being produced by Reitz's own production company mainly on location in the Hunsrück region, with additional scenes being shot in Wiesbaden, Baden-Baden, Regensburg, Munich, Cologne, and Trier, using twenty professional actors and actresses such as Dieter Schaad and Karin Rasenack for most of the major roles, and amateur players or inhabitants of the villages to play the other parts.

In spite of the fact that finance for the project came exclusively from television and the finished product's destination would be the small screen, Reitz considered that he was working on a film as

opposed to a television series; there was, he claimed, 'niemals der Versuch, "Fernseh-Ästhetik" zu formulieren oder uns einer abstrakten Idee des Mediums zu unterwerfen' (16). He preferred to use his old 'Blimp' Arriflex camera, 'das selbst ein Stück Geschichte ist' to a newer smoother running model and used Kodak, Agfa, and Fuji brand film stock in arbitrary amounts as a protest against what he termed the 'Industrieterror' of the film stock manufacturers, who 'decreed' how filmmakers should work (17). Moreover, Reitz refused to discipline himself into producing uniform 60-minute episodes, a prerequisite of working for television which had frustrated Fassbinder during the filming of *Berlin Alexanderplatz* in 1979-1980. The length of each episode of *Heimat* was determined during the editing of the film's footage between November 1982 and December 1983, and ranged from 60 minutes to 139, depending on the particular demands of the narrative. As Waldemar Schmid predicted in his report on the filming of *Made in Germany* - as *Heimat* was known in 1981-1982 -, 'die Serie wird zweifelsohne den Vorteil haben, auf verschiedensten Programmplätzen einsetzbar zu sein, so daß sie mehrmals ausgestrahlt werden kann' (18). WDR was planning to place its financed episodes in the Sunday and Wednesday evening 'Fernsehspiel' slots, whereas SFB was expecting to use part of its

allocation of the Monday evening series slots.

Reitz's refusal to have any consideration for the 'Gewohnheiten des Filmeschauens' in the making of *Heimat* was doubtless in part a reaction to his disappointment over the treatment meted out to *Der Schneider von Ulm*. The shifts from black-and-white to colour were as unusual for the audience in the cinema as for the television viewer. As Reitz explained to Gideon Bachmann, black-and-white film was his and the crew's preferred format, 'but sometimes, during the shooting, we felt certain elements had to be stressed and we shot these in colour. There is no aesthetic theory behind my occasional changing from black-and-white to color' (19). However, as he revealed in an interview with Armin Weyand for the *Frankfurter Rundschau*, this mixture of colour formats could be interpreted as part of a strategy against television's habit of submerging everything into the amorphous mass of the schedules: 'um etwas zu erzählen zu können, was die Intelligenz der Sinne . . . anspricht, brauche ich etwas, was den Programmfluß stört. Dazu gehört dieser Wechsel von Farbe und Schwarzweiß. Anscheinend klappt es. Der Programmfluß ist wirklich gestört . . . Man fängt an zu überlegen, was es bedeutet' (20).

Theatrical premiere of *Heimat*, summer 1984

*Heimat* was completed in May 1984, five years and

four months after Reitz had first started work on his response to *Holocaust* on Sylt in January 1979. According to Martin Wiebel of WDR's 'Fernsehspiel' department, 'when the series was presented to the press, some people in higher places on television boards even took the position that it was necessary to produce a series like *Heimat* for cultural purposes, although it was clear that this was not going to be a success with the public and won't receive much critical attention either !' (21). Subsequent events proved this scepticism unfounded. Bernd Eichinger, managing director of the distributor Neue Constantin, agreed to sponsor a screening of the film over two days, 30 June-1 July, in the Arri-Kino as part of the Munich Film Festival, so that 'ein für den deutschen Film so wichtiges und außergewöhnliches Projekt den verdienten Stellenwert und die größtmögliche Öffentlichkeit erhält. Dazu gehört, daß *Heimat*, ein Film in 2 Teilen von Edgar Reitz, auch tatsächlich in 2 Teilen gesehen werden kann' (22). It was Eichinger's idea to change the film's title from *Made in Germany* back to the original one of *Heimat*, but, contrary to Reitz's wish, agreed upon with Gunther Witte, that the title credits should read *Heimat - Eine Chronik in 11 Teilen*, Eichinger decided to use his own billing of *Heimat: Ein Film in 2 Teilen von Edgar Reitz* on posters (23).



This special screening of the entire series proved to be a sell-out and was regarded as a triumphant success by the critics. Peter Buchka of the *Süddeutsche Zeitung* wrote on 3 July: 'Edgar Reitz hat es gewagt, was sovielen seiner Kollegen noch wollten und sich nicht traute, nämlich in die "Mitte der Welt" zu gehen. Und damit ist ihm gelungen, was nach 20 Jahren Neuer deutscher Film noch ausstand: dessen Summe, dessen Requiem' (24). For Wilhelm Roth of *epd/Kirche und Rundfunk* this 'Glücksfall in der deutschen Film- und Fernsehgeschichte' was 'ein amphibisches Ereignis', final and unequivocal proof of the practicality of Günter Rohrbach's concept of the 'amphibischer Film', which had been the target of much criticism from film critics such as Hans C. Blumenberg, who were opposed to television's involvement in feature film production (25).

The success of *Heimat* in Munich prompted exhibitors throughout Germany to approach Neue Constantin with the request for screenings to be arranged on the same lines, i.e. over a weekend with meal breaks. The Filmkunst 66 cinema in Berlin presented Reitz's film, in conjunction with the listings magazine *TIP*, between 18-19 August 1984, Munich's Arri-Kino staged a repeat screening between 1-2 September, and Hannover's Kommunales Kino was host between 22-23 September.

Venice Film Festival screening, August/September 1984

*Heimat* appeared out of competition at the Mostra internazionale del cinema in Venice at the end of August 1984 after a special petition was sent to the festival director Gian Luigi Rondi by filmmakers Werner Herzog, Alexander Kluge, Volker Schlöndorff, Margarethe von Trotta, and Wim Wenders, declaring:

Heimat, der Geburtsort, ist für jeden Menschen die Mitte der Welt. An diese einfache Wahrheit erinnert uns Edgar Reitz in kosmopolitischer Zeit. 16 Stunden sind um keine Minute zu viel für dieses europäische Requiem der kleinen Leute, das Erfahrungen unseres Jahrhunderts umfaßt (26).

Despite being screened in an 'unsuitably small' cinema, as the *Economist's* critic observed, the film was as warmly received in Venice as in Munich, and was unanimously voted the FIPRESCI (the International Critics' prize) (27). The critic Ronald Holloway of the American film trade paper *Variety* (and editor of *Kino German Film*, which promotes German films in North America) wrote that *Heimat* was 'not only the fulfilment of all the hopes of the New German Cinema over the past two decades but should also go down as a milestone in contemporary film history' and saw it as 'the one superb example of how cinema and television can be wedded as complementary media' (28). Gideon Bachmann, who interviewed Reitz at the festival for *Film Comment*, called the film 'the most revolutionary work of cinema this decade . . . simply the most emot-

ional representation of simple life on a screen' (29). In his report on the festival for the *Frankfurter Rundschau*, Wolfram Schütte located *Heimat* within a tradition of epic television series, often with an abbreviated theatrical version, which had been particularly developed by RAI, the Italian state television network, e.g. Paolo and Vittorio Taviani's *Kaos* and Luigi Comencini's *Cuore*, but he argued: 'die TV-Möglichkeit zu epischer Breite der Erzählung hat Reitz wie kein anderer benutzt'; in his opinion, the filmmaker had also not allowed his art to be determined by the restrictions and routine of popular realism, usual in television productions (30).

#### West German television transmission of *Heimat*

Originally, *Heimat* had been scheduled for transmission on five Mondays, in the 'Serientermin' at 20.15, and on two Sundays and four Wednesdays, in the 'Fernsehspiel' slots, between 16 September and 14 November 1984 (31). However, the schedulers decided after the *ARD Fernsehspiel* brochure for September had been published to screen the series on Sunday and Wednesday evenings only, between 16 September and 24 October. Wilhelm Roth alleged in his review of *Heimat* for the September issue of *epd Film* that this decision by the *Ständige Programmkonferenz*, an assembly of the *Programmdirektoren* of the ARD network, had been motivated

by a desire to keep the American imported detective series *Magnum* in the Monday evening slot, where it had been since July, as competition for the feature films programmed by ZDF (32). As was revealed in *FUNK-Korrespondenz* in March 1985, this monopolising of the Monday evening slots by *Magnum* had been allowed to prevail despite the protests of the heads of the 'Fernsehspiel' departments and of Heinz Werner Hübner, ARD's 'Fernsehspiel' coordinator and WDR *Fernsehdi- rektor* (33). The placing of *Heimat* in traditional (single) 'Fernsehspiel' slots on Sundays and Wednesdays also led to a backlog of single 'Fernsehspiele' waiting for transmission. The new timings, though, meant that the series was concentrated into a much shorter time-span, which might conceivably increase the ratings as a consequence (34).

The West German critics, mindful of the disparity of opinions which had existed between the film critics, the television reviewers, and the viewing audience on the screening of Fassbinder's *Berlin Alexanderplatz* in 1980, were at pains in the run-up to the television screening of *Heimat* to make it clear that they believed Reitz's film would lose a lot of its effect when broadcast as an 11-part series. Heiko R. Blum wrote in the *Rheinische Post* on 8 September 1984: 'diese häppchenweise Kultur-Vermittlung zerstückelt das Werk, wird

ihm nicht gerecht', a comment which understandably prompted WDR 'Fernsehspiel' head Gunther Witte to respond in the *ARD Fernsehspiel* brochure: 'das ist nicht nur falsch, sondern auch verletzend', given that it was WDR and SFB who had provided the DM 20 million budget for the whole venture, which had been conceived, from the start, as a television series (35). However, the anonymous previewer in the *Frankfurter Allgemeine Zeitung* echoed Blum's reservations, whilst Klaus Wienert in the *Frankfurter Rundschau* asked 'ob die Produktion unter diesen Bedingungen ('nur das kleine Bild und die Zerteilung in elf ungleiche Portionen') die gleiche Sogwirkung wie im Kino erzielen kann' (36). This revision of the genesis of *Heimat* continued unabated despite the attempt by SFB *Programmdirektor* Norbert Schneider at the press screening on 1 August to defuse the debate about the pros and cons of *Heimat* being divided into eleven episodes for transmission. At this conference Schneider had maintained: 'Hier siegt nicht das eine Medium über das andere. Hier gibt es zwei unterschiedliche Rezeptionsweisen, die sich nicht im Wege stehen, die sich vielmehr sinnvoll ergänzen können' (37). Later in the month he responded to a statement by the West Berlin listings magazine *Tip* that its presentation of *Heimat* between 18-19 August at the Filmkunst 66 cinema was as Reitz had originally intended, by writing: 'Ich will der guten Ordnung

halber darauf hinweisen, daß der Regisseur diese Produktion natürlich keineswegs so konzipiert hat, wie sie in München gezeigt worden ist. Es handelt sich, wie Sie wissen, um eine Fernsehproduktion, die SFB und WDR gemeinsam realisiert haben, und es liegt in der Natur des Fernsehens, daß wir derartige Großvorstellungen natürlich nicht ausstrahlen können' (38).

Reitz had contributed (and still contributes) to the confusion about the rightful place for *Heimat* when he failed to protest to Bernd Eichinger about the billing of the film at the Munich Film Festival as 'ein Film in zwei Teilen'; moreover, at the Venice Film Festival he had declared to Gideon Bachmann: 'I made *Heimat* as a film, not as a television serial' (39). However, once the television transmissions began on 16 September and the series started attracting sizeable audiences, he decided to revise his opinion of the way to approach *Heimat*. In conversation with Thomas Thieringer of the *Süddeutsche Zeitung*, Reitz proposed: 'wir sollten endlich verstehen, daß der Film weder dem Kino noch dem Fernsehen, sondern den Machern und dem Publikum gehört. Wichtig ist, daß es zu einer Form des Dialogs, der Begegnung kommt zwischen der Phantasie derer, die Filme machen, und der Phantasie derer, die Filme sehen, und dieser Dialog kann überall stattfinden'. He expressed surprise in

this interview that the viewers' reactions to the series had run counter to the long-held argument that the television screen was too small for fine details in a film to be distinguished; comments from viewers had so far revealed that they had recognised details 'nicht nur in der Landschaft, in der Personencharakterisierung, sondern auch bei Requisiten, bis in die kleinste Verästelungen hinein, wo man für gewöhnlich meint, daß da das Auflösungsvermögen des Films längst zu Ende sei' (40).

The viewing figures for the television transmission of *Heimat* exceeded the expectations of both Reitz and the broadcasters at WDR and SFB. Each of the eleven episodes attracted an average of 9.5 million viewers (26 % of all television sets), with episode six, 'Heimatfront', on 3 October registering 12 million viewers (34 %) (41). The episodes on Wednesday evenings tended to attract higher ratings than those on Sunday evenings because of ZDF's programming of lighter fare against the series, such as a political satire by and with Peter Ustinov, *Abgehört*, featuring television favourites Hansjörg Felmy, Beatrice Richter, and Götz George, or the comedy *Krumme Touren*, starring Manfred Krug. WDR reported that the only complaints from viewers about the series were connected with the unsystematic shifts from black-and-white to colour (46). In the television and radio listings magazines *Gong* and

*FUNK UHR*, viewers' letters on the series ranged, however, from praise to condemnation. Rolf von Melis of Willich wrote to *Gong*: 'es gab noch nie ein so großartiges Werk im deutschen Fernsehen, wie diese Serie', and Felix Meiler of Himmelkron agreed: 'Für mich jedenfalls gab es in den letzten 20 Jahren keine sogenannte Serie, die wahrhaftiger, lebensnaher und ergreifender unterhielt als *Heimat*' (43). Criticism of the series tended to centre on scenes in the second and ninth episodes: 'Die Mitte der Welt' (19 September) and 'Hermännchen' (14 October) respectively. In a letter, the like of which had been seen during the transmission of *Berlin Alexanderplatz* in autumn 1980, Maria Muller of Straubing expressed her outrage at the scenes in the brothel in Berlin in the second episode, declaring: 'dem Zuschauer solche Obszönitäten zuzumuten, grenzt an Unverschämtheit - ganz abgesehen davon, daß nicht alle Kinder um diese Zeit schon schlafen' (44). Memories of the controversy which had surrounded Fassbinder's series were further invoked by the report in the *Rhein Zeitung* on 24 October of an anonymous viewer, who was moved by the ninth episode to write to WDR: 'Ab letzten Sonntag sind wir schockiert. Pfui, pfui und nochmals pfui . . . diese meine geschriebene Meinung werde ich auch in der *Bild-Zeitung* veröffentlichen' (45). Ulrike Collert of Aachen was similarly



outraged (but prepared to attach her name to her letter), claiming: 'die Grenze zwischen sexueller Freizügigkeit und ekelhaftem Porno ist schmal. Edgar Reitz hat diese Grenze in Siebenmeilen-Knobelbechern übersprungen' (46). Others were more concerned about the historical accuracy of the series, at the same time unconsciously revealing how the events in *Heimat* had captured their attention; for instance, Erich Wagner of Arnsberg in the Sauerland region sent *Gong* a list of what he considered 'eklatante Fehler' in the first episode alone:

1919: gab es dieses Motorrad nicht, hatte man auf den Dörfern noch kein elektrisches Licht und wenn, dann gab es Freileitungen. Solche waren nicht zu sehen . . .

1922: da war die Rede, daß der Berliner Funkturm gebaut worden ist. Er wurde 1926 gebaut (47).

The critical response was similarly predominantly complimentary about Reitz's achievement. Thomas Thieringer declared in the *Süddeutsche Zeitung* on 1 October 1984: 'Gewiß, das ist nun abzusehen, auch auf dem Bildschirm ist "Heimat" ein außergewöhnliches Filmepos, außergewöhnlich eben auch durch die Gestaltung der Bilder . . . ein Meisterwerk, der größten Auszeichnungen wert' (48). Ingrid Vebe of the *Neue Rhein-Zeitung* declared that *Heimat* was 'ein einmaliges Ereignis, ein Sonderfall, und wird es wahrscheinlich bleiben' and predicted after the last episode: 'Man wird in den kommenden Wochen sonntags und mittwochs

etwas vermissen' (49). Rupert Neudeck argued that the production of such a series by public service television was a positive sign for the future competition with the private broadcasters: 'Daß der WDR und der SFB diese gemeinsame Kraftanstrengung in diesen lauisigen und dürftigen Programmzeiten zustandegebracht haben, dementiert alle Miesmacher innerhalb des Kartells (rundy-Krokodil-Will Tremper usw.) wie auch außerhalb desselben . . . Eine solche Serie kommt mit Bertelsmann oder Havas, mit Hachette oder Burda nicht zustande !' (50). One of the 'Miesmacher' referred to by Neudeck, Reginald Rudolf of *rundy*, remained true to form when he reviewed *Heimat*, describing it as 'dieser kinematographisch bewegte Lindwurm, der sich wochenlang durchs Programm fraß, ohne daß sich ein Jung-Siegfried der Zuschauer erbarmt und dem vor Schläfrigkeit schnaubenden Drachen das Schwert in die Blutpumpe gestoßen hätte' (51).

The success of *Heimat* in autumn 1984 has also been recognised in the form of a number of awards and commendations. The series was named 'Film des Monats' for November 1984 by the Jury der Evangelischen Filmarbeit, thus reinforcing the confusion about whether *Heimat* is a feature film or a television series; and was awarded the 'Goldener Gong' by *Gong* and the 'Goldene Kamera' by *Hör zu* magazines. At the annual awards

ceremony by the Adolf Grimme Institute in Marl, the ninth episode - 'Hermännchen' - was presented with the Gold Award in recognition of the fact that, in the jury's opinion, Reitz had succeeded 'ein stimmiges Bild einer bundesdeutschen Landschaft zu zeichnen, das von den in ihr lebenden Menschen angenommen wird' (52). Furthermore, the actress Marita Breuer, who played the central figure of Maria throughout the series, was presented on 30 June 1985 with the 'Deutscher Darstellerpreis' by the Bundesverband der Film- und Fernsehregisseure.

#### **Theatrical release of *Heimat* outside West Germany**

As with *Das Boot*, *Heimat* has been particularly successful outside of West Germany, both as a special cinema event and as a television series. By the end of 1986 sales contracts for *Heimat* had been concluded with more than 25 broadcasting corporations throughout Europe, the USA and the Far East. The BBC was one of the first foreign buyers, pre-empting Channel 4 by offering a reported £250 000 for the whole series during the Venice Film Festival in August/September 1984 (53). The corporation was planning to show a subtitled version on its second channel during autumn 1985, but, in light of the success of the limited theatrical runs of *Heimat* around Britain, put the

scheduled transmission dates back to April 1986.

Special theatrical screenings of *Heimat* in France were shown at the working base of actor and theatre director Patrice Chéreau (he appeared with Gérard Depardieu in Andrzej Wajda's *Danton*), the Théâtre des Amandiers in Nanterre (Paris), over four weekends from 24 November to 16 December 1984 (54). Meanwhile, at the London Film Festival in November, the tickets for the British premiere of Reitz's film sold out so quickly that festival director Derek Malcolm wished that he had been able to programme another screening. Consequently, given the great interest in the film, the British Film Institute collaborated with 'art house' distributors Artificial Eye on the staging of an 'exclusive presentation' of 'an extraordinary film event' at the distributor's own Lumiere cinema near Covent Garden from 16 February to 12 March 1985: the film was shown in two parts on the weekends, following the Munich Film Festival model, with four-hour segments being shown in rotation during the week (55). Plans for *Heimat* to tour the BFI's regional film theatres had to be abandoned because of the prohibitive cost of the film hire and the complex screening arrangements. Nevertheless, screenings have been staged at the Aldeburgh Cinema in Suffolk, at the Stirling Film Theatre, where a 'Heimat Residential Weekend' was organised for 5-7 July 1985, and at the Roxie

Cinema in Wardour Street, London, between 16 February and 13 March 1986.

#### **American response to *Heimat***

A more critical stance towards Reitz's work than the one adopted in West Germany, Great Britain, and France, was taken by American film scholars Michael E. Geisler and Eric Rentschler writing in a special edition of *New German Critique* devoted to *Heimat* in autumn 1985 who argued that the series was a serious trivialisation of twentieth century German history. Geisler, in an article entitled '“Heimat” and the German Left. The Anamnesis of a Trauma', claims that the medium of distribution for Reitz's film - divided into eleven episodes and transmitted on television - affected its reception and impact significantly (56). He cites the media theoreticians John Fiske and John Hartley's concept of 'clawing back', a process whereby peripheral or deviant issues are stripped of their 'disintegrative potential', to describe the impression made by *Heimat* on its appearance on television (57). Geisler maintains that the playing down of the film's (expected) serious content was aided by the choice of *Heimat* as title and by what he regards as Reitz's apparent readiness to make political compromises to secure a 'prime time' slot in the schedules for his work. With this latter

assertion, though, Geisler, along with many other commentators, neglects the fact that Reitz was aware from the very beginning of his work on *Heimat* that an enterprise on such a scale could only be made with television, and with all the particular constrictions that might entail. Without the finance and patient editorial advice from the 'Fernsehspiel' departments of WDR and SFB over five years from 1979-1984, *Heimat* would never have been realised.

Eric Rentschler's criticism of *Heimat* in the same issue of *New German Critique* is more oblique: he suggests that the film is indicative of the political atmosphere existing under the Kohl administration since spring 1983, the so-called 'Wende', which has left its mark on the development of socially critical themes in German feature films and television programming - mainly because Reitz is selective in his treatment of the German past. *Heimat* can be sanctioned by the broadcasting authorities and become mass appeal entertainment, he argues, yet no filmmaker was moved to give President Reagan's visit to the Bitburg cemetery in 1985 the same politically incisive treatment given to other events in recent German history by *Deutschland im Herbst*, *Der Kandidat*, or *Krieg und Frieden*. Rentschler continues: 'even if someone had, they would not have found increasingly conservative film subsidy committees and anxious TV-editors ready

to support their undertakings, much less commercial producers' (58). However, it is a matter of debate whether *Heimat* is a product of the 'Wende', given that work on its production began in 1979. Moreover, as Rentschler has to admit in a footnote to his article, there is still room within the television companies for alternative histories or viewpoints as shown by Eberhard Fechner's *Der Prozeß*, broadcast in autumn 1984, which was funded by NDR. A further striking example of television's support of (uncommercial) socio-critical productions is RB's involvement in Günter Wallraff's controversial *Ganz unten*, broadcast by its Third channel on 1 May 1986, despite the refusal of the rest of the ARD network to carry the programme (59).

**British television transmission of *Heimat* -  
April 1986**

Transmitted between 19 and 29 April 1986 by BBC 2, the eleven episodes of *Heimat* were billed in the *Radio Times* by the *Times* critic David Robinson as 'the film event of the 1980s' (60). As preparation for the prospect of eleven consecutive nights of the series, viewers were given a short introductory programme on 17 April, entitled *Edgar Reitz's "Heimat"*, which featured Russell Davies of BBC 2's *Saturday Review* talking with Reitz about the making of the series,

its subject matter and reception in Germany and abroad. Despite the fact the series was concentrated into little more than one-and-a-half weeks - as the *London Standard's* television critic remarked: 'You couldn't have a social life AND watch Heimat' - the audience ratings of 2.5 million viewers were far above the normal expected figures of 500 000 for a foreign-language series (61). Letters to the *Radio Times* were, as with *Das Boot*, full of praise for the BBC's decision to purchase the series, but there was frustration voiced by some at its appearance on consecutive evenings. In a reply, Graeme McDonald, controller of BBC 2, admitted that the scheduling may have seemed 'at worse perverse and at best too much of a good thing', but he was adamant that 'much of the sweep and vision' would have been diluted had the episodes been screened at weekly intervals (62).

The response of the television critics to the series, formulated in many cases from the theatrical run of *Heimat* in February and March 1985, was largely positive, and generous amounts of space in the newspapers were given over to background reports and views on the series as a piece of television, e.g. Steve Absalom's two-page article, 'Germans conquer Britain at last' in the *Daily Mail* on 3 May 1986 and Herbert Kretzmer's charting in his television review column of



the same paper of his reactions to the successive episodes and of viewers' comments sent to him (63). No superlative was spared in the plaudits of Reitz's work: the *Financial Times* critic Christopher Dunkley spoke of 'a true television masterpiece' which 'appeals universally across national boundaries' (64); Julian Barnes in the *Daily Telegraph* declared it 'the most intense and satisfying television series (it was made for cinema, but still) since "The Jewel in the Crown"' (65), whilst Herbert Kretzmer suggested in the *Daily Mail* that 'the old, unquestioned boast about British television being the 'best in the world' may well need revision after this' (66). Sean Day-Lewis was similarly impressed by Reitz's achievement, claiming that "'Heimat" can take its place on the still-uncrowded archive shelf marked "Television Masterpieces"' (67).

However, some dissenting voices were in evidence, though they expended more effort in reworking long-held prejudices against the German people than in giving a straightforward opinion of the series. Stafford Hildred, in a cliché-ridden article for *The Star*, entitled 'Ve haf vays of making you bored', claimed that the inclusion of a manure heap in the '16-hour saga about life in a village full of barmy Germans' was because 'the whole show is a pile of . . .'. Along with quips about the 'depressing' black-and-white 'gloom' of the photography and the subtitles, Hildred

concluded that, despite the popularity of *Heimat* in Germany, 'there must have been some sour Krauts about after sitting through this marathon mess !' (68). A similarly crass note was struck by David Taylor in his *Today* review, entitled 'Marathon of misery'. Although not disputing that there was 'the whiff of genius in the craft of *Heimat*', Taylor's overall impression was that 'll successive nights of Teutonic *Sturm und Drang*' was 'gruelling' and 'knackering': 'I doubt if I've the grit to persevere until Tuesday, when for Maria, as for the rest of us, *genug is genug*' (69).

**The importance of *Heimat* for public broadcasting in West Germany and for the development of relations between the film industry and television**

The success of *Heimat* at home and abroad has demanded that detractors of television alter their preconceptions of what is being produced (and likely to be produced) by the public broadcasters in Germany. According to Norbert Schneider, SFB's *Programmdirektor*, *Heimat* 'beteiligt sich an der Zerstörung jener Legende, nach der Fernsehen sehr wohl breit, grob und oberflächlich sein könne, aber nicht tief und differenziert - es sei mit dem Ziel, am Zuschauer vorbei zu senden' (70).

*Heimat* was, in the words of Hans Bachmüller, television critic of *epd/Kirche und Rundfunk*, 'was Fernsehen sein kann, wenn es sich traut' (71). Moreover, the ratings for the transmission in Germany in autumn 1984 were

ample proof that quality programming could have mass-audience appeal. Schneider declared in a press release issued after the sixth episode, broadcast on 6 October 1984: 'Es ist in jeder Hinsicht ermutigend, daß sich *Heimat* nun auch beim großen Publikum durchgesetzt hat' (72). Reitz was likewise pleased that the series had been accepted and enjoyed by the general television viewing public. In conversation during a 'phone-in for Munich's *Abend-Zeitung*, he revealed: 'was mich am allermeisten freut: Die Leute bringen in ihren Fragen und Reaktionen ihr eigenes Leben ein. Daß durch eine TV-Serie Lebensgeschichten in Wallung kommen, daß Glaubwürdigkeit, Echtheit der Szenen erkannt werden ist doch der schönste Lohn für viel Mühe und Arbeit' (73). The significance of the series was further reflected by the findings of a survey of 2 000 people carried out by *Bunte* magazine, which showed that 33 % of those questioned considered *Heimat* to be the most significant event of 1984.

The success of *Heimat*, an ambitious production made entirely in Germany with German money, spurred the public broadcasters on in their strategy for future investment and scheduling to concentrate on and 'show-case' the 'Eigenleistung' as opposed to cheap 'bought in' imported television series and plays, which would be the staple diet of the private operators of cable

and satellite television services. The future programming policy for ZDF, set out by *Intendant* Stolte at the 1984 Mainzer Tage der Fernsehkritik, clearly aimed to follow the lead of *Heimat*. Stolte declared: 'wir werden Unterhaltungsprogramme, Spielserien, Fernsehspiele . . . ausstrahlen, die in unserem Land entstanden sind, die unserer Kultur entsprungen und die von daher einen Kontrast gegenüber dem darstellen, was private Veranstalter . . . zumindest in den Anfangsjahren wegen der ausbleibenden finanziellen Grundlagen anbieten: nämlich fast die Kaufware' (74).

*Heimat* served as a model for the future development and, more importantly, existence of the 'Fernsehspiel' departments, since the pressures of ratings and production costs were beginning to be felt in this particularly expensive area of television programme production. In a speech before an international audience at London's National Film Theatre on 1 October 1986, Gunther Witte suggested the adoption by public service television of the motto 'größtmögliche Akzeptanz bei Erhalt des künstlerischen Anspruchs' as the necessary response to competition from the private television operators. He added: 'Das heißt aber auch, sich nicht in zahllosen, oft wegen rasanter Konkurrenzprogramme oder anderer Zufälligkeiten wirkungsschwachen Einzel-  
filmen zu verzetteln, sondern mit großflächigen Programmen (such as *Das Boot* or *Heimat*) Aufmerksamkeit zu

erregen' (75).

The harmonious working partnership of Reitz, WDR and SFB over the five years of production on *Heimat* has once again thrown the spotlight on to the debt German filmmakers have owed (and continue to owe) to television and the commissioning editors in the 'Fernsehspiel' departments for dramaturgical advice and for the financing of their projects. Reitz acknowledged his indebtedness with 'Ein Dank an das Fernsehen' in the press book to *Heimat* in summer 1984, declaring: 'Ich finde es an der Zeit, die Verdienste einiger Fernsehanstalten und insbesondere einiger Redakteure um den Neuen Deutschen Film zu würdigen. Seit Mitte der 60er Jahre gibt es kaum einen nennenswerten bundesdeutschen Kinofilm, der nicht dadurch zustande gekommen wäre, daß sich ähnliche ideelle und finanzielle Partnerschaften zwischen Filmemachern und Fernsehleuten gebildet hätten, wie ich sie hier erlebt habe' (76). The funding by television of such an ambitious project as *Heimat* has, as with Fassbinder's *Berlin Alexanderplatz*, opened up a new dimension for the theatrical screening. As Reitz observed in an interview with Gideon Bachmann: 'I feel that nobody can get to know what a film is or can be. The standard feature film, 90 or 100 minutes long, has developed under the influence of theater, and of a special kind of literat-

ure. Now it's losing its character of being an "event" under the impact of the new media . . . I think cinema now needs new forms of "events"' (77). Vincent Canby, in a lengthy essay on *Heimat* for the *New York Times*, claimed that Reitz's film was 'more evidence of revolution in narrative cinema', signifying the arrival of 'a new kind of film - the maxi-movie - one that, for both better and worse, is bound to effect changes both in cinema esthetics and in our expectation of movies' (78).

#### Chapter Eight: Conclusion

The scale and significance of the working relations between the film and television industries can be appreciated from the production and reception histories of *Berlin Alexanderplatz*, *Das Boot*, *Der Zauberberg*, and *Heimat*. These four productions would not, arguably, have been made in the same way, or, perhaps, even been contemplated in the first place, without the preceding history of an ever closer collaboration between the two media (as charted in Chapters One to Seven) and the 'accumulation' of good-will and mutual respect between the broadcasters and (feature) filmmakers since the late 1960s.

On a European/international level, the success or failure of these four productions offers useful practical lessons for future large-scale television

programme production. The inherent dangers of what Channel Four chief executive Jeremy Isaacs called the 'Europudding' at a European Commission/British Film Institute-sponsored conference, 'Film and Television: A European Partnership', in October 1986, are highlighted in Geissendörfer's *Der Zauberberg*, which was made with German and Italian money and was evidently angling for the North American market with its hiring of Rod Steiger and Charles Aznavour for major roles: by relying on sumptuous visuals and a multi-lingual star cast, the producers invariably end up with a 'hotch-potch' occupying a nebulous 'middle ground' between the USA and Europe. Isaacs believed, on the other hand, 'that the best work from Europe is that which aspires to be true to itself, not a pale imitation of the American market', and he cited *Das Boot* and *Heimat* as prime examples of such a production strategy. Despite a largely unknown cast (outside and, in many cases, within Germany) and a narrative rooted within a specific time in recent German history and geographical location, both series had been resounding critical and popular successes in Britain, France, and elsewhere.

### Notes: Heimat

- (1) *Heimat. Ein Film in zwei Teilen*, edited by Max Färberböck and Alf Mayer, Neue Constantin Film, 1984. Unpaginated.
- (2) Barbara Bronnen and Corinna Brocher, *Die Filmemacher. Der neue deutsche Film nach Oberhausen* (Munich, 1973), p. 108.
- (3) Wolfgang Limmer, 'Sturzflug', *Der Spiegel*, 18 December 1978, p. 177.
- (4) Jürgen M. Thie, 'Abschied vom 20. Jahrhundert', *Dürener Nachrichten*, 29 September 1984.
- (5) Gideon Bachmann, 'The Reitz Stuff', *Film Comment*, 4 (1985), pp. 16-19 (17).
- (6) Färberböck and Mayer, 1984.
- (7) Anon, 'Edgar Reitz. The two-day moviemán', *The Economist*, 9 February 1985, p. 81.
- (8) Thie, 29 September 1984.
- (9) Färberböck and Mayer, 1984.
- (10) Paul Pawlikowski, 'Home Movie', *Stills*, November 1984, p. vii.
- (11) *Stunde Null*, broadcast by WDR on 8 March 1977 and released in the cinemas by Prokino on 13 May 1977, brought the *Heimat* team together for the first time: director Reitz, cameraman Gernot Roll, scriptwriter Peter Steinbach, and score composer Nicos Mamangakis.
- (12) Thie, 29 September 1984.
- (13) Ronald Holloway, 'Gunther Witte/Martin Wiebel Interview', *Kino German Film*, 22 (Spring 1986), pp. 5-30 (28).
- (14) Frank Arnold, 'Übersicht: Bundesdeutsche Filme 81/82' in: *Jahrbuch Film 82/83*, edited by Hans Günther Pflaum (Munich, 1982), pp. 233-267 (243).
- (15) Frauke Liesenborghs, '. . . die Nähe zu den Menschen nicht einzubüßen', *Medium*, 2/3 (1983), p. 59.
- (16) Färberböck and Mayer, 1984.



- (17) Edgar Reitz, 'Die Kamera ist keine Uhr', *Medium*, 12 (1979), pp. 30-31.
- (18) Waldemar Schmid, 'Poetischer Realismus mit heimatmusealen Funktionen: "Made in Germany"', *FUNK-Korrespondenz*, 1, 6 January 1982, pp. 10-11 (10).
- (19) Gideon Bachmann, p. 17.
- (20) Armin Weyand, 'Heimat: eine Entfernung', *Frankfurter Rundschau*, 20 October 1984, p. ZB 3.
- (21) *Kino German Film*, 22 (Spring 1986), p. 28.
- (22) Färberböck and Mayer, 1984. Eichinger appeared in episode 10 - 'Die stolzen Jahre' - as one of the Belgian businessmen arriving in Schabbach to buy out Anton Simon's company.
- (23) *Kino German Film*, 22 (Spring 1986), pp. 28-29.
- (24) Gunther Witte, 'Über den Ernst der Lage', *ARD Fernsehspiel*, Jan-Mar 1985, pp. 10-13 (12).
- (25) Wolfgang Roth, 'Ein amphibisches Ereignis', *epd/Kirche und Rundfunk*, 53, 7 July 1984, p. 4.
- (26) Karsten Witte, 'Von der Größe der kleinen Leute', *Die Zeit*, 14 September 1984, p. 49.
- (27) Anon, 'Once upon a time on the lido', *The Economist*, 15 September 1984, p. 106.
- (28) Holl, 'Heimat', *Variety*, 12 September 1984, p. 15.
- (29) Gideon Bachmann, p. 16.
- (30) Wolfram Schütte, 'Immer wieder: Es war einmal . . . oder: Kino-Epik (meist auf TV-Pump)', *Frankfurter Rundschau*, 15 September 1984, p. ZB 3. See also: Louis Marcorelles, 'Avec Heimat, Edgar Reitz confirme l'avènement du téléfilm', *Le Monde*, 8 September 1984, p. 15. Venice was becoming a popular venue for the international presentation of prestigious television series: Fassbinder's *Berlin Alexanderplatz* had been screened here in 1980, Ingmar Bergman's *Fanny och Alexander* in 1983.
- (31) The original scheduled dates were: 16 September (Sun), 19 September (Wed), 24 September (Mon), 1

October (Mon), 8 October (Mon), 15 October (Mon), 22 October (Mon), 31 October (Wed), 4 November (Sun), 7 November (Wed), and 14 November (Wed). Previous series on Monday nights during 1984 included: BBC 2's six-part John Le Carré's *Smiley's People* from 16 January 1984, and Franz Peter Wirth's six-part *Vor dem Sturm* from 2 May.

- (32) Wilhelm Roth, 'Heimat', *epd Film*, 9 (1984), pp. 36-37 (36).
- (33) Marianne Engels-Weber, 'Identitätsverlust droht', *FUNK-Korrespondenz*, 9, 1 March 1985, pp. 1-3 (2).
- (34) BBC 2 went further, on the UK television transmission of *Heimat*, by screening an episode every night for 11 days.
- (35) Gunther Witte, 'Über den Ernst der Lage', *ARD Fernsehspiel*, Jan-Mar 1985, pp. 10-13 (12).
- (36) Anon, 'Heimat für alle', *Frankfurter Allgemeine Zeitung*, 15 September 1984, p. 25, and, K.W., 'Familiensaga', *Frankfurter Rundschau*, 15 September 1984.
- (37) Norbert Schneider, 'Einem Fernsehereignis seinen Rang lassen . . .', *Deutsches Fernsehen*, 38 (1984), pp. II,1 - II,2.
- (38) Leserbrief: 'Natürlich nicht', *Tip*, 10-23 August 1984 p. 7.
- (39) Gideon Bachmann, p. 16.
- (40) Thomas Thieringer, 'In eine Welt gelangen, in der es Lebensglück gibt', *Süddeutsche Zeitung*, 17 October 1984, p. 22.
- (41) SZ, 'Nicht nur für Kritiker und Feinschmecker', *Süddeutsche Zeitung*, 5 October 1984.
- (42) Anon, '"Geh über die Dörfer !"', *Der Spiegel*, 1 October, pp. 252-261 (252). A short introductory documentary had been made by Reitz to explain the transitions to colour in the film. It was transmitted on 15 September, a day before the first episode.
- (43) Leserbrief: 'Nochmal: Heimat', *Gong*, 26 October 1984.
- (44) Leserbrief: 'Kunstfehler', *Gong*, 5 October 1984.

Kirchberg teacher Elfriede Wagner was astonished at the prudishness of her fellow inhabitants: 'Beim zweiten Teil mußten gleich die Kinder ins Bett' (*Der Spiegel*, 1 October 1984, p. 262).

- (45) Ute Casper, 'Pfui. pfui - nochmals pfui', *Rhein-Zeitung*, 24 October 1984, p. 12.
- (46) *Gong*, 26 October 1984.
- (47) *Gong*, 5 October 1984.
- (48) T.T., 'Meisterwerk', *Süddeutsche Zeitung*, 1 October 1984.
- (49) Ingrid Uebe, 'Die "Heimat" läuft auch in England' *Neue Rhein Zeitung*, 26 October 1984.
- (50) Rupert Neudeck, 'Heimat', *Funkreport*, 26 September 1984, pp. 7-8 (7).
- (51) rr, 'Ein Fressen für die Lücken-Büsser', *rundy*, 31 October 1984.
- (52) J.M., 'Für Hermännchen Gold aus Marl', *WDR Print*, April 1985, p. 4.
- (53) Sean Day-Lewis, 'Following the fortunes of "Heimat"', *Daily Telegraph*, 21 April 1986, p. 13.
- (54) Marie-Noelle Tranchant, 'Un week-end de 63 années', *Le Figaro*, 23 November 1984, p. 29.
- (55) Derek Malcolm, 'A small town in Germany', *The Guardian*, 14 February 1985, p. 11, and, David Robinson, 'History in the palm of your hand', *The Times*, 15 February 1985, p. 11.
- (56) Michael E. Geisler, '"Heimat" and the German Left. The Anamnesis of a Trauma', *New German Critique*, 36 (Fall 1985), pp. 25-66.
- (57) John Fiske and John Hartley, *Reading Television* (London, 1978).
- (58) Eric Rentschler, 'The Use and Abuse of Memory: New German Film and the Discourse of Bitburg', *New German Critique*, 36 (Fall 1985), pp. 67-90 (89).
- (59) For details of the controversy surrounding *Ganz unten*, see: epd, 'Radio Bremen will Wallraff-Film den Dritten Programme anbieten', *epd/Kirche und*

*Rundfunk*, 22, 22 March 1986, and Jacob Sonnenschein, 'Die Anti-Wallraff-Kampagne zeigt Wirkung', *faz*, 21 March 1986. This and other documentation was kindly provided by Frau Mechthild Brimmer of Radio Bremen's 'Kultur und Gesellschaft' department in June 1986.

- (60) David Robinson, 'A place in Germany's heart', *Radio Times*, 19-25 April 1986, pp. 106-107, 109.
- (61) Anon, 'Heimat revisited?', *London Standard*, 2 May 1986, p. 31.
- (62) Letters Page, 'How could we keep up with Heimat?', *Radio Times*, 17-23 May 1986, p. 97.
- (63) Steve Absalom, 'Germans conquer Britain at last', *Daily Mail*, 3 May 1986, pp. 22-23; and, Herbert Kretzmer, 'Stunning, this saga that changes our hearts and minds', *Daily Mail*, 25 April 1986, p. 29.
- (64) Christopher Dunkley, 'Switch on to a universal masterpiece', *Financial Times*, 23 April 1986, p. 19.
- (65) Julian Barnes, *Daily Telegraph*, 4 May 1986.
- (66) Herbert Kretzmer, *Daily Mail*, 30 April 1986, p. 27.
- (67) Sean Day-Lewis, 'Viceregal reserve', *Daily Telegraph*, 30 April 1986, p. 14.
- (68) Stafford Hildred, 'Ve haf vays of making you bored', *The Star*, 22 April 1986, p. 17.
- (69) David Taylor, 'Marathon of misery', *Today*, 27 April 1986, p. 26.
- (70) Norbert Schneider, 'Einem Fernsehereignis seinen Rang lassen . . .', *Deutsches Fernsehen*, 38 (1984), pp. II,1 - II,2 (II,1).
- (71) Hans Bachmüller, 'Was Fernsehen sein kann, wenn es sich traut', *epd/Kirche und Rundfunk*, 86, 31 October 1984, pp. 13-16 (13).
- (72) Anon, 'Nicht nur für Kritiker und Feinschmecker', *Süddeutsche Zeitung*, 5 October 1984.
- (73) Anon, 'Warum ist Ihre "Heimat" so grausam, Herr Reitz?', *AZ*, 9 October 1984, p. 11.

- (74) *Fernseh-Kritik - Die entfernte Wirklichkeit*, edited by Hans Helmut Hillrichs and Hans Janke (Mainz, 1985), p. 207.
- (75) Text of the speech, dated 2 September 1986, 13 pp. (7)
- (76) *Heimat. Ein Film in zwei Teilen*, edited by Max Färberböck and Alf Mayer, Neue Constantin, 1984. Unpaginated.
- (77) Gideon Bachmann, 'The Reitz Stuff', *Film Comment*, 4 (1985), pp. 16-19 (16-17).
- (78) Vincent Canby, '"Heimat": Another Example Of a Revolution in Cinema', *New York Times*, 14 April 1985, pp. 1, 17 (1).

## CONCLUSION

### Summary

The preceding pages have shown that the working relationship between film and television in the Federal Republic of West Germany over the past three decades has been shaped and directed by a number of disparate trends and events which can only be appreciated by the double perspective of West German broadcasting and film history, as adopted for this research. It is left to this concluding section to bring together some general observations about the film/television relationship and to hint at its future prospects.

A striking element in the history of this relationship is the fact that the standpoint taken by the West German film exhibitors toward television has changed little since their initial hostile reactions immediately before and after the launch of the television service in the Federal Republic in 1952. Moreover, they have remained antagonistic even though their film industry colleagues in the production, distribution, and technical service branches have come to acknowledge the inevitability of collaboration in some form or other with the broadcasters. As Chapter One indicated, the exhibitors' initial animosity towards the new medium was clearly expressed in the outbursts at the SPIO members' meeting of 21 October 1955, when slogans such

as 'Fernsehen ist kein Fortschritt, sondern eine Belästigung' and 'Keinen Meter Film für das Fernsehen' were to be heard. Such sentiments have coloured the attitude of exhibitors ever since. Their claims to an inalienable right to the exclusive use of feature films ('Kino-filme') became a regular feature of any debate of film and television relations from this time onward, especially once the broadcasters had decided that films could be a legitimate ingredient of the television schedules and began to use them in ever increasing numbers.

It is also apparent from my investigation that West German exhibitors have been surprisingly adept over the years in attracting support for their views and demands from the print media and *Bundestag* politicians: Axel Springer lent his weight, in the early 1960s to the charge that television provided unfair competition; and CDU/CSU *Bundestag* deputies were particularly vocal during the parliamentary debate of the second FFG revision in autumn 1973 both in their support for the introduction of a levy on the television screening of feature films and in their opposition to the proposal of a film/television agreement. These two parties continue to make the exhibitors' demands their own, yet it is debatable whether this is in the interest of the film industry as a whole. The exhibitors' ability to win over their film industry colleagues in the formul-

ation of 'all-industry' responses to the broadcasters' programming and production policies have, on the other hand, had varying success, often being dependent on the HDF occupying key positions in the executive of the industry's 'umbrella' organisation, SPIO.

For the production, distribution, and technical service branches of the West German film industry, though, television was to be a valuable and exploitable alternative market which helped to offset the industry's problems. Soon after the launch of the television service in 1952, film producers were approaching the broadcasters with offers of co-operation on programme production, and these initiatives became even more frequent once the crisis in native production began to set in in the late 1950s. In the following years the producers welcomed every available new opportunity for collaboration with television, such as ZDF's decision to commission programmes from independent producers and the broadcasters' offer of a production fund, the 'Aktion-100-Filme', as an alternative to the introduction of a television levy into proposed film promotion legislation. By 1984 the value of programme production commissions by ARD and ZDF since 1960 was nearing the DM 6 000 million mark.

The distributors were similarly keen on harmonious relations with television since the channels' extens-



ive appetite for the feature films meant that they would be assured extra income once the films had completed their theatrical releases. The importance of television to the distributors is perfectly illustrated by the example of Leo Kirch, who has built up a multi-media empire through his astute prediction in the late 1950s of the role feature films would play in the television schedules; and by the fact that between 1960 and 1984 DM 2 300 million was expended on broadcast rights.

With the decline in native film production from the 'boom' years of the 1950s the technical services branch of the industry - studios, film processing and dubbing labs, etc. - was increasingly faced with the alternative of forging partnerships with television or ceasing operations. Former centres of feature film production such as Bavaria Filmkunst in Munich and Real-Film in Hamburg concluded deals which gave the broadcasters total or part ownership and the studios guaranteed livelihoods for the future. The broadcasters' subsequent financial commitment to the development and modernisation of these production facilities has since resulted in Bavaria Atelier being regarded as one of Europe's premier studios capable of handling major international feature films as well as large-scale television series.

The broadcasters' response to the film industry's

recriminations has largely been one of pragmatism. Whereas some sections of the West German film industry have remained firmly entrenched in long-outmoded attitudes towards the challenges posed by the arrival of television, the Federal Republic's broadcasters have always been prepared to be open to suggestions of how relations between the two media could be improved - as long as the debate was undertaken in a reasoned and objective manner and provided that they were not being required to forgo their scheduling and financial sovereignty, which had been a distinct possibility with the proposal of a television levy in 1964 and 1973.

The broadcasters recognised, though, that their constant need for programme material and the filmmakers' corresponding need for project finance added up to a most persuasive argument for greater collaboration between film and television, be it in the form of commissions or co-productions. Whilst the 'Fernsehspiel' departments did not have sufficient technical and creative manpower to produce all their programme needs 'in-house' - indeed, ZDF was launched in 1963 on the understanding that the channel would not attempt to build its own production facilities but commission up to 50 % of its programming from outside producers -, the directors working at the upper end of the film market, the 'Jungfilmer', were restricted in the late

1960s to competing for the funds made available by the Kuratorium Junger Deutscher Film and by a handful of sympathetic producers such as Heinz Angermeyer and Franz Seitz, since the majority of the distributors and producers were directing their monies and energies to making films which would qualify for the FFG's 'Referenzfilm' payments.

This state of affairs and the broadcasters' awareness of the need to adhere to the spirit of their broadcasting charter of 'Information, Bildung, Unterhaltung' thus led to the development of a wide-ranging 'informal' patronage by the 'Fernsehspiel' departments of the young generation of filmmakers, which launched the careers of such filmmakers as Wim Wenders and Wolfgang Petersen. The subsequent conclusion of a formalised co-production agreement, the 'Film/Fernseh-Abkommen', was as much in recognition of television's recent contribution to the restoration of the German cinema's international reputation through its backing of filmmakers, as it was the culmination of previous co-operation initiatives from the 1960s and the result of the impetus of lobbying from the 'Jungfilmer', the broadcasters, and sympathetic SPD and FDP politicians between 1973 and 1974.

### **Future prospects for film/television relations**

Despite the many and unforeseeable changes which are likely to shape the West German media scene in the future, the broadcasters of ARD and ZDF, the officials of the 'Filmförderungsanstalt', and the functionaries of the film industry trade associations (e.g., HDF, Verband der Filmverleiher e.V., and the Verband deutscher Spielfilmproduzenten) have had sufficient faith in the advantages of an arrangement like the 'Film/Fernseh-Abkommen' to agree, in March 1986, to a fourth extension of the financial co-operation worth DM 42 million in co-production finance, including support for low-budget filmmakers and screenplay authors, albeit for the shortened term of two years (1987 and 1988).

Whilst the broadcasters' financial commitment to the working partnership with the film industry has not, as yet, lessened, other developments since the mid-1980s in the organisation of state film funding and in the public broadcasters' television schedules could have 'knock-on' effects for the continued progress of film/television relations, putting a greater strain on the competition for the available funds. Federal Interior Minister Friedrich Zimmermann's revised guidelines for his ministry's film promotion fund, passed in March 1984, were opposed during autumn and winter 1983 by the SPD, FDP, and Green parliamentary political parties in

the *Bundestag*, and by filmmakers and film journalists in countless demonstrations, petitions, and open letters, primarily because of Zimmermann's decision to allocate the promotion funds according to economic criteria, but also because of his plan to have greater personal control over the funding allocations. Those filmmakers who had always relied on the source of funds provided by this ministry because they did not make mass-appeal commercial films were thus faced with the prospect of having only television and the (limited) possibilities of the *Land* funding schemes as backers.

In addition, the revision of the 'Filmförderungsgesetz' in November 1986 marked another retrograde step for the promotion of the 'art film' and film culture in West Germany, and is likely to increase pressure on the funds provided by the television stations within and outside the 'Film/Fernseh-Abkommen'. In a redistribution of the FFA's funds, the percentage share reserved for the 'Projektförderung' was reduced from 20 % to 16 %, that for the 'Kurzfilmförderung' from 5 % to 4 %, and that for the 'Zusatzbetrag' from 10 % to 8 %. A minimum threshold of 20 000 admissions was introduced as a qualification for receipt of the 'erleichterte Referenzfilmförderung' (§ 23), whereas previously any film having less than 250 000 admissions,

but in possession of a 'Prädikat' from the FBW or a festival prize, had been granted promotion support. The apparently universal emphasis in the state-controlled film promotion bodies on the prerequisite of economic viability ('Wirtschaftlichkeit') of a film project could conceivably lead to a second period of filmmakers taking refuge in the television stations akin to the situation which existed in the early 1970s (Other sources of finance for television co-productions which are likely to be developed in the future include the European Production Fund, supported by Channel Four, ZDF, Antenne 2, and RAI, and American television companies such as CBS, which hired Volker Schlöndorff for *Death of a Salesman* in 1985 and *A Gathering Of Old Men* in 1986).

However, the more commercially minded approach and cost-conscious atmosphere now reigning in the West German television stations puts another obstacle in the way of the filmmaker or producer in search of funds for a project with artistic if not commercial promise. The stress now, as evident from the schedules of the last two years, is on the popular, easily consumable fictional programming, e.g. *Schwarzwaldklinik* or *Väter und Söhne*, with high production values (e.g. sumptuous sets and an international cast) and the promise of export sales. In addition to this transition in the broadcasters' 'Fernsehspiel' production policies,

changes to the scheduling of television drama since 1985 have tended to give the 'prime-time' slots to the home-produced or 'bought-in' mini-series and to push the single 'Fernsehspiele' (including the co-productions made within the 'Film/Fernseh-Abkommen') to late-night slots, so minimising their audiences and their impact. If developments elsewhere in West German broadcasting are anything to go on, there is also the possibility that the stations' programme production decisions could come under increasing political pressure, which would put into question any commitment to the freedom of the artist as guaranteed in Article 5 of the *Grundgesetz*.

#### **Research findings**

This research has shown that in a great many cases both the negative and the positive pronouncements on, and descriptions of, the relationship between the film industry and television in West Germany are oversimplified and misleading. It is clearly time to dispense with the negative image of two warring factions or quarrelling siblings, which has been perpetuated since the 1950s by the film industry trade press and by media journalists disparaging of television's output and its influence on society, and to aim for a greater appreciation of the nuances and manifold strands running through this relationship. It is only

through an awareness of the complexity (in the positive sense) of the collaboration between the two industries that one can begin to understand how the many co-operative ventures have, among other things, been indispensable for the development of a major film and television production centre at Bavaria Atelier (Bavaria Film since August 1987) near Munich; for the success of the second television channel ZDF on its launch in 1963; for the establishment of a film promotion infrastructure (the 'Filmförderungsgesetz' and the 'Film/Fernseh-Abkommen'); and for the phenomenon of the New German Cinema in the 1970s and 1980s. My account of the development of the film/television relationship in West Germany has revealed that it is not enough for those concerned with obtaining a comprehensive understanding of the co-operation between the two media to rely solely on the opinions and arguments of one of the partners. Much of the debate in the past, by such commentators as Hans C. Blumenberg, Andreas Meyer, and Hans-Joachim Neumann, has been influenced by editorials and features in highly partisan film trade organs such as Horst Axtmann's *Film-echo/Filmwoche*, which has consistently backed the exhibitors' cause by its opposition to television's use of feature films in the schedules and by seeking to underplay the broadcasters' role in film production in West Germany. Similarly,



caution is also necessary when using the broadcasters' own statements on relations with the film industry, as published in their 'Jahrbücher' and in specialist media journals, since they often give the misleading impression that television has consistently been the innocent party in the war of words between the two industries.

Seen as a whole, the history of the relationship between the film industry and television in West Germany is clearly not one that has developed organically. It is characterised, rather, by a series of sporadic, individual initiatives originating both from within the film industry and from within television, some anticipating or facilitating subsequent ones, others ending in stalemate because of disinterest or hostility from one of the camps. As the chapters charting the developments of the 1960s and 1970s revealed, when these instances of co-operation between the two industries were successful, this was largely as a result of the broadcasters' flexible and pragmatic approach to their relations with the film industry and to the benefits a more regulated co-existence were likely to bring them and the film industry, in particular those artistically ambitious filmmakers who later made up the New German Cinema. Furthermore, despite fervent lobbying from the exhibitors, there was a general failure by the West German film industry from the outset to develop a coherent, unified, 'all-industry' television policy which could

have shaped film/television relations from the launch of the television service in 1952 onwards to the demands and needs of the film industry. Instead, as has been indicated throughout the thesis, the conflicting interests of the individual branches of the film industry resulted in a multi-lateral response - from entrenched hostility through suspicion to unbridled enthusiasm - to the opportunities offered by co-operation with television, and this sometimes advanced and sometimes impeded the desire for greater harmony.

My detailed analysis of the manner in which the broadcasters have participated, financially and administratively, in the various film funding programmes reveals conclusively the extent and significance of television's championing of higher standards in West German film production, as indicated in its support for the artistically ambitious filmmakers known as the 'Autorenfilmer' - the four case studies in **Chapter Eight** are evidence of this -, and for the development and maintenance of an alternative film culture, as represented, for example, by ZDF's *Das kleine Fernsehspiel* department. Furthermore, the research has shown how, as time has passed, co-operation between the two media has increasingly come to be equated with interdependence, both economic and artistic, which, although contested by those advocating a *tabula rasa* in film/

television relations, looks set to intensify in the future as programme production costs climb and licence fee revenues contract. Future investigations of the West German film industry and television could examine further the significance of this interdependence for the form and content of the films co-produced with television; for the aspirations of the native film industry in the international market; and for the broadcasters' programme scheduling policies.

## APPENDICES

1. **Abbreviations used in the text.**
2. **Cinema attendance in West Germany 1952-1986.**  
Data from: Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p. 206, and *Media Perspektiven, Daten zur Mediensituation in der Bundesrepublik* (Frankfurt am Main, 1985).
3. **Number of West German films produced: 1955-1986**  
Data from: Hans Joachim Neumann, *Der neue deutsche Film heute* (Frankfurt am Main, 1985), and *SPIO Filmstatistisches Taschenbuch*.
4. **Number of Cinemas in West Germany: 1956-1986**  
Data from: Roeber and Jacoby (p. 309) and *Daten zur Mediensituation in der Bundesrepublik*.
5. **Number of television sets registered: 1952-1984**  
Data from: Georg Roeber and Gerhard Jacoby, *Handbuch der filmwirtschaftlichen Medienbereiche* (Pullach, 1973), p. 206, and *Media Perspektiven, Daten zur Mediensituation in der Bundesrepublik* (Frankfurt am Main, 1985).
6. **Frequency of feature films on ARD, ZDF, and the regional 'Third' channels 1955-1985.**  
Data from: *Filmblätter*, 5, 22 January 1966, and Franz Everschor, 'Die Beschaffung und Auswertung von Spielfilmen in den Fernsehprogrammen', *Mitteilungen Studienkreis Rundfunk und Geschichte*, 1 (January 1984), p. 81.
7. **ARD and ZDF's expenditure on contracts with the film industry in millions of DM - 1960-1984**  
Data from: *Media Perspektiven, Daten zur Mediensituation in der Bundesrepublik* (Frankfurt am Main, 1985).
8. **Progress of the 'Film/Fernseh-Abkommen' 1973/1974**  
Data from: *Filmwirtschaft in der BRD und Europa*, edited by Alexander Kluge, Michael Dost, and Florian Hopf (Munich, 1973); ARD/ZDF, *Der Deutsche Film und das Fernsehen* (Frankfurt am Main/Mainz, 1980).

9. Total funds provided within the auspices of the four 'Film/Fernseh-Abkommen' 1974-1988 in DM mill.  
Data from: *FFA Jahresbericht 1985* and *Frankfurter Allgemeine Zeitung*, 29 March 1986.
10. Feature films/'Fernsehspiele', and TV series' share of the television schedules 1971-1985.  
Data from: Karl-Otto Saur, 'Programmentwicklung Deutscher Fernsehprogramme im Verlauf der Jahre 1971 bis 1981'.
11. Brief biographies of major figures in the film/television relationship in West Germany

## ABBREVIATIONS

ARD	-	Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten
BDF	-	Bundesverband Deutscher Filmtheater e.V
BDZV	-	Bundesverband Deutscher Zeitungsverleger
BGBI.	-	Bundesgesetzblatt
BR	-	Bayerischer Rundfunk
CDU	-	Christlich-Demokratische Union
Degeto	-	Deutsche Gesellschaft für Ton und Bild
DFS	-	Deutsches Fernsehen
dpa	-	Deutsche Presse-Agentur
EBU	-	European Broadcasting Union
epd	-	evangelischer Pressedienst
e.V.	-	eingetragener Verein
FBW	-	Filmbewertungsstelle
F.D.P.	-	Freie Demokratische Partei
FFA	-	Filmförderungsanstalt
FF	-	Freies Fernsehen GmbH (until 1961)
FFG	-	Filmförderungsgesetz (from 1967)
FK	-	FUNK-Korrespondenz
FSK	-	Freiwillige Selbstkontrolle
GmbH	-	Gesellschaft mit beschränkter Haftung
HDF	-	Hauptverband Deutscher Filmtheater e.V.
HR	-	Hessischer Rundfunk
KEF	-	Kommission zur Ermittlung des Finanzbedarfs der Rundfunkanstalten
NDR	-	Norddeutscher Rundfunk

NWDR	-	Nordwestdeutscher Rundfunk
NWRV	-	Nord- und Westdeutscher Rundfunkverband
ORF	-	Ostereichischer Rundfunk
RB	-	Radio Bremen
RFFU	-	Rundfunk-Fernseh-Film-Union
SDR	-	Süddeutscher Rundfunk
SFB	-	Sender Freies Berlin
SPD	-	Sozialdemokratische Partei Deutschlands
SPIO	-	Spitzenorganisation der deutschen Filmwirtschaft
SR	-	Saarländischer Rundfunk
SWF	-	Südwestfunk
UFITA	-	Archiv für Urheber-, Film-, und Theaterrecht
WDR	-	Westdeutscher Rundfunk
ZDF	-	Zentralverband Deutscher Filmtheater e.V.
ZDF	-	Zweites Deutsches Fernsehen

**CINEMA ADMISSIONS IN WEST GERMANY: 1952-1986 (IN MILLIONS)**

1952	614.5	1965	294	1978	135.5
1953	680.2	1966	257	1979	142
1954	735.6	1967	216	1980	143.8
1955	766.1	1968	180	1981	141.3
1956	817.5	1969	181	1982	124.5
1957	801	1970	167	1983	125.3
1958	750	1971	161	1984	112.1
1959	671	1972	149.8	1985	104
1960	605	1973	144.3	1986	105.2
1961	517	1974	136.2		
1962	443	1975	128.1		
1963	366	1976	115.1		
1964	320	1977	124.2		



**NUMBER OF WEST GERMAN FILMS PRODUCED: 1955-1986**

1955	122	1971	112
1956	120	1972	108
1957	111	1973	82
1958	109	1974	77
1959	107	1975	55
1960	98	1976	60
1961	80	1977	51
1962	64	1978	57
1963	58	1979	65
1964	69	1980	49
1965	56	1981	76
1966	60	1982	70
1967	72	1983	77
1968	89	1984	75
1969	110	1985	64
1970	105	1986	60

**NUMBER OF CINEMAS**

1955	6239	1971	3314
1956	6438	1972	3171
1957	6577	1973	3107
1958	6789	1974	3114
1959	7085	1975	3094
1960	6950	1976	3092
1961	6666	1977	3072
1962	6327	1978	3110
1963	5964	1979	3196
1964	5551	1980	3354
1965	5209	1981	3486
1966	4784	1982	3598
1967	4518	1983	3664
1968	4060	1984	3611
1969	3739	1985	3418
1970	3446	1986	3304

**NUMBER OF TELEVISION LICENCES REGISTERED 1952-1984**

1952	1 000	1968	15 902 578
1953	11 658	1969	15 909 578
1954	84 278	1970	15 828 479
1955	283 750	1971	16 213 130
1956	681 839	1972	16 668 857
1957	1 118 204	1973	17 100 133
1958	2 129 183	1974	17 351 384
1959	3 375 003	1975	17 555 939
1960	4 634 762	1976	17 796 475
1961	5 887 530	1977	18 481 397
1962	7 213 486	1978	18 909 226
1963	8 538 570	1979	19 019 062
1964	10 023 988	1980	19 421 539
1965	11 379 049	1981	19 702 533
1966	12 719 599	1982	19 924 029
1967	13 805 653	1983	20 262 124
		1984	20 567 751

FREQUENCY OF FEATURE FILMS ON ARD, ZDF, AND THE REGIONAL 'THIRD' CHANNELS: 1953-1985

YEAR	ARD	ZDF	BR3	HR3	N3	S3	WDF
1953/1956	243	-	-	-	-	-	-
1957	57	-	-	-	-	-	-
1958	37	-	-	-	-	-	-
1959	36	-	-	-	-	-	-
1960	45	-	-	-	-	-	-
1961	121	-	-	-	-	-	-
1962	160	-	-	-	-	-	-
1963	98	104	-	-	-	-	-
1964	91	82	-	-	-	-	-
1965	105	88	18	7	5	-	-
1966	91	131	20	20	8	-	47
1967	115	157	32	12	17	-	52
1968	126	151	54	5	24	-	47
1969	136	146	62	14	30	26	82

<b>YEAR</b>	<b>ARD</b>	<b>ZDF</b>	<b>BR3</b>	<b>HR3</b>	<b>N3</b>	<b>S3</b>	<b>WDF</b>
1970	141	163	109	62	30	36	96
1971	158	177	112	48	38	44	106
1972	163	178	98	64	46	43	99
1973	144	173	115	66	43	55	91
1974	155	172	131	64	53	57	97
1975	167	179	142	73	65	55	87
1976	149	175	198	148	107	82	149
1977	154	178	212	123	125	84	143
1978	221	215	238	109	127	120	155
1979	225	215	255	137	151	179	166
1980	223	214	239	130	133	186	169
1981	263	277	233	123	131	186	151
1982	262	257	249	129	135	190	152
(1985	304	290	255	160	160	179	110)

ARD AND ZDF'S EXPENDITURE ON CONTRACTS WITH THE FILM INDUSTRY IN MILLIONS OF DM - 1960-1984

YEAR	Commissions		Other services		Acquisition of broadcast rights		Amount	
	Mio DM	%	Mio DM	%	Mio DM	%	Mio DM	%
1960-1964	293.4	63.5	62.8	13.6	105.8	22.9	462.0	100
1965-1969	630.9	67.2	86.1	9.2	221.8	23.6	938.8	100
1970-1974	1008.1	69.7	144.7	10.0	293.1	20.3	1445.9	100
1975	243.1	66.5	30.0	8.2	92.7	25.3	365.8	100
1976	289.1	65.0	34.1	7.7	121.4	27.3	444.6	100
1977	283.5	68.2	38.5	9.2	93.9	22.6	415.9	100
1978	363.7	73.1	43.6	8.8	90.4	18.1	497.7	100
1979	378.4	70.7	46.8	8.7	110.4	20.6	535.6	100
1980	407.1	68.7	51.1	8.6	134.2	22.7	592.4	100
1981	447.3	69.0	56.5	8.7	144.0	22.3	647.8	100
1982	464.4	65.1	51.2	7.2	197.4	27.7	713.0	100
1983	495.3	69.6	70.3	9.9	145.6	20.5	711.2	100
1984	502.3	44.6	84.3	7.5	539.5	47.9	1126.1	100
1960-1984	5806.6	65.3	800.0	8.9	2290.2	25.8	8896.8	100

PROGRESS OF THE 'FILM/FERNSEH-ABKOMMEN' DRAFTS 1973 - 1974

Regierungsentwurf - April 1973 : Television levy - Paragraph 15, Clause 2 - required DM 20 000 for each feature film screened by television; DM 10 000 for each feature film with a Prädikat.  
 Anticipated annual total income - DM 5 million for the Projektförderung fund

DRAFT	CO-PRODUCTION	PROJEKTFÖRDERUNG	BROADCAST RIGHTS	HOLDBACK
Rohentwurf für ein Abkommen zwischen den Rundfunkanstalten und der Filmförderungsanstalt - March 1973	ARD - DM 4 million	ARD - DM 1 million	-----	24
	ZDF - DM 4 million	ZDF - DM 1 million	-----	months
	annually for 5 years	annually for 5 years		
Vorschläge zur Mitarbeit von ARD und ZDF an der Filmförderung - 13.8.73	ARD and ZDF to pay:			
	1974 - DM 5 million			
	1975 - DM 6 million		ARD - DM 1 million	18
	1976 - DM 7 million	-----		
	1977 - DM 8 million		ZDF - DM 1 million	months
	1978 - DM 8 million		annually for 5 years	
Vorschläge zur Mitarbeit von ARD und ZDF an der Filmförderung (revised version) - 26.9.73	As with the agreement proposal of 13.8.73	ARD - DM 0.5 million	ARD - DM 0.5 million	18
		ZDF - DM 0.5 million	ZDF - DM 0.5 million	months
		annually for 5 years	annually for 5 years	(or 6/24)

October/November 1973	As with the agreement proposal of 26.9.73	ARD - DM 0.5 million ZDF - DM 0.5 million annually for 5 years	As with the agreement proposal of 26.9.73	24 months
		Additional annual DM 1 million from ARD and ZDF to Grundförderung to stop television levy		

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18 December 1973	As with the agreement proposal of 26.9.73	ARD - DM 0.5 million ZDF - DM 0.5 million annually for 5 years	As with the agreement proposal of 26.9.73	24 months
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Final round of negotiations - 3.9.74 in Frankfurt between ARD, ZDF, the FFA Sonderkommission, and the FFA board.

'Film/Fernseh-Abkommen'

- ratified by ARD Intendantenkonferenz 10/12.9.74
- ratified by FFA Verwaltungsrat 1.10.74
- ratified by ZDF Verwaltungsrat 29.10.74

FILM/FERNSEH-ABKOMMEN

- Signed in Berlin by the FFA executive, Robert Backheuer and Roland Caspary, Werner Hess (ARD) and Karl Holzamer (ZDF) on 4.11.74.

TOTAL FUNDS PROVIDED WITHIN THE AUSPICES OF THE FOUR 'FILM/FERNSEH-ABKOMMEN' 1974-1986 IN MILLIONS OF DM

VALIDITY OF AGREEMENT	CO-PRODUCTIONS	PRE-PURCHASE	PROJEKT-FÖRDERUNG	NACHWUCHS-FÖRDERUNG	AUTOREN-FÖRDERUNG	TOTAL
1st Abkommen 1974-1978 (5 years)	34.00	5.40	15.00	—	—	54.40
2nd Abkommen 1979-1983 (5 years)	54.00	—	15.00	7.50	2.50	79.00
3rd Abkommen 1984-1986 (3 years)	36.00	—	9.00	5.25	0.75	51.00
4th Abkommen 1987-1988 (2 years)	12.00	—	7.75	1.00	0.25	42.00



FEATURE FILMS/'FERNSEHSPIELE', AND TV SERIES' SHARE OF THE TELEVISION SCHEDULES: 1971 - 1985

	1971	1974	1977	1980	1981	1983	1985
GERMAN 'FERNSEHSPIELE'	7.1%	5.0%	3.5%	4.0%	3.9%	3.7%	3.7%
GERMAN CO-PRODUCTIONS	--	--	1.2%	0.8%	1.1%	1.0%	1.7%
FOREIGN 'FERNSEHSPIELE'	1.1%	1.8%	1.2%	1.5%	1.2%	2.6%	0.6%
GERMAN FEATURE FILMS	0.5%	2.1%	1.6%	1.7%	0.8%	1.4%	2.7%
FOREIGN FEATURE FILMS	9.3%	8.6%	10.5%	9.9%	11.6%	11.9%	14.9%
GERMAN TV SERIES	2.6%	2.7%	3.3%	2.8%	2.2%	2.1%	1.5%
FOREIGN TV SERIES	6.5%	5.6%	6.0%	6.0%	5.6%	6.7%	6.3%

Data collated by Karl-Otto Saur for a study commissioned by the Verband der Fernsehproduzenten: 'Programmentwicklung Deutscher Fernsehprogramme im Verlauf der Jahre 1971 bis 1981' in September 1981 an up-date on 15 September 1985 for a symposium on the future of the 'Fernsehspiel' at the Akademie der Künste in West Berlin.

## BRIEF BIOGRAPHIES OF LEADING FIGURES

A X T M A N N, Horst

Editor and owner of *Film-echo/Filmwoche*, the official organ of the Hauptverband Deutscher Filmtheater e.V.. Vociferous opponent of television in countless polemical articles during the 1960s and 1970s.

B A C K H E U E R, Robert

Member of the FFA executive. One of the signatories of the 'Film/Fernseh-Abkommen' on 4 November 1974.

B I E B E R S T E I N, Jörg

*Filmreferent* in the Federal Ministry for Economics and Finances; originally supported film industry's demand for a 'Fernsehgebühr' in 1973, later persuaded of the need for some compromise agreement with television.

B I S M A R C K, Klaus von

WDR *Intendant* (1960-1977); under his liberal regime contacts were fostered by editors of the WDR 'Fernsehspiel' department with students of the film schools in Berlin and Munich.

B L U M E N B E R G, Hans C.

Leading opponent among of the film critics of television's involvement in film production in West Germany, particularly after Günter Rohrbach's championing of the 'amphibischer Film' in 1977.

B R Ü N E, Klaus

Member of ZDF 'Filmredaktion' from the launch in 1963; responsible for formulating ZDF's film programming policy.

D O R N, Wolfram

FDP Member of the *Bundestag*. In 1967 he was one of the politicians who reintroduced the 'Filmförderungs-gesetz' (FFG) to the *Bundestag* from 1970-1971 and was Parlamentarischer Staatssekretär in Interior Ministry responsible for film funding.

E C K E L K A M P, Hanns

In 1961 founded Atlas-Film GmbH. Specialised in 'art house' films; financed first-time directors such as Roland Klick and Rainer Erler. In 1967 lack of financial acumen led to the collapse of his company. Began operations again with Atlas Schmalfilm GmbH (now atlas film + av) catering for film clubs and home video.

E I C H I N G E R, Bernd

1970-1973 studied at HFF München; 1974 founded Solaris-Filmproduktion; 1979 Managing director and joint owner of Germany's largest independent distributor Neue Constantin. Produced *Die unendliche Geschichte* (1984), *Der Name der Rose* (1986).

E N G E L B R E C H T, Wolfram

1964 led breakaway Bundesverband Deutscher Film-theater as a result of a disagreement over 'Martin Plan'. In 1968 steps down from position as deputy chairman of FFA's 'Film und Fernsehen' committee. 1965 - 1973 - President of the Hauptverband Deutscher Filmtheater e.V.. Strove for harmony between conservatives and 'Jungfilmer'

E V E R S C H O R, Franz

Until 1979 member of ARD 'Filmredaktion'; then moved to DEGETO

F A L K E N B E R G, Hans-Geert

1965-1971 Head of Arts section in WDR's third regional TV channel, responsible for 70 % of programme production, supported young filmmakers, e.g. Kluge's *Artisten in der Zirkuskuppel*. From 1972-1977 head of 'Programmereich Kultur' for WDR; now respons-

ible for international broadcasting relations and contacts.

G L O T Z, Peter

An SPD *Bundestag* deputy since 1972; spokesman for SPD's Medienkommission, supported the idea of the 'Film/Fernseh-Abkommen' as a viable alternative to proposed 'Fernsehgebühr' during parliamentary debates on the FFG revision in 1973/1974.

G R A S S M A N N, Werner

Filmmaker and exhibitor, he made his first feature film for ZDF's *Das kleine Fernsehspiel* in 1964. Opened the Programm kino 'Abaton' in Hamburg in 1970, and became chairman of AG Kino and organiser of the Hamburg 'Kinotage' in 1974.

H A F F N E R, Helmut

Head of BR's 'Studienprogramm' in the 1960s. Initiated a co-production programme with filmmakers needing finance for their projects.

H A R T L I E B, Horst von

Lawyer and managing director for the Verband der Filmverleiher e.V. and the Verband Deutscher Spielfilmproduzenten e.V.. Distributors' representative on the FFA *Verwaltungsrat*; Chairman of FFA *Richtlinien-Kommission*

H E S S, Werner

Film and Television Officer for the Evangelical Church and a member of the Freiwillige Selbstkontrolle (FSK); Was HR *Programmdirektor* in 1960 and served as HR *Intendant* from 1962 to 1981. Between 1964 - 1972 Hess acted as spokesman for ARD in negotiations with the film industry on improving film/TV relations. Served as ARD chairman from 1965-1966; as ARD representative in the first *Verwaltungsrat* of the FFA in 1968. Was signatory for ARD of the first 'Film/Fernseh-Abkommen' on 4 November 1974; also a member of the Ständige Kommission Film/Fernsehen, created by the 'Abkommen'.

H I R S C H, Burkhard

FDP politician; opposed original FFG in 1967, supported campaign by Kluge, Ungureit, and Glotz for the introduction of a 'Projektförderung' and 'Film/Fernseh-Abkommen' into the plans of the FFG *Novelle* in 1973/1974.

H O L Z A M E R, Karl Johannes

Served as *Intendant* of ZDF from 1962-1977; represented ZDF in negotiations with the film industry on improvements to film/TV relations during the 1960s and 1970s; signatory for ZDF of the 'Film/Fernseh-Abkommen' in 1974.

J E D E L E, Helmut

*Fernsehbeauftragter*, then *Fernsehdirektor* at SDR between 1952-1959; appointed managing director at Bavaria Atelier GmbH in July 1959, resigning from this post in 1978. Became president of the Hochschule für Film und Fernsehen in Munich from 1979 (he had been head of the school's film studies department since 1967).

K I R C H, Leo

Dealer in film licences and television programming for ARD, ZDF, and the private operators of cable and satellite. Head of a multi-media empire, collaborating with other European media entrepreneurs such as Rupert Murdoch.

K L U G E, Alexander

Lawyer, writer, film director; was co-signatory of the Oberhausen Manifesto in 1962; established the Institut für Filmgestaltung in Ulm with colleague Edgar Reitz. Co-ordinated a lobbying campaign by the young generation of directors for revisions to the 1967 FFG ('Projektförderung') between 1970 and 1974, and for the acceptance of the 'Film/Fernseh-Abkommen' in 1974. Leading theorist of New German Cinema ('Chefideologe'), campaigned for improvements to the FFG (1979), the 'Film/Fernseh-Abkommen' (1979-1980, 1983), and the Interior Ministry's film promotion guidelines (1983-1984).

K O P P E L, Walter

Owner of Real-Film studios in the 1950s. Coined the rallying call: 'Fernsehen ist kein Fortschritt, sondern eine Belastung'

L A C K S C H E W I T Z, Klaus

Worked for the ARD 'Filmredaktion' in Frankfurt from 1969. Became head of the film programming unit in 1979.

L A N G E, Hans Joachim

Served as HR *Programmdirektor* (Radio/Television) from 1955-1960; WDR *Programmdirektor* from 1960-1969; and SWF *Fernsehleiter/Deputy Intendant* until 1973. Acted as the film Co-ordinator for the *Ständige Fernsehprogrammkonferenz der Rundfunkanstalten*

M A R T I N, Berthold

CDU *Bundestag* deputy; was the architect of the 'Martin-Plan' of 1963, designed as a 'self-help' to regenerate film production in the West German film industry.

P L E I S T E R, Werner

NWDR *Hörfunkprogrammdirektor* and *Beauftragter für Fernsehprogrammfragen* from 1950-1952; NWDR/NWRV *Fernsehintendant* until 1959. Was one of ARD's representatives in discussions and meetings with members of the film industry.

P L O G, Jobst

NDR's legal adviser since 1977; chairman of the shareholders' assembly of DEGETO-Film GmbH since 1980 and chairman of the *Aufsichtsrat* of Studio Hamburg Atelier GmbH since 1982.

R A F F E R T, Joachim

SPD *Bundestag* deputy; chairman of the FFA's 'Film und Fernsehen' committee from its first meeting on 11 November 1968, chairman of FFA's *Verwaltungsrat* and

president of FFA from 1970. Left his FFA posts in March 1972 after allegations of fraud and corruption.

R O H R B A C H, Günter

Before becoming an editor in WDR's *Fernsehdirektion* in 1961, Rohrbach was a journalist in Bonn. In 1963 was made head of a *Planungsstab* for a regional 'Third' channel; moved in 1965 to become head of WDR's 'Fernsehspiel' department, where he stayed until he was appointed managing director of Bavaria Atelier GmbH in 1979.

S T E I N, Eckhart

Became an editor in ZDF's *Das kleine Fernsehspiel* department in 1962 and took over its running from Hajo Schedlich in 1975.

S T O L T E, Dieter

Served as personal assistant to ZDF *Intendant* Karl Holzamer from 1962-1967; and as head of ZDF's Programme Planning Department until 1973. Became SWF *Fernsehdirektor* and Deputy *Intendant* in 1973 and acted as ARD's representative on *Achter-Kommission* and co-ordinator of ARD's relations with the film industry from 1974-1976. Moved back to ZDF in 1976 to become *Programmdirektor*, and was elected to the post of *Intendant* in March 1982.

T H E I L E, Rolf

Cinema owner who originated the call 'Keinen Meter Film für das Fernsehen' at a SPIO members' meeting in October 1955.

T O U S S A I N T, Dr. Hans

One of *Bundestag* deputies who drafted the 1967 FFG; was appointed a member of the FFA's *Präsidium* and chairman of *Verwaltungsrat* 1968-1970.

T R E B I T S C H, Gyula

Founded Real-Film GmbH with partner Walter Koppel in 1947. One of the most successful German studios of the 1950s with films like *Des Teufels General* and *Der Hauptmann von Köpenick*. In 1959 concluded a deal with NDR's commercial subsidiary NWF to found Studio Hamburg Atelierbetriebsgesellschaft. Retained 20 % of shares in the studio until 1971 and remained its managing director until 1980.

U N G U R E I T, Heinz

Before joining the newly-formed ARD 'Filmredaktion' in January 1966, he was a film critic for the *Frankfurter Rundschau* and *Filmkritik*. During 1972/1973 was instrumental in the drafting of the 'Film/Fernseh-Abkommen'. In April 1976 moved over to ZDF to become head of its 'Fernsehspiel und Film' department. Also serves as a committee member of the FFA's *Projektkommission*, Kuratorium Junger Deutscher Film, ARD/ZDF *Vorabkauf-Kommission*, and *Zehner-Kommission*.

V I E H Ö V E R, Joseph

Served as ZDF *Programmdirektor* between 1965-1976 and was involved in many meetings with ARD and HDF on the possibilities of improving film/television relations.

W A C K, Hans Joachim

Managing Director of DEGETO-Film GmbH since 1958; often involved in meetings between the broadcasters and the film industry during the 1960s and 1970s; a committee member on the selection board of film promotion boards.

W I T T E, Gunther

Worked as a dramaturg in WDR's 'Fernsehspiel' department between 1963-1972; became head of 'Redaktionsgruppe I' for the 'Fernsehspiel' department in 1972, and head of the overall 'Fernsehspiel' department in 1978. Was responsible as commissioning editor for *Die Wildente*, *Die Verrohung des Franz Blum*, *Die verlorene Ehre der Katharina Blum*, and *Ansichten eines Clowns*. Introduced the *Tatort* series to ARD.



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