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Authorship as a Commodity

THE ART CINEMA AND THE CABINET OF DR. CALIGARI

BY MICHAEL BUDD

A FOOTNOTE TO FILM HISTORY

By the early 1940s, the principal makers of *The Cabinet of Dr. Caligari* (1919), like many other German writers and artists, had fled Hitler's regime. Director Robert Wiene had died in France in 1938 after having claimed ownership of the film and having sold the rights to Rex Films of Paris in 1934. Carl Mayer had emigrated to London where he wrote scripts until his death in 1944. Hans Janowitz, the Czech poet who co-authored the screenplay with Mayer, was living in New Jersey. Erich Pommer, who produced the film while head of Decla-Bioscop and later became head of production at UFA, Germany's largest studio, was with Mayflower Productions in England and later with the Producers Corporation of America in Hollywood.

In 1944 Janowitz and Pommer, through their lawyers, began elaborate negotiations over the legal rights to the famous film, which each of them wanted to remake in Hollywood.¹ These legal maneuverings, which apparently never reached the courtroom, were complicated not only by multiple claims on the film, but also by the problem of silent versus sound rights and the imposition of Nazi law in Germany, which was not recognized in the United States. English language versions of the original film were being held by the Custodian of Alien Property. At one point in January 1945, Janowitz, who already had written an extensive treatment for a remake, was offered a minimum guarantee of \$16,000 against 5% royalties for his rights to the original plus a script to be written by him for a production to be directed by Fritz Lang.² Later, when the satisfaction of all claims to the original seemed impossible, Janowitz wrote a script for a sequel, entitled *Caligari II*, and offered his property, both *Caligari I* and *II*, to a Hollywood producer for \$30,000.³ None of these negotiations resulted in the production of a film, although the preliminary clearing of legal rights probably contributed to the use of the title (and little else) in a 1962 production by 20th Century-Fox.

THE ART CINEMA

If all this talk of Hollywood remakes and legal rights sounds a bit bizarre in its relation to that hoary classic shown in film history courses and dutifully extolled in textbooks, then the reader has begun to grasp the argument to be made in this paper. For *The Cabinet of Dr.*

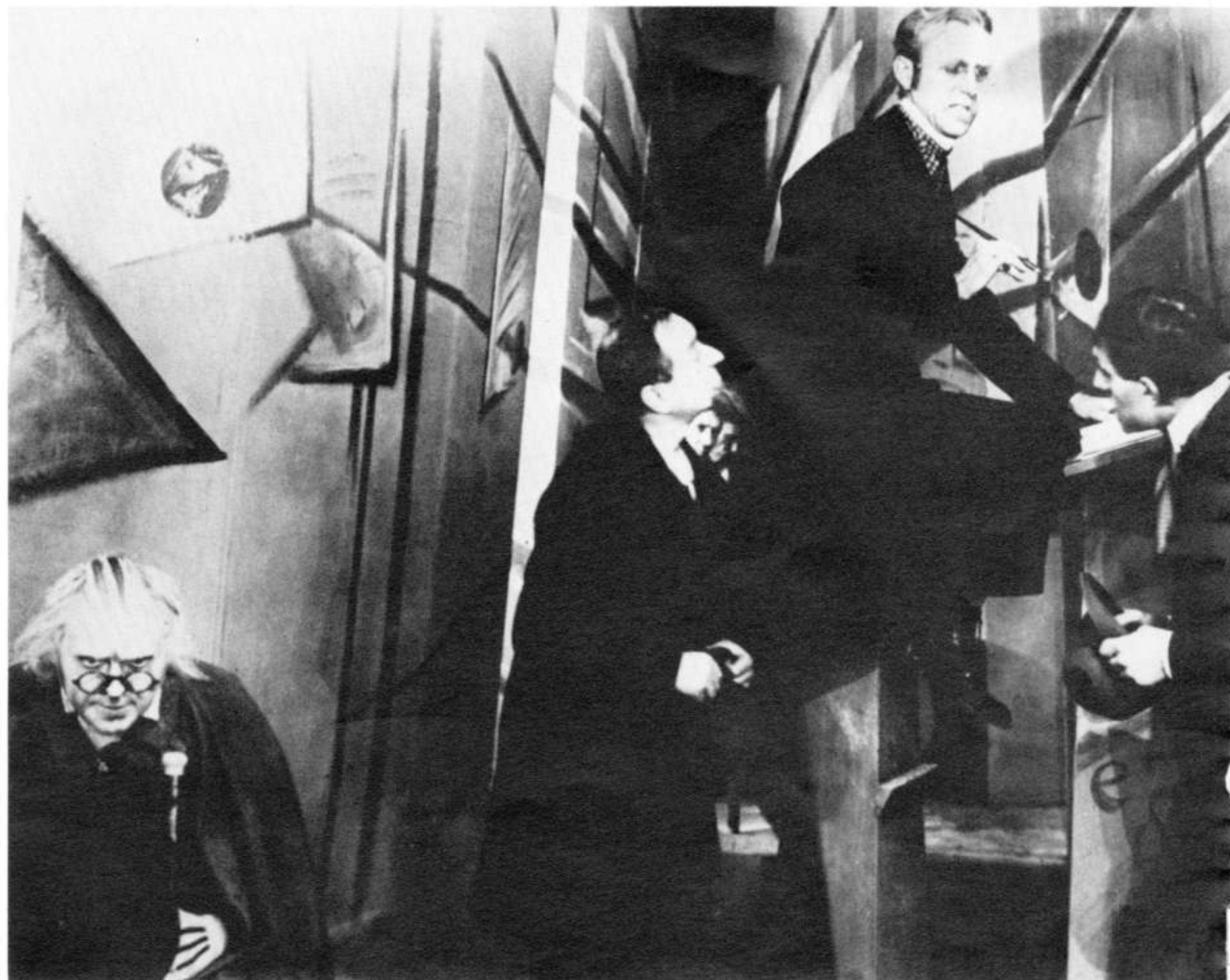


The art cinema is not just a type of film, but a set of institutions, and alternative apparatus within the commercial cinema.

Caligari is an early example of art cinema, a mode of cinematic discourse which differentiates itself in limited modernist directions from the dominant mode of classical narrative, but which nevertheless is produced and consumed largely *within* the commodity relations of advanced capitalist societies. As delineated by David Bordwell and Steve Neale with somewhat different

emphases, the art cinema is not just a type of film, but a set of institutions, an alternative apparatus within the commercial cinema: cultural patronage, "enlightened" producers or state subsidies for production, festivals and prizes, art theaters, publicity, reviews, criticism and "theory" in books and magazines for consumption.⁴ Implicated also is the small academic industry of

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courses and textbooks in film, which often functions to recruit new consumers and help direct recuperative reading strategies. Central to these reading strategies is the discourse of authorship, which sees the art cinema's characteristic partial or intermittent foregrounding of style in relation to narrative--its limited deviation from the norm--as motivated by the personal vision of its author, usually the director. This was particularly true during the period of art cinema's institutional consolidation in the Fifties and Sixties, when European and Japanese national cinemas carved out a niche in the American market with auteurs like Fellini, Antonioni, Bergman, Truffaut, Resnais, Kurosawa, et al., promoted by art theaters, state subsidies, international festivals

and “serious” criticism oriented toward an aesthetics of personal expression. The heterogeneity of art cinema, the force even of its limited modernist transgressions, is contained in a co-optation distinctive to advanced capitalism: “the name of the author can function as a ‘brand name’, a means of labelling and selling a film.”⁵ There is no document of individualism which is not at the same time a document of conformity.

The beginnings of the art cinema go back at least to the late Teens, to the consolidation of the hegemony, in both economic and signifying practices, of the dominant classical narrative discourse in relation to which

the art cinema differentiated its product. A full examination of the history of art cinema is beyond the scope of this essay, but we can gain certain insights into its operation by examining two specific processes: first, how *The Cabinet of Dr. Caligari* acquired the exchange value which was the subject of negotiations in our historical footnote, and second, the contribution of both legal authorship as private property and the actual relations of production among employees and bosses to the generation of that exchange value. Moreover, since *Caligari* as art cinema exists on the fringes of the commercial cinema, it may help define the limits and boundaries of the latter mode, and in particular, to argue and explore rather than to assert the process so often identified with commercial cinema--commodification. The concept of the commodity form offers a way of understanding the whole production/consumption process and a means of demystifying the relation between dominant and oppositional modes.

THE COMMODITY

Objects of utility become commodities only because they are the products of the labour of private individuals who work independently of each other. . . .

It is only by being exchanged that the products of labour acquire a socially uniform objectivity as values, which is distinct from their sensuously varied objectivity as articles of utility. This division of the product of labour into a useful thing and a thing possessing value appears in practice only when exchange has already acquired a sufficient extension and importance to allow useful things to be produced for the purpose of being exchanged, so that their character as values has already to be taken into consideration during production.⁶

The historical process described in this last sentence by Marx is a reciprocal one: the growing importance of exchange value in relation to use value gradually transforms the latter so that the human needs satisfied by the product are increasingly defined by the market, by the exchange value of the commodity. The pervasive influence of exchange value on use value within the consumption-dominated phase of advanced capitalism applies to both consumers and producers; advertising and publicity help define use value for consumers, while a different kind of rationalization segments the "creative contributions" of producers into categories

based on marketability. As the commodity-form becomes increasingly dominant, even "artists" who work closely together in making a film, who seem to be collaborating in a work of genuine cultural innovation, end up with separate ("congealed" is Marx's word) contributions as "private individuals who work independently of each other."

In art cinema, the privacy of one of those individuals is fetishized, and an imaginary unity, the "personal vision," is projected onto the social process of production and consumption. Partly through the qualities given to the film in production, and partly through the reading strategies promoted by international film culture, which generally accept authorship uncritically, art cinema mystifies its own division of labor, separating (alienating) manual labor from intellectual labor and assigning exchange value to the latter. Differentiating its product largely by reference to a unique and private artistic personality which supposedly motivates its difference from the dominant mode, art cinema denies the social dimension in art's human uses and in its own production, thus helping transform those uses and that artistic personality into exchangeable commodities.

Perhaps the most trenchant analysis of commodification in the film industry, in both production and consumption, is contained in Bertolt Brecht's long essay, "The Threepenny Opera Trial, A Sociological Experiment."⁷ In 1929 Brecht and Kurt Weill signed a contract with Nero-Film for a film version of their very popular *Threepenny Opera*. The contract specified that they controlled the scenario and music; when Brecht's outline was rejected by Nero-Film, they sued.⁸ The trial, in October 1930, attracted much of Berlin's literary elite and high society. Brecht argued that "he was in no way defending his copyright, his literary property, but . . . the property of the spectator."⁹ Brecht lost and the film was scripted by Béla Balázs and directed by Pabst in 1931.

In his commentary on the *Threepenny Opera* trial, Brecht develops Marx's argument about the growing hegemony of exchange value into an analysis of how, in the capitalist film industry, all relations of production are dominated by the marketplace: the film's character as commodity must be taken into account during production, so the demand for an abstract equivalence of isolated elements of the work (setting, plot, happy ending, characters, title, author's name and author's reputation are some of Brecht's examples) comes increasingly to shape the production process itself.

"A film must be the work of a collective." This conception is progressive. . . . In contrast to an individual,

a collective cannot work without a fixed point of direction, and evening conferences are no such fixed point. Had the collective some determined pedagogical design, it could immediately build an organic body. It is the essence of capitalism . . . that everything "one-of-a-kind" and "exceptional" can only come forth from an individual, while collectives can only bring forth mediocre dime-a-dozen works. What have we got for a collective these days in film? The collective puts itself together from the financier, the salesman (the public-relations man), the director, the technicians, and the writers. A director is necessary because the financier will have nothing to do with Art; the salesman, because the director must be corrupted; the technicians not because the apparatus is complicated (it is unbelievably primitive), but because the director has not the most primitive notion of technical things; and the writers, finally, because the audience itself is too lazy to learn to write. Who wouldn't wish right off that his individual part in the production would be unrecognizable? At no moment during the work on the Threepenny film did the parties involved, including those carrying out the lawsuit, have coinciding interpretations of the subject matter, the intent of the film, its audience, its apparatus, etc. The fact of the matter is that a collective can only produce works which can build collectives out of the "audience."

. . . In order for an art work, which according to bourgeois ideology is the expression of one individual, to reach the market it must be submitted to a completely determined operation, which cleaves it up into its parts; the parts enter the marketplace in particular ways. . . . The author's work can be broken up, in that its subject matter can be invested with another form or its form invested with another . . . subject matter. Further, with respect to form, it is possible for the linguistic form and the scenic form to appear without the other. The plot of the subject matter can be played out by other characters; these characters can be placed in another plot, and so on. This dismantling of the art work appears to follow the laws of the marketplace in the same way as automobiles, which have become non-utilitarian, which one can no longer drive, and which one now dissects into their tiny idiosyncrasies (type of metal, leather upholstery, headlights, etc.) and then buys. We are seeing the unavoidable and therefore to-be-sanctioned decay of the individualistic art work. It can no longer attain the marketplace as a unity; the stressful nature of its contradiction-filled unity must soon shatter it into pieces. . . . For all that, the work thus constituted appears as a unity on the marketplace.¹⁰

CALIGARI AS ART CINEMA AS COMMODITY

Art cinema, then, according to this line of reasoning, must differentiate its product by producing a distinctive commodity fetish--a particularly prestigious, cultured and individualistic one, we might even say. Certainly this is present from the Fifties on, with the continuity and economic stability of art cinema constructed around two discourses of international film culture: first, authorship, and second, the "adult" and explicit "representation of sexuality."¹¹ Yet before World War II and the proliferation of state subsidies to national art cinemas, the mode had only the most intermittent and uneven existence. Its exhibition centered around the ciné-clubs in Paris which began to appear in the early Twenties. Those clubs served as the basis for an avant-garde film movement; the London Film Society and The Film Society at the New Gallery Cinema on Regent Street; and the Film Associates, The Film Guild and other "little Cinemas" in New York.¹² But production depended either on short-lived movements at the fringes of the commercial industry, like German Expressionism, or fell entirely outside the industry itself, as with such fully modernist works as *Un Chien Andalou* and *Entr'Acte*.¹³

Clearly, the art cinema had its beginnings in the first alternative, even radical institutions to challenge the hegemony of the dominant mode. In part this must be because the romantic discourse of authorship, which removes a text from its economic and social context and places it in an ideal realm of personal expression, remains within the subculture of *cognoscenti* until the culture industry takes it up as a marketing strategy. There is little evidence that *Caligari* was read or promoted as an author's film at least until Siegfried Kracauer adopted the screenwriters' reading in his book, *From Caligari to Hitler*--and even then its ostensible author was not its director. *Caligari's* exhibition spans the possibilities of the art cinema in the pre-World War II period: it played initially in large commercial theaters, in Berlin, Paris, London and New York, then apparently became a kind of early standard for the ciné-clubs and film societies in the same cities.¹⁴ Yet in both these situations, critical discourse seems to have centered around the film's techniques: in the ciné-clubs these were extolled as revolutionary or attacked as derivative and theatrical, while the publicity apparatus of the culture industry could only flail away ineffectively about the film's novelty.



The film's Expressionist settings, costumes and acting can be attributed to the expressive subjectivity of a character within the film, but not yet to an author.

Caligari did not succeed as a commodity even though its origins were hidden, its context commodified, even the text itself altered.¹⁵ The point is not just that a cultural product can be commodified in one conjuncture and not in another, but also that the history of *Caligari* as a text marks an early point in the development of art cinema, when deviation from the norm as novelty is seen as the only promotable reading strategy, and *Caligari*'s novelty is inadequately consumable. The

film's Expressionist settings, costumes and acting can be attributed to the expressive subjectivity of a character *within* the film, but not yet to an author; it is still too weird to produce that imaginary unity off the assembly line to which Brecht refers. Interestingly, ads in the New York trade papers in 1921 for *Caligari* stressing its novelty are juxtaposed with ads for D.W. Griffith's *Dream Street* selling a rudimentary version of authorship—dignified portraits of Griffith, lists of earlier

Because exchange value was at stake, Pommer wanted to elevate the art directors from the status of employees paid by wages to that of authors with immaterial rights.



films "under his personal direction," biographical information.¹⁶ One would have thought that the transgressions of *Caligari* would require the recuperations of an authorial reading much more than those of *Dream Street*. On the other hand, advertising characteristically tries to produce difference exactly where there is none, since a real difference between products, an authentic choice presented to the buyer, minimizes its influence. Perhaps the culture industry has its own forces and relations of production, and only a Marxist theory of uneven development will help here.

Caligari's status both as art cinema and as commodity centers around the place of Expressionism within it, exactly because that place is a carefully limited one which can function, in certain conjunctures, as the separable and exchangeable part of a commodity. I have argued elsewhere that this film is profoundly contradictory in its form, "grafting a visual style from [modernist] painting and theatrical set design onto a conventional narrative form, ignoring the modernist experiments in Expressionist literature, poetry, and drama."¹⁷ In other words, precisely the quality which made the film avant-garde also made it accessible to the commodity culture; precisely the aspect which made the film unique became that which linked the detail of the work to the system of the culture industry as a

whole. To explain this contradiction it must be traced, following Brecht, backwards from consumption to production, to understand the product which presented itself to Janowitz and Pommer in 1944 as exchange value. For Brecht it was not so much the division of labor which commodified but the lack of collective aim, of genuine collaboration.

Here one can see how the double function of *Caligari's* limited Expressionism originated in the divergent aims of its makers. For the employees, the designers Warm Rohrig and Reimann, the aim was to unify setting and narrative, while for the producer, Pommer, the aim was to differentiate his product—just enough but not too much—in order to open new international markets.¹⁸ (Of course the designers probably had mercantile interests as well, and Pommer was not without artistic sensitivities—on both sides, contradictions within contradictions.) During his negotiations with Janowitz in 1944, Pommer argued in a letter to his lawyer that the "value" of the original *Caligari* was

*not so much in the basical (sic) story but in the revolutionary way the picture was produced. . . . It was the suggestions of the two art directors, Herlth and Rohrig (sic) who proposed the style and treatment which then make the film world famous. All these values are positively vested in UFA's silent rights. . . .*¹⁹

Brecht believed that commodification was making individual authors and unified works of art anachronistic, but Pommer's argument symptomatically revealed the beginnings of a use which the commercial film industries found for authors.²⁰ Because exchange value was at stake, Pommer wanted to elevate the art directors from the status of employees paid by wages to that of authors with immaterial rights. Authorship as creativity (use) is recognized only in terms of authorship as property (exchange); an author, then, is someone who can by his or her work directly produce exchange value.²¹ A price can be put on that quality which differentiates *Caligari* from those films made only for a price.

The commodity form, then, is not just an aspect of the work itself, but a social relation of isolation, divergent interests, even mutual antagonism for most of the humans who produce and consume. In the case of *Caligari*, the war of all against all which starts at the beginning of the production process is not revealed until decades later, when the film's use value has been defined across the new space of an emergent art cinema, between the commodity and the avant-garde. But the commodification of art cinema is always uneven and incomplete; if consumability is based on a tension, largely invisible to viewers, between standardization and novelty,²² then this tension is out of balance in the art cinema before World War II, preventing the smooth rationalization of audience needs and industrial practices. Brecht began his essay on the *Threepenny Opera* trial with the admonition, "In contradictions lie our hopes!" In the contradictions of *Caligari* and the art cinema lie their use values for a genuinely critical theory.

NOTES

I am grateful to Richard Garrett for his invaluable translations, and to Clay Steinman for his helpful criticisms of an earlier draft of this essay.

¹Letter from Fowler Legg to Julius B. Salter, May 8, 1946. This and other private correspondence regarding *Caligari* cited below are held in the Deutsche Kinemathek, West Berlin. My thanks to the staff of the Kinemathek, especially Mr. Gero Gandert.

²Telegram from Hans Janowitz, New York, to Paul Rotha, London, Jan. 19, 1945.

³Letter from Julius B. Salter to Ernest Matray, Aug. 31, 1945.

⁴David Bordwell, "The Art Cinema as a Mode of Film Practice," *Film Criticism* 4, No. 1 (Fall 1979), 56-64; Steve Neale, "Art Cinema as Institution," *Screen* 22, No. 1 (1981), 11-39.

⁵Neale, p. 36.

⁶Karl Marx, *Capital*, Vol. 1, tr. Ben Fowkes (New York: Vintage Books, 1977), 165, 166.

⁷Bertolt Brecht, "Der Dreigroschenprozess, Ein Soziologisches Experiment," in *Schriften Zur Literatur und Kunst I 1920-1932* (Suhrkamp Verlag, 1967), 143-234. Also in Bertolt Brecht, *Gesammelte Werke in 20 Banden*, Vol. 18 (Frankfurt-am-Main, 1967), 139-209. Translated into French in Bertolt Brecht, *Sur le Cinéma* (Paris: L'Arche, 1970), 148-242. A valuable commentary in English is Ben Brewster, "Brecht and The Film Industry" and "Discussion," *Screen* 16, No. 4 (Winter 1975/6), 16-33.

⁸Bertolt Brecht, "Collective Presentation (Editors' Notes)," *Screen* 15, No. 2, (Summer 1974), 47.

⁹Lotte Eisner, "Appendix: The Dreigroschenoper Lawsuit," in *The Haunted Screen*, tr. Roger Greaves (Berkeley: Univ. of California Press, 1973), 344-45.

¹⁰Brecht, "Der Dreigroschenprozess," 185-86, 195-96, 197. Translation by Richard Garrett.

¹¹Bordwell, 57; Neale, 30-33.

¹²Standish D. Lawder, *The Cubist Cinema* (New York: New York Univ. Press, 1975), 184-85.

¹³Neale, 33.

¹⁴Michael Budd, "The Cabinet of Dr. Caligari: Conditions of Reception," *Ciné-Tracts* 3, No. 4 (Winter 1981), 41-49.

¹⁵Budd, *passim*.

¹⁶*Moving Picture World* and *Motion Picture News*, various issues in April and May, 1921.

¹⁷Budd, 48.

¹⁸George A. Huaco, *The Sociology of Film Art* (New York: Basic Books, 1965), 35-36.

¹⁹Letter from Erich Pommer to Paul Kohner, Aug. 3, 1944.

²⁰Brewster, 22-23.

²¹Sue Clayton and Jonathan Curling, "On Authorship," *Screen* 20, No. 1 (Spring 1979), 48.

²²Janet Staiger, "Mass Produced Photoplays: Economic and Signifying Practices in the First Years of Hollywood," *Wide Angle* 4, No. 3 (1980), 19-24.

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