

Tale of RED and ARRI : the Unseen Role of Run Out Legislation and White-Collar Seats

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Abstract— *Cinema is a reputed, glorious mode of expression in pictures in the whole world. Day by day it becomes a widespread entertainment mode with the help of capital and technology. The observable situation in Sri Lanka reflects the calamity of cinema, which could be lead to a catastrophic end to the film art and to the film industry. Sri Lanka has a unique experience of having authority to control the four corners of the film industry unlike other popular markets. The National Film Corporation of Sri Lanka, established by an act, committed wholly to the film industry of Sri Lanka intended to treat everyone engaged in the industry justifiably. It is noteworthy to examine if this legal body has catered or has stood to receive challenges of modern cinema. The purpose of this finding would lead to examine how swift the global cinema changed in recent times and how Sri Lankan authorities unhurried to accept the changes in the world. The changes are mostly parallel to technology existing in the world. It is a must to emphasize the global industry of cinema is a market based on liberalized entrepreneurship. For this market capital flows easily and technology on film making and screening getting higher. To address this crisis, it is essential to revolutionize the current legislation and introduce a pragmatic framework to secure the industry through necessary state intervention, liberalize the industry, introduce and standardize the digital cinema, establish a business model and finally, maintain digital archives through an inquire on professional levels that maintained by relevant authorities. To this, necessary legislations, exclusive interviews, consultation reports and biographies would be used. The result would be a new framework to a legislation which influence for a revival of the Sri Lankan film industry, which would entrust the standards and minimum qualities need to the industry.*

Keywords *Digital Cinema, Liberalized Entrepreneurship, Necessary State Intervention*

I. INTRODUCTION

The base of the terms, the 'RED' and the 'ARRI' simply reflected the periodical change of the cinema. RED is a representation of the digital era. ARRI is the 35mm analog era. It is unjustified the classification of cinema according

to the geographical borders which concern the cinema as a global language of motion pictures with no borders. Then it's a common context to Sri Lanka too. The global cinema stepping forward rapidly with changes in technology, screen plays, distribution and investments. When the world moving towards the high – tech multimedia, it is paralleled the cinema also paving it's path towards themselves. Simply, today's cinema no more in a theatre. The context of Sri Lankan cinema, veterans emphasized the cinema is in a calamity. The media reporting it. The audience recorded a huge downfall in past years. Especially Sri Lanka has a legal authority to regulate the whole cinema. It has necessary provisions and unprecedented when comparing other cinemas. Then the problem arising is how come the Sri Lankan cinema marching towards a calamity under such authoritarian protective context. A complication arising how an old legislation and an authority address such rapid moving context. Therefore this attempt wholly committed to find the reasons of the statement 'calamity of cinema' in a legal background.

The design of the experiment addressed the common issues of the Sri Lankan cinema which strongly believe that the timely failure of the national film legislation and the authority formed by itself. The structure suggested, inquired the operation of National Film Cooperation of Sri Lanka and the act it generated the National Film Cooperation of Sri Lanka Act No. 45 of 1980. The experiment of inquiring the act is to find out the modern applicability of the laws and authorities by concerning the modern trends, issues arose, future trends and the entrepreneurship. The analysis directed to whether the act capable enough to uplift industry from so called calamity.

For a better qualitative analysis some commission reports and committee reports used as consultation reports for the purpose of find the root cause of issue and the need of such authority. Exclusive interviews done a comprehensive detailing and fact finding role regarding contemporary issues of cinema and the purpose of finding root causes. Many literature used in defining the problems in culture of cinema and newspaper articles on

affirmations of veterans reflected comprehensively regarding contemporary problem. Same category of veterans affirmed their view in television programs and considered them as reliable professional statements in analyze.

II. THE HISTORY OF LANKAN MOTION PICTURE BUSINESS

The most common feature of cinema is 'it's a business' based on wide range of entrepreneurship. Therefore it is common to the Sri Lankan context also. The base of the present legislation is the history of film business carried out by passionate wealthy investors in Sri Lanka. The history of the industry witnessed that whole film distribution and exhibition was under the business of above mentioned few investors. Namely Cinemas Ltd., Ceylon Theatres and Ceylon Entertainments are the companies had the regulation of the industry at the early stage of Sri Lankan film business. This time can be identified as the duration between 1948 and 1976. From the economic perspective this situation known as an 'oligopoly'. This oligopoly was much criticized condition in the local film industry. And this was the root cause of the contemporary crisis and the subject of the present legislation.

It has been proved through the business actions carried out by three main companies. Early days of Sri Lankan cinema not based on the Sinhala language cinema. Its all about Tamil and Hindi movies came from India which imported by Cinemas, Ceylon Theatres and Ceylon Entertainments. Sri Lankan film producers also frequently visited India to produce films because lack of infrastructure Sri Lanka had. The statistics reflected, Sinhala movies only got 24.3% proportion of total screen time in 1950's. Most of the film prints were dubbed and companies spent millions of rupees to import films. This situation gradually turned into an opposing demonstration against the oligopoly discussions held with the then government to overcome this minor treatments. The time that the discussions held, the Sinhala cinema have stepped a progressive step with producing 'Rekhawa' in 1956 by Lester James Pieris with William Blake and Titus Thotawatte which the first ever outdoor production done by a Sri Lankan artists. After many communications claims from the local producers then Prime Minister S.W.R.D Bandaranaike stopped Sinhala movies producing in India and banned Sinhala dubbed foreign (Indian) films yet to be distributed.

III. THE 'REPORT OF THE ROYAL COMMISSION ON THE CEYLON FILM INDUSTRY'

The discussions were not paused for many reasons. Main reason was the steps taken so far had no enough gravity

to neutralize the oligopoly existing. The result was the whole Sinhala movie industry organized and built up a capability to force government to do so. They discussed this matter in the year 1961 the then minister of Industries and Culture Maithripala Senanayaka. According to the reports the objectives of this discussion were deficiencies of the cinema, anticipated sponsorships from the government and what the government could offer. It is notable, the socio economic background of that time was nationalization in a closed economy. This context force the government to nationalize the cinema industry. The significant year of this context was the year 1962.

In 1962 'Report of the Royal Commission on the Ceylon Film Industry' was appointed by the government to inquire comprehensively regarding proposals and the situation of contemporary industry. The members to the commission were Jothiyasena Wickramasinghe, Reggie Siriwardane and Palitha Weeraman. The commission got specified objectives to inquire as follows.

- The mechanism of direct state sponsorship to the film industry.
- The sufficiency of studio facilities, mechanism of proper film production and the future of government film institute.
- The anticipated harmony between producer and the distributor to avoid irregularities.
- The steps to be taken to raise the quality of films.
- The encouragement to be given to the producers and the skill development of technicians and artists.
- Establish a cooperation for the purpose of acquisition of film importation.

After a long process in 1965 the conclusive report was published. The commission inquired its objectives comprehensively and prescribed important recommendations to revive the industry.

- Reduce Indian movies to 1/3 proportion.
- Derive importation and distribution from businessmen to neutralize the oligopoly.
- Sponsor all equipment by prescribing tax incentives.
- Establish a complete studio complex by the means of producing feature films by the proposed cooperation with the intention of giving facilities and credit schemes.

After gaining such considerable victory by the industry they couldn't lead it to their benefit because then government did not interested in the implementation of recommendations given by 'The royal Commission' due to external reasons.

IV. THE STRUGGLE CONTINUED

The veterans of the cinema emphasized the struggles after publishing the report of enquiring continued because of the unnecessary held up implementation by the political authorities. Their discussions were already fruitless because of screen time issues, Indian dependency and industrial oligopoly were existing.

This resulted amalgamation of all professional and cultural organizations in the film industry and made a common platform against the oligopoly except Gamini Fonseka and his wing. By organizations and associations they kept proposing steps avoid disadvantages to the cinema. In 1969, veteran camera director, later administrator Sumiththa Amarasinghe proposed few proposals to reduce influence of oligopoly to then Mass Media minister. Some important proposals were:-

- It is mandatory to screen local films in each and every theatre.
- Screening must be limited one print at a time.
- Reduce entertainment levy up to 10% from local films and increase it up to 50% for foreign films.

Out of many proposals Mr. Amarasinghe's proposals contained a capacity of implementation regardless the sustainability but as a short term answer.

Later, the organizations and associations took their demands and entered into politics and expressed their support to the Sri Lanka Freedom Party and the coalition with the intention of neutralize the oligopoly and establish a cooperation. In 1970 the four main professional organizations of the collective made a declaration and presented to the government. That declaration was the first step to establish a state a film cooperation. Basically this declaration demanded the status of an industry to the cinema with purpose of getting state subsidies. This was a result of comprehensive study of 1965 royal commission report and post situations thereafter. Thus there were some progressive suggestions that force to make a legal body. Basically the suggestions focused on subsidizing local films, protect the choice of importing countries that in a scenario of India was the popular choice, to encourage produce Tamil films in Sri Lanka and government mediation of buying quality short films later these were some of many proceedings of established cooperation.

V. THE LEGAL BODY ESTABLISHED

The attempts of struggle and steps that government agreed made a resolution that industry hoped for a long. The result was 'State Film Cooperation' established through the act no. 47 of 1971. The present law, No. 45 of 1980 is the amended version of the act of 1971. All proposals and contemporary needs that industry

demanded included in the list objects of the cooperation. The section 4 of the act, the objects and powers of the cooperation covered a wide range of contemporary needs. Especially the extract of demands, declarations were included in the law and granted them to the cooperation for the execution. But until 1976 cooperation could not able to break up the oligopoly of distribution and exhibition held by Cinemas, Ceylon Entertainments and Ceylon Theatres.

VI. THE LAW ON TODAY'S PERSPECTIVE

When the time introduced the act and the cooperation and later the struggles and declarations are not rare in the industry. When comparing with the today's context the struggles are also in need. But today's issues cannot be consider as can solve through discussions and declarations. Firstly cinema cannot separate from technology. On that base, it produce an image on polarization between the modern cinema and over 4 decade old regulations. This should be reviewed on a justifiable platform that the objects, powers and implementation of the law and cooperation and modern needs.

It's important to note what background that everyone forced to make a law and a cooperation. When crisis begins in the 60th decade, the economic policy was the closed economy concept. Everyone did not get the right to make films to them resources are not available vastly. The importation of film reels could afford by few producers in the country. In 1970's after establish the cooperation, the consent is needed to produce films and reels produced by cooperation done under conditions. Most important thing is cooperation registered film directors under few criterions and they are the only authorized persons to direct films.

The situation is totally changed under the new government formed in 1977 and the closed economy turned open market liberal economy completely. Effect of that the benefit was taken by the film industry thereafter everyone got the liberty to make films because equipment facilities film reels were not rare like earlier. The managerial structure also changed in cooperation and privatized the importation of films that power acquired in 1972.

These scenarios produce a platform to review the objectives of the cooperation once again. Section 4 subsection (a) of the act said the importation but cooperation privatized its objective. But cooperation register the importers of foreign films. Importation of equipment, materials, accessories currently done by the open market and exhibiting when need in their circuit not keeping it as a responsibility. Section 4(b) cooperation to

be exported films produced in Sri Lanka but no proper framework.

In the Section 4(d), according to that it is a responsibility to establish and maintain cinemas. It is too problematic of existing this duty because during past decades total number of 350 – 400 cinemas brought down to 150- 120 by various reasons. The section 4(f) is about maintain high standards. According to the review made, this is the most controversial section of the act, objective of the cooperation. It is important to note every approach to be taken regarding modern cinema covered by this section. Sections 4(g) and 4(h) reflected the idea of film trade and the marketing research.

Simply the powers are stated as a framework to carryout objectives of the act. It is important to identify what is the trend of modern cinema. The world developed the technology analog to digital. Now world following the digital cinema. Digital cinema transformed every function of film making. Shooting, processing, exhibiting and keeping archives. In 2011 ARRI wound up the 35mm camera productions. Now digital cinema at it's peak, companies like RED developing it's technology for highest levels in digital cinema. Digital processing and editing not just so complicated few software done everything in the picture. Exhibiting films no more consisting lengthy reels it's about high capacity projection through a server. Theatres are no more seating. It is now a multiple dimension experience. Most important thing is most of above novelties can be experienced in front the television through the home theatre. Sri Lankan audience widely experience this and now it is a growing market. Sri Lanka's most focused question is regarding screening movies.

Question is the film cooperation had any sense of this rising trend. Then it's crystal clear the act, cooperation and the action of the cooperation did not reached to this technological destination. In the perspective trade and business the percentage of Smart televisions, Smart phones, Tabs, Blu-ray players and Home theatres extended its capabilities and digital cinema entered into it. The resolution levels are existing in 2K and 4K levels in Ultra high definition while Apple Inc. developed it's resolution up to 5K while IMAX theatres producing wide screen up to 18K. Then it is huge challenge to the cooperation how to run out- dated analog cinema within such development.

Above mentioned scenario is the modern trade and business. Every advancement of technology have the business. Still cooperation did not identify the business of DVD cinema which a big market available outside the

theatre. It is so challengeable if cooperation fails to upgrade exhibition into highest levels in digitalization Sri Lankan films would be isolated in unfortunate manner. Because no audience like to experience low grade technology after paying. Audience can experience more entertainment from their advanced devices. Today, web cinema has a novel identity in cinema. As mentioned in the act technology and equipment regulated from the cooperation but not today's. This reflected the polarization of law and the action. Hereby one reason revealed for the downfall of audience remarkably.

VII. THE PROFESSIONALISM

It is clear that some provisions of the act reflected it's capability to adapt to the situation. Sometimes it is polarized with the present context. Beyond that, cooperation lost it's professionalism through past years. Most importantly the behavior of administration and the film professionals is a distant one. This fact came up with various occasions and various discussions held. Present the ministry of mass media is the controller of film industry or the national film cooperation. The other hand film industry and professionals are independent characters. Therefore visibly those are two rails supporting to run a train. The relationship is traditional state involvement and independent actions. This state involvement has a political nature. The formal practice or the experience in Sri Lankan bureaucracy has no perfect satisfactions in general minds due to white collar actions carried out by them. Therefore this distance mainly due to traditional white collar regime as part of politics and it is made a distant relationship with state and the industry. This effects for the whole professionalism and the film art and this caused a miscommunication to the relationship that two industrial related parties should have. This situation engage with some other issues in the industry.

Specially, the cooperation's knowledge on cinema is some kind of debatable fact. After establishing the cooperation had a considerable path towards a quality cinema while managing quantitative aspects during the tenure of Dr. D.B Nihalsinghe. But the important thing is, later professional film characters held head post of cooperation but the actions of them failed to get back the cooperation from traditional white collar sense. That leads to a calamity in industry it made a state body that cannot take challenges in cinema, maintain a quality of art as a minimum requirement. Ultimately that reflected the cooperation's lack of knowledge in maintain film industry. Specially, the technology has reached its highest standards. The modern day professional responsibility is bridging the laws with the modern technologies upon the novel structures of film art. That has two aspects in the sense of promoting technology and protecting

art/professionals. In other overseas laws, in Indian context the law done a very liberal duty regarding film industry by Cinematograph Act introduced in 1952, a bit old legislation, but has a capacity to fulfill modern needs. The Indian act established the Central Board of Film Certification for the purpose of examining films in grading purposes, certification and defining essential terms mainly and the other duties are administrative and jurisdictional matters of states. Unfortunately Sri Lanka running a massive cooperation instead of compact body with a big quantity of staff unnecessarily and even no examination on modern film simultaneously act also not flexible enough to support that.

VIII. RECOMMENDATIONS

The losing professionalism in the film industry leads to polarization of some laws. The possibilities of changes of laws is an outcome from the professionalism. It is proved that cooperation has a duty advice the minister or the government regarding cinema matters connected with the industry. In the Indian context, the entertainment world earned billions per annum as mentioned no cooperation to regulate the business. Clearly its not a body to regularize the business and technology.

To build a better entertainment surrounding, liberalize the film industry is a need. If Sri Lankan cinema cannot gain professionalism through the legal bodies its better to liberalize with the knowledge of entrepreneurship. But its need a collaboration of wealth and the knowledge of cinema. The wealth and knowledge can build a foundation for better business through ventures. Specially in Sri Lanka the young community with greater talent engaging with short film arts but no capital to engage in main stream cinema. This community should be the target artists of modern Sri Lankan cinema. It is noteworthy this is not a generation dealing with analog generation.

If the government can take measures to invest in cinema instead of regularizing cinema it would reflect a progressive step than this situation. That does not mean laws are unnecessary. Necessary state interventions are needed. The existing challenge in Sri Lankan cinema rotates around the technological advancements matching to the modernity. The situation of most of the theatres are worst in condition. Instead of traditional theatres, mini theatres can change the culture of cinema. The technical specifications must be a one standard prescribed by the higher authorities. As a proposal above industrial responsibilities can be taken by ministry of industries and other professional responsibilities can be held by ministry of mass media and a special committee should monitor all technical standards and advancements

in contemporary cinema.

For the initiation government has to make a policy regarding revival of the cinema. As the early stages of forming the cooperation and sponsorship given to the industry, government need to give wide range of incentives to uplift cinema. In example, government can remove entertainment tax simultaneously taxes of provincial councils and local authorities. The tax on theatre equipment can be removed totally. The income tax of theatres and companies should under a long period tax holiday. The correct usage of liberalized entrepreneurship in India, leading to best ventures in the London Stock Exchange. As a supporting step government can be involved to the market to acquire stake to support for a monopolistic competition market. Apart from policy making in the industry government is capable enough to maintain film archives. Every country that has a film culture do so. Like national film archive in Pune India, consider films as a national heritage. In this subject Sri Lanka have a complex situation in laws and regulations with lack of knowledge and lack of organization. Finally for the support of film rating and grading it will be important to establish a film rating board by abolishing NFC simultaneously repealing the act. But it is must to acquire a wide state sponsorship with an action plan to make a wide discussion.

IX. CONCLUSION

The situation of Sri Lankan cinema defined as a calamity because of the structure acting upon a white-collar authority. The laws are existing while an authority regulate most of the things. The responsibility of a film authority defined as an innovative approach with the understanding of global trend of cinema. This trend paralleled to the technology. The technology is not static. The film related laws in Sri Lanka introduced in a different era than this and the purpose was totally different. Therefore a new path to the new era must be generated and it's based on the liberalization of the industry with necessary state intervention. The attention on professionalism is a highest destination that the Sri Lankan cinema must pave the way through.

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