

Differences of kind and degree: Articulations of independence in American cinema

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If “independent” is always a relational term – implying independent *of* something, more or less specific – it is also often a *relative* quality rather than one that entails absolutely or clear-cut distinctions between one thing and another. As far as American cinema¹ is concerned, the object in relation to which independence is defined is usually clear and quite easily identified: Hollywood. The major Hollywood studios, and their output (especially in their incarnation of recent decades, as parts of larger corporate media entities) are the single overwhelming object against which independence is set. That is to say, independent cinema is defined in relation to a particular commercial regime rather than any system of state regulation or interference, as is the case in a number of the other examples examined in this book. This occurs through discourses in which a number of similar values are often promulgated, however, in the sense that independence here also tends to connote a realm of freedom for the expression of viewpoints different from, or potentially opposed to, those associated with dominant institutions. As elsewhere, this is a domain in which “independent” is almost exclusively positive in the associations with which it is usually employed, as suggested in the introduction to this collection. In this realm, as in many others, it is a term that is heavily freighted with such resonances, which is one of the reasons why it has also been the subject of much heated debate and a concept in which powerful investments are often held. At the same time, however, independence here exists within a wide range of differences in

both kind and degree and its celebration can also be viewed as the product of a particular cultural location.

If Hollywood is the all-encompassing point of comparison, against which independent cinema is usually defined, such a basis can also provide a source of difficulty in how exactly independence is conceived. “Independence” can be used in a relatively plain and factual sense, to designate a particular kind of operation outside that of the major studios. But it is difficult to restrict the term solely to the realm of literal denotation, so strong are the values – and especially the virtues – with which it is usually associated. Something similar might also apply in other national contexts, but this seems to be a particularly potent effect in a nation such as the United States, with a culture that has such a strongly self-conscious and self-congratulatory sense of its own historical achievement of independence. The celebration of the Declaration of Independence remains an active and prominent part of contemporary U.S. culture, along with a tendency for collective identification with the virtues associated with the term (however inappropriate that might seem to some critics of the American role in the world; see also the contribution to this volume by Daniel Kreiss, on the mobilization of such discourse in John Perry Barlow’s “Declaration of the Independence of Cyberspace”). It is the loading of the notion of independence with such weight that makes it resonate with broader American discourses, and thus a topic of interest beyond the realm of particular kinds of cinema, but this can also complicate what exactly is understood as independent and in what manner.

The fact that Hollywood also looms so large, as effectively an American ‘national’ cinema, also seems to give added resonance to the notion of independent cinema as

something different but from within the same geographical space. Independence, as a term that can suggest a relative position within a particular locale, might have somewhat less discursive currency in countries or regions in which *any* nationally-based production is likely to have the status of a Cinderella in comparison with the global dominance of Hollywood (which would apply in most cases other than Bollywood). In Britain, for example, any films made today without the involvement of Hollywood at some level might be seen as effectively independent in comparison with studio output, which seems likely to weaken the currency of the term in this context.

As essentially “non-Hollywood,” the independent realm is extensive, a source of many resulting disputes about exactly what it has been taken to signify. Defined in these purely negative terms, independent cinema embraces a wide range of alternatives to the production of the major studios: from forms that bear no resemblance whatsoever to the familiar work of the commercial mainstream to others in which the grounds of distinction are much less clear cut. At one extreme, we could place various forms of avant-garde or experimental work, alongside other varieties of “underground” or otherwise highly alternative production, seen usually only by tiny audiences within very particular viewing contexts outside mainstream society. At the other, we find narrative features that share numerous qualities with those of their Hollywood counterparts, produced, distributed and circulated in varying degrees of distance from or proximity to the channels of the commercial mainstream. There are also many positions in between these, including, for example, works of commercial “exploitation” cinema of various kinds, including low-budget horror and action films. None of these very different manifestations of independence have anything essentially

in common beyond their shared separation from Hollywood, which makes the concept of independent cinema in some ways not a very productive one, at least when taken in literal terms. It is not much more helpful than a conceit such as “overseas” or “foreign” cinema might be within the US context. As identifiers of distinct quantities – bodies of work that might be expected to have some shared qualities – these are of questionable value. They are, in fact, more likely to mislead than to highlight points of commonality. That a film is non-Hollywood might tell us little more than that another is non-American; which is to say, not very much, given the huge variation found within either of these negatively-defined categories.

A comparison with notions such as “overseas” or “foreign” cinema is a useful one, however, in that these are meaningful as *operative* categories, however limited (or in this case, also chauvinistic) they might be considered in literal terms. These are labels that are *in play* in the world, as part of the discursive sphere through which different kinds of cinema are often understood and their interrelations are mapped, at various levels, in popular, relatively more “serious” and also in some academic discourses. It is in this dimension rather than in any literal definition that independence is at its most powerful as a notion and in such terms that I primarily engage in this chapter. If we consider what independent cinema has been taken to signify in this sense, what we find is subject to both historical variation and plenty of debate within the contexts in which it has been most heavily deployed, particularly in recent decades. Across the history of American cinema, as Gregg Merritt (2000) suggests in his general survey of the terrain, the prevailing meaning of the term has shifted considerably and not always been positive in its connotations (it can, for example, mark a difference from Hollywood that is understood as one primarily of poor quality or shoddy

workmanship). If media independence more generally is usually viewed as a positive or necessary quality – as, for example, a key dimension of an open/democratic society – resonances of this kind are not especially to the fore in many individual forms of independent cinema. The existence of scope for independence may still be important at this level, whatever particular manifestations might result, but many of these might not in themselves be likely objects of celebration on the basis of their broadly political or ideological merit.

Dimensions of independence

It is necessary at this point to refine further a useful basis for defining independent cinema, to permit a more effective articulation of the different grounds on which difference from the mainstream/Hollywood can be understood. A definition based on a distinction from Hollywood can be taken in itself to embrace different dimensions of independence. The terms in which this is put are, initially, *industrial* in nature: a definition based on separation from a particular, established industrial regime. And the specifics of the industrial realm are an important part of most working definitions of the independent realm. We can identify independence, then, in specific areas such as the nature of the companies involved in the finance, production and/or distribution of films, and in other industry-level factors such as amounts of funding, access or otherwise to well-known performers (usually linked, of course, to funding), the types of theatrical release and marketing strategies that are employed, and so on. Difference from Hollywood also includes a great deal more than this, however, although other sources of difference are usually closely linked to these industrial factors. Difference from Hollywood also means difference at the level of the types of films themselves –

without which, difference at the industrial level would be of vastly less interest or concern, with far less seemingly at stake. Separation from the studios *matters*, to those who engage in discourses surrounding independence in various ways, because it implies the existence – actual or potential – of films of a different nature from those produced by the studios. Difference from Hollywood in the nature of the films themselves can usefully be considered at two (also interconnected) levels: those of *form* and *content*. As well as being defined on an industrial basis, therefore, independence can be defined in terms of aesthetics and in terms of subject-matter and its treatment – the latter of which can also amount to a definition in terms of the political-ideological dimension that tends to loom large in broader accounts of media independence.

That independence can be defined on these three levels (industrial, formal, socio-cultural/political) seems now broadly to be accepted in academic understanding of this part of the film landscape, although the emphasis varies from one account to another (for more on this approach, see King 2005). Other commentators have disagreed however, notably Merritt, who maintains that independence can only be defined in any clear manner in industrial terms, on the basis of separation from any involvement on the part of the Hollywood studios, or as he puts it, somewhat less specifically, “autonomous of *all* studios, regardless of size”. Any other basis of definition, such as that independent films embody a different “spirit” or “alternative vision” from that of the mainstream, is declared to be too slippery. To impose such a limitation, however, is to ignore substantial dimensions of what is embraced by the term, and also the very nature of such territory, which is often precisely to *be* slippery, challenging and difficult to pin down in simple terms of black and white.

Independence is best understood as a relative rather than fixed quality, as suggested above. Independence – measured broadly in terms of difference from Hollywood – varies in both degree and kind. Particular examples – individual films or groupings of various types – can be more or less independent/different in their industrial location, context and strategies; in their aesthetic approaches; and in the meanings and ideological implications we might find in their substantive content. The degree of difference in each of these three domains might be closely correlated, or less so. The industrial realm tends to play a strongly conditioning role, setting certain limits of possible difference in most cases. Filmmaking of a radically independent variety in either form or content is generally only possible on the industrial margins, in operations freed from the limitations created by demands for large audiences and profitability. Filmmaking of a more modestly independent kind, in either respect, which might have a greater degree of commercial viability, if on a modest scale, can be found somewhat closer to the channels of the mainstream. If a distance from mainstream institutions is a requirement for radical aesthetics or politics, however, it is no *guarantee* of either of these – a key point for our understanding of how independence in this realm relates to broader notions of independence in the media.

Independent film can be entirely lacking in any distinct markers at the aesthetic or political level. For those who would valorize independence-as-difference, particularly in politically progressive terms, this is a crucial distinction. If Hollywood is considered broadly to be politically conservative, in the ideological implications of much of its output (see, for example, Ryan and Kellner 1990), a presence in the independent sector at the industrial level is, in itself, no guarantor of anything

significantly different. Or, at least, of difference that would be defined as progressive in left/liberal terms. Radically left-leaning alternatives are, in fact, quite rare in the independent realm, although a wider range of independent productions might be considered to offer critiques of life within capitalism, patriarchy or racist society of a more implicit kind. The strongest examples of radical left politics in the American independent field would include some of the films of Haile Gerima, a member of what became known as the LA School in the 1970s, particularly features such as *Bush Mama* (1979) and *Ashes and Embers* (1982), which adopt the insurgent agenda of work that seems to dramatize a process of political awakening in terms that combine the dynamics of class and race. Very little other work of such an overtly political nature can be found, however, particularly in feature-length filmmaking that aspires to even the most marginal forms of commercial distribution. Most examples are in documentary form – a mode largely confined to the independent sector by default – notably including a number of films by Michael Moore that have reached much larger audiences than usual for this kind of material. More common is an implied critique of contemporary American life and/or major institutions such as the family or suburbia, in independent features that are more likely to adopt modes such as satire and irony than to proffer alternative visions or prescriptions for social change (for example, *Happiness* [1998]). To a greater extent than work of an openly left-leaning orientation, independence has also created important space for filmmakers motivated by other political concerns, particularly those relating to issues of gender/sexuality and race/ethnicity, dimensions that have played a conspicuous part in some of the higher-profile manifestations of the sector in recent decades.

Much independent production might be considered to be largely apolitical or to share some broadly conservative implications found within Hollywood, including various schools of exploitation-oriented genre filmmaking. Some independent horror films, for example, might be interpreted as having radical potential, in what they imply about notions of the normal and the abnormal and how such categories might be blurred or undermined (for example, the vampire films *Martin* [1978] and *Habit* [1997]). But many are much more straightforward in their approach, seeking primarily to offer certain kinds of “thrills” to viewers on lower budgets than those typical of Hollywood (for example, *The Evil Dead* (1981) or *The Blair Witch Project*), sometimes with material that would be considered too “disreputable” for the preferred self-images of the studios (for useful case studies of some operations in this realm, see Perren 2013 and Wharton 2013). Independence is an arena chosen by some filmmakers, as a location within which to pursue more “personal” varieties of work, with lesser commercial constraints than those faced in the studio arena. This is an important part of the image – and romance – of independent filmmaking, and also part of the reality, although considerable constraint often still exists, most obviously at the level of available resources. But it is also a place chosen by others, filmmakers and those who are more business-oriented, as an opportunity space for enterprises that are more commercially intended. That is to say, it is constituted in part through the identification of gaps not filled by the studios that are available to be exploited, with profit as the primary motivation. The independent sphere also provides space for production of a kind that is politically distinct from Hollywood but motivated in terms that would be considered to be the opposite of progressive, as understood from left/liberal terms, including a thriving sphere of Christian production and circulation (see Russell 2013).

A similar range of possibilities exists in the aesthetic dimension, in which independence can be marked by differences at the level of the employment of key aspects of film form such as narrative and audio-visual style. In work at the avant-garde or experimental end of the scale, we find explorations of the nature of the medium of the kind that would be associated with high modernism (examples including the work of Stan Brakhage). More commercially-oriented independent features often employ aesthetics very close – or even more or less identical – to those of studio features, particularly in the use of familiar “classical”/canonical narrative structure and the basic visual orientation provided by established continuity editing schemas (if not always with the same polish as is available on larger budgets). In between, as in other dimensions, are various possibilities. Many titles now established as independent “classics” draw on formal qualities associated with works of international “art” cinema. These include claims for greater realism or authenticity than that of studio film, made through the employment of downplayed or de-dramatized narrative structures and/or the use of hand-held visuals to create an impression of *verité*-style access to unmediated reality; qualities that can be linked closely to the political dimensions of films that might present visions of existence very different from those usually found in the products of Hollywood. They can also entail approaches marked as more artistically expressive in various ways – usually in renditions of subjective character experience (for more on all of these approaches, see King 2005, chapters 2 and 3).

The institutionalization of independence

If independence can embrace so much variety (the above being only a very brief sketch of some of its parameters), debate about its exact meaning within the sphere of American cinema gained a particular currency in the period from the latter part of the 1980s onwards, during which certain parts of the sector underwent a notable process of growth. Before this period, the term “American independent cinema” suggested something quite disparate and marginal: a number of more or less historically distant phases of avant-garde or underground work; the occasional narrative feature production, some of which gained greater prominence during the much-celebrated “Hollywood Renaissance” of the late 1960s to the late 1970s, in which the studios embraced some such work during a period of crisis; the output of exploitation-oriented outfits such as Roger Corman’s New World Pictures; and so on. However, a number of factors led to an upsurge in independent feature production during the 1980s, most importantly including the advent of home video, which created a huge increase in demand for product that the studios were unable to meet. A number of new institutions came into existence, supporting and helping to consolidate what took on the appearance of a distinct and concerted movement, including new distributors and film festivals specializing in lower-budget films targeted to a niche art-house audience. The notion of American independent cinema, as something distinct and identifiable, gained wider and more sustained attention than had existed in the past, increasingly so by the early 1990s, partly as a result of the cross-over success some individuals films achieved beyond the limits of the art-cinemas of the bigger cities and college towns (notable examples included *sex, lies, and videotape* [1989] and *Pulp Fiction* [1994]), and by the prominence gained by the sector’s most visible institution, the Sundance Film Festival.

The main focus of this attention was a particular variety of independent film, what Yannis Tzioumakis describes usefully as “the low-budget, low-key quality film” (2013, 32). This is only one part of the broader independent spectrum, generally positioned as relatively “artistic” in style, without being close to the avant-garde or the experimental. It tended to be broadly alternative in politics, although often in the implicit manner suggested above rather than in more overt campaigning (the clearest cases of the latter related to issues of sexual orientation, particularly in the form of what became known as New Queer Cinema, and of race and/or ethnicity). This sector embraced a certain range – including that from the distinctly art-cinema-oriented to low-budget innovations within more commercial genres such as the crime thriller – but remained within a specific portion of the wider independent realm. Its prominence, however, was such that this kind of cinema was what the term “independent” came predominantly to signify in this period and afterwards, one source of subsequent confusion and debate about how precisely the concept should be understood.

The increasing success enjoyed by some within this part of the independent landscape, and the increased prominence that resulted, began to increase the pressure on what the term independent was, could or should be taken to mean. During the 1990s, the discursive stakes were raised in much the same way as were those of the business itself, at a time when the unexpected cross-over success of a number of hits (the likes of *Pulp Fiction* and *The Blair Witch Project* [1999]) created pressure within the industry for others to follow suit, rather than to be happy with the more modest returns that had characterized the business in the majority of cases. Pressure of this kind was seen as a threat to the distinctive character of the independent sector, or this

part of it, at least. To try to build-in cross-over success from the start, rather than to take it as an extra, as icing on the cake, was perceived, rightly enough in many cases, to be to move in broadly conservative directions; to be more conventional, in all respects, including leaning more to the employment of familiar stars, with the upward budget pressure that would create, with its concomitant reduction in the scope for relatively more radical departure.

The involvement of Hollywood

The status of independence became seen as under threat during the 1990s, in other words, no more so than by the entry, stage-right, of the arch-enemy: Hollywood itself. Some of the studios played a part in the consolidation of independent institutions of the 1980s. Among the new distributors specializing in this material at the time were what became known as “classics” divisions, created by first by United Artists in 1980 (no longer one of the majors but a struggling operation merged with the similarly fallen MGM) and subsequently by the big players Twentieth Century Fox and Universal. None of these lasted very long, which is probably why they were not seen as posing much of a threat to conceptions of independence at the time. They were followed from the 1990s, however, by a much more concerted series of studio moves onto this territory, the creation of new entities such as Sony Pictures Classics and Fox Searchlight and the high-profile take-over of existing independent players, the most prominent of which was the 1993 purchase by Disney of Miramax, which had become a dominant force in the sector at the time, largely through the success of individual titles such as *sex, lies and videotape* (1989), *The Crying Game* (1992) and *Pulp Fiction* (see King 2009, Tzioumakis 2012, Perren, 2012).

The Disney takeover of Miramax had the appearance of a classic instance of commercially-based threat to media independence. Disney was not only one of the six major Hollywood studios and, along with the others, part of a very large, consolidated multinational operation, but also perceived as the epitome of many of the worst traits of such entities, with its reputation for the output of bland, conservative ‘family’-centred material and for maintaining very strict global control over its various branded properties. If such corporations often figure prominently in general concern about media independence, in the broad dominance they exert over wide swathes of media and in their global power, the kind of initiative involved in this case was one in which any such sense of threat seemed all the more pointed, immediate and dramatic, in the act of buying out and gaining control over a previously independent operation. Not just that, but what also gave this takeover a particularly vivid character was the prospect of a company with the reputation of Disney – of all the studios – owning an independent that had built a reputation for the distribution or production of a number of relatively controversial titles (even if this was, in reality, largely the pursuit by Miramax of an exploitation-style strategy of deliberately courting controversy in an effort to gain unpaid-for publicity, as in the case of the gender identity ‘big secret’ at the centre of *The Crying Game*).

Far less ‘outraged’ reaction greeted the more or less simultaneous takeover of the other largest independent distributor of the time, New Line, by the media mogul Ted Turner, shortly after which another merger made New Line part of the huge Time-Warner conglomerate. This might have been an equally large foreclosure of independence, but did not signify as strongly within prevailing discourses relating to

the concept, because New Line was associated primarily with less valorized forms of independent film, its fortune being based on the success of the lower-status genre franchises of the Nightmare on Elm Street (1984-) and Teenage Mutant Ninja Turtles (1987-) series. The prospective loss of material of this kind to the studio-conglomerate realm did not tend to set off alarm bells, a further demonstration of the complexity of the independent realm and the differing levels of investment held in different kinds of non-studio production (the profits of these series did also enable New Line to invest in the creation of a more quality/art-film oriented division, Fine Line Features, but this remained a minor part of the enterprise

How much material difference takeovers such as these made to the viability of a distinct independent sector is generally difficult to measure with any certainty, although this would appear to be an important issue within the broader sphere of debate about media independence. Studio “speciality” divisions, as they became known, such as Miramax under Disney, Focus Features, Fox Searchlight and others were given varying degrees of autonomy, to operate without the approval of their corporate parents. These usually included the freedom to give the go-ahead to productions or purchases (in their role as distributors) up to certain budget ceilings. Key personnel were also retained in many cases, including Harvey and Bob Weinstein, founders of Miramax, who remained at the head of the Disney division. Studio interest in the independent sector was based primarily on a desire to share in some of the successes it had enjoyed, particularly the largest cross-over hits, and this included a recognition of the importance of maintaining expert understanding of the specifics of this part of the film economy, rather than just reducing it to the same terms as the operations of their main divisions. This was a respect in which this wave

of involvement differed importantly from the earlier period of generally unsuccessful “classics” divisions. A significant degree of independence was maintained, therefore, but for many this represented an uncomfortable blurring of the lines.

While the most obvious reaction from within the sphere of independent filmmakers and their supporters was a strong expression of disapproval of studio involvement in the sector, there were also considerable benefits for those involved in the creation of these new entities, or the changed status of existing operations such as Miramax. Under the wings of Hollywood, speciality divisions gained greatly increased access to resources, including not just finance but also, importantly, access to the powerful distribution and sales networks of the studios, sources of considerable advantage in the marketplace. This immediately raised more concerns, of course, about the impact of this on the status of the remaining unaffiliated independents, whose position was very much weaker. Miramax, especially, and notoriously, soon gained a reputation for bullying behaviour in the marketplace for distribution rights to new independent features, the resources of Disney permitting it to outbid competitors and to dominate the competition (Biskind 2004, 156-7). This had a number of consequences that were seen as further threats to the capacity of parts of the independent sector either to remain in existence or to maintain previous degrees of difference from the mainstream in their orientation. In the face of the wave of buying started by Miramax, other speciality divisions and larger free-standing independents were effectively forced to increase the extent to which they invested in the production end of the business in order to gain access to features at an earlier stage in the process. This marked an important change of emphasis. This part of the business had until this point been founded primarily on distribution and a model based on the purchase of

distribution rights to completed features. Investment in production is a very different kind of enterprise, involving greater risk than the identification of finished products that are seen as having commercial potential within the independent realm. Greater risks of this kind were viewed as leading to attempts to reduce risk in other ways, generally by favouring properties that appeared to be safer commercial bets, particularly through the increased use of stars (Biskind, 160).

It is not really possible to measure any impact of this kind, and it is always easy to risk over-stating how much more challenging or different parts of the independent landscape might have been in this period were it not for the involvement of the studio speciality divisions, a common hazard in some of the more rhetorical discourses surrounding the independent field. There have been occasions, however, on which clear-cut lines were established, markers of distinction of what can or cannot be permitted under the ambit of the studios: moments that throw into clear light some of what can be at stake in questions of precise degrees of media independence. These usually involve refusals by studio corporate parents to allow the distribution of certain individual titles, examples of what cannot be digested by even the semi-autonomous divisions of such entities. A number of high-profile instances involved Miramax during its ownership by Disney. Miramax was required to create a new, separate company to distribute the controversial youth-sex drama *Kids* in 1995, after it received an NC17 rating, a category the company was contractually disallowed from handling as a part of Disney. The religious comedy *Dogma* (1999) was personally bought back from the company by the Weinsteins, and sold to the independent Lion's Gate Entertainment, as a result of pressure put on Disney by a number of Catholic organizations. Greater controversy, because of its more overtly political dimension,

greeted the abandonment of Miramax's planned release of Michael Moore's provocative documentary *Fahrenheit 911* (2004), following Disney pressure reportedly linked to its corporate interests in Florida (the company was accused of fearing that its involvement with the film would threaten tax breaks it received in the Disney World state, where President George W. Bush's brother Jeb was governor).

This appears to be the stuff of real and direct threat to media independence, resulting from corporate involvement in the sector, although even here some caution is required in the interpretation of such events. None of the films involved in these interventions can be said to have suffered in their ability to reach audiences as a result of such interventions. Quite to the contrary, it is almost certainly the case that they benefited from the considerable free publicity that resulted. The outcome at this level, if not the intention or conscious motivation, was very similar to that which Miramax had deliberately engineered in the numerous previous occasions in which it had courted controversy through acts such as challenging ratings decisions before the Disney takeover.

Whether or not the studio speciality divisions had any right to be described as part of the independent sector became a much-debated issue, as is perhaps unsurprising. They seemed a clear breach of any definition based on being "not Hollywood" and, for many, were firmly to be excluded. Their state of semi-autonomous existence under the studio umbrella remained somewhat ambiguous, however. In any bottom-line account, they were likely to be seen as interlopers, cuckoos in the nest, part of the broader attempt of conglomerate-media owned Hollywood to co-opt almost every potentially attractive source of profits that it could control. As far as the films that

they handled are concerned, however, it is not so easy to argue for any simple basis of exclusion. A case can certainly be made that the speciality divisions have tended, on the whole, to cherry-pick within the broader range of independent feature production: to pick up for distribution or invest in productions of relatively greater commercial potential. Films from the speciality divisions are, on average, more likely to feature known star performers than those from unattached distributors, the presence of such figures often being taken as a key marker of more commercial/conventional status. They are also, arguably, more likely to feature relatively stronger deployment of conventions from familiar genres such as romantic comedy, and generally to be broadly more conservative in nature. In terms of their narrative strategies, they might be more likely to avoid entirely downbeat endings – another quality often taken as a marker of independent status, in its refusal of one of the most familiar of ameliorative Hollywood clichés. A fairly common feature of films from speciality divisions, I have suggested elsewhere (King 2009), is the mixed-resonance ending: one that leaves a positive resolution possible but not actually enacted, a way of having the best of both worlds that might be taken as symptomatic of this part of the film landscape more generally (as, for example, in the romantic comedy-drama *Sideways* [2004]).

These are only very approximate markers of the status of the realm of the speciality divisions, however, within which considerable space for variation exists, along with sizeable overlap with the qualities of films from unattached independents. The speciality divisions have handled some films the textual qualities of which are more or less indistinguishable from those distributed by the fully independent. Larger degrees of departure from mainstream routines are more likely to be found beyond the realm of the speciality divisions and a broad correlation can generally be identified

between textual features and industrial location – but this does not amount to an entirely fixed, one-to-one relationship. This, again, suggests the requirement for nuanced understandings of media independence that allow for distinctions of such kinds to be made, in relation to differing degrees of independence in particular circumstances.

Distinctions also need to be made here between different examples of the studio-owned divisions. Sony Pictures Classics (SPC) is notable, for example, for handling a range of films much closer in textual qualities to those of the unattached independents, including a significantly larger number of more art-house oriented and/or foreign-language titles. This is a case in which distinctiveness of output can be related quite directly to institutional arrangements, SPC being the speciality division in which the greatest autonomy from the studio parent was given to the heads of the division, on the basis of their established track record. Other divisions such as Miramax under Disney, Fox Searchlight and Focus Features have tended more strongly to target larger, cross-over audiences. As much as in textual qualities, it is in fact in strategies in areas such as marketing and distribution that differences can often be identified between the studio divisions and the fully independent. A characteristic tendency of the speciality divisions, at least with what they see as their most promising releases, is to open them relatively wider than the norm for the independent sector, and to expand them more rapidly and to substantially larger numbers of screens if they perform successfully. This amounts to something of a hybrid between typically studio and typically independent approaches, and it is as a hybrid that this realm is usefully known, as suggested by the term “Indiewood.”

“True independence”?

Given the suspicion with which they were often treated by commentators invested in the perceived virtues of independence, it was no surprise that a generally celebratory tone was struck by some when the studios made a partial withdrawal from the sector towards the end of the first decade of the twenty-first century. This was a process begun by Time Warner in 2008 when it closed its speciality division, Warner Independent Pictures, as part of a reorganization that also involved the shutting of New Line and its more independent-leaning wing at the time, Picturehouse. Paramount also put an end to its Paramount Vantage label. Most notably of all, Miramax underwent a number of radical changes, following the earlier departure of the Weinsteins, who sold their stake in 2005, being downsized and eventually sold in 2010 to a group of private equity investors. A number of substantial players remained in place, particularly Fox Searchlight and Focus Features, but these moves were widely interpreted within industry and media circles as marking a retreat by the majors from the independent arena and as underlining some of the problems faced by this part of the American film business, particularly those created by excessive competition for what was perceived to be a finite speciality market.

The response of many to the rise of the speciality divisions, and to their apparent or at least partial fall, provides a useful focus through which to examine more closely the manner in which investments in the notion of independence have been expressed in this part of the media landscape. If the studio-owned divisions are the negative object in prevailing discursive frameworks, the positive, in many accounts, is a conception of the “truly independent” to which this is counterposed. So, what is it to be “truly”

independent, and what are the broader cultural resonances of such a construction? In concrete terms, to be truly independent is to be *entirely* independent. That is, initially, to have no ties to Hollywood of any kind. But it might also be taken a good deal further, if put in such strongly idealized terms. We might return here to Merritt's comment about the absence of ties to "all studios, regardless of size", which might be taken to include even very small industrially-organized production enterprise. True independence might only be manifested by the effectively do-it-yourself level of operation, the usual condition of existence for the avant-garde and the underground. This might also be applied to the micro-budget level of independent feature fiction production, an approach that became popularized in the early 1990s in the context of films costing initial sums starting at around \$20,000 for work on 16mm (about \$33,000 in 2012 prices, adjusted for inflation). The difficulty with a concept such as this is that it can keep being chased further and further back, in increasingly restricted terms. As far as cost is concerned, feature productions have been completed for increasingly smaller sums, as low as, say, \$7,000 on film for *Primer* (2004), and far less – almost nothing, if the labour of those involved is not included (an issue considered in other contexts in Section 2) – for some feature-length works on digital video.

Ultimately, of course, there is no such thing as *absolutely* true independence, in the sense of any form of cultural production that is one-hundred percent lacking in dependence on anything of any sort; not just institutions and resources, but ideas, concepts and basic frameworks of some kind within which to operate – not even for the single-person filmmaker or even for those operating in the most rarified and abstract territory. But it is possible, particularly in the era of ever-more affordable

digital production tools, for something entirely independent to be achieved in more normal usages of the concept. The downside of very strong independence of this kind is that it tends to be accompanied by independence from more desirable quantities such as reaching an audience or achieving any revenue, an issue explored elsewhere in this collection. There are exceptions and occasional breakthroughs, but in general a broad inverse correlation can be established between degree of independence and likelihood of reaching substantial numbers of viewers (and the commercial returns that tend to be associated with the latter). The internet has provided new potential channels of distribution. It has, for the first time, made it possible for filmmakers to distribute their work directly, without dependence on any of the usual institutions, but it remains very difficult to find an audience in this manner. Numerous new institutions have come into existence in this online domain, but beyond the largely free-for-all status of fora such as YouTube and other unregulated video-sharing sites, those that have the greatest capacity to reach an audience, or to produce any financial returns, tend to entail various forms of gate-keeping that in some ways replicate those of more traditional channels (King 2013, chapter 2). It is notable, though, that some of the most effective uses of new online initiatives, including crowdfunding and the organization of screenings on a house-party model, have been in the most politically oriented parts of the independent arena, particularly documentaries such as the work of Robert Greenwald.

The problem, as often expressed by contemporary commentators such as Ted Hope, producer of many independent features, is finding a territory between the domains of the speciality divisions and an ultra-low-cost realm in which it is difficult to be able to sustain any kind of viable business or career (see numerous posts on Hope's blog

“Hope For Film”, online at www.hopeforfilm.com). A prevalent claim by figures such as Hope and others in the early 2010s was that the independent sector of the kind that became institutionalized from the 1980s was in crisis, its established model no longer viable, largely for reasons such as excessive competition resulting in increased spending on marketing, in the attempt to reach a limited audience for material of this kind. Whether or not this really constituted a significant change in the general fortunes of the sector is open to question, however, as I have argued elsewhere.

The independent sector certainly faced problems during the 2010s, not least feeling the general pinch accompanying the recession that followed the global financial crash of the late 2000s. It is debatable whether the situation was qualitatively different from previous periods of difficulty faced by independent cinema, however, such as the aftermath of the stock market crash of 1987 or other financial setbacks and general fluctuations of fortune, or the generally parlous state in which much of the independent sector has *always* existed, even when a steady supply of breakout hits has been achieved. Another way of approaching this is to consider the notion of “crisis” to be of significance here: as much as part of the discursive rhetoric surrounding this territory as in relation to any specific difficulties in any particular moment. *Really* to be independent, in a certain sense, in this context, is to occupy something like a permanent state of crisis and instability, rather than to reach too great a degree of the kind of stability that results from institutionalization, the latter carrying potential connotations such as rigidity, conformism to conventions of its own, and, ultimately, inauthenticity. Notions of independence are strongly associated, in many media contexts, with notions of the authentic representation of whatever phenomena are not considered to be represented in this manner under conditions of dependence on

dominant power, whether the latter is commercial or political in form. A key question that results is: how much institutionalization can occur without this being viewed as, in some way, a threat to notions such as “true”, “real” or “authentic” independence? Or, from a purist perspective, whether or not *any* significant institutionalization can be approved?

A concern with the credentials to authenticity of independent cinema is easy enough to understand, as part of the discursive regime that is in play in this territory. The independent sector has undoubtedly grown and become increasingly institutionalized, especially since the 1980s, and it not surprising that some of its members or supporters might have viewed some of this with a degree of suspicion, particularly the involvement of the Hollywood studios considered above. The level of investment that is sometimes expressed in notions of a more “true” or “authentic” independence suggests that something more is involved, however, than just a coolly logical response to concrete events on the ground. I have argued elsewhere that what appears to be involved here is something akin to a defence of a particular faith, in a discursive context that has more than a little in common with some of the central tenets of Puritanism, a context applied in a similar manner to the realm of indie music by Wendy Fonarow (2006; King 2013, introduction).

“Independent”, ‘indie’, “Indiewood” vs. “mainstream:” Differences of kind and degree

Investments of this kind are also in play in the choices of terms used to designate these parts of the film landscape, any of which inevitably risk becoming loaded with

particular weightings and associations. The term “independent” is often used quite loosely and generally, but also on some occasions given a more protected status that seeks to signify something more specific and valorized. “Independent” is sometimes distinguished from the diminutive “indie,” a term that is also in widespread use in this domain but the connotations of which vary according to usage. The two are sometimes used entirely interchangeably and to signify much the same, but not always. In some uses, “indie” signifies something valued less highly than “independent”, being taken to refer to those forms of independence that are considered to be less authentic. As well as being a diminutive, and so initially suggestive of weaker status, “indie” has also been used to demarcate the particular part of the landscape that has been seen by some as representing a lesser quality than independence. It has been employed to suggest a variety of independence, particularly from the mid-1990s, that is seen as having become a conscious confection, designed to fit an institutionalized marketplace, rather than a form of independence that would, ideally, be created with no such prior consideration of its status as a particular form of commodity, even if one aimed at a niche market (an ideal that seems somewhat mythical and utopian, as if such work is ever created in a vacuum). Indie has also been used by some to designate the output of the speciality divisions, a further source of negative connotations and also of some confusion, given the usage of the term Indiewood also to indicate the same terrain. Independent, when used in relation to such other terms, can come to suggest something stronger and more steely in nature, less subject to the suspicious slidings towards the conventional, the confectioned or the co-opted than the likes of indie or Indiewood.

My own terminological preferences are as follows, expressed here because it seems important always to define exactly how any of these labels are used in any particular context. I use “independent” to refer to the inclusive realm of all non-Hollywood cinema, as has been the case above. “Indie” is a useful term with which to distinguish the particular variety of independence that came to prominence from the 1980s, as sketched above, partly because it came into broader circulation in this period in relation to this part of the landscape. There is no necessary reason why it should be defined in this way, but such usage also has the merit of suggesting some connections between these types of independent film and some broader aspects of contemporary American culture that go under the name of “indie,” particularly the realm of indie music, where some similar issues are involved in relation to notions of authenticity, inauthenticity and selling-out (the context of David Hesmondhalgh’s contribution to this volume). “Indie” seems to me usefully to capture this sense of a wider cultural nexus, a dimension explored further by Michael Newman (2011), although it might, arguably, be considered to be less American-specific in some of its connotations (indie might be a term used more often in relation to certain kinds of British music and some other media, for example, than as a descriptor for lower-budget British films).

This is far from an area of agreement among academic authorities on the subject, however. Yannis Tzioumakis separates out “independent” and “indie” as distinct historical phases *within* the post-1980 variety of independent cinema while Alisa Perren uses the latter to identify the arena of the studio speciality divisions, which I find more usefully designated as Indiewood (another term the connotations of which are often decidedly negative initially framed in a discursive gesture designed to de-

valorize some forms by emphasis on the belittling ‘wood’ component and its associations with the domain of the studios). The basis on which such terminology is chosen is related in all of these cases to the grounds on which independence is being considered. The distinctions made by Tzioumakis and Perren appear to be related to their primary focus on the industrial level, one that, for me, results in too narrow a usage of the term “indie” and that misses some of its broader cultural resonance. That agreement on the exact usage of such terms is absent among academics can be taken as further testament, however, to the loaded nature of the concepts that are involved, ones that do not lend themselves, despite our best efforts, to an entirely cool analysis absent of any investments of its own.

There are many value-judgements inherent in the investments made in notions such as independence, or the distinctions made between one form of independent production and another, in film as elsewhere. To valorize independence over the world of corporate-owned studio production (or the “truly” independent over the “indie” or the products of Indiewood) might seem to be an unproblematical good, from a broader political viewpoint. But the way such differentiations are made tends also to be part of an elitist process of social distinction-marking of the kind classically analysed by Pierre Bourdieu (1984). To favour works of independent status might be to strike a blow for democracy and openness, but it is also to mark oneself as “superior”, through the exercise of resources of cultural capital that are as unevenly divided as their economic equivalents. The contentious nature of definitions such as independent, indie and/or Indiewood is, to a significant extent, rooted in their relative or contested positions within broader cultural-taste hierarchies – each of these being

able to claim at least some degree of superiority through its opposition to the larger negative reference point constituted by the Hollywood mainstream.

In the case of American cinema, the notion of the “mainstream” does correspond to a reasonably solid form of opposition, rather than merely serving the purpose of imaginary chimera or mythical other. The Hollywood mainstream, although often used as a form of shorthand, is a quite coherent concept, denoting both a globally dominant industrial regime and a series of textual approaches against which independence can meaningfully be defined, even if only in varying degrees and with some limited space for departure within studio production.. But the grounds on which these distinctions are made remains hierarchical and deeply rooted in unequal access to cultural capital. If some varieties of independent or indie film signify “quality” for their target audiences, primarily from the well-educated middle class, often middle-aged (the same ranks, often, as academics, myself included), it is worth remembering that they might suggest rather different qualities (“boring”, “cheap”, “rubbish”, for example) to others whose taste preferences are closer to those of the studio products designed for a broader and often more youth-oriented market. We might want to valorize independence on important grounds of opposition to the control of dominant oligopolies such as that constituted by the Hollywood studios. But we should also remember that what goes under the name is both variable, contested and often designed to suit only a particular range of socially-grounded taste patterns.

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ⁱ I use the terms “cinema” and “film” interchangeably in this chapter, in their generally established usages, rather than to refer specifically, respectively, to either a particular site of exhibition or to the use of either celluloid or video media.