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“Qualified personalities”

Sociology of the French *Media Government* from Cinema to the Digital Era

Key Words

Sociology – France – Cinema – Television – Digital – Communication – Elite – State – Qualified personalities – Media Government – Revolving doors – Mythology – Author rights – Taxes – Organizations – Institutions – Jurisdictions – Youtube

Bio

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Home of the Cannes Film Festival, France is internationally recognized as the *auteur* cinema land. Its productions, from *Pierrot le fou* (J.-L. Godard, 1965) to *La vie d'Adèle* (A. Keuchiche, 2013) embody a free, inventive, independent cinema but also, an active resistance to the Hollywood industry domination and the rise of television. While television, video and VoD have weakened the prestige and the economy of the Italian, German or Russian cinemas, the French aura is still vivid. Thus, enchanted stories about the French singularity circulate, putting forward the action of individual politicians, visionary entrepreneurs and fierce filmmakers. These stereotypes, however, overlook two characteristics of the French particularism. First, a legal system based on authors' rights has been established through the last century. Continuing a tradition initiated by Beaumarchais, the French code of intellectual property guarantees the author's rights on films and fictions. Unlike the Anglo-Saxon model, several legal statements (1948, 1964, 1984) have invested the creators of legal power on both their film and its commercialization. This jurisdiction (Abbott, 1988) has allowed the model to absorb the successive shocks of successive technological transitions, maintaining the economic and symbolic audiovisual equilibrium of the French film industry (Alexandre, 2015). The second characteristic is the close connection between audiovisual sectors (cinema, television, video games, etc.), which pool their resources. This practice is based on the conceptualization that the economic development of downstream sections of the audiovisual sector benefit all the upstream segments. The important growth of the television economy in the 1980s and 1990s had indeed been highly profitable to the film industry in the long run.

The nature of French audiovisual sector is determined by a layering of policies, creating at various periods of time. A public policy system has been continuously developed and adapted since the 1950s, mostly focusing on the support to and defense of the artistic and moral quality of film and television programs. This institutional system has relied on "qualified personalities" emanating from diverse sectors such as cinema, television, arts, culture, education, administration and the political world. They are the key players in a number of institutions: the National of Film and Moving Image Centre (*Centre National du Cinéma et de l'image animée*, CNC, created in 1945 by the government for ruling and developing the cinema sector) which is in charge of support and funding commissions as well as commercial visa, and depends from the Ministry of Culture; the Ministry of Culture, which nominates for top-level film institutions (FEMIS state film school, Festival de Cannes, *Cinemathèque française*, etc.); the Superior Audiovisual Council (*Conseil Supérieur de*

l'Audiovisuel, CSA) supervise program broadcasting regulations and compliance (Chauveau, 1997; Trachman, 2013). Thus, public agencies and private operators have regulated, supported, developed and protected through the years the national audiovisual industry. The effectiveness of this system could be explained by the permanence of a solidary chain between talents, intermediaries¹ and organizations within a jurisdictional frame thanks to a stable social space, which I will call and define as the French “Media Government”: a social circle of executives affiliated by common training, interests, professional socialization and revolving doors. For that reason, I stand for inquiring into this grey area, mixing politicians, audiovisual executives and administrative personnel, in parallel of more traditional esthetic analysis (Vasse, 2008), public policy studies (Jobert, Muller, 1987) and personnel support (Bielby, Roussel, 2015).

Beyond romantic pictures, this article presents a sociological analysis of this French model matrix. It focuses on the revolving door system and the policymaking personnel which have enforced a stable regulatory frame for audiovisual industries. The rise of digital operators and executives, more internationalized and engineering-solution oriented, is currently destabilizing this ecosystem.

Three Enchanted Visions of the French Model

Three storylines are usually used to evoke the recent history of French cinema: a) the role of Jack Lang, the Socialist Minister of Culture from 1981 to 1986, and from 1988 to 1993, his name becoming synonymous with the “golden age” of cultural policies (Urfalino, 1996; Dubois, 1999); b) the aesthetic breakthrough of a new filmmaker generation, called the “New New Wave”; c) the decisive action of strategic but isolated leaders.

The action of Jack Lang is usually credited for being the starting point of the major evolution of the French audiovisual sector. The voluntarism of Socialist president François Mitterrand’s right-hand man/advisor is seen as the main source of the original French model (Polo, 2003; Baecque, 2008). A lover of classical theatre and the founder of the Nancy Theater Festival at a time when he was as assistant professor (1964), Jack Lang’s aura is equaled only by that of the first Minister of Culture, André Malraux. His charisma, his

¹ About the importance of middlemen, gatekeepers and intermediaries in cultural fields, cf. Jeanpierre (L.), Roueff (O.), eds, 2014, *La Culture et ses intermédiaires. Dans les arts, la culture et les industries créatives*. Paris : Archives Contemporaines.

appreciation both of classical artists and institutions and *avant-garde* explorations, his personal relations with film directors, his involvement in major cultural infrastructure projects in Paris (Grand Louvre, François Mitterrand National library, Bastille Opera), the doubling of the Ministry of Culture budget in 1982 have made him a leading figure of the French culture world. This vision must however be nuanced as a number of elements can undermine the Providential Man thesis: Lang failed to be influential on several crucial issues during his term (the launch of Canal+, the TF1 privatization, the creation of Arte); he was in charge of the Ministry of Culture only for ten years over the last thirty five years; he changed views on the Hollywood Industry, first strongly condemning its dominance, and then supporting its presence. His action should also be considered in the context of the sharing of responsibilities between several Ministries. In the first half of the 1980s, the Ministry of Culture was actually noy in charge of the audiovisual issues. It was in fact a time of strong rivalry between Jack Lang and Georges Fillioud, the Ministry of Communications.

The second storyline emphasizes the autonomy of French film directors. Matching the traditional romantic figure of artistic genius (Bourdieu 1981), this narrative highlights the role of the spontaneous generation which emerged in the late 1980s and came to be known as “Young French Cinema.” Gathering filmmakers often born in the 1960s (J. Audiard, B. Bonello, L. Cantet, Desplechin A., P. Ferran, C. Kahn, C. Klapisch, N. Lvovski), the movement echoed the *Cahiers du cinema* “young Turks” in the late 1950s (Amiel, 1997; Trémois, 1997; Mary, 1998; Prédal, 2004, Vasse, 2008). While this narrative emphasizes the notion of a break from the past or from filmic tradition, the reality of this “artistic disruption hypothesis” can be interrogated. The emergence of a new generation of film makers is not the origin point but the consequence of an organizational system, and more precisely of a number of measures aimed at sustaining the film sector. The notion of generation should also be put into perspective as the film sector functioned on the basis of constant relations between a dominant cohort of executives (born during the 1940s), intermediaries (born in the 1950s) and filmmakers (born in the 1960s).

In the third storyline, few stakeholders foreground their own actions as a major factor in the dynamism of the French film production. We can see that in the statements and publications of Daniel Toscan du Plantier, former executive at Gaumont and chairman of Unifrance; Jérôme Clement, chairman of Arte for twenty years; Marin Karmitz, founder of the MK2 group; Luc Besson, director and CEO of EuropaCorp group; and producer Claude Berri. In spite of their undeniable achievements, few trajectories and isolated actions can’t fully account for the complex power configuration of the French specific audiovisual ecosystem

(Alexandre, 2012). This system actually rest on a large number of participants from different backgrounds: career politicians, high-ranking civil servants, film and TV executives and professionals, institution directors, union representatives. Beyond this complexity, a tripartite power configuration has been effective on the long term.

A Tripartite Power Configuration

United to maintain a stable decision space, these stakeholders face each phase of technological evolution through a process of adaptation-improvement of the jurisdiction, thus guaranteeing the continued defense of the audiovisual economic sector as well as authors' rights. Three different leading groups can be identified. Both competing and collaborating, they have designed the French audiovisual policies since the 1980s (Table 1).

Table 1 : A Tripartite Configuration

| Segments | Liberal Orientation | Cultural Orientation | French Cinema Executives |
|-----------------------------------|--|---|--|
| Education | Polytechnique, Dauphine | Sciences Po, ENS, ENA | Law Schools Sciences Po |
| Professional socialization | Ingeneers/economists American model | Jurists/top level bureaucrats Continental model | Law, economy, managment |
| Organizations | Elysée, Ministry of Economy and Industry, parastatus companies (TDF, Havas, Canal+) | Matignon, Ministry of Culture, CNC | Gaumont, Pathé, UGC BLIC, FNCF CNC |
| Political ideology | Cultural democratization based on technological evolution and economic growth | Cultural democracy based on legal frame and a controlled market | Lobbying to defend their compagy and sector interests |
| Career | Revolving doors between public office and private sector | Public service, cultural institutions | Capitalist organizations, and entrepreneurship |
| Members | Jacques Attali, Marc Tessier, Jean-Hervé Lorenzi, Jean Cazès, Léo Scheer, René Bonnell, Stéphane Franz, Philippe Bodin, Alain Giroud | Alain Auclair, Francis Beck, Jean-Pascal Beaufret, Frédérique Bredin, Jérôme Clément, Laurent Fabius, Bernard Faivre D'Arcier, Jack Gajos, Bernard Miyet, Catherine Tasca | Daniel Toscan du Plantier, Nicolas Seydoux, Alain Sussfeld, Guy Verrecchia, Marin Karmitz |

The members of the first group have a background in engineering and economics. They consider the combination of technical progress and economic liberalization as the more efficient way of stimulating the French economy and cultural activities. They have supported – and participating in – innovative industrial projects such as the liberalization of the French radio and television, the creation of Canal+, or the development of the DVD and VOD markets. They are committed both to the development of public administration efficiency and

to entrepreneurship, and alternate positions in the state and private sectors. Often graduated from the Ecole Polytechnique and the University of Paris-Dauphine, two universities well-known for their engineer and economic training, this group found in Jacques Attali a cardinal figure. Equally close to top level bureaucrats and business circles, this prolific essayist taught economics at the University of Dauphine in the 1970s. His appointment as Special Advisor to the French President in 1981 gave him the opportunity to introduce in the highest level of the administration a new generation of young academics (Leo Scheer Havas on the Canal project, the audiovisual adviser Jack Lang Jean Cazès, the economist Jean Hervé Lorenzi) and technocrats (Francois Hollande who later became President, Erik Orsenna, François Mitterrand's speechwriter). Some of them have maintained a close relationship with the members of the second group, time to time called the “cultural *enarques*” in the political sphere.

Members of the second group have accomplished their careers in the public sector: ministries, cultural institutions, public affiliated agencies such as the CNC, Alliance française or the CSA. They have been politically and culturally socialized during the “symbolic revolution” of the “New Wave” (Mary, 2006), connecting politics and esthetics a decade before May 1968. They joined the Socialist Party and, after graduating from the Ecole National d'Administration (ENA, created after the Second World War and dedicated to the administrative French elite training), sought employment in the recently created and still unstable Ministry of Culture (created in 1958). As political advisers, ministerial cabinet members and directors, they were thus instrumental in making “culture” an area of public policy in its own rights (Dubois, 1999). Highly politicized during the 1970s, the members of this group have demonstrated a constant commitment to the mission of “cultural democratization,” i.e. the promotion of access to high culture and the defense of creative innovation (Passeron, 2005). The cognitive role of the Ministry of Culture in the categories of perception and action of these baby boomers is visible through the unflinching defense of cinema as an artistic form, as opposed to more commercial orientations. Their tastes and dedication to the public sector and the moral virtues attributed to culture explain their efforts to develop legal and institutional mechanisms to protect cinema as an art, and author as creators.

The third group instrumental in the formulation and implementation of the French audiovisual policies is constituted of the main CEO and union representatives of the film and television industry. One of its most influential member is Pascal Rogard, nicknamed the “French Ministry of Cinema”, who has been head of the French author and composer guild

(Société des Auteurs et Compositeurs Dramatique, SACD) since 2004. Their education (Parisian high schools, law schools, Sciences Po) and their social integration through “neutral social spaces” (Bourdieu, Boltanski, 1976) such as film support commissions, think tanks and steering committees, have led to the creation of lasting ties between the third group and members of the other two groups described above. In addition, family ties and social relationships frequently link them to the political and economic elites. Jean Riboud, the President of Schlumberger, for example, belongs to the Seydoux family (with the three brothers, Jérôme, CEO of Pathé, Nicolas, CEO of Gaumont and Michel, former movie producer), and was close to François Mitterrand. Producer Christine Gouze-Renal was François Mitterrand’s sister-in-law. Guy Verrecchia and Alain Sussfeld from leading theatre chain UGC were members of the Neuilly Communication club founded by Nicolas Sarkozy (Sarkozy later held the French presidency from 2007 to 2012).

If the position of the members of these three different groups could have been divergent on microeconomic aspects, it most of the time converged on the macro level, claiming for the development of French cultural industries against foreign economies, with a special focus on protecting creative conditions of the national ecosystem, preserving the author rights tradition and defending French cinema, thanks to a regulatory framework, mixing organizational actions and administrative measures for limiting the effects of market concentration (cf. table 3).

Table 3. French Legal and Organizational system (1984-1989)

| Measures and institutions | Principle | Stakeholders |
|---|--|--|
| Canal+ contribution to film production and exhibition 1984 | The agreements signed in 1984 include 320 programming films a year, distributable from 1pm to 1am, 12 months after their theatrical release. In return, the channel should respect a quota diffusion of 60% European films, of French expression for two-thirds of them, and invest 20% of its revenues in film production, and 9% to French cinema. | André Rousselet (CEO of Canal + from 1984 to 1997), Marc Tessier (former Managing Director of Canal +, CNC and France Television), René Bonnell (Canal+ Cinema head), representatives of French cinema |
| Sofica July 11th, 1985 | Fiscal mechanism on investment in film and audiovisual productions. 1.1 billion euros collected between 1985 and 2011. | Jean-Pascal Beaufret (adviser at Matignon), Jérôme Clément (head of the CNC) |

| Measures and institutions | Principle | Stakeholders |
|--|---|--|
| Film investment obligations imposed to TV Channels Septembre 30th, 1986 | All channels, for which distribution of films is not the main purpose and broadcasting at least 52 films per year, must invest a minimum of 3.2% of their net revenues of the previous year in European film production. 2.5% of their revenues must be invested in original French-language films. Investment must meet the independence criteria. Specific broadcasting frame: prohibited days (Wednesday, Friday, Saturday), maximum number, quota, etc. | Catherine Tasca (former Minister of Culture and Communication under the Rocard and Jospin government), Francis Beck (former Jack Lang's chief of staff), Jérôme Clément (former chief of staff to Prime Minister Laurent Fabius, former director of the CNC, then president of Arte) |
| COSIP September 30th, 1986 | Tax on television channels revenues, to finance a global account managed by the CNC. The original goal was to offset the film revenues decline by a financial transfer mechanism between the television and the cinema industries. | Jean-Pascal Beaufret (technocrat, adviser at Matignon), Jérôme Clément (CNC head), Laurent Fabius (Prime Minister), Jack Lang's cabinet |
| La Sept/Arte March 14th, 1989 | Launch of the Sept / Arte, an “off market” channel, dedicated to “culture,” including French cinema and audiovisual productions. | François Mitterrand (French President), Laurent Fabius (Prime Minister), Bernard Faivre d'Arcier (culture advisor to the Prime Minister), Jérôme Clément (CNC head, then president of Arte), Collège de France (Georges Duby, Pierre Bourdieu, Françoise Heritier) |

This system has been stable through the last decades despite the cultural and economic growth of television, the rise of Internet consumption and the increase of mobile screen users (Colin Verdier, 2015). In fact, the uniqueness of the French model is paradoxically due to a reverse movement: the industrial consolidation of cinema in a context of new media economy development. In this regards, television has played a key role, becoming the best ally of the French film industry, usually described as its worst enemy (Club des 13, 2008). A second paradox relies in that counter-intuitive fact: during a period of time (1980s-1990s) usually associated to neoliberalism (Bezès, 2009; Dardot, Laval, 2009), the French State has played a key role as social matrix and mindset for producing and preserving this French Model.

The State, as a Social Matrix

Several factors has contributed to maintain a sustainable collaborative management within a stable social space, what we can call metaphorically the French “Media Government”, where

media policies are formulated and implemented (Wright Mills, 1956). A first element pertains to the French elite education system (Bourdieu, 1998). The members of this social space attended the same top level schools, mostly in Paris: prestigious high schools (Henry V, Louis-le-Grand, Fenelon, Janson-de-Sailly) and their preparatory classes (*classes préparatoires*) to later enter the most prestigious establishments: ENA, ENS, HEC Polytechnique, the Ecole des Mines, Sciences Po Paris stands out as a key institution, combining training in legal, cultural and management fields. Seven of the nine CNC directors graduated from Science Po Paris. Starting their career with a position in the “Great State Institutions” (*grands corps*: the Finance Inspection, the Audit Office, Diplomatic Corps), they then follow a traditional career path which includes working in one of the State Ministry cabinets (Industry, Finance, First Minister or President cabinets), then a nomination to the Culture and Communication Ministries or/and a government cabinet experience, leading later on to being appointed to management positions in the state or private sectors: CNC, cultural institutions, “State bosses” of public organizations (France Television, Arte, Radio France, Institut National de l’Audiovisuel) and state affiliated private companies like Canal+ or Orange (former France Telecom). The sociological type constituting the French “Media Government” today appears as quite stable. It is a tight homogeneous social group, dominated by bourgeois, white, male, heterosexual, baby boomers. The trajectories of its members follow a typical pattern, from the public sphere to TV and other media management positions to the cinema sector. Although civil servants get guaranteed employment, the proximity of the stakeholders described here to the central government make them vulnerable to political and structural reconfigurations (elections, changed alliances) and lead to a career made of a large number of successive nominations to high positions decided upon by the Executive, especially the Council of Ministers (*Conseil des ministres*).

Furthermore, “commissions,” “committees,” “missions” and “reports” represent a political tool to adapt the system while limiting the negotiation cost. Each new technological issue is solved through a consensual and dilatory management mode. Its principle is to gather qualified professionals to form an independent and expertise-oriented commission, and sum up their audits in feasible recommendations presented to administrative heads and Ministries. Since the 1980s, several committees have been useful to ease technological and economic transition : the Faivre d’Arcier/Seydoux mission on the future of cinema (1979), the Bredin Committee on cinema (1981), the Fillioud commission on broadcasting (1981), the Dahan commission on the fourth channel project (1982), the Desgraupes commission on the future of public television (1983), and more recently, the Olivennes mission about the protection of

cultural goods against internet piracy (2007), the Karmitz Committee for the renewal of artistic creation (2009), the Chevalier report on audiovisual fiction (2010), the Lescure mission on the future of cultural exception (2012-2013) or the Bonnell report on film production in the digital age (2014).

Through a period coined as “neoliberal”, the State served as a stable social matrix for the French model, concentrating information, controlling appointments, and enforcing regulatory action. Thus, the strength of this system lies in the stability of the decision-making space and the integration of its ruling class based on its social homogeneity. This is why the new digital players are currently challenging the ability of this system to adapt with the same efficiency.

Digital Challenges

The 2010s mark the rising concurrency of new players in the French audiovisual market space. Netflix was launched in France in September 2014. Amazon invested in 25 films and 27 series in development in 2014, while Facebook also made plans to develop a content production activity. The French government has given serious attention to these evolutions. Indeed, they entail the impossibility for France to control, tax or regulate these entrants stakeholders, since, for the first time in the French media history, the disruptive players will be located beyond the geographically and legal borders of the national state. As a consequence, the French top-level administrations, major companies and audiovisual sector representatives tend to consider the digital era not as a new opportunity but rather as a serious threat. In their perspective, it could destabilizing the existing audiovisual policy system by overturning its two fundamental principles: author copyrights and economic solidarity between screens.

The threat to the French audiovisual policy ecosystem is twofold, emanating both from within and outside the French configuration. On the one hand, the emerging digital companies strive and managed to circumvent French and European taxes and regulations by the means of lobbying and fiscally-motivated localizations. Netflix and Google have thus respectively chosen to establish their European headquarters in Amsterdam and Dublin. Until today, French TV channels and their executives, including TF1 and Canal+, have accepted a strict regulatory system, growth rate and economic hegemony was not put at risk. The recent – and ruthless – competition from foreign companies and digital broadcasters on their historic

territories has change the situation and this shaken the French channel's conciliatory stance. The Canal + model, based on the programming of both fictions and sport events, is now endangered. The strategy developed by Al-Jazeera and BeIN Sport, coupled with the contraction of the advertising market, challenges the current audiovisual model.

The case of Youtube encapsulates the current evolutions and debates. YouTube, which controls most of the online video market and was acquired by Google for \$1.65 billion in 2006, has reshaped the historical format and geography of copyrights. The new and hybrid legal categories of "content ID" or "fair use", have specifically been elaborated to override the juridical system and to handle the issue of the remuneration of rights holders at minimum cost for the company and its users. Moreover, since the company is not domiciled in France and is not involved in actual production activity, it is out of the reach of the French administration, making it difficult to adapt and adjust the legal framework. The case of the "YouTube Tax", adopted by the French Parliament during the Winter 2016, with great expectations but poor results, exemplify the complexity of this new technological and cultural environment, digitalized and more internationalized. This evolution has been accelerated by the advertising shift towards new media. The major brands are seeking to target the volatile but profitable youth market, who moved away from the large and TV screens to laptops and mobile phones.

This reconfiguration confronts the French administration to internationalized players, leaving it with little room to adapt. French leaders and top-rank civil servants are faced with global corporations, established in the Silicon Valley such as Netflix at Los Gatos and Google at Mountain View, but increasingly developing activities in France. There is an important generational, cultural, ideological and linguistic gap between the current French "Media government" and the management teams of these new players. The executive of these corporations are rarely recruited locally, and consequently, do not speak French. Many hold libertarian beliefs and distrust political bodies. They tend to favor a regional vision of Europe (North and South of Europe for Google, Western/Eastern Europe for Netflix) concentrating lobbying efforts on European Commission, rather than on individual national states, even though the European Commissioners have never promoted a clear culture, cinema and television policy (Autissier, 2016). The final difference is generational, as teams in their thirties and forties, influenced by startup culture and a global approach face French and European state-oriented baby boomer bureaucrats at the negotiation table.

In view of the recent evolutions, French audiovisual stakeholders are working on a strategic redeployment, by diversifying their activities. The creation of an "Over the Top Content" unit at Canal+ in 2014, headed by Alduy Manuel (former Cinema head of the

group), till May 2016, is a clear signal that the company intends to enter as quickly as possible the smart and connected TV market. Major TV operators are actively trying to turn talent incubators into new profit centers. For instance, M6 and Canal+ have directly invested in YouTube talents by acquiring Golden Moustache, Rose Carpet, MinuteFacile and Jeuxvidéos.fr for M6; Studio Bagel for Canal+. Tagged as “humor”, “video games”, “beauty” or “music”, these new programs aggregate several million of subscribers for a global cost equivalent to the average budget of one French film.

Today, the French “Media Government”, which had been relying on a jurisdictional, organizational and institutional structure, is experiencing an unsecure position. While the liberalization movement of the economically growing television sector had served to secure investments in film industry in the 1980s and the 1990s in the context of a stable territory, the digital transition is forecasting uncertain evolutions and clear challenges. What is challenged is not simply or necessarily the French film and television companies, but the social frame of the audiovisual policymaking, putting the traditional elite in a powerlessness position and breaking down the permeability between private and state stakeholders.

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