The Original Is Always Lost

Film History, Copyright Industries and the Problem of Reconstruction

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Over the last few decades, film archivists and copyright holders of films have become increasingly aware that the film heritage is under threat. Chemical decomposition and archival negligence, often due to lack of funds, eat away at the substance of what is left of the world's film heritage. Accordingly, conservation and reconstruction are the order of the day. In recent years, film archivists have developed the restoration of film into an archival discipline of its own, university programs are devoted to the preservation and presentation of films, entire festivals focus on the programming of restored works of film art, and increasingly such efforts receive funding from media companies who develop a renewed interest in their archival holdings. Supporting and structuring this cluster of activities of preservation and presentation are the twin notions of reconstruction and the original. Even though the notion of the original has recently come under discussion – and this essay will attempt to further contribute to that discussion – there is a general understanding among archivists and the alerted public that the key to the preservation of the film heritage is *the reconstruction the work of film art in its original form and shape*.[1] Few people question that there actually is a need to preserve the film heritage. It is a work of culture, as directors and cinephiles such as Martin Scorsese will tell us, and who would dare to disagree?[2]

However, from the outset, the reconstruction of films has been motivated as much by commercial interests as by cultural interests.[3] In the second half of the last century, and particularly in the last fifteen years, major media companies have embarked on a large-scale operation of exploiting their own archival holdings, an activity that the press, using a metaphor rich in historical references, aptly describes as the "mining of the archives for coin."[4] This process of "mining" the past, of turning the past into a resource, has become one of the major sources of revenue for the large media conglomerates that dominate the global media economy.[5] Clearly, film restoration represents not only a mission, but also a market for specialists in the field of preservation and presentation.

Routinely, however, mission and market clash. I personally learned as much during my research into the US distribution and reception history of Gustav Machaty's Czech *succès à scandale* EXSTASE (distributed in the US as ECSTASY) from 1932. On the occasion of Machaty's 100th birthday in 2001, the film was

restored and edited on video by the Filmarchiv Austria in Vienna. We now have a version that can legitimately claim to be called the restored original version. However, if one looks at the production and distribution history of Machaty's film, of which a number of versions exist, one wonders just how useful the notion of the original is in a case like EXSTASE. The production and distribution history of the film in particular suggests that it is quite impossible to locate a single coherent text that could be characterized as the film's "original." But even though the notion of the original may lack a precise referent in this case, calling the restored version the original has its advantages for the film. Much like the notion of the auteur, the notion of the original focuses the attention of the public, the media and other institutions on a particular film or work to which it is attached. Whether it refers to an existing "original" or not, the notion of the original is one of the crucial structuring principles of any artistic heritage, separating what is important from what is not, what deserves to become part of the canon from what does not. Highlighting one film and one version at the expense of another, the notion of the original generates interest, creates visibility and shapes accessibility, even though the underlying choice of version may be questionable from a point of view of film historiography. In cases like this, then, the film historian has to negotiate her desire for philological accuracy with a desire to create visibility for a film. Unavoidably, the result will be a compromise.

Such conflicts are likely to become more frequent in the foreseeable future, particularly since assignments for work on critical DVD editions of films have now become a routine occupation for film historians – for the mining of the archives has turned film historiography into a knowledge industry *sui generis*. This might be as good a time as any, then, to raise a few questions with regard to more recent practices regarding the reconstruction of films, particularly of films that are then made available on DVDs.

In what follows, I will discuss the preservation of film heritage as a cultural practice that has its own history and relies on its own specific, and often tacit, assumptions. Addressing what I consider to be the key assumptions, I will turn my attention to the notions of reconstruction and the original, and in particular to the way that they inform current practices of preservation and presentation. What I propose in this contribution, then, are some thoughts towards a praxeology of preservation and presentation, an outline for an analysis of the current practices of the preservation of the film heritage based on a discussion of their guiding notions.[6] My own guiding notion is that there is no sustained, organized practice without theory, whether explicit or implicit. In cases where the theory of practice is merely implicit, it is the task of the praxeologist to reconstruct the theory, partly from what the practitioners do, and partly from what they say about what they do. In my discussion, I will not go into the technical

details of reconstruction. I am neither an archivist nor a specialist in the technique of reconstruction. Instead, I will talk about reconstruction from the point of view of a film historian and a film scholar. In particular, I propose to discuss what you might call the *rhetoric of the original*, i.e., the discursive construction of the notion of the original and the ways in which this notion is used in various contexts: in film archives, in film studies, but also in the marketing of films, one of my areas of specialization. More specifically, I am interested in the notion of the original in so far as it structures and guides film historical research, the practices of reconstruction and the marketing of restored versions of classical films.

I would like to structure my contribution in three parts. First, I would like to briefly analyze what I call *the rhetoric of the original*, i.e., the discursive construction of the original. In particular, I would like to argue that the rhetoric of the original systematically suggests that the original is always already lost, the better to legitimize the need for reconstruction. Second, I would like to show how the rhetoric of the original, particularly in its more recent forms, is intricately linked to the film industry's shift from a cinema industry to a copyright industry. And third, I would like to use the case of Machaty's EXSTASE to discuss the problems and advantages that the notion of the original offers for film historical research.

I

Turner Classic Movies, a cable channel operating in the US and in Europe, advertises its program with a trailer made up of clips from classic movies from the MGM, Warner Bros. and RKO libraries. This trailer, which resembles Chuck Workman's film clip montages for the Academy Awards ceremonies,[7] lists great moments of films and invites the audience to a game of trivial pursuit: Guess that film, guess that star, etc. A somewhat breathless male voice-over reads a commentary that is basically a list of attributes: It's Spencer Tracy vs. Jimmy Stewart, It's the passion of the old south, etc. Closing off this list is the following sentence:

> Turner Classic Movies – It's what film was and can never be again.

First of all, the claim that this *is what film was and can never be again* refers to the films themselves. If you take advertising slogans seriously, you can argue that this slogan expresses a specific attitude towards film history. Generally speaking, this is the attitude of a generation of film historians such as the late William Everson, a generation that believed that all good films were made before 1960,

and that most of what has come since has been decadence and decay. An intellectual and emotional twin of this attitude may be found in the hard-dying belief that film art reached its apogee in the silent feature era, and that the introduction of sound destroyed it all. Adding a more philosophical note to this inventory of scenarios of loss and death is Paolo Cherchi Usai's famous claim that cinema is essentially an ephemeral medium, and that every screening contributes to the destruction of the film, and thus to the death of cinema. In fact, so numerous are the companions in mourning of the TCM slogan about what film was and can never be again that one has to start thinking about just what it is in the film medium that prompts so much philosophizing in the "Alas! Too late!" mode.[8]

Apart from making a statement about the program content, the movies, the TCM slogan "it's what film was and can never be again" also makes a claim about the program itself, and about the television medium. The films themselves represent the lost grandeur of classic cinema. This lost grandeur has a present, and a future, however, thanks to cable TV and the programs that feature the films. TV, or rather the "*Medienverbund*" (media cluster) of television and film, the slogan suggests, is a device for the recreation and the reconstruction of the lost grandeur of cinema.

Before drawing a general conclusion from a cursory analysis of an innocent advertising slogan, it is useful to remember what we are dealing with: program advertising for a particular cable TV channel. TCM is of course just one of hundreds of cable channels. But then again, it's not just any channel. Created under the label of TNT, or Turner Network Television, in the 1980s, TCM serves as the outlet for the MGM, Warner Bros. and RKO film libraries. Until 1995, the station and programming were the property of Ted Turner, who acquired MGM/UA and the film libraries in 1986 and merged his company TBS (Turner Broadcasting System) with Time Warner in 1995. TCM and the film libraries now form one of the major assets of Time Warner, one of the seven major media conglomerates.[9] But I will go into that in more detail in the next section.

Given the combined value of TCM's assets, we can safely attribute a certain significance to the station motto. The slogan encapsulates the two key elements of what I propose to call the *rhetoric of the original*. The slogan presents the film as an object that is always already lost, as something that can never again be what it once was. Simultaneously, by a rhetoric sleight of hand, the slogan introduces a technique for the restitution of the lost object, a machine that brings back the irretrievably lost and lends it a new present and a new future. The original, the slogan claims, is always already lost, but we have the authentic copy, the accurate reconstruction, made available through the meeting of television and film.

Film historians working on DVD editions of classic films sometimes use a similar form of rhetoric of the original. A case in point is David Shepard, who has edited numerous American silent films on DVD. "The best silent films," Shepard claims, "possess as much intellectual, emotional and artistic validity as the best dramatic and visual works of any other sort." Talking specifically about his reconstruction of Flaherty's NANOOK OF THE NORTH (USA: 1922) Shepard says: "The first problem was to obtain an authentic text." In other words: First you make sure that the original is quite lost, then you create a search party for the lost original. Shepard goes on to state that the presentation of a silent film on DVD requires "acts of creative interpretation by the DVD production team."[10] To give a more specific idea of what these acts of creative interpretation are, Shepard quotes D.W. Griffith to draw an analogy between his work and that of the projectionist, or rather the film presenter, in the silent movie theatre.

"The projectionist," Griffith says, "is compelled in large measure to redirect the photoplay." As is generally known, films were presented rather than merely shown in silent era feature film theaters. Film were framed by stage numbers and prologues and accompanied with music, sound and light effects. To theater owners and impresarios like S.L. Rothapfel or Sid Grauman, the film text was essentially a pretext for a great shows, and their "redirections of the photoplay" made them quite as famous, if not more famous, than most film directors. It is not a reconstruction of these presentational modes that Shepard has in mind when he talks about "creative interpretation," however. He merely draws an analogy between himself and the likes of Grauman and Rothapfel in order to legitimate his "reinterpretation" of the "authentic text." In fact, Shepard defines himself as a kind of medium, bringing the old film in tune with contemporary audience tastes or, to use the language of the spiritualist tradition, to bring the dead body of the film alive for a contemporary audience, so that it may speak to them. "The transformation of a silent film to DVD is not a pouring of old wine into new bottles, but a transformation of the old film to accommodate a new medium with new audience expectations." This transformation of the old film concerns the version, but first and foremost it concerns the technical aspects of the film. Reconstruction in this sense means giving the film a steady projection speed, the cleaning up of scratches and artifacts, etc. In short, reconstruction means to digitally enhance the film so that it does not look, and feel, old in comparison to a new film.

Like every good medium, Shepard clearly knows his audience. In a recent essay, Barbara Klinger argues that to a large extent, the fan culture of DVD collectors is a fan culture focused on the technical aspects of the medium. The criteria according to which DVD collectors evaluate new editions in internet chat groups and magazines does not concern the films themselves as artistic products. Rather, they focus on features such as image quality, sound and the quan-

tity and quality of bonus material.[11] Much in the same vein, the reconstruction Shepard proposes is not so much a reconstruction as it is an improvement: The true goal of a DVD edition of a silent film is "to transpose the original visual experience for modern eyes rather than to exactly replicate the original material or call attention to the technical processes of restoration."

The restoration, then, is not just a reconstruction but also an improvement. Much like the new theme casinos in Las Vegas that allow you to stroll along the canals of Venice under the summer sun without having to bear the stench of stale water, DVD editions of silent films allow you to watch the film without having to put up with all the interferences that come with an unreconstructed original.[12]

Shepard's argument runs largely along similar lines as that of the TCM slogan. First you confirm that the original is an important, albeit always already lost object. You claim that there exists, or that there used to exist, this important old thing of great "emotional force" and "artistic validity" that merits our attention and all our best efforts to bring it back to life. Unfortunately, the lost object is difficult to retrieve. In fact, it is quite impossible to locate in its original form (it is what film can never be again). Fortunately, however, new media technologies – TV or DVD coupled with film – allow us to bring the original back to life in a new, and improved, version for present and future generations. To sum up Shepard's theory of practice, the transformation of the authentic text into the new and improved original:

> It's what the film never was but can always be again.

Needless to say, the original, the Ur-referent or "authentic text" that the restoration transforms into the DVD's performance of the restored film, is, and remains, lost – for its loss is the enabling principle of the production of the new and improved original.

At this point, one might raise the objection that film historians like Shepard cater to the cable TV and DVD editions markets, and that their practices are a far cry from the serious work of less commercially minded film archivists and film scholars. I would like to address this objection in two ways: First, by briefly analyzing the industrial framework of what I propose to call the rhetoric of the original, and then by discussing a specific case that apparently seems to escape that institutional framework, but in fact does not escape it. As I would like to show, the rhetoric of the original reflected in Shepard's statements is far from marginal. If I suggested that film history is a growth industry of knowledge production at the beginning of this paper, I was also referring to the fact that the film industry increasingly utilizes the knowledge produced by film historians for its own ends and, in fact, depends on this knowledge to an important degree.

II

In the classical Hollywood era, the average commercial life span of a film was two years.[13] A film was first shown in urban first runs for a few days or weeks, was then withdrawn and released to second run houses down the same street a month later, only to continue its slide down the scales of the distribution ladder to end up in rural theaters about two years later. As a rule, there were never more than three hundred prints of one film circulating on the North American film market. To save storage space, the prints were destroyed once the film's run was over. In the silent feature era, and sometimes even later, the negative was destroyed along with the print. This helps to explain why no more than 25 percent of the entire silent film production survives in archives today. Studios destroyed the negatives because old films were of no value to them. Once the films had lost their novelty value, they only took up storage space. More valuable than the film itself was the screenplay, which could be remade under a different title after seven to ten years.

Of course, there were exceptions. In 1925, Pathé paid half a million dollars for the reissue rights to four Chaplin comedies from 1917 (A DOG'S LIFE, SHOULDER ARMS, A DAY'S PLEASURE and SUNNYSIDE). The films were bought for theatrical re-release, but in all probability also for circulation in the Pathé 9.5 mm home movie format, the earliest ancillary market for theatrical films.[14] According to the press release, the sum of $500,000 dollars was exactly the same that First National had originally paid for the films eight years earlier.[15] This transaction was of course an advertising stunt, at least partly. To pay less would have been to suggest that the films had actually lost some of their value. On the other hand, the procedure was rather unusual. Chaplin was one of a very small group of film artists whose work exceeded the two-year life span of the average Hollywood film; Walt Disney would be another important example. But as a statement, the half million that Pathé paid went further: The sum signaled that Chaplin films, in an industry whose products depreciated in value very rapidly, were still worth the same after eight years and would probably even increase in value over time, an unmistakable sign of Chaplin's truly exceptional status within the industry in the classical era.

Under the current conditions of film marketing, every film is a Chaplin film, at least potentially in terms of its commercial life span. If the commercial life span in the classical era was two years, it has been next to infinite for some time now. A film is first shown in theatres, with up to ten thousand prints worldwide rather than the few dozens of in the classic era. Next the film is shown on cable TV, then it is edited onto video and DVD, etc. Douglas Gomery points out that the current system of film distribution replicates the runs-and-zones system of

classical film distribution, albeit under the inclusion of TV, cable, and other new media as outlets for theatrical films. Also, film prints are still routinely destroyed after the theatrical run of a film is over. What has changed is the value of the film negative. Once a film appears on the home video market, there are basically no time limits to its availability, nor are there apparently time limits to the audience's willingness to watch, and pay for, old films. The extension of the commercial life span of films began with the television broadcasts of old films in the 1950s and 1960s, but it took on a new dimension with the introduction of home video in the early 1980s. Theatre revenues now only account for about 25 percent of the total income that an average film generates; more than 50 percent comes from home video and DVD. The infinite extension of the commercial life span covers not only new films, however, but classic films as well. This is what gives film libraries their value. Film libraries, comprised of both classic and more recent films, generate a steady revenue stream for the major studios that not only significantly improves the overall performance of today's film-driven conglomerates, but also serves to offset many of the financial risks involved in the production of new films. As early as 1957, an MGM executive stated in an interview that "the real fat of this business is in film libraries"[16] and since then, industry analysts have repeatedly claimed that "in the volatile entertainment business, a film library is one of the few things a company can count on," assessing that "despite technological changes, what is going to be delivered in these systems is the movie… it will survive any technological upheaval."[17] In fact, in one recent statement an analyst claimed that "a film library is a one-of-a-kind asset. Most assets depreciate over time, but not film assets," citing Universal's extensive film library and the steady revenue the library guarantees under current business conditions as General Electric's primary motivation for buying Universal from Vivendi and entering the film business after decades of abstinence and hesitation.[18]

The extension of the commercial life span of films is a crucial element of a larger development that is best characterized as the film industry's shift from a theater or cinema industry to a copyright industry. In the classical era, the industry's main investment was in real estate. As Richard Maltby points out, of a total of 2 billion dollars in assets that the film industry controlled in 1940, 94 percent were invested in real estate and only 5 percent went into film production.[19] The economic well-being of the major film producers rested on their control of distribution and, most importantly, of the large theaters. In that sense, the film industry was a cinema industry. After the Paramount decree in the late 1940s and early 1950s, the studios shifted their focus from the control of the market through real estate to control of the market through the copyrights of the films they produced. As a result, the blockbuster film, a brand product that promises revenues in a whole string of subsidiary markets, emerged as the new

paradigm of film production and distribution, and film marketing consolidated into an activity of intensive and long-term exploitation of the copyright for artistic products. Quite naturally, as part of this shift from a cinema to a copyright industry, the studios also increasingly focused on the revenue they could generate by marketing old films to which they owned the copyrights.

The shift from a cinema to a copyright industry matters to film historians in that the market for classic movies is also a market for the knowledge they produce. In the 1950s and 1960s, classic films were considered fillers in between television programs. Now they are marketed as valuable works of art and collectibles. This is particularly apparent with DVDs. When the DVD was first introduced, the studios tried to market films on DVD the way they had marketed them on VHS – a few trailers announcing coming releases, and then the film. This strategy ran into trouble not least because many of the early buyers of DVDs were collectors who had previously collected films on laser discs. Essentially a cinephile collector's format, the laser disc had emerged in the early 1990s as a site of careful editorial work, with laser disc editions often containing interviews with the filmmakers, photo galleries and other additional material of interest to the film buff. Used to the editorial standards of the laser disc, early DVD buyers began to warn each other against the poor DVD editions in internet chat groups and collector's magazines, thus forcing the distributors to adopt the editorial standards of the laser disc to the DVD. As a result no DVD edition is now complete without a certain philological apparatus.

With the introduction of the DVD, then, the consumer demands of an apparent minority of historically minded cinephiles became the standard for mainstream film editions. As an academic film scholar, you are frequently asked for which careers you train your students. The emergence of the DVD collector culture has made this question easier to answer. In a world where production anecdotes about Tim Burton's Ed Wood, a film produced in 1994, can appear as journalistic news content alongside current box office figures on CNN's entertainment website on the occasion of the film's DVD release in October 2004, film students clearly have a prospect of a career digging up nuggets of film historical knowledge for the audio commentaries, making-of films and press releases that now surround the DVD release of a film. There will always be more need for lawyers in the entertainment industry in the foreseeable future, and they will always be making more money than film historians, but the market for historians is definitely growing.

In this market of reconstruction and collector's editions, the notion of the original plays a decisive role in shaping the accessibility and driving the circulation of old films. The rhetoric of the original suggests that we are dealing with an important object, one that is all the more precious because it is always already lost and can only be retrieved in a new and improved original form

through the use of new media technologies. Incidentally, the mere fact that these technologies are used to retrieve and reconstruct, or transform, the lost original confers an aura of importance on the film.

The rhetoric of the original thus contributes to the formation of canons and helps to differentiate the DVD product at the same time. The rhetoric of the original determines what is important, and what is important deserves to be bought.

As a marketing tool, the notion of the original is particularly efficient when it is coupled with the notion of the auteur. Far from signaling a director's position as an outsider at the margins of the system of film production, the notion of the auteur has been an operational concept of mainstream film production for some time now. Witness the current standard contract of the director's guild that stipulates that the director's name has to appear in a standardized "A XY [name of the director] film" formula in the credits. Even in Hollywood, the director is now officially the auteur of the film.

In film marketing, however, the old oppositional notion of the auteur as an artist whose authentic expression is obstructed by the crass commercialism of the system still prevails. Nowhere is this more evident than in the notion of the "director's cut." Turning the formerly oppositional notion of the auteur into a marketing device, the "director's cut" strikingly illustrates what some theorists see as capitalism's capacity to absorb its own contradictions in a productive way. An obvious case of "*Nachträglichkeit*," of deferred action in the Freudian sense, the director's cut is the original that *truly* never was, the original that the director was never allowed to create due to pressures from the evil forces atop the studio hierarchy but that has now unexpectedly, but also somehow of necessity, come into being. Promising the revelation of the truth about a loved object heretofore not adequately known (and thus, not sufficiently loved), the label "director's cut" creates a strong incentive for the prospective buyer, but it also has its consequences for film historiography and the perception of film history. Film students now perceive the latest authenticated version as the true original, as in the case of Francis Ford Coppola and his Apocalypse Now Redux (USA: 1979/2001), for instance. Thus the deferred action of the director's cut rewrites, or overwrites, film history, turning previous originals into palimpsests.

But if the rhetoric of the original creates an interface between film marketing and film historiography, how does this affect the work of the film historian and the work of film reconstruction? This is what I would like to discuss in the last part of my contribution.

III

Let me clarify one point right way: I am not interested in unveiling and accusing the perpetrators of the supposed errors and fakes committed in the name of making historical films available and amenable "for modern eyes," to quote David Shepard once again. I will, in other words, not defend the true original against the rhetoric of the original, for, as I have argued, the truth of that rhetoric lies in its claim that the original is indeed always already lost. Rather, the question is what to do about the lost original, or about the loss of the original: Mend it, mourn it, or just forget about it? In order to answer this question, I would like to return to my discussion of Machaty's film EXSTASE.

On the occasion of the 100th birthday of Gustav Machaty, a series of events were organized in the director's honor in Vienna. Among those events was the presentation of a reconstruction of the original version of Machaty's EXSTASE. Events of this kind help to structure cultural memory. A birthday is an excellent opportunity to confer the status of auteur onto someone who should be in the canon but has not yet made it there, or to reconfirm the status of someone who already belongs to the canon. Journalists working for the culture pages have a name for this: they call it "calendar journalism": Anniversaries set the agenda, and the importance of the person in question can be measured fairly exactly by the number of lines alloted to the article in his or her honor.

For the restoration of the Machaty film, the Czech version was chosen as the one to be presented under the rubric of the "original version" on video. This makes good sense according to the criteria of the established film historiography, which tends to map film cultures according to the national origin of the films' directors. In fact, EXSTASE was shot in Prague by a Czech director, and there was a Czech language version.

My own contribution to the Machaty festivities was a brief study of the North American reception of EXSTASE.[20] EXSTASE was Hedy Kiesler's/Hedy Lamarr's third film and the one that made her famous. She played a young, unhappily married woman, who falls in love and runs away with a railway engineer. Unusual for the time, the star is seen naked in several scenes. Also, there is a close-up of her face at the moment of orgasm. Finally, the heroine escapes without punishment this sent tempers flaring in Europe and particularly in some ports of the US when Samuel Cummings, an independent distributor specializing in "art" (read: soft-core porn) films, tried to release the film in New York and other major cities. EXSTASE is a typical case of a multi-language version production from the early years of sound film.[21] The film was shot in German, Czech, and French language versions. The first American version, released in 1936, is based on the German and Czech versions. It contains a number of double exposures

missing from the European versions that create redundancy and help to make the narrative more explicit. Also, the American soundtrack contains theme songs specifically composed for the American release. As could be expected, due to its explicit sexual content the film had a difficult distribution history in the US and elsewhere; "It would never get past the censor," *Variety* wrote in its original review of the French version in 1933.[22] From state to state, distribution copies varied in length and content. In New York, for instance, the film was not released to theaters until 1940, when it came out in a significantly altered form. The film was now told in a flashback structure that was added by distributor Cummings, who listed himself as the screenwriter in the film's credits. Even more interesting with regard to the problem of the original version is the fact that the film's director, Gustav Machaty, apparently authorized each and every version he was asked to authorize by distributors, up to and including Cummings' creative reinterpretation (or should we say: transformation) of his film from 1940. Another interesting feature is the ending of the 1936 version, which contains landscape shots that do not appear in the European versions, but were obviously shot by the same camera team.

In the case of EXSTASE, the proliferation of different versions can largely be attributed to the intervention of censorship. Nonetheless, the fact that there are so many different versions raises interesting questions with regard to the notion of the original. Various narratives offer themselves to implement the rhetoric of the original in this case. Probably the most obvious of those narratives runs as follows: Censorship is the enemy of the artist; by reconstructing the uncensored original version, the film historian helps the artist to recover his original artistic vision. This is the narrative underlying, and justifying, the anniversary edition of the film. The problem, however, is that Machaty the artist personally authorized a number of censored versions of the film. Reconstructing the uncensored original in this case means defending the artist against himself. In fact, choosing one version as the only true original means to deprive the auteur, in the name of a higher interest, be it the building of a canon or be they commercial interests, of his right to determine which is the original version. In the case of EXSTASE, then, the rhetoric of the original eliminates and excludes from the canon a number of versions that, according to the rhetoric's own criteria, qualify as the original version as well.

Another possible narrative for the history of the different versions of EXSTASE/ECSTASY is a more Foucauldian one. According to this narrative, censorship could be understood as a productive, not a prohibitive force. By implication, then, the corpus of the original should include all the versions produced by the various interventions of censorship. One argument in favor of such a reading is the fact that the first American version contains material that was obviously produced by the same crew as the rest of the film but is not in the Euro-

pean versions. How do we explain the existence of this material and its inclusion in the American version? Clearly, it would be naive to assume that the producers of a film that went completely against the standards of decency then current in film production were taken by surprise by the reaction of the censors in the various countries to which they sold the film. In all likelihood, they anticipated such a reaction. Accordingly, it seems plausible to assume that they planned the film rather as a set of components rather than as a single coherent, "authentic" text. Not only were different language versions produced. The producers probably also shot additional material to allow distributors to create versions that would pacify the censors and allow the film to pass. Accordingly, the interventions of the censorship authorities represent not so much infractions of the artistic liberty of the author/director. Rather, censorship constitutes the last step in post-production and delivers the matrices for the film's completion.

From such a perspective, there can be no single original *text*. Instead, it seems useful to think of the original as a *set of practices*, a set of practices employed in the production and circulation of films. According to such a perspective, the original still must be given as lost. Divided up into a set of practices, the original is even more thoroughly lost than even the rhetoric of the original would allow it, at least as long as one holds onto an ideal of totality and replaces the search for the single true original text with a search for the totality of all the practices that constitute the original as a set of practices. Historical research must always come to terms with the single fact that a complete set of facts does not exist. A film historiography that defines the original as a set of practices would have to take this limitation into account.

Now you will probably object, and claim that it is impossible to represent an original in this sense as a film: Indeed, a set of practices is not a single film, but may include a whole bundle of "original" versions. My answer to that would be that the DVD offers just the medium that we need for a historiography of the original understood as a set of practices. The new medium, which is so well suited to the needs of the rhetoric of the original, may also be used to accomodate the approach that I propose. A DVD has the storage capacity and the navigational tools you need to represent an original as a set of practices and to represent even the most unstoppable proliferation of original versions, even that of ECSTASY.

It remains to be seen whether the DVD will be used in such a way. One has to keep in mind that archival mining is an industrial occupation, as the mining metaphor indicates. It is part of what Bernard Stiegler calls the ongoing "industrialization of memory," and industrial production has its own laws. However, the main resource that archival mining draws on, other than the films themselves, is the cinephilia of the audience. In an age of niche markets, we cannot

totally exclude the emergence of a significant audience perverse enough to care for dispersed sets of practices rather than for new and improved originals. Be prepared, then, for a rhetoric of the open series of multiple versions to supplement, if not supplant, the rhetoric of the original in a perhaps not too distant future.

Notes

1. Clearly, no one in his right mind would think that the way to preserve the film heritage is to cut up all archival holdings and recombine the material in interesting new ways – even though such procedures have been applied before in the domain of art: significant parts of the religious architectural heritage of France were reused as building blocks in public and private buildings after the French Revolution (a case in point is the Cluny cathedral in Burgundy, once a church larger than St. Peter's in Rome, of which now only fragments survive).
2. In their standard work *Restoration of Motion Picture Film*, Oxford et al.: Butterworth Heinemann, Paul Read, and Mark-Paul Meyer discuss the question "Why film restoration?" on page 2 in their introduction. As an answer to that question, they state that "In general it is possible to say that in the past ten years there has been a growing awareness of the urgency to restore films before they are lost completely." What remains to be explained for the historian of film culture, however, is why there is such a growing awareness.
3. In fact, systematic preservation of films from major studio archives started in the mid-seventies when Twentieth Century Fox began to transfer its nitrate prints to newer supports. Cf. "Fox Converts Nitrate Film Library." *Daily Variety,* 14 November 1983.
4. One example may be found in an recent article on film libraries in the *Los Angeles Times*: "Studios in recent years have mined billions of dollars by releasing movies on digital videodiscs.... Home video divisions have become studio workhorses." Cf. "Vault Holds Vivendi Reel Value." *Los Angeles Times*, 26 August 2003.
5. Incidentally, Louis Chesler, a Canadian entrepreneur who bought the rights to Warner Bros. pre-1948 films for $21 million in 1956, thus initiating a series of similar sales by other major studios and establishing the film library as an important source of revenue for film companies, was a mining engineer by training, Cf. "Warners Film Library Sold." *Motion Picture Herald*, 202/10, 10 March 1956, p. 14.
6. I am taking my cue here from the history and sociology of science and the work of authors such as Ian Hacking and Bruno Latour, and from historians and ethnographers such as Jean-François Bayart. To test the viability of the praxeological approach would request a significantly more comprehensive analysis of actual archival practices and the accompanying theoretical debates it that I can undertake in the short space of this essay.
7. For a critical discussion of the Workman montages see Lisa Kernan: "Hollywood auf einem Stecknadelkopf. Oscar-Verleihungen und die Vermarktung von Filmgeschichte." Hediger, Vinzenz, Patrick Vonderau (eds.). *Demnächst in ihrem Kino.*

Grundlagen der Filmwerbung und Filmvermarktung, Marburg: Schüren, 2005, pp. 161-174.

8. John Durham Peters argues that "all mediated communication is in a sense communication with the dead, insofar as media can store "phantasms of the living" for playback after bodily death." In that sense, cinephilia is always already tinged with a streak of necrophilia. Witness Bazin's illustration of his essay on the ontology of the film image with the imprint of Christ on the Turin funeral cloth. Cf. Peters, John Durham. *Speaking into the Air: A History of the Idea of Communication*, Chicago: Chicago University Press, 1999, p. 142.
9. Murphy, A.D. "Warner Bros. Library Home after 40 Years in Wilderness." *Hollywood Reporter*, 25 September 1995.
10. Shepard, David. "Silent Film in the Digital Age." Loiperdinger, Martin (ed.). *Celluloid Goes Digital: Historical-Critical Editions of Films on DVD and the Internet,* Trier: Wissenschaftlicher Verlag, 2003, p. 23.
11. Klinger, Barbara. "The Contemporary Cinephile. Film Collecting in the Post-Video Era." Maltby, Richard, Melvin Stokes (eds.). *Hollywood Spectatorship: Changing Perceptions of Cinema Audiences*, London: BFI, 2001, pp. 132-151.
12. The practices of viewing "improved" old films should make for an interesting comparison with contemporary tourist practices. As David Nye points out in a discussion of tourists visiting the Grand Canyon, "[t]heir characteristic questions, recorded by park staff, assume that human beings either dug out the Canyon or that they ought to improve it, so that it might be viewed more quickly and easily.…The contemporary tourist, viewing the landscape, thinks in terms of speed and immediacy: the strongest possible experience in a minimum of time." Nye, David S. *Narratives and Spaces: Technology and the Construction of American Culture*, New York: Columbia University Press, 1997, p. 22.
13. For the following analysis of distribution practices, see also my "'You Haven't Seen it Unless You Have Seen It At Least Twice': Film Spectatorship and the Discipline of Repeat Viewing."*: Cinema & Cie*, 5 (Fall 2004), pp. 24-42.
14. For a history of Pathé's home movie formats cf. Pinel, Vincent. "Le salon, la chambre d'enfant et la salle de village: les formats Pathé." *Pathé. Premier empire du cinéma*, Paris: Editions du Centre Pompidou, 1994, pp. 196-217.
15. "Chaplin Reissues Bought by Pathé for Half Million." *Exhibitors Herald*, 23/3, 10 October 1925, p. 30.
16. Prayor, Thomas. "Professional Estimate." *New York Times*, 13 January 1957.
17. "Analysts Bullish on Pic Libraries." *Daily Variety*, 15 August 1991.
18. Cf. Footnote 4.
19. Maltby, Richard. *Hollywood Cinema*, Oxford: Blackwell, 1995, p. 60.
20. Cf. my "'The Ecstasy of Physical Relations and Not Normal Marriage.' Gustav Machatys *Ecstasy* in den USA," Cargnelli, Christian (ed.). *Gustav Machaty*, Wien: Synema, 2005.
21. For the most up-to-date research on multiple-language versions, cf. *Cinema & Cie*, 4 (spring 2004), a special issue devoted to the topic edited by Nataša Ďurovičová.
22. "Review of EXSTASE" *Variety*, 110/4, 11 April, 1933, p. 20.