

Ancinav and the conflicts in the filmmaking field

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Abstract

Divergences about the relationship between the state and the audiovisual sector have historically divided the field of Brazilian field. Recently, one such disagreement was motivated by the consolidated the film industry's opposition to the Ancinav (Agência Nacional do Cinema e do Audiovisual) project. The project was an attempt to regulate the whole audiovisual sector and to improve the incentive for independent film production. This paper analyzes the behaviour of the filmmaking industry in an attempt to understand the sector's structure and its major agents. It is possible to identify the motivations for the disagreements within the sector and to deduce the changes that would have happened if the Ancinav project had been approved.

Keywords

Audiovisual policy; State; Regulation; Ancinav.

Introduction

This article analyzes how different agents of the cinema industry positioned themselves before the debate on the Ancinav (National Agency of Cinema and Audiovisual) project. At that moment, like in other crucial moments in the history of the relationship between Brazilian cinema and the state – such as the creation of INC (National Institute of Cinema) in 1996 or in the case of Embrafilme in 1974 – the national filmmaking sector became polarized.

The Ancinav project was developed in 2003 by the Ministry of Culture (MinC) under Gilberto Gil's administration and Orlando Senna's direction at the Audiovisual Department (SAv). The project was submitted to the Superior Council of Cinema¹ in 2004, when the text was released to the public. The content of the proposal generated controversy within the film industry, as well as the media, especially Globo network, the Ministry of Culture (MinC) and other social agents.

Ancinav's proposal aimed at expanding the competences of Ancine, the National Film Agency. The new agency would act in the whole audiovisual sector, not only in cinema. The project also proposed the new agency to regulate, supervise and promote the activities of creating, distributing and exhibiting audiovisual content in Brazil.

Therefore, the Ancinav project represented a considerable increment in state intervention in the audiovisual field. Such field covers the television sector, which has shown in past occasions to be refractory to regulation measures:

The Brazilian model of audiovisual regulation, however, based on the CBT [Brazilian Telecommunications Law Code, 1962] and specified during the authoritarian period, has shown to be highly concentrated and totally averse to change. (Bolaño, 2007, p.7).

Within the complex field of discussions around the Ancinav project, the present paper focuses specifically on the filmmaking sector. We describe and analyze the positions of different agents within the debate. Media groups whose interests were linked to the television sector strongly opposed the project investing in attacking and creating controversies that contributed to its setback.. However, the influence of the media is not the subject of this paper. Our work focuses on analyzing the positions adopted within the filmmaking sector regarding the Ancinav debate and how they influenced the trajectory of the project².

¹ Superior Cinema Council is linked to MinC and its competences cover the elaboration of the national policy of cinema. Representatives of Government, audiovisual industry and civil society, make the Council.

² For an overview of the debates around Ancinav through mainstream media, see Fernandes, M. R. (2014). *Ancinav: análise de uma proposta*. Thesis. São Carlos: São Carlos Federal University. 101-112.

Filmmakers in conflict

The analysis of the different positions on the Ancinav project highlights the existence of two very polarized sides in the political debate at the moment. The group of filmmakers who were against the project was formed by professionals with some relationship with Globo network and/or Globo Filmes, such as Cacá Diegues, Roberto Farias e Luiz Carlos Barreto.

Film director Cacá Diegues stepped up his criticism to the project (Diegues, 2004b) in an article published in O Globo newspaper. It is noteworthy that until that moment Diegues had made two films in coproduction with Globo Filmes: *Orfeu* (1999) and *God Is Brazilian* (2003). The Ancinav project proposed to charge a higher tax rate on films being exhibited simultaneously in a large number of movie theaters and which had, consequentially, high commercial potential. The director argued that the proposal of increasing taxes on movies according to the number of copies exhibited in movie theaters would be “disrespectful to the people and their choices”. This declaration does not take into account that the predominance of American blockbusters in movie theaters leaves little space for other films and consequently reduces the choice of other films for the public.

Diegues considers that national cinema was doing well and that the proposed intervention was unnecessary: “From 2002 to 2003, our market share increased more than 200%. Last year, 35 movies were released and about 50 more movies are expected for the current year”. He claims that these results came from a successful partnership between cinema and television.

Such arguments are worthy of discussion. Firstly, the increase in the audience for national films in 2003 created a “false euphoria”, as pointed out by Marcelo Ikeda:

In fact, the years after 2003 euphoria showed that the increased market-share was an exception, not a tendency. Despite the advancements achieved by articulating these two factors, the sector lacked a policy for occupying the internal market by articulating production chain links and supporting the occupation of several market segments (Ikeda, 2015, p.75).

The two factors mentioned by Ikeda are: 1) the changes in the Article 3 of the Audiovisual Law that allowed charging an extra fee on the income tax of foreign movie distributors if they did not choose to co-produce Brazilian films, leading to an increase in the number of co-productions with these distributors, especially the major ones; 2) the role of Globo Filmes, which is part of the partnership mentioned by Cacá Diegues. Globo Filmes has a particular production method, supporting a

co-production according to the percentage of ownership in the contract, and using its consolidated structure. Pedro Butcher explains how Globo Filmes works in co-productions:

When joining a project, Globo Filmes does not use its own resources to support production. Instead, it offers spots on programming schedules for the film's release. Therefore, Globo Filmes offers no money, but a "virtual capital" in the film distribution. (...) The certainty that the movie will be promoted in the structure of national stations on traditional (advertisements and TV spots) or cross-media formats (mentions and promoting on TV shows) is the important part of Globo Filmes' participation (Butcher, 2006, p. 75).

Cacá Diegues also accused the project to be authoritarian:

Thus, the project is a conceptual and technical disaster, capable of freezing filmmaking activity for a long time through 141 articles and 44 pages. (...) If this project is approved the consequences will be authoritarianism, nationalization, loss of independence and a regression of more than 30 years in our cinema history (Diegues, 2004b).

Various opposing channels, such as Rede Globo and the newspaper O Estado de S. Paulo, made the accusation of authoritarianism. However, it is noteworthy that minister Gilberto Gil promised to remove everything that could be interpreted as ideological control³. Furthermore, the sector could not be considered independent, because it was largely dependent on incentive laws maintained with public resources. Finally, it is curious that a director whose career benefited from public funds on several occasions – including Embrafilme and Ancine – was so scathing about nationalization.

The supposed "authoritarianism" was also mentioned by other directors. TV Globo commentator Arnaldo Jabor wrote the following paragraph in a blunt article:

This outbreak of leninism that lately burned the simple soul of *Workers Party voters*, this recent attack to the "bourgeois democracy" that Lula's Government launched against society, Gil's "soviet" hunger, underhand and severe against cinema and TV (...) (Jabor, 2004).

Within the group of directors against the project, Roberto Farias deserves to be highlighted. He was the director of Embrafilme between 1974 and 1979, when the company played a prominent role in the development of audiovisual policies and in the increase of market share for national films. Roberto Farias also directed several productions for Rede Globo in the 1980s. Roberto also led the FAC (Cinema and Audiovisual Forum), a forum created on November 22nd, 2004, to congregate

³ See, for example, the article: Gil, G. (2004). Audiovisual, vamos ao debate. In: *O Globo*, Rio de Janeiro.

producers, distributors and exhibitors of seventeen cinema, television and publicity associations⁴.

The creation of FAC reflected the division of position in the audiovisual field about the project. Roberto Farias said in a declaration to specialized newspaper *Tela Viva*, that the creation of the FAC group wasn't an answer to the new agency project, because the association was programmed before the Ancinav project (Fórum..., 2004). However, in the same declaration, he also said that the opposition to the project was the main work of the group:

We are in favor of an ANCINAV, but not the one developed by MinC. We believe the government must understand and stimulate the sector, with no rules or punishments. There are agencies and laws to inspect communication already, such as the Minister of Justice, the Press Law, the Child Statute etc. (Fórum..., 2004).

In an interview, Roberto Farias reiterated the ghost of statism and its consequences:

As (the sector) is limited, the state interferes in the production, this freaks everybody out [...]. We want to avoid dirigisme and censorship (Fórum..., 2004).

Like Cacá Diegues, Roberto Farias is also a director with a large experience in the relationship between state and cinema, having been the director of Embrafilme during the dictatorship. It is noteworthy that Roberto does not link this experience to "dirigisme". In our understanding, this is an evidence that Roberto's accusations were more rhetorical than based on ideological beliefs or facts. However, the director was not in the same level of denial as Jabor or Diegues, as he understood the FAC could "contribute, with data and research that could help the Government to better understand the sector". However, at the same time Roberto tried to open a space for dialog, he was one of the main opponents of the Ancinav project in Cinema Superior Council.

It is notable that opponents of the Ancinav project, as in the abovementioned interview, often claimed to be not against Ancinav, but the regulation proposals.

⁴ The founders of FAC are: Brazilian Association of Advertising Agency (ABAP), Brazilian Association of Cinematography (ABC), Brazilian Association of Film and Audiovisual Infrastructure Company (ABEICA), Brazilian Association Filmmaking Equipment Rental Companies (ABELE), Brazilian Association of Radio and Television Stations (ABERT), Brazilian Association of Pay Television Programmers (ABPTA), Brazilian Association of Cinema (ABRACINE), Brazilian Association of Independent Audiovisual Distributors (ABRADI), Brazilian Association of Multiplex Operators Companies (ABRAPLEX), Brazilian Association of Pay Television (ABTA), Association of Radio and TV Stations of São Paulo State (AESP), Association of Advertising Professionals (APP), National Federation of Filmmaking Companies (FENECC), Syndicate of Cinematographic and Audiovisual Industry (SICAV), Syndicate of Filmmaking Industry of São Paulo State (SICESP), Syndicate of Filmmaking Distributors Companies of São Paulo State, Syndicate of Filmmaking Distributors Companies of Rio de Janeiro State and Video Brazilian Union (UBV).

Finally, it is worth highlighting the position of the knowledgeable producer Luiz Carlos Barretos, who led the elaboration of a document known as “Ancinav counter project”, published in October 2004, which attempted to replace the Ancinav project. The document was signed by professionals in the audiovisual field, such as directors Paulo Thiago and Roberto Farias; producers Aníbal Massaini, Leonardo Monteiro de Barros, Diler Trindade, Zelito Viana and Luiz Carlos Barreto himself; distributors Bruno Wainer, Jorge Peregrino, Marco Aurélio Marcondes and Rodrigo Saturnino; exhibitors Luiz Severiano Ribeiro Neto and Valmir Fernandes; and Globo Filmes executive Carlos Eduardo Rodrigues. SICAV, ABRAPLEX, Union of Distributors of Rio de Janeiro FENECC, Union of Filmmaking and Video Distributors of São Paulo, Union of Employees of Distribution Enterprises of Rio de Janeiro, Union of Employees of Distribution Enterprises of São Paulo ABRADI, Brazilian Association of Infrastructure, ABERT and Rede Globo Television (Lauterjung; Possebon, 2004).

In 103 articles and annexes, the Ancinav counter project attempted to change the MinC proposal and substantially reduce the attributions of the new agency. Ancinav would regulate the market no more, especially the broadcast and telecommunications services, and would only support and inspect the sector. The core function of Ancinav would go from “organizing audiovisual activities” to “promoting the development of filmmaking and audiovisual activities”.

The group in favor of the Ancinav project was formed mostly by independent filmmakers that would have greater access to resources of support. This group also expected to expand the possibilities of distribution and exhibition of their productions with the new law for the sector, especially for broadcast and cable television. This group was also formed by filmmakers in the Federal Government, such as Orlando Senna, the former Audiovisual Secretary, and Leopoldo Nunes; and independent producers of different generations such as Nelson Pereira dos Santos, Eduardo Scorel, Carlos Reichenbach, Tata Amaral, Toni Venturi, Murilo Salles, Geraldo Moraes, Marco Altberg, Paulo Boccato e Marcos Manhães Marins, among many others. Therefore, the project was well received by sectors of the filmmaking field which advocated for the valorization of independent production (roughly, the production unrelated to big television networks).

The public declaration wrote by CBC (Brazilian Cinema Congress)⁵ and signed by 344 individuals and 55 institutions and entities is an important indicative that a big part of the filmmaking field was in favor to the creation of Ancinav. The attitude of director and producer Toni Venturi is significant for the position of these

⁵ CBC is an association that brings together several representative entities of the audiovisual sector. CBC was founded in 2000 on the 3rd Brazilian Cinema Congress and had an important political position of articulating the filmmaking field and representing the field in the state.

filmmakers, not only because he was, then, the presidente of Paulista Association of Filmmakers (Apaci), but also because it synthesizes in a way what was said by other people in the field:

One of the main conclusions I want to leave in my exposition is that the Ancinav project, supported by independent cinema, is nothing more than a liberal shock. In contrast to what was said and reinforced by opinion formers, individuals with access to the media, it [the project] is not authoritarian, but “anticoncentration”, antimonopoly. It is a liberal shock. It simply will take audiovisual to a level of capitalist regulation.

(...)

We have to decentralize the market. There is the importance of an audiovisual agency, and not only for cinema. For us of the independent cinema, this new policy represents a historical leap. Our production holds the larger potential of development, if we reach the distribution windows. We tell the stories, show the images, the singularities, the Brazil inside Brazil. Our cinema shows the soul of the Brazilian people, a task not always possible (Seminário, 2004).

Thus, Ancinav would create conditions for the increase of market share for independent films through regulation, supervision and promotion. Moreover, large media companies would have – by force of law – to open space on programming schedules for the exhibition of independent films. It is to be expected that independent films would express the country more realistically than productions made by large media companies.

The division of the sector can be analyzed through the discussions of the online forum CINEMABRAZIL, in which several audiovisual agents conduct debates on mailing lists. Murilo Salles defends the Ancinav project:

For years, we saw outrages in this model [based on incentive laws]. Now there is a regulatory proposal, yes, wow, attention, some privileges will end, but getting rid of the hands of a marketing director is everything I've always dreamt of. If we create clear and democratic rules for accessing the funds, I disagree with you, we will never again depend on Governments that lack in investments in culture, because WE WILL USE THIS GOVERNMENT TO REGULATE THESE QUESTIONS AND APPROVE THEM IN CONGRESS (Salles, 2004b).

The message was replied by Cacá Diegues:

(...) a succession of mechanisms that ends in the absolute control of all the activity by, on first and last instance, three ANCINAV directors. I also want to get rid of marketing directors – but do you want to change them for the dictatorship of three bureaucrats of this or any other future government? (Diegues, 2004a)

A questionable point in the Ancinav project was the amount of power the agency would have and that could result in state dirigisme. However, for the group in favor of Ancinav, the goal of the agency was to open a market that is described by many audiovisual producers to be the real dirigisme, as it imposes certain products and leaves the public with few options. Director Murilo Salles wrote for *Jornal do Brasil*: “we also know that this is delicate, because it cannot be imposed, by decree, but ‘cultural dirigisme’ is what the American entertainment industry does. We need to create regulations to favor market equality” (Salles, 2004a).

The filmmakers that intended to release their movies commercially were largely dependent on Article 3 of the Audiovisual Law. However, only a limited number of filmmakers were able to access these resources. Such problem was recognized by Murilo Salles and discussed in the mailing list CINEMABRAZIL, where the subject also caused a division in the sector:

The question of Article 3, a big problem, always sparked discussions and disagreements between filmmakers, because there is the “group that has access to Article 3 and the group that doesn’t”. I personally think that 50% of resources destined for majors to decide in which movies to invest should be destined for an ANCINE/ANCINAV fund and distributed within pre-determined criteria (Salles, 2004b).

Curiously, Roberto Farias was also critical against the subsidy for major distributors. However, he defended the access of funds by Globo for the co-production of movies with independent producers, similarly to how majors do.

I have insisted that it is absurd to incentivise majors with the famous Article 3, which returns income tax for the distributors of foreign movies to invest in national cinema, and deny identical subsidy to television stations with restrictions for the use of such subsidy in co-production with independent filmmakers. However, filmmakers of only one movie, used to the subsidy with no professional obligations, are afraid. They cannot imagine the amount of work for everyone if SBT, Bandeirantes, Record, all broadcasters could have the same rights as majors like Columbia, Warner, Metro, Universal etc. for making national movies. They think they will lose their autonomy and, therefore, are against the extension of such subsidy for television. Moreover: they prefer a project that enforces the exhibition of unprofessional movies on television’s prime time (Farias, 2004).

The debate also involved the relationship between Globo Filmes and filmmakers. Producer Paulo Boccato considered that:

The success of Globo Filmes’ model is undeniable and I believe the films that come from this partnership are absolutely necessary for the health of Brazilian cinema. What is questionable is that this model imposes itself as the only one. And, I’d like to make it very

clear, that it is not to blame Globo Filmes, which is doing the job it proposes well, but the “market” model we have in our country and that we want to change (Boccatto, 2004).

The question of concentration arises again. Boccatto understood the problem was not the activity of Globo Filmes, but the “exclusive model” it created and the non-existence of another commercially viable model. Ancinav should contribute to the creation of these new viable models.

Filmmaker Marcos Manhães Marins also defended the opening of space on programming schedules:

It hurts, but if nothing is done, only movies by big directors or Globo directors, such as Jayme Monjardim, Jorge Fernando etc. will have space guaranteed. Other directors will continue with the pain of seeing their movies hardly being produced (EVEN those that win prizes and dozens of others rejected), dying on the shelves and ALSO being classified by dump TCU [Federal Court of Accounts] as a movie with low market appeal. The bottleneck is the Exhibition in cinema and in TV, and there is no point in supplying the market with movies of only one inclination. There must be space for diversity. Space for movies made outside TV and even space for movies made by directors hired to work for TV (Marins, 2004).

The group in favor of the Ancinav project claimed that the opposition group is afraid of losing space of exhibition; on the other hand, the opposition group considered that the other group would not make ‘professional’ movies.

Another point of divergence in the debate refers to the accusations on the character of the project. The opposition group accused Ancinav to be authoritarian and a threat to freedom of expression, while supporters of the project affirmed that it was democratic and was an attempt to ensure the expression of various audiovisual productions. Murilo Salles, in the abovementioned article for *Jornal do Brasil* (Salles, 2004a), highlights that the Culture minister, Gilberto Gil, publicly committed to remove all the points in the project that could threaten freedom of expression. Moreover, Salles points to what he sees as a contradiction of his colleagues against Ancinav:

When we finally have a Government that treats the audiovisual market as a state matter, with a broad vision of the sectors, the opposers make critics about a supposed “authoritarianism” of this posture that we always demanded. In 2011, we joined several meetings that resulted in the MP [Provisional Measure] 2228. The proposal was to create Ancinav, but all we got was Ancine, that is, only the cinema. Now the most part of suggestions we made at that time were incorporated.

The abovementioned Provisional Measure 2228-1/01 was approved by President Fernando Henrique Cardoso’s administration, on September 6th, 2001.

This Law resulted from the work of the Executive Group of Filmmaking Industry Development (GEDIC)⁶ and holds a relevant place in Brazilian audiovisual policies, as Marcus Vinicius Alvarenga notes:

it created the general principles of the National Cinema Policy, created Superior Court of Cinema and National Cinema Agency, established Prodecine (Support Programm for National Cinema Development), Fundecines (Finatial Funds for National Filmmaking Industry) and changed Condecine (Contribution for National Filmmaking Insdustry Development) (Alvarenga, 2010, p.74).

According to Murilo Salles, filmmakers from the opposition group had been, in 2001, in favor of the measures that they now attack. It is known that Gedic demanded the participation of television by forcing the stations to invest 2% of their gross revenue to the independent co-production and buy part of Brazilian movies in stock. However, these measures were removed from the final version of MP 2228-1/01⁷ due to pressuring by television stations.

A careful position

Ancine would be affected by the creation of Ancinav. However, the agency leaded by Gustavo Dahl took no part in the elaboration of the project. Gustavo Dahl took no part in the polarized discussion and the director was careful when questioned about Ancinav. This is evident by looking at his comments on the functions of the new agency and the inclusion of television in the audiovisual policy: "First, it is necessary to know which is the level of intervention that we want in the field of Brazilian audiovisual content on television". Gustavo also defended the elaboration of an action plan with clear objectives before the creation of Ancinav (Dahl, 2003) and argued that Ancine, created in 2001, was still organizing itself:

I believe the agency [Ancine] has made a lot of progress... It seems Ancine is in the middle of housekeeping", he affirmed. "It is evident that if you did not finish a stage, starting a new stage creates a feeling of disruption of the work that is being developed" (Mudança..., 2003).

⁶ Gedic was created at the Government of Fernando Henrique Cardoso, in 2000, and was composed of the director of Civil House of the Presidency of Republic, director of General Secretary of the Presidency of Republic, director of Secretariat for Government Communication of the Presidency of Republic, Culture minister, Communication minister, Finance minister, Development minister, Industry minister, Foreign Trade minister and six representatives of the audiovisual field – Luiz Carlos Barreto, Cacá Diegues, Gustavo Dahl, Rodrigo Saturnino Braga (distribution), Evandro Guimarães (television) and Luiz Severiano Ribeiro Neto (exhibition). Gedic was created after the demands of 3rd Brazilian Cinema Congress.

⁷ For a review of such pressings, see Dahl, G. (2010). Entrevista concedida a Marcus Vinicius Alvarenga. In: Alvarenga, M. V. *Cineastas e formação da Ancine (1999-2003)*. Thesis. São Carlos: Universidade Federal de São Carlos. 134-135.

In the same interview, Gustavo calls attention to the historical problem of creating new public bodies for the cinema instead of strengthening existing ones: “Reviewing the model created almost three years ago is opportune, but it must be done carefully, because a series of creation and extinction of institutions mark the filmmaking activity”.

Gustavo Dahl’s idea was to strengthen Ancine and expand its actions to other markets before reaching television. He explained his ideas in an interview after his departure from the agency:

Then, I expressed my analysis for a modulus growth of the agency, in which Ancine should be strengthened and after it would incorporate the video market, next it would work Brazilian content on pay-tv, and then would front the questions of commercial broadcasting. I said that with the Provisional Measure, with the use of Brazilian content there already was a condition of interface with Brazilian TV, that would ask Brazilian TV to exhibit Brazilian content made by the state, but the vision was gradual and shy (Dahl, 2010, p. 140).

Finally, it is possible to affirm that the results of Law 12.485, known as Pay-TV Law and sanctioned by President Dilma Rousseff in 2011, seem to indicate that Gustavo Dahl was right. Through the intermediary of the law, it was possible to ensure resources for production and to bring national content – including feature and short films – to a largely denationalized field⁸.

The lack of participation of Ancine and particularly Gustavo Dahl in the elaboration of the Ancinav project demonstrates different political perspectives on the strategy to be adopted at that moment. The fact also provides indications of discussions in the Government, as it seems that MinC and SAv attempted to weaken Ancine and its leader.

Final considerations

According to Toni Venturi, “five years ago, everyone [the filmmakers] was on the same boat” when in the 32nd Brasília Festival, in 1999, Gustavo Dahl “re-convoked political agents of Brazilian cinema and made a first seminar of discussion and re-politicization of the sector”, that resulted in the 3rd Brazilian Congress of Cinema, held in Porto Alegre in 2000 (Seminário, 2004, p. 44). In other words, the speech says that there was some degree of union in the filmmaking field. The aforementioned speech by Murilo Salles also goes in this direction.

⁸ For more information on Pay-TV Law, see Lima, H. S. (2015). *A Lei da TV Paga: impactos no mercado audiovisual*. Thesis. São Paulo: Universidade de São Paulo.

It is possible to deduce that between 1999 and 2001 there was some degree of union in the filmmaking field for the institutional strengthening of Brazilian cinema. This union lasted until the beginning of Ancine activities and was built as a reaction to a scenario described by Melina Marson:

The adoption of incentive laws as an instrument to “revive” Brazilian cinema after the end of Embrafilme activities worked well first. It was not an audiovisual policy, but a palliative and emergency solution as this model of funding encouraged the production at the same time the other part of filmmaking chain (distribution and exhibition) remained with no incentives. That is, incentive laws made filmmaking possible again, but there was not the same concern regarding the exhibition of these films, which means the activity could not become self-sustaining, as the circulation cycle of the film-commodity could not complete satisfactorily (Marson, 2009, p.132).

A new crisis in the filmmaking activity began with the economic recession in the late 1990's. At this point, filmmakers united themselves to demand an enlargement of state policies for the cinema. This movement has the 3rd Brazilian Congress of Cinema as its most significant moment, and the creation of Ancine and MP 2228-1/01 as its most relevant results.

The fragile union within the filmmaking field fell apart after the beginning of Ancine's activities, as it is clear in the conflicting discussion of the Ancinav project throughout 2004. The division happened because MP 2228-1/01 benefits only a very small part of the corporation, following the activity in whom Ancine tended to concentrate strongly on, that is those filmmakers with access to the Article 3 of Audiovisual Law, and on Globo Filmes, while a large number of professionals remained with low incentives for the distribution and exhibition of their movies. This situation created a sentiment of dissatisfaction in the majority and motivated a new division on the filmmaking field.

The concentration of law benefits and the action of the Agency around a small number of audiovisual producers seems to result from the fact that MP 2228-1/01 was “... clearly an industrialist policy” (Ikeda, 2015). Given the economic fragility of the majority of producers and their lack of connection with agents as major distributors and Globo Filmes, only those producers with an established position in the market could attract more resources for the production and expand the conditions for the distribution and exhibition of their works. The association with the two above-mentioned agents became fundamental for the public success of a Brazilian movie in this created scenario.

However, it must be noted that despite the division within the filmmaking field regarding the creation and the attributions of Ancinav, the state participation for supporting the sector was a consensus. There are no declarations that defend

the complete absence of state, in opposition to what happened in the end of Embrafilme, in 1990. The 'scorched earth' policy adopted by the President Collor seems to have left a lesson to be learnt for Brazilian filmmakers.

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