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DAVID LEVY
PRESIDENT

To George Gerber July 17 1993

Here is material just
approved by the Council

Hope to see you Sunday
did not - if you're in town
Monday - give me a ring

Deanne

Ward

P.S. Plus a ~~second~~
attachment

Sent by messenger

CREATIVE RIGHTS AND THE QUALITY OF TELEVISION
A CALL TO ACTION TO
THE CAUCUS FOR PRODUCERS, WRITERS & DIRECTORS

INTRODUCTION:

It is instantly clear from reading the Caucus' Aims & Objectives that the issues of the quality of television programming and the creative rights and freedoms of our members are the cornerstones of the organization's existence. From our inception, we have worked to upgrade the quality of our work as well as the creative community's sensitivities to the important issues of our times. We have, from time to time, negotiated and fought with the networks to roll back the increasing levels of network interference which impinges upon our creative rights.

Notwithstanding these efforts, we stand today at a point in time when the country's dissatisfaction with the quality of television is at an all time high while our own feelings of helplessness and lack of power, in not only choosing material that seeks to enrich, but also in our ability to execute to the best of our ability, is at an all-time low. All the trends are moving against us; it is clear that despite our efforts and even our successes, the television climate has not improved for either the creative community or the viewer.

The Steering Committee believes it is time for the Caucus to assume a role of leadership and active militancy in mobilizing

the creative community, the advertisers, consumer groups and government in refocusing networks' responsibilities with regard to the quality of programming and the creative freedom in the choice and execution of that programming. The Steering Committee believes it is time to correct what has become an institutionalized arrogation of power by the networks' programming departments.

THE INTER-RELATIONSHIP OF CREATIVE RIGHTS AND THE QUALITY OF TELEVISION:

The Caucus believes firmly that the issue of quality television programming is intimately linked with the creative rights and freedoms of the creative community. By creative rights, we mean the rights of the executive producer, producer, director or writer to make all those decisions which are the natural prerogative of creators of the product without interference from the network. These include virtually all the decisions except for star casting, final script and final cut, which the networks should have rights to maintain, as key financiers. We contend that the right to approve everything else, including writer and director, naturally belongs with the executive producer and/or producer.

Creative freedoms extend to our ability to fashion the program with a vision and a point of view without being constrained and

overridden by the program executives who are, in almost all cases, vastly less experienced, qualified, and intimate with the material. Creative freedoms are further constrained by the networks continual narrowing of what subject matters are acceptable for programming, generally limiting their choices to material that has succeeded in the past.

THE BACKGROUND AND DIMENSIONS OF THE ISSUES:

CREATIVE RIGHTS: There was a time, not that long ago, when the commonly accepted role of the networks was that of exhibitor who purchased exhibition rights from respected and trusted creative producers. Those producers, once the basic concept and casting were completed, were entrusted with the respect and power to make all the relevant creative and staffing decisions. This didn't mean that the networks didn't consult, didn't have opinions, didn't have story notes, or preferences, but it did mean that, in the end, the governing assumption was that the producer knew best. If the producer proved wrong, he or she lost the trust of the network and it impeded his or her ability to sell in the future. But the networks recognized then that the best people to make the creative decisions were the talent they hired, not the in-house programming executive.

Over time, we have evolved into a system where the network executives not only dictate who will write, direct, cast, act,

photograph, edit and compose, but sometimes dictate line changes, scene changes, editing, dubbing and placement of music. The current presumption, very often, is that the producer is not the best person to make these decisions, and that the programming executive is. This thinking is obviously incorrect. It is perhaps supportable only when the networks go into business with people so inexperienced and uncreative that the relative newcomers and novices of the programming departments are perceived to have the edge.

What is most disturbing to the Steering Committee of the Caucus is that this younger generation of creators and executives have grown up in this new thinking and have accepted it as the way it should be. The Caucus is therefore committing itself to educating our creative community, as well as the networks and the public about this misplacement of creative power, and its harmful effects to creativity and the quality of television put before the American public.

The Steering Committee believes that if the public comes to recognize that the creative rights of producers, writers and directors are inextricably linked with the issue of quality television, we will have gained a powerful ally in our battle to influence the networks.

CREATIVE FREEDOMS: There was a time when television

routinely looked for what was different and unique to create an event that drew an audience. This philosophy demanded top creative talent operating in a supportive and open creative environment. Today the vast majority of film television has been transformed into a philosophy of purchasing the event and then airing it. This thinking is at the root of our preoccupation with current headlines, instant movies and mindless exploitation of people's tragedies. Further it reflects itself in the nearly single minded pursuit of name casting, whether or not the person is the best actor available or sometimes even right for the part. This new thinking makes it highly improbable for executives to take the risks with truly creative ideas and subject matters. "Whatever worked last week, is what we want next." This limits the producers freedom to explore subject matters and damns the American public to more of what was, rather than what could be. Lost is the sense of exploration, (some would call it showmanship,) and the trying of new or relatively unexplored materials and forms. Rather, we now consider more vulgarity or more salaciousness as breaking the mold and moving our medium forward.

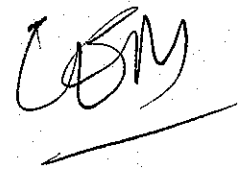
THE SYSTEM AND QUALITY OF TELEVISION PROGRAMS: There are several factors that are built into our changing television system that are acting to diminish what we see. The erosion in ratings and the intensely competitive need for short term results in order for executives to maintain their jobs, combined with the

media fascination with the ratings and with who wins and who loses, has bred a willingness to buy from anyone who controls the property, regardless of that person's ability to execute. Execution is less important than concept and thus quality suffers. The best idea in bad hands will almost always be a bad program. A decent idea in excellent hands can become a great program.

Additionally, the networks themselves continuously buy and operate in ways that force the suppliers to waste huge sums of money on nonproductive talent, commissions and fees, in order to put a project together. These wasted monies impact the product and steal from what could have been. The multiplication of viewing options has broken the economic basis on which the networks operated into the mid-eighties and has caused them to resort to cheaper programming in many time slots.. The public has not yet fully appreciated that with the exploding number of channels from which they can select programming, there has been a cost that can be expressed in less money available for any one program service to put on the most expensive forms. Even so, when a time slot is given away to less expensive reality programming, the public has a right to expect the best quality, not only in terms of execution, but in terms of the ideas and the creative content. Inexpensive does not mean cheap or shoddy or vacuous.

studios and the talent work in an environment that demands creative exploration and quality in execution and content; an environment that rejects exploitation, mindlessness and salaciousness. It's an environment that puts added responsibility on us in the creative community. It's a responsibility we must educate ourselves and the younger talent to take on as a given of their job.

WHAT IS NEEDED:



The first step is to create a comprehensive action plan that integrates all our objectives, operates on a reasonable time line with specific results at a particular juncture point and which is capable of enlisting enough economic and public support to be viable and effective. If the plan is seen to have the possibility of accomplishing what we want, the financing will be there. Without the plan we will be relegated to half effective, short term efforts that bring limited or no results. That has been our history. It should not be the future.

The Steering Committee of the Caucus
July 7, 1993