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2008

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***Batman*, Time Warner, and Franchise
Filmmaking in the Conglomerate Era**

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Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Doctor of Philosophy

The University of Texas at Austin

May 2008

Dedication

Dedicated to my husband Sean, my daughter Gillian, and my son Finn for their love, affection, and patience while I finished this project. I am entirely grateful for their unconditional and never-ending support.

Acknowledgements

I would like to take this opportunity to thank each of the members of my committee—Neal Burns, Mary Celeste Kearney, Neil Nehring, and Charles Ramirez Berg—for their patience during the dissertation-writing process, as well as their valuable comments and suggestions. As I continue working on *Batman* and the franchise film, I will no doubt return to each of their insights which have aided me since day one.

Most importantly, I would like to thank Tom Schatz for reading draft after draft, editing all of those drafts, and advising and supporting me throughout the entire process. This work would not exist without his indispensable assistance. I appreciate all of the time and effort he provided me, not only in relation to this dissertation, but throughout my time at the University of Texas.

***Batman*, Time Warner, and Franchise Filmmaking in the Conglomerate Era**

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The University of Texas at Austin, 2008

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Spanning the nearly two decades since the Time Warner merger and the arrival of *Batman* in theaters, this study explains how media conglomeration affects the development of key properties by providing an extensive understanding of a film franchise. Beginning with *Batman* in 1989 and ending with *Batman Begins* in 2005, I argue that examining the *Batman* film franchise is one way to understand contemporary Hollywood. Through an integration of archival research, critical discourse analysis, and textual analysis, this study presents a comprehensive view of the *Batman* films by focusing on the development of this groundbreaking franchise, its impact on Time Warner, and what it tells us about the state of the contemporary film industry as a whole. Key issues of authorship, branding, and genre are integral aspects of the production of franchise films, and are essential themes that I discuss in this study. The story of the *Batman* franchise is not only about a multi-mediated property, but also a conglomerate's attempt to define itself within the increasingly competitive entertainment industry. By following the developments with the *Batman* franchise, Time Warner, and the film

industry since 1989, this dissertation examines the conglomerate era and the place of the franchise film within it. Thus, I argue that the *Batman* franchise's arc provides the framework for understanding the changes which have occurred in the industry, particularly in regard to media conglomeration.

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Chapter One: Introduction

The summer of 2007 was a record-breaking one for Hollywood. For the first time, the domestic box office reached over \$4 billion in grosses during the all-important summer blockbuster season (Ted Johnson, “Global,” 1). Also for the first time, four summer films grossed over \$300 million in domestic theaters: *Spider-Man 3*, *Shrek the Third*, *Transformers*, and *Pirates of the Caribbean: At World’s End*.¹ These four films, together with the fifth highest grossing film of the summer, *Harry Potter and the Order of the Phoenix*, accounted for a third of the industry’s overall domestic grosses during the season. In total, sixteen films grossed over \$100 million at the domestic box office, breaking the previous record for the summer. In terms of the international market, *Pirates of the Caribbean* and *Harry Potter* both grossed over \$900 million worldwide during the summer, while *Spider-Man 3* earned just under \$900 million. These remarkable figures do not even take into account figures from territories where the films were released later in the year, nor do they account for the additional revenues received from related merchandise, such as video games or toys. Nor do these figures include the hundreds of millions of dollars in additional revenues from DVD sales and rentals.

The results at the box office during the summer of 2007 indicate a number of trends related to contemporary blockbuster films. Clearly, these films grossed impressive amounts both in domestic theaters and internationally as described above, with significant revenues in ancillary markets as well. For example, *Pirates of the Caribbean* was the top-selling DVD for 2007 in terms of units sold, with revenues of \$279 million (“Top-Selling DVDs”). Four of the top five films grossed over a billion dollars on their own

¹ Unless otherwise stated, all contemporary box office figures used in this dissertation are from Box Office Mojo, www.boxofficemojo.com.

through their domestic and international releases and their DVD sales (see Table 1 below for the top five films' grosses). Second, each of these blockbusters was produced and released by one of the major film studios—Paramount/DreamWorks (*Shrek the Third* and *Transformers*), Sony (*Spider-Man 3*), Disney (*Pirates of the Caribbean*), and Warner Bros. (*Harry Potter*). Third, each of these films established or exploited an already established film franchise. Four of these films were sequels while the fifth, *Transformers*, was based on a well-established entertainment franchise and is poised for further films with its conclusion ripe for sequels. On a related note, each of these films was based off of a property originally created in another medium—two children's books, a comic book, an animated television show, and a theme park attraction—thus providing ready-made tie-ins. Moreover, each film inspired a wealth of merchandise, from video games to action figures, and from sheets to cereals. Finally, many of these franchise films succeeded at the box office despite harsh reviews by critics. Indeed, *Transformers* was denigrated as “the apotheosis of product placement, using tried-and-true formulas in the story department as a showcase for the toys,” while *Pirates of the Caribbean* was described as having “arid stretches. . .to be endured until [star] Johnny Depp does something flamboyantly amusing. . .” by film critics at *Variety* (Weissberg, 4; Lowry, Rev. of *Pirates*, 2). These assessments were consistent with critics from other mainstream media sources.²

While these two films were received negatively, the adaptation of *Harry Potter and the Order of the Phoenix* received near universal praise, particularly for director David Yates.³ Todd McCarthy of *Variety* claimed that the film's darkness in tone and

² In fact, Websites like RottenTomatoes.com and MetaCritic.com aggregate film reviews from a number of media sources, and provide an indication of a film's overall critical reception. *Transformers* and *Pirates of the Caribbean: At World's End* earned 57 and 45 on Rotten Tomatoes' tomatometer, respectively, and 61 and 50 with the meta-score on MetaCritic.

³ Indeed, the film's score on Rotten Tomatoes as 77 on the tomatometer and 71 on the meta-score for MetaCritic indicate that the film was better received than either *Transformers* or *Pirates of the Caribbean*.

Table 1: The Top Five Films of Summer 2007

	Title	Studio	Domestic Gross in millions	International Gross in millions	DVD Sales in millions ⁴	Total in millions
1	<i>Pirates of the Caribbean: At World's End</i>	Disney	\$309	\$652	\$279	\$1,240
2	<i>Harry Potter and the Order of the Phoenix</i>	Warner Bros.	\$292	\$647	\$201	\$1,140
3	<i>Transformers</i>	Paramount/ DreamWorks	\$319	\$388	\$303	\$1,010
4	<i>Spider-Man 3</i>	Sony	\$337	\$554	\$117	\$1,008
5	<i>Shrek the Third</i>	Paramount/ DreamWorks	\$323	\$476	\$164	\$963

mood was the result of “new blood recruited to push the franchise into ever-darker domains. Director David Yates. . .steer[s] the focus away from flights of fancy and in-house intrigue. . .[which] results in an unsettling mood and dramatic scenes of unusual intensity” (Rev. of *Harry Potter*, 2). The critical response that *Harry Potter* received is indicative of a substantial change that has occurred in the industry over the last two decades—the incorporation of independent and art cinema talent into the franchise film. David Yates’ award-winning work for British television was created for mature audiences with its dark subject matter and documentary-like approach, hardly the qualities associated with a high-profile adaptation of a children’s fantasy book series. And yet Yates—like the two directors of the *Harry Potter* franchise before him, art cinema veterans Mike Newell and Alfonso Cuarón—merged aspects of his unconventional, non-Hollywood film and television background with a highly commercial film franchise. As the independent film movement, in particular, became increasingly competitive with the Hollywood film industry during the 1990s, the studios reacted by incorporating independent talent before and behind the camera in key franchise films. In addition to *Harry Potter and the Order of the Phoenix*, *Spider-Man 3*

⁴ All DVD sales figures used in this chart are from “Top-Selling DVDs.”

featured Sam Raimi as the film's director and co-screenwriter, while *The Bourne Ultimatum* was directed by Paul Greengrass, both of whom are veterans of independent filmmaking and art cinema. Over the past decade, the number of filmmakers who started their careers in independent film and have since become involved in film franchises has steadily increased, and includes Steven Soderbergh (the *Ocean's 11* franchise), Peter Jackson (*The Lord of the Rings* trilogy), Bryan Singer (the *X-Men* and *Superman* franchises), Christopher Nolan (the *Batman* franchise), Ang Lee (*Hulk*), the Wachowski brothers (*The Matrix* and *Speed Racer* franchises), and Paul Haggis and Marc Forster (the James Bond franchise).

Unlike art and independent films which are usually praised for their originality, franchise films often are derided as being too commercial because they act as “a two-hour promotion for a multimedia product line, designed with the structure of both the parent company and the diversified media marketplace in mind,” as the critical response to *Transformers* tended to underscore (Schatz, “The Return,” 74). And yet the incorporation of talent like Yates, Greengrass, and Raimi, among others, demonstrates that studios view many franchise films not only for their commercial prospects, but also for their creative aspects as well. In such a competitive market, differentiating each franchise film from both previous iterations of the property and from other franchises available in theaters has become an essential aspect of the production process. The incorporation of talent with a background in art or independent cinema is an important aspect to achieving this goal of differentiation.

While the featuring of independent film talent into these blockbuster projects is relatively recent in Hollywood, the roots of this phenomenon can be traced back to 1989 with the release of *Batman*. At the time of its release, film critic David Ansen argued that the film's “ambiguous, moody hero, its dark and brooding mood, its stately, pre-

Spielberg/Lucas pacing” helped the film do well “because it didn’t play by the rules” of the typical 1980s blockbuster (“Boffo Box,” 62). With its dark characters, storyline, and set design, Roger Ebert lamented that the film did not feature “the liberating euphoria of the Superman or Indiana Jones pictures. It’s classified PG-13, but it’s not for kids” the way that most 1980s blockbusters were (Rev. of *Batman*). Nor did *Batman* look like the other blockbusters of the decade, with its production design which harkened back to the German Expressionist films of the 1920s. The unconventional selection of director Tim Burton to helm Warner Bros.’ biggest film to date was met initially by much skepticism, but the film’s atypical blockbuster characteristics astounded critics. Its record-breaking theatrical grosses demonstrated that audiences were willing to support the merger of commercial and art cinema aesthetics. Indeed, *Batman* earned a record \$40.5 million in its opening weekend on its way to grossing over \$250 million at domestic theaters, thus becoming the second highest grossing film of all time (“Holy Record”).

While its theatrical grosses were impressive, the film earned even more money through its ancillary products than it did in its initial theatrical release, and these products were promoted through nearly every arm of the newly merged conglomerate, Time Warner. Three months prior to the summer 1989 theatrical release of *Batman*, entertainment company Warner Communications Inc. (hereafter, WCI), which owned the Warner Bros. film and television studio and DC Comics, among other assets, and Time Inc., a publishing powerhouse with cable television assets, announced the merger of the two companies into Time Warner, forming the first major American media conglomerate. The Time and Warner union was, to that point, the largest media merger in history, encompassing divisions in film, television, cable television, publishing, and music and creating significant holdings in nearly every form of media and entertainment production, distribution, promotion, and exhibition. Time Warner’s assets particularly supported the

creation of film franchises, and Warner Bros. Co-Chairman Terry Semel indicated that the ability to use all of Time Warner's machinery was what helped *Batman* succeed as the merged company's first franchise: "The first picture that blew out was *Batman*. . . . Such an unbelievable experience for all of us. It was the first time we utilized the whole machine of the company. The marketing, the tie-ins, the merchandising, the international. *Batman* was the first \$100 million movie we ever had" (qtd. in Corie Brown, 78). As Semel indicates, *Batman*'s success was not limited to the film's box office performance itself; the property sparked a massive merchandising trend, spawned successful music albums, and reinvigorated the comic book line for the character.

As a result, it is impossible to disentangle the film's success from its corporate base, as *Batman* demonstrated the full power of coordinating Time Warner's varied assets. The union between Time Inc. and WCI was part of a spate of media mergers that occurred in the late 1980s and in the 1990s as companies in the entertainment industry sought to integrate more and more media divisions under one corporate umbrella. *Batman* is the first film to demonstrate the power of the franchise in this new corporate environment. Since the Time Warner merger and the film's release in 1989, the franchise film has become an increasingly essential component of film studios' rosters. Indeed, the success of *Batman* spurred a film franchise that dominated much of the 1990s. When the fourth film in the franchise, *Batman and Robin*, was released in 1997, its box office performance and its critical reception were so dismal that the franchise remained on hiatus for eight years, despite several attempts at a restart. It was not until Warner Bros. agreed to Christopher Nolan's pitch for a new direction in the franchise that a fifth *Batman* film was produced. Released in 2005, *Batman Begins* is a reboot of the franchise, with no ties to the previous four films.⁵

⁵ Rebooting is the term in comics that is used when the history of a comic is scrapped and is started anew. According to *Batman Begins* screenwriter and comic book writer David Goyer, it is a renewal process:

Given the franchise's history, *Batman* and Time Warner stand as the film and the company at the forefront of the sweeping changes that have affected the film industry over the last twenty years. Spanning the nearly two decades since the Time Warner merger and the arrival of *Batman* in theaters, this study explains how media conglomeration affects the development of key properties by providing an extensive understanding of a film franchise. Beginning with *Batman* in 1989 and ending with *Batman Begins* in 2005, I argue that examining the *Batman* film franchise provides a particularly useful approach to understand contemporary Hollywood. Through an integration of archival research, critical discourse analysis, and textual analysis, this study presents a comprehensive view of the *Batman* films by focusing on the development of this groundbreaking franchise, its impact on Time Warner, and what it tells us about the state of the contemporary film industry as a whole. Key issues of authorship, branding, and genre are integral aspects of the production of franchise films, and are essential themes that I discuss in this study. The story of the *Batman* franchise is not only about a multi-mediated property, but also a conglomerate's attempt to define itself within the increasingly competitive entertainment industry. By following the developments with the *Batman* franchise, Time Warner, and the film industry since 1989, this dissertation examines the conglomerate era and the place of the franchise film within it. As yet, there are relatively few systematic studies of film franchises and their place within the contemporary industrial structure. Thus, I argue that the *Batman* franchise's arc provides the framework for understanding the changes which have occurred in the industry, particularly in regard to media conglomeration.

"Say you've had 187 issues of 'The Incredible Hulk' and you decide you're going to introduce a new Issue 1. You pretend like those first 187 issues never happened, and you start the story from the beginning and the slate is wiped clean, and no one blinks" (qtd. in Greenberg, E10).

THE FOUNDATIONS OF A FRANCHISE: THE HISTORY OF BATMAN AS A MULTIMEDIA PROPERTY

With the arrivals of Steven Spielberg's *Jaws* (1975), George Lucas's *Star Wars* (1977), and the Warner Bros.-distributed *Superman* (1978) in the late 1970s, the rise of the franchise film was initiated. As it developed during the 1980s, it became the staple of filmmakers Spielberg, Lucas, and their disciples as multimedia franchises such as the *Indiana Jones* trilogy and the *Back to the Future* films (helmed by Robert Zemeckis, a protégé of Spielberg) dominated the box office. However, these films were produced and released in the pre-media conglomerate environment. While they certainly were multimedia franchises—extending to television, video games, and novels, among other media—most of these franchises followed a pattern of an initial, remarkable release, then the subsequent release of additional related material, including sequels. Thus, *Batman* was not the first franchise film for WCI, and certainly not for the entire industry. But from its pre-production onset, *Batman* was calculated to be a multimedia release on the entire corporate level, with products created in nearly every subsidiary of the growing company. The prescient merger with Time only added to the franchise mentality which surrounded the film's production. Indeed, given the property's multimedia history, *Batman* was uniquely suited as the first franchise of the media conglomerate era.

Although *Batman* might be considered the first film blockbuster of the media conglomerate era ushered in by the Time Warner merger, Batman had a rich, multimedia history dating back to before World War II. A co-creation of artist Bob Kane and writer Bill Finger, Batman was initially introduced in *Detective Comics* in May 1939 to capitalize on the success of Superman, the leading comic book character of the time. Batman proved so popular in this issue that he had his own comic book line less than a year later. Integrating elements of popular movies into the storyline, design, and

development of characters,⁶ Kane and Finger quickly shaped the world of Batman so that by the War, the mythos was well established in the comics. In fact, the emergence of a sidekick (Robin), a growing stable of villains (including the Joker, Catwoman, and the Penguin), and the development of related gear (including the Batmobile and Batarang) all happened before the United States entered the war in December 1941. During the War-era, Batman turned into a pre-conglomerate era franchise, with a syndicated daily and Sunday comic strip and associated merchandise as a result of his popularity (Brooker, 80).

As comic book sales soared during World War II, Batman's popularity ensured Hollywood interest in the property.⁷ Columbia Studios produced a low-budget, fifteen-episode live-action serial, *Batman*, in 1943 and a second fifteen-episode, live-action serial, *Batman and Robin*, in 1949 to tie into the popularity of the comic book. Neither serial featured any of the comic book's known villains. *Batman* opted for a Japanese villain, Dr Daka, who tied into the War discourse prevalent at the time. The 1943 serial did feature several key features already developed in the comic book, including a Batman costume based on Kane's original drawings, an expansive Wayne manor, and a voice-over with statements directly taken from issues of the comic book (Brooker, 88). *Batman and Robin* featured Vicki Vale as Bruce Wayne's love interest, which was a storyline lifted out of the *Batman* comic books of the time (Daniels, 64). The two serials, along with Batman's presence on the radio and in newspapers, solidified "him [as] a household name for millions who never [even] bought a comic book" (Daniels, 64). They also

⁶ For example, *The Mask of Zorro* featured a masked crime fighter played by Douglas Fairbanks whose 'real' identity was a rich man who owned a house with a secret cave underneath. Likewise, *The Bat Whispers* featured a costume that inspired Batman's (Boichel, 6). Jean Harlow's role in *Hell's Angels* influenced the Catwoman character, while Conrad Veidt's character from *The Man Who Laughs* was the inspiration for the Joker (Brooker, *Batman Unmasked*, 51).

⁷ In addition to the success of the comic book, an animated cartoon series of *Superman* produced by Fleischer Studios proved extremely popular in 1942, and was a motivating factor for a Batman serial.

helped dilute him from being the Dark Knight, to a character more accessible for a larger audience.

As sales decreased in the 1950s and 1960s, Batman moved from being the Dark Knight seen in the comic books, to a less dark, more sunnier character who was clearly interested in women. The alteration in Batman's image during this period was, in part, to combat the assertions of Dr. Fredric Wertham, a prominent psychiatrist. Wertham's book, *Seduction of the Innocent* (1954), damned the comics industry for its negative influence on children, particularly in terms of sex and violence. Specifically, he condemned Batman's bond with his ward, the teen-aged Robin, as an inappropriate, homosexual relationship. As a result of Wertham's assertions, several potential love interests for Batman were introduced in the comic book in order to discredit Fredric Wertham's assertions about the character's (homo)sexuality. Batman narratives also reduced their violent aspects because of Wertham's assertions and began to take on science fiction elements, as he faced aliens rather than criminals on the streets of Gotham. Jack Schiff, the editor of the Batman comics at the time, believed the change was detrimental to the Batman image: "We were forced into the situation because a higher-up said it would be popular. Science-fiction had no place in Batman. We hated the whole monster-thing. . . .[I]t was out of character" (qtd. in Sciacca, 6). In "Batman: Commodity as Myth," Bill Boichel argues that this period was an unstable one for the Batman image, as he tried to adjust to the changes presented in the post-War world:

The character, severed from its roots as dark knight vigilante, was so ill-defined during this period that even Batman himself was subjected to periodic transformations, surreally assuming the forms of a variety of monstrosities as well as inanimate objects (14).

This lack of a clear Batman image during the 1950s and 1960s, together with declining sales, pointed to the character's decreasing popularity.

Under these circumstances, Batman's image hardly seemed compatible with the licensing of the character for a television show. ABC, the struggling third network for much of the 1960s, wanted to attract younger audiences and use color in order to compete with the shows aired on rival networks CBS and NBC.⁸ The network also wanted a show to tie into the burgeoning Pop Art fad ushered in by artists Andy Warhol and Roy Lichtenstein and based partially on comic art. The result was *Batman*, a television show aired on ABC from 1966 through 1968, which also spurred a feature film released in 1966.⁹ *Batman* episodes aired twice a week, capitalizing on the cliff-hanger endings typical of serials in order to ensure viewers would return continually. Nominated for an Emmy for Best Comedy in 1966, *Batman* foregrounded an excessive acting style, ludicrous plots and characters, and campy dialogue, including Robin's referral to strange situations and objects with the adjective "Holy." Quickly after its television debut, both episodes of *Batman* joined the top ten in Nielsen ratings—fifth for the Thursday night episodes, tenth for the Wednesday ones ("Curses!!!" 95). The success of the show was not limited to its ratings; it also sparked a merchandising fad which sold more than \$75 million in clothes, toys, and assorted daily products like soap ("Holy Cancellation!" 84). In *The Batman Filmography: Live-Action Features, 1943-1997*, Mark S. Reinhart argues that the show marked a significant change in how fans related to the property:

[S]tarting in 1966, Batman fans had the option of not only enjoying the character through his comic book adventures, but also through the collecting of non-comic Batman material. Consequently, from 1966 on, the buying of "Batman stuff" would become a major part of the Batman fan experience (26).

⁸ An article in *Variety* stressed this very point: "It's chiefly by riding the cape of 'Batman' that ABC hopes to recoup some lost ratings ground in this season's stretch" (Rev. of *Batman*, 47).

⁹ The feature film, *Batman*, was released in July 1966. Originally, the film was to be released before the television show aired, in order to build interest in the property. However, scheduling problems caused ABC to move up the show's premiere to January 1966, before the film was ready to be shown in theaters.

The popularity of the show was also responsible for an increase in comic book sales, though both the ratings and the comic book sales turned out to be fleeting.

Perhaps as a result of the waning interest in the Pop Art fad, *Batman*'s ratings also began to tumble, as did sales in related merchandise and comic books. By December 1967, the show had plummeted to 48th in the Nielsen ratings ("Curses!!!" 95). In conjunction with the show's decrease in viewership and its ultimate cancellation, comic book sales in general continued to fall in the 1970s and 1980s, reaching their lowest point in 1985 (Boichel, 15). What was once a mass medium in the 1940s and early 1950s had devolved into a specialized medium (Parsons, 81). By the 1980s, comic book sales were driven by specialty stores and by older patrons, loyal to specific comics and extremely active in their fan activities. Indeed, conventions brought together fans with artists, writers, and producers of comics in a sort of mutual exchange. Fans, of course, had access to their favorite artists and writers, additional merchandise, and information about future titles at conventions like Comic-Con. Those representing the comics, however, learned valuable information about their core fan base—not only demographics, but also interests, likes, dislikes, and desires for their favorite characters.¹⁰

As the core audience for comics skewed older, a shift happened in regard to content, theme, development of characters, and plotlines to reflect that comics were no longer the province of adolescent boys. Within this framework, graphic novelists such as Frank Miller and Alan Moore brought Batman to 1980s America. In an interview, Miller

¹⁰ Dennis O'Neil, a writer of several Batman comics as well as the editor for the Batman line for DC Comics during much of the 1980s, described the company's reliance on fan input as having an impact on elements of the comics. This input let the editors know that Jason Todd, the second boy to become Robin, was not popular with the fans. O'Neil and others in DC Comics came up with a plan for fans to call a hotline to determine Todd's fate. Fans ultimately voted for Todd to die at the hand of the Joker, an event O'Neil describes as "[t]he first time we. . .[had] real reader participation in comic books" (qtd. in Pearson and Uricchio, "Notes from the Batcave," 21-22).

situates his graphic novel *The Dark Knight Returns* (1986), in which Batman returns to his role as a superhero after years of retirement, within the atmosphere of nuclear détente:

Things don't look good right now. The environment is collapsing. That crisis may well be the next major theme in entertainment. I think it's finally sinking in that the planet is on its way to dying. Whether or not we decide to do something may be irrelevant. When we were doing these books nuclear terror was definitely in everyone's minds. It was obvious that everything could end very fast. [*The Dark Knight [Returns]* and [Alan Moore's] *Watchmen* were both an attempt to weave the superhero into that terror. That was sort of the basic backdrop (qtd. in Sharrett, 42).

In *The Dark Knight Returns*, the rising tensions between the United States and the U.S.S.R. are chronicled through newscasts focused on a standoff in Corto Maltese, which alternate with stories of Batman's controversial return to vigilantism. Within a corrupt environment punctuated with impending doom, Batman re-emerges as the superhero of Gotham, though one who can no longer function as an arm of the law. In a similar fashion, Alan Moore deepened the psychological complexity of the Batman story. Moore's graphic novel *The Killing Joke* (art by Brian Bolland; 1988) not only created a sympathetic back story for Batman's most formidable enemy, the Joker, but also followed the villain as he tried to turn an innocent man, Commissioner Gordon, into an insane killer. In the process, the Joker shoots Gordon's daughter in front of him, paralyzing her; takes pictures of her wounded, naked body to show the Commissioner later; and leads Gordon around by a leash, naked, as he sets a trap for Batman.

Both Miller and Moore's attempts to bring mature content to the Batman story stimulated comic sales. *The Dark Knight Returns* alone sold over 85,000 copies, and sales of the *Batman* comic jumped from 75,000 in 1985 to 193,000 by 1987 (McDowell, 7; Altaner, D7). The success of these graphic novels paved the way for the first feature film of the franchise. With its already rich multimedia history, the *Batman* property

therefore was a perfect fit as a film that was to be produced by a conglomerate with multiple media subsidiaries, including DC Comics, the home of the Batman comic.

THE CO-DEVELOPMENT OF FRANCHISING AND CONGLOMERATION

As stated earlier, the beginnings of the media conglomerate era and Hollywood steadily intensifying a franchise mentality might be traced to the creation of Time Warner and the release of *Batman* in 1989. In this section, I provide a historical overview of the industry as franchising and conglomeration co-developed. By situating the *Batman* franchise and the development of Time Warner within this context, their contributions to the changing nature of the industry come into clearer view.

Although a previous wave of conglomeration had affected the industry in the late 1960s, these earlier conglomerates bought film studios and integrated them within a vast array of businesses not related to the film industry, including in service fields such as insurance, car rentals, and funeral parlors. The process of media-centric conglomeration was jumpstarted when Australian conglomerate News Corp. purchased Hollywood film and television studio Twentieth Century Fox in 1985 and added it to the company's growing, global television and newspaper empire. Within a year of the purchase of the company, News Corp. created its own U.S. television network, Fox, a move that benefited from governmental deregulation in the communications industries. A second pre-cursor to media conglomeration occurred in 1987 when Sony Corp., a Japanese manufacturer of communications technology, purchased CBS Records, the leading record company in the world. The acquisition was an attempt to integrate Sony's audio products with tangible software. With the Time and WCI merger in 1989, Time Warner became the first U.S.-based media conglomerate to compete with these companies amassing global entertainment interests. The size of the newly-formed company dwarfed the other

conglomerates, and its diverse, yet tightly focused, entertainment interests provided a base for key Warner products like *Batman*. Argues media scholar Douglas Gomery about the merger: “The Time merger was simply another step in logically expanding the ‘ancillary markets’ for Warner’s television programmes and films, furthering vertical integration, making ever more money, and in the process remaking Hollywood” (“Hollywood Corporate,” 53). While it may not have been the first media conglomerate, Time Warner’s breadth and depth in media products was influential for the other media companies that developed during the 1990s.

Prior to the Time Warner merger, the franchise film had emerged as the key product on a studio’s slate, and it was the genre of film that most benefited from the increased media conglomeration. *Variety*’s annual chart of All-Time Film Rentals released in January of 1989 demonstrated that nine of the top ten films were part of a film franchise and the tenth film, *E.T. the Extra-Terrestrial*, had many franchise attributes although it has never spawned a sequel (“Top 100,” 26). The general pattern for blockbusters during the late 1970s and through the late 1980s was one film that earned \$100 million in domestic rentals per year, a film which inevitably spawned a sequel—that is, if it was not part of a film franchise already. This kept the top ten films fairly stable during the 1980s, with one film added to and displaced from the list nearly every year.

During the summer of 1989, however, a shift occurred as box office records were continually broken, a phenomenon that is still evident in the record-breaking box office results that occurred during the summer of 2007. *Indiana Jones and the Last Crusade* opened on May 24, 1989, and by the end of its first weekend, the film had shattered the record for a three-day opening with \$29.4 million at the domestic box office. A few weeks later, *Ghostbusters II* opened with \$29.5 million, narrowly capturing the new record. A week later, *Batman* reset the record again, earning \$40.5 million in its opening

Table 2: The *Batman* Films

Film	Year of Release	Director	Domestic Gross (in millions)	International Gross (in millions)	Total Gross (in millions)
<i>Batman</i>	1989	Tim Burton	\$251	\$160	\$411
<i>Batman Returns</i>	1992	Tim Burton	\$163	\$104	\$267
<i>Batman Forever</i>	1995	Joel Schumacher	\$184	\$153	\$337
<i>Batman & Robin</i>	1997	Joel Schumacher	\$107	\$131	\$238
<i>Batman Begins</i>	2005	Chris Nolan	\$205	\$166	\$371

weekend (all figures from “Holy Record Opening”). Thus, within a month, the record for opening weekend grosses had been broken *three* times. In their book *Open Wide: How Hollywood Box Office Became a National Obsession*, Dade Hayes and Jonathan Bing argue that it was *Batman* and Time Warner which shifted the industry’s focus to record-breaking grosses on the opening weekend: “*Batman* created the modern opening weekend template for leveraging the machinery of a giant media company to achieve maximum on a single release date” (281). By the end of July 1989, the total number of box office records that had been broken that summer prompted *Newsweek* film critic David Ansen to ponder what was happening in the industry: “Every week another film-industry record is shattered. Why this moviegoing madness?” (“Boffo Box,” 60). By the end of 1989, eight films, including *Batman*, *Ghostbusters II*, and *Indiana Jones and the Last Crusade*, had surpassed \$100 million in grosses at the domestic box office, breaking the previous record of six in 1982 (Putzer, “B.O. Blasts,” 1). Ultimately, the box office success of *Batman* paved the way as Time Warner’s premiere film franchise, and provided a template for future franchises in the industry at large (see Table 2 above for the *Batman* franchise’s performance at the box office).

By the time *Batman Returns* arrived in theaters during June of 1992, Time Warner was ready for another summer of Batman-related entertainment to fuel its growing roster of subsidiaries. Although *Batman Returns* was the highest grossing film of the year for both Time Warner and the film industry as a whole, its box office revenues were somewhat disappointing: \$162 million at domestic theaters and just over \$100 million internationally. The less-than-stellar grosses, coupled with a controversy surrounding the film's rating and appropriateness for younger viewers, convinced Time Warner and Warner Bros. that a new direction was necessary to reinvigorate the franchise. Joel Schumacher was hired to replace Burton as the director for the third *Batman* film, and he was given the specific task of making the franchise more appropriate for children. The third film in the franchise, *Batman Forever* (1995), did not recapture *Batman*'s amazing success, but it did earn \$184 million at the domestic box office and over \$150 million in international theaters to become the company's, and the industry's, top film of the year.

As demonstrated by *Batman* and its sequels, the center of media conglomerates like Time Warner was the film division, for franchise films drove revenues across the many subsidiaries. Accordingly, the studios

learned to generate billions of dollars in profits from creations that may start with a feature film, but then go on to touch all forms of mass media. . . .Each movie aspired to become a theatrical smash hit, because if it does then it may be turned into a 'product line'. . . .An endless array of licensed tie-ins generate additional millions (Gomery, "The Hollywood Film Industry," 374).

Universal's *Jurassic Park* (1993), for example, broke several box office records on its way to earning nearly \$360 million at domestic theaters and \$560 million from foreign theaters. The film's ground-breaking use of computer generated imagery created dinosaurs that appeared lifelike, a spectacle that the big screen clearly emphasized. The film also earned millions of dollars through secondary windows such as video sales and rentals, cable television, and network television. Yet, "*Jurassic Park*, as an actual movie

(in whatever delivery mode), represents only one facet of the franchise” (Schatz, “The Return,” 74). The film’s tie-in toys, Universal Studios ride, and video games all expanded the experience beyond the film’s two-hour running time. Indeed, *Jurassic Park—The Ride* opened at the Universal Studios Hollywood amusement park in the summer of 1996, and helped the park set new attendance records, with 43,000 visitors purchasing tickets for the park in a single day that July (Latham, E14). The sequel to the film, *The Lost World: Jurassic Park* (1997), nearly outperformed the fourth *Batman* film’s total grosses in domestic theaters alone, grossing \$229 million and an additional \$390 million internationally. In fact, while there were only two *Jurassic Park* films during the 1990s, their aggregate box office total of \$1.539 billion outpaced the four *Batman* films released from 1989 through 1997 (at \$1.253 billion), making *Jurassic Park* the decade’s dominant film franchise in terms of gross dollars.

The *Batman* franchise not only competed with the *Jurassic Park* franchise during the decade, but also with Disney’s animated franchises which became a dominant force not only at the box office but also via the company’s secondary markets. Indeed, the Walt Disney Company was Time Warner’s chief rival in terms of revenues and market share during much of the 1990s. Disney’s renewed attention to its animation arm during this period provided the company with the base for key products, in the process creating franchise films which drove revenues across its media divisions. Nearly every year since the arrival of *The Little Mermaid* in 1989, Disney has had an animated film in the top fifteen films of the year. These box office successes have spurred sales in merchandise at Disney’s chain of retail stores, tie-ins with promotional partners, and ancillary markets such as DVDs. For example, *The Lion King* emerged as the second highest film for 1994, grossing nearly \$300 million in domestic theaters and over \$450 million internationally. Disney’s ability to push aspects of the film into its other subsidiaries—

including as a bestselling soundtrack, with over 10 million units sold in the United States, as toys in its retail stores, and as an Award-winning Broadway musical—demonstrates the inter-relationship of the film franchise and its corporate base (Jeff Smith, “Ancillary Markets,” 150).

In 1993, Walt Disney surpassed Time Warner in terms of revenues, the first time since the merger that Time Warner did not have the most sales in the industry. In part, Disney’s revenues were aided by an additional film subsidiary obtained that year—the leading independent film production and distribution company at the time, Miramax. Although the company had been around since the 1970s, Miramax emerged at the forefront of the independent film movement in 1989 with its skillful release of the award-winning *sex, lies and videotape*. After *sex, lies and videotape* won the Golden Palm at Cannes, jury president Wim Wenders claimed that it was “a film that gave us great joy, that surprised us all and gave us confidence in the future of cinema,” while others claimed that “is not only artful, it’s [also] commercial” (qtd. in Kempley, D1). Miramax marketed the film to both arthouse and youth audiences, and exhibited the film in both the small theaters catering to art film enthusiasts and in multiplexes across the country. Argues Alisa Perren in her essay “Sex, Lies and Marketing: Miramax and the Development of the Quality Indie Blockbuster,” this choice pushed the film to be one of the most profitable independent films the industry had seen thus far:

Sex, lies and videotape ushered in the era of the “indie blockbusters”—films that, on a smaller scale, replicate the exploitation marketing and box-office performance of the major studio high-concept event pictures. On a cost-to-earning ratio Steven Soderbergh’s creation—with its \$1.1 million dollar budget and \$24 million plus in North American box office—was a better investment than *Batman*, which—at an investment of \$50 million—returned \$250 million in domestic box office (381).

With the indie blockbusters, independent films began to challenge Hollywood’s dominance. For example, three independent films grossed over \$100 million at the

domestic box office in 1994—New Line’s *Dumb and Dumber* and *The Mask* and Miramax’s *Pulp Fiction*—a feat once reserved solely for Hollywood blockbusters. These indie blockbusters sparked a growing interest in independent film, particularly by Hollywood studios which began to create their own independent film labels or acquire independent film companies in order to compete in this growing market.

One of the most prominent of these independent film companies was New Line Cinema. Throughout the 1980s, the company sustained itself on the horror franchise *A Nightmare on Elm Street* and its associated products, which included costumes and video games, and in the 1990s on its *Teenage Mutant Ninja Turtles* franchise. In fact, *Teenage Mutant Ninja Turtles* had the second highest opening weekend grosses ever in 1990 with over \$25.4 million, and became the highest grossing independent film by the end of its theatrical run (“Teenage Mutant”). Turner Broadcasting System announced that it was purchasing New Line in 1993 as part of an initiative to guarantee films for the company’s growing cable empire. Turner subsequently merged with Time Warner in 1996, which brought New Line Cinema and its art film subsidiary, Fine Line Features, into Time Warner’s fold, adding the independent production and distribution company to the studio’s film interests. With the addition of New Line and Fine Line, Time Warner now had a foothold in the independent film world as well. With the exception of the independent film studio DreamWorks SKG, which was launched in 1995, every major film studio had become part of a media conglomerate. Indeed, “[T]he 1990s has witnessed the regeneration of the studio system, albeit reconfigured to the economic and industrial contours of the New Hollywood” (Schatz, “The Return,” 86-87). Each of these conglomerates featured significant holdings across media, from television networks to cable networks, and from theme parks to print media.

Still, as the Turner and New Line Cinema deal made clear, a key focus of the media conglomerate was the film studio. Given the importance of the franchise film to generate revenues across many divisions of the conglomerate, another sequel in the *Batman* franchise was eminent. Immediately after the success of *Batman Forever*, Warner Bros. began pre-production on a fourth *Batman* feature to be released in 1997. Again with Schumacher as the director, *Batman and Robin* was even lighter in tone than the previous film. When the film was released, it was ravaged by critics and fans alike for its emphasis on stars over character development, overt appeals to merchandising and tie-in opportunities, and over-the-top aesthetic which foregrounded bad puns, garish production design, and outlandish situations. It grossed barely over \$100 million at the domestic box office and just over \$130 million internationally, a major disappointment for the company's only active franchise. Coupled with the disappointment from the performance of *Batman and Robin*, Time Warner struggled with its brand new television network, the WB, and its new media ventures, with both causing the company to lose significant amounts of money.

The film division of Time Warner needed to re-focus in the late 1990s and early twenty-first century in order to regain its foothold as the most prominent film studio in Hollywood as well as to lead the troubled company's revenues. Films released by subsidiary New Line, such as *Rush Hour* (1998) and *Austin Powers: The Spy Who Shagged Me* (1999), were outperforming Warner Bros.' top productions, often at a fraction of the studio's typical blockbuster budget. As a sequel to *Austin Powers: International Man of Mystery* (1997), New Line's *Austin Powers: The Spy Who Shagged Me* was made for \$31 million, and was the fourth highest grossing film domestically with \$206 million. In contrast, Warner Bros.' tentpole for the summer of 1999, *Wild, Wild West*, had a production budget of \$170 million and earned only \$114 million in domestic

theaters to place as the 17th highest grossing film of the year. In terms of foreign ticket sales, *Wild, Wild West* barely grossed more than the comedic *Austin Powers: The Spy Who Shagged Me*, \$108 to \$106 million, respectively. Although reinvigorating the *Batman* franchise was a high priority for studio executives, creating new franchise opportunities became even more of a pressing concern for Warner Bros. With the success of New Line and other independent film companies turned corporate subsidiaries such as Miramax, Warner Bros. executives began to look at filmmakers from the independent world to head several franchises in development. Like the unconventional choice of Burton for *Batman*, Time Warner's bringing in of "indie auteurs" such as Steven Soderbergh (the *Ocean's 11* franchise) and the Wachowski brothers (*The Matrix* franchise) into film franchises was a risky move, but one that ultimately paid off for the struggling film division.

By the release of *Batman Begins* in 2005, Time Warner had regained its former status and was indisputably the world's most powerful media conglomerate. Together, all of the film studios of the company dominated the industry and Time Warner's portfolio of assets secured significant exposure for each of its franchises. From *The Lord of the Rings* trilogy to the *Harry Potter* adaptations, and from *The Matrix* franchise to superhero adaptations, Time Warner's range of franchises dominated the box office. Most of these productions involved significant talent from the independent world, including Peter Jackson (*The Lord of the Rings* trilogy), Soderbergh, Bryan Singer (the reinvigorated *Superman* franchise) and the Wachowski brothers. Christopher Nolan, the director of *Batman Begins*, was chosen to revive the franchise after eight years of dormancy specifically because of his previous background in independent film. His perspective of setting Batman in the real world separated his film from the highly stylized Burton and Schumacher versions seen previously. Even though it was part of a large,

important franchise, *Batman Begins* foregrounded many of the same techniques that Nolan had used previously in his independent films, particularly in terms of unconventional narrative structure. *Batman Begins* blended the typical characteristics of the franchise film with aesthetics more often associated with independent film, creating an art blockbuster.

The art blockbuster was hardly the province of Time Warner alone. Sony's *Spider-Man* franchise and reboot of the James Bond franchise, 20th Century Fox's *X-Men* franchise, and Universal's *Bourne* series and *Hulk* franchise all featured talent from independent film and themes, narrative structure, and characters more in tune with independent film aesthetics than the typical blockbuster. Beyond the art blockbuster, the franchise film has become an important component of each of these studios' output. In fact, thirty-seven of the top fifty films in terms of all-time domestic grosses currently are franchises films (films that have produced or are themselves a sequel) and an additional nine films are part of multimedia franchises that have not produced a film sequel, such as *E.T. the Extra-Terrestrial* (1982) and *Finding Nemo* (2003). Forty-four of the top fifty films were produced in 1989 or after, and thirty-five of these films have been produced only since 1999 (see Appendix 1). These figures indicate the importance of franchise film grosses not only for the industry, but also for the studios themselves. Time Warner and Disney each have eleven films on the all-time list, and almost all of these films are related to franchises. Clearly, the franchise mentality of the studios geared up after the arrival of *Batman* and the development of Time Warner. Amidst mergers, acquisitions, and the development of new subsidiaries, each of the major studios are equipped to push film franchises across the many arms of their company. Indeed, the relationship between increased media conglomeration and the franchising mentality have been the major co-developments of the industry over the last two decades.

Key Themes in the Co-Development of Franchising and Conglomeration

In the nearly twenty years since the Time and WCI merger was culminated, the film industry thus has undergone substantial changes as a result of the development of new technologies, changing governmental policies, and competition from the independent film market. Increased media conglomeration is the most visible aspect of this changed environment. The Time Warner merger, and the many media mergers which followed its culmination, featured four key attributes which were essential in this developing media marketplace: synergy, branding, diversification, and expansion into new technologies. Each of these attributes not only affect the size and breadth of the conglomerate, but also help to create and sustain film franchises.

Synergy—the conscious joining together of one division with other corporate media divisions on specific projects—makes each individual product or brand more potent in the marketplace. On the corporate level, a merger often brings together assets which can be mutually beneficial. Within the corporation, its divisions can each support key products. For example, the first extended look at *Batman Begins* immediately followed the May 2005 season finale of *Smallville* (2001-present), a television drama which centers on the life of teen-aged Clark Kent (the alter ego of Superman). *Smallville* was produced by subsidiary Warner Bros. Television. The airing network—the WB—was also owned by Time Warner. The news of this promotion was ushered in through the Website of *Entertainment Weekly*, a publication of subsidiary Time. Together, these elements point to Time Warner's ability to promote a franchise film synergistically, across its multiple divisions.

In addition to synergy, branding is an important tool in a media conglomerate, guiding consumers' expectations about products released across its many divisions.

According to Scott Bedbury in *A New Brand World: 8 Principles for Achieving Brand Leadership in the 21st Century*, products and brands have a dynamic relationship:

A product is no more than an artifact around which customers have experiences. . . . Over time, products and services will come and go, but the brand that provides them will remain a constant. And brands will be defined by the sum total of those experiences, rather than the products or services themselves (16).

For a media conglomerate, its core brands are defined by consumers' relationships to its products and services over time. A franchise film is not so much about consumers' relationship to the film text itself, but the film's interaction with other media products that promote it as part of a brand. In that regard, the disappointing box office gross of the second film in the *Batman* franchise, *Batman Returns*, may have hurt Warner Bros.' revenues for the year in its Filmed Entertainment division, but the popularity of another Batman product—the animated television show, *Batman: The Animated Series* (1992-1995)—proved that the Batman brand was still a potent one.

As both a film and television version of Batman in the same year attests, the ability to provide a diverse array of experiences, to a range of audiences, is a key attribute of the conglomerates' growing media holdings. Diversification of core businesses allows a conglomerate to control products in several entertainment fields. Diversification also allows for the expansion of a brand into different media. Time Warner's 50% stake in the Six Flags amusement park chain in the early part of the 1990s provided an additional outlet to promote its key brands, including Batman. In 1992, live shows centered on Batman as well as the development of Batman-themed roller coasters expanded Batman's reach into a more personal, immersive aspect of the brand. By diversifying into amusement parks, Time Warner could provide new experiences of the Batman property.

Diversification ultimately leads to an expansion into new media technologies. For conglomerates, this type of expansion can impact the company's standing in the industry,

as the merger with AOL certainly did for Time Warner in 2000. New media technologies also provide additional venues for the production and marketing of key brands. In 1995, *Batman Forever* was the first film in the franchise to have its own corporate-sponsored Website, at a time when Hollywood studios were just turning their attention to the potential power of the Internet. Indeed, the *Batman Forever* Website promoted not only the film, but its many tie-in products. The release of *Batman and Robin* in 1997 was promoted through Prodigy, an Internet gateway service, and the Website for E! Entertainment Television, yet the film faced negative publicity as fans' criticism of the film spread quickly on the Internet. With the introduction of the Internet, Time Warner has had to adapt its promotional strategies for its franchises in order to harness the new medium's power while at the same time avoiding its potentially negative impacts on theatrical releases.

From these examples, it is clear that the *Batman* film franchise is emblematic of Time Warner's corporate strategies of synergy, branding, diversification, and extension into new media. The movement from *Batman* to *Batman Begins* not only indicates how film franchises have changed since 1989, but also how the conglomerates behind them have adapted in an industry where political, aesthetic, and technological transformations have been frequent and unavoidable. This dissertation is a study of how the franchise and the corporation behind it have interacted during this period of conglomeration. Warner Bros. has been deemed "the studio that *Batman* built," but it is also clear that *Batman* could not have opened as wide in its initial theatrical release without the machinations of the total company behind it (Corie Brown, 78). Even after the release of *Batman*, Time Warner's array of divisions was central to supporting the *Batman* film franchise. Since there has been no extensive published work on the contemporary history of Warner Bros. as a film studio, nor has there been a sustained look at the *Batman* franchise as a whole,

this dissertation is both a historical study of these developments and an analysis of the interaction between the property and its company. By using the *Batman* franchise and its corporate parent, Time Warner, as a case study, this dissertation provides a foundation for understanding two important and interrelated developments in contemporary Hollywood—the franchise film and media conglomeration.

THEORIZING FRANCHISE FILMS AND CONGLOMERATION

Douglas Gomery describes the franchise film as “an industry business strategy” which provides the elements that most point to large potential profits in the uncertain world of generating box office (“The Hollywood Blockbuster,” 72). It is an apt description given how important the grosses from a film’s initial theatrical release are to the corporation’s overall revenues. In contemporary Hollywood, “Opening weekend is the ultimate crucible” since it indicates how much money a film will generate in its first-run, and how much money it will make in foreign markets and tie-in products (Hayes and Bing, VII). For example, the film *Godzilla* (1998) opened with \$55 million at the domestic box office, less than half of its production cost of \$125 million,¹¹ on its way to making \$137 million at the U.S. box office. Like many franchise films, *Godzilla* was critically ravaged, and because of its (relatively) meager opening weekend gross, the film was widely considered a flop. Yet, it still went on to earn \$375 million worldwide, not to mention the fact that the film earned additional revenues through its tie-in merchandise and in ancillary markets. Deemed by one critic as “the Flop That Wasn’t,” *Godzilla* points to the success of (most) contemporary franchise films regardless of content matter, critical attention, or actual skill (Shone, 291). Although not all franchise films are

¹¹ This figure does not include the costs of prints and advertising, which would push the film’s cost to nearly \$200 million.

profitable in contemporary Hollywood, most of them are after taking into account their box office performance, DVD and video sales and rentals, future windows, and ancillary products. Their large production and marketing budgets are justifiable to the studios because “A large measure of stability is provided by the knowledge that an expensive production that might not do as well as expected in the cinema can move into profit elsewhere, laterally or further down the line” particularly in ancillary markets and in international theaters (King, 69-70). Therefore, franchise films represent a low-stakes gamble—even if a lot of money has to be spent for that gamble.

Franchise films are one form of the contemporary blockbuster—a type of film which relies on substantial budgets, the use of the latest technologies, wide releases, and significant marketing campaigns. Franchise films are the blockbuster form most derided by critics since their success relies on maximizing profits through ancillary markets and tie-ins, and exploiting these features to ensure the most profits. The franchise film functions as a commercial that promotes the other products—the tie-in toys, the theme park rides, the soundtrack albums, the video games, the company image—the corporations are selling. As one critic claimed, *Godzilla* was less a movie than a corporation entitled *Godzilla, Inc.* since the focus seemed to be less on making the film comprehensible than having exciting toys to sell to children (Bart, 197). In “The Hollywood Blockbuster: Industrial Analysis and Practice,” Douglas Gomery argues that a franchise film “may seem [to function as] a single product, but in reality it stands at the core of the mighty vertically integrated media conglomerates which define our cultural world as we begin the twenty-first century” (81). In this regard, the franchise film ties together the many arms of the conglomerates as a product that can be pushed across multiple media. Thus, the franchise film is a highly commercial form of filmmaking

which foregrounds the importance of first weekend box office, ancillary markets, merchandising, and conglomerate-based industrial structures.

Given the franchise film's importance in the contemporary film industry, it is surprising that there have been very few detailed examinations of individual franchises in the academic press. An early academic work on one of the earliest film franchises, Tony Bennett and Janet Woollacott's *Bond and Beyond: The Political Career of a Popular Hero* traces the James Bond series of novels and the subsequent film franchise through the 1980s as Bond developed as a property that also extended into comics, video games, and toys. Bennett and Woollacott discuss the production history of the early Bond films in great detail, describing the film franchise through the term "Bondian filmmaking," originally coined by Bond film producer Albert R. (Cubby) Broccoli. With "Bondian filmmaking," clear conventions emerged with the themes, characters, and devices necessary for the Bond film experience. Although the novels by Fleming often held a virulent anti-Soviet perspective, the films toned down the Cold War rhetoric in order to play better to international audiences (191). Excessive violence and nudity were also discouraged, as the films were expected to play to family audiences. Indeed, Broccoli was quite clear that nudity did not have a place in the film franchise: "Nudity would destroy Bond's career. His image must be clean cut. We can't risk offending his massive family audience in any way" (qtd. in Bennett and Woollacott, 246). Strong sexual content found in the books—such as lesbianism, as seen in Fleming's 1959 novel *Goldfinger*—did not emerge overtly onscreen. Finally, Bennett and Woollacott argue that as the film franchise developed, Bond became more reliant on technological gadgetry as a way to de-emphasize the actor playing Bond (198). This emphasis on high-tech equipment pushed the franchise more toward spectacle, de-emphasizing the actor as the

essential ingredient and also appealing to a large international audience. Ultimately, Bennett and Woollacott argue

that the production strategy of the [Bond] films is based on pulling in some very different audiences. Indeed, it is possible to suggest that the Bond films do not present us with a case of a simple product which appeals to a mass audience but rather with a complex relationship between a series of film texts and a highly differentiated set of audiences (207).

These differentiated audiences included viewers in various international markets, family audiences, as well as those both familiar and unfamiliar with the novels. Thus, the Bond films have created a formula that works for various audiences, across a large number of films, and with a variety of key creative personnel, including the different Bonds played by Sean Connery, Roger Moore, George Lazenby and Timothy Dalton from the early 1960s through the 1980s, and beyond. Although Bennett and Woollacott's book only covers the franchise through the 1980s, the Bond film franchise continued through the 1990s in much the same vein until it was rebooted in 2006 with *Casino Royale*. Like *Batman Begins*, *Casino Royale* began the franchise anew, ignoring the acquired (film) cannon to restart the flagging series.

Creating a formula that works across multiple iterations is a key component of the franchise film, and it is in keeping with the formula that (most) sequels are established. Although not a film franchise, Josh Stenger looks at the development of the Planet Hollywood restaurant franchise in relation to formulas in "Consuming the Planet: Planet Hollywood, Stars, and the Global Consumer Culture." As its name implies, the Planet Hollywood franchise is dependent upon the allure of Hollywood stars, films, and products as a marketing ploy to attract patrons to the restaurants. In fact, the three figureheads for the chain of restaurants—Arnold Schwarzenegger, Sylvester Stallone, and Bruce Willis—were male action stars whose blockbuster films were popular across the globe, in the very places where the restaurants were launched. Each restaurant of the

franchise housed unique items, but also featured decorations that were found in all of the restaurants, such as a wall of celebrity hand prints (49). While foreign restaurants of the franchise adapted their menus and décor slightly to incorporate local tastes and celebrities, the overwhelming presence was of knowable Hollywood cultural products and celebrities. The franchise's success comes from the patron's knowledge that his or her experience in a Planet Hollywood will be similar whether in New York or Israel. Yet, because there are slight differences between each restaurant, Stenger argues that "Planet Hollywoods remain popular tourist destinations, particularly among American tourists. . . because Planet Hollywood works to construct itself as a fixture of both the global and local landscape, a place to which one *travels*, whether one is coming from across the ocean or around the block" (52). Indeed, each restaurant constructs itself as an "event" to be experienced separately, just as film-related merchandise is promoted as extending the experience of the film.

As the Planet Hollywood restaurant franchise had to incorporate aspects of local culture into their foreign iterations of the chain, it was also an attempt to please an additional consumer—the local patron. Attracting multiple types of consumers is an essential part of the franchise, particularly as production budgets continue to soar in contemporary filmmaking. In "Fantasy, Franchises, and Frodo Baggins: *The Lord of the Rings* and Modern Hollywood," Kristin Thompson argues that the franchise's biggest challenge was attracting both the hardcore fans of the books as well as the typical audience of blockbusters—namely teenagers and young adults, many of whom had never read any of the J.R.R. Tolkien novels on which the franchise was based. Thompson argues that "Balancing its potential audiences affected *LOTR* [*Lord of the Rings*] at every stage, from planning to shooting to postproduction to marketing to ancillaries" (53). To attract teenagers and young adults, Thompson argues that the films greatly expanded the

action sequences found in the books, sequences which “provide[d] better material for [the] videogames” as well (49). To appeal to the fans of the Tolkien novels, Thompson argues that New Line launched an extensive, protracted Internet campaign which included exclusive trailers, interviews, and news items about the production, thereby giving fans a “glimps[e of] the making of the film through a virtual keyhole” to make sure that the films would meet and, hopefully surpass, their expectations about fidelity to the novels (55).

Attracting various audiences to a franchise film is not specific to the Internet age. Eileen Meehan, in her informative and insightful essay, “‘Holy Commodity Fetish, Batman!’: The Political Economy of a Commercial Intertext,” argues that the incorporation of Prince into the soundtrack of *Batman* attracted his core audience of White women and Black men, both of which were groups not considered to be regular comic book buyers. Indeed, she claims that Prince’s music “had the effect of widening the pool of potential ticket-buyers for *Batman*” (55). It also had the effect of creating additional revenues for the film as a bestselling soundtrack. Meehan’s essay investigates the many ways in which WCI used *Batman* as a platform for selling an array of multimedia products. Although the film was the largest budgeted film in Warner Bros.’ history up to that time, WCI’s substantial “investment in *Batman* has built the basic infrastructure necessary for manufacturing a line of films, albums, sheet music, comics, and novelizations” (54). As such, “The film per se becomes only one component in a product line that extends beyond the theater, even beyond our contact with mass media, to penetrate the markets for toys, bedding, trinkets, cups and the other minutiae comprising one’s everyday life inside a commoditized, consumerized culture” (49). In this regard, *Batman* served as a corporate product line to be exploited across the various subdivisions of the newly formed company, Time Warner.

Similar to the franchise film, the formation of media conglomerates like Time Warner has not received much detailed academic attention. Although there are a number of books which chronicle media mergers, such as Connie Bruck's *Master of the Game: Steve Ross and the Creation of Time Warner* and Kara Swisher and Lisa Dickey's *There Must Be a Pony in Here Somewhere: The AOL Time Warner Debacle and the Quest for a Digital Future*, presently there are no long-term studies of the conglomerates. Instead, most academic works present glimpses into these corporations and their holdings. In "The Hollywood Film Industry: Theatrical Exhibition, Pay TV, and Home Video," Douglas Gomery argues that "the Hollywood film industry in the 1990s is involved in more than just the film business," and provides snapshot views of the six Hollywood major film studios by profiling their basic data, multimedia market holdings, and significant events that have affected the corporations' status in the industry (380). According to Gomery in "Hollywood Corporate Business Practice and Periodizing Contemporary Film History," multimedia expansion has characterized the film industry in recent years:

The significant change in the last sixth of the twentieth century has been the relentless building up of considerable vertical power by spending millions to acquire interests in movie theatres, cable television operations, over-the-air television stations, and even TV networks. Controlling the[se] markets has become vital for the long-term survival and prosperity of any Hollywood operation (53).

Thus, investigations into the contemporary film industry must not only examine a conglomerate's film division, but also the other divisions within the larger company in order to gain a clearer picture of the motion picture business.

While the other media divisions are important in a conglomerate, Thomas Schatz argues in "The Return of the Hollywood Studio System" that a film "studio's output tends to set the agenda for the entire company" (75). As discussed previously, Disney's

renewed commitment to animated features in the late 1980s and 1990s pushed the conglomerate to record grosses not only in its film division, but also across the entire spectrum of its divisions. In his essay, Schatz profiles Disney as a model of both vertical and horizontal integration as the company has

integrated vertically by complementing film production with distribution-exhibition 'pipelines' to consumers. And they have integrated horizontally by developing an array of entertainment subsidiaries, from music to print media to theme parks, to augment their studio output and, when appropriate, to better exploit their franchise operations (87).

Disney's acquisition of Cap Cities/ABC in 1995 gave the conglomerate network and cable television access it could not create on its own, while its acquisition of independent film distributor Miramax in 1993 provided a studio that could diversify Disney's limited film holdings. This glimpse at Disney, again, required looking at the film studio in relation to the other divisions of the overall company.

As yet, there has been only one study which extensively and jointly examines a franchise and the conglomerate producing it, Thompson's *The Frodo Franchise: The Lord of the Rings and Modern Hollywood*. In her book, Thompson traces the franchise's complicated development as it moved between (formerly independent) film studios Miramax and New Line, and she also investigates how ancillary products like the video games were constructed in relation to the films. Thompson argues that the video games related to the film franchise have done so well that

for a studio like New Line that is lucky enough to launch a major game series, the rewards are great. Once the film series has finished, the later games don't have to be tied to the release schedule of each new theatrical release. The film studio may have spent time and effort cooperating with the creation of the early games in a series, but for the later entries, there is virtually no work involved and yet the royalties keep coming in (248).

From Thompson's detailed examination of the franchise, it is quite clear that the integrated nature of film studios with other corporate divisions is an important factor in

considering the production of franchise films. Likewise, franchise films form a key base for products in other divisions of a conglomerate and, as such, become preeminent properties in the company's overall plans. By assessing the development of the *Batman* franchise as well as Time Warner together, this dissertation seeks to clarify the relationship between the key texts which sustain the entertainment industry in the conglomerate era.

ASSESSING THE *BATMAN* FRANCHISE: THEORETICAL AND METHODOLOGICAL PARADIGMS

This dissertation examines not only the *Batman* films themselves, but also their place in Time Warner history as well as with key industrial developments occurring in contemporary Hollywood. I draw from a number of sources and theoretical approaches to complete this study. One of the key theoretical paradigms important to my assessment of the *Batman* films is historical poetics. In the foundational essay "Historical Poetics of Cinema," David Bordwell outlines historical poetics as a model for approaching texts as a process: "The poetics of any medium studies the finished work as the result of a process of construction—a process which includes a craft component (e.g., rules of thumb), the more general principles according to which the work is composed, and its functions, effects, and uses" (371). In his essay "Historical Poetics," Henry Jenkins uses Bordwell's definition as a base for the methodology and argues that "Historical poetics is more interested in explanation than in interpretation. . . .Aesthetic principles are understood as historic facts to be documented and interpreted in the larger contexts of the film's production, circulation, and reception" (101).

Building upon historical poetics as outlined by Bordwell and Jenkins, I situate the *Batman* films within their larger cultural and industrial environment. Thus, while I will

use textual analysis to discuss the films in the series, it is not for evaluative or interpretative purposes. Rather, textual analysis is one aspect of assessing *how* the films display the complex nature of contemporary filmmaking. Argues Jenkins:

The question isn't whether to evaluate or not, but rather what criteria will allow us to evaluate a given text meaningfully. The task of historical poetics is to reconstruct *appropriate* aesthetic frameworks. A focus on content alone would ignore the fact that content has been worked upon, transformed or reshaped by formal practices and that form may set its own expectations about appropriate content. Historical poetics rejects a simple separation of form and content, seeing an understanding of form as essential to any consideration of content. By requiring us to spell out the underlying formal assumptions at work in a particular cinematic institution, historical poetics helps to denaturalize established cultural hierarchies (108).

While this study is concerned with the *Batman* films, I do not intend to judge the films on their individual merits. Following Jenkins' definition of historical poetics, I create a framework for understanding these films' place in contemporary Hollywood and their relationships to the Time Warner hierarchy and larger industrial issues. Conducting textual analyses of the films and their associated materials—the trailers, behind-the-scenes marketing tools, and commentaries provided by the filmmakers involved with the series—places the films in their appropriate context, particularly how the franchise and the conglomerate have interacted in contemporary Hollywood.

In this regard, Justin Wyatt's book, *High Concept: Movies and Marketing in Hollywood*, provides an important precedent for this type of study. Using a textual analysis of films and their marketing and merchandising materials, Wyatt argues that high concept has become the dominant form of filmmaking within the studios in the post-Classical (or New Hollywood) era.¹² Wyatt's discussion of the musical *Grease* (1978), for example, relies on examining the marketing materials associated with the film. Wyatt

¹² I will discuss the New Hollywood era more fully in chapter two. Here, Wyatt is specifically addressing the time period of the late 1970s through the early 1990s.

argues that the effective exploitation of *Grease*'s definitive aspects (the stars, the pre-sold property, the music, the single image as pitch) was crucial to the film's great commercial success. As a high concept film, *Grease* demonstrates how

[H]igh concept can be considered a form of differentiated product within the mainstream film industry. This differentiation occurs in two major ways: through an emphasis on style within the films, and through an integration with marketing and merchandising (7).

Wyatt argues that the emphasis on style in high concept films is a result of the contemporary mode of production in Hollywood. Wyatt's use of textual and stylistic analysis has less to do with an evaluation of the films' particular merits than it does in demonstrating how contemporary films indicate the workings of the film industry—in this case, the economic dependence on assured marketing potential within the films themselves. Style therefore is a crucial element in differentiating a high concept film such as *Grease* from its competitors. The reliance on a definable style in high concept films also serves as a method to integrate the multiple avenues through which the film is understood—i.e., in its marketing and merchandising aspects.

The linkage of film style to the economic factors governing the industry has been a crucial aspect of Hollywood film since the inception of the studio system. In their book *The Classical Hollywood Cinema: Film Style & Mode of Production to 1960*, David Bordwell, Kristin Thompson, and Janet Staiger argue that “between 1917 and 1960 a distinct and homogeneous style has dominated American studio filmmaking—a style whose principles remain quite constant across decades, genres, studios, and personnel” (3). Indeed, the authors argue that Hollywood films have operated under a cohesive group style,

a paradigm, [constituted by] a set of elements which can, according to rules, substitute for one another. Thinking of the classical style as a paradigm helps us retain a sense of the choices open to filmmakers within the tradition. At the same

time, the style remains a unified system because the paradigm offers *bounded* alternatives (5).

With the era's factory-like basis of production, Hollywood studios relied on standardized characteristics. According to the authors, "Standardization was a dual process—both a move to uniformity to allow mass production and a move to attain a norm of excellence. Standardizing stylistic practices could make the production fast and simple, therefore profitable" (108). Bordwell, Thompson, and Staiger's assertion that mode of production and style are intimately linked is an important theoretical base for my study of the conglomerate era and film franchises.

In Bordwell, Thompson, and Staiger's view, standardization was an important aspect of the filmmaking process, particularly in promoting efficiency, but differentiation played an important role, too. Each film had to offer something original in the marketplace; otherwise, an audience would not be interested in seeing the film. Indeed, "differentiation was also an economic practice, and advertising sought to use the qualities in the films as a ground for competition and repeated consumption" (108-109). One of the ways for differentiation to occur during the Classical era was through the innovative worker. In Bordwell, Thompson, and Staiger's view, the innovative worker fiddled with the norms and standards to create original work. In this regard, "the Hollywood mode of production cultivated him or her as long as the results provided profits" (110). Thus, a tension existed in the industry between standardization, which promoted efficiency, and differentiation, which promoted creativity. However, both were seen as aspects necessary for profitability. And key to differentiation was the innovative worker, often in the form of the "author."

Thus, authorship is a crucial aspect of production differentiation and auteur theory serves as an important foundation in my assessment of the *Batman* franchise. Issues of

authorship have become a central focus in regard to the franchise film in the conglomerate era, particularly with the incorporation of independent filmmakers into the franchise film. These filmmakers are viewed by critics as bringing something different to the highly commercialized genre. Since the auteur theory's development by writers for the French journal *Cahiers du Cinéma* in the 1950s and its translation to the United States by Andrew Sarris in the 1960s, it has changed significantly. Because of the fundamental problem of personal opinion infringing upon critical analyses of filmmakers' works, early academic studies of authorship in Hollywood film grew from the *Cahiers* critics' and Sarris's auteur theory to encompass developing theories in other fields, including psychoanalysis, semiotics, and Marxism. These studies continued to rely on textual analysis, and often ignored the larger industrial structures in which these films were produced. Contemporary studies of authorship have expanded to look more deeply into production histories and the relationship between the industry, the filmmakers, and the texts themselves.

One modern iteration of the auteur theory, industrial auteurism, situates the film author within the corporatized system of Hollywood filmmaking in a couple of ways. The first is to discuss authorship as an active business strategy for the filmmakers themselves. Labeling this phenomenon "artificial auteurism," Craig Saper argues that filmmakers are now in the business of promoting themselves as artists rather than their films as art. In "Artificial *Auteurism* and the Political Economy of the Allen Smithee Case," he argues:

Spike Lee, Quentin Tarantino, David Lynch, and others are among these self-conscious film-school *auteurists*. They *began* their careers as *auteurists*. . . . This film-festival and film-school *auteurism* is part of the neo-*auteurist* shift away from the great director toward efforts to make audiences or to use *auteurism* as a way to understand recurring structures in particular groups of films. The director is now a brand name (36).

As brand names, filmmakers can achieve more power and make more money in the industry since audiences want to see *their* works, regardless of the films' quality. Timothy Corrigan in "The Commerce of Auteurism" expands upon this point by discussing how extra-textual elements such as interviews, marketing materials, and press articles promote the filmmakers as artistic individuals rather than the merits of the individual films themselves:

[A]uteurs have become increasingly situated along an extra-textual path in which their commercial status as auteurs is their chief function as auteurs: the auteur-star is meaningful primarily as a promotion or recovery of a movie or group of movies, frequently regardless of the filmic text itself. . . . [I]n today's commerce we want to know what our authors and auteurs look like or how they act; it is the text which may now be dead (100).

The director as star, in other words, has replaced the notion of authorship as pertaining to themes and stylistics that recur throughout an oeuvre. Instead, author status is ascertained by the extent the filmmaker is known by the public, so much so that the audience can tell you who David Lynch is and the kind of films he directs without having seen any of his films (Corrigan, 101).

This branch of auteur theory where filmmakers promotes themselves as commercial identities becomes particularly apparent when investigating George Lucas and Steven Spielberg, their films, the films they have produced (but have not directed or written), and their studios (Lucasfilm Ltd. and DreamWorks SKG, respectively).¹³ Warren Buckland argues that like corporations, filmmakers themselves have become vertically integrated in contemporary Hollywood—controlling production, distribution,

¹³ Lucas has produced the television series *The Young Indiana Jones Chronicles* (1992-93) and *Star Wars: Clone Wars* (2003-05), as well as the films *Labyrinth* (1986), *Willow* (1988), and the animated feature, *The Land Before Time* (1988), among others. Spielberg has produced films including *Poltergeist* (1982), *The Goonies* (1985), and the animated *An American Tail* (1986), as well as television series including *Tiny Toon Adventures* (1990-92), *Animaniacs* (1993-98), *Pinky and the Brain* (1995-98), and the mini-series *Band of Brothers* (2001).

and exhibition much like the studios of the Classical era. In “The Role of the Auteur in the Age of the Blockbuster: Steven Spielberg and DreamWorks,” Buckland uses Spielberg as his case study to suggest that

Mastery of the filmmaking process is no longer a sufficient criterion for authorship status: the director also needs to control external factors such as production, money, and the deal-making process. The director needs to become a power broker, a talent worker (which involves mastery of management skills), and must also create a brand image, in order to gain positional advantage over the competition (86).

Indeed, Spielberg’s success as a filmmaker, producer, and co-founder of the Hollywood studio, DreamWorks, places him in an unprecedented position in the history of Hollywood—his auteur status allows him power over nearly every aspect of the industry. Jon Lewis adds to Buckland’s argument of the auteur as his own corporation in “The Perfect Money Machine(s): George Lucas, Steven Spielberg and Auteurism in the New Hollywood” by suggesting that the two filmmakers create films which “take us by the hand and lead us in to and then out of Wonderland. The rest is detail, cool gadgets, backstory. . . stuff to be explained in ancillary materials (books, comics, theme park rides, computer, board and card games) purchased between viewings of the movies” (8). Because both filmmakers receive a substantial cut of the ancillary profits, Lewis sees these films as less about their (simplistic) narratives than about the promotion of further consumption, including of the filmmakers’ other multimedia endeavors.

A second aspect of industrial auteurism rests on the corporate usage of these brand names like Spielberg, Lucas, Tarantino or Lynch as marketing and advertising tools for a film or films or the corporation itself. Since the American Renaissance, this method has become one of the primary methods from differentiating a film from its competitors. Argues Corrigan:

[T]he auteurist marketing of movies whose titles often proclaim the filmmaker's name. . . aim[s] to guarantee a relationship between audience and movie whereby an intentional and authorial agency governs, as a kind of brand-name vision whose contextual meanings are already determined, the way a movie is seen and received (97).

Because audiences know a filmmaker and his or her work, the marketing of a film via authorship establishes a way for viewers to understand what is being offered in the competitive marketplace. In "Economic Constraints/Economic Opportunities: Robert Altman as Auteur," Justin Wyatt uses Altman as a case study for how marketing and notions of authorship have changed since the arrival of independent Hollywood studios like Miramax and New Line. Since the end of the American Renaissance and the critical and box office failure of his big-budget adaptation of the cartoon *Popeye* (1980), Altman had been primarily working outside of the studio system.¹⁴ Wyatt argues that "Altman's comeback through Fine Line [the independent division of New Line Cinema] and Miramax illustrates the ability of these art house distributors to reconfigure Altman commercially as both auteur and a key figure from the recent past of American film history" (61). Fine Line centered the campaigns for *The Player* (1992) and *Short Cuts* (1993) on a master returning to form after being away from Hollywood for over a decade. The usage of Altman's name as a tie to film history—and a specifically art-influenced one at that—dominated their marketing campaigns. Wyatt ends his essay by arguing that Altman alerts us to the changing notions of authorship that have occurred in contemporary Hollywood: "Altman illustrates the thorny intersection between cinema and authorship through a career decisively shaped by the diverse economic forces and industrial concerns which have defined Hollywood cinema of the past three decades" (65). Regardless of the works he has created, the name of Altman currently functions as

¹⁴ I will discuss Altman's *Popeye* in more detail in Chapter Five.

a marketing tool that bridges art-inflected independent cinema with the contemporary, independent Hollywood supported by larger studios. In that regard, the use of Altman's name by independent film companies is similar to the use of independent filmmakers' names above the title of major franchise films. With Nolan attached to *Batman Begins*, the marketing materials and the critical discourse surrounding the film referenced his independent film background, and stressed its importance in his tackling of the franchise film.

Nolan's involvement in the franchise demonstrates why it is important to investigate how the discourse around filmmakers impacts the reception of a film by critics, academics, and fans alike. In this dissertation, I will examine the journalistic and industrial discourse that surrounded the *Batman* films during their productions and the critical response they received individually. Journalistic accounts and critical reviews of the films have varied according to the talent involved in the films over the tenure of the series. Part of this project is to illustrate why these accounts and reviews changed due to assumptions about Time Warner, the directors, and the current film environment. One of the precedents for this type of research can be found in Robert Kapsis's *Hitchcock: The Making of a Reputation*. In this study, Kapsis provides an extended example of how assessments of Hitchcock's career changed after the filmmaker's documented efforts to appease high cultural critics and the growing acceptance of the auteur theory in the late 1960s and early 1970s. Hitchcock's decision to open the 1963 Cannes Film Festival with *The Birds*, his published interviews with award-winning, international filmmaker François Truffaut, and his incorporation of art cinema conventions like psychoanalytic framing in films such as *Marnie* (1964)—all of these were attempts to impress the elusive high culture critics like the *New York Times* film critic Bosley Crowther who continually panned his films. However much Hitchcock tried to change cultural critics' opinions of

his work, Kapsis's uses a discourse analysis of the critics' reviews and commentaries to argue that it was not until the auteur theory became well-established that the critical lens re-focused on Hitchcock and his work to discuss notions of art. Kapsis's use of discourse analysis, thus, provides evidence of how critical assessments changed and when they did, and conjectures that the changes had much more to do with the development and influence of the auteur theory than a re-assessment of the actual texts themselves.

Like Kapsis's study on the discourse surrounding Hitchcock and his films, I believe that the discourse surrounding the five *Batman* films relied more heavily on assumptions based on authorship than on the films themselves. Key to my study is the question of how the directors were constructed as the authors for the five *Batman* films by the press, critics, and fans. The initial description of Tim Burton as the potential heir to the Steven Spielberg-George Lucas throne in the press gave way to notions of the director as the auteur of quirky, dark, Expressionist- (or art-) influenced cinema once *Batman* was released. Burton's ties to art cinema were discussed more often than the franchise aspects one would expect of a Spielberg-Lucas disciple. Critics claimed that Burton's replacement, Joel Schumacher, moved the film series closer to its campy roots, particularly to the ABC television series of the 1960s, with its over-the-top set design and pun-ridden dialogue. After the critical and financial disappointment of the fourth film in the franchise, audience members and critics alike proclaimed "Death to Schumacher!" for turning the series into a joke. With the announcement of Christopher Nolan as the regenerative force behind the fifth film, nearly every article and account of *Batman Begins* referenced Schumacher's death knell to the series and how the man with independent roots will (or did) rescue the *Batman* franchise. Thus, the discourse surrounding the films and the directors continually reinforces a division between the director seen as an auteur (Burton, Nolan) and the studio director for hire (Schumacher),

without examining the directors' function in the larger context of Hollywood or within the films' productions. A discourse analysis of the five films' (and three filmmakers') receptions provides examples of the divide *seen* between the art or independent cinema and Hollywood studio films and this division had a significant impact on how the films were received.

Indeed, many assessments of art or independent films tend to rest on the contributions of a single author, despite the fact that all films are collective exercises. In the preface to his book *Multiple Authorship and the Myth of Solitary Genius*, Jack Stillinger argues that "The reality of what authors actually do and how works are actually produced is often—perhaps usually—much more complex than our theories and practices allow" (VI). In his chapter on film authorship, in particular, Stillinger argues that academics often make the mistake of examining films as a "whole," regardless of the industrial or historical circumstances which determined them:

Possibly there is a lesson in this for academic critics, who. . .are also usually on the side of serious art and tend to write their interpretations as if the texts under scrutiny existed in some fixed, definitive form from the very beginning. The lesson is that, because the product comes to us as a whole entity, we have mistakenly assumed that it was created whole in the first place (173).

In this chapter, Stillinger discusses the way in which several individuals had an effect on how films were created during the Classical Hollywood period, from the studio head to the producers, from the stars to the writers. He also suggests that an important author in all studios films during this period was Joseph Breen, whose Production Code Administration, during the various cycles of production, controlled questionable content from ever appearing on American screens. In many auteur-centered critiques of film during this period, and even in regard to contemporary film, these other important factors are often left out of the discussion, primarily privileging the directors as the authors.

Stillinger's use of the word product is an important distinction from just using the word text; since the word product has ties to manufacturing, it naturally implies a collective process of creation. Franchises, in particular, exemplify a collective process, especially since so many of these films are based on texts from other mediums. Bennett and Woollacott's work on the Bond franchise is instructive here, since they argue that with a multimediated property such as Bond, no single text, nor any single author, can ultimately define Bond:

None of the texts in which the figure of Bond has been constructed can thus be regarded as privileged in relation to the others in any absolute or permanent sense. Rather, each region of this textual set occupies a privileged position in relation to the others, but in different ways depending on the part it has played in the circulation and expanded reproduction of the figure of Bond (54).

Thus, Bond has become a property with several texts, and hence several authors, that has been shaped historically, culturally, and creatively in a variety of ways over time. Key to Bennett and Woollacott's argument is that Bond's meaning shifts through time, as a result of adapting to changes in the (cultural) environment. Indeed, Bennett and Woollacott see no single Bond, but various versions of the property: "The fact that, ultimately, it is not the popularity of *Bond* that has to be accounted for so much as the popularity of *different Bonds*, popular in different ways and for different reasons at different points in time" (20). In a similar fashion, the *Batman* film franchise is built on a collective authorship which includes not only the films' directors, but also the previous artists and writers of the comic books, the stars, and the writers, among others.

Methodology and Structure of the Study

My assessment of the *Batman* films in the conglomerate era relies on an understanding of both the production histories of the films themselves and the film

industry's underlying structure, which includes the importance of authorship to these properties. To discuss the production history of *Batman*, I rely heavily on materials obtained from the Warren Skaaren collection at the Harry Ransom Humanities Research Center at The University of Texas at Austin. Skaaren, as one of the screenwriters for *Batman*, not only worked on several versions of the script in the pre-production stage of the film, but also continued to do revisions during the production process. His collection of scripts, notes, faxes, and memoranda provide tremendous insight into the production experience behind Warner Bros.'s most expensive project up to that time.

However, detailed production histories provided by key figures in the franchise are not available for the other films, and I must rely, in part, on secondary source materials in order to construct these histories. Nancy Griffin and Kim Masters's *Hit and Run: How Jon Peters and Peter Guber Took Sony for a Ride in Hollywood* focuses on two of the chief producers involved in the first *Batman* film and the lawsuit that emerged when they left Time Warner and argued for sequel rights to the franchise. Using a combination of author interviews and primary source materials, Griffith and Masters provide insight into the producers' contentious role in developing *Batman*. David Hughes' book *Tales from Development Hell: Film-making the Hard Way* discusses several abandoned *Batman* films during the years between *Batman and Robin* and *Batman Begins*, and includes interviews with some of the filmmakers involved in these failed projects. Hollywood trade journals like *Variety* and *The Hollywood Reporter*, in addition to more mainstream publications such as *Premiere*, *Entertainment Weekly*, *Forbes*, *The Wall Street Journal*, *The New York Times*, and *The Los Angeles Times*, provide background data on the production histories of the *Batman* films, as well as the structure of Time Warner. One of the inherent problems with studying the contemporary film industry and recent Hollywood films is the lack of access to primary materials.

Secondary source materials are not always trustworthy, and many provide free marketing as well as—or, at times, in lieu of—accurate information. However, through amassing information across these different sources, I can cross-check the accuracy of their reporting. Their chronicles of the changes affecting the entertainment industry are invaluable to assessing the importance of the franchise film to the conglomerates, even if these sources do not provide an in-depth study of the impact of this recent development.

One of the foundational articles for the scope of this project, Thomas Schatz's "The New Hollywood," provides an example of this type of secondary source research. Schatz's look at the economic underpinnings of contemporary filmmaking relies heavily on trade journals and mainstream press as sources for the state of the industry. Box office figures from *Variety*, corporate structure information from *Forbes*, and star salary information reported in *Entertainment Weekly* together suggest that the New Hollywood's focus is no longer on the actual film text; rather, "The size, scope, and emotional charge of the movie and its concurrent ad campaign certainly privilege the big screen 'version' of the story, but the movie itself scarcely begins or ends the textual cycle" (34). Audience knowledge begins months (sometimes even years) before the film enters pre-production; continual reports in the press provide 'buzz' on films still in production; publicity campaigns keep the film in peoples' minds before, during, and after they are shown in theaters. These secondary sources are key to shaping expectations about films for the audience, critics, and the rest of the industry. Thus, surveying the literature from the mainstream press and trade publications provides an indication of the status of franchise films at any given time.

Through a combination of textual analysis, discourse analysis, archival research, and secondary source research, my study of the *Batman* films will provide a framework for understanding the complex nature of contemporary Hollywood. Using historical

poetics, auteur theory, and political economy research as a base, this study suggests that the interlocking notions of conglomeration and franchising dominate current filmmaking practices. Together, these methods allow for a more thorough analysis which encompasses historiographic, cultural, and aesthetic dimensions of the industry, and its key products. Through a case study of the foundational franchise of this era, the complexity of contemporary filmmaking, and the corporate structure which supports it, comes into view.

Examining the *Batman* franchise requires not only looking at the films and filmmakers themselves, but also their place within the industry, particularly within the structure of Time Warner. In the first part of this dissertation (chapters two through four), I give an extended overview of the key issues affecting contemporary Hollywood, as well as the historical background behind Warner Bros. and its later incarnations as WCI and then Time Warner. The historical background of the company provides a base for understanding how media companies have changed as a result of aesthetic, technological, political, and economic changes in the industry. The second part of this dissertation (chapters five through seven) is organized more thematically—addressing issues of genre, authorship, and property in contemporary Hollywood. These issues are important to understanding how films are created and marketed within the contemporary industry, and they point to how Time Warner's most recent franchise films have been impacted by the independent film. Once separate as industries in aesthetics, both the franchise film and the independent film have come together in the pre-production, production, and post-production aspects of the filmmaking process. In both sections, the *Batman* franchise provides a gauge for understanding how the changes in corporate structure that have occurred in the industry since 1989 have impacted the franchise film.

The second chapter is an overview of the shifts in the film industry prior to 1989. I examine the early history of Warner Bros. as a studio, and how the studio adapted to large-scale changes in the film industry previously, including the adaptation to sound, the loss of the studio oligopoly after World War II, and the challenges presented by the new medium of television. By the 1970s, Warner Bros. no longer had the identity for which it was known during the studio era; instead, it was just an arm of a larger corporation, Warner Communications, Inc. During that decade, the studio attempted to create its own multimedia franchise in order to re-assert itself as a dominant film studio, and to adapt to the industrial changes posed by new technologies. By the end of the 1980s, significant changes in the film industry, particularly with regard to governmental policies, set the foundation for the Time and Warner merger.

Chapter three specifically looks at Time Warner during the 1990s. The first part of chapter three examines Time Warner after 1989 in the wake of the merger and the success of *Batman*. I profile the company in the years between *Batman* and Burton's sequel, *Batman Returns*, as the company expanded into new areas to promote its keys products. Although *Batman Returns* was the top film of the year for the industry, its dark tone proved controversial with families who found the film to be too violent for its PG-13 rating. As a result, executives at Time Warner switched directions with the franchise, bringing in director Joel Schumacher to lighten it up. While *Batman Forever* performed well at the box office, his second *Batman* film, *Batman and Robin*, stalled the franchise. As Warner Bros. began to struggle as a film studio as a result of the franchise's failure, Time Warner as a whole was also struggling, having been surpassed by other media companies' holdings and revenues. Having started the 1990s as the largest and most profitable media conglomerate, Time Warner's fortunes at the end of the decade experienced a dramatic reversal.

Chapter four examines how both Time Warner and Warner Bros. re-asserted themselves beginning in 1999. Time Warner's expansion into new media, particularly through its merger with AOL, was fraught with problems, but it did catapult the company back into a dominant status in the entertainment industry. After struggling for a couple of years, Warner Bros. finally found a property that could lift the studio's fortunes—*The Matrix*. At the same time, the division expanded its franchise focus to include producing multiple franchises simultaneously. Particularly during this period, the franchises featured talent from independent film, filmmakers who merged aspects of the commercial nature of the franchise film with the aesthetic, thematic, and narrative differences offered by independent film. It is within this environment that the *Batman* franchise is eventually revived, bringing in independent filmmaker Christopher Nolan to re-establish the company's once dominant franchise.

In the next three chapters, I delve into the more thematic issues raised by the *Batman* film franchise, particularly regarding authorship, branding, and genre. The fifth chapter examines the merger of the blockbuster and art film. While critical distinctions tend to keep art and studio cinema separate, the blockbuster, and especially the franchise film, that has developed since 1989 has troubled these distinctions. Indeed, the first two films in the *Batman* franchise were essential to the creation of the art blockbuster. This chapter focuses on how the art and the independent film have affected and altered the blockbuster in contemporary Hollywood. The blockbuster, as an industry business strategy, has adapted to the significant success of the independent film market by adopting filmmaking methods, conventions, and artists typically associated with the independent film. From *Pulp Fiction* to *Titanic*, and *Spider-Man* to *Casino Royale*, the combination of the art film and the blockbuster has become a fixture in the industry, and has led to the development of what I term the art blockbuster.

The art and independent cinema are keenly tied into the idea of an auteur. The sixth chapter focuses on the issue of auteurism and directorial authorship in the *Batman* film series. The five films of the series can easily be separated by the three directors based on style alone, but the role of individual authorship has wider implications than the content appearing onscreen. Press and critical constructions of the directors as artists were important in assessing the quality of the films. The marketing of the films also rested on notions of directorial authorship, and differed for each director involved in the series. With this chapter, I investigate the diverging paths of Tim Burton, Joel Schumacher, and Christopher Nolan, their ties to the art and independent film movements, and the legacy of these films. Ultimately, the *Batman* series provided future opportunities of branding for each of the directors involved based on their successes helming these films. Using theory related to industrial auteurism, I assess the impact of the *Batman* films on the filmmakers' images at the times of release and through subsequent releases, as well as the impact of the filmmakers' critical reputations on the *Batman* films themselves.

The seventh chapter examines how other Batman authors have set the standard of authenticity for the property and how the films' principal talent succeeded or failed at providing authentic Batman experiences. Even though they were not directly involved in the film series, artists and writers related to the comics, especially Bob Kane and Frank Miller, provided the foundation for the characters and storylines used in the films. In addition to the directors, the producers and writers had significant involvement in the shaping of each of the films and their relation to "true" Batman texts. The stars of the films also impacted the direction of the film series. Particularly by the fourth film, the number of stars involved overshadowed the heroic figure around whom the series was based as evident by the evolution of the films' posters (see Images 1-4 in Appendix 2).

Finally, the fans of Batman were extremely active since the inception of the film series—first protesting the casting of Michael Keaton as Batman publicly in *The Wall Street Journal*, later proclaiming “Death to Schumacher!” after the disappointing fourth film. Together, these groups point to the problems of how a film property is constructed and received as authentic in the contemporary film environment. This chapter explores franchise films and multiple authorship, and relates this back to issues of property and branding.

Finally, the conclusion reiterates how the *Batman* franchise is instructive in 2008, on the cusp of the newest *Batman* film’s theatrical release, *The Dark Knight*. I then broaden these issues in order to raise the question of how we should evaluate and discuss the contemporary film industry in light of the interlocking aspects of franchising, conglomeration, and independent film.

The relationship between the media conglomerate’s structure and its key products, like film franchises, is indeed a complex one guided by issues of synergy, branding, the expansion into additional media outlets, and the challenges presented by new media technologies. Each of these issues, in turn, has an impact on the films themselves. The talent involved in creating and sustaining film franchises, a property’s (multi)media development, and the conventions of film genre are shaped by the concurrent film environment, an environment dominated by media conglomeration and film franchising. In the pages that follow, I outline these issues in relation to the world’s largest media conglomerate and the film franchise which launched the company’s fortunes. Indeed, as Time Warner and the *Batman* film franchise are intimately linked, they together provide an index of the state of the industry in the 1980s, ‘90s, and beyond.

Chapter Two: Precedents to Media Conglomeration: The Film Industry and Warner before 1989

Although this dissertation is concerned with media conglomeration in the wake of the Time Warner merger, the key themes in the building of conglomerates—synergy, branding, the adoption of new technologies, and diversification—were present in the film industry long before the 1980s. Indeed, Warner Bros. and its rival studios coalesced their power in the Classical Hollywood period by adopting at least one, if not all, of these basic strategies of conglomeration. In a rudimentary sense, the studios even produced franchise films during this period, without the multimedia components linked to contemporary franchises. With increased governmental regulation, as dictated by the Supreme Court's *Paramount* Decree in 1948, the studios, however, had to adjust their business strategies. In the immediate aftermath of the *Paramount* Decree, film studios tried to enter the television industry, but were stymied by both governmental regulations and a lack of vision regarding the ways the two industries could interact. As studios created big budget blockbusters to compete with television, they stumbled once again with a series of high-profile box office failures. By sustaining these huge losses, the studios opened themselves to a wave of mergers and acquisitions by companies not related to the entertainment industry.

It was not until the success of the blockbusters in the 1970s, blockbusters like *Star Wars*, *Jaws*, and Warner Bros.' *Superman*, that studios with multimedia aspects began to cohesively integrate their multiple arms. Indeed, with the development of new technologies, the decrease in federal regulation of the industry, and the success of the franchise film, the studios were finally able to build media conglomerates that could take full advantage of these multimedia opportunities. By beginning with the Classical

Hollywood period and ending with the cusp of the Time Warner merger, this chapter details the major changes which affected the film industry *before* the development of the global media conglomerates. Many of the same strategies regarding conglomeration have dictated the direction of the industry since its roots in the nickelodeons. By following Warner Bros. from its start in the early 20th century until the late 1980s, this chapter contends that the company continually attempted to assert itself as a major studio despite widespread changes occurring in the film industry. Intertwining the history of Warner Bros. with the other major studios, I argue that the major aspects of conglomeration were apparent in the industry long before the conglomerate era, but it is not until the success of franchises like *Superman* in the 1970s and '80s, coupled simultaneously with the development of new technologies, that media conglomeration could indeed occur. As the 1980s drew to a close, the film industry was set for a transformation unlike any it had seen before.

CLASSICAL HOLLYWOOD AND THE STUDIO SYSTEM

When movies began to take shape as a business in the early twentieth century, three distinct operational areas developed: production, distribution, and exhibition. By the 1910s, it became apparent that controlling more than one of these aspects of the industry led to greater efficiency and profitability. Film studios first developed as specialized companies, then began to merge or expand into other areas. Studios began to contract talent—from actors and writers through production designers and editors—in another measure to guarantee efficiency and to secure valuable assets. By the end of the 1910s, the major companies that would dominate the industry during the studio era were established and shaping the direction of American filmmaking. One of these primary companies was Warner Bros.

Like other Hollywood studios, such as Universal and MGM, Warner Bros. started out in the burgeoning nickelodeon industry in the early years of the twentieth century, then shifted from exhibition into distribution and production as well. The four Warner brothers created the Warner Bros. distribution company in 1913, and released their first production in 1918 (Thompson and Bordwell, 68). The company opened its first production studio in California in 1922, and soon produced a successful series of films centered on a dog named Rin Tin Tin (Thompson and Bordwell, 146). Warner Bros. primarily targeted their films to the theaters not affiliated with the major studios of the time, as well as theaters outside the key urban markets. Having become a successful, but small, production and distribution company, Warner Bros. moved into the feature film exhibition business in 1924, buying a theater in their hometown of Youngstown, Ohio (Koszarski, 90). Warner Bros. continued to expand its exhibition holdings over the next few years, buying premiere theaters, such as the Orpheum Theater in Chicago (Schatz, *The Genius of the System*, 61).

Although the company was rapidly expanding, Warner Bros. could not adequately compete with the two largest studios of the time, Paramount and Loew's/MGM, which featured more stars and produced more films per year than all of the other studios, in addition to owning the largest theater chains.¹⁵ For Warner Bros., the key to earning

¹⁵ Paramount was created in 1914 when eleven local distribution companies joined together to release films nationally and became a production powerhouse in 1916 when the company merged with both Famous Players in Famous Plays and the Jesse L. Lasky Feature Play Company. Among its star roster, Paramount included Mary Pickford, Douglas Fairbanks, Gloria Swanson, D.W. Griffith, and Cecil B. De Mille. By the end of the teens, the company was producing over a hundred features a year (Thompson and Bordwell, 68). The company also started purchasing theaters in 1920 to become vertically integrated, and by the early 1930s, Paramount owned approximately twelve hundred theaters in North America (Thompson and Bordwell, 144). Loew's/MGM was formed in 1924 through a merger of three well-established companies: Metro Pictures (primarily engaged in film distribution), Goldwyn Pictures (film production), and Loew's (exhibition). Although the company had a relatively modest theater chain of 200 theaters, the majority of these theaters were big first-run theaters in major cities, where nearly three-quarters of box office receipts emerged (Thompson and Bordwell, 144). Throughout much of the 1920s and '30s, MGM dominated the industry; for example, in 1926, the company cleared \$6.4 million, far ahead of its competitors (Schatz, *The Genius of the System*, 39).

major status lay less in focusing on its productions or in increasing its exhibition arm; instead, the company leveraged itself into major studio status by exploiting the developing technology that would enable sound to be synched with feature films. In 1926, Warner Bros. co-created the Vitaphone Corporation in a partnership with Western Electric to produce sound shorts. The Vitaphone process was a sound-on-disk system where the sound was recorded and played back on a separate machine from the film camera and projector. Although the two systems were supposed to be synched, there were a number of problems that kept the sound-on-disk system from working smoothly. For instance, the length of the film reel and the sound cylinder were not the same, which meant that the changing of the disk or the reel could cause the film and sound to fall out of synch. Initially, Warner Bros. planned to use the system in relation to music by either replacing the large orchestras typical in its few big city theaters or providing standardized music to its smaller, more rural theaters, a desire which would not be significantly affected by the synch problems inherent in this system (Cook, 205-206). Nor was Warner Bros. alone in this process; Fox Film Corporation, another minor studio at the time, invested in a rival sound process, dubbed Fox Movietone, to leverage itself as a major player in the industry.

Despite the limitations of the sound-on-disk system, Warner Bros. pressed ahead with the process, producing several shorts with sound as well as the feature film *Don Juan* (1926), which featured a soundtrack with music and effects. The company then released the sound feature *The Jazz Singer* in October 1927 to incredible box office and critical success. *The Jazz Singer* incorporated several sequences in which star Al Jolson sang, but the majority of dialogue in the film was still handled by the use of intertitles, a practice common in the silent era. After the film's unimaginable box office gross of over \$3.5 million, other studios turned their attention to producing "talkies" (Cook, 211).

Warner Bros. held a considerable advantage over its rivals in this regard, having already converted many of its studios and theaters for sound. Warner Bros. released several sound features during the next few years that became huge hits at the box office, and the studio's growing profitability allowed for more expansion into the production and exhibition arms of the industry. In fact, within a year of *The Jazz Singer*'s successful bow at the box office, Warner Bros. purchased three companies which provided theaters, studios, and additional distribution capabilities: the Stanley Corporation of America, which alone added 250 theaters; First National; and the Skouras Brothers Theaters (Schatz, *The Genius of the System*, 66). Warner Bros. thus established itself as one of the major studios of the Classical Hollywood period through its gamble on sound technology.

Throughout the 1930s and '40s, the major studios continued to dominate the industry as their productions become a model of efficiency. Although the concept of film franchises was decades away, studios practiced some of the basic aspects of the concept during this period, chiefly in applying their star and genre formulas. Once a particular pairing met unexpected success, studios would exploit the pairing repeatedly in films with similar setups. For instance, when Warner Bros. stars Errol Flynn and Olivia de Havilland first appeared in *Captain Blood*, directed by Michael Curtiz (1935), their on-screen chemistry was apparent, and the duo starred together in six more films over the next four years.¹⁶ Warner Bros. did not just focus on its stars in this regard; pairings often extended to filmmakers and stars. For example, John Huston directed Humphrey Bogart in *The Maltese Falcon* (1941) and the duo made three more films together during

¹⁶ In addition to *Captain Blood*, Flynn and de Havilland starred together in *The Adventures of Robin Hood* (Michael Curtiz & William Keighley, 1938), *Four's a Crowd* (Curtiz, 1938), *Dodge City* (Curtiz, 1939), *The Private Lives of Elizabeth and Essex* (Curtiz, 1939), *Santa Fe Trail* (Curtiz, 1940), and *They Died with Their Boots On* (Raoul Walsh, 1941). Notice that most of these were also directed by Michael Curtiz, a further testament to how a successful formula was transplanted across films.

the 1940s.¹⁷ Other filmmakers such as Busby Berkeley had their own production units specifically to repeat the successes from their previous films.¹⁸ This continual emphasis on formulas was key to a studio's successes, and this emphasis helped propelled the fortunes of Warner Bros., as well as its rival studios, during the Classical Hollywood period.

Besides Warner Bros., Paramount, 20th Century Fox, and Loew's/MGM, one other company emerged as a major studio during this period: RKO. Each of these five studios was vertically integrated—i.e., they had production and distribution capabilities, in addition to owning their own theaters. However, these five majors could not create all of the supply necessary to fill their theater screens. Three minor studios—Columbia, Universal, and United Artists—produced and/or distributed lower-budget A films and bigger budget B films to be shown in the majors' theater chains. Working together, these eight companies bullied independent theater chains into accepting their terms if they wanted to get the studios' high-budget wares. These eight studios dominated the Classical Hollywood period, until they were forced to fundamentally change their economic structure in the late 1940s as a result of governmental intervention.

INTO A 'NEW' HOLLYWOOD

The term New Hollywood, like many other terms related to Hollywood, is confusing since it is an umbrella term that covers several major shifts in the film industry that have taken place from World War II and the dissolution of the old Hollywood studio system to today's conglomerate-filled film industry. Indeed, this period of time is longer

¹⁷ In addition to *The Maltese Falcon*, Huston directed and Bogart starred in *Across the Pacific* (1942), *The Treasure of the Sierra Madre* (1948), and *Key Largo* (1948). The duo also made two films in the 1950s: *The African Queen* (1951) and *Beat the Devil* (1953).

¹⁸ Most evident of this trend with the Busby Berkeley unit were the *Gold Diggers* films, which included *Gold Diggers of 1933*, *Gold Diggers of 1935*, *Gold Diggers of 1937*, and *Gold Diggers in Paris* (1938).

than the actual length of the old Hollywood of the studio system years, which began in the late 1910s and stretched until just after World War II. However, the New Hollywood has not had the relative stability that characterized the Classical Hollywood period. Rather, a series of aesthetic, economic, and political shifts demarcate the New Hollywood into five mini-periods. Warner Bros. attempted to adapt to these changes in the industry, particularly through diversification. In following Warner Bros.' struggles during this period, it is clear that the focus of the company's assets shifted significantly as the studios came to terms with filmmaking in the post-Classical environment.

Period One: The Post-Decree Era

In 1948, the Supreme Court found the five major film studios and three minor studios guilty of monopolistic control over the film industry. As a result of the Supreme Court's pronouncement, the five majors retained the production and distribution arms of their companies, but were forced to divest themselves of their theaters. The loss of the exhibition arm subsequently meant the loss of a guaranteed pipeline for each of their films—therefore, each film had to be produced, distributed, and marketed on its own. With every film now having to stand on its own merits, the studios retrenched from their factory-like efforts by increasing their distribution of independent productions, trying to break into the fast-growing medium of television, and producing fewer, but more expensive, films. Together, these elements indicated a substantive change from the way studios functioned during the studio days, representing a “new” direction for Hollywood. Thus, the Supreme Court decision encouraged the studios to seek alternative business models to succeed in the new media environment that emerged after World War II.

To reduce their costly investment in film production, the studios turned more to the distribution side of the industry. The turn to the distribution of independent

productions after the *Paramount Decree* actually was not a new phenomenon for the studios. In fact, one of the largest hits of the 1940s—*The Best Years of Our Lives* (1946)—was produced by the independent Samuel Goldwyn Company and released by the major, RKO. But the number of these deals with independent producers vastly increased as the studios looked to eliminate overhead costs and reduce their risks per picture in the uncertain post-Decree environment (Staiger, “Individualism,” 75). The risks to the studios were also greatly reduced because many of the independent productions they distributed were created in a similar fashion to movies made under the studio system. In “Individualism Versus Collectivism,” Janet Staiger claims that many of the independent producers, filmmakers, and stars that emerged during this period were contract talent for the studios just a few years earlier, and continued many of the same production practices. Argues Staiger:

[I]ndependent production firms in the Hollywood mainstream retained the essential characteristics of a mode of production which has been considered efficient and economical since the early teens. Thus, overall independent production has reproduced the dominant practices of Hollywood. In the conflict between individualism and collectivism, individualism may seem to have won out, but it is an individualism which retains a great number of the characteristics of its predecessor (79).

Specifically, the independents fostered the division of labor practices espoused by the studios and approached material with the same guarantors of profitability—stars, genres, proven directors, and distribution terms favoring the studios (68). Differentiating what was, in fact, an independent production was difficult to tell on screens since they did not look different from the films actually produced by the studios. While the economic situation had drastically changed at the studios, the films that they released experienced few aesthetic differences.

While their movement into independent film distribution was not particularly risky, the studios did take risks as they reached into the new medium of television. Hollywood studios, particularly Warner Bros., initially wanted to pursue both ownership of television stations and television networks. However, the Communications Act of 1934 had given the Federal Communications Commission the power to refuse licenses to companies found guilty of monopolistic practices. When the Supreme Court ruled against the studios in 1948, the decision effectively curtailed their efforts to control the developing television industry. Some of the studios—particularly Paramount—invested in theater television and pay television experiments as early as 1941, although none of these efforts proved successful (Wasko, 12-13). By the mid-1950s, the studios' efforts in television were limited to the production of television shows, as 20th Century Fox produced *The Twentieth Century-Fox Hour* (1955-1957), MGM created *MGM Parade* (1955-1956), and Warner Bros. began to produce *Warner Bros. Presents* (1955-1956).¹⁹

For Warner Bros., the program was an additional venue for the promotion of the studio's historically key product, movies, as six- to eight-minute segments devoted to films in production ended each episode. *Warner Bros. Presents* initially also offered the studio an opportunity to further exploit popular film properties *Casablanca* (1942), *Kings Row* (1942), and *Cheyenne* (1947). Each third week, a story based on one of these films or its characters was the core of the episode. After a few months on the air, only the *Cheyenne*-based episodes were doing well in the ratings. According to Christopher Anderson in *Hollywood TV: The Studio System in the Fifties*, this was in part due to the story's overall structure:

Cheyenne, with its redeemer figure wandering from community to community through the old West, proved to have an ideal structure for generating series

¹⁹*Cheyenne* became a stand alone series from *Warner Bros. Presents*, and was on the air until 1963.

narratives and for appealing to viewers. In essence, this type of structure gave the series many similarities to the anthology format, in which a series consists of diverse, unrelated narrative episodes. In the case of *Cheyenne*, each episode contained conflicts involving new characters, and the episodes were unified only by the recurring character of the protagonist, who functioned as the force of moral order able to resolve any narrative conflict. Each time Cheyenne entered a new community, he either witnessed or provoked a new story in which he would participate to varying degrees (208).

Indeed, *Cheyenne*'s open structure allowed writers to draw narratives and characters from other films by the studio—including *The Treasure of the Sierra Madre* (1948), *Bordertown* (1935), and *To Have and Have Not* (1944)—that could easily be adapted into the show's loose structure (Anderson, 209). The episodes based on both *Kings Row* and *Casablanca* relied on a cast of supporting characters and a fixed locale, which propagated a narrative arc which could not accommodate aspects from other popular Warner films. Although the television show *Warner Bros. Presents*, along with the films upon which the series and the narratives were based, were not conceived of as part of a franchise, it demonstrates the studio's early attempts to exploit its key texts across a variety of media forms. Certainly, this was a result of the harried production schedule and miniscule budgets of the fledgling television series rather than a calculated effort at synergy. However, it was an early indication of the new business model necessary to succeed in the developing New Hollywood.

As Warner Bros. continued to produce several series for television in the 1950s and '60s, including *Maverick* (1957-1962) and *77 Sunset Strip* (1958-1964), the studio expanded into other media as well. In February 1958, Warner Bros. Records was established, partly to produce and release albums related to contracted talent, such as 1950s teen idol Tab Hunter. In the trade journal *Variety*, Warner's foray into music was described as a move that "represents an extension of the company's policy of diversification" ("Warners' Plunge," 43). In 1963, the studio bought Reprise Records,

Frank Sinatra's label, which included artists Duke Ellington, Dean Martin, Sammy Davis Jr., and Debbie Reynolds, among others, and merged it with Warner Bros. Records (Schumach, 19). The studio did not lose focus on its film arm in this period, although the majority of the films released were produced independently and subsequently only distributed by the studio. Primarily a television production, record, and film distribution company, Thomas Schatz argues that during this period, "[T]he glory days of Warner Bros. as a movie studio that shaped its own pictures, its own style, and thus its own destiny were gone" (*The Genius of the System*, 439). While films were a vital part of Warner Bros., they were no longer the core focus of the company.

Although the studios, including Warner Bros., expanded into other media like television and music during the 1950s and '60s, they also choose to compete with the popularity of television by producing expensive, epic, technologically-laden blockbusters. During this period, the film studios' emphasis on developing technologies that broadened the picture image was a strategy to compete with television's small, square, and black and white capabilities. According to Michael Allen in "Talking about a Revolution: The Blockbuster as Industrial Advertisement," 20th Century Fox led the way with its CinemaScope process:

Fox needed their audiences to want to see the system *itself* as a powerful and seductive alternative to the small, black-and-white, monaural television set. To succeed in this battle for survival, the new widescreen, color, and stereo film technology had to be put into stark, unmediated contrast with its technically impoverished rival (109).

Other widescreen processes flourished during this period, including VistaVision (created by Paramount), Todd-AO, and Super Panavision 70. From biblical epics such as Paramount's *The Ten Commandments* (1956) to adventure films such as Columbia's *Lawrence of Arabia* (1962), and from musicals such as 20th Century Fox's *The Sound of Music* (1965) to disaster films such as Universal's *Airport* (1970), blockbusters used the

screen as an epic canvas. Many of these films were roadshown, and acquired their grosses over a significant period of time, often market by market. They were clearly presented as event films, a delineation that helped bring in significant audiences as well as sustain their popularity over time. However, a number of these high-budget blockbusters failed at the box office. Trying to imitate the success of *The Sound of Music*, which made nearly \$80 million in rentals at the domestic box office, 20th Century Fox's *Doctor Dolittle* (1967), *Star!* (1968), and *Hello, Dolly!* (1969) lost \$11 million, \$15 million, and \$16 million respectively (Schatz, "The New Hollywood," 13-14). The failures of these three films nearly bankrupted 20th Century Fox. The disappointing box office returns of these films, and others, added to the film studios' economic woes in the post-Decree period, and made them ripe for a fundamental change in ownership.

Period 2: Changes in Studio Ownership

Once family-owned and operated businesses, the 1960s saw corporations unrelated to the film industry take interest in, and shares of, the studios. Although the first of these corporations—Music Corporation of America (MCA), a talent agency and telefilm producer, which purchased Universal in the early part of the 1960s²⁰—was related to the film industry, the subsequent corporations entering into the film market had no such synergistic capabilities. Gulf & Western Industries purchased Paramount in 1966, and added the film studio to its auto parts, metals, and financial services divisions. United Artists was purchased by Transamerica Corporation in 1967, a company primarily known for insurance. In 1968, real estate magnate Kirk Kerkorian acquired MGM and added the studio to his many other holdings. Most pointedly for this study, Jack Warner,

²⁰ Although never brought to trial, MCA was forced to sell off its talent agency after it bought the motion picture studio Universal in 1962. The Justice Department charged that it was a conflict of interest to both represent clients and own the studio where they might work.

the remaining shareholder of the four brothers, sold his stake in the studio in 1967 to Seven Arts Productions, a small production company, and the newly merged company was renamed Warner-Seven Arts. In 1969, Kinney National Services added Warner-Seven Arts to the company's various holdings, which included disparate service commodities such as funeral parlors, parking lots, and cleaning companies amassed under the tenure of Chief Executive Officer (CEO) Steve Ross. Kinney also owned DC Comics, the premiere comic book publishing company, which it had purchased a year before the Warner-Seven Arts deal. Although the major film studios were now part of conglomerates, the larger companies had few, if any, media interests among their other holdings. Yet, this changing of ownership in the 1960s signaled a major economic difference from the studio era.

Period 3: The American Renaissance

In a 1972 interview for the *New York Times* regarding his company's acquisition of Warner-Seven Arts, Steve Ross, the CEO of Kinney National Services, claimed that "We wouldn't have gone into the movie business without the record business," pointing to how little stature the film arm of the company held by the end of the 1960s (qtd. in Bender, C3). Since Kinney, along with many of the other corporations which purchased film studios, had little or no experience in the entertainment or leisure industries, they needed to figure out a way to change the studios' fortunes and make them profitable assets once again. Willing to experiment with attracting new audiences, presenting new subject matter, and hiring young filmmakers, the newly acquired studios ushered in the period commonly referred to as the American Renaissance. While the first two periods of the New Hollywood reflected changes in industrial and economic structure, this third period focused much more on aesthetic differences as a sustained body of artistic films

emerged from the studios. Looking back at this period, Peter Biskind argues in his book, *Easy Riders, Raging Bulls: How the Sex-Drugs-and-Rock 'n' Roll Generation Saved Hollywood*, that this New Hollywood was a movement by artists trying to fundamentally alter the American production system:

[T]he dream of the New Hollywood transcended individual movies. At its most ambitious, the New Hollywood was a movement intended to cut film free of its evil twin, commerce, enabling it to fly high through the thin air of art. The filmmakers of the '70s hoped to overthrow the studio system, or at least render it irrelevant (17).

Depending upon what you name as the first and last films of the American Renaissance, the movement lasted barely a decade, but left an indelible mark on the debate over art and commercialism in film. In the introduction to his book *A Cinema of Loneliness*, Robert Phillip Kolker argues that by 1977,

the last commercial films by American directors seriously to play against the conventions of cinematic storytelling [had occurred]. Postmodern American film has done its best to erase the traces of sixties and seventies experimentation. . . returning with a vengeance to a linear, illusionist style. That style in turn creates, or re-creates, the ready acceptance of conventional expression (XI).

For critics like Biskind and Kolker, the filmmakers of this brief period were artists whose visions and stylistics finally were allowed to shine without or, at least, with minimal, corporate intervention. In their estimations of this brief period of American filmmaking, the artistic aspect of film triumphed over the commercial side.

Indeed, the films of the American Renaissance had much in common with the international art cinema that had developed since World War II. According to Biskind, the films of the American Renaissance were a significant break from the classically structured films seen during the studio era:

It was the last time Hollywood produced a body of risky, high-quality work—as opposed to the errant masterpiece—work that was character-, rather than plot-driven, that defied traditional narrative conventions, that challenged the tyranny of

technical correctness, that broke the taboos of language and behavior, that dared to end unhappily. These were often films without heroes, without romance, without...anyone to 'root for'... (17).

Films of the American Renaissance displayed unconventional editing techniques, such as jump cuts; unconventional camerawork, including the use of long-takes and the zoom lens; edgier themes, such as homosexuality and incest; a graphic focus on sexuality and violence; and experiments in narration, such as overlapping dialogue. All of these aspects were rarely glimpsed in Classical Hollywood films, but were freely allowed during the American Renaissance. In part, this was the result of a new generation of filmmakers who understood cinema to be an art form and wanted to create their own artistic films. On the other hand, the new managers of the studios had little experience in film production, and as long as these experiments proved to be popular and profitable, they were willing to allow the filmmakers some freedom with their productions.

Period 4: The 'New' Blockbuster Era

The development which spelled the end for this type of studio-sponsored artistic filmmaking, and ushered in the fourth period of the New Hollywood, was the success of two blockbusters in particular: Steven Spielberg's *Jaws* (1975) and George Lucas's *Star Wars* (1977). Although both filmmakers had directed films which were part of the American Renaissance, Spielberg with *The Sugarland Express* (1974) and Lucas with *THX 1138* (1971) and *American Graffiti* (1973), *Jaws* and *Star Wars* established the primacy of the multimedia blockbuster. Argues Thomas Schatz in his essay "The New Hollywood":

If any single film marked the arrival of the New Hollywood, it was *Jaws*, the Spielberg-directed thriller that recalibrated the profit potential of the Hollywood hit, and redefined its status as a marketable commodity and cultural phenomenon as well (17).

Jaws was the first film to earn over \$100 million in rentals at domestic theaters in its initial theatrical run (“Big Rental Films of 1975,” 18). The film was released during the summer, which had not yet proven to be a highly profitable season in terms of film attendance. It utilized mass advertising through the television, a tactic that studio releases rarely had used up until that point. It opened on a large number of screens—over four hundred—also highly unusual for studio films. The film spawned merchandise such as video games and a tie-in soundtrack, and “became a veritable sub-industry unto itself” (Schatz, “The New Hollywood,” 18). In essence, *Jaws* serves as a template for the contemporary franchise film since it brought several of the essential parts of the equation together for the first time.

What trends *Jaws* began in 1975 were solidified two years later with *Star Wars*. The film surpassed *Jaws*’ domestic rentals, earning \$127 million. Although *Jaws* had spawned tie-in merchandise, *Star Wars*’ success shone brightest with its profits from areas outside the film itself. As children and adults clamored for any product related to *Star Wars*—from action figures to books to home decorations—the merchandise related to *Star Wars* became its own industry. Both films’ success at the box office indicated the importance of the youth market, saturation releases, national advertising, merchandising tie-ins, and summer blockbusters to an industry looking for sure-fire hits in an increasingly crowded entertainment marketplace. In addition, both films demonstrated the increasing importance of ancillary markets. For instance, within a decade of its initial theatrical release, *Star Wars* was reissued in theaters four times between July 1978 and August 1982, became available on video cassette in 1982, appeared on pay-cable TV in 1983, aired on network television in 1984, and opened as a ride at Disneyland in 1987 (Schatz, “The New Hollywood,” 24).

As indicated by *Star Wars*, two additional venues outside of the theatrical and network television experience had become important for the blockbuster by the early 1980s—cable television and video cassettes. In 1975, the year of *Jaws*' theatrical release, Home Box Office (HBO)—a subsidiary of Time Inc., then the nation's largest publishing company—leased a transponder on the Satcom 1 satellite launched by RCA Corporation, an electronics and communications conglomerate. HBO had been a local cable network using microwave delivery previous to the satellite's launch, serving a total of nearly eight thousand subscribers in New York and Pennsylvania (Mullen, 107). However, the company wanted to expand its cable network across the nation, and distribution via satellite promised to be a less expensive, more inclusive option than microwave delivery. By the end of 1975, the network provided twelve hours of programming for its growing number of affiliates and subscribers via satellite. Three years after it began satellite delivery, HBO had grown to be the leading pay television network with over one and a half million subscribers across the nation ("The Race to Dominate").

Also in 1975, Sony introduced the Betamax video cassette recorder, which was followed a year later by Matsushita's introduction of its video home system (VHS). These two machines offered the viewer considerable choice over not only *what* films or television shows to watch, but also, most importantly, *when*. For example, an individual who had to work during his or her favorite show could record it in order to watch it later (called timeshifting). A year after the Betamax's debut, Sony faced a lawsuit from MCA/Universal and Disney regarding consumer's usage of the machine fearing that "If people could now tape and own cassettes of . . . movies or of the repeat episodes of . . . television offerings, how would these titles retain their value in rerelease or repeat broadcasts?" (Wasser, 84). Related to that, how would these companies receive revenues from their products, particularly if the commercials were not being watched and they

could not collect money from consumers recording and subsequently re-watching their products? The case eventually went to the United States Supreme Court and was decided in favor of Sony and its co-defendants.

The case illustrated that the major studios had not yet re-imagined the industry to come to terms with the new technology, particularly in ways that would ultimately benefit Hollywood. In fact, by the end of the 1980s, sales of video cassettes accounted for nearly forty percent of a studio's total revenue from film (Wasser, 4). In addition, the VCR did not displace the primacy of the theatrical release; rather, "the VCR became the extension of the movie theater" (Wasser, 188). Ticket sales remained steady at the box office; video cassettes were purchased or rented by individuals who already saw the movie in the theater or by those who would not have gone to the theater to see the film anyway.

Thus, part of the reason that the blockbuster film, and particularly the film franchise, emerged as a key product during the late 1970s and throughout the 1980s is because it best fit with the corporate interests reigning at the time, as well as with these developing technologies. Between 1975 and 1989, nearly every top film of the year was a franchise film which encompassed sequels, tie-in soundtracks, toys, or other related products. Nearly every one of these films was produced by a major film studio that had multimedia capabilities (see Table 3 below). These films were frequently the films that sold and rented the most video cassettes during this period, and received the most revenues from cable and network broadcasts. For example, *Raiders of the Lost Ark*, which had been the top film for 1981, was the first video cassette to sell over a million copies in 1985 (Wasser, 133). The video cassette for *Top Gun*, the top film for 1986, was sold at a then low-price of \$26.95 for over three million copies, creating a new record in the industry (Wasser, 145). What these figures point to is the increasing importance of

Table 3: Top Films of the Year, 1975 – 1989

Year	Film	Studio	Domestic Rentals (in millions)
1975	<i>Jaws</i>	Universal	\$102.7
1976	<i>One Flew Over the Cuckoo's Nest</i>	United Artists ²¹	\$56.5
1977	<i>Star Wars</i>	20 th Century Fox	\$127
1978	<i>Grease</i>	Paramount	\$83
1979	<i>Superman</i>	Warner Bros.	\$81
1980	<i>The Empire Strikes Back</i>	20 th Century Fox	\$120
1981	<i>Raiders of the Lost Ark</i>	Paramount	\$90
1982	<i>E.T. the Extra-Terrestrial</i>	Universal	\$187
1983	<i>The Return of the Jedi</i>	20 th Century Fox	\$165.5
1984	<i>Ghostbusters</i>	Columbia	\$127
1985	<i>Back to the Future</i>	Universal	\$94
1986	<i>Top Gun</i>	Paramount	\$82
1987	<i>Beverly Hills Cop</i>	Paramount	\$80.8
1988	<i>Who Framed Roger Rabbit?</i>	Disney	\$78
1989	<i>Batman</i>	Warner Bros.	\$150.5

the film franchise not only for its ability to provide diverse media experiences across a company, but also to provide key dollars from secondary windows like video and cable, two of the very assets which helped shape media conglomerates in the 1980s.

²¹ United Artists did not produce *One Flew Over the Cuckoo's Nest*; the company was just its distributor for its domestic theatrical release. The film was produced via several independent companies. It is also the only film on this list without any key franchise attributes.

Period 5: The Conglomerate Era

Although several of the studios became part of conglomerates in the late 1960s, these companies, with the exception of MCA/Universal, did not have significant media holdings. The consolidation of media conglomerates that began in the 1980s and continued throughout the 1990s was part of an industry trend toward horizontal integration—the accrual of multiple entertainment and leisure outlets under one corporate roof—and marked the latest era of the New Hollywood. This business model allowed companies to push their products across a variety of media, all in-house subsidiaries. Bound by the ramifications of the 1948 *Paramount Decree*, studios were not allowed in previous eras to own television networks, theaters, or other related companies that would provide an unfair advantage in the marketplace. However, President Ronald Reagan’s administration adopted a deregulation stance towards big business in general, a stance which allowed media companies access to previously forbidden assets, such as network television. In this atmosphere, the media conglomerates flourished as the courts and the Justice Department supported the claims that the markedly changed nature of the business, particularly in terms of marketing and distribution, offered no compelling reason for maintaining the nearly forty-year-old *Paramount Decree* (Holt, 340). Without the threat of anti-trust regulation or enforcement, the studios were allowed free reign in developing their companies. Since franchise films require the extensive use of other media products in association with the film itself, this corporate environment truly suited the multimedia blockbuster as it flourished in the post-*Jaws* and post-*Star Wars* days.

THE FOUNDATIONS OF A MEDIA CONGLOMERATE: WCI IN THE 1970S AND '80S

As stated earlier, Warner Bros. was purchased by small production company Seven Arts in 1967, and that company in turn was acquired by Kinney National Services in 1969. In 1971, the company was renamed Warner Communications Inc. (hereafter, WCI), and encompassed interests in film, television, cable, music, and publishing all under one corporate umbrella. Gradually, the companies not related to entertainment enterprises were sold or spun into non-affiliated independent companies as WCI re-focused solely on producing media content. Particularly of interest for the newly formed company was reasserting Warner Bros. as a dominant film studio, a process that began in the early 1970s and continued throughout the 1980s. The theatrical market share for Warner Bros. in 1970 was a disappointing 5 percent, placing it as number seven in relation to other Hollywood studios. The market share for 1971 increased to 9 percent, putting Warner Bros. into fourth place. Warner Bros. competed for first, second, and third place in market share throughout the remainder of the 1970s²² (see Appendix 3 for Warner Bros.' market share during the 1970s and '80s). Yet, the studio did not have a film in its roster that emerged with the most rentals in the industry until 1979. The film that broke Warner Bros. box office records was the blockbuster *Superman*, a film based on a highly successful comic book published by subsidiary DC Comics. Through developing this key film franchise, as well as a few others, WCI attempted to re-establish its place among the premiere film studios. Simultaneously, the company engaged in a number of measures to create a multimedia powerhouse in the late 1970s and early 1980s. While these efforts did not re-establish WCI as a major studio by the end of the 1980s, they set the foundation for the company's resurgence in 1989.

The First Warner Franchise: Superman

As the inaugural WCI film franchise, the *Superman* films were the company's initial attempt to compete with series such as United Artists' popular James Bond films, which started in 1962 and had a twenty-first film released in 2006. By 1974, the Bond series had earned "an aggregate rental, both theatrical and television, of \$350 million" through its first eight films (Balio, *United Artists*, 270). Importantly, the success of the Bond series helped establish United Artists as a powerful studio during the 1960s and '70s, a feat it had never accomplished since its founding in 1919. Although *Superman* was not released until late in 1978, the film had been in pre-production at Warner Bros. from the early 1970s as a key text to re-establish the power of the film studio. *Superman* and its three sequels became a valuable franchise to the studio, although the film's impact on Warner Bros. proved to be less pronounced than the Bond franchise on United Artists. Rather than becoming the dominant studio during the series' decade-long tenure, Warner Bros. remained a solid but unimpressive studio.

At the Cannes Film Festival in May 1974, a chartered plane flew over the festivities with a banner announcing the development of *Superman* (1978), based on the popular comic book character. A year later, a similar press event was staged, touting the same film, this time with three separate planes. In 1976, the press event had expanded to include five planes, two helicopters, and a blimp to deliver the message that *Superman* was in fact in production. This escalating tradition continued at Cannes for the next two years, as the film was finally released in December 1978 after many false starts ("Here Comes Superman!!!," 59). Despite its pre-production problems, the film went on to become the top theatrical release for 1979, astounding audiences with its state of the art wire technology during Superman's flying sequences. The film's success inspired three

²² All market share figures used in this paragraph are from Murphy, "North American Theatrical," 12.

sequels—*Superman II* (1980), *Superman III* (1980), and *Superman IV: The Quest for Peace* (1987)—and a spinoff film, *Supergirl* (1984).

Superman's long odyssey to the screen, as evident by its increasingly extravagant press tactics at Cannes described above, was partly the result of finding technology adequate enough to give the realistic appearance of Superman's flying abilities. As Superman's ability to fly is key to his heroic persona, the flight scenes could not be showcased by outdated wire technology; to see the wires would have ruined the effectiveness and believability of the film. In an advertisement for Pinewood Studios (where the majority of the first and second *Superman* films was shot), producer Pierre Spengler linked the difficulties in production specifically with the film's pioneering use of special effects:

[B]ecause of the very special nature of our picture, we also had to have the most advanced, up-to-date facilities available. . . .As everyone probably knows, Superman flies. That—plus all the additional complicated effects called for in the film—requires highly specialized equipment and technicians. You know, many of the special effects and model work in 'Superman' have never been done before (qtd. in Pinewood Studios, 27).

Director Richard Donner described the film's reliance on special effects, particularly in regard to Superman's flying, as an unusual problem: "[W]e had what was probably the most problematical special effect in movie history—a special effect that musn't look special" (qtd. in Davis, 69). The centerpiece of the film—Superman's minutes long flight with Lois Lane around Metropolis under the starry sky and lights of the city—was singled out in many profiles of the film. Described as "a scene that deserves applause" and a "five-minute aerial ballet," the scene itself took months to shoot (Kroll, 49; Davis, 69). The film's heavy reliance on developing new special effects pushed the entire budget to over \$35 million, an unprecedented sum that was roughly four times the

original projected budget.²³ To put the budgetary costs in perspective, the average production costs for a Hollywood feature film in 1980, a few years *after* the film's production, was under \$10 million, with an additional \$5 million for prints and advertising (Prince, 21). Thus, the film was an extremely expensive project.

In conjunction with the budget and technical problems, *Superman* also faced difficulties with its top-billed star and its director. Although Marlon Brando as Jor-El, Superman's father, was only featured briefly onscreen, his name was key in getting the film financed. Brando not only refused to have his likeness licensed for tie-in merchandise,²⁴ but also he initially refused to report to the set, suggesting a green suitcase be used in his place with his voice coming out of the object. He also suggested that the people of Krypton look like bagels rather than humans ("Here Comes Superman!!!" 61). Since neither of these suggestions allowed for his cherished star persona to appear onscreen, the producers persuaded Brando to approach Jor-El as himself. Because of the difficulties with the effects and Brando, director Richard Donner found himself behind schedule and over budget. At one point, director Richard Lester inexplicably appeared on-set, causing a rift between Donner and the producers. Convinced that he was being fired and replaced by Lester, who had previously directed Salkind's two *Musketeers* films (*The Three Musketeers*, released in 1973, and *The Four Musketeers*, released in 1974), Donner's relationship with the producers grew antagonistic. While Donner was not ultimately replaced, Lester took over as director on the next two *Superman* films.

Besides the budget and personnel problems, achieving a broad demographic base was another of the obstacles the film had to overcome in order to become successful. As

²³ While the \$35 million budget was extremely high for the time period, much of the sequel to the film was shot at the same time, and likely contributed to the excessive budget. Rumors swelled that the actual budget was over \$50 million, but the \$35 million budget is the most quoted in articles about the film's production.

²⁴ Brando was not the only of the film's stars to do this. Gene Hackman, as the villainous Lex Luthor, also refused.

one of the earliest feature films based on a comic book, many believed that *Superman* could not transcend its origins. Although *Superman* was the most popular comic book in the United States from the 1940s through the 1970s, selling over a million copies a month at its height during the 1940s, comic books were considered a past-time for children, particularly male youth (Wakefield, 70). The sales of comic books had dropped significantly by the 1970s, partly as a result of the growth of other leisure pursuits (like television) and intense regulation of the comic industry beginning in the 1950s, which lessened the amount of sexual and violent imagery. With its two-hour-plus run time, and its opening slated for the week before Christmas in 1978—when kids were still in school—*Superman* did not appear to be specifically targeting children, the demographic group many believed would be most interested in the film. On whether the film held any appeal to adults, director Donner claimed: “I’m making a picture for adults that kids will go to see” (qtd. in “Hoping to Soar,” 151). Andy Fogelson, the Advertising and Publicity Vice President for Warner Bros. at the time, claimed that this was a key part of the release strategy: “Our goal was to open and do significant business with adult audiences” (qtd. in “‘Superman’: It’s Adult,” 30). Indeed, the film was primarily booked in updated theaters that had the ability to show 70 MM prints and Dolby sound capabilities, ruling out many of the drive-ins and suburban theaters where teenagers and families typically watched films at the time (“‘Superman’: It’s Adult,” 30).

By focusing on the adult audience, *Superman* broke several box office records and emerged as the top box office film for 1979. It set a new record for the pre-Christmas week with over \$12 million at the box office, and set three new Warner Bros. records: best opening day (\$2.7 million); best three-day weekend (nearly \$7.5 million); and best week (“‘Superman’ Wowzy,” 37). It broke one-day box office records in several major cities, including New York, Los Angeles, Chicago, Seattle, St. Louis, Miami, and

Houston (*Superman* Advertisement, 17). In its initial release, *Superman* went on to earn over \$81 million in rentals at the domestic box office, placing it as the number six film on the list of All-Time Film Rentals (“All-Time,” 1980, 24).

In addition to box office success, *Superman* also became popular in terms of merchandising and licensing. An article appearing in *Business Week* a few weeks before the film opened in 1978 outlined the extent of the planned merchandising opportunities, claiming that “[N]o other film has involved so many divisions of a single company” (“Hoping to Soar,” 147). Rob Friedman, an executive for Warner Bros., claimed that “The film, of course, is our first priority but it does have a symbiotic relationship with everything else. It’s like an octopus and at the centre is us” (qtd. in Davis, 46). DC Comics reissued some classic *Superman* comics to tie into the film, while Warner Books prepared a *Superman* encyclopedia, quiz book, and calendar, in addition to a book on how the film was made. Warner Bros. Records released a soundtrack album of John Williams’ score, while Atari released a tie-in video game in 1979. Superman cookie jars were sold at Bloomingdales, and tennis shoes with the Superman image sold solidly. Warner’s merchandising division, Licensing Corp. of America (LCA), worked with over 10,000 retail stores in advance of the film’s release in order to prepare for the (presumed) Superman product demand (“Hoping to Soar,” 147).

Because of *Superman*’s popularity both at the box office and via tie-in merchandise, a sequel was inevitable. In *Superman II*, Superman chooses to give up his powers in order to marry Lois Lane, only to find that three outcasts from Krypton have joined with arch-nemesis Lex Luthor (played by Gene Hackman) to rule the Earth. Unlike most franchise films at the time, *Superman II* followed an unusual release pattern. Rather than being released first in North America, the film was first released in several overseas markets. One reason for this move was to get the quick money from

international markets, which had been a large source of revenue for the first film. However, WCI also released films in specific overseas territories based on their primary moviegoing periods. For example, *Superman II* was released in Australia, France, and Spain during the Christmas holiday in 1980, while the film was released in England around Easter in 1981. The film was not released theatrically in the United States until June 1981 in order to capture key summer moviegoing dollars (Harmetz, “The Marketing of Superman,” B2). *Superman II* followed in the footsteps of the first film’s box office performance, breaking the record for largest opening weekend with its \$14 million haul and for highest total earned in the first week, with over \$24 million (Ginsberg, 1; “‘Superman II’ 70% Ahead,” 3). By the end of its run, *Superman II* had grossed over \$100 million and was the second highest film in terms of domestic rentals for 1981 (“Big Rental Films of 1981,” 15).²⁵

However, the next two *Superman* films were not as successful as the first two. *Superman III* featured comedian Richard Pryor as a computer hacker who is recruited by a villain to design a computer capable of controlling Superman. *Superman III* placed fifth in the top ten films for 1983 with only \$36.4 million in rentals at the domestic box office, and was considered a box office disappointment in comparison to the first two entries in the franchise (“Big Rental Films of 1983,” 13). Worse than that performance, *Superman IV: The Quest for Peace* did not even reach the top ten films of 1987. Co-written by Reeves, *Superman IV* features Superman trying to rid the world of nuclear weapons just as Lex Luthor creates his own nuclear menace. In reviewing *Superman IV*, *Washington Post* critic Desson Howe likened the film’s special effects to “junior high school pantomime—you know, where they twang Peter Pan around on wires. When a bad

²⁵ Although it grossed over \$100 million, *Superman II* had less rentals at the domestic box office than its predecessor. Its rentals totaled only \$64 million. The film’s domestic rentals for the year were only surpassed by Steven Spielberg and George Lucas’ *Raiders of the Lost Ark*, which earned \$90 million in rentals at the domestic box office.

guy goes flying upward through the floors of a building, you can see the cable he's tied to. When Superman flies through outer space, he looks like a cardboard cutout held up by a technician" (Desson Howe, N29). The film's cheap-looking effects were in sharp contrast to the 1978 film's state of the art visuals. Ultimately, *Superman IV*'s preachy message about nuclear power and its poor use of special effects contributed to the film's failure at the box office.

While the *Superman* films were highly successful, earning altogether over \$600 million worldwide at the box office, the series ultimately did not drive the fortunes of Warner Bros. as much as was intended ("Cannon Acquires"). WCI did not own the feature film rights to the series; rather, the company was the distributor while other companies and individuals were the producers who earned significant shares of the grosses.²⁶ Alexander Salkind, an independent producer, first held the feature film rights to the property and raised money from banks and investors to produce the first film. Warner Bros. paid the producer a \$10 million fee to distribute the film in the U.S., Canada, and a number of international markets ("Hoping to Soar," 147). In 1985, the Cannon Group acquired the theatrical rights to create a fourth *Superman* film, with Warner Bros. remaining as the franchise's distributor. Thus, WCI, as the film's distributor, received a smaller cut of the grosses than the box office figures demonstrate. In addition, none of the sequels performed nearly as well as the first film. This is certainly true for most franchise film sequels during the 1970s, '80s, and '90s; however, the *Star Wars* franchise and the *Indiana Jones* films still found their second and third films outgrossing most of their competitors, as well as previous films in the franchise (see Table 4 and Table 5 below). The box office performance of both of these franchises also

²⁶ In fact, Warner Bros. did not fully acquire the theatrical rights to Superman until 1993, even though the character was originally a DC Comics property.

Table 4: The *Star Wars* Trilogy

Name of Film	Year Released	Domestic Rentals (in millions) ²⁷	Film Rank for the Year
<i>Star Wars</i>	1977	\$127	1 st
<i>The Empire Strikes Back</i>	1980	\$120	1 st
<i>The Return of the Jedi</i>	1983	\$165	1 st

Table 5: The *Indiana Jones* Trilogy

Name of Film	Year Released	Domestic Rentals (in millions) ²⁷	Film Rank for the Year
<i>Raiders of the Lost Ark</i>	1981	\$90	1 st
<i>Indiana Jones and the Temple of Doom</i>	1984	\$109	2 nd
<i>Indiana Jones and the Last Crusade</i>	1989	\$115.5	2 nd

continued to drive profitability into other merchandising realms, particularly as toys and video games, an essential aspect of the franchise strategy.

Other WCI Franchises in the 1980s

The *Superman* films were not the only Warner Bros. franchise during this period. In addition to the focus on the *Superman* franchise during the 1970s and 1980s, Warner Bros. also had a few star- and director-driven series, as well as a sophomore series of comedies centered on police cadets. The key relationship during this period revolved around actor-director Clint Eastwood. Eastwood's production company, Malpaso Productions, has made over thirty films at the studio since the early 1970s featuring Eastwood as the star, director, or both. None of these films have ever been the top grosser of the year for Warner Bros., but two of his film series were an important aspect

²⁷ Figures included in Tables 4 and 5 reflect domestic rentals for the specific year released, and do not include re-releases of these films. Thus, their total domestic rental figures are actually higher than seen here.

of Warner's output in the 1980s. Likewise, the *Police Academy* films proved to be popular with audiences during this period, consistently doing well at the box office across the series' tenure. But like Eastwood's films, they did not provide the multimedia opportunities of a property like the *Superman* franchise. Although these series did not provide the same opportunities for cross-media promotion as the *Superman* franchise, they were still important for reasserting Warner Bros.'s status in the film industry.

Eastwood played an important commercial role for WCI, as his two film series were high-grossing earners for the studio. His two films with an orangutan named Clyde, *Every Which Way but Loose* (1978) and *Any Which Way You Can* (1980), were among his highest grossing films of that era. Indeed, *Every Which Way but Loose* was number two in domestic rentals for 1979 with \$48 million, just behind *Superman*. The sequel, *Any Which Way You Can*, was number six in domestic rentals for 1981, with \$39.5 million. His other series, based on the character Dirty Harry Callahan, made Eastwood an icon. Over the course of five films, Inspector Dirty Harry's antics were often indistinguishable from the villains he was to apprehend, as he violently put an end to both antagonists and the films alike. Each of the films in the series did well at the box office (detailed in Table 6 below). Indeed, the fifth film in the series, *The Dead Pool* (1988), broke a Warner Bros. record in its first week of release: largest Wednesday opening ever, with \$2.1 million ("The Dead Pool Blasts"). On his popularity across these two series of films, Eastwood joked that the studio made "me the offer to do the Clint Eastwood Workout tape. . . .But I'm not far-reaching enough to do that" (qtd. in Harmetz, "Eastwood Top," C16). As Eastwood humorously invoked, these two series did not inspire a rash of merchandising tie-ins the way the *Superman* films did. Nevertheless, Eastwood provided Warner Bros. with two very successful and profitable star-driven

Table 6: The *Dirty Harry* Films

Name of Film	Director	Year Released	Domestic Rentals (in millions)	Film Rank for the Year
<i>Dirty Harry</i>	Don Siegel	1971	\$16	5 th
<i>Magnum Force</i>	Ted Post	1973	\$18.3	4 th
<i>The Enforcer</i>	James Fargo	1976	\$24	8 th
<i>Sudden Impact</i>	Clint Eastwood	1983	\$34.6	10 th
<i>The Dead Pool</i>	Buddy Van Horn	1988	\$19	24 th

series during this period, in addition to acclaimed work such as *Pale Rider* (1985) and *Bird* (1988), both of which received recognition at the Cannes International Film Festival.

In addition to the two Eastwood franchises, another franchise was an important part of Warner Bros.' revenues during the 1980s. The *Police Academy* films, despite their crude humor, proved to be surprisingly popular at the box office. From 1984 through 1989, six films in the series were produced and released in theaters. Without any featured stars and with its miniscule budget of \$4.5 million, *Police Academy* (1984) emerged as the seventh highest film in terms of domestic rentals for 1984, with \$38.5 million (Bob Thomas, "Police Academy"). Due to its overwhelming success, the second and third films were quickly put into production. A year later, *Police Academy 2: Their First Assignment* (1985) earned \$27.2 million in domestic rentals, to place eighth for the year. *Police Academy 3: Back in Training* (1986) continued the series' profitability, placing as the number one movie for several weeks at the domestic box office. Indeed, each of the films in the series debuted in the number one position their first week of release and remained there for several weeks except for the series' final film, *Police*

Academy 6: City under Siege (1989). While the films proved profitable for Warner Bros., ultimately their low-brow status and their inability to generate multimedia opportunities did little to alter the studio's status during the decade.

While the *Superman*, Eastwood, and *Police Academy* films proved important to Warner Bros.'s bottom line in the 1970s and 1980s, they did not provide any impetus for the studio year after year. Particularly in the years when a *Superman* film was not released, WCI's market share suffered significantly during the 1980s (see Appendix 3). Like franchises did for other studios, the *Superman* films boosted WCI's market share for the year of release only. Indeed, the performance of *Star Wars* and *The Return of the Jedi* pushed Fox into first place for market share in 1977 and 1983, respectively, while *Indiana Jones and the Temple of Doom* helped Paramount achieve first place in market share in 1984. However, the year following these successes, Fox tied for third place in 1978 and placed fourth in 1984, while Paramount tied for fourth in 1985 (Murphy, "North American Theatrical," 12). Clearly, without a major franchise film in release, a studio's market share was significantly affected.

In addition to only having the one multimedia franchise at the time, WCI also lacked a successful, multimedia series that did not fizzle out after two films, as the *Superman* franchise did. Although the *Dirty Harry* films actually increased domestic box office rentals with later films in the series, a rarity with sequels at the time, it was not a property that could be exploited across multiple media lines, and none of them were the top films of the year for the studio. The *Police Academy* films, likewise, provided steady dollars to the studio, but no multimedia opportunities. Besides the first two *Superman* films, WCI only had one other blockbuster that grossed over \$100 million at the domestic box office before 1989: *Gremlins*, released in 1984, in conjunction with Steven Spielberg's Amblin Entertainment (see Appendix 3). *Superman* was the only Warner

Bros. feature film from 1979 until 1989 to emerge as the top film of the year; the average placement for the top Warner Bros. feature during this period was 5.6, which indicates the company's inability to create a substantial franchise during the 1980s.

In assessing Warner Bros.' status in the industry in 1986, *Variety* reporter A.D. Murphy claimed that "Warner may not make lots of home runs, but they do hit a lot of triples" as evident by the performance of the first two *Superman* films, the Eastwood films, and the *Police Academy* franchise (Fabrikant, "Warner's Scenarios," D1). A year later, *Variety* reporter Lawrence Cohn proclaimed a similar opinion about the studio's box office grosses in 1987: "A blockbuster hit still eluded Warner Bros. (last smash from the distrib was Joe Dante's *Gremlins* in 1984), but apart from its Cannon-produced flops, WB's policy of emphasizing big name, big budget features paid off in solid results during the year" ("40% of '87," 20). The profits and market share at Warner Bros. continued to increase in the 1980s in part due to the steady successes of the *Superman*, Eastwood, and *Police Academy* films, but none of these films drove the engines of the entire company. In an article profiling Warner Bros. Chairman and co-Chief Executive Officer Robert A. Daly, *Variety* listed the studio's profits for the years 1982 until 1990 as tripling from \$118 million to \$370 million ("Daly Diet," 8). The steady increase, however, was generally the result of the "triples" the company batted, like the *Police Academy* films and the Eastwood franchises, rather than the "home runs" typically supplied by multimedia franchises.

The lack of a multimedia franchise had a significant impact on the company's overall economic standing as well; by 1988, WCI had been displaced from *Fortune's* Service 500. Film studios with strong bases in franchises such as Walt Disney, with its reliance on classic animated features, and Gulf & Western, the parent company of Paramount, were ranked numbers twenty-one and twenty-eight, respectively ("The

Service 500,” 1989, 358 and 389). Disney’s ability to put aspects of its feature films into its theme parks helped it achieve profitability year after year, while Paramount’s assortment of franchises—which included the *Indiana Jones* films, the *Star Trek* films, and the *Beverly Hills Cop* films—gave it a strong presence in the industry nearly every year of the 1980s. Warner Bros. could not compete with Paramount’s steady performance during the decade since it did not have multiple franchises with multimedia capabilities. However, Warner Bros.’ parent company, WCI, expanded during this period, an important component in readying the studio for a multimedia franchise like *Batman* in 1989.

Warner’s Multimedia Attempts

Even though WCI had not found the multi-year, multimedia successes that other companies had done with their franchises, WCI’s profits during the 1980s were still led primarily by its music and film arms, followed by other multimedia divisions in video games, cable, and television. Indeed, for WCI’s revenues in 1987, its film arm contributed 40% of the total revenues, while its music arm contributed 45 percent. Cable and broadcasting only contributed 11%, and its once formidable video game division was defunct by then (Fabrikant, “Warner in Deal,” D1). As WCI was trying to (re)create a powerful film company with Warner Bros., its focus on other keys areas of entertainment was another indication of the company’s attempts to become the nation’s most powerful media company, particularly through diversification. While the company diversified into new media technologies, much as it had done in the 1920s with the arrival of sound, few of these efforts proved successful for WCI during the 1970s and ‘80s.

When WCI bought Atari Inc. in 1976 for \$28 million, Atari was a growing video game company. The video game market was changing from primarily an arcade business

to a home-based system of entertainment, which was the segment of the market Atari particularly sought. By 1981, Atari was responsible for 80% of the hardware and software available for the entire home video game market. Atari soon became the most profitable division at WCI. Atari's sales for the fourth quarter of 1981 amounted to over \$500 million, and accounted for nearly 50% of the company's overall revenues for this period ("Atari Swells," D3). In an article for the *Washington Post*, writer Thomas W. Lippman called Atari "a money machine," and an unnamed senior executive at WCI claimed that video games constituted "a cultural revolution in this country, and we are the leader" (F1). Atari's profitability helped WCI's stock prices grow to unimaginable heights. In the six years since Atari was purchased, WCI's stock had increased over 3,000 percent as a result of Atari's prosperity (Bruck, 173).

As 1982 came to a close, however, things drastically changed for Atari and WCI. On December 8, it was announced that neither Atari nor WCI would meet fourth quarter expectations in revenues or profits. Earnings for the fourth quarter would be around sixty cents a share versus the previous year's \$1.17 per share, well short of the nearly \$2.00 per share the industry expected from the company (Pollack, "Video Game Industry," D1). As poor cartridge sales for Atari games continued, Atari quickly transferred from being the most profitable division at WCI to its most problematic one. In the first quarter for 1983, Atari's revenues fell 21%, and the division had an operating loss of nearly \$46 million (Pollack, "Warner, Citing Atari," D4). In the next quarter, WCI as a whole lost \$283 million; the Atari division alone had lost nearly \$311 million (Pollack, "Warner Posts," D1). After a third straight quarter of losses, WCI's stock had dropped to under \$23 per share by October (Wiggins, "\$122.4 Million," A37). As the losses continued to mount, and as Atari lost significant stature in the home video game industry, CEO Steve Ross decided to sell off the problematic division. In July 1984, Atari was sold for \$240

million. Although the move into video games had started off as a profitable venture, ultimately Atari's losses significantly impacted WCI's stature in the industry.²⁸

Throughout the 1970s and 1980s, WCI not only entered the video game market, but also attempted to develop its cable television arm in terms of both cable systems and cable programming. Right after the merger between Kinney National Services and Warner-Seven Arts, the company entered cable television. In an article titled "From Caskets to Cable," Marylin Bender described the company's move into new technology as "dramatic," given its service-oriented aspects:

One of the most dramatic corporate metamorphoses is that of Warner Communications Inc., which in one decade has gone from coffins and car rentals to the dazzling frontier of cable television. In that same period it has become the 24th fastest growing company on the Fortune 500 list where its 1971 revenues of \$373,840,000 give it 294th place (C3).

In 1971, WCI purchased the Television Communication Corporation for \$32 million to add cable franchises to its holdings. In July 1972, WCI purchased Cypress Communications for \$65 million and received 360,000 more subscribers (Bender, C3). Indeed, the purchase of Cypress made WCI the second largest cable provider in the nation. By August 1976, WCI had 140 cable systems across the United States, with a total of 550,000 subscribers ("Why Cable Television," 58). By 1980, the company had over 800,000 subscribers to its cable systems, although WCI had fallen to fourth largest cable provider in the country (Tony Schwartz, "Warner Amex," D1).

In addition to buying and creating cable systems, WCI was also an innovator in cable technology. In 1978, WCI introduced QUBE, an interactive television system, in the test market of Columbus, Ohio. For just under \$11 a month, consumers received a

²⁸ Perhaps as a result of Atari's major losses in the industry, no other film studio has acquired a video game company, despite the growing profitability in that industry. Besides Sony, which manufactures the PlayStation and does have a division which creates games specifically for the console, the relationship between the studios and video game developers has remained one of limited partnerships and licensing.

computer terminal attached to their television and a remote to control the computer. Consumers could choose purchase a movie to watch from one of the ten pay-per-view channels available, take a foreign language class, play video games (generally provided by subsidiary, Atari), or vote on local talent shows where contestants stayed or went home, in addition to watching television programs on the ten local and ten cable networks. Within a few months, 20,000 out of Warner's 27,000 subscribers in the Columbus area had signed up for QUBE ("Glued to the Qube," 62).

In September 1979, eager to enter the communications business, American Express Co. bought a 50% interest in WCI's cable television division for approximately \$175 million. Warner Amex launched Nickelodeon (based on its Pinwheel children's network on QUBE) and The Movie Channel in 1979, and MTV in 1981. Nickelodeon began with thirteen hours of programming during the week, and fourteen hours on the weekends, and all the programs were original shows (Mullen, 121). Besides its use of original children's programming, one of the primary factors differentiating Nickelodeon from other networks at the time is that it did not carry advertising, at least not until the mid-1980s. Of course, another of Warner Amex's high-profile ventures, MTV, built its very foundation on advertising. By showcasing twenty-four hours of music videos by contemporary recording artists, MTV's initial programming in and of itself was advertising. By its second year as a network, MTV was available in 8.5 million homes, the fastest growing network up to that time (Christian Williams, E1). The Movie Channel was a premium movie service, designed to compete with HBO. It was never quite as successful as HBO, and by 1982, the studios Paramount and Universal as well as the growing cable company of Viacom bought shares into The Movie Channel in order to strengthen it as a competitor.

As promising as these ventures initially appeared, Warner Amex had still not made a profit three years after the two companies had entered into the partnership. In 1982 alone, Warner Amex lost \$30 million (Merrill Brown, F1). By 1983, the joint venture of Warner Amex had spent a total of \$800 million, but had only grown to 1.3 million subscribers nationwide (Salmans, D1). In fact, Warner Amex had fallen to be only the fifth largest cable systems company in the nation.²⁹ Part of the problem was the company's strategy to wire the major cities, which had more governmental regulations and which already had, in many cases, more viewing options than the big three networks. Indeed, wiring for cable in major cities ran between \$50 and \$100 million (Tony Schwartz, "Corporations Look," B31). The monthly fee in many of these areas was too low for Warner Amex to break even; in fact, the company was spending nearly \$600 per customer, a figure too high to be met by a \$5 or \$10 monthly fee (Salmans, D1). In addition to Warner Amex's franchising problems, QUBE suffered a number of setbacks in 1984 as first the QUBE network was shut down, then a number of the system's interactive features were cut. Nearly three-quarters of QUBE subscribers never used any of the interactive features of the system. Six years after its launch, QUBE had not made a profit; indeed, it had suffered more than \$30 million in losses during this period (Bedell Smith, C25).

A year later, American Express wanted out of the communications business, and WCI bought back its 50% interest for \$450 million, and assumed the joint venture's \$500 million in debt (Fabrikant, "Warner to Buy," A31). Later that year, Viacom International Inc. purchased several of Warner Amex's most promising ventures for \$500 million—Nickelodeon, MTV, and Warner Amex's remaining shares in The Movie Channel. At the

²⁹ Time Inc. actually was the second largest cable system in the nation, with 2,267,000 subscribers by 1983 (Salmans, D1). Thus, Time's cable operations were especially attractive to WCI, as it had faltered in this area during the 1980s.

time of purchase, Viacom was the eleventh largest cable operator in the country, and was seeking to become one of the biggest media companies in the nation (Fabrikant, “Warner to Buy,” A31). With this purchase, Viacom increased its cable programming networks to four (it already owned Lifetime). With the sales of these networks, however, WCI no longer provided any cable programming.

By the mid-1980s, governmental regulation of the entertainment industry had begun to relax, and the major film companies benefited from this relaxation. The federal government loosened then effectively abolished the forty year old *Paramount* Decree, thus allowing a formal return to vertical integration. Columbia Pictures was the first major studio to re-assume vertical integration in 1981 when the company purchased the Walter Reade Theater chain.³⁰ MCA/Universal continued this trend in 1986 when it purchased Cineplex Odeon’s 395 theaters in North America for \$159 million (Holt, 337). By the end of 1988, the major studios owned 3,500 of the 22,000 screens in the United States, a percentage equal to their ownership back in the Classical Hollywood era (Holt, 337). In 1989, a decision by Federal District Judge William C. Connor claimed that “changes in the marketing and distribution of films since the *Paramount* suit was originally filed completely eliminated any reason for maintaining the decree” (Holt, 340). Indeed, in that same year, WCI was granted the right to a partial stake in over a hundred Cinamerica theaters by the Second Circuit U.S. Court of Appeals without restrictions (“2nd Cir. Grants”). WCI successfully argued that its stake in the theater chain did not bar other exhibitors from entering the business, nor did it reduce competition in that market.

Needless to say, this governmental policy and the development of new technologies like cable and video games encouraged further accrual of diversified media interests. Certainly, WCI’s partial stake in the Cinamerica theaters signified these larger

³⁰ However, Columbia was not bound to the consent decree the way other studios like WCI were; it did not own theaters during the Classical Hollywood period.

trends affecting the industry. Likewise, the company's multiple attempts to expand into other media—particularly into video games with Atari and into various cable holdings—demonstrated WCI's understanding that diversification was an essential strategy to achieve stability in the changing entertainment marketplace. WCI's *Superman* franchise presented opportunities for expansion into the company's other holdings, but ultimately the films' declining box office returns could not sustain its multimedia interests. Indeed, as the 1980s were coming to a close, WCI was more dependent upon its film arm than it had been earlier in the decade, as it had sold off Atari and many of its cable holdings. Without a new multimedia franchise available, the forecast for profitability in its film division hardly looked rosy. And without significant divisions in other media, WCI's weaknesses were clearly apparent, particularly as rival media companies began to expand.

STATE OF FLUX: BUILDING MEDIA CONGLOMERATES IN THE LATE 1980S

Although film studios had become part of giant conglomerates in the 1960s as part of the second period of the New Hollywood, few of those companies had multimedia interests. In the 1970s and '80s, many of these companies began to streamline their assets into primarily media-related endeavors, as I chronicled with WCI. On the one hand, it demonstrated the industry's growing understanding of the importance of multiple media arms under one corporate umbrella. On the other hand, the ability for a film studio to even purchase a television production arm and, later in the decade, its own broadcast and/or cable networks, signified a change in governmental policy since the *Paramount* Decree in 1948. The popularity of the VCR and the competition from cable helped the studios challenge two FCC rules adopted in the early 1970s regarding financial interest and syndication. The Financial Interest and Syndication (Fin-Syn) Rules restricted the

number of hours of programming produced by the networks themselves. It also prohibited the major networks from syndicating their programs or from having a financial interest in programs aired on their networks that were later syndicated (Mullen, 67). With the Reagan and George Bush administrations during the 1980s, the rules regarding Fin-Syn gradually became more and more relaxed. The developing technologies of cable and the VCR, coupled with governmental deregulation, effectively opened the door for companies to amass additional media outlets and build themselves into transnational media conglomerates. As a result, the mid-1980s and 1990s saw a number of mergers and acquisitions to build larger and larger global media conglomerates. However, three high-profile mergers of the late 1980s indicated the scale of conglomeration necessary to succeed in this changing new media environment.

After a failed attempt to acquire WCI in 1984, Rupert Murdoch announced in March 1985 that he would purchase half of the troubled Hollywood studio Twentieth-Century Fox and add it to his growing company, News Corporation Ltd.³¹ News Corp. owned several prominent U.S. newspapers including the *Chicago Sun-Times*, the *Village Voice*, and the *New York Post*, in addition to a television network in Australia and a satellite superstation in Europe, which distributed programs to various networks across the continent. Although Fox had distributed three of the most profitable films of all time—the three *Star Wars* films—it had trouble producing its own blockbuster films and franchises. Indeed, Fox’s debt level was over \$400 million at the time of the merger, and it had not had a hit film at the box office for over a year (Schrage, B1). Murdoch was interested in the studio as a source of product to feed News Corp.’s growing global television networks, particularly with Fox’s extensive film and television library.

³¹ By September, Murdoch bought out (former) oilman Marvin Davis for his half of the studio, and 20th Century Fox thus became a full subsidiary of News Corp.

While many in the industry and on Wall Street were shocked that an Australian company bought one of the foundational Hollywood studios, it was no where near the shock wave News Corp. sent through the industry later that year when it announced the purchase of several independent television stations in the U.S. and plans to build a fourth television network. In May, Murdoch purchased six television stations in Los Angeles, New York, Chicago, Dallas, Houston, and Washington, D.C. from Metromedia Inc. for \$1.5 billion, in what was then largest sale of independent television stations in the history of the industry (Purdum, D1). In October, he announced that the stations would be affiliated with the new Fox network. In response to the news, many in the industry were skeptical that Murdoch could actually build a fourth network, particularly by relying on (formerly) independent stations. According to one unidentified senior television executive, the task was a formidable one:

You have tremendous obstacles in starting a network. . . . You have program development, you have an infrastructure to collect, you have to gather the news, the equipment involved is expensive, you have thousands of employees. It's a big deal. The three networks pay more than \$100 million each to their affiliates (qtd. in Kaplan, C1).

Although this executive does not mention it, one of the other large hurdles that faced new networks was the inability to earn revenues from syndication. Upon the announcement of the Fox network, the FCC's deputy director of mass media, William H. Johnson, claimed that the regulatory organization might waive those rules for Fox because "The commission would like to have more people in competition" (qtd. in Kaplan, C1). A second FCC executive, William Russell, seconded this claim: "I would say they [the FCC] might be generally sympathetic to proposals that would create alternative competition" (qtd. in Kaplan, C1). The Chairman of Fox, Barry Diller, recognized the network's competitive advantage in this regard:

[I]f you can link together production and distribution in the television business, you can face enormous growth. If you have one good idea—‘Family Ties’ or ‘Who’s the Boss’—and you cause it to be produced and it goes on your own stations as well as other stations, you take a profit, because you make the program and you get adjacent advertising revenue on your own stations and, as a distributor, you get a profit from its success. That’s pure vertical integration. If our networking works, our owned-and-operated stations will be worth three or four times what they are worth today (qtd. in Harmetz, “Fox’s Barry Diller,” B1).

Of course, vertical integration was only afforded the upstart network at this time, but would become more industry-wide in the 1990s.

The Australia-based company was not the only foreign company interested in entering the U.S. entertainment market; the Japan-based Sony Corporation bought CBS Records in 1987. Sony was one of the world’s leading electronics companies, particularly with leisure items such as the Walkman, a portable music device. CBS Records was the world’s largest record company at the time, and accounted for nearly forty percent of CBS Inc.’s profits in 1986 (Fabrikant, “CBS Says,” A37). Sony was looking for “software” to promote and integrate with its “hardware”; a music company fit in with Sony’s array of audio products like the Walkman. Late in 1989, Sony continued its expansion as a media conglomerate when it announced the purchase of a film studio, Columbia Pictures Entertainment, Inc. The move into the two industries was a result of the company’s failure with Betamax earlier in the decade. Claimed media analyst Evan MacArthur:

Sony is still feeling the impact of the failure of Beta to become the dominant format for the home-video industry. . . .They created a format that was clearly superior to VHS, but they lost the war because they didn’t own the software. The major American suppliers told consumers that certain hit movies would only be available on VHS even though Beta was a superior system. Sony doesn’t want that to happen with their new technologies (qtd. in Blowen).

Clearly, control of product signified control of media format. Sony’s loss to Matsushita’s VHS video cassette recorder encouraged the company to be more involved with the

creation of media to complement the other divisions of the company. This idea is foundational to the media conglomerate, whether the divisions be print- and television-based, like News Corp., or manufacturing-based, like Sony.

Another high-profile merger emerged at the end of the decade, although this one did not have the same implications as a transnational corporation. Late in the 1980s, WCI sought to increase its presence in the television market, where its presence lacked. The television arm of Warner Bros. had been producing shows continually since *Warner Bros. Presents* in the 1950s,³² and had a few prime-time shows among the top ten in the Nielsen's ratings in the 1980s, including *Growing Pains* (1985-1992). But Warner Bros. Television produced no first-run syndicated programs, and it produced only a few hours of programming for the three major networks (Egan, 54). It trailed its rivals, much like it did in its film and cable divisions.

As the leading production company for television programming, Lorimar-Telepictures³³ supplied twelve hours of prime-time programming to the major networks for the 1987-88 season, including *Dallas* (1978-1991), *Alf* (1986-1990), and *Full House* (1987-1995), and sixteen and a half hours of first run syndication programs, including *The People's Court* (1981-1993), *Love Connection* (1983-1999), and *Mama's Family* (1983-1990) (Gillott). During the mid-1980s, Lorimar had expanded into television stations, feature film production, advertising agencies, and children's book publishing in order to create a mini-studio. But the company's overly ambitious plans led to enormous financial losses, and by the next year, sales, profits, and assets had slipped significantly. Indeed, for the fiscal year ending in March 1988, Lorimar had an operating loss of nearly \$83 million, including \$45 million in losses from five films and \$22 million in its home

³² For example, Warner Bros. Television produced *Alice* (1976-1985), *The Dukes of Hazard* (1979-1985), and *Spenser: For Hire* (1985-1988).

³³ Lorimar-Telepictures was formed by a merger in 1986 between Lorimar Inc. and Telepictures Corp., both producers of television programming.

video unit (Gillott). By March 1988, Lorimar was seeking a merger with a larger company willing to assume its growing debt.

Lorimar's significant presence in both prime-time and the first-run syndication market was an attractive complement to WCI's anemic television arm. In a \$619 million stock swap, WCI merged with Lorimar and assumed its \$550 million in debt, for a deal nearing \$1.2 billion. The merger was not consummated, however, until January 1989, after Lorimar sold its last television station. Although the television stations might have been attractive to WCI executives hoping to expand the company's television presence, the company's deal with Chris-Craft Industries—the biggest shareholder in WCI, with over 20%—prohibited WCI from owning or acquiring any stations. Chris-Craft, a company with broadcasting interests, filed suit in New York to block the merger until the television station situation had been sorted out. With the last station sold, the Lorimar-WCI deal would make WCI the largest Hollywood-based entertainment conglomerate. It was, however, the appetizer to a much bigger meal that was simmering on the backburner: a merger with Time Inc. Influenced by the transnational companies News Corp. and Sony, the merger with Time Inc. would create the largest media conglomerate in the world.

Thus, as WCI teetered on the brink of its merger with Time Inc., the company and the industry were at a crossroads. The key aspects of media conglomeration were hardly new features of the industry, as I have profiled in this chapter, but synergy, new technologies, and the ability to diversify because of decreased governmental regulation coalesced into a conglomerate wave that dominated the industry in the 1990s. WCI's merger with Time Inc. was concurrent with the launching of its multimedia franchise, *Batman*. Like WCI's inaugural multimedia franchise, *Superman*, *Batman* had the capability of expanding into every division of the newly merged company. As such, it

provided the franchise template for Time Warner as it moved into the media conglomerate era.

Chapter Three: “The Elements React Synergistically”: Time Warner and the *Batman* Franchise

Each product only contains one component. The elements react synergistically, in combination. Hair spray won't do it alone. But let's say...hair spray and perfume and lipstick will be toxic and – untraceable.

- Batman to Vicki Vale in *Batman*

For a film franchise to be profitable, the film itself must be accompanied with a slew of other media products. As Batman tells photojournalist Vicki Vale, one product is not powerful enough—it is only in combination with other products that their greatest potential can be achieved. It is an apt insight about synergy by Batman given his place in Time Warner history. In 1989, a few months before the blockbuster *Batman* was released in theaters, Time Inc. and Warner Communications, Inc. announced the merger of the two companies, a merger which would create the largest media corporation in the world. In the wake of this announcement, journalists and media analysts struggled with the meaning behind the spate of media mergers that occurred in the last half of the 1980s, including the 20th Century Fox and News Corp. merger and the Sony Corporation and CBS Records merger. In a June 1989 article for *The Nation*, Ben H. Bagdikian stressed that in the case of these mergers, and the recently announced Time Warner merger,

each of these planetary corporations plans to gather under its control every step in the information process, from creation of “the product” to all the various means by which modern technology delivers media messages to the public. “The product” is news, information, ideas, entertainment and popular culture; the public is the whole world (805).

For Bagdikian, this trend was a worrying one, particularly regarding “the product,” for the corporations’ “grand strategy of synergism, increases what already is a drug on the market: commercially safe, generic, all-purpose books, films and TV programs” (815).

On the other hand, in an article for *Newsweek* also published in June 1989, Joshua Hammer decried “The Myth of Global Synergy,” claiming that “It sounds great—but is difficult to execute” (54). Indeed, Hammer argued that “the notion that bigness will lead to profitable synergies may rest more on hype than reality” (54). In both arguments, however, synergy stood as the base strategy of the newly forming media conglomerates like Time Warner.

Synergy, a word invoked in most coverage of the Time Warner merger, is a company’s attempt to bring “together groups of information and entertainment media that could be used to cross-promote each other’s products” (Prince, 51). The key driving force in the pursuit of synergy proved to be a franchise film like *Batman*. The franchise film is meant to be a launching pad for future movies, tie-in video games, and merchandise available at local department stores, among other ventures. The development of media conglomerates since the late 1980s has ushered in an era of larger and higher grossing franchises, in an effort to capitalize on a film’s success through (nearly) every arm of the company. For example, in its *1993 Annual Report*, Time Warner used *Batman* as its prime example of synergy. Radiating from the iconic Batman symbol used for the 1989 film were examples of the other media formats through which the property could be pushed: comics, licensing, theatrical, video, pay television, U.S. network television, animation, syndication, theme parks, and music (10). Nearly all of these formats had a corresponding division within Time Warner. The *Batman* property thus exemplified Time Warner’s “World-Class Marketing and Distribution” capabilities across multiple media (10).

With the success of *Batman* and the announcement of a new media conglomerate composed of two old media companies, 1989 marked a change for Warner Bros. and for the entire film industry. This merger, and the company’s first franchise, ultimately

pointed the direction film studios needed to take in order to succeed in an entertainment world increasingly defined by synergy, branding, and new media technologies. In the years after the release of *Batman*, Time Warner continued to diversify its assets and expand into new media technologies, both of which helped promote its premiere film franchise in other venues. Eventually, though, Time Warner's status as the world's largest media conglomerate was overtaken, as the company began to struggle in both its franchise focus and in its expansion, particularly in new media. By the end of the decade, Time Warner's key franchise was nearly dead, and it had not regained its status as the world's largest entertainment conglomerate. The company's and the *Batman* film franchise's fortunes were intimately linked during this period, crucial elements that, in fact, reacted synergistically during the entire 1990s.

BATMAN MEETS TIME: THE TIME WARNER MERGER

Although the merger between Warner Communications Inc. (hereafter, WCI) and Time Inc. was announced in March 1989, a few months after the Lorimar-Telepictures and WCI merger was completed, the deal had been in the works for nearly two years. The merger with Time Inc. was paramount to building WCI into an entertainment powerhouse to compete with the newly formed global entertainment conglomerates amassed by Sony Corporation and News Corporation. As discussed in the previous chapter, News Corp. purchased Hollywood studio 20th Century Fox in 1985 and launched the fourth television network, Fox, in 1986 while Sony purchased CBS Records in 1987 and purchased Columbia Pictures Entertainment Inc. later in 1989. These acquisitions, however, sparked fears that an unprecedented foreign raiding of American companies was nigh. In part, foreign interest in American companies was due to the devalued dollar in the world marketplace. For another reason, governmental policies kept

many American companies from integrating across media—specifically, companies which owned cable interests could not own a major network. Mario Gabelli, who owned over three million shares of WCI in 1989, claimed that “keeping American communications companies based in Hollywood and New York rather than Tokyo or London is very important.” To ensure this, he argued that “U.S. companies need megamergers to create critical mass. Congress has got to wake up and allow U.S. companies to accomplish that” (qtd. in Gold, “Time’s Move,” 3). Likewise, Steve Ross, the Chief Executive Officer (CEO) of WCI, stressed that American media companies were losing ground to foreign competitors: “Now Warner is the only major American record company left. CBS Records belongs to Sony, a Japanese company. RCA’s record division is part of Bertelsmann of West Germany. Capitol Records was bought by EMI, an English company” (qtd. in Scardino, “Companies Hope,” A38). Time and WCI’s merger was often framed in the press as the two American media companies coming together to fight off a “foreign invasion” (Lieberman, “Keeping Up,” 32).

On the other hand, the holdings of both Sony and News Corp. demonstrated the need to own multiple media outlets in order to compete in worldwide entertainment enterprises. Argued Floyd Norris of the *New York Times*:

The merger would insure Time Warner a place in the 1990’s as one of a handful of global media giants able to produce and distribute information in virtually any medium. The companies said the deal would help the United States compete against major European and Asian companies (A1).

Ross equated the Time Warner merger with the ability to be the leading entertainment company in the world: “We’re competing with the multinationals of many, many countries. . . .Entertainment is probably America’s No. 2 net export. Now we’re No. 1 in that industry” (qtd. in Lieberman, “Keeping Up,” 32). As Ross’ quote indicates, the Time Warner merger was presented as a necessary step in order for American

entertainment companies to compete on a global scale with the likes of Sony and News Corp. The merger created the largest entertainment conglomerate in the world, and propelled the newly formed company to the forefront of American industry. In the previous few years, neither WCI nor Time Inc. had found a place on *Fortune*'s annual list of the top 500 service companies.³⁴ In the survey for 1990, the first year they filed as a joint company, Time Warner emerged as the number four service company in the nation, ahead of any of its peers ("The Service 500," 1991, 260).³⁵ Clearly, the merger propelled the company to new heights that were unattainable as separate entities, and gave it a base to compete in the global media environment of the coming decade.

The advantages of the Time and WCI merger were not limited to a more favored status on Wall Street, or in the competitive global marketplace. The merger of Time and WCI's assets had the potential for many synergistic enterprises. For Time Warner, specifically, this meant that "the combination of distribution channels clearly offers opportunities to recycle the information and entertainment produced by the combined company's varied units" (Lieberman, "Will It Happen," 34). Many articles covering the merger suggested potential avenues of synergy within the company. For example, *Newsweek* writer David Pauly suggested that "Warner's film studio, Warner Bros., could make movies exclusively for HBO, attracting new subscribers" (41).

The assets of the two companies did provide ample opportunities for synergy. The largest magazine publisher in the United States, Time featured four key, profitable magazines: *Time*, *People*, *Sports Illustrated*, and *Fortune*. The magazine division of

³⁴ Until the 1995 annual survey, *Forbes* separated the Fortune 500 Companies from the Service 500. The Fortune 500 companies dealt primarily with manufacturing industries, such as car manufacturers like General Motors and chemical producers like Du Pont. The Service 500, however, included telecommunications, retail, banking, and broadcasting companies, among other fields. The change reflected the "new economy" as many companies had interests in both the manufacturing and service industries. See Stewart Thomas, "A New 500 for the New Economy," *Fortune* 15 May 1995: 166+ for additional information.

³⁵ Disney was the closest entertainment company, ranking number eighteen for the year 1990.

Time was valued at \$4.1 billion alone (John Schwartz, “The Counterattack,” 50). Time also controlled several book publishing units, including Time-Life Books, Little, Brown & Co., and Scott, Foresman & Co. In addition to its publishing interests, Time held substantial cable interests. First, it controlled HBO, the largest pay cable television network in the United States, with over 17 million subscribers in 1989 (John Schwartz, “The Counterattack,” 50). Time also owned 82% of the second largest cable television operator in the United States, American Television and Communications Corp., which had an independent value of \$6.7 billion (John Schwartz, “The Counterattack,” 51).

Time was performing solidly, but the company was ill equipped to deal with the technological and economic challenges envisioned in the coming century. In 1980, the video arm of the company earned more than all of the magazines together and by 1982, the video holdings were responsible for two-thirds of Time’s profits (Munk, 25). Indeed, the chief executive officers realized that the market for traditional magazines was shrinking at an alarming rate, and their best hope for the company lay in the video and cable holdings. An internal draft memo in May 1988 stressed this very point: “Given the consumer market we face today, we believe Time Inc. is significantly underleveraged in video programming. We will be more so in the years ahead unless we make this the focus of our investment strategy” (qtd. in Clurman, 155). The merger with Warner ensured that “Time would become more and more an entertainment company,” a fact that was lamented by many in the news industry (John Schwartz, “The Counterattack,” 50). But the merger would give Time’s most valuable assets—the cable divisions—a much more significant base with which to compete.

The March announcement of the merger between WCI and Time Inc. would lay the foundation for future media giants to build upon, as it combined leading divisions in film, television, cable, music, and publishing under one company. Before the merger

could actually take place, however, Paramount Communications attempted a hostile takeover bid for Time in early June. Initially the Time and Warner merger was to be a stock-for-stock transaction, thus resulting in no debt for the new company, but Paramount's threat forced Time to buy WCI outright for \$14 billion. Because Time stockholders did not have the opportunity to vote for Paramount's bid—a move which would have greatly increased their profits—Paramount filed suit in the Delaware Chancery Court to stop the stock purchase. The motion was denied in July on the grounds that the Time and Warner merger was in the company's long-term best interests. Ultimately, Time's shareholders would financially benefit most from the Paramount merger, but the company itself might suffer in the long-term, especially since leaders at Paramount were discussing how they might sell off different components of Time Inc. Claimed Chancellor William Allen, "Directors, not shareholders. . .are charged with the duty to manage the firm" (qtd. in Schwartz and Friday, "Time Inc.," 50). This decision allowed the Time and WCI merger to occur, thus providing the template for the contemporary media conglomerate and the foundation for the conglomerate era.

BATMAN: THE TEMPLATE OF THE MODERN FRANCHISE

In the process of devising a defense to Paramount's stock offer, executives at Time and WCI referred to each other via the code names of "Joker" and "Batman," respectively (John Schwartz, "The Counterattack," 49). The company's impending merger was thus tied to the newly forming company's first blockbuster property, *Batman*. It was with *Batman* that Time Warner would firmly establish why the media conglomerate's entire array of assets were so important to the franchise film, and why the long-term strategy offered by the Time and Warner merger made the most sense in the changing entertainment marketplace. As the lineup for the summer of 1989 began to

solidify, it was abundantly clear that the fledgling *Batman* franchise would face intense competition for box office dollars. The project was daunting, and faced a number of starts and stops in its long road to production. For WCI, however, the launch of the franchise so soon after the announced merger with Time Inc. proved fortuitous. As the two companies became linked, so too did the project's fortunes become linked to the conglomerate. Indeed, the story that Steve Ross called Warner Bros. studio head Mark Canton to congratulate him after the opening day grosses and suggest that the film's success made the merger happen may not be true, but it provides a telling foundational story for Time Warner (Griffin and Masters, 173).

Although the Batman comic was (and continues to be) produced by WCI subsidiary DC Comics, the feature film rights to the property initially were not the company's. Michael Uslan and Benjamin Melniker purchased the rights to make a feature film based on the Batman comics in 1979. Uslan had taught the first accredited college class on comic books at Indiana University in the 1970s, but neither he nor his business partner Melniker had production experience in film. They tried to set up the feature film at every Hollywood studio, but no one took the pair or the project seriously. Uslan and Melniker then signed a deal with Casablanca FilmWorks Ltd., a film production company operated by Jon Peters and Peter Guber. Casablanca's biggest successes to date were *The Deep* (1977), based on a best-selling novel by Peter Benchley (writer of *Jaws*) and the sixth highest film in domestic rentals for 1977 with \$31 million, and *Midnight Express* (1978), which had won two Academy Awards for Best Musical Score (Giorgio Moroder) and Best Adapted Screenplay (Oliver Stone). Peters and Guber were best known for their innovative marketing strategies, pioneering synergistic campaigns for films like *Midnight Express* and *A Star is Born* (1976).³⁶ Peters and

³⁶ Peters convinced Barbara Streisand to do a remake of *A Star is Born* as part of a rejuvenation of her image. One of his most important contributions to the film was the staging of a concert in order to get

Guber moved their company from Polygram to Warner Bros. early in the 1980s, renaming it the Guber-Peters Entertainment Co. During the 1980s, several drafts of screenplays based on Batman had been commissioned by executives at Warner Bros., but none found the right tone.³⁷ Refusing to re-create the campy nature of the 1960s television show, Warner executives and the producers could not figure out how to have a darker version that could appeal not only to fans, but also to a mass audience.

With the success of Frank Miller's graphic novel *The Dark Knight Returns* in 1986, the time seemed right for a darker version of Batman onscreen. Miller's graphic novel not only sold well in the specialty comic shops, but also in mainstream book stores as WCI packaged it into paperback form through its publishing division. Sam Hamm, a contracted writer at Warner Bros. and a lifelong reader of comic books, drafted a screenplay in 1986 partially based on the tone of the recent graphic novels, including Miller's, featuring complex character psychology and motivation. According to Peters, this was what jumpstarted the dormant project: "I wanted to do a real aggressive picture, and it wasn't until we got the Sam Hamm script that we found the rough, dark edge we needed." (qtd. in *Official Movie Souvenir Magazine*, 29). According to Hamm, his goal on the project was to make Batman "real": "My instructions were to make it real. I felt that gave me a license to treat the material seriously as opposed to getting the yocks out

footage of Streisand singing to be used in the film. He also charged admission to the concert, using it as an additional revenue source as well as a stunt to publicize the film. Guber bought the rights to a story he had seen in a newspaper about an American man who escaped a Turkish jail after being caught with drugs. With the man and a literary agent, he outlined a book while at the same time commissioning the screenplay. The book's careful release a few months before the movie opened authenticated the story as real, and gave a huge promotion for the film's release. Both events are recounted in Diane K. Shah's article, "The Producers."

³⁷ In an interview seen in *Shadows of the Bat: The Cinematic Saga of the Dark Knight Part 1: The Road to Gotham City*, Warner Bros. studio head Mark Canton identifies filmmakers like Joe Dante and Ivan Reitman as interested in bringing Batman to the screen. In the same film, *Batman* screenwriter Sam Hamm discusses how earlier drafts of the screenplay ranged from the comedic (with Bill Murray as Batman) to Art Deco-influenced period pieces. Both of these interviews suggest that the studio had a hard time getting away from the comedic nature of the 1960s television series as they initially developed the project.

of it. Once you try to ground the characters in the real world, the plot basically generates itself” (qtd. in *Official Movie Souvenir Magazine*, 47). Through a mutual friend, Hamm’s draft was forwarded to Tim Burton, a young filmmaker who had made two of Warner’s most recent successful films, *Pee Wee’s Big Adventure* (1985) and *Beetlejuice* (1988). Burton liked Hamm’s draft and became attached to the film, although the project was not greenlit until *Beetlejuice* emerged successful at the box office in March 1988.

Even though the graphic novels of the 1980s paved the way for a darker Batman story, committing that story to film proved to be very difficult. Hamm’s screenplay was too dark for a child-friendly film, and it also stuck pretty close to the Batman mythology that had been built since his debut in comics in the late 1930s. The majority of franchise films successful at the box office in the 1980s were rated PG and functioned as family films, including the *Star Wars* films, *E.T. the Extra-Terrestrial*, and the *Superman* films.³⁸ On the first page, he describes Gotham City as “The city of tomorrow: stark angles, creeping shadows, dense, crowded, as if hell had erupted through the sidewalks,” which is obviously not the kind of world that is appropriate for children in the audience (Hamm and Skaaren, 1). Likewise, an early draft of his screenplay had the Joker send Vicki a bouquet of severed ears rather than dead flowers, as done in the final film. Hamm made several attempts at the screenplay before the 1988 Writer’s Guild strike rendered his services impossible. After the strike was over, the studio brought in script doctor Warren Skaaren to lighten up the story as well as tailor the Joker and Batman characters to the two stars, Jack Nicholson and Michael Keaton. When Lucy Fisher, the Executive Vice President of Production for Warner Bros., sent Skaaren Hamm’s latest draft in late August 1988, she told Skaaren that “Here is the new draft of Batman. We

³⁸Indeed, the classification PG-13 was created following the theatrical release of *Indiana Jones and the Temple of Doom* (1984) as a result of families bringing children to the see the film only to find situations and images too intense for younger viewers.

love the movie but we need you!” (Fisher). Upon Skaaren’s initial review of the draft, he noticed several problems with the script: it had a “crippled” structure; it had little “credible character conflict;” and there was too much action and too little plot development (Skaaren, “Bat Hand Notes”). Regardless of these issues, Skaaren believed that they had “a \$200 million movie” (Skaaren, “Bat Hand Notes”). His job was to fix each of these issues before production began in October 1988.

In addition to these problems which needed addressing, the producers also wanted the screenplay to reflect more of Batman’s traditional gadgets, presumably to tie-in to merchandise and toys being developed in connection with the film. Regarding a scene where Bruce Wayne uses a filofax to stop a bullet, the producers asked for a Bat-gadget to be used instead, claiming that “The point of a movie called BATMAN is to see BATMAN using a Bat device to be used to save him.” In a scene where Vicki Vale discusses bats with Batman, the producers noted: “Let’s make sure we see the various amazing functions of his cape.” When the Bat-signal was removed from the ending of the film, the producers asked “[I]s it possible to use it elsewhere?” Finally, the producers were very concerned with the appearance of the Batmobile, and responded to a scene where it was unclear what happened to the vehicle: “We would really like to see it drive out unscathed” (all quotations in this paragraph from Warner Bros. and The Guber-Peters Company). Through several drafts of his screenplay, Skaaren addressed these concerns.

Skaaren’s addition was not only to lighten the film and re-structure it. Through his previous work on the *Beetlejuice* script, he had developed a close relationship with Burton, a young filmmaker new to big budget filmmaking. The producers attempted to surround Burton with a crew with extensive experience on blockbusters because of the importance and scale of the film. Skaaren had previously worked on the screenplays for *Top Gun* and *Beverly Hills Cop II*, the top films in terms of domestic rentals for 1986 and

1987, respectively. In addition, the selected London-based crew had worked on a number of big budget films, particularly for Warner Bros. Art Director Terry Ackland-Snow had worked on Guber-Peters' *The Deep*, the first two *Superman* films, and a James Bond film, *The Living Daylights*. Set Decorator Peter Young had worked on all four *Superman* films. Nick Dudman, who designed the make-up for the Joker, had done make-up work in *Superman 2*, *The Empire Strikes Back*, and *The Return of the Jedi*. Derek Meddings, who did special effects for the film, had worked on several James Bond films as well as the first two *Superman* films. Although Burton was new to working on a blockbuster scale, the producers made sure he was surrounded by experienced individuals, highly skilled in their fields for this type of production.

Even with these precautions, the production was not without its problems. As the film was in the middle of production in December 1988, the *Wall Street Journal* featured an article about fan frustration with the pending *Batman* film. Suggesting that in the feature film version, "The caped crusader may turn out to be a wimp," both the writer and fans criticized the choice to cast Michael Keaton in the dual roles of Bruce Wayne and Batman (Kathleen Hughes, F1). Described as having a "receding hairline and a less-than-heroic chin," in addition to a less-than-imposing physique, Keaton simply did not look the part of Batman in many fans' estimations (Kathleen Hughes, F1). Burton's limited background as well as the casting of Jack Nicholson as the Joker also were seen as problematic for many fans. Worried that the film would mimic the television show's campy tone, fans wrote protest letters to DC Comics and Warner Bros. The fracas in the *Wall Street Journal* and other publications brought national attention and publicity to the film production, but it also demonstrated that the fans needed some indication of the film's direction if they were to believe in the production. Producer Peters responded by rushing a thirty second trailer of the film to theaters by Christmas. The trailer, which

simply featured scenes from the movie without music or crediting of the stars' names, premiered at the Westwood Theater in Los Angeles in secrecy. The trailer received a standing ovation at its conclusion, and achieved its effect of counteracting the negative press as word of the trailer got out.³⁹ Said Tim Burton regarding this initial trailer: "It was meant to kind of stop the negative rumor mill, I think. It was a way to kind of a way to stop the campy camp talk" (qtd. in *Shadows of the Bat Part 3*). Yet, even though the trailer's tone indicated that the film would not mimic the television show's campy nature, fans were still debating the casting after the film wrapped production. In April 1989, an article in the *Austin American Statesman* discussed fan's apprehension of the film and DC Comics writer Ralph Cabrera claimed that with Keaton, "It's like Rodney Dangerfield in a Bat-suit. . . . [Y]ou'll laugh at it" (qtd. in Altaner).

Certainly with his background in comedies, Burton's role as the director of *Batman* provoked anxiety about a return to the tone of the 1960s television series. However, Burton wanted to skew the film much darker, and much more in line with the tone of the 1980s graphic novels, than the producers were comfortable with. Burton tried to promote Bruce Wayne more as a lonely outsider, but Jon Peters pushed for someone more relatable and heroic to the audience. Indeed, in the original screenplay by Hamm, Vicki Vale dies by the hand of the Joker, an ending Burton embraced but Peters deplored. Peters also requested more romance be present in the film, which led to arguments with Burton, who would leave the set visibly upset (Griffin and Masters, 169-171). Once production was underway, Peters insisted on changing the climax to add more excitement and action and to create a lighter mood, a situation that was confusing to Burton and the

³⁹Indeed, an article in *USA Today* in February 1989 focused on the reaction to the trailer. Alan Silverman, the president of a chain of theaters in Chicago, claimed that "If the reaction to the trailer is any indication, this will be one of the biggest-grossing movies of all time" (qtd. in Spillman, "Fans Batty," A1). The article also discusses teenagers in San Jose, California, buying tickets to films showing the *Batman* trailer, just to watch it again, while pirated video cassettes of the trailer were selling on the streets of New York City.

actors involved. Burton was not sure what to tell his actors as they prepared to shoot scenes for the climax at Gotham Cathedral:

The bones of it were there. But I remember. . . I remember, like, Jack [Nicholson] being down at the bottom of the stairs and going, “Why am I walking up the stairs?” And I had no answer for it. I said something like, “Well, I don’t know, I’ll let you know when you get up there” because we were still like working on it, you know (qtd. in *Batman* Audio Commentary).

Burton himself could not explain the motivation of the Joker to go up the Cathedral stairs. Even in earlier drafts of the screenplay, the climax was a key concern. In September 1998, a memo from Guber and Peters stressed that the climax needed a lot of work: “The finale is complicated. We have given some notes below about the climax on the churchtop, but we do recognize that this too needs to be discussed more thoroughly” (“Batman—Notes on Second Draft,” 1). Hoodlums from Joker’s gang suddenly and inexplicably appear and assault Batman in the final version of the film. Certainly, the hoodlums added a bit of action to the scene, and the circus-like music made the atmosphere of the climax much lighter. But the climax never gels between these lighter aspects which were suggested by Peters, and the darker aspects favored by Burton.

Another problem the production faced were rumors about its budget. Reports of budget trouble began to regularly appear in the press beginning in January 1989. For example, *Premiere* reported that high-level Warner executives were sent to London to oversee the film’s final stages. The article quotes Rob Friedman, then the President of Worldwide Advertising and Publicity for Warner Bros., downplaying the trouble on the set: “We’re in London because we believe this is a very important movie for our future, and we want to show our support” (qtd. in “Et Cetera,” 22). However, reports of the film’s budget troubles continued to be reported in a cover story in *Variety* a month later under the title “Hush-hush ‘Batman’ Wraps Shooting; \$30-mil’s the Talk.” In 1988, the average negative cost for a film was just under \$20 million, with an additional \$8 or \$9

million in print and publicity costs (Prince, 21). As the *Variety* story indicates, *Batman*'s (rumored) budget was seen as exceptional for the time.

Although pleasing the fans was one goal of the filmmakers, the film still had to open to a wider audience if it was to be successful, especially given its hefty production budget. The film needed to appeal to children whose only exposure to Batman may have been reruns of the 1960s television show, as well as adults who would not identify themselves as Batman fans. Its PG-13 rating and its June release date were family-friendly, stressing that this was a film appropriate for children. The development of toys related to the movie was also an attempt to appeal to children. Footage from the film stressed its action and gadget elements, in an attempt to attract the male audience. The incorporation of music by Prince was also a strategy to build-in a larger audience. Prince's music—popular with adult women and Black audiences—brought in groups that normally were not interested in comics or action-filled films (Meehan, 55).

Besides being a popular recording artist, Prince was also a key Warner's commodity. He had released several albums through Warner Records, and Warner Bros. had also released his successful film, *Purple Rain* (1984). The film featured a popular soundtrack by Prince (it was number one on the music charts for twenty-four consecutive weeks) and spawned several music videos (Gundersen, "Prince's Batting," D1). The origins of how Prince got involved with *Batman* are unclear; Tim Burton himself was not sure if he was just interested in the project, or if studio executives asked him to do it:

I'm not sure how this happened. If it was from the producers, or Prince. . . wanted to do music for the film. That was probably my first introduction into the studio world of other things. . . .He was so prolific, and he just had did all of these songs. And a few of them felt like they were really good for the Joker. They were very Joker-esque kind of, kind of songs. So, but it was sort of a separate thing from, I mean, you know, I'm there making the movie, and then they had this whole idea for a concept album or whatever. . . .That was my, you know, first thing, first movie, where, and it was probably kind of the early beginnings for them in terms

of marketing and things, you know. Like I had never heard the term franchise before, they never used it. . . (qtd. in *Batman* audio commentary).

What is clear is the synergy of the collaboration, even if Burton was not aware of those intentions.⁴⁰ Prince's concept album as well as the single "Batdance" and its music video were released before the film. The video, described by one reporter as "the aural equivalent of a movie trailer," featured Prince as a Gemini-type character whose costume reflects Batman on one side and the Joker on the other, both modeled on actual costumes worn by the characters in the film (Gundersen, "Prince's New," D1). "Batdance" also featured lines of dialogue taken directly from the film. Thus, the use of the artist Prince, his tie-in soundtrack, and the music videos spawned by the album illustrated how WCI could push a product across multiple arms of the company.

Another indication of WCI's ability to push products across multiple arms was its merchandising division, Licensing Corp. of America (hereafter, LCA). LCA licensed over three-hundred items to one-hundred companies, with products ranging from toys and clothes to sheets and other domestic products like Batsoap on a rope ("Holy Bootlegger!" 70). Indeed, merchandisers visited the set during production in order to view the props and worked closely with production designer Anton Furst to develop toys that reflected the overall look of the film, characters, sets, and props (Barol, 73-74). Because WCI had an in-company licensing source, each product sold in the marketplace earned the company between six and ten percent of its wholesale price (Horn, "Batman Merchandise"). Before the film's release, Murray Altchuler, the executive director of the trade organization, Licensing Industry Merchandisers Association, estimated that

⁴⁰ In the October 10, 1988, draft of the screenplay, two of the sequences which ultimately used Prince's songs (the Flugelheim Museum and parade sequences) simply state 'music,' with no indication of what music would be played. The screenwriters themselves were not aware of the collaboration with Prince by this date, which was the first day of principal photography. See the October 10, 1988, draft available at the Warren Skaaren Collection, Harry Ransom Humanities Research Center at the University of Texas at Austin.

Batman-related merchandise would surpass \$250 million in sales by Christmas 1989 (Gold, "Gotham City," 5). Unaware of how well the film would play to both children and adults, many retailers were hesitant to stock Batman-related goods, scrambling for product once the film opened to record-setting box office.⁴¹ Producers Guber and Peters held back many of the toys based on equipment featured in the film (including a utility belt, Batarang, and Batwing) until after the film opened in an attempt to build anticipation for the products.

The Success of *Batman*

With the unconventional choices of Burton as director and Keaton as Batman, no one was quite sure what to expect when *Batman* was released. While it appeared that *Batman* could be a hit, at least in ancillary markets, no one realized how important the film would turn out to be for the film industry, nor for the new corporation. *Variety*'s early look at Warner Bros.' releases for 1989 did not even feature a picture from *Batman* (Cohn, "Major Studios Set," 28). *Premiere*'s preview of summer films put the film third for the summer, following two high-profile sequels—*Ghostbusters II* and *Indiana Jones and the Last Crusade*—and indicated that the studio's lack of blockbusters in its recent history was a major stumbling block for the film to do well in such a competitive summer (Immergut and Masters, 67). In fact, Warner Bros. had not had a film reach the top spot on the annual box office charts since *Superman* was released in late 1978. By 1989, Warner Bros. had not had a single film listed in the Top Ten All-Time Film Rentals for

⁴¹ Bob Solomon, president of Applause Inc., a company that produced Batman products like plastic figurines, stationery, and coffee mugs, believed that Batman held limited appeal for children, and therefore the products would not earn as much money as other franchises: "[T]here's no getting around it. The appeal for Batman is somewhat limited and somewhat adult" (qtd. in Horn, "Batman Merchandise"). Although he was speaking on behalf of a company making licensed products, his opinion was commonly held by retailers as well.

nearly five years.⁴² Thus, while *Batman* was expected to do well at the box office, no one expected it to be the top film of the year given Warner Bros.' track record, especially with so many sequels set for release that summer.⁴³ It was considered a major gamble, given its hefty production budget and its rumored printing and advertising costs which pushed the film to an unprecedented \$50 million in pre-release costs.

As mentioned in Chapter One, *Batman* broke several box office records, including best Friday, Saturday, Sunday, and weekend grosses, and emerged as the second highest domestic grossing film of all time by the end of its theatrical run. However, the success of *Batman* reached beyond the box office records it broke. It also propelled other divisions of the company including its music, licensing, and publishing arms, as its soundtrack sold soundly and *Batman* products flew off shelves. The popularity of the film also had a significant effect on DC Comics, which witnessed an upswing in comic book sales. *Batman* became a powerful merchandising vehicle, with over \$500 million in retail sales by the end of the year (Lipman, 4). In reviewing the box office statistics for the films of the summer of 1989, David Ansen of *Newsweek* referred to *Batman*'s success as "a merchandising, musical and motion-picture grand slam of unprecedented proportions" (61).

The importance of *Batman* to the newly merged Time Warner is evident in the company's first joint *Annual Report*, filed in 1990. The report stressed that *Batman* was central to the revenues of the Filmed Entertainment division: "Led by the huge success of *Batman*, our Filmed Entertainment division recorded revenue growth of 32 percent, and

⁴² Although *The Exorcist* (1973) and *Superman* had started off as the number five and seven films listed on the All Time Film Rental list in 1980, they had steadily fallen out of the top ten as other studios produced mega-films. By 1983, *Superman* had moved to number twelve on the list, and *The Exorcist* fell out of the top ten a year later, falling to number 11.

⁴³ In addition to *Ghostbusters II* and *Indiana Jones and the Last Crusade*, the summer of 1989 boosted sequels including *Star Trek V: The Final Frontier*, *Lethal Weapon 2*, *The Karate Kid III*, *Friday the 13th Part VIII*, and *License to Kill*, a James Bond film.

opening results were \$312 million—a new high” (Time Warner, *1989 Annual Report*, 19). The section which outlined the Filmed Entertainment division’s year features the *Batman* logo in the upper right corner, with a caption stressing that *Batman* was the highest grossing film in Warner Bros. history (25). In Steve Ross’s letter to the shareholders, there are two offset quotes related to *Batman*. On page ten, a quote from the Joker is featured: “Wait ‘til they get a load of me...” while on page twenty, a quote from Prince’s *Batman* soundtrack is highlighted. The only other sidebar quotes featured in this section are from Henry Luce (the founder of Time Inc.) and from *Casablanca*, one of the biggest hits of Warner Bros.’s Classical Hollywood period.

Of course, *Batman*’s reach far beyond the film itself demonstrated how different the New Hollywood was from the Classical period, and indicated how franchise films would generate income in the conglomerate era. As the decade ended, the new possibilities ushered in by the VCR and cable led to new production and marketing strategies. With *Batman* still playing well in several theaters, Warner Bros. announced in September 1989 that the film would be released on video in November, presumably to attract a high level of sales for Christmas. Its price of \$24.98 was well below the average for video cassette sales at the time, and its release so soon after its theatrical run pointed to the film’s long-lasting hype as pushing its success through additional windows. Prior to the film’s release on video, Tom Bierbaum of *Variety* surmised that “It would be the first time ever a film of *Batman*’s theatrical success would come so close to matching or topping that success with its homevid sales” (1). By January 1990, the film indeed had sold 11 million units and was rented nearly 12 million times (“Video Business Sets”; McNary, “Batman Sets”). Its video sales and rentals, thus, earned *more* than its record-setting domestic theatrical run. For the newly merged Time Warner, the lessons learned from the film’s success promised increasing profits for the largest media conglomerate in

the world. In its joint 1990 report, Time Warner claimed that “We are the only company of its kind that owns and controls 100 percent of its worldwide distribution networks. We can control the flow of our products to market and aren’t required to share our distribution profits in the process” (7). With prominent subsidiaries in film, cable television, cable networking, publishing, licensing, and music, Time Warner was the most powerful media company as it entered the 1990s. And the *Batman* franchise played a large part in showcasing the conglomerate’s combined power.

NEW (AD)VENTURES: TIME WARNER’S EXPANSION, 1990 - 1995

In pre-production meetings for *Batman*, producer Jon Peters told screenwriter Warren Skaaren that he would use his first draft as a “prototype of how I want things to be on all pictures before we go into production” (Skaaren, “Studio Notes”). Likewise, in a conference call to discuss the first draft of Skaaren’s screenplay, Terry Semel, the Co-Chairman and Co-Executive Officer of Warner Bros., claimed that *Batman* is the “movie that he has been waiting for all his life” (Skaaren, “Notes from Conference Call”). As the success of *Batman* reached from the box office to video sales to hundreds of millions of dollars in merchandise sales, it became clear that the film would be a “prototype” for other franchise films to follow, particularly with any *Batman* sequels. While waiting for the first forthcoming sequel, Time Warner needed to keep *Batman* at the forefront of popular culture. The company also continued to expand its media outlets, not only to push *Batman* and other corporate products in new dimensions, but also to keep up with rival conglomerates which were also expanding. From 1990 through 1995, Time Warner engaged in a number of measures to promote its key properties, particularly *Batman*, as well as to continue its status as the world’s largest media conglomerate.

However, while Time Warner continually stretched into new media opportunities during the first half of the 1990s, the company did not create any new sustainable franchises, relying on the cyclical *Batman* franchise at its core. The problems of Time Warner's primary focus on the *Batman* franchise are apparent in the company's economic results for 1990 and 1991. Warner Bros.' top film of 1990, *Driving Miss Daisy* (1989) was a critical success with its multiple Academy Awards, and earned \$49.5 million in rentals at the domestic box office.⁴⁴ However, the film was not one to inspire a franchise. Indeed, the two franchise films that the studio did release in 1990, *Gremlins 2: The New Batch* (1990) and *The Never Ending Story II: The Next Chapter* (1990), grossed less than \$42 million and \$20 million at the domestic box office, respectively. As a result, Warner Bros.' market share fell to a distant third place in 1990. Although Warner Bros. rebounded to first in market share in 1991 with the strong box office performance of *Robin Hood: Prince of Thieves* (1991), the second highest grossing film of the year, it did not prove to be a franchise picture, nor were they any other potential Warner Bros. releases that could be considered franchise material.

In this same period, Time Warner as a whole encountered large losses as divisions underperformed and the financial fallout from the merger was felt. Time Warner's net losses in 1990 were \$227 million, approximately \$13.67 per share ("The Service 500," 1991, 260-261). In 1991, the company lost \$99 million, approximately \$9.60 per share ("The Service 500," 1992, 174-175). In contrast, the smaller conglomerate of the Walt Disney Company earned \$824 million in profits for 1990 and \$636 million in profits for 1991, the second highest on *Fortune's* list of diversified service companies in 1990 and the highest for 1991 ("The Service 500," 1991, 260; "The Service 500," 1992, 206). The

⁴⁴ *Driving Miss Daisy* was released in December 1989 in order to be eligible for consideration for Academy Awards. Its general release was not until January 1990, and the majority of its earnings did, in fact, occur during the 1990 calendar year.

revenues in several of Disney's divisions in 1990 were led by products related to its hit animated film, *The Little Mermaid* (1989). For example, during the third quarter of 1990, Disney's revenues were up over thirty percent in its filmed entertainment division while revenues increased by nearly eighteen percent in its consumer products division due to the sales of *The Little Mermaid* video cassettes and soundtrack, respectively ("Disney Posts," D2). Clearly, Disney's multimedia strategies with its animated films were working for the entire company.

In order to compete with one aspect of Disney's dominant performance during these years, Time Warner launched Warner Bros. Studio Stores in four malls in late 1991. Disney had opened over a hundred of its own retail stores over the past four years, and executives at Time Warner believed there would be a similar market for their company's products. Disney's stores were the perfect opportunity to merge the studio's various interests in its theme parks, television offerings, and films into one (consumable) retail space. Likewise, the opening of the Warner Bros. Studio Stores provided Time Warner with a direct retail space for the selling of products related to their key properties. The first store, which opened in Beverly Hills in September 1991, featured larger-than-life figures of Batman and Superman as well as a crawling space underneath Bugs Bunny for young children. The stores created an immersive product experience that aided in the sales of Warner Bros. merchandise, which ranged from animation cels to T-shirts to home furnishings. Sales at the four stores during the holiday season were so robust that the company pushed ahead to create seventeen more retail stores within the next year.

In another attempt to compete with Disney, Time Warner also ventured into theme parks. In 1991, Time Warner joined with two other firms to take over the debt-ridden Six Flags Amusement Parks, creating Six Flags Entertainment. According to Robert Pittman, the Chairman and Chief Executive Officer of Six Flags Entertainment,

the corporate backing of Time Warner was a step to push the amusement parks in a more profitable direction by using the company's key assets as promotional tools: "Now that it has an entertainment company behind it, we can reach into our movies, TV shows and characters the way Disney does" (qtd. in Murray, 1). In June 1992, the Six Flags Magic Mountain Park in California launched the Batman Stunt Show and Batman Nights: Fireworks & Laser Show where viewers could "experience the excitement in person" of Batman's "death-defying exploits" ("Six Flags Magic Mountain"). On the two shows' impact on the parks, Pittman claimed Batman's presence was a substantial benefit:

Bringing Six Flags into the Time Warner family offered us an opportunity to take Batman, one of Time Warner's premier properties, into an entertaining new sphere never available to us. . . . This is an example of how the brand influence of Time Warner holdings will be working together and helping each other (qtd. in "Six Flags Magic Mountain").

Indeed, Warner Bros. did benefit from this arrangement since the presence of the two shows provided further promotion for the next *Batman* film, which opened in June 1992.

The presence of Batman at the Six Flags parks also helped spur admissions for 1992. In the *Annual Report* for 1992, Time Warner's Chairman and Chief Executive Officer, Gerald Levin, composed a letter to shareholders which reiterated how properties like *Batman* work across the various arms of Time Warner, including Six Flags:

Copyright protection makes our mission possible. With it, we are able to take the words and images we produce and sell them over and over, through many different media, in many different markets, for the lifetime of the copyright. Six Flags, for example, the theme-park company in which we own a 50% interest, made increasing use of Time Warner copyrights such as Looney Tunes, Batman, and *Sports Illustrated* to help achieve 1992's record attendance (Time Warner, 1992 *Annual Report*, 5-6).

In addition to the two shows at the Magic Mountain Park described above, Six Flags had also initiated a highly successful Batman ride at its Great America theme park in Chicago in May 1992. Advertised as the first "suspended, outside-looping roller coaster," *Batman*

the Ride provided not only the thrilling experience of the ride itself, but also of the property as well (Taubeneck, 3). With lines running over an hour and a half before boarding, visitors were enmeshed in the “Gotham City ‘environment’” as they waited (Taubeneck, 3). For a similarly themed Batman roller coaster which opened a year later at AstroWorld in Houston, Texas, George Ladyman, the Design Director of Six Flags, claimed that this environment was part of an immersive experience with the character’s world: “We design a lot differently from a film. . . .A film is purely visual, but here it’s three-dimensional. You can actually walk through ours. You can knock on the penguins” (qtd. in Parks, 1). The environment for the AstroWorld roller coaster, *Batman: The Escape*, was modeled on the 1992 film *Batman Returns*, and designers for the roller coaster actually visited the film’s sets in order to tie the ride into the film’s look (Parks, 1). Indeed, both roller coasters used aspects of the film’s soundtracks in the waiting areas, either from the orchestral scores created by Danny Elfman, pop songs created by Prince, or snippets of dialogue from the films themselves. Thus, Time Warner merged aspects of its film, music, and amusement park capabilities through these *Batman* rides.

In addition to the expansion of the studio stores, the Six Flags Batman roller coasters, and the Batman Stunt Show, 1992 marked the arrival of the film sequel, *Batman Returns*, also directed by Burton and starring Michael Keaton again as Bruce Wayne/Batman, Danny DeVito as the Penguin, and Michelle Pfeiffer as Catwoman. Burton did not imagine the film as a sequel, and referred to it as a further episode of the *Batman* story in interviews about the film. In the foreword to *Batman Returns: The Official Movie Book*, Burton explained this point clearly:

So let me begin by saying that *Batman Returns* is not really a sequel to *Batman*. It doesn’t pick up where the first film left off. The sets for Gotham City are completely new. There are lots of new elements in the visuals and storyline that haven’t been seen before. Even Batman’s costume has been revised.

The point was to make it all feel fresh and new. It was the only way I could envision the movie (qtd. in Singer, 6).

Because of his success with the first film, Burton was given much more freedom with the sequel's production. Initially, Burton hedged about returning for the second film. Screenwriter Sam Hamm, who co-wrote the 1989 film and wrote initial drafts of *Batman Returns*, described what changed Burton's mind:

[H]e was very reluctant to get involved. And finally the way that they kind of got Tim was to say "What if, you know, what if the second movie was really just a Tim Burton movie?" And that kind of got his attention, and got him thinking about what he could do with it again. You know, how extreme could you go with the Penguin? How extreme could you go with Catwoman? What if you didn't have to worry about, you now, sort of the fidelity to the mythology, all that kind of stuff like that? (Qtd. in *Shadows of the Bat Part 4*).

Executives at Time Warner treated the project as Burton's personal film, hoping that a hands-off attitude would result in another *Batman* film that broke box office records. Rather than focus on Bruce Wayne or Batman, both of whom are barely seen in the first forty minutes of the film, Burton and screenwriter Daniel Waters centered the story on the villainous exploits of the Penguin and Catwoman. Many reviewers remarked on how close these characters were to the outsider characters seen in previous Burton films, and repeatedly used the word "personal" in their reviews to stress that they saw this film as an auteur's, rather than a studio's, work.⁴⁵

One reason the film was regarded more as Burton's was the fact that Peter Guber and Jon Peters did not produce *Batman Returns*. Peters' and Burton's disagreements during the production of *Batman* were well known in the industry, with Peters continually pushing Burton to incorporate more commercial elements into the film. In an article profiling *Batman Returns*, both writer Richard Corliss and *Batman Returns* producer

⁴⁵ For example, Eleanor Ringel's review for the *Atlanta Journal and Constitution* called the film "a personal work," and Todd McCarthy, in his review for *Variety*, argued that "Burton has once again managed to pursue his quirky personal concerns in the context of broadly commercial entertainment." This idea of Burton as an auteur will be further developed in Chapters Five and Six.

Denise Di Novi allude to Peters' absence having a positive effect on Burton's work for the sequel: "Now, without *Batman* producers Peter Guber and Jon Peters hovering, Burton would make his own film. 'You see glimmers of Tim in *Batman*,' Di Novi says, 'but this movie is all his'" (Corliss, "Battier and Better," 70). The commercial impulses of Guber and Peters were missing from the theatrical experience of *Batman Returns*. Unlike the use of popular recording artist (and Warner's commodity) Prince in the 1989 film, Burton chose to include music from punk band Siouxsie and the Banshees (of which he was a self-described fan). His choice not to select a Warner's artist, or even a mainstream band, highlighted his refusal to engage in the synergistic wishes of the company.

Before Burton had even agreed to direct and produce the second film, Time Warner had secured many high-profile merchandising deals for the *Batman* franchise. Warner Bros. Worldwide Consumer Products, formerly LCA, had signed over a hundred licenses in the United States before the film opened with companies like Kenner Toys, Ralston Purina (for a Batman-centered cereal), and Sears (for Batman boutiques in some three-hundred stores). Dan Romanelli, the president of Warner's Consumer Products Division, believed this to be the logical next step in *Batman* merchandising: "This is probably the strongest alignment of promotional and licensing agreements in history. . . . I think that '89 was unprecedented, and I think this is going to be bigger" (qtd. in Busch, "Warner Bros."). Although representatives from toy companies and other merchandising partners did have access to the *Batman Returns* set, as they did with the first film, Burton did not particularly welcome this aspect of the business. Indeed, he viewed it as a problem and distraction:

[T]he merchandising, all that stuff that is now become such commonplace stuff was not a thing that I probably handled well, or dealt well with, or liked. So, the movie is the movie. . . . You got a huge job just to make the movie. . . . [A]ll of this

other stuff is, is necessary to them, the studio and all the people, but for me it's just more of a problem and distraction. . . .[I]t's hard for me to tell, you know, a toy company what something's going to look like when I don't even know myself. . . .[T]hen you keep wondering why you make, you know, a movie in like several months and it takes, you know, them the same time to make a T-shirt. . . . [I]t's a weird time warp, you know, with like how long you have and how long they have and need (qtd. in *Batman Returns* audio commentary).

Burton's refusal to cooperate fully with the needs and desires of the merchandising partners may have helped spur the companies' backlash against the franchise after *Batman Returns* opened.

The tie-in toy and merchandising partners like McDonald's emphasized *Batman Returns* as a film acceptable for smaller children. Like the first film, *Batman Returns* was rated PG-13, so many families brought younger children to see it. However, its graphic violence and content—which included electrocutions, a deformed baby, a mutant gang, and Catwoman dressed in fetishistic leather, wielding a whip—hardly seemed appropriate for younger viewers.⁴⁶ Burton's relative freedom with the sequel backfired when the film caused an uproar with parents and Christian groups who found the film to be too macabre for its PG-13 rating. Christian rights groups, in particular, threatened to boycott tie-in partner McDonald's, which sold Happy Meals with *Batman Returns* merchandise. As parents and parents' groups complained to Time Warner and the film's merchandising partners, it became clear that Burton had led the film franchise in a direction incompatible with the commercial interests of the company. As a result of the

⁴⁶ There were concerns with *Batman*, too, that the film held too much adult content. In an Inter-Office Memo from Warner Bros. & Guber-Peters to Tim Burton, executives were concerned with a number of elements in the August 25th draft of the screenplay. First, they were concerned with the film's overall tone, claiming "Gotham City is portrayed as so seedy (filled with prostitutes, etc.) and then JOKER fills it with more ugly sights. Is this a completely ugly world?" There were concerns about a character's language, and it was suggested to "please aim for a PG with language." In a sequence where the Joker's henchmen, dressed as mimes, kill a rival gang leader, executives believed that they were *too* grotesque: "Bad mimes with limbs missing...would we want to look at such a thing for any reason?" Finally, in the museum scene, a painting of Jesus Christ was to be defaced, sparking the question "We don't need to deface the painting of Christ, do we?" Although these elements were all removed from the final version of *Batman*, a number of similar scenes were allowed in *Batman Returns*. See the August 30, 1988, memo available at the Warren Skaaren Collection, Harry Ransom Humanities Research Center at the University of Texas at Austin.

complaints McDonald's received for its involvement with *Batman Returns*, the fast food company changed its merchandising practices significantly, requiring extended looks at films before partnership agreements would even be considered. Toy sales were slow, and comic book sales were not positively affected by the film. Rather than driving the revenues of other divisions of Time Warner as the first film had done, *Batman Returns* became a public relations nightmare.

Although the film was Time Warner's top film for the year, and second in terms of domestic box office grosses for the entire industry, it was not considered a success. *Batman Returns* grossed \$163 million at the domestic box office and propelled Warner Bros. to first place in market share for 1992, but its earnings were less than two-thirds of the first film. Time Warner's *1992 Annual Report* hardly stressed the film, highlighting films like *Lethal Weapon III* (which was the third highest grossing film of the year at the domestic box office) and *Final Analysis*, a film with *Batman* co-star Kim Basinger, instead (36). The reduced focus on *Batman Returns* was not only a result of the film's disappointing box office grosses. In a year where Time Warner was under attack for the release of Ice-T's *Body Count* album featuring the controversial single "Cop Killer," emphasizing another contentious media product hardly seemed appropriate, regardless of its positive effect on the rest of the Filmed Entertainment division's successes for the year.⁴⁷

While the sequel received bad press because of its inappropriate content for children, another *Batman* project in 1992 demonstrated that the property was still very popular despite the controversy surrounding *Batman Returns*. Announced before the theatrical release of *Batman Returns*, a new animated program about Batman premiered

⁴⁷ Rapper Ice-T's album was released a few weeks after the Los Angeles riots, and the song "Cop Killer" advocated the shooting of cops at a highly volatile time. Eventually, the album was pulled from the shelves and replaced with a copy without the controversial track after numerous groups, particularly representing the police, threatened a national boycott of Time Warner products.

on the Fox television network in September 1992. Produced by Tim Burton, *Batman: The Animated Series* mimicked the dark and foreboding atmosphere of the 1989 and 1992 films and was initially geared toward older teens and young adults.⁴⁸ Claimed Jean MacCurdy, an executive in Warner Bros. Animation, about the show's appeal: "What we really have here is an animated drama. . . .I think it may be the only animated series ever that takes a dramatic, rather than strictly action-adventure, approach. This is immensely exciting because we sense we're breaking new ground" (qtd. in Dreher, C1). In December 1992, Fox began to premiere episodes of *Batman: The Animated Series* in prime-time since its re-runs that had aired in that time slot did better in the ratings than previously offered, original fare. Although the show was aimed at an older audience, *Batman: The Animated Series* did well with younger audiences, too. In Time Warner's *1992 Annual Report*, the show was highlighted as the top rated daytime children's show (for ages 2-11) as well as for commanding the highest priced advertisement ever for an animated show aired during the day time (36-37).

Re-Directing the *Batman* Franchise

After the backlash against *Batman Returns*, Time Warner executives knew that a new direction for Batman was necessary if the film franchise was to continue. Their first decision was to keep Burton from doing a third film, even though he had been entertaining the thought of staying on for one more film. Instead, a director who had worked successfully for the studio before, Joel Schumacher, was chosen to lighten up the series.⁴⁹ Claimed Romanelli: "We knew we had a problem. . . . We knew that people felt

⁴⁸ The show ran for three years and spawned an animated feature film released in theaters in 1993, *Batman: Mask of the Phantasm*, as well as a direct to video title, *Batman and Mr. Freeze: SubZero*, in 1998.

⁴⁹ Schumacher's previous two films had been for the studio: *Falling Down* (1993) and an adaptation of the John Grisham novel, *The Client* (1994), which grossed over \$90 million in domestic theaters.

the last film was kind of dark. We really turned around the feeling about Batman as a movie franchise, and Joel was key to that strategy” (qtd. in Busch, “‘Batman’ Makeover”). In the film’s pre-production stage, Schumacher met with many potential merchandising partners to emphasize how he was changing the course of the franchise, and he also went to the Toy Fair with the same message (Busch, “‘Batman’ Makeover”). As a result of Schumacher’s and the studio’s efforts to convince partners that the film would have a lighter tone, producer Peter MacGregor-Scott claimed that *Batman Forever* was able to attract over two-hundred sponsors, from products ranging from fast food to toothpaste (qtd. in *Shadows of the Bat Part 5*). Even McDonald’s came back for the third film, convinced that the film would be more appropriate for younger viewers.

In several interviews, Schumacher indicated that one of his directives for the film was to make *Batman Forever* appropriate for families. In his commentary for the film, he describes several places where consideration for children was key to how he envisioned the film. Initially, Harvey Two-Face’s two molls were called Leather and Lace; their names were later changed to Sugar and Spice because executives at Warner Bros. felt that Leather was “a little, eh, let’s say, adult, so they were changed” (*Batman Forever* audio commentary). The death of the Graysons is portrayed through reaction shots of onlookers since “In a PG-13 movie, of course, you’re not going to show the horror of this whole family hitting the circus floor” (*Batman Forever* audio commentary). In scenes between Chase Meridian and Batman, their dialogue exchanges are laced with sexual innuendo. For example, Batman asks Dr. Meridian: “Are you trying to get under my cape, Doctor?” But besides a few kisses, a physical relationship never emerges onscreen. According to Schumacher, this was done to please both adults and children: “[S]ome of these scenes are on the edge enough with innuendo and sexuality so that hopefully an adult can enjoy them and hopefully fun enough so little kids don’t run out of

the theater, screaming” (*Batman Forever* audio commentary). Versus the explicit depictions in *Batman Returns*, Schumacher’s direction instead relied on suggestive sexuality and cartoonish representations of violence in an attempt to make the film more appropriate for children in the audience.

Another way the film came across as more child-friendly was with the incorporation of the Robin character, Batman’s teen-aged sidekick.⁵⁰ The tone of *Batman Forever* thus differed significantly from Burton’s films, as a result of its appeal to a younger audience. Key to this change in tone was a new actor in the role of Batman/Bruce Wayne: Val Kilmer. Kilmer’s Batman was much younger than Keaton’s, more playful, and less brooding. He jokingly tells his butler, Alfred, in the film’s first sequence that he will get drive-thru since he does not have time to eat. He even smiles to the audience when Chase tells him that she has fallen for someone else—Bruce Wayne. *Batman Forever* continued the franchise’s trend of focusing on Batman’s foes, with Tommy Lee Jones cast as Harvey Two-Face and rising star Jim Carrey as the Riddler. Jones had recently won the Academy Award for Best Supporting Actor in *The Fugitive* (1993), and his casting was in line with Nicholson’s in *Batman*. Carrey’s casting was prescient, as during the film’s production he had three films land in the top twenty grossers for the year in domestic theaters—*Ace Ventura, Pet Detective* (1994); *The Mask* (1994); and *Dumb and Dumber* (1994). Just before *Batman Forever* was released, Mark Canton, the President of Columbia Pictures, who had just signed Carrey to *The Cable Guy* for over \$20 million, stressed that Carrey “may be the biggest star in the world. We’re about to find out” (qtd. in Giles, 50). Indeed, the film’s marketing campaign stressed Carrey’s role in the film, with the teaser poster featuring the Batman symbol

⁵⁰ In 1940, when the character of Robin was originally introduced in the comics, it was for a similar purpose. The addition of a juvenile sidekick was meant to appeal to a younger readership so that they could identify with the Batman character and his exploits. Through Robin, readers also received insight into Batman’s methods, particularly when they were not abundantly clear to the audience.

engulfed by the Riddler's signature question mark. The film's theatrical poster also stressed the incorporation of the two villains, Robin (played by Chris O'Donnell), and Batman's love interest, Dr. Chase Meridian (played by Nicole Kidman), into the cast.

As Schumacher revamped the role of Batman and expanded the basic cast, he also revamped the Batmobile, the costumes, and the look of Gotham with a wider color range. In the film's first sequence, the new look of the Batmobile and Batman's costume are presented in fetishistic close-ups. Indeed, vehicle supervisor Allen Pike claimed that Schumacher's inspiration for the Batmobile was a "leather fetish magazine" (qtd. in *Out of the Shadows*). The Batmobile featured an exoskeleton-type structure in an attempt to make it appear more organic. One of Schumacher's most debated changes was the addition of nipples to the Batsuit (and later, Robin's suit). These changes, however, were meant to illustrate his take on comic book movies: "All of these things are designed just to give you a ride, just for you to have some fun, eating your popcorn. Hopefully to give you your money's worth when you come to see the *Batman Forever* movie" (*Batman Forever* audio commentary). Indeed, on several occasions, Schumacher commented that the film was his attempt "to make a living comic book" and not an attempt to make a personal film as Burton had done with *Batman Returns* (Bibby, 54).

Schumacher's take on Batman worked. *Batman Forever* was the top grossing film for 1995, earning more than \$184 million at the domestic box office and over \$150 million internationally. It set a new opening weekend box office record, at \$52.8 million. It was not just the box office figures, however, that made the film a success. Unlike the previous film, *Batman Forever* pushed its success across multiple arms of Time Warner. After its opening weekend, the company's stock rose \$2.50 per share to \$43.12, a high it had not seen in over a year (Farhi, "Holy 52-Week," D2). The soundtrack, featuring songs by Seal and U2, had sold over a million copies by July. Videos by both Seal and

U2 were popular on MTV, further promoting the film.⁵¹ Attendance at Six Flags Parks, several of which had received new Batman rides and a few had Batman-centered entertainment shows that year, was up significantly, and Warner's retail stores, which had temporarily changed its name to Batman Headquarters, had doubled their sales from 1994 ("Batman Forever Film Hugely"). The film itself also featured references to other Time Warner entities—particularly, two key magazines that were part of Time Inc. In Chase Meridian's apartment, Bruce Wayne thumbs through her Batman-related research materials and finds a "Times" and a "Persons" magazine, each replicating the look of *Time* and *People* magazines, respectively.⁵² *Batman Forever* thus integrated multiple arms of Time Warner not only in terms of its promotional activities, but also within the text itself.

Batman Forever was also the first time a *Batman* film had a World Wide Website. The Website, however, did not just promote the film; it also promoted other arms of the company. The Website took three months to complete, and was part of a campaign integrating traditional and new media outlets for advertising. The film's ABC television special, MTV documentary, and posters all featured the Web address, and posters placed in subways and bus stations simply featured the Batman logo with the address (Silverman). The main page was set up to reflect the streets of Gotham, and this hub provided opportunities for users to go to the Gotham Cinema, where trailers of *Batman Forever* were available; the Gotham Library, which held sneak peaks at several forthcoming Batman comics by DC Comics; Gotham Radio Station, where sound clips from the tie-in songs could be heard; and the Gotham Art Gallery, where photographs

⁵¹ Schumacher even directed Seal's video for the song "Kissed from a Rose" included in the soundtrack.

⁵² In several shots of television screens seen in the film, the news is being carried by GNN (Gotham News Network). The GNN logo looks like, and is placed in a similar location to, the CNN label. Turner Broadcasting, which owned and operated CNN, was not part of the Time Warner company umbrella yet (a merger that would not be legal until 1996), but was in the process of becoming part of the conglomerate.

from the film could be accessed (Jewett, D13; Silverman). Although the use of the Internet as a promotional device was new to film studios, Warner Bros. used the Website for *Batman Forever* as a new way to target its core audience.

Expanding into Network Television

The expansion into the Internet to promote films like *Batman Forever* was not the only method that Time Warner and its subsidiaries used to benefit from the new media environment that was emerging in the mid-1990s. In January 1995, the company launched the fifth television network, the WB. Time Warner announced the creation of the network in November 1993, mere weeks after executives at Paramount announced their intention to do the same. From the announcement, it was a race between the two companies to pick up affiliates, and to reach the air first. The WB was supposed to begin broadcasting in the Summer of 1994, but it became clear soon after the announcement of the creation of the network that it could not meet that projection, though it still beat Paramount's UPN network on air by a few days. Time Warner hired Jamie Kellner to head the network's launch based on Kellner's previous success with the Fox television network, and intended to use a similar startup strategy as the fourth network had done. Like Fox, the television division of Time Warner could technically provide the majority of the WB's programming in the early development of the network since it would take the WB several seasons to reach the Federal Communication Commission's definition for a network—15 hours of prime-time programming ("FCC Repeals"). Although the Financial and Syndication Rules had not been nullified yet, their repeal was within the foreseeable future and would benefit the fledgling network as it increased its prime-time

schedule.⁵³ On January 18, 1995, the WB premiered with two hours of original programming which demonstrated the influence of the Fox model. The first show, *The Wayans Bros.* (1995-1999), featured two of the stars from Fox's *In Living Color* (1990-1994) and its followup, *Unhappily Ever After* (1995-1999), was created by Ron Leavitt, creator of Fox's *Married...with Children* (1987-1997).⁵⁴

After its merger with Lorimar-Telepictures in 1989, Warner Bros. Television was the largest single provider of television programming in the industry, and remained so throughout the early 1990s. With the impending repeal of the Fin-Syn Rules, and the big three's ability to own a larger chunk of their programming, Warner Bros. Television needed to ensure a place for their shows to air. Although the launching and fostering of a new television network is a pricy endeavor, a network is ultimately an important tool within a media conglomerate. One of a television network's most important functions was to act as an additional venue for branding, for both affiliates and the company alike. As the dominance of the big three networks began to wane in response to the expanding cable universe and the proliferation of other media venues like the VCR, the importance of brands became particularly attractive to independent stations not affiliated with the big three. Claimed David Donovan, the Vice President of the Association of Independent Television Stations: "As we move into that 500-channel universe, it becomes more

⁵³ Indeed, the Federal Communication Commission decided later in 1995 to repeal the Prime Time Access Rule effective as of August 30, 1996. The FCC adopted the Prime Time Access Rule in 1970 out of concerns that the big three networks "dominated the program production business, controlled too much of the programming that was presented to the public, and inhibited the development of competing program sources" ("FCC Repeals"). By 1995, the FCC believed that the expanded cable universe, the proliferation of other technologies which involved the television (including the VCR and game systems), and the increased number of independent stations created an environment where the big three networks no longer dominated the public airwaves. This decision, coupled with the removal of the Fin-Syn rules, was instrumental in the development of the fourth, fifth, and sixth television networks.

⁵⁴ *The Wayans Bros.* and *Unhappily Ever After* were both produced by Warner Bros. Television, as were the two other shows on the network: *Muscle* (1995) and *The Parent Hood* (1995-1999).

important to be associated with a brand name. That's what a network allows you to do" (qtd. in Farhi, "Network Race," F1).

One of the ways that the WB envisioned becoming a brand was through the addition of a children's weekend programming block to begin in the Fall of 1995. According to Kellner, this development was crucial to the WB strategy: "We want to begin creating brand identity for our stations as soon as we possibly can, and there's no better audience to begin with than kids" (qtd. in Tyrer, 1). The network's mascot, Michigan J. Frog—an obscure character from an old Warner Bros. cartoon—became emblematic of the network's youth and family focus. Tom Biggs, a Senior Vice President of Marketing at Paramount's rival network UPN, claimed that the logo and focus of the network were particularly synergistic: "[The] WB has done an excellent job. . . . Their branding works better now with the family-oriented programming. That frog is married to their shows" (qtd. in Flint, 4).

With the addition of Michigan J. Frog, the WB began to establish its brand within the expanding television universe. As their second season of programming approached, Lewis Goldstein, who handled marketing and promotion for the network, claimed that the WB was beginning to fit into the larger Time Warner family: "We are delighted with what's happening. . . . We are slowly becoming a complement to what Warner Bros. means to the public and what the stores have done for the image of the company. That's what we're trying to do with the WB" (qtd. in Flint, 4). Indeed, by 1995, Time Warner had situated itself and its products through its increasing attempts at synergy and branding, particularly across (new) media. With the addition of the retail stores, the Six Flags amusement parks, and a television network, Time Warner had more outlets for its key products like *Batman*. The cross-promotion with these other divisions made *Batman* a particularly powerful brand. With two more successful sequels and the popular

animated show, as well as expansion into the Internet, the *Batman* franchise proved to be sustaining itself quite well. Although Time Warner was expanding its presence across media, the singular focus of Warner Bros. on the *Batman* franchise proved to be a shortness of vision in the changing new media environment. It was not the only misstep the company made in the second half of the 1990s.

TRIAL AND ERROR: A FLAILING TIME WARNER

Although executives at the WB network attempted to brand the network with their mascot, Michigan J. Frog, the choice to use an obscure mascot when Time Warner had so many known properties from which to choose seemed somewhat ironic. When the creation of the WB network was announced in 1993, Kellner claimed that Bugs Bunny would be the symbol for the fledgling division of Time Warner. However, Warner Bros. Family Entertainment used the more recognizable icon as their mascot, and executives at Time Warner believed there would be too much confusion if both subsidiaries used Bugs Bunny (Benson, 3). In the cartoon in which he first appeared, Michigan J. Frog sang for a construction worker, but refused to do anything but croak when others were present. With the low ratings that initial prime-time programs on the WB network received, the mascot may have been too apt a commentary of the fifth network's small audience. With its premiere night in January 1995, the WB managed only a 1.9 rating and a 3 share (Lowry and Flint, 1).⁵⁵ At the end of its first season of programming, the WB remained at a dismal 1.9 rating (Wilke, S12).

The problem Time Warner experienced to just get a recognizable icon as the mascot for their new television network is indicative of a company that was starting to

⁵⁵ In 1995, one ratings point was equivalent to 954,000 households, or 1 percent, of U.S. homes that had a television (Scott Williams). A share is the percentage of all television sets that are on during a specific time that are tuned to that specific network.

flail as it found itself surpassed by other media conglomerates. Time Warner was no longer the world's largest entertainment company, having been surpassed by Disney in 1993 and Viacom in 1994 ("The Fortune 500," 1995, F-50). Disney had added independent film production and distribution company Miramax in 1993, while Viacom added both Paramount Communications *and* Blockbuster Video in 1994. Disney had also just announced a merger with Capital Cities/ABC in July 1995, further increasing the size (and reach) of its already giant conglomerate. In response to these developments, Time Warner tried to amass more holdings, expand its multimedia capabilities, and rush out a third sequel to its premiere film franchise, *Batman*. In the last half of the decade, the company floundered as (expensive) missteps clouded its direction.

With the company losing ground to Disney and Viacom, Time Warner moved to expand its presence in cable television and regain its stature as the world's largest media conglomerate.⁵⁶ In August 1995, Time Warner announced that the company would purchase Turner Broadcasting System from mogul Ted Turner. Through this deal, Time Warner would gain cable networks CNN, TNT, TBS, the Cartoon Network, and Turner Classic Movies as well as studios New Line Cinema, Castle Rock Pictures, and Hanna-Barbera Cartoons Inc. Although the deal was announced in 1995, it took over a year to complete in order to withstand federal scrutiny as well as a failed attempt by U.S. West Corp. to block the merger. The two companies' first joint annual report occurred in 1996, and Levin claimed in his letter to shareholders that "With the addition of Turner Broadcasting, Time Warner is now strategically complete" (Time Warner, *1996 Annual Report*, 2). The addition of several cable networks provided an outlet for further

⁵⁶ Despite the merger with Turner Broadcasting, Time Warner did not re-emerge as the number one media conglomerate until 1999. Although it beat Disney and Viacom in terms of size and scope, its revenues and profits during this period could not compete with either company.

promotional activities that had been lacking in the pre-Turner Time Warner, according to Levin. For example:

Cartoon Network, the fastest-growing basic-cable channel, which is already in over 40 million U.S. homes, brings increased exposure to our Hanna-Barbera and Looney Tunes collections and is a valuable promotion outlet for our consumer products. Internationally Cartoon Network is in over 85 markets, and we believe it has the potential to become one of the most significant entertainment assets in the world (Time Warner, *1996 Annual Report*, 2).

Highlighting Time Warner's primary focus on the cable interests of Turner Broadcasting were the constant rumors that the company would sell off the two primary movie studios acquired in the deal, New Line Cinema and Castle Rock. The merger thus was not an attempt to deepen an already thick slate of film production, but to add to Time Warner's paltry cable network presence.

A second key focus of the merger was to strengthen brands already owned by Time Warner and Turner Broadcasting through additional media outlets. In the *1996 Annual Report*, the company states that "Global distribution in traditional and electronic media strengthens and popularizes powerful brands" (4). The next page features four of Time Warner's and Turner's driving brands—Batman, *Sports Illustrated*, CNN, and Looney Tunes—and provides examples of how these brands are carried through multiple components of the company. The brand of Batman, for example, is characterized by TV animation, comics, film, merchandise, theme parks, and soundtracks. In the Warner Bros. Entertainment section of this annual report, the relationship between these arms is spelled out clearly: "Retailing, licensing and theme parks reinforce the power of Warner Bros.' brands, turning hits into entertainment franchises that become more valuable over time" (8).

The merger with Turner's company provided Time Warner the opportunity to dominate two particular areas of entertainment production. The Cartoon Network

certainly provided an additional outlet for Warner Bros.' cartoons. At the time of the merger, the Cartoon Network was the fifth highest rated cable network, even ahead of ESPN, and was aired in over thirty countries (Brennan). Impressive as the possibilities of this outlet was to the Time Warner animation archive, Turner also owned the Hanna-Barbera archive, which included *The Flintstones* (1960-1966) and *The Jetsons* (1962-1987), as well as MGM properties such as Woody Woodpecker and Tom and Jerry. Adding these properties to the Warner Bros. Studio Stores was an attractive asset for Time Warner. Larry Gerbrandt, a senior media analyst with Paul Kagan Associates Inc., claimed that the franchise potential of the Turner animated properties could affect Time Warner's bottom line in a similar fashion as Disney's: "We are in an era when a successful animated movie becomes, just in terms of direct revenue, a billion dollars. But when you factor in merchandise and all the other spin-offs, just one animated movie becomes a multibillion dollar business" (qtd. in Brennan). Steve Brennan, a journalist for *The Hollywood Reporter*, claimed that the merger would make Time Warner "An animation powerhouse that will overshadow even Disney's omnipresence" (Brennan).

In addition to Time Warner's growing capabilities with animation, the merger also provided an opportunity for the film division(s) to dominate the industry. Although there were constant rumors that Turner's film production and distribution companies would be sold off, it ultimately made more sense for Time Warner to integrate these companies into the conglomerate, especially New Line Cinema. Indeed, several of the major studios had already acquired or create independent film labels at the time of the merger (see Table 7 below). New Line originally started as an independent film distributor. The company was created in 1967 by Robert Shaye and, in its early days, New Line distributed individual films to college campuses. The company specialized in the distribution of both art and exploitation films—the types of films usually ignored by

the major studios (Wyatt, “The Formation,” 76). By the end of the 1970s, New Line started financing productions as well, spurred by the potential earnings available in subsidiary markets like cable and video, as well as in international markets. In the 1980s and early 1990s, New Line Cinema emerged as one of the leading distributors and producers of independent film, though the films they produced tended to be in derided genres like the horror and exploitation film. New Line also established a franchise format that allowed the company to both expand its production capabilities and to release more daring features through its art division, Fine Line Features. New Line’s first successful franchise began with the horror film *A Nightmare on Elm Street* (1984), which had spawned four more films by 1990 and a “mini-industry” of tie-in products including Halloween costumes, action figures, and razor gloves that earned nearly \$15 million by 1989 (Moss, 3). New Line’s next big franchise began with the release of the multimedia franchise film, *Teenage Mutant Ninja Turtles* (1990), which became the highest grossing independent film to that point with over \$130 million at the domestic box office. The film also had the second largest opening weekend ever, trailing only *Batman*’s 1989 record (“Teenage Mutant Ninja Turtles Breaks”).⁵⁷

In an article about the merger for *Variety*, Dan Cox situated the potential impact of merging New Line with Warner Bros. as one of dominance. Using data from the Motion Picture Association of America for 1994, Cox found that the studios involved in the merger would account for 43% of *all* studio films screened in United States theaters (3). Cox found that the number of releases for the combined studios could be over eighty features a year (3). Finally, Cox found that in the period from January 1, 1995, to September 24, 1995, the combined Turner and Time Warner studios had a 26% market

⁵⁷ Interestingly, the multimedia and box office successes of these two franchises demonstrate that the franchise strategy affected not only studio projects, but also independent films in the decade following *Jaws* and *Star Wars*.

Table 7: Major Studios and Independent Labels/Divisions

Studio	Independent Label or Division	Year Acquired or Established	Example of Film Produced and/or Distributed
Sony	Sony Picture Classics	1992	<i>Capote</i> (Bennett Miller, 2005)
20 th Century Fox	Fox Searchlight Pictures	1994	<i>Sideways</i> (Alexander Payne, 2004)
Disney	Miramax Films	1994	<i>Pulp Fiction</i> (Quentin Tarantino, 1994)
	Dimension Films	1994	<i>Scream</i> (Wes Craven, 1996)
Time Warner	New Line Cinema	1995	<i>Se7en</i> (David Fincher, 1995)
	Fine Line Features	1995	<i>American Splendor</i> (Shari Springer Berman & Robert Pulcini, 2003)
MGM/UA	Samuel Goldwyn Films	1997	<i>Super Size Me</i> (Morgan Spurlock, 2004)
NBC Universal	October Films ⁵⁸	1997	<i>High Art</i> (Lisa Cholodenko, 1998)
Paramount	Paramount Classics ⁵⁹	1998	<i>Hustle & Flow</i> (Craig Brewer, 2005)
NBC Universal	Focus Features	2002	<i>Lost in Translation</i> (Sofia Coppola, 2003)
Time Warner	Warner Independent Pictures	2003	<i>The March of the Penguins</i> (Luc Jacquet, 2005)
	Newmarket Films ⁶⁰	2004	<i>The Passion of the Christ</i> (Mel Gibson, 2004)
	Picturehouse	2005	<i>Pan's Labyrinth</i> (Guillermo Del Toro, 2006)
Paramount	Paramount Vantage	2006	<i>Babel</i> (Alejandro González Iñárritu, 2006)

share with over \$1 billion in grosses; the closest competitor was Disney (which included Miramax, as well as other Disney film divisions) with a 21.7% share and a gross of just over \$840 million (3). Clearly, the merger presented an opportunity for Time Warner to dominate the film industry in terms of market share, grosses, and scope of product.

⁵⁸ October Films was originally acquired by Universal Pictures in 1997. October was sold to Barry Diller in 1999 and was renamed USA Films. Vivendi Universal then purchased USA Films in 2002 and renamed the company Focus Features.

⁵⁹ Paramount Classics was dissolved into Paramount Vantage in 2006.

⁶⁰ Newmarket Films became Picturehouse in 2005.

The Toyetic Batman

Even with the addition of several new film studios through the Turner merger, Time Warner still needed successful franchise films to dominate the industry. Given the success of *Batman Forever* in terms of box office grosses and merchandising dollars, another sequel was inevitable for the *Batman* franchise. Immediately after the third film hit theaters and broke box office records during the summer of 1995, the fourth film was put on the fast track for a 1997 release, which provided less than two years for the film to be planned, shot, and released. Indeed, a date was selected and theaters were booked for its release before a single frame was even shot. Wanting to avoid a public relations debacle like *Batman Returns*, the fourth film was set up using *Batman Forever* as its blueprint. In his book on the *Batman* filmography, Mark S. Reinhart points out that “*Batman and Robin* was so close to *Batman Forever* in terms of plot, pacing and character development that one cannot help but come to the conclusion that the film was consciously pieced together to be as similar to its predecessor as possible” (202). The opening sequences both feature Batman getting enclosed in a capsule flying through the air. Both films feature two villains, who come together in a plot that Batman and his sidekicks must foil. Finally, the conclusions both feature Batman having to choose whom he will save. In *Batman Forever*, the choice is between his love interest, Dr. Chase Meridian, and his partner, Robin; in *Batman and Robin*, the choice is between his two sidekicks, Robin and Batgirl. Indeed, the short time frame as well as the prior film’s success primed *Batman and Robin* to be virtually a carbon copy of *Batman Forever* in terms of narrative structure.

As with the previous *Batman* film, *Batman and Robin* featured two villains—Mr. Freeze, played by Arnold Schwarzenegger, and Poison Ivy, played by Uma Thurman—and a new actor in the role of Batman, George Clooney, the star of the Warner Bros.-

produced television show, *E.R.* (1994-present). The character of Robin returned, a third Batman sidekick was added—Alicia Silverstone’s Batgirl—and model Elle Macpherson was cast as Bruce Wayne’s love interest. However, the star of the film—even though it was titled *Batman and Robin*—was clearly Schwarzenegger. His name (and image) was at the top of the film’s poster; he was first-billed; he received the highest paycheck (\$25 million, plus a percentage of merchandising); and most of the film’s promotional materials centered around his character. In the opening credits to the film, the Warner Bros. symbol morphs into the Batman symbol, but it is clearly frozen; it was similar to the alteration of the Batman symbol seen in the promotion of *Batman Forever*, with the Riddler’s question mark engulfing the symbol. In *Batman and Robin: The Making of the Movie*, a publication officially released by Warner Bros., Clooney acknowledged that his role was secondary even though he played the title character: “The truth of the matter is that the star of this movie is not Batman. The criminals are always the star, because they’re so much bigger than life. Batman is the constant, the steady in this” (qtd. in Singer, 33). Clearly, the actor who played Batman was less a constant in the franchise, as Clooney was the third actor to play Batman in four films.

As with the previous film, *Batman and Robin* was geared to appeal to children. Although Schumacher wanted to do an adaptation of Frank Miller’s graphic novel *Batman: Year One*, the studio wanted him to do an even lighter film for the fourth feature. According to Schumacher, “[T]here was a real desire at the studio to keep it more family-friendly, more kid-friendly. And, a word I had never heard before, more toyetic, which means that what you create makes toys that can sell” (qtd. in *Shadows of the Bat Part 6*). Toy manufacturers had a considerable hand in designing the costumes, Batmobile, and Bat-gadgets used in the film. Schumacher worked closely with representatives from Kenner,

“[R]obbing each other’s ideas” to create stronger sets, props and costume elements for both the film and licensed products, from villain Mr. Freeze’s (Arnold Schwarzenegger) Freezemobile to Robin’s cycle. One result of the[ir] early collaboration is six times the number of action figures with the latest installment than with the previous one (Benezra, 8).

Many of these toys were promoted on QVC, a cable network, through five hours of special broadcasting where the cable retailer set up shop in the Batcave. Through interviews with Schumacher, clips from the film, and an exclusive look at the Batmobile, QVC provided a setting to sell Batman-related merchandise, including toys, clothes, signed posters, and figurines (“QVC and Warner Bros.”). Warner Bros. Studio stores also sold many of the toys, and changed their stores to reflect a “freeze” from the film’s star through icicle-laced décor, life-sized copies of the Mr. Freeze character, and prop ice floes (“Warner Bros. Studio Stores ‘Chill’”).

In addition to these venues for promoting Batman products, *Batman and Robin* also enlisted a slew of tie-in partners. Executives at Time Warner secured \$125 million worth of promotional partners, from companies like Frito Lay, Taco Bell, Kellogg’s, and Amoco (Jensen, 3). Frito Lay placed images from the film on several of the company’s leading chip brands as well as on in-store displays, while Taco Bell offered collectible cups and dressed the fast food chain’s restaurants with promotional images on its windows. Kellogg’s featured Batman characters on several cereals, Pop-Tarts, and Eggo’s waffles, which displayed the Bat signal. Michael Gough, the actor who played Alfred, pumped gas at an Amoco gas station in a television commercial and the gas company featured Batman images on its pumps across the United States (Jensen, 3). Claimed Bob Schneider, Senior Vice President of Worldwide Promotions for Time Warner’s consumer products division, the purpose of these tie-ins was to add additional promotional opportunities for the film; it is a process that “creates a billboard effect, whether you’re driving past a Taco Bell or down a supermarket aisle” (qtd. in Jensen, 3).

Indeed, given the vast number of promotional tie-ins for the film, Schumacher quipped: “I’ve become a total Batman slut” (qtd. in Benezra, 8).

Batman and Robin did not only rely on traditional media sources as promotional devices; like the previous film, it also made extensive use of the Internet. The Website had many of the same features as *Batman Forever*—audio files from the film’s soundtrack, trailers, photographs of the cast, games, and downloadable posters. However, the online marketing campaign for *Batman and Robin* expanded beyond the film’s Website. The compact disc of the soundtrack, which featured artists like Smashing Pumpkins, R. Kelly, Jewel, and R.E.M., also provided software for Prodigy Internet access. Users who popped the disc into CD-rom drives on their computers would be brought automatically to the film’s Website (“Holy Internet Access”). Two of the film’s stars—Schwarzenegger and Clooney—chatted live with fans on Prodigy days before the film opened (“Batman Chats”). The world premiere of the film was Webcast via E! Online’s site, and featured interviews with the stars as well as live audio and video feeds of the stars’ arrivals (“E! Online to Produce”).

While *Batman and Robin* relied heavily on Internet promotions, the expanding medium offered a few wrinkles to the film’s online strategy. Ain’t It Cool News, an upstart Website in Austin, Texas, was fast-developing as one of the most powerful entertainment sites on the Internet. Ain’t It Cool News provided a forum for user commentaries on preview screenings of studio films. The site’s creator, Harry Knowles, ran a scathing review of *Batman and Robin*, before the film opened in theaters. According to Knowles, Schumacher derailed the *Batman* franchise:

First, let me say that Joel Schumacher should be shot and killed. I will pay a handsome bounty to the man (or woman) who delivers me the head of this Anti Christ. He has single-handedly destroyed what started out to be a great series of films (Knowles).

Chris Pula, head of Warner Bros. publicity at the time, criticized Knowles' running of the review, claiming he had not seen the finished print and his review could affect the film's overall reception. Knowles responded by putting fifty-two separate reviews of the film on his site—all negative. Mass media outlets, including *People*, featured the story about the conflict between Pula and Knowles before the film even opened (Palmer).

The negative sentiment about *Batman and Robin* echoed on this Website and others led to an underwhelming run at the box office. Although *Batman and Robin* was the top film for Warner Bros. in 1997, it grossed only \$107 million at the domestic box office and just over \$130 million internationally, and was the ninth film for the year overall. The film was outperformed by a re-release of *Star Wars*, which grossed \$138 million just in domestic theaters; *The Lost World: Jurassic Park*, the sequel to the record-breaking film, which grossed \$229 million in domestic theaters alone; and the comic book adaptation *Men in Black*, the top film of the year with \$250 million at the domestic box office.⁶¹ Not only did these films outperform *Batman and Robin* at the domestic box office, but *Men in Black* also outperformed *Batman and Robin*'s total box office just with its domestic grosses, and *The Lost World* nearly did so, as well. *Batman and Robin* was critically ravaged, and it also received eleven Razzie Award nominations and one win, including Worst Picture, Worst Director, Worst Supporting Actor (both O'Donnell and Schwarzenegger), Worst Supporting Actress (both Thurman and winner Silverstone), Worst Screenplay, and Worst Reckless Disregard for Human Life and Public Property.

The poor performance of *Batman and Robin* at the box office extended not just to its grosses, but to the company's overall bottom line. Time Warner's market share plummeted to fourth place, its worst finish since 1982, with only 10.9 percent (see

⁶¹ *Men in Black* was the top grossing film in 1997, but it was ultimately not the top grossing film released in 1997. Due to its December release, the majority of *Titanic*'s record-breaking box office grosses came in 1998.

Appendix 4 for Time Warner's performance during the decade). The *1997 Annual Report* barely stressed *Batman and Robin*, or any Warner Bros. films, for the year, instead focusing on its television production assets like *ER* and *Friends* (1994-2004) in the Filmed Entertainment Division. A picture from the DVD for *Batman and Robin* appeared on page twenty, and its small caption claimed that the film was Warner's number two film on DVD and number one film on VHS for the year. It is the only time the film, or anything related to Batman, is mentioned in the opening thirty pages of the report, a dramatic change from the previous films in the franchise. Critics took the film's box office showing as a sign that the franchise mentality was inherently flawed and studio executives could not help but do something different. Argued Jay Carr of the *Boston Globe*:

Maybe the poor showings of. . . 'Batman & Robin' . . . will torpedo the pernicious idea of the so-called franchise film. That's just another term for lazy, unoriginal filmmaking. Under the franchise rationale, studios can keep cranking out sequels ad nauseam with ever-diminishing entertainment value. Maybe this summer's failures will cause the studios to lose the sequel idea for a few years. This could be the summer when Hollywood movies finally arrive at the coveted nowhere-to-go-but-up mode ("Hollywood's Summer Meltdown," N1).

Nor was Carr alone in his assessment of what *Batman and Robin*'s performance possibly portended for the industry. In *Variety* editor-in-chief Peter Bart's view, films like *Batman and Robin* "weren't designed to be movies; they were designed to be 'content' produced by 'content providers.'" Hence the ultimate irony: As movies increasingly have been designed as pure business ventures, they've become—guess what—marginal business ventures" ("Can't Sequels," 4). With the film's \$100-million-plus budget, it was clear that *Batman and Robin* had not elicited the performance Warner Bros. needed to sustain a fifth entry in the franchise. Without any other active franchises in the studio's roster, the lackluster performance of *Batman and Robin* was a wake-up call for Time Warner.

THE POST-BATMAN MALAISE AT WARNER BROS.

As the property that drove Time Warner's revenues during much of the 1990s, the disappointment of the fourth *Batman* film was a huge blow to the company. The franchise drove the fortunes of many of the company's arms. Even in 1992, when the theatrical release of *Batman Returns* was viewed as a box office disappointment, another Batman property soared high—the animated series. In 1997, there was nothing related to Batman that experienced such success. Warner Bros. learned a valuable lesson about its key brand: “A brand is the sum of the good, the bad, the ugly, and the off-strategy. It is defined by your best product as well as your worst product” (Bedbury, 15). The *Batman* film franchise began with Burton's highly successful 1989 film, the cornerstone of Time Warner's franchise mentality in the 1990s. But the 1997 film endangered the stability of the property, as fans and critics alike recoiled from its over-the-top commercial interests.

Ultimately, the box office performance of *Batman and Robin* cast a shadow over Warner Bros., as the film studio continued to struggle over the next few years. 1997 proved to be a bad year for the entire Entertainment Division of Time Warner. Reported in early 1997, the losses for the WB network amounted to \$98 million for the year 1996 (“Time Warner and Time Warner Entertainment”). In looking at the WB's performance for the year 1997, Bob Daly claimed that he did not expect the network to turn a profit for another three years (1997 *Annual Report*, 20). Warner Music Group's revenues were down significantly. In looking ahead to the next year, only one potential new film franchise was slated for release: *The Avengers*. The film did poorly at the box office, grossing only \$25 million at domestic theaters. In 1998, the top film for Warner Bros. was *Lethal Weapon IV*, which was the tenth highest film at the domestic box office, earning nearly \$130 million in the series' last outing. Without a strong tentpole picture in 1998, however, the market share for Warner Bros. remained a distant third place. Given

the dismal performances of its films, the *1998 Annual Report* barely acknowledges the film productions from Warner Bros., instead focusing on its successes for television which included the top-rated show of the year, *E.R.*

Thus, as the 1990s were drawing to a close, Time Warner was no longer the world's dominant entertainment conglomerate. The company's key film franchise was in desperate need of resuscitation, and the film division was suffering without any potential franchise films on the horizon. Warner Bros. had not had the top market share in the film industry since 1993 (see Appendix Four). Clearly, new strategies were necessary for both Warner Bros. as a film studio and for Time Warner as the parent company to regain their status in the industry. As in the 1980s, the last year of the decade proved to be a crucial turning point for the company. New franchises emerged, with a focus on a new caliber of talent, while Time Warner engaged in a merger that would re-establish its place as the preeminent media conglomerate in the world. Indeed, 1999 proved to be an important year for building the foundations of the company into the new millennium.

Chapter Four: Re-building Time Warner: A Franchise Powerhouse for the New Millennium

Although it was announced that Joel Schumacher would direct his third *Batman* film even before *Batman and Robin* had been released in theaters, the disappointing grosses of the film demonstrated yet again that a new direction would have to be taken if the franchise was to continue and prosper. The problem of what new direction the franchise should follow was one that would take Time Warner some time to solve. As Time Warner built the *Batman* franchise throughout the 1990s, other viable film franchises had not been developed. With the failure of *Batman and Robin*, it became clear that some other major film franchises were needed to fill out the Warner Bros. roster for the company to remain competitive with other studios year after year. Indeed, as *Batman and Robin* faltered in 1997, Universal's *The Lost World: Jurassic Park* established how strong the franchise was by earning over \$229 million at the domestic box office in addition to \$386 million internationally. The top grossing film at domestic theaters in 1997, *Men in Black*, launched a successful franchise for Sony, grossing \$250 million in domestic theaters and \$337 million internationally.⁶² In 1998, Sony attempted to launch another franchise; this time it was *Godzilla*, which earned \$136 million at domestic theaters and \$240 million internationally. Also in 1998, 20th Century Fox spun off a feature film from its popular television series, *The X-Files: Fight the Future*, while the studio looked forward to distributing the prequel trilogy of *Star Wars* beginning in 1999. Disney continued its success with its animated feature film franchise formula with *Mulan* (1998) and its co-productions with Pixar, including *A Bug's Life* (1998). Clearly, Time Warner faced growing competition in the realm of franchises from other

⁶² While *Titanic*'s box office performance surpassed both *The Lost World* and *Men in Black*, it had only earned \$112 million at the domestic box office by the end of 1997 due to its late December release date.

Hollywood studios, particularly as multiple franchises began to dominate the studios' yearly output as part of a growing franchise mentality.

Time Warner also faced growing competition from the other studios as they expanded into new media. As Hollywood studios moved into a convergence culture with a heavy reliance on DVDs, computer-generated imagery, and marketing on the Web, the Internet was an area in which no other media conglomerate held significant assets. Although Time Warner had started its Internet-based ventures early in the 1990s, it was not until the merger with America Online, Inc. (hereafter, AOL) in 2000 that this digital focus fit into the company's overall growth strategy. AOL's assets as well as its status as the principal Internet gateway were attractive complements to Time Warner's core businesses, particularly its franchise films which were, more and more, expanding into new media. Indeed, by merging with AOL, Time Warner entered into a new market that helped re-establish its top status in the entertainment field.

At the same time that Time Warner was expanding its digital focus, the conglomerate was also diversifying its film interests, specifically by expanding its independent film resources. Although it had acquired New Line Cinema via the Turner Broadcasting merger in 1995, the conglomerate had yet to define itself with an independent film subsidiary, unlike its other rival film studios. As Warner Bros. increasingly engaged independent film talent for its franchise films, the creation and acquisition of independent film subsidiaries could provide a forum to discover and nurture talent for future tent-pole endeavors. These indie subsidiaries also carved a niche for prestige productions, a situation that was evident not only in Time Warner's two indie subsidiaries, but also in other studios' indie subsidiaries as well.

As Time Warner increased its franchise focus outside of *Batman*, almost all of the company's franchises featured directorial talent from independent film. Peter Jackson of

The Lord of the Rings trilogy, Bryan Singer of the *Superman* franchise, Steven Soderbergh of the *Ocean's* franchise, the Wachowski brothers of *The Matrix* franchise, and Alfonso Cuarón and Mike Newell of the *Harry Potter* films all had ties to independent film and art cinema. After several high-profile but failed attempts to re-start the *Batman* franchise, the fifth film, *Batman Begins*, was finally released in June 2005, ending an eight year hiatus for the company's key film property of the 1990s. During those eight years, Time Warner had several versions of the fifth film in development and even in active pre-production, none of which came to fruition. The most prominent of these attempts involved filmmakers well-established in the independent film world and art cinema, attempts that were akin to the risky selection of Tim Burton as the director of *Batman*: Darren Aronofsky, whose debut feature, *Pi* (1998), was an award winner at the Sundance Film Festival; Boaz Yakin, whose debut feature, *Fresh* (1994), also won awards at Sundance; and Wolfgang Petersen, nominated for a Best Director Academy Award for his German film, *Das Boot* (1981).

The director for *Batman Begins*, Christopher Nolan, also had ties to independent film. Like Aronofsky and Yakin, Nolan was an award winner from Sundance with his feature film, *Memento* (2000). Indeed, the incorporation of talent such as Nolan or Jackson into franchises was the result of the success of independent film during the 1990s, as it emerged as a viable alternative to the Hollywood model. While the franchise film and the independent film seem like an unlikely hybrid in terms of aesthetics, economic practices, and mainstream popularity, the two types of films surprisingly meshed with these high-profile Warner Bros. productions. The combination of the franchise film with independent film talent was a particularly successful strategy, with these hybrids helping (re-)establish Time Warner as the world's premiere film studio.

Since 1999, Time Warner has remained the most profitable media company in the world as a result of its franchise and convergence focus, in addition to its reliance on the independent film as a source for talent, profitability, and synergy. This chapter chronicles the company over the last decade as it moved from being vulnerable to extremely powerful. Ahead of any of its rival conglomerates, Time Warner's strategy of producing multiple franchises, most of which are helmed by (formerly) independent film talent, and expanding into new media like the Internet has proven to be the key to dominating the entertainment market. As such, the re-booting of the *Batman* franchise in 2005 echoes the successful strategies of the parent company. Truly, the *Batman* franchise and Time Warner's dominance began again in the new millennium.

THE "MOST IMPORTANT GROWTH AREA": EXPANSION INTO NEW MEDIA

The AOL and Time Warner merger certainly was not without precedent. As media conglomerates expand their breadth and reach, they inevitably stretch into new media technologies. For film studios in the last two decades, this process has proven to be immensely successful. Indeed, "The home video revolution is easily the biggest thing to happen to movies since sound. Home video in its successive forms—first the VCR, and now the DVD—contributes more revenue to Hollywood than any other market," including the theatrical market (Wasser, "Ancillary Markets," 120). Hollywood film studio's relationship to another new media technology, video games, has also been more than profitable. For the first time in 2004, revenues from video game sales exceeded box office revenues (Nichols, 132). Game developers, however, relied (and continue to rely) heavily on proven Hollywood properties as a source for material, while studios benefit from the additional ancillary market for their films. These additional windows for Hollywood products are a symptom of a growing convergence culture where old and new

media ultimately join together. Argues Henry Jenkins in *Convergence Culture: Where Old and New Media Collide*: “Convergence is taking place within the same appliances, within the same franchise, within the same company, within the brain of the consumer, and within the same fandom. Convergence involves both a change in the way media is produced and a change in the way media is consumed” (16). Perhaps no medium is a better indicator of the challenges posed by and the benefits of convergence than the Internet.

In 1998, Time Warner remained the second largest entertainment company in the world, trailing the Walt Disney Co. as it had done for the last five years. Undoubtedly, a new strategy was necessary to re-establish Time Warner’s status in the industry, and expanding into the Internet seemed like the most likely scenario for success since none of the rival studios had a major stake on the Internet at the time. In fact, Disney’s Internet strategies were the most developed of the studios at the end of the decade. Disney’s commerce site sold approximately \$8 million worth of goods in 1997, while its subscription-based site for kids had 70,000 members in its first ten months of existence (Grover). In 1998, Disney purchased a controlling stake in Infoseek, a searchable online database similar to Yahoo. In the same year, the company launched the Disney Internet Guide, known as DIG, as a search engine designed specifically for children (Hafner, G3). According to Jake Winebaum, the President of the division Buena Vista Internet Services, “The companies that will win on the Internet are those who have the ability to create content, and no one does that better than we do” (qtd. in Grover). Disney’s many subsidiaries provided potential content for the company’s Internet presence, but Disney’s focus on using the Internet as a site for commerce and as a search portal hardly constituted a full synergistic enterprise. In fact, the company spent over \$150 million on

online ventures in 1997, with little to show for its efforts (Grover). Disney had, as yet, found a way to fully converge its old and new media interests.

Time Warner had had earlier, but failed, attempts at creating a significant presence on the Internet. In October 1994, Time Warner began its first high-profile Internet endeavor with the Web portal, Pathfinder, which was meant to be *the* site for all things related to Time Warner. Rather than separate sites for each identifiable brand—for example, the *Time* magazine Website or the HBO Website—Pathfinder was the hub that presented an amalgam of Time Warner’s key properties. Originally, the portal was envisioned as a subscription-based service, but this revenue model never worked and the portal was shut down in 1999. Another Time Warner Internet venture was the Full Service Network (FSN). Launched two months after Pathfinder, FSN was a trial for interactive television set in Orlando, Florida, home to Disneyworld. The FSN provided a typical-looking cable box, and its users had the ability to use their television set not only to watch television, but also to shop, search the Internet, select movies on demand, and play games (Swisher and Dickey, 77). The boxes, however, cost more than \$5,000 each for Time Warner and, after six months, only fifty subscribers were willing to spend the \$50 a month subscription fee on an untested technology (Swisher and Dickey, 79). After years of trial and error, FSN was finally shut down in April 1997. Both Pathfinder and FSN had been costly failures for Time Warner, with each venture rumored to have cost the company one-hundred million dollars.

Eager to re-establish the company’s number one place in entertainment, Time Warner Chairman and Chief Executive Officer Gerald Levin created the division Time Warner Digital Media in July 1999 to lead the company’s digital strategy, claiming that “Digital media is Time Warner’s single most important growth area” (qtd. in Munk, 131). With the creation of the Digital Media Division, Time Warner launched a new Internet

portal to replace Pathfinder. In November 1999, Time Warner unveiled the new portal, called Entertaimdom.com, a site which featured links to articles from its key magazines, full-length classic cartoons, and music videos from recording artists on one of the company's many record labels. Claimed Levin on the launch of the new portal:

Entertaimdom is an extension of our strategy to harness the consolidated strength of Time Warner's brands in the online world. It is an exciting entertainment destination which brings together in one location a unique blend of content, commerce and community from both within and outside our company (qtd. in "Time Warner Turns").

Entertaimdom featured three particular kinds of products: new material created specifically for the Web, such as *The God and Devil Show*, which was an animated parody of talk shows; extensions of key properties, such as webisodes of a Superman series, *The Multipath Adventures of Superman*, which included an interactive component; and re-purposed material, such as old Looney Toon cartoons ("Time Warner Turns"). Ironically, while Levin stressed that Entertaimdom was a place to extend branding into the online world, the portal's name had no ties to any of Time Warner's key properties. The site's video-laden pages also made it difficult for most consumers to access, and the infrastructure for the site could not handle the number and size of the video files and crashed often.

Less than a month after Entertaimdom's problematic launch, Levin sent a memo to Time Warner employees explaining that he was involved in a process to "set in motion a digital makeover of *all* of Time Warner to ensure [that] a digital focus is integrated into every aspect of the company's operations" (Munk, 150-151). Without specifically mentioning it, the process he referred to was a proposed merger with AOL, the company which created the premiere Internet gateway during the 1990s. AOL was part of the Internet bubble, where Internet-related business ventures became a dominant force on the New York Stock Exchange (NYSE) and on the National Association of Securities

Dealers Automation Quotation System (NASDAQ). From its listing as a publicly-traded company in 1992 through April 1999, AOL's NYSE prices had grown nearly 8,000 percent (Gilpin, C6). In December 1999, for the first time in its entire history, the NASDAQ closed above 4000, an 84% gain from the previous year, due in large part to Internet-based companies' growth during the year (Leibovich, A1). Levin's disappointment with the direction of Time Warner's company-wide digital strategy led him to seek an outside force that could direct them into the coming digital age. The company's series of failures in new media, including Pathfinder, FSN, and Entertaimdom.com, as well as the spectacular growth of Internet-based companies during the 1990s, were factors that contributed to the merger.

In January 2000, the two companies announced the merger to create AOL Time Warner, and the newly combined company represented the first high-profile junction of old and new media companies. In addition, it was a *new* media company buying the *old* media company in a stock deal valued at over \$160 billion. The merger would take another year before it became official. Levin's address to stockholders in the *1999 Annual Report* (released in 2000) stressed that with their combination, AOL and Time Warner together would "achieve. . . what neither company could have achieved on its own: a media-savvy, Internet-intelligent, customer-focused company with multiple revenue streams from branded subscriptions, advertising and commerce, and content" (5). Given Time Warner's previous, failed attempts to create a substantial Internet presence, the merger with AOL made perfect sense. Aligning with the premiere portal and brand on the Internet would finally give the company the outlet it needed to flourish in the new media environment. Indeed, Levin identified this as the key benefit of the merger: "This strategic combination with AOL accelerates the digital transformation of Time Warner by giving our creative and content businesses the widest possible canvas" (qtd. in "America

Online and Time Warner”). Barry Meyer, the Chairman and Chief Executive Officer of Warner Bros., echoed Levin’s statement in terms of how the Internet could aid film franchises: “An expanded Internet platform offers us valuable opportunities for distribution, product promotion and brand extension now and in the future” (qtd. in *1999 Annual Report*, 25).

Less than a week after the merger announcement, however, the picture of a unified multimedia company for the new millennium did not look as rosy. Both companies saw a drop in their stock prices: AOL was down \$8.25 to \$64.37 ½ per share and Time Warner was down \$6.12 ½ per share to \$86.12 ½ as investors worried that the size of the newly merged company would dramatically slow AOL’s amazing growth (“Time Warner, AOL Stock”). In March, the Internet bubble burst, as Internet companies began to trade at 50 to 70 % of their previous highs and the NASDAQ began to fall sharply (Shell, B1). By November 2000, AOL’s stock had continued to drop as part of the burst of this bubble; the company’s stock dipped to almost 50% of its value *before* the announcement of the merger (Munk, 208). When the deal was approved by federal regulators in January 2001, the newly formed company’s problems were still far from over. Former Time Warner divisions had a difficult time cooperating with the AOL divisions. For example, HBO refused to air a Victoria’s Secret fashion show on its network, claiming it was not programming but advertising, as AOL tried to secure a lucrative advertising contract with the fashion company (Munk, 220). As the end of 2001 approached, the financial fortunes of the company had not improved, either. Stocks plummeted to under \$31 per share as the company announced that the AOL division could not meet the expectations of its third quarter revenues, particularly due to an industry-wide decrease in online advertisement spending, another repercussion of the bursting of the Internet bubble (Schiesel, C2). However, the “old” media divisions of

AOL Time Warner—the Filmed Entertainment, Publishing, and Cable Network Divisions—experienced substantial increases in revenues during the same period.

As the “old” media divisions continued to do well quarter after quarter, AOL’s profitability continued to decrease; in fact, the division created numerous problems for the overall company’s financial status. In the fourth quarter of 2001, AOL lost \$1.8 billion, approximately forty-one cents per share (Bergstein). AOL Time Warner posted a \$4.9 billion loss for 2001, approximately \$1.11 per share, of which AOL’s losses were a large part (Klein, “AOL Time Warner,” E1). For the fourth quarter of 2002, the division of AOL astounded the industry with a \$44.9 billion loss, which amounted to over \$10 per share (Bergstein). AOL Time Warner as a whole lost \$99 billion for 2002. Of this total, \$54 billion was due to an accounting charge placed on AOL Time Warner by the Securities and Exchange Commission (SEC) as a result of the decreased stock price during the merger. AOL’s total losses for the year as a division were \$33 billion (“AOL TW Falls Off,” 1). In 2003, debates raged within AOL Time Warner about dropping the AOL part from the name; in September, board members voted to return to the Time Warner moniker. Upon the move to revert to Time Warner, a writer for *Variety* joked that “With billions of dollars in shareholder value down the tubes, this may be the biggest case of ‘never mind’ in corporate history” (“Time for Name,” 1).

With the announcement of the reversion to the name Time Warner, Dick Parsons, the new Chairman and Chief Executive Officer for the company, claimed it was a move about branding, and not for selling off the problematic division:

We are better prepared today than ever before to secure our historic position as the world’s leading media and entertainment enterprise—exactly what the Time Warner name has always stood for. . . .Our new name better reflects the portfolio of our valuable businesses and ends confusion between our corporate name and the America Online brand name for our investors, partners and the public (qtd. in Vise, E5).

Even with AOL removed from the company's name, the division continued to cause problems for Time Warner. The SEC and the Justice Department were investigating AOL's accounting practices, and the division continued to lose subscribers and revenues consistently.⁶³

While the AOL merger cost Time Warner tens of billions of dollars in losses, the merger did have a silver lining—it re-established the company as the premiere entertainment company in the world. Beginning in 1999, Time Warner regained the top status in the industry in terms of revenues. In 1999, Time Warner was 45th on *Fortune's* annual 500 list ("The Fortune 500," 2000, F-1). By 2003, the company had climbed to number twenty-seven ("The Fortune 500," 2004, F-1). Despite its increasing revenues, the company did not earn a profit. In returning the company's name to Time Warner in 2003, the company hoped to re-brand itself as the premiere global media conglomerate by erasing the bad associations caused by the problematic AOL merger. That same year, Time Warner returned to profitability. During the period from 1995 until 2005, amid mergers with Turner Broadcasting and AOL, Time Warner had the highest percentage in annual growth in revenues of the *Fortune* 500 companies ("The Fortune 500," 2006, F-29). Clearly, Time Warner's strategy of emphasizing new technologies, branding opportunities, and synergy led to its re-establishment as the dominate entertainment conglomerate.

TIME WARNER FURTHER EXPANDS INTO INDEPENDENT FILM

While Time Warner as a whole was emphasizing the importance of new technologies in order to increase the corporation's range of products and sustain

⁶³For the year 2003, revenues for AOL fell seven per cent, and the division lost over two million subscribers (David Carr, 8). In 2005, Time Warner was fined \$210 million by the Justice Department and \$300 million by the SEC because of fraudulent accounting practices at AOL ("Keyword: Settle," 1).

profitability, it was a similar strategy of diversification that led to Time Warner's independent film focus during this same period. Given its independent film/franchise film hybrid focus in recent years, it is surprising that Time Warner entered into the independent film market later than most of the other studios (see Table 7 in the previous chapter for a list of studios and their independent divisions). As a potential source of profitability, critical acclaim, and new talent, independent films have become a central focus of the conglomerates. Indeed, the move into independent film stressed the importance of a diverse slate of product, as well as a rich source of talent for larger budget productions. Although Time Warner had acquired the formerly independent New Line Cinema (and its arty subsidiary, Fine Line Features) via the merger with Turner Broadcasting in 1995, Time Warner expanded further into independent film in order to dominate that market as well. In 2003, Time Warner created Warner Independent Pictures as its in-house independent label. In March 2005, Time Warner purchased independent film distributor Newmarket Films, which became Picturehouse, another independent label.

With the announcement of WIP, a joint statement from Alan Horn, Warner Bros. Co-Chairman and Chief Operating Officer, and Barry Meyer, Warner Bros. Co-Chairman and Chief Executive Officer, stressed that the label was an attempt to strengthen Time Warner's film slate outside of franchise films: "For strategic and creative reasons, we have long felt that in order to truly be a 'full-service' studio, we need to produce, distribute and market all genres of films, with all size budgets, to all potential audiences, and not be limited by traditional, mainstream definitions of a 'studio' film" (qtd. in Kit). The idea for the division was to produce a handful of films at a low budget, and to acquire additional films at film festivals such as Sundance. It was also viewed as a venue to spot and nurture new talent that could (later) contribute to Warner Bros.' higher budget

films. In this regard, Jeff Robinov, the President of Warner Bros. Pictures, used the example of Nolan: “The idea for me is that we want Warners to be a place for filmmakers to make their big movies and their lower-budgeted features. . . .[I would have] loved to have made an independent film like ‘Memento’ with Chris Nolan and then moved him into ‘Batman’” (qtd. in Kit). Although the division struggled initially, it met unexpected success in 2005 with two films. As part of his long-standing relationship with the studio, former Batman George Clooney directed *Good Night, and Good Luck*, a film which chronicled the Edward R. Murrow and Joseph McCarthy confrontation in the 1950s. Made for under \$10 million, the film went on to receive six Academy Award nominations including Best Film, Best Director, and Best Original Screenplay.

The other success story for WIP in 2005 was a French documentary by Luc Jacquet, *The March of the Penguins*, which followed the plight of emperor penguins in Antarctica. The film went on to win the Academy Award for Best Documentary. In addition to this honor, the film holds the record as the second highest grossing documentary ever, with over \$77 million at the domestic box office. WIP earned two-thirds of its revenues for 2005 from the success of this one film (Fritz, “WB, Fox,” 1). WIP purchased the rights for U.S. distribution of the documentary for \$1 million at the Sundance Film Festival and spent additional money to add a soundtrack and a voice-over by Academy Award-winning actor Morgan Freeman to make the film reflect a more traditionally-structured narrative (McClintock, “Pix Perk,” 1). An article for *Variety* estimated that with these costs, plus the costs of prints and advertising, *The March of the Penguins* still made nearly 22 times its budget at the domestic box office—a figure which does not include its DVD sales, international box office earnings, or sales to secondary windows like cable television (McClintock, “2005,” 7). Due to the film’s popularity, its DVD release included elements to promote other Time Warner products that tied into the

penguin theme. A classic Warner Bros. cartoon, *8 Ball Bunny* (1950), features Bugs Bunny trying to return a penguin back to the South Pole. Also included on the disc is a trailer for *Happy Feet* (2006), produced by Warner Bros., an animated feature about a penguin who cannot dance. Thus, the independent film became a vehicle to integrate other Time Warner products into its popularity.

While WIP acquired films like *The March of the Penguins*, Time Warner acquired another independent division by purchasing Newmarket Films. Newmarket had a short history, but had proven to be extremely successful at choosing films to distribute. One of the first films it acquired was Nolan's *Memento*. Newmarket also acquired *Whale Rider* (2003) and *Monster* (2003), which earned each of its female leads an Academy Award nomination—and win in the case of Charlize Theron for her performance in *Monster*. Key to the company's success was Bob Berney. Berney acquired difficult films and found ways to market them to the mainstream audience and to movie exhibitors. His largest challenge proved to be Mel Gibson's *The Passion of the Christ* (2004), an extremely bloody version of Christ's crucifixion told in Aramaic and Latin. Exhibitors were hesitant to screen the long, gory, and subtitled film, but Berney convinced them that it would play to a large, religious audience. Indeed, the film opened on over two-thousand screens, the largest opening ever of a completely subtitled film. By the end of its theatrical run, *The Passion of the Christ* had made over \$370 million at the domestic box office, making it the highest grossing independent film of all time. In regard to the film's success, Berney claimed that it was a wake-up call for the studios: "The great thing about the 'Passion' experience is that it demonstrates that a small independent company can come on and release a film wide and deliver these types of numbers just like any studio" (qtd. in "Monster Day"). Indeed, *The Passion of the Christ* came within \$4

million of Sony's take at the domestic box office with the franchise film *Spider-Man 2*, and was the third highest grossing film of 2004.

It was the success of *The Passion of the Christ*, in particular, that solidified Time Warner's interest in the company. Through the HBO and New Line divisions, Time Warner acquired Newmarket and, perhaps most importantly, the services of Berney. In May 2005, the name of Berney's division of the company was announced at Cannes: Picturehouse. According to Berney, Picturehouse was envisioned as a brand to enhance the status of its two corporate partners, New Line and HBO, as independent-friendly: "Picturehouse allows us to bring a wide variety of films, large and small, to a diverse audience. We hope that by utilizing the strength, taste and independent spirit of the two parent companies we will forge a new and unique home for filmmakers" (qtd. in "HBO/New Line"). Indeed, Berney did not see Picturehouse so much as an arthouse division as a division which could bring smaller films to a larger audience: "We're not doing arthouse films. We're doing films that can connect with a bigger audience" (qtd. in McClintock, "Indie Pipelines," 11).

While Berney described his focus as on smaller, independent films that could play to a big audience, his strategy is the corollary to Time Warner's strategy with its franchise films. A number of the directors and key talent involved in Time Warner's franchise films have emerged from the independent film movement. These filmmakers have brought elements of the independent film into the franchise film, merging their distinctive styles with the fervently commercial genre. These indie film/blockbuster hybrids have done surprisingly well at the box office, stressing the importance of independent film to the conglomerates' bottom lines. In particular, these hybrids re-asserted Time Warner's dominance in the film industry after multiple lackluster years in the industry. They also helped re-establish Time Warner's power in the overall

entertainment industry, as revenues from the Filmed Entertainment division led the company's profitability.

SUCCESS BREEDS HYBRIDITY: MOVING TALENT FROM INDEPENDENT FILM TO FRANCHISES

The years 1997 and 1998 proved brutal to Time Warner's Filmed Entertainment division's revenues, as no tentpole or franchise films did well at the box office for Warner Bros. While this period was the worst of times for Warner Bros., it was the best of times for subsidiary New Line. For the two years after the dismal box office of *Batman and Robin*, it was the releases from New Line Cinema that particularly sustained Time Warner's profitability with its film arm. In 1998, *Rush Hour* was New Line's top release, grossing \$136 million at the domestic box office, placing number eighth for the year's top domestic grossers. The film also grossed over \$100 million internationally, numbers which helped launch a profitable film series. Films from New Line Cinema received significant attention in Time Warner's *1998 Annual Report*, as the subsidiary "enjoyed the best year in its history, registering all-time records for domestic box-office grosses and for video and television sales" (23). *Rush Hour*, in particular, is singled out for setting a new opening record for New Line. In 1999, *Austin Powers: The Spy Who Shagged Me*, the second film in the *Austin Powers* multimedia franchise, grossed over \$100 million internationally and \$200 million at the domestic box office for New Line, making it the fourth highest grossing film of the year and the top film for Time Warner.

New Line's success with *Rush Hour* and the *Austin Powers* franchise was the culmination of producing franchises with budgets significantly lower than any other studio's, franchises including *A Nightmare on Elm Street* and *Teenage Mutant Ninja Turtles*. In a January 1995 article for *Variety*, Leonard Klady compared the average cost-

to-return ratios for the major studios, and found New Line to be number one. According to Klady's research, the average budget for a film at New Line was \$11.6 million and the average domestic gross was \$26.2 million. This yielded a cost-to-return ratio far above any of its competitors with 126%. In contrast, Warner Bros.'s average budget was \$31.2 million and the company's average domestic box office was \$38.3 million, yielding a cost to return ratio of only 23%. This placed Warner Bros. as number six in relation to the other major film studios (Klady, "Disney Takes" 20). Clearly, Warner Bros. had something it could learn from New Line—the cultivation of franchises in a more cost-effective way.

While New Line offered significant lessons in making successful franchise films on a budget, the company was less known for its independent films outside of the horror and exploitation genres. Even though New Line did establish the Fine Line Features label in 1990 for its more arty fare,⁶⁴ the horror and exploitation films were the company's most dominant products. Instead, other independent film companies, such as Miramax, were more likely to produce and/or distribute independent films that differed significantly from Hollywood films in terms of aesthetics, tone, subject matter, and talent. For example, Quentin Tarantino's *Pulp Fiction* (1994), released by Miramax,⁶⁵ features dialogue scenes not pertinent to the film's overall narrative, a jumbled narrative structure, and a joking tone towards serious topics, such as drug overdose, rape, and murder. Particularly, the film's non-linear narrative structure inspired a host of other films to also play with alternative narrative order, creating what Charles Ramírez Berg has termed as the "Tarantino Effect" (Ramírez Berg, 5-6). The success of films such as *Pulp Fiction*—

⁶⁴ For example, Fine Line distributed Robert Altman's *Short Cuts* (1993), Scott Hicks' *Shine* (1996), Harmony Korine's *Dogma* feature *Julien Donkey-Boy* (1999), and Todd Solondz's *Storytelling* (2001).

⁶⁵ Miramax was purchased by Disney in May 1993, two months before the company signed a deal to finance *Pulp Fiction*. Nearly all press accounts of the film refer to it as a Miramax release, even though the company was now part of the Disney conglomerate.

which earned more than \$100 million at the domestic box office—affected the style and narratives not only of other independent films, but also Hollywood studio films such as 20th Century Fox’s *Fight Club* (1999) and Universal’s *A Beautiful Mind* (2001). By 1999, independent filmmakers and film aesthetics also had affected Time Warner’s most commercial product—the franchise film.

Warner Bros. finally emerged from its two-year box office slump in 1999, thanks largely to *The Matrix*, which grossed over \$280 million internationally, earned over \$170 million at the domestic box office, and emerged as the number-five film for the year in the industry (see Table 8 below). At its release in theaters, *The Matrix* was described by one journalist as Warner Bros.’ “first genuine franchise since the *Lethal Weapon* and *Batman* series ran out of steam” (“1999 Wrap”).⁶⁶ The film’s stellar box office performance pushed Warner Bros. to number-one in market share for the first part of the year, moving the company up from fifth place just a month before (Fuson and Galloway). Cable broadcasting rights were quickly snapped up by Time Warner subsidiaries TBS and TNT for over \$10 million for eight showings beginning in 2002 (Dempsey, 4). Due to the film’s runaway success, Warner Bros. quickly set in motion two more sequels and a slew of products across media.

Table 8: *The Matrix* Films

Film Title	Year Released	Domestic Gross (in millions)	Rank for Year	Global Gross (in millions)	Total Gross (in millions)
<i>The Matrix</i>	1999	\$172	5 th	\$289	\$461
<i>The Matrix Reloaded</i>	2003	\$282	4 th	\$457	\$739
<i>The Matrix Revolutions</i>	2003	\$138	11 th	\$285	\$423

⁶⁶ *The Matrix* started as a Warner Bros. project, but ended up as a co-production with Village Roadshow Pictures, an Australian-based entertainment company. Warner Bros. retained worldwide distribution rights to the film, except in Australia and New Zealand, where Village Roadshow was based.

The Matrix was a futuristic action film starring Keanu Reeves as the one person who can stop computers' control over humans by breaking through "the matrix." Because of its subject matter, the digital realm became an important aspect of marketing *The Matrix*, an aspect that certainly fit into the studios' growing digital focus. An advertisement featured during the Super Bowl directed viewers to an Internet site where users could find not only traditional promotional materials like video clips and movie stills, but also original comic book material inspired by the film, intricate games, and an animated storyboard. Over a million users had visited the Website days after the broadcast of the January 31st Super Bowl to learn "What is the Matrix?" ("Xceed's Reset"). Four weeks after the film opened in April, the site continued to bring in users, ranking number thirty-one of the top one hundred sites on the Internet ("Xceed's www..."). Claimed Scott Mednick, chairman and chief strategic officer for Xceed, the company that designed the Website:

The remarkable life span and influence of www.whatisthematrix.com is a telling example of the Internet as an audience builder and marketing tool for media properties. A powerful component of being an 'Internet architect' is building not only successful Websites, but also the communities who support them (qtd. in "Xceed's www...").

The success of the Website demonstrated how fan communities used new technologies like the Internet to interact with texts such as *The Matrix*.

Overseeing all facets of *The Matrix* franchise were the Wachowski brothers, who started their film career through the acclaimed independent production, *Bound* (1996). After years of trying to get *The Matrix* made, the brothers secured a \$60 million budget and stars including Reeves, Laurence Fishburne, Hugo Weaving, and Carrie-Anne Moss. Producer Joel Silver described the brothers' idea of a superhero movie as unlike "the Batman-Superman hour. They didn't want to do Saturday morning TV" (qtd. in Higgins, 39). Indeed, the film's violence, themes, and language secured a solid R-rating,

inappropriate for the family audience for whom most franchises aimed. In addition, the fact that the film was helmed by filmmakers whose first (and only) film centered on two lesbians who pull off a heist from the mob certainly did not allude to blockbuster material. Highly unusual at the time, Warner Bros. risked the tricky film with the independent filmmakers, much like executives trusted Tim Burton to helm *Batman* over a decade before, with Burton having directed only two smaller, quirkier films. According to producer Peter Guber, it was Burton's unique talent that was an essential ingredient in *Batman*'s initial success:

Here came along a fellow in Tim Burton who liked the original material, and liked the comic material, and had a sensibility because he was a graphic artist. He came out of that, that milieu. So he had a sensibility about the material, and yet he had already made films. And quirky, unique films. There was a danger in that because it didn't look like what everyone thought it was. But the value of that was the imagination and the intuition took everybody to another place. And what he baked into the process was the most important element in the film—he built risk into it. He said, "I'm going to take this to another place where there is not a lot of certainty. I'm going to give you variety." And that scares people. It scares studios, financiers. And it did all the way up the food chain until the very end. But that was the component that helped, that very risk component helped get it made and helped make it what it is (qtd. in *Shadows of the Bat Part I*).

Though risky, the Wachowskis' distinctive blend of comic-inspired cinematography,⁶⁷ martial arts, and a story fitting for the Internet age ultimately drove the film's success just as Burton's vision did for *Batman* in 1989. The studio's \$60 million gamble on *The Matrix* paid off when the filmmakers delivered the studio's first franchise since the *Batman* franchise faltered two years before.

The following two sequels for the film built upon its key Internet fan base, and rewarded fans with original material related to *The Matrix* through various digital

⁶⁷ Indeed, the Wachowskis convinced producer Joel Silver to make the film by providing him with a 600-page comic book of the film as they envisioned it (Weinraub, "Brothers Unleash," E1).

technologies—DVDs and video games, in addition to the Internet.⁶⁸ According to Henry Jenkins in *Convergence Culture: Where Old and New Media Collide*, *The Matrix* franchise was emblematic of transmedia storytelling: “[S]torytelling has become the art of world building, as artists create compelling environments that cannot be fully explored or exhausted with a single work or even a single medium. . . . [F]ilmmakers are as much in the business of creating licensed goods as they are in telling stories” (114-115). The two sequels to *The Matrix*—*The Matrix Reloaded* (2003) and *The Matrix Revolutions* (2003)—were filmed simultaneously, along with scenes for the video game, in an attempt to keep soaring costs down. Appearing in theaters nearly six months after its predecessor, the third installment of *The Matrix* series was the first film to be released globally at the exact same moment. Although the simultaneous release was deemed an attempt to combat worldwide piracy, it also tied neatly into the arrival of *Reloaded* onto DVD just weeks prior to the release of *Revolutions* in theaters across the globe. The extras on the DVD for *Reloaded* helped situate both films’ place in the trilogy along with the other two main narrative products in the series—the video game *Enter the Matrix* and *The Animatrix* DVD, which presents several short films related to *The Matrix* universe. Both ancillary products were important as pre-marketing devices. *Enter the Matrix* was released the same day *Reloaded* hit theaters, but it acted as a crucial link between the second and third films. *The Animatrix* DVD was released nearly a month after *Reloaded*, but it also provided some of the crucial links between the second and third films.

Thus, *The Matrix* proved to be a profitable, multimedia franchise for Warner Bros. and its success in the digital realm pointed to why Time Warner’s digital focus

⁶⁸ Plotlines related to the films were revealed through playing the video game *Enter the Matrix*, which featured a game script written and directed by the Wachowski brothers. The game featured over an hour’s worth of footage shot intentionally for the game, and gave an in-depth account of what happened in one of the films’ sub-plots not explored in the films themselves. Additionally, a DVD called *The Animatrix* was released in between the second and third films. *The Animatrix* featured nine anime shorts by celebrated artists, each related to some aspect of the characters or plots seen in the films.

needed to be expanded. *The Animatrix* DVD reportedly brought in \$67.5 million and the video game *Enter the Matrix* over \$160 million in additional revenues to the company (Pulley). *The Matrix* helped put Warner Bros. back on track in terms of film franchising opportunities in 1999, while Time Warner's *1999 Annual Report* identified two future film franchises as keys to the Filmed Entertainment Division's future. The report mentioned that the company "began development of what promises to be a potent franchise in all media based on the wildly popular *Harry Potter* series of children's books" (23). The New Line Cinema section stressed another large-scale franchise: "New Line also began production on its highly anticipated *Lord of the Rings* trilogy, based on J.R.R. Tolkien's best-selling novels" (24). Together with *The Matrix*, Warner Bros. now had three potentially lucrative film franchises in active status, a step beyond its singular focus on *Superman* in the 1970s and '80s, and *Batman* in the 1990s.

Warner Bros. secured the rights to adapt the *Harry Potter* books for a rumored seven figure amount in late 1998. Written by J.K. Rowling, the first three *Harry Potter* books sold over five million hardcover copies in the United States alone by 1998 (Power, A26).⁶⁹ The books follow the exploits of a young wizard and his friends as they face the great evil presented by Lord Voldemort. Before the first film even had a director, screenwriter, or cast, Warner Bros. secured a merchandising deal with Mattel to produce toys and ancillary products related to the property. Claimed Dan Romanelli, the President of Warner's Consumer Products Division: "Everybody wanted this property because it is viewed as a long-term property" (qtd. in Finnigan). The deal with Mattel was designed as a long-term branding effort, not specific to the Warner Bros. films

⁶⁹ By 2001, the *Harry Potter* books had become some of the highest selling children's books of all-time in the U.S. alone. The hardcover editions of *Harry Potter and the Goblet of Fire*, *Harry Potter and the Chamber of Secrets* and *Harry Potter and the Prisoner of Azkaban* were numbers five, ten, and eleven, respectively, on this list, all the more impressive considering that the other books in the top eleven were produced between 1902 and 1960 (Roback and Britton, 24).

themselves, but to sustain the popularity of the books via new tie-in merchandise and build anticipation for the first film, *Harry Potter and Sorcerer's Stone*, which was slated for release in the summer of 2001. The film's drawn-out casting process, as well as its extensive use of special effects, pushed its release until November of 2001. It became the number one film of the year, grossing nearly \$300 million at the domestic box office and over \$650 million internationally, grosses which made it the second highest grossing film of all-time (D'Alessandro, "Top All-Time," 7). The film propelled Warner Bros. into first place for market share, a feat the company had not accomplished since 1993 (see Table 9 below for the franchise's grosses, and Appendix 4 for market share data).

A protégé of Steven Spielberg's, Christopher Columbus, directed the first two films in the *Harry Potter* franchise. Citing the grueling production schedule of the first two films, Columbus stepped down and took a producer's credit on the third film. Unlike Columbus, however, the next three directors involved in the franchise—Alfonso Cuarón, Mike Newell, and David Yates—had ties to the international art cinema movement. Cuarón's Mexican film, *Y Tu Mamá También* (2001), won numerous critics' awards for Best Foreign Language film of 2001, and Alfonso Cuarón and his brother, Carlos, received a Best Original Screenplay nomination from the Academy Awards. British filmmaker Mike Newell's adaptation of *Enchanted April* (1992) received three Academy Award nominations for Best Adapted Screenplay, Best Supporting Actress, and Best Costume Design, while his next film, *Four Weddings and a Funeral* (1994), received Best Picture and Best Original Screenplay nominations. David Yates was an award-winning director for several British dramatic serials, including *Sex Traffic* (2004), which follows two sisters sold into the sex traffic trade in Europe. Although not American independent filmmakers, the presence of Cuarón, Newell, and Yates attests to Time Warner's usage of directors outside mainstream Hollywood to helm its key franchises.

Table 9: The *Harry Potter* Films

Film Title	Year Released	Domestic Gross (in millions)	Rank for Year ⁷⁰	Global Gross (in millions)	Total Gross (in millions)
<i>Harry Potter and the Sorcerer's Stone</i>	2001	\$318	1 st	\$654	\$972
<i>Harry Potter and the Chamber of Secrets</i>	2002	\$252	3 rd	\$524	\$776
<i>Harry Potter and the Prisoner of Azkaban</i>	2004	\$249	5 th	\$540	\$789
<i>Harry Potter and the Goblet of Fire</i>	2005	\$277	2 nd	\$531	\$808
<i>Harry Potter and the Order of the Phoenix</i>	2007	\$292	5 th	\$646	\$938

Prior to the summer of 2007, the first four *Harry Potter* films were in the top ten highest grossing films worldwide of all-time, and Warner Bros. had the most films of any studio on this list with these four films.⁷¹ Clearly, the success of the *Harry Potter* films has helped re-establish Time Warner as a film franchise powerhouse. Additionally, the *Harry Potter* property has been successful across media in terms of book sales, video games, and *Harry Potter*-themed merchandise. The first two *Harry Potter* video games, based on the first two books and films, each sold nearly five million units in the United States alone, and over twenty million each worldwide (“H’wood Still Learning”; “EA to Release”). In May 2007, Time Warner announced that a Harry Potter theme park would open in 2009 at the Universal Studios theme park in Orlando, Florida, a partnership which merged the valuable property with Universal’s skills in creating film-related theme park experiences. Claimed Alan Horn, the theme park was a way to extend fans’ experience with Harry Potter:

⁷⁰ The rank for the year is based on the film’s domestic box office performance. *Harry Potter and the Goblet of Fire*, for example, was the second highest grossing film in 2002 in domestic theaters, but was the number one film in terms of worldwide sales.

⁷¹ If you add the three *The Lord of the Rings* films, produced by subsidiary New Line, Time Warner would have 7 of the 10 highest grossing films worldwide of all-time.

Bringing the magic of J.K. Rowling's written word to the motion picture screen was the first step in expanding this amazing and imaginative world. Working with Universal Orlando Resort to bring it to life in a physical environment that you can walk through, relax in and ride on is the natural next step for fans to experience and enjoy (qtd. in "Harry Potter to Cast").

Like the *Batman* films, the *Harry Potter* films have taken advantage of the multimedia opportunities presented by the property, expanding into theme parks to give the property's fans an immersive and more personal experience into the Harry Potter world by offering opportunities to visit places like Hogwarts Castle.

Concurrently with *The Matrix* and *Harry Potter* film franchises, Time Warner subsidiary New Line developed another large-scale franchise for the company, *The Lord of the Rings*. Based on J.R.R. Tolkien's acclaimed series of books, *The Lord of the Rings* follows several characters as they combat the evil threatening to annihilate the peaceful world of the Middle Kingdom. New Line acquired the rights to adapt the novels through Miramax in 1998, with director Peter Jackson attached.⁷² Like the Wachowski brothers, Jackson's filmmaking record did not bespeak franchise material.⁷³ Jackson's independently produced film *Heavenly Creatures* (1994) followed two teenaged girls who begin an intimate relationship and, when one of their mothers tries to put an end to it, murder the interfering parent. After this film, Jackson directed a special effects-laden action film with Michael J. Fox, *The Frighteners* (1996), but the film was a box office failure. New Line expected to produce *The Lord of the Rings* franchise for \$130 million, with production on all three films happening at the same time, a strategy used rarely in Hollywood (Carver, 16). Although New Line continued to promote itself as an independent film company, the huge outlay of money to produce the films asserted that

⁷² Miramax sold the rights to *The Lord of the Rings* franchise only after its parent company, the Walt Disney Company, refused to fund the franchise as three separate films.

⁷³ Jackson had written a script for New Line in the 1990s for their *A Nightmare on Elm Street* franchise, although it was never used. Jackson did, however, establish a relationship with key executives at New Line, which certainly helped him in his quest to direct the three *The Lord of the Rings* films.

Table 10: *The Lord of the Rings* Films

Film Title	Year	Domestic Gross (in millions)	Rank	Global Gross (in millions)	Total Gross (in millions)
<i>The Fellowship of the Ring</i>	2001	\$315	9 th	\$557	\$872
<i>The Two Towers</i>	2002	\$342	4 th	\$585	\$927
<i>The Return of the King</i>	2003	\$377	3 rd	\$742	\$1,119

the deep corporate pockets of Time Warner allowed the subsidiary the substantial risk involved in such a gargantuan project. Claimed Bob Shaye, the founder of New Line and its chairman at the time: “We didn’t always have the wherewithal to mount this sort of production. . . .We do now” (qtd. in Carver, 16). The films’ budget crept up to nearly \$300 million, an amount unfathomable to New Line before its incorporation by Time Warner.

This large production budget was justified based on the worldwide popularity of Tolkien’s novels, as well as the (measurable) interest of fans on the Internet. Like *The Matrix*, the franchise for *The Lord of the Rings* invested significantly in marketing on the Internet, where many fans tracked the film series’ progress. In April 2000, the first footage for the first film in the franchise, *The Fellowship of the Ring*, appeared on the franchise’s Website, www.lordoftherings.net. Nearly two million people downloaded the behind-the-scenes footage in its first twenty-four hours of availability, setting a new record for promotional material related to film (“New Line Cinema Verifies”). The first trailer for *The Fellowship of the Ring* hit theaters a full year ahead of its planned release, and the film finally arrived in theaters in December of 2001. Although the film placed ninth in terms of the domestic box office for 2001, grossing \$174 million,⁷⁴ its placement does not include its earnings from 2002 which pushed its domestic grosses to over \$300

⁷⁴ According to *Variety*’s box office totals for 2001, *The Fellowship of the Ring* was not even New Line’s top film of the year. That honor belonged to *Rush Hour 2*, which earned \$226 million.

million. This amount also does not include the \$557 million it made in international theaters (see Table 10 above).

The timing of the release of the first films in both of the *Harry Potter* and *The Lord of the Rings* franchises was approximately a month apart, with *Harry Potter and the Sorcerer's Stone* opening November 16 and *The Fellowship of the Ring* on December 19. The close release dates was not originally planned; the release of the *Harry Potter* film had been slotted for a summer 2001 release, presumably to attract children during their summer vacation, but it could not meet those expectations due to its lengthy search for its cast and its extensive CGI schedule. The combination of the films provided AOL Time Warner with a highly profitable holiday season, which in turn drove the company's profits for the year. Both films are specifically mentioned in the *2001 Annual Report* for having created a "magical year entertaining millions of people worldwide. Warner Bros.' and New Line's blockbuster hits *Harry Potter* and *The Lord of the Rings* established franchises that will drive strong revenues for years to come" (1). Indeed, the two film series have driven the fortunes of the Filmed Entertainment division of Time Warner since 2001, with the company's top film of the year represented nearly every year through 2007 from either the *Harry Potter* or *The Lord of the Rings* franchises. With the fifth *Harry Potter* film, *Harry Potter and the Order of the Phoenix*, released in the summer of 2007, Time Warner's revenues and Warner Bros.' market share again were both significantly impacted by the film's performance at the box office. As Time Warner's top film of the year, grossing over \$290 million domestically and nearly \$650 million internationally, the film helped pushed Time Warner to second in market share for 2007.

In addition to the *Harry Potter* and *The Lord of the Rings* franchises in 2001, a third profitable film series for Time Warner was launched via Steven Soderbergh's star-

studded remake of a Rat Pack film, *Ocean's 11*. Co-starring George Clooney, Brad Pitt, Matt Damon, and Julia Roberts, *Ocean's 11* follows an intricate heist set in a highly secure Las Vegas casino. As discussed previously, Soderbergh's debut feature, *sex, lies and videotape* (1989), is credited with sparking the 1990s independent film movement. As a slick looking star vehicle, *Ocean's 11*, on the surface, did not seem to tie into Soderbergh's unique work as an independent filmmaker on films such as *sex, lies and videotape*. Since the release of that film, however, Soderbergh had found several opportunities to fuse his independent roots with blockbuster aspects. For example, *Traffic* (2000) was an adaptation of a British mini-series, featured several stars including Michael Douglas, and had a large budget of \$50 million, but it also interwove several separate stories about drugs, differentiating each story with distinctive camerawork. In a similar vein, Soderbergh utilized unconventional editing and cinematography techniques in *Ocean's 11*, which added to the film's slick look. Soderbergh used elliptical editing and strobe-like camerawork to follow each thief as he worked on his role in the heist. Elvis Mitchell, film critic for the *New York Times*, believed that while "This movie is an odd choice for Mr. Soderbergh, who is perhaps the ne plus ultra director of films about people living on the margins," ultimately Soderbergh "has a breathtaking amount of technique at his fingertips" evident in every aspect of the film ("For the New," E1). Soderbergh's ability to fuse commercial and independent film aspects worked for the film. *Ocean's 11* debuted with over \$38 million at the domestic box office, and went on to gross over \$180 million in the U.S. and Canada and an additional \$267 million internationally (Cels). The success of the film led to a sequel, *Ocean's 12*, also directed by Soderbergh. Released in December of 2004, the film opened to \$41 million at the domestic box office, surpassing the original's opening numbers, and ultimately grossing \$126 million domestically and \$237 million internationally. A third film, *Ocean's 13*

(2007), continued the profitability of the series, grossing over \$115 million in the U.S. and Canada and an additional \$194 million internationally.

As these franchises attest, the number of franchises featuring ties to independent film talent began to climb in 1999 and 2000. In addition to these Time Warner franchises, two other high-profile franchises featured independent talent. Bryan Singer's adaptation of the comic *X-Men* resulted in two films: *X-Men* (2000) and *X2: X-Men United* (2003), both of which performed well at the domestic and international box office (see Table 11 below). Singer's breakthrough independent film, *The Usual Suspects* (1995), was a multiple award winner, including the Best Supporting Actor Academy Award for Kevin Spacey. In January 2000, Sony announced the development of an adaptation of the comic book *Spider-Man*, with Sam Raimi attached. Raimi's independent film background, unlike the majority of the independent talent discussed in this chapter, was with exploitation films. His *Evil Dead* series of films were an outlandish mix of horror and comedy.⁷⁵ *Spider-Man* (2002) and *Spider-Man 2* (2004) both broke domestic and global records at the box office, including the largest opening weekend ever for the second film, with \$115 million just at domestic theaters (see Table

Table 11: The *X-Men* Films

Film Title	Year Released	Domestic Gross (in millions)	Rank for Year	Global Gross (in millions)	Total Gross (in millions)
<i>X-Men</i>	2000	\$157	6 th	\$139	\$296
<i>X2: X-Men United</i>	2003	\$215	6 th	\$193	\$408
<i>X-Men: The Last Stand</i> ⁷⁶	2006	\$234	4 th	\$225	\$459

⁷⁵ Indeed, New Line distributed the first film in this series, *Evil Dead* (1983).

⁷⁶ The third film was not helmed by Singer; instead, Brett Ratner stepped in as director.

Table 12: The *Spider-Man* Films

Film Title	Year Released	Domestic Gross (in millions)	Rank for Year	Global Gross (in millions)	Total Gross (in millions)
<i>Spider-Man</i>	2001	\$404	1 st	\$418	\$822
<i>Spider-Man 2</i>	2004	\$373	2 nd	\$410	\$783
<i>Spider-Man 3</i>	2007	\$337	1 st	\$554	\$891

12 above). Produced by 20th Century Fox and Sony, respectively, the *X-Men* and *Spider-Man* franchises have been profitable for their parent companies in terms of theatrical grosses, ancillary markets, and merchandising and licensing dollars. However, no company has had as many successful film franchises as Time Warner since 1999, nor the consistent profits these films garner. Together, Time Warner's franchises re-established Time Warner as the most formidable film company, as the combination of Warner Bros. and New Line Cinema dominated the film industry.

NEW BEGINNINGS: REBOOTING THE BATMAN AND SUPERMAN FRANCHISES

With three franchises on the rise in 2001, Time Warner's fortunes for the next several years held significant promise. In the *2001 Annual Report*, Time Warner indicated that "Warner Bros. Pictures' strategy focuses on building movie franchises," and provided some future franchises in development like *Scooby Doo* (2002), a film adaptation of the popular multimedia property (8). Notably absent from the list were the *Superman* and *Batman* film franchises which had been in various stages of resuscitation since 1987 and 1997, respectively. Indeed, when Alan Horn became the President and Chief Operating Officer of the Filmed Entertainment division in 1999, his goal was to restart the *Batman* film franchise, as well as the *Superman* franchise (Greenberg).

Rumors of a re-launch of the *Superman* franchise were omnipresent during the 1990s, as various versions were scripted, planned, and scrapped. Warner Bros.

commissioned independent filmmaker and comic book writer Kevin Smith to write a script for the film in 1996, demonstrating the studio's forward thinking in teaming independent filmmakers with franchises. Smith's first feature, *Clerks* (1994) won the Filmmaker's Trophy at Sundance and received a nomination for Grand Jury Prize in the dramatic category. The film also received two awards from the Cannes Film Festival. In 1997, just as *Batman and Robin* stalled in theaters, Tim Burton became attached to direct the *Superman* film with Nicholas Cage set to star. Burton, the man who initially shepherded the *Batman* franchise, was set to work again with *Batman* producer Jon Peters, despite the duo's clashes on the 1989 film. Smith's version was eventually rejected by Burton and producer Peters, who preferred a less faithful adaptation of the Superman story.⁷⁷ By 1999, the film had still not been realized, and ultimately was shelved due to budgetary and script concerns. Despite the film's setbacks, Superman remained a popular character on television with several projects during the 1990s, including *Lois and Clark: The New Adventures of Superman* (1993-1997), which aired on ABC in prime-time, and *Superman: The Animated Series* (1996-2000), which was shown on Time Warner's WB network on Saturday mornings with *Batman Gotham Knights* (1997-1999) and dubbed the *The New Batman/Superman Adventures* block by the network.

Batman Gotham Knights was a continuation of the popular *Batman: The Animated Series*, which aired from 1992-1995. It was not the only *Batman* property aired on television while the film franchise was on hiatus. *Batman Beyond* (1999-2001), also on the WB, was part of the network's highly rated block of Saturday morning cartoons aimed at children and examined the birth of a new Batman after Bruce Wayne has retired.

⁷⁷ According to Smith, Peters' version of Superman would require a hero who could not fly and the addition of a kid-friendly sidekick to the villain in order to sell more toys. See his discussion of his work on the *Superman* film at <http://youtube.com/watch?v=vgYhLITHvTk>.

In 2002, a live-action spin-off from the *Batman* mythos, *Birds of Prey* (2002-03), debuted on the WB in prime-time, and followed the exploits of the Huntress, the illegitimate daughter of Batman and Catwoman. Finally, *The Batman* premiered on the WB in 2004, and currently remains on the air on the CW.⁷⁸ *The Batman* follows a young Batman as he attempts to establish himself in Gotham City.

However, none of these shows had the impetus to forward the Superman or Batman brands as much as a feature film. Soon after Horn took over the Filmed Entertainment division, independent filmmaker Darren Aronofsky was approached to do a *Batman* film. Aronofsky was the writer-director of two well-regarded independent films: *Pi* (1998), which won the Director's Award at Sundance and was nominated for the Grand Jury Prize in dramatic film; and *Requiem for a Dream* (2000), which received several Independent Spirit Award nominations and an Academy Award nomination for Ellen Burstyn as Best Actress. Aronofsky set upon an adaptation of Frank Miller's graphic novel, *Batman: Year One*, and worked with Miller to adapt the graphic novel, which was decidedly not targeted for a PG-13 release. Ultimately, a direct adaptation of *Batman: Year One* was declined as the proper direction for the franchise by the studio. According to Aronofsky:

I think Warners always knew it would never be something they could make. I think rightfully so, because four year-olds buy Batman stuff, so if you release a film like that, every four year-old's going to be screaming at their mother to take them to see it, so they really need a PG property. But there was a hope at one point that, in the same way that DC Comics puts out different types of Batman titles for different ages, there might be a way of doing [the movies] at different levels. So I was pitching to make an R-rated adult fan-based *Batman*—a hardcore version that we'd do for not that much money (qtd. in David Hughes, 202).

⁷⁸ Due to the continued poor performance of the WB and UPN, the two networks were merged together by Time Warner and CBS Corporation in 2006 to form the CW. The CW featured a mixture of shows and original content developed for and aired on both corporations' previous networks.

Once the Aronofsky and Miller collaboration was out of the question, executives turned to a live-action film version of the popular animated television series, *Batman Beyond*, with Boaz Yakin to direct. Like Aronofsky, Yakin also started as an independent writer-director. His first feature, *Fresh* (1994), earned him a Filmmakers Trophy at Sundance and a Grand Jury Prize nomination in dramatic film. Also like Aronofsky and Miller, Yakin filled the screenplay with swearing and violence not appropriate for the PG-13 rating deemed necessary by Warner's executives and envisioned his film with Clint Eastwood playing the aging Batman (Greenberg, 10). His *Batman* project, too, was shelved.

A third high-profile re-start to the franchise emerged in 2002 when Wolfgang Petersen was announced as the director for a *Batman vs. Superman* film. Petersen had directed Time Warner's top film for 2000, *The Perfect Storm*, and held an international reputation based on his 1981 German film *Das Boot*. Lorenzo di Bonaventura, Warner Bros.' President of Worldwide Production, saw it as an opportunity to re-start both flagging franchises through Petersen's critical acclaim and successful box office history: "We are very pleased that Wolfgang Petersen is bringing his considerable talents to this newest episode of two of our most important franchises. . . .In his hands, 'Batman vs. Superman' will carry forward the Warner Bros. superhero tradition; we look forward to starting this project as soon as possible" (qtd. in Harris). Less than a month later, however, the superhero versus superhero film was no longer on route to production. Separate scripts launching each individual franchise were preferred. According to David Goyer, the co-screenwriter for *Batman Begins*: "'Batman Vs. Superman' is where you go when you admit to yourself that you've exhausted all possibilities. . . .It's like 'Frankenstein meets Wolfman' or 'Freddy Vs. Jason.' It's somewhat of an admission that this franchise is on its last gasp" (qtd. in Greenberg). Warner Bros. had no intention

of admitting that either of these important franchises was nearly dead, and set upon new but separate beginnings for both the *Batman* and *Superman* film franchises.

Indeed, 2002 proved to be a busy year in trying to regenerate the *Superman* franchise. Early in the year, McG was named as the director of the new *Superman* film from a script penned by J.J. Abrams. The film fell apart after the director refused to go to Australia for filming (Holson, E1).⁷⁹ In September 2002, Brett Ratner was named as the director of the film, but he left the film six months later after executives vetoed his casting choices (Holson, E1).⁸⁰ Jeff Robinov claimed that these false starts did little to gain confidence that a new *Superman* film would eventually be made: “It’s hard to have the appearance that we don’t know what we are doing. . . . But we are committed to ‘Superman’ and we will continue trying until we get it right” (qtd. in Holson, E1). Although he did not speak about the starts and stops to the *Batman* franchise, it is clear that the franchise suffered many of the same problems as the *Superman* franchise.

Thus, the idea of new *Batman* and *Superman* films had gone through several changes of hands and foci before Warner Bros. finally decided on the franchises’ ultimate paths. Indeed, Warner Bros. still had not figured out an effective strategy for re-launching the *Batman* franchise when it greenlit a spin-off of *Batman Returns*, based on the character of Catwoman. Budgeted at \$100 million and starring Halle Berry and Sharon Stone, *Catwoman* was released as the tentpole picture for Warner Bros. for the summer of 2004, just as the new *Batman* film entered pre-production. However, *Catwoman* flopped at the box office, grossing only \$40 million domestically and \$42 million in international theaters. *Catwoman* also was ravaged by critics and had the

⁷⁹ McG originally established himself as a popular music video director, before helming the successful *Charlie’s Angels* (2000) film. He was also the director on the sequel, *Charlie’s Angels: Full Throttle* (2003). J.J. Abrams began as a writer for film (his credits include *Regarding Henry* (1991)), but is best known for his television work as a writer-director-producer of *Felicity* (1998-2002) and *Alias* (2001-2006).

⁸⁰ Ratner’s involvement was probably the result of his success with *Rush Hour* (1998), which was a top film for New Line in 1998, and his work on its sequel, *Rush Hour 2* (2001).

distinction of winning several Razzie Awards, including Worst Picture, Worst Director, and Worst Actress.⁸¹ The failure of *Catwoman*, however, did not impact the production of the new *Batman* film, *Batman Begins*. The ties between *Catwoman* and the *Batman* film franchise were tentative at best—Halle Berry’s Catwoman was not named Selina Kyle in her “other” life, for example—and the décor, production design, and acting style were distinctly different from Nolan’s film, which took an approach based on realism. *Catwoman*’s over-the-top style—perhaps best encapsulated by Catwoman’s costume, which included a leather bra and peep-toe stiletto heels—was closer to the nature of *Batman and Robin* than the perspective Nolan took with *Batman Begins*. If anything, the failure of *Catwoman* may have whetted fans’ appetite for a more faithful adaptation of Batman, as *Catwoman* strayed significantly from the major points of the character created and nurtured by DC Comics over sixty years.

Ultimately, the studio decided to go in the same direction as many of its other franchises for both *Batman* and *Superman*, choosing Nolan and Bryan Singer, respectively, directors with independent film backgrounds. Nolan’s first feature, *Following* (1998), was shot on weekends and in the evenings to accommodate his, and his cast and crew’s, daily work schedule. His second feature, *Memento* (2000), an award-winning independent film,⁸² unfolded its story backwards to mimic the condition of the protagonist, Leonard, who suffers from anterograde amnesia. Both films feature a surprise, twist ending. In a similar fashion, Bryan Singer began his career with *Public Access* (1993), the winner of the Grand Jury Prize at Sundance. He then followed with

⁸¹ *Batman and Robin* also received several Razzie nominations, including Worst Director, Worst Picture, and Worst Screenplay. However, *Batman and Robin* only received one “win” in the category of Worst Supporting Actress, for Alicia Silverstone (Batgirl).

⁸² *Memento* received two Academy Award nominations, in the categories of Best Original Screenplay and Best Editing. The film also won four Independent Spirit Awards, including for Best Feature, Best Director, and Best Screenplay. In addition, *Memento* received several awards from critics’ groups and film festivals.

the award-winning independent film, *The Usual Suspects*,⁸³ which, like Nolan's two independent features, featured a twist ending. He then established a potent (and rival) franchise *X-Men* for 20th Century Fox.⁸⁴ When Singer was named the director for the new *Superman* film in the summer of 2004, Robinov claimed that it was the filmmaker alone that got the new film started again:

The best thing we did was to engage Bryan Singer. . . .From the second he came on, a lot of the energy—both positive and negative floating around the movie before that—dissipated and shifted. It became about what Bryan was going to do. He had a very specific story in mind, and it is very different from any story we've had before (qtd. in Johnson, 1).

Thus, during the summer of 2004, Warner Bros. finally had its two key superhero franchises back in active status, with *Batman Begins* in production and *Superman Returns* in pre-production.

Batman Begins kept a keen eye on the mythology of the Batman universe created by DC Comics, but virtually ignored the Batman universe created through the first four films or in *Catwoman*. Although *Batman Begins* tells the origin story of Batman, an aspect of the character's history not thoroughly explored before in comic books or graphic novels, the film did draw from several important texts in the Batman universe. Frank Miller's graphic novel *Batman: Year One* heavily informed the development of the character Jim Gordon, as well as his budding relationship to Batman. Ra's Al Ghul and Lucius Fox were based on characters created in the comic books in the 1970s, while Carmine Falcone and Henri Ducard came from 1980s comic books and graphic novels.⁸⁵ These texts all feature a storytelling and artistic style of a graphic realism, which in turn

⁸³ The film was nominated for an Academy Award in the category of Best Original Screenplay and Kevin Spacey won the Academy Award for Best Supporting Actor. *The Usual Suspects* also won two Independent Spirit Awards in the categories of Screenplay and Supporting Actor (Benicio del Toro). The film also received a number of awards from various critics' groups and film festivals.

⁸⁴ *X-Men* was a product based on a comic by Marvel Comics, DC Comics' chief rival.

⁸⁵ In fact, Ducard was the creation of Sam Hamm, the screenwriter for the first *Batman* film, in *Detective Comics* in early 1989 as part of the "Blind Justice" storyline.

informed the look of *Batman Begins*, an aspect I will discuss in greater detail in chapter six. Often described as a form of “gritty urban realism,” Nolan’s take on the Batman story was to substantiate Bruce Wayne’s dark psychology and explain how someone could become so extraordinary in an ordinary world (Gordon, “Bat Out of Hell”). This focus on realism was cited as one of the reasons that high-profile actors agreed to do the film. Michael Caine, who plays Wayne’s trusty butler, Alfred, claimed that, “What I liked about the script was the reality of it. . . .It was dusty, it was dirty, and it gave a true reason why Batman was Batman, right off, from childhood. It’s like the story has never been told before. And in this manner, it hasn’t” (qtd. in Russo, 71). In an interview, Gary Oldman (who plays Jim Gordon) was asked what attracted him to *Batman Begins*, and his answer is similar to Caine’s: “I’m not a comic reader. I never read comics as a kid. [It was] Chris Nolan, really. The thought of what he might do with it and the opportunity for someone like Chris to put the Batman franchise back on track. To pull it back from where no man had gone before” (qtd. in Jordan and Gross, 29). Indeed, many of the actors cited Nolan as the reason to do the film based on his previous work. With his unusual narrative structures and complex characters who meld aspects of good and evil, Nolan’s history fit into the growing formula for Time Warner’s key franchises. His independent film attributes attracted Caine, Oldman, Morgan Freeman, Christian Bale, Katie Holmes, and Cillian Murphy to the film, as well as Time Warner executives when Nolan pitched it.

Although Warner Bros. entrusted the lucrative franchise to a (formerly) independent filmmaker, the company did invest a lot of energy into promoting the film. Rumored to have had a \$100 million marketing campaign, nearly as much as the film’s production budget, *Batman Begins* received a substantial amount of press coverage because of these promotional activities (“Essential Summer Preview,” 64). The film

sponsored a NASCAR race at the Michigan International Speedway called the “Batman Begins 400” on June 19, 2005. According to Romanelli, the sponsorship of the event was about linking the speed and excitement of NASCAR to the film:

A fast car, the BatmobileTM, and a host of high-tech gadgets have always been key to Batman’s success in fighting his way to victory over crime. As NASCAR’s finest drivers take to the track on June 19 for the Batman Begins 400 at Michigan International Speedway, they will utilize all of the high-tech gadgets at their disposal to take their team to victory lane (qtd. in “Warner Bros. Consumer Products”).

One of the Batmobiles used for the film worked as the pace car for the event, and *Batman Begins* merchandise was available for purchase throughout the stadium. In another promotional venue, *Batman Begins* was adapted into a stunt show at several Six Flag parks.⁸⁶ As it opened in early June 2005, the *Batman Begins Stunt Show* featured special effects, fighting sequences, and a car chase featuring the Batmobile. In addition to these promotional events, *Batman Begins* also relied on promotional partners like Dell. Dell products were prominently featured in the film, and the June 2005 catalog for Dell featured stills from *Batman Begins* throughout its fifty pages. In the last few pages of the catalog, Dell products are specifically associated with the film. Under the headline “Awesome movie...awesome gear,” the copy foregrounded this relationship: “Look for DellTM products in the summer blockbuster *Batman Begins*. And now you can make this equipment your own for as little as \$6 a month—proof positive that you don’t need to be an orphaned vigilante billionaire to get your hands on some awesome tech” (Dell, 54). Gear such as the Dell Axim X50 are described in relation to Batman: “[N]o utility belt should be without one” (Dell, 54). The catalog also featured the film’s logo and release date several times, further promoting the film.

⁸⁶ Time Warner had sold its stake in the Six Flags parks in 1998, but the two companies continue to have a close relationship, as many Time Warner properties are promoted at the parks.

In addition to these promotional outlets, *Batman Begins* featured a comprehensive Website. The film's Website, like the previous two films in the franchise, linked together several divisions of Time Warner through tie-in products. The comic books and graphic novels which influenced the story and look of *Batman Begins* were especially highlighted. In fact, three of these stories were later bundled together for the DVD release of the film and included in its packaging.⁸⁷ Other aspects of the site emphasized the gadgetry used in the film, particularly the re-imagined Batmobile, all of which became merchandise available at local stores. The film's Website also promoted a mobile game, allowing users the opportunity to download a program and play as Batman on their cell phones.

With all of these promotional efforts, *Batman Begins* emerged as the ninth highest grossing film of 2005, with \$205 million at the domestic box office and another \$166 million from the international box office. Equally important as its box office performance, however, was the critical and fan support the film received. Indeed, Websites such as Rotten Tomato.com and Metacritic.com collect reviews from both professional critics as well as actual film viewers to come up with a film's aggregate consensus. In a measure of both the critical and fan support for *Batman Begins*, Rotten Tomato's aggregate tomato-meter score for the film was 84%, while Meta-Critic's aggregate meta-score was 70. In comparison, *Batman* earned a 72% tomato-meter score and a 66 meta-score while *Batman and Robin* earned a lowly 12% and 28. Prominent film critic Roger Ebert of the *Chicago Sun-Times* claimed that the film was an amazing feat, particularly given the previous films in the franchise:

⁸⁷ Included in the DVD release of *Batman Begins* were excerpts from the following comics: Denny O'Neil (writer) and Dick Giordano (artist), "The Man Who Falls," 1989; Bill Finger (writer) and Bob Kane (artist), "The Bat-Man," 1939; and Jeph Loeb (writer) and Tim Sale (artist), "The Long Halloween," 1996.

I said this is the Batman movie I've been waiting for; more correctly, this is the movie I did not realize I was waiting for, because I didn't realize that more emphasis on story and character and less emphasis on high-tech action was just what was needed. The movie works dramatically in addition to being an entertainment. There's something to it (Rev. of *Batman Begins*).

Indeed, the belief that the film worked beyond being a simple entertainment was a core theme of the film's reception, an aspect I will address more thoroughly in the sixth chapter.

Like the *Batman* franchise, the *Superman* franchise had undergone a protracted hiatus—in the latter's case, twenty years—and its previous two films were also unpopular with both fans and critics. Singer's vision was of Superman returning to earth after an extended absence, only to see that the world and his love, Lois Lane, have moved on without him. Unlike *Batman Begins*, which created a new start to that franchise, *Superman Returns* was situated after the events of the second film in the original franchise. Singer claimed he had no intention of re-treading ground covered successfully by other *Superman* properties: "It's not an origin story; I didn't want to remake what Richard Donner did so well in the original, and didn't want to tread on the great work they're doing on 'Smallville.' He's already part of the culture; he has left the planet. This is the story of his return" (qtd. in Fleming and Dunkley, 1). Unlike the original *Superman* films, however, Singer presented his version of the Superman story less as an action film and more as a melodrama. Indeed, the film featured very few special effects-laden action sequences considering its comic book origins.

Rumored to have had a budget of \$200 million, expectations were high that *Superman Returns* would be the top film of Summer 2006. On its opening weekend, it earned \$52.5 million at the domestic box office and earned just over \$100 million in its first week in theaters ("\$106 Mil," 1). This opening week's gross put it ahead of the opening of *Batman Begins*, but behind other superhero films based on comics like *Spider-*

Man, Hulk (2003), and Singer's own *X-Men*, which earned \$48.7, \$114.8, \$62.1, and \$54.5, respectively ("\$106 Mil," 1). However, *Superman Returns*' box office grosses dropped significantly after its first week, especially after Disney's key franchise film, *Pirates of the Caribbean: Dead Man's Chest* opened a week later.⁸⁸ *Superman Returns*' cumulative gross fell just shy of \$200 million at the domestic box office, and made only \$180 million at the international box office ("Warners Packs"). Warner Bros. announced that there would be a sequel despite the film's relatively disappointing box office results and the fact that it did not perform as well as Time Warner's other restart franchise, *Batman Begins*, given its heightened production budget.

Part of the reason for the creation of a sequel is that *Superman Returns*, in addition to *Batman Begins*, was co-financed by Thomas Tull's Legendary Pictures, which ultimately lessened Time Warner's economic risk with restarting both franchises. Legendary Pictures brought a \$500 million private equity fund to the conglomerate, co-financing several large-scale projects including *300* (2006), M. Night Shyamalan's *Lady in the Water* (2006) and *10,000 B.C.* (2008), as well as the upcoming sequels in both the *Batman* and *Superman* franchises. According to Tull, it is the pronounced changes in how films earn money that made him decide to enter the business: "I myself would not have done this deal six or seven years ago. But the advent of DVD and overseas expansion of the box office has made the movie business much more attractive as an asset class" (qtd. in McClintock, "\$500 Mil," 1). Indeed, the franchise film takes advantage of both new ancillary markets and the global marketplace to be profitable, and with Time Warner's renewed focus on the franchise, it was the perfect match for Legendary Pictures' strategy.

⁸⁸ Indeed, *Pirates of the Caribbean* was the number one film of the year, with over \$420 million at the domestic box office and nearly \$640 million at the international box office. The film became the sixth highest domestic grossing film of all time, and the third highest worldwide grossing film of all-time.

LESSONS FROM 2005: THE POWER OF FRANCHISES AND THE 'INDIES'

As the summer of 2005 drew to a close, media analysts began to discuss a crisis in the film industry. Attendance during the summer months dropped 11 % from the previous year, while ticket sales were at their lowest since 2001 (Bowles, D1). Press accounts labeled the summer of 2005 as the “movie industry’s summer of discontent,” as a “box office malaise,” and as a “bust” (Hernandez, B1; Waxman, E1; Germain, “Summer Bust”). Further, while the holiday season slightly boosted the industry’s box office tallies for the year, attendance figures never recovered, remaining at an eleven percent loss (Fritz, “B.O. Plays,” 1). For the year, the total box office was down to \$8.75 billion from \$9.2 billion in 2004, with even more films available in the marketplace than the previous year (Fritz, “B.O. Plays,” 1). As the industry tried to figure out what went wrong in 2005, a number of factors were discussed as potential causes: the (poor) quality of the films released; the lack of movies geared to specific audiences; the increasing price of attending movies; the quality of the average moviegoer’s experience; the increasing budgets of key studio films, making profits more difficult to achieve; and the competition of other, at-home entertainment options. What was not discussed very much in the press were the clear successes of the year—the franchise film, the companies that produced franchises, and the independent film subsidiaries which were part of these same corporations. These three aspects of the film industry defied the “bust” label applied to the returns of 2005.

With attendance figures and box office dollars down, the year 2005 proved which Hollywood products had the best chance of success in the competitive marketplace. Blockbusters dominated the top ten highest grossing films of 2005 (see Table 13 below for the year’s ten highest grossing films), and generally fit into one of two categories: the Spielberg-Lucas influenced blockbuster (four films) or the blockbuster with ties to

Table 13: Top Ten Domestic Grossing Films for 2005

	Film Title	Director	Studio	Total Gross (in millions)
1 st	<i>Harry Potter and the Goblet of Fire</i>	Mike Newell	Warner Bros.	\$896
2 nd	<i>Star Wars Episode 3: Revenge of the Sith</i>	George Lucas	20 th Century Fox	\$850
3 rd	<i>The Chronicles of Narnia: The Lion, the Witch, and the Wardrobe</i>	Andrew Adamson	Walt Disney	\$745
4 th	<i>War of the Worlds</i>	Steven Spielberg	Paramount/ DreamWorks	\$592
5 th	<i>King Kong</i>	Peter Jackson	Universal	\$550
6 th	<i>Madagascar</i>	Eric Darnell and Tom McGrath	DreamWorks	\$533
7 th	<i>Mr. and Mrs. Smith</i>	Doug Liman	20 th Century Fox	\$478
8 th	<i>Charlie and the Chocolate Factory</i>	Tim Burton	Warner Bros.	\$475
9 th	<i>Batman Begins</i>	Christopher Nolan	Warner Bros.	\$372
10 th	<i>Hitch</i>	Andy Tennant	Sony	\$368

independent cinema (four films).⁸⁹ In fact, the top fifteen domestic grossing films—those films which made \$120 million or more—were on par with previous years’ top fifteen films and were indeed all blockbusters (Fritz, “B.O. Plays,” 1). In addition, a number of independent films and films made via the independent divisions of the conglomerates did well at the box office. Ang Lee’s film about two gay cowboys, *Brokeback Mountain*, earned \$83 million at the domestic box office and \$95 million internationally for Focus Features, in addition to winning the majority of critics’ prizes for Best Picture. Robert Rodriguez and Frank Miller’s *Sin City* earned \$74 million domestically and \$84 million

⁸⁹ Lucas and Spielberg each directed a blockbuster during 2005. *Madagascar* was produced by Spielberg’s DreamWorks while Andrew Adamson, the director of *The Chronicles of Narnia*, had directed both *Shrek* (2001) and *Shrek 2* (2004) for DreamWorks. Mike Newell, Christopher Nolan, Peter Jackson and Doug Liman all began their careers as independent filmmakers who garnered critical acclaim.

internationally, and was released by Dimension Films, a division of Miramax. As a Lionsgate release, Paul Haggis's *Crash*, an interwoven story of racial intolerance, won the Academy Award for Best Picture and earned \$53 million in domestic theaters while grossing an additional \$44 million internationally.

Even with the downturn at the box office, Time Warner still emerged as the leading studio for 2005 based on its dual-prong strategy of relying on franchises and on ties to independent film. Warner Bros. earned the largest market share of the studios with twenty two percent, and a domestic box office take of nearly \$2 billion (Fritz, "WB, Fox," 1). The company's nearest competitor, 20th Century Fox, earned only a 17 percent market share. Indeed, if you factor Time Warner's other film divisions into its overall totals, the company pulls further ahead of its rivals. New Line was the eighth highest grossing studio of the year with \$418 million, earning a near five percent market share. The newly created indie division WIP was the twelfth highest grossing studio, with \$113 million at the domestic box office, earning a market share of over one percent. Combined, these three studios earned nearly thirty percent of the dollars spent at the domestic box office while none of the other studios, even combined with their subsidiaries, are over twenty percent in market share. Clearly, Time Warner's stable of movie studios has made it a powerful force in the film industry.

However, it is not only Time Warner's performance in terms of market share that made the company such a dominant force in the industry. Warner Bros. produced twenty five films in 2005, while New Line added another thirteen and WIP released an additional seven, making it one of the most active studios in the industry. With so many films in the marketplace, Time Warner's slate was rather diverse. From franchise pictures such as *Batman Begins* and *Harry Potter and the Goblet of Fire*, to star vehicles such as the Jennifer Lopez-led *Monster-in-Law* and the Jennifer Aniston-led *Rumor Has*

It, and from auteur films such as Tim Burton's *Charlie and the Chocolate Factory* to independent features such as *Good Night, and Good Luck*, Time Warner's films ranged from the largest to the smallest budgets of the year. Several Time Warner films were among the most critically acclaimed of 2005, with nine films earning Academy Award nominations: *Good Night, and Good Luck*, *Syriana*, *The March of the Penguins*, *North Country*, *A History of Violence*, *The New World*, *Paradise Now*, and Tim Burton's *Corpse Bride* and *Charlie and the Chocolate Factory*. Several Time Warner releases were adaptations of other company properties; for example, *The Dukes of Hazzard* was adapted from the Warner Bros.-produced television show while *Constantine* was an adaptation of a comic from subsidiary DC Comics. Indeed, Time Warner's diverse slate of films was unrivaled in the industry.

Very few of the films produced by New Line or Warner Bros. were co-produced, so Time Warner reaped the benefits and profits from its bevy of films.⁹⁰ Time Warner was the first studio to have three films earn over \$200 million at the domestic box office in the same year, with *Harry Potter and the Goblet of Fire*, *Charlie and the Chocolate Factory*, and *Batman Begins* all earning over that amount in 2005. In addition, one New Line release in 2005, *Wedding Crashers*, also surpassed this milestone. In the company's 2006 factbook, Barry Meyer stressed the importance these accomplishments in film had for the entire company: "Warner Bros.' expertise in producing world-class content for existing and evolving media solidly positions our company to continue its role as an industry leader as well as an important force in defining the future of the entertainment industry" (qtd. in Time Warner, 2006, 12). While Meyer's comment may be seen

⁹⁰ For example, the top film for 2005 was *Star Wars Episode 3: Revenge of the Sith*, but Fox, the distributor of the film, only received a distribution fee. Instead, the vast majority of the box office dollars went to Lucasfilm, Ltd. as the production company.

primarily as a promotional tactic, it is true that the company's overall performance in 2005 demonstrated the combined strengths of Time Warner's multiple film divisions.

While Time Warner's Filmed Entertainment division led the way in terms of revenues for the company in 2005, with nearly \$12 billion, the company's successes in 2005 were not the province of its film assets alone ("Time Warner Inc. Reports"). Warner Home Video earned over 21 percent of the market share of DVD and VHS sales, making it the leading studio for the fifth consecutive year. Warner Bros. Television had over fifty programs on the air in 2005, including *ER* (1994-present), *Nip/Tuck* (2003-present), *Smallville* (2001-present), *Two and a Half Men* (2003-present), and *Without a Trace* (2002-present). Like its film studio counterpart, Warner Bros. Television reflected a diversity of content; from the sitcom to the procedural, from adaptations from other sources (such as *Smallville*) to shows created by television auteurs, the company's offerings hit every major demographic group across a wide variety of channels. As far as Time Warner's networks, TNT was the leading cable channel for adults 18-49 in its prime-time offerings, which included syndicated shows originally produced by Time Warner subsidiaries such as Warner Bros. Television's *Friends* (1994-2004) and HBO's *Sex and the City* (1998-2004). TBS was second in that particular demographic, and first in the highly coveted 18-34 demographic for all cable networks (McClintock, "No Hit Pix," 1). Like Time Warner's television output, Time Inc. continued to be a major force in publishing. Time publications accounted for over twenty-three percent of all advertising dollars in magazines, with the celebrity-related *People* earning the top spot for the fifteenth straight year in terms of its advertising revenues.

Even with its non-content producing arms, Time Warner's subsidiaries were important contributors in the industry. AOL continued to be the company's weak spot, with a 5% decline in overall revenues and a decrease in subscribers in 2005. However,

AOL was still the largest single Internet service provider in the world, with over 25 million subscribers in the U.S., Canada, and Europe (Time Warner, 2006, 32). As a portal, AOL continued to provide access to other Time Warner products and services including movie trailers, television show previews, and magazine content. Time Warner's cable division continued to grow, as revenues and the number of subscribers both increased. As the second largest cable company in the United States, Time Warner's cable operations offered yet another pipeline to the company's created content. Cable franchises throughout the country provided guaranteed allotments for channels owned and operated by Time Warner, while the Roadrunner high-speed internet service provided a way for subscribers to access the Web quickly and efficiently, including any pages related to Time Warner products.

With its diversified portfolio, Time Warner emerged as the top entertainment company for the year. Time Warner placed at number forty on *Fortune*'s annual *Fortune* 500 survey while its closest rival, the Walt Disney Company, was number sixty-three. In fact, Time Warner's revenues for 2005 reached over \$43 billion, while Disney's were at a distant \$32 billion ("The Fortune 500," 2006, F50). For 2005, Time Warner held the top spot of all of the *Fortune* one thousand companies in terms of growth in revenues over the past decade, with 60.1 percent ("The Fortune 500," 2006, F29).

As these figures indicate, a reliance on the franchise formula and the expansion into independent film and new media was working for the conglomerate. Clearly, Time Warner's market share and box office dominance in 2005 were both led by its franchise films. The company's three top franchise films (*Harry Potter and the Goblet of Fire*, *Charlie and the Chocolate Factory*, and *Batman Begins*) together earned nearly \$700 million at the domestic box office, accounting for almost 35% of Warner Bros.' total grosses at the domestic box office in 2005. In addition, international grosses for the three

films totaled over \$960 million. Thus, these three films together earned \$1.6 billion at the box office. These franchise films are an important part of the company's overall profits and revenues. A franchise film acts as "a 'loss leader,' due mainly to the massive marketing costs involved in launching global blockbuster films. But once those costs are absorbed and the movies' market value is established...the 'ancillary' TV and home-video markets generate enormous profits" (Schatz, "The Studio System," 37). Thus, the large grosses at the box office are important for driving the franchise through the other arms of the company. In terms of DVD sales, *Batman Begins* brought in an additional \$170 million in its first six weeks of availability while *Harry Potter and the Goblet of Fire* sold five million DVDs on its first day of release and nine million DVDs in its first week (Snyder, "Who's on Top," 7; "'Harry Potter' DVDs"; Garrett, 3). These figures do not include revenues from tie-in products—particularly, book sales and toy sales—which also contribute to Time Warner's bottom line.

Certainly Time Warner was not the only studio with an increased focus on franchises. As detailed in Table 13, the top ten films for 2005 were all produced and distributed by one of the major studios like Warner Bros. While the top ten films for 2005 were all tentpole films for their respective studios, many of these films also happened to be franchise films. *Star Wars Episode 3: Revenge of the Sith* was the top film of the year in domestic theaters, perhaps an apt conclusion for the franchise which was instrumental in shaping the blockbuster mentality that developed in the late 1970s and has continued in the decades since. Like the *Harry Potter* film franchise, *The Chronicles of Narnia: The Lion, the Witch, and the Wardrobe* was based on a popular series of children's books. *The Lion, the Witch and the Wardrobe* was the first film in a planned series and was supported by a host of tie-in products from books to toys to video games geared toward children. Another children's film, *Madagascar*, has a sequel set for

November 2008, and also emerged in ancillary merchandise ranging from band-aids to happy meal prizes. *Batman Begins* and *Charlie and the Chocolate Factory* likewise inspired toys and other ancillary merchandise, although the range of products included items for older kids and even adults. Even *Mr. and Mrs. Smith*—directed by independent film veteran Doug Liman and geared more for adult theatergoers—inspired a pilot for a prime-time television series.

Of course, Time Warner was not the only studio to benefit from the success of its key franchises across the many arms of its company. Disney's *The Chronicles of Narnia: The Lion, the Witch, and the Wardrobe*, released in December, went on to earn over \$290 million at the domestic box office during its entire theatrical run with an additional \$453 million earned from overseas theaters. *Narnia* also sold over 12 million DVDs during 2006, becoming the third highest selling DVD that year ("Pirates' DVD"; "The Walt Disney Studios"). In its 2005 annual report, Disney stressed how the film is a foundational one for the company: "With six other *Narnia* books to draw upon, the wardrobe is wide open for further adventures in this magical realm" (*The Walt Disney Annual Report*, 18). Indeed, the company's annual report stressed that the *Narnia* series of films was "on track to become a sensational new franchise across the entire Company" (5). Likewise, the success of top grossing film *Star Wars Episode 3: Revenge of the Sith* certainly buoyed 20th Century Fox, but the company also had three other franchise films in the top fifteen domestic grossers for the year: *Mr. and Mrs. Smith*; *The Fantastic Four*, an adaptation of the popular Marvel comic book series; and *Robots*, an animated film featuring the voice talents of Robin Williams, Halle Berry, and Ewan McGregor, among

others. The studio placed number five in market share in 2004, with only 10 %, ⁹¹ but its second place finish in 2005 attests to the power of its franchise pictures.

Studios without a major franchise in 2005 were negatively impacted, particularly in light of the year's depressed box office. The third highest grossing film for the year, *War of the Worlds*, was a joint production of Paramount and DreamWorks. Although a tentpole picture starring Tom Cruise and directed by Steven Spielberg, the film offered few other multimedia opportunities. Paramount placed sixth in terms of market share for 2005, with 10 %, and only had one other film in the year's top twenty domestic grossers—*The Longest Yard*, a remake starring Adam Sandler and co-produced with Sony. DreamWorks placed seventh with only 5 % market share even though it did have a key franchise in the top ten domestic grossers (*Madagascar*). While the company's animation division did well in 2005, DreamWorks' slate of live-action films was a disappointment, particularly with a key tentpole film—*The Island*—which grossed less than \$40 million at the domestic box office and less than \$130 million internationally. Sony fell to fifth place in market share with 12 % because of its lack of any key franchises, after being the number one studio in 2004. Universal actually increased its performance from 2004 to rise to fourth place in market share with 13%, due mostly to its tentpole, Peter Jackson's *King Kong*, which ended 2005 as the eleventh highest grossing film domestically.⁹² For these studios, the tentpole picture was an important asset at the box office, but the general lack of multimedia franchises kept them from competing with rivals Time Warner, Fox, and Disney in terms of box office revenues in 2005. Indeed,

⁹¹ 20th Century Fox had two films in the top fifteen grossers at the domestic box office in 2004, and both were tentpole pictures (but not franchises): *The Day After Tomorrow* and *I, Robot*, which earned \$186 million and \$145 million, respectively, as the sixth and twelfth films for the year.

⁹² Due to its late December release, *King Kong* had earned \$175 million by the end of the year to place eleventh in 2005, but the film went on to gross \$218 million at the domestic box office.

the box office figures of 2005 reiterate the importance of the franchise film to the studios' overall success in the marketplace.

Although their grosses are not usually found with the blockbusters which dominate the top grossing pictures of the year, independent films (or films produced and/or distributed by independent divisions of the conglomerates) are also key ingredients to the success of media companies. In addition to their return on investments—which can be larger than those offered by tentpole and franchise films, with their increasingly high budgets—independent films often offer the critical acclaim that the other films in a studios' slate lack. The Academy Award nominations for Best Picture of 2005 include four independent films—*Crash*, *Brokeback Mountain*, *Capote*, and *Good Night, and Good Luck*, which were produced or released by Lionsgate, Focus Features, Sony Pictures Classics, and WIP, respectively. Although a studio film, the fifth nominated film—Steven Spielberg's *Munich*, a joint release by DreamWorks and Universal—features the themes and a narrative style common to independent films. Independent films won several of the top categories including Best Picture (*Crash*), Best Director (Ang Lee for *Brokeback Mountain*), Best Actor (Philip Seymour Hoffman in *Capote*), Best Supporting Actress (Rachel Weisz in *The Constant Gardener*, a Focus Features release), Best Original Screenplay (*Crash*), and Best Adapted Screenplay (*Brokeback Mountain*).

With the prestige independent films earn, in addition to their potential returns on investment, they are important assets to the studios. With the performance of New Line and WIP in terms of market share and box office dollars in 2005, Time Warner became an even more dominant film studio, adding an additional half billion dollars to the company's box office revenues. Miramax added an additional \$357 million to Disney's overall revenues, while Focus Features added \$162 to Universal's overall tally for the

year. Lionsgate Films, one of the only production and distribution companies not affiliated with a media conglomerate, placed number ten among the studios for the year with \$283 million and earned a market share of 3%. The studio's top film of the year was the second film in its exploitation franchise, *Saw II*, which earned \$87 million at the domestic box office.⁹³ Indeed, the stock prices for Lionsgate edged past \$10 a share after the film's \$31 million debut ("Niche Pix," 1). *Saw II* made roughly 21 times its \$5 million production budget, while another Lionsgate film, Tyler Perry's *Diary of a Mad Black Woman*, made nearly ten times its production budget of \$5.5 million, grossing nearly \$50 million in domestic theaters. (McClintock, "2005," 1). Indeed, with the top independent films making ten to twenty times their production costs, they remained a solid investment in the marketplace of 2005.

While 2005 may have been described as a "bust" year in press accounts of the film industry, the label hardly fits given the profitability of the franchises and several independent films released that year, in addition to the effects these types of films had on the studios that produced and/or distributed them. In fact, the box office returns for the year demonstrated why the franchise mentality really worked, as the downturn in admissions and revenues did little to affect these films' ultimate theatrical performances, nor did the downturn slow down their profits in additional windows. Likewise, it was a good year for the production and release of independent films, which remained a solid investment monetarily and in terms of potential talent.

In a way, the blockbusters of the new millennium are the children of *Batman*, as they incorporate multiple revenue streams into their release strategies, all coordinated within the confines of a large media conglomerate. So, too, did a number of these films incorporate art cinema or independent film talent in a way that was unthinkable in the

⁹³ *Saw II* provided nearly a third of Lionsgate's domestic revenues for the year, proof that even with independent film studios, franchises are a key commodity.

years prior to the 1989 film's release. Yet, contemporary franchise films are also increasingly part of a convergence culture which emphasizes property extension into new media, a number of which were unavailable just two decades before. The franchise mentality of the studios has become more pervasive in the two decades since *Batman* as a result of the increasing number of windows for core film properties. As this first part of the dissertation has demonstrated, the histories of the industry, Time Warner, and the *Batman* film franchise are indicative of a major shift in the business of film entertainment. These shifts, however, have also had a profound effect on the texts themselves, their reception, and the process behind getting them to the screens in the first place. Indeed, *Batman Begins* is an apt title for the restart of the franchise in the convergence culture where old and new media meet, and independent and franchise film join together to create hybrids that I term the art blockbuster.

Chapter Five: The Antithetical Combination: *Batman* and the Rise of the Art Blockbuster

As the blockbuster mentality solidified in the decade after the releases of *Jaws* and *Star Wars* in 1975 and 1977, critics began to re-assess the attributes of the blockbuster. Compared to previous eras of blockbusters, the progeny of *Jaws* and *Star Wars* were viewed as suffering significantly from an over-reliance on commercial elements, the focus on the youth audience, and market saturation, in addition to trying too hard to emulate Steven Spielberg and George Lucas' successes. According to *Washington Post* critic Paul Attanasio, this led to a less-than-satisfying formula in the blockbusters released during the decade:

It's not just that the movies are bad—critics thrive on bad movies—but that they're all bad in the same way. So when you say you didn't like a movie and it's the same reason you didn't like the last 12, it takes you from high dudgeon to the high chair. People think you're . . . a whiner. . . . 'But Maaaaaaaaaaa, every movie I seeeeeeeee looks like a cheap Steven Spieeeeeeeelberg rip-off' ("Summer," F1).

In a similar fashion, the *New York Times*' Janet Maslin argued that the "logical extreme" of the studios' reliance on the blockbuster influenced by Lucas and Spielberg is that "Some day there may be one new film, only one, crammed with special effects and starring Harrison Ford, and we'll have to see it or risk the consequences. If we aren't careful, the blockbuster will become the only game in town" ("A Tale," B24). Both of these critiques, written in 1985 and 1984, respectively, are indicative of the critical reception of a number of blockbusters produced and distributed during the 1980s. The title of the *Washington Post*'s anonymous review of *The Goonies* (1985) summed up the prevailing critical attitude of the decade: "*Goonies*: It's Assembly Line Spielberg" (D1). Perhaps nothing is a better indication of the dominance of Spielberg and Lucas during the decade than a look at the top ten all-time films at the domestic box office as of January

Table 14: Top Ten All-Time Film Rentals as of January 1989

Rank	Film Title	Year	Director	Rentals (in millions)
1	<i>E.T. the Extra-Terrestrial</i>	1982	Steven Spielberg	\$228.6
2	<i>Star Wars</i>	1977	George Lucas	\$193.5
3	<i>Return of the Jedi</i>	1983	Richard Marquand ⁹⁴	\$168
4	<i>The Empire Strikes Back</i>	1980	Irvin Kershner ⁹⁴	\$141.6
5	<i>Ghostbusters</i>	1984	Ivan Reitman	\$130
6	<i>Jaws</i>	1975	Steven Spielberg	\$129.5
7	<i>Raiders of the Lost Ark</i>	1981	Steven Spielberg ⁹⁴	\$116
8	<i>Indiana Jones and the Temple of Doom</i>	1984	Steven Spielberg ⁹⁴	\$109
9	<i>Beverly Hills Cop</i>	1984	Martin Brest	\$108
10	<i>Back to the Future</i>	1985	Robert Zemeckis ⁹⁴	\$104

1989 (see Table 14 above). Eight of these ten films were directed, produced, or directed and produced by the two filmmakers. Certainly, Lucas and Spielberg's successes inspired the studios and other filmmakers to emulate their example.

Before the release of *Batman* in 1989, Tim Burton was often described as another Spielberg or Lucas derivative, although the description was not necessarily meant to be derogatory. Before Burton was set to helm Warner Bros.' biggest film to date, he had made only two other features, both of which did better than expected business at the box office and which appealed to both children and adults alike, characteristics also associated with Lucas' and Spielberg's films. Jim Miller in an article for *Newsweek*

⁹⁴ Although Lucas did not direct the second and third films in the *Star Wars* series, he co-wrote the screenplays and produced the films through his studio, Lucasfilm Ltd. The two Indiana Jones films were collaborations between himself and Spielberg. Spielberg was also an executive producer for *Back to the Future*, which was directed by his protégé, Zemeckis. All figures in this table obtained from "Top 100 All-Time Film Rental Champs," *Variety* 11 Jan. 1989: 26.

labeled Burton “the first breakaway talent since the Spielberg-Lucas-[Francis Ford] Coppola-[Martin] Scorsese movie brats came along” (68). In a similar manner, Joe Morgenstern of the *New York Times* described Burton as occupying “the catbird seat that’s been vacant since George Lucas, Steven Spielberg and Robert Zemeckis. . .hit the big screen: Now he is Hollywood’s most original young director” (“Tim Burton,” F1). Once *Batman* was released, however, the description of Burton as simply the next Lucas or Spielberg no longer seemed apt; he became known as an auteur. His *Batman* stood out from the parade of Spielberg and Lucas-led and -inspired blockbusters that dominated the decade.

What set *Batman* apart from other blockbuster films released since *Jaws* and *Star Wars* was its ability to merge art cinema conventions with the typical attributes of the blockbuster. It certainly was not the first film to attempt this strategy—a number of films in the early 1980s, including Robert Altman’s *Popeye* (1980), Ridley Scott’s *Blade Runner* (1982), and David Lynch’s *Dune* (1984), had failed, both critically and monetarily, to do so. Unlike these films, *Batman*’s record-setting performance at the box office as well its critical reception made it a breakthrough art blockbuster. *Batman*’s release in the same year as Steven Soderbergh’s *sex, lies and videotape* is also telling, as the independent film was the first to crossover into the mainstream and perform significantly at the box office, creating a new form of the blockbuster: the “indie blockbuster.” Between *Batman* and *sex, lies and videotape*, it became clear that the combination of elements from both the art film and the blockbuster could not only work successfully in the texts themselves, but also that these combined elements could be appreciated by critics and filmgoers alike.

Warner Bros. was eager to re-capture what the studio believed were the essential ingredients of *Batman*, and convinced Burton to direct a second *Batman* film. Between

the release of *Batman* in 1989 and the release of *Batman Returns* in 1992, a few other art blockbusters such as Warren Beatty's *Dick Tracy* (1990) and David Fincher's *Alien 3* (1992), had emerged in the industry, with varying levels of success. While *Batman Returns* was well-received critically, and performed well at the box office, the film's box office haul did not meet the studio's expectations. Nor did the film's more mature subject matter fit in with the studio's aims of a franchise appropriate for a family audience. Warner Bros. decided that a new direction was appropriate for the *Batman* franchise after the performance of *Batman Returns*. The studio switched gears by selecting a filmmaker, Joel Schumacher, whose work fit more into the increasingly commercial-driven focus for the franchise.

Neither Warner Bros. nor the industry at large quite understood what had made the first two films in the *Batman* franchise so unique—the blending of art cinema and blockbuster attributes led by an auteur. While studios moved away from the model embodied by Burton and *Batman*, indie blockbusters continued to gain momentum in the 1990s, especially as the Sundance Film Festival became the new center for spotting potential crossover films and future talent. By the end of the decade, the success of several indie blockbusters and filmmakers caused the studios to re-imagine the blending of the art film and the commercially-driven blockbuster. And indeed, the proliferation of art blockbusters erupted in the latter part of the decade as independent filmmakers began to helm franchise films and brought elements of the indie film style into these commercial features. The resurgence of the *Batman* franchise in 2005 is indicative of this trend, as *Batman Begins* displays several elements of the art blockbuster.

As a blending of two disparate types of filmmaking, the art blockbuster is an unusual phenomenon. The critical discourse surrounding both the blockbuster and the art film is an important consideration in understanding how this combination occurred.

Thus, as evidence, I provide assessments of both individual films, and the filmmaking environment at large, by critics and academics alike. By examining the art blockbuster, I not only question the lines drawn between high and low art, but also provide a framework for discussing this hybrid form of filmmaking. Counter to the view of multimedia blockbusters as formulaic, overly commercial, and too juvenile, the art blockbuster provides a forum for the antithetical combination of art and commercial cinema.

ANTECEDENTS OF THE ART BLOCKBUSTER

Both aspects of the art blockbuster—art films and the blockbuster—have their roots in the filmmaking environment that arose post-World War II, and developed through the 1970s and 1980s. The international art film developed as an aesthetic challenge to Hollywood film, and was later channeled into two separate aspects of U.S.-based filmmaking. First, the art cinema greatly influenced the American Renaissance, a period in which studio executives and filmmakers embraced the elements of the art film in Hollywood releases. Later, the art film was channeled into the American independent film of the 1980s and '90s. The development of the blockbuster was simultaneous with the emergence of art cinema, as widescreen epics presented a challenge to the limits of the medium of television. Once Spielberg and Lucas, filmmakers who began their filmmaking careers during the American Renaissance, grasped the concept of the film experience as a multimedia one, the nature of the blockbuster changed. In the following pages, I trace the developments of both the art film and the blockbuster up to the release of *Batman*. Given the art film's and the multimedia blockbuster's contrasting features, it comes as no surprise that the merger of the two took decades to cohere.

Typically, art cinema refers to a post-War period of international filmmaking, primarily centered in Europe, which aligned film with high art. Indeed, art films were

films “which display[ed] new ideas of form and content and which [we]re aimed at a high-culture audience” (Lev, 4). Although there were previous art film movements like German Expressionism and Soviet montage which featured many of the same formal features as later art films, these earlier movements were more locally focused than the art cinema of the post-War period. In essence, the films of both of these earlier periods were directed primarily to their national audience, even though the films of each movement did have significant impacts on international cinema. The international art cinema that emerged after the war was geared toward an elite audience worldwide, and was supported by the growing international presence of film journals such as *Cahiers du Cinéma* and film festivals such as the Cannes Film Festival and the Berlin International Film Festival (established in 1946⁹⁵ and 1951, respectively). In part, the international focus of the art cinema was to counteract the growing dominance of Hollywood film around the globe. In “Art Cinema as Institution,” Steve Neale argues that the art cinema’s purpose encouraged international filmmakers “to counter American domination of their indigenous markets in film and also to foster a film industry and a film culture of their own” (11). Thus, the purpose of art cinema was not so much to make money (although this was certainly a welcome benefit) as it was to create a cinematic alternative to Hollywood.

Several key points differentiate art films stylistically from classical Hollywood films. David Bordwell in *Narration in the Fiction Film* identifies the extensive use of objective and subjective realism, the featuring of goal-bereft protagonists, the foregrounding of episodic narratives, the employment of overt narration, and the presentation of ambiguous characters and situations as among the traits of the art film (206-211). Similarly, Neale argues that with art cinema,

⁹⁵ The first Cannes Film Festival was actually set to occur in 1939, but the eruption of World War II curtailed the festival until after the war was over.

A different hierarchy is established between action and actant. Different orders of motivation substantiate the relations between the two. If cinema has tended massively to exist hitherto as an institution for the perpetuation of the novelistic, then it has historically been the case that it is within the institutional space of Art Cinema that film has most closely approximated that version of the novelistic that we associate with writers like [T.S.] Eliot, [Thomas] Mann, [Henry] James, and [Leo] Tolstoy. . .while Hollywood has tended to produce and reproduce the version of the novelistic we associate with the genres of popular fiction (13).

Neale compares art cinema with the modernist novel, while equating Hollywood with adaptations of more popular, and therefore less reputable or artistic, genres. Thus, the art film was aligned with high art and encompassed several European film movements including Italian Neorealism, the French New Wave, and New German Cinema (Lev, 4).

Indeed, while each of these movements featured different stylistic traits, one constant of the art cinema was the role of the auteur:

The consistency of an authorial signature across an oeuvre constitutes an economically exploitable trademark. The signature depends partly on institutional processes (e.g., advertising a film as “Fellini’s *Orchestra Rehearsal*”) and partly upon recognizably recurring devices from one film to another (Bordwell, 211).

Like Bordwell, Neale argues that “The name of the author can function as a ‘brand name’, a means of labelling and selling a film and of orienting expectation and channelling meaning and pleasure in the absence of generic boundaries and categories” (36). Thus, art cinema, which encompasses a variety of filmmaking styles and countries of origin, is understood foremost as a personal cinema, particularly in relation to the director’s vision. Importantly, it is through the director’s name that these films, and the film industries of which they are part, are associated with the paradigm of art cinema.

At the same time that art films were circulating in international (art) theaters, the Hollywood blockbuster was emerging as a key feature of the newly organized studio system. During the classical Hollywood period, event films such as *Gone with the Wind*

were roadshown as a means of differentiating them from typical studio product, opening in a few of the most select theaters in the country for extended periods of time with higher admission prices and reserved seating. During this period, studios required a substantial roster of films to fill their theaters, so special “event” films were not as common. However, during the New Hollywood period, blockbusters emerged as the most important studio product and became a much more regular feature of the studios’ release schedules. Because the *Paramount Decree* in 1948 forced the studios to divest themselves of their exhibition holdings, Hollywood studios no longer had an assured pipeline for their products. Indeed, the reliance on bigger pictures in the post-classical environment led to a growing blockbuster mentality:

The key to Hollywood’s survival and the one abiding aspect of its postwar transformation has been the steady rise of the movie blockbuster. In terms of budgets, production values, and market strategy, Hollywood has been increasingly hit-driven since the early 1950s. . . .The exceptional became the rule in postwar Hollywood, as the occasional hit gave way to the calculated blockbuster (Schatz, “The New Hollywood,” 8-9).

Concurrently with this trend, television was developing as an at-home medium, siphoning off (potential) viewers of the movies. One of the studios’ responses to these two developments was the creation of larger budget, special event pictures—the widescreen, epic blockbusters of filmmakers such as David Lean and Cecil B. DeMille.

In the 1950s, blockbusters were an essential strategy for the studios to compete against television and to bring audiences back to the theaters. The primary method of differentiating blockbusters in the 1950s and 1960s from both television and from other films was to emphasize developing technologies that broadened the picture image. Steve Neale in “Hollywood Blockbusters: Historical Dimensions” describes blockbuster films as large-scaled productions in terms of running time, cast, epic content, and scope. These big-budget spectacles were

marked not only by their scale and their cost, but also by the amount and type of publicity they receive and by the ways in which they are distributed and shown. One of the elements that affects both their cost and their presentation is their deployment of expensive, up-to-date technology (48).

As discussed in chapter two, these blockbusters included DeMille's *The Ten Commandments* (1956) and David Lean's *Doctor Zhivago* (1965), films which used widescreen technology to present epic content. Although several of the widescreen blockbusters garnered huge profits at the box office, a significant number also failed miserably, losing tens of millions of dollars for the studios. These failures left several of the studios vulnerable to takeover, as they found themselves deeply in debt.

As non-media centric corporations took over the Hollywood studios, executives new to the film business were willing to experiment with their slate of films, a development that ushered in the American Renaissance. This period was distinguished by the transition from the old, Hollywood studio talent to younger filmmakers like Francis Ford Coppola and Martin Scorsese whose beliefs often coincided with the prevalent leftist movement of the time. With the dissolution of the Production Code, the changing hands of the old studios into new corporate frameworks, and an industry-wide recession, studio executives were much more willing to experiment with new themes, narratives, and styles in order to attract the powerful (and quite large) youth market. In fact, American Renaissance films were a significant departure from classical Hollywood, directly drawing from the conventions of art cinema. For example, although it is a gangster film, a particularly popular genre during the classical Hollywood studio days, *Bonnie and Clyde* (1967) eschews a number of the traits of a classical gangster film—it focuses on the rural, rather than the urban; the gangsters are male *and* female; and the film fails to condemn them, even as they participate in violent, deadly acts. Likewise, the opening scene of *Bonnie and Clyde* is more reminiscent of the conventions of a French

New Wave film than a typical Hollywood film, with its several jump cuts.⁹⁶ *The Graduate* (1967) used relational editing in a similar, disorienting fashion, as the protagonist, Benjamin Braddock, nonchalantly moves from being in bed with Mrs. Robinson to lounging in the pool and back again.

Like *Bonnie and Clyde* and *The Graduate*, a number of the films of the American Renaissance not only incorporated aspects of art cinema, but also performed well at the domestic box office. Robert Altman's *M*A*S*H* (1970) garnered Academy Award nominations for Best Director and Best Picture, and it also became the second highest film in terms of domestic rentals for 1970, with \$22 million. Additionally, the film inspired a long-running and popular television series of the same title (1972-1983). With its multiple plots, abrupt juxtaposition of comedic and serious tones, frank discussion of sexuality and suicide, and episodic narrative structure, *M*A*S*H* spoke to the anti-establishment ethos of the youth market, particularly as a critique of the Viet Nam War (though, importantly, the film is set during the Korean War). Its idiosyncratic style hardly fit the blockbuster label like the highest grossing film for 1970—*Airport*, a large-scale disaster film with an ensemble cast including Burt Lancaster, Dean Martin, and Jacqueline Bisset—but the extension of *M*A*S*H* into another medium spoke to its overwhelming popularity.

Another blockbuster, Francis Ford Coppola's *The Godfather* (1972), opens in a non-classical fashion, with a tertiary character delivering a lengthy monologue in one take without any cuts that provide orientation to the character, the story, or the environment in which he speaks. It is a scene reminiscent of French New Wave films such as *The 400 Blows*, a film in which an adolescent boy undergoes an interview with a

⁹⁶ Early in the pre-production process, French New Wave filmmakers François Truffaut and Jean-Luc Godard were both attached as the film's director, further evidence of the New Wave's influence on the film (Biskind, *Easy Riders*, 27).

psychologist without any establishing shots of the room, or any reverse shots of the psychologist. Like *Bonnie and Clyde*, *The Godfather* is a gangster film, but its opening is influenced by the narrational principles of the art film. Yet, the film does foreground a number of the most important aspects of the era's increased blockbuster focus. The majority of the film does use classical Hollywood storytelling, it features a huge star (Marlon Brando), and it is adapted from a popular novel. Before the first shot of the film, there are two credits: one identifying the production company (Paramount Pictures) and one identifying the film as "Mario Puzo's *The Godfather*," complete with graphics that mirror the best selling novel's cover. In the opening of her review of the film, Pauline Kael of the *New Yorker* stated that, "If ever there was a great example of how the best popular movies come out of a merger of commerce and art, 'The Godfather' is it" (Rev. of *The Godfather*, 132).

Before the release of *The Godfather*, the top grossing films were a far reach from \$100 million at the domestic box office. With its release in 1972, *The Godfather* earned rentals of over \$80 million and had earned global rentals and television sales for over \$285 million (Thompson and Bordwell, 522). The film was the highest rental earning film of all time, until Spielberg's *Jaws* supplanted it in 1975. Blockbusters produced later in the 1970s after *Jaws* eschewed many of the attributes of the art cinema for more commercial prospects like tie-ins, soundtracks, and merchandising, as evident in films such as *Grease* (1978). The American Renaissance steadily declined in the 1970s, and was replaced by a blockbuster tradition with escalating stakes. A few films with ties to art cinema, like Coppola's *Apocalypse Now* (1979), did blockbuster business, grossing over \$100 million in theaters in the U.S. and across the globe. The film's use of an affectless voice-over, its juxtaposition of the killing of Colonel Kurtz with the massacre of a water buffalo during the finale, and its unsympathetic look at the U.S. military

presence in Viet Nam all contributed to a film that had much more in common with a European art film than the era's multimedia blockbuster. Yet, unconventional camerawork, editing, and narrative structure as seen in *Apocalypse Now* found little place within the growing industrial focus on the multimedia blockbuster as the 1980s emerged. Instead, clarity and mass appeal were key to achieving large grosses.

More than any two filmmakers, Steven Spielberg and George Lucas altered the focus of the industry away from the art cinema-centered American Renaissance and from the blockbuster as a singular, epic, widescreen film as seen during the 1950s, '60s, and early '70s. Indeed, the successes of *Jaws* and *Star Wars* motivated a move towards the blockbuster as an entire business strategy. During the late 1970s and through much of the 1980s, the films of Spielberg and Lucas dominated the box office charts through unprecedented grosses. In addition to their overwhelming box office successes, the two filmmakers intrinsically understood the concept of synergy and franchising. By strategically re-releasing their films, Spielberg and Lucas continued to amass profits at the box office and through new media outlets, particularly through additional product lines. *Star Wars* and Spielberg's *E.T. the Extra-Terrestrial* (1982) not only became the top grossing films of all time when they were released, they also earned a windfall through tie-in products ranging from stuffed animals, dolls, posters, books, T-shirts, alarm clocks, and even a speak and spell learning toy for *E.T.* Thus, the blockbuster came to be identified with merchandising, a focus on juveniles, and multiple windows for viewing the film, in addition to the more traditional aspects of the blockbuster in terms of substantial grosses at the box office, stars, and the use of updated technology.

It is since the era of the multimedia blockbuster shepherded in by Spielberg and Lucas that the critical reception of the blockbuster has altered. In fact, the blockbuster epics of the previous era performed well at the box office, but they also received a

number of the industry's top accolades, including the Academy Award for Best Picture nearly every year during the 1950s and '60s.⁹⁷ The multimedia blockbusters, on the hand, were critically dismissed as either bad movies altogether, or unworthy of praise because of their focus on spectacle, flattened characters, and/or conservative ideology. For example, in the second edition of Robert Phillip Kolker's *A Cinema of Loneliness: Penn, Kubrick, Scorsese, Spielberg, Altman* (published in 1988), he argues that Spielberg's films "offer nothing new beyond their spectacle, nothing the viewer does not already want, does not immediately accept. That is their conservative power, and it has spread throughout the cinema of the eighties" (239). I have already provided a few of the contemporary critiques of the multimedia blockbuster films at the beginning of this chapter. These critiques have hardly vanished in the nearly two decades since the 1980s. In more recent years, Spielberg and Lucas are admonished for ushering in an era of "blockbuster dependence," a dependence compared to "a disease" (Menand, 82). Terry Teachout, the drama critic for the *Wall Street Journal*, explicitly linked Spielberg and Lucas to the problem of quality in contemporary filmmaking in an essay for the January 2007 issue of *Commentary*. By quoting him at length, it is clear what he believes are the contemporary blockbuster's main problems:

[T]he seeds of decline had. . . been planted by Steven Spielberg and George Lucas—the makers, respectively, of *Jaws* (1975) and *Star Wars* (1977). The commercial success of these films, with their simple-minded stories and elaborate special effects, led directly to the juvenilization of Hollywood. Once producers discovered that there were vast amounts of money to be made out of visually compelling, dramatically infantile big-budget movies aimed at an audience of teenagers, it was all but inevitable that they would soon be making little else. What followed was an industry-wide plunge to the lowest common denominator of popular taste (48).

⁹⁷ Indeed, the blockbuster as Best Picture includes *The Greatest Show on Earth* (1952), *From Here to Eternity* (1953), *Around the World in Eighty Days* (1956), *The Bridge on the River Kwai* (1957), *Gigi* (1958), *Ben-Hur* (1960), *West Side Story* (1961), *Lawrence of Arabia* (1962), *My Fair Lady* (1964), *The Sound of Music* (1965), and *Oliver!* (1968).

Thus, the media blockbusters of the 1980s—inspired by and produced and/or directed by Spielberg and Lucas—were viewed as big budget films “in which [their] production value [wa]s in inverse proportion to content” (Menand, 82).

A few of the filmmakers who achieved prominence during the American Renaissance did attempt to merge aspects of the art film with the blockbuster during the late 1970s and early part of the 1980s as part of a last gasp of the Renaissance. Martin Scorsese’s attempt to challenge the conventions of the Hollywood musical with *New York, New York* (1977), Ridley Scott’s Expressionist-inspired future noir *Blade Runner* (1982), and Coppola’s musical-inspired gangster film *The Cotton Club* (1984) all proved to be a wrecking ground for blockbusters with art cinema sensibilities. Perhaps the most infamous of these disappointing films was Michael Cimino’s *Heaven’s Gate* (1980). Its protracted production and postproduction periods led the film’s budget to creep up past \$40 million dollars, and it became one of the most expensive films of all time (Bach, 416). With its three and a half hour length, sprawling storyline, and sweeping Western vistas, the film had much in common with the widescreen blockbusters that David Lean created during the 1960s. Yet, its disregard for classical narrative structure, its presentation of ambiguous and unlikable characters, and its extended use of muddled sound had more in common with the art film. The combination of the two taxed viewers and critics alike. In response to its initial preview in late 1980, Vincent Canby of the *New York Times* deemed the film “an unqualified disaster,” a view widely shared by those attending the press screening (Rev. of *Heaven’s Gate*, C29). The film was pulled from circulation and re-edited due to the overwhelmingly negative critical response it received at this screening. Released in theaters nearly a year later, *Heaven’s Gate* grossed less than \$1.5 million in its first weekend, on its way to grossing less than \$4 million at the domestic box office. Its colossal financial failure led to parent company

Transamerica selling United Artists (UA) to MGM. *Heaven's Gate* was never intended to be a multimedia blockbuster like *Grease*, but it was seen as the “locomotive” for UA’s entire 1980 release schedule when it originally started production (Bach, 128).

However, two films during the early 1980s did attempt to merge aspects of the multimedia blockbuster with art cinema sensibilities: Altman’s *Popeye* (1980) and David Lynch’s *Dune* (1984). The critical and box office success Altman found with *M*A*S*H* eluded him later in the decade, and the \$20 million adaptation of the comic strip and cartoon, *Popeye*, was seen by many as a way for Altman to regain his stature within the industry. Rather than make a straight adaptation of the property, Altman was more interested in the background elements of the story than the principal characters or narrative. According to screenwriter Jules Feiffer, Altman “talked about them [the people of Sweethaven] a lot more than he talked about the characters of Popeye and Olive Oyl” (qtd. in “The Stormy Saga,” 34). For example, Altman’s focus on the background characters is evident in the “Everything is Food” musical sequence, which ends with Popeye giving Wimpy his hamburger. During the several minutes-long sequence, however, Popeye only has one line, and it is unintelligible at that, while characters without any narrative importance are foregrounded, including a man who burns his hand on a stove pipe, a man who eats at a table without sitting in a chair, and the waiter falling down the stairs and crashing several plates. A number of the criticisms lobbed at the film revolved around Altman’s style, particularly in regard to the emphasis he placed on the background elements, overlapping sound, and one-dimensional characters. Pauline Kael of the *New Yorker* critiqued the film for having “indecipherable activity at the side of the frame, and there are a lot of dissociated voice-overs” (Rev. of *Popeye*, 81). Richard Schickel of *Time* agreed with Kael regarding the film’s soundtrack, claiming that “the soundtrack is constantly amutter with asides, off-screen voices, half

overheards—Altman trademarks at odds with the spare, sharp verbal play that was one of the delights in the comic” (“Comics into Film,” 72-73). Indeed, both of these critical assessments express reservation of the mixing of art film tendencies with the more blockbuster aspects of *Popeye*.

The high-cost failure of *Popeye* was replicated a few years later when David Lynch was hired to direct a big-budget adaptation of the cult science-fiction novel *Dune*, as the film was initially envisioned as the first of a trilogy. Lynch was a well-regarded independent filmmaker whose midnight movie *Eraserhead* (1977) sparked its own cult following and whose second feature, *The Elephant Man* (1980), earned him an Academy Award nomination for Best Director. His use of a Surrealistic style, disconcerting atmospheres, and sparse narrative action were all aspects antithetical to the planned strategy of *Dune* as a franchise, particularly with child-friendly science fiction films like *The Return of the Jedi* (1983) and *E.T. the Extra-Terrestrial* dominating the box office. Still, producer Raffaella De Laurentis claimed that it was Lynch’s distinctive style that would make for a more interesting, character-driven science fiction film:

After seeing *The Elephant Man*. . . I knew David was the ideal choice. All those special effects pictures that had been done before, from *Star Wars* to *Alien*, were all very good but they were really high-tech science-fiction stories with characters that weren’t humanized very well. In the book, *Dune*, there were so many levels to each character that if we had hired a director who would have only told the story of spaceships and space wars, we wouldn’t have had a movie. . .at least not the movie that I wanted to make (qtd. in Naha, 20-22).

Accordingly, the film begins in an atypical fashion, with an extreme close-up of a woman’s eyes, which is followed by a quick zoom out to reveal Princess Irulan directly addressing the camera. The princess fades in and out as she provides exposition about the state of the universe, leaving only a painting of planets and stars onscreen for twenty seconds at a time. Princess Irulan’s monologue lasts for nearly four minutes, and her speech is both slow and without emotion. Her monologue is then followed by another

monologue given by an unseen narrator, who provides further details about the state of the universe with a slightly different painting of planets and stars onscreen. With its leisurely atmosphere and disjointed voice-overs, *Dune* has much in common with the aesthetics of the art cinema, while its sprawling location shoots and large, international ensemble cast speak to its blockbuster ambitions. Indeed, the film featured over 20,000 extras and seventy sets, a scale more in line with a David Lean-widescreen epic than the smaller films Lynch had done previously (Harmetz, “The World of Dune,” B2). The production of *Dune* did not go smoothly, and its budget crept up to over \$40 million, by far the largest budget ever for a film produced by Universal. However, the initial investment seemed worth the risk because of the planned trilogy.

Similar to the reviews *Popeye* received, critics attacked the film’s attempted merger of the art film with the franchise film. Janet Maslin of the *New York Times* criticized the pace of the film as well as its incomprehensibility, claiming that the film “pause[s] periodically for great infusions of data, as if the occasional subtitle or breathless voice-over could make sense of it all” (Rev. of *Dune*, C18). Paul Attanasio of the *Washington Post* also found the film incomprehensible because Lynch “cluttered his story with taxonomic gibberish and a benchful of unnecessary characters. In the book, it’s texture; in the movie, it’s lard. Instead of using the book, Lynch is smothered by it—he tries to bring its 500-plus pages whole to the screen, glossary and all” (“‘Dune:’ Lost in the Dust,” D1). In his article “The Art Film Going Blockbusters,” published a few days after his negative review of the film, Attanasio credited many of the problems of *Dune* not to Lynch’s direction, but to the demands of the commercial marketplace. By quoting him at length, you can see how Attanasio attacked the blockbuster aesthetics of Hollywood, rather than the (previously) independent filmmaker’s roots:

[A]ll that's wrong with "Dune" [is that it] obeys the inner logic of moviemaking economics. With its swollen budget, a movie like "Dune" has to gross around \$120 million just to break even. . . .It's a big gamble, so the producers and the studios do what they can to guarantee success.

In "Dune," these elements ambush Lynch at every pass. Because it is perceived that audiences will anticipate certain "blockbuster" features, the movie bulges with hundreds of extras whom Lynch choreographs clumsily (a great director, but a lousy traffic cop), and a big-name cast of supernumeraries in the tradition of "The Longest Day" (Linda Hunt, for example, growls two lines, then leaves the screen with a knife in her back). "Dune" centers on Paul Atreides, played by Kyle MacLachlan, whose blandness makes good economic sense, too (here's the kind of everyday handsomeness a teen-age audience can relate to). But this focus steals the show from the Harkonnens, who excite Lynch's Gothic imagination; when a director with a flair for the bizarre tackles a conventional hero, the result is as lively as steamed rice (K1).

Thus, Attanasio attacked the film's more typically blockbuster elements—its attempt to cater to a youth audience, the sprawling cast, the large budget—rather than the art cinema aspects more associated with Lynch's work. One of the few critics who liked the film, David Ansen, suggested that the film is "richer and stranger than just about anything the commercial cinema now has to offer," praising the film for its ties to independent film aesthetics, praise perhaps best exemplified by the title of his review, "Stranger Than Paradise," an allusion to Jim Jarmusch's watershed independent film of that title released the same year ("Stranger Than").

With the exception of films such as *Popeye* and *Dune*, which attempted to merge art cinema aesthetics with the franchise film, the blockbuster moved away from the aesthetics of the art film prevalent in films produced during the American Renaissance. Yet, the independent film movement of the 1980s picked up where the Renaissance left off, only outside the studio environment. Argues Peter Biskind in *Down and Dirty Pictures: Miramax, Sundance, and the Rise of Independent Film*, "Genuine children of the New Hollywood [films], the indies absorbed, at least in the beginning, their anti-Hollywood aesthetic" (19). Indeed, while art cinema competed with Hollywood on an

international level, independent films competed on a national level. Argues Neale regarding the similarities between the two: “[I]ndependent films tend...to circulate as Art films...by virtue of the fact that they are multiply marked as distinct from the films of Hollywood (through their textual characteristics, subject matters, and spheres of circulation)” (“Art Cinema,” 38). Jarmusch’s *Stranger than Paradise*, for example, featured only one instance of camera movement in the entire film, scenes shot in one take, and fades to and from black between scenes, all of which are stylistic conventions associated with art cinema. Like the relationship between the film director and art cinema, the notion of authorship is central to understanding what constitutes an independent film. Asked what distinguishes independent cinema from Hollywood, Allison Anders, director and writer of *Gas Food Lodging* (1992), asserted: “To me it means the director is the auteur. This is his or her personal vision. It was not a director-for-hire kind of thing, it was not made by a committee” (Biskind, “Inside Indiewood” 12). Ascertaining whether a film qualifies as art or not has become tied to the notion of a person—usually the director—who realizes a vision. Like in art cinema, the director, thus, has become central to understanding independent film and the relationship of independent film to the larger film industry, both domestically and internationally.

The domestic gross of Jarmusch’s *Stranger than Paradise* at \$2.5 million was considered a huge success for an ultra-low budget independent film in 1984, but it stood in sharp contrast to the year’s top domestic grossing film, *Ghostbusters*, with nearly \$230 million. With its special effects-laden narrative and its use of stars like Bill Murray and Dan Aykroyd, *Ghostbusters* was antithetical to *Stranger than Paradise* in nearly every way imaginable. The huge separation between the two films attested to how far the art blockbuster was from becoming a key feature of the industry, and the fates of both the indie film and the blockbuster at the end of the decade are telling. The early 1980s saw a

boom in independent film production, as the projected profitability through video rentals allowed companies to sell distribution rights outright in order to finance fledgling film projects. By the end of the decade, however, this system itself collapsed as the video market became driven by blockbusters that had done well in theatrical release, and the future of the independent film market grew grim. Indeed, in early 1989, articles in *Newsweek*, *Premiere*, and the *New York Times* outlined the disintegration of key independent production companies and the box office failures of several independent films, suggesting that “Hard Times [have] fall[en] on independent filmmakers” and the “Indie boom [has] turn[ed] bust” (Ansen, “One Eye on Art,” 66; Goldman, 31). Of course, this fear was discussed before the phenomenal success of *sex, lies, and videotape*, the film which many credit as altering the image of both the Sundance Film Festival and independent film as a whole. For example, Greg Merritt in *Celluloid Mavericks: A History of American Independent Film* argues that “Art-house screens couldn’t contain it. Soderbergh’s and Sundance’s and Miramax’s movie entered America’s consciousness. And so did independent film” (351).

As the summer of 1989 featured the releases of *Batman* and *sex, lies and videotape*, it presented a turning point for both the blockbuster and the independent film. While *sex, lies and videotape* crossed over from the indie world into the mainstream, *Batman* broke from the mold of the Spielberg-Lucas blockbusters that dominated the industry since 1975. The salient features of the 1980s blockbuster can be broken down into four categories, which tend to overlap: the production aspects of the film itself; its visual appearance; its narrative structure; and its release strategies. Often, blockbusters featured substantial budgets and the use of stars, and they also relied on pre-established, usually popular, material. Visually, blockbusters foregrounded action sequences, which usually necessitated special and visual effects. According to Geoff King in *New*

Hollywood Cinema: An Introduction, visual spectacle had various functions within the blockbuster:

Spectacular imagery, of various kinds, sells. It is an intrinsic part of many of the properties on which the studios draw for their big franchise products. It sells particularly well abroad, in markets where nuances of plot and dialogue might be lost in translation. It also plays an important role in the aesthetics of spin-off products such as computer games and theme-park rides (179).

Indeed, both the camerawork and editing reinforced the centrality of these sequences, emphasizing the spectacle beyond any direct narrative concerns. In terms of the narrative, the plot was more the focus than the characters and it tended to follow a classical structure. Violence and sex were toned down to meet a PG-rating, which is a requirement for most blockbusters produced by the studios. Blockbusters attempted to attract the widest possible audience, and elements that appealed to all four quadrants (men and women of the age groups 17 to 24 and 25 to 49) as well as children were essential. Finally, the number of screens upon which a film opened, the opening weekend grosses, and the total grosses in domestic and international theaters were all aspects which underscored whether a film performed as a blockbuster. The importance of marketing to sell the film, as well as the reliance on merchandising campaigns and tie-ins, all contributed to a film's performance at the box office, and help shape its perception as a blockbuster. In 1989, both *Batman* and *sex, lies and videotape* emerged as new versions of the blockbuster—the art and the indie blockbuster, respectively. Both of these films set the foundation for development of the blockbuster in the 1990s.

THE ART BLOCKBUSTER EMERGES

While the term art blockbuster was never used in any of the film's reviews, it is clear from the reviews and articles about *Batman* at the time that a new version of the

blockbuster had emerged onscreen. The film's action sequences were seen as lacking, but the unique look of *Batman* as a blockbuster was duly noted at the time of the film's release. Indeed, Burton's ability to merge the commercial aspects of the blockbuster with the German Expressionist sensibility which pervaded his earlier work proved that an art blockbuster could succeed in the growing franchise environment of the film industry. According to producer Mark Canton, *Batman* was a unique and extremely important film because it was able to merge these elements in a way that other (potential) franchises thus far had not been able to capture:

I think that *Batman* is the seminal movie of the last quarter century because it broke all the rules. It redefined what a tentpole movie should be. It dealt with the kind of effects and the kind of artistic choices [and] casting choices that had not been done before (qtd. in *Shadows of the Bat Part I*).

In taking stock of the films that were released during the summer of 1989, David Ansen asserted that *Batman* "succeeded just because it didn't play by the rules" ("Boffo Box Office," 62). The film's unprecedented gross, coupled with its highly unconventional and stylized look, set the standard for blockbusters to come. Unlike *Popeye* and *Dune* before it, *Batman* successfully merged aspects of art cinema with the franchise film.

As discussed previously in this chapter, one of the key aspects of the franchise film in the 1980s was the use (or over-use, as many critics claimed) of action sequences. Because Micheal Keaton was not an action star, the action sequences in *Batman* often featured someone else performing the fights, which resulted in camera placement that hardly let the viewer decipher the action unfolding onscreen. For example, in the climatic scene in the Gotham Cathedral, it is difficult to discern how Batman defeats his enemies through physical means since none of the action is shown in one shot. Rather, these scenes cut clumsily between long shots that offer confusing angles and close-ups which give no sense of perspective on how the action takes place. Jack Kroll of

Newsweek claimed that “The irreverent, subversive Burton doesn’t seem that interested in ‘Batman’s’ action sequences. Most of these fall flat; Batman, swaddled in his black armor and mask, lacks the physical freedom and flair of the great action heroes” (“The Joker is Wild,” 73). Hal Hinson of the *Washington Post* believed that many of the action sequences are “unintelligible or inelegant” (F1). Jay Carr of the *Boston Globe* argued that “Tim Burton’s new, dark ‘Batman’ isn’t a great action movie” (“Batophilia,” 29). Thus, according to the critics, one of the blockbuster’s typical elements—the reliance on action sequences—is presented almost as an afterthought.

One of the themes in the critiques of *Batman* centered on another typical characteristic of the blockbuster, which is a film’s potential for franchise opportunities. For example, in Vincent Canby’s review of *Batman* for the *New York Times*, he critiqued the film for having an uneven tone, and blamed this on the commercial imperatives of Warner Bros.: “It has the personality not of a particular movie but of a product, of something arrived at by corporate decision” (“Nicholson and Keaton,” C12). Likewise, Hinson criticized the use of the Prince songs for “breaking the mood” of the film and hints at their use solely for corporate purposes (F1). Kroll believed that the film “is half brilliant. It looks as if Burton was aware of the flaws in this project but that, handed a big-budget blockbuster after only two movies, he couldn’t blast all of them away...” (“The Joker is Wild,” 73). Indeed, many of these same critics believed that with more creative freedom, Burton could have made a truly exceptional movie. In the closing to his review, Kroll argued that Burton “should pursue his own projects—that’s the real excitement of a talent like his” (“The Joker is Wild,” 73).

Many critics believed that the film’s greatest strength was its visual style, especially in presenting Gotham. *Batman*’s postmodern sets and décor even won the Academy Award for Best Art Direction. Carr commented that while the film was not a

good action film, “It’s something better—a great city movie” (“Batophilia,” 29). Hinson linked the film’s presentation of Gotham with the film’s emotional power: “From its opening shots, as the camera descends into the grim, teeming streets of Gotham City, the movie fixes you in its gravitational pull. It’s an enveloping, walk-in vision. You enter into it as you would a magical forest in a fairy tale, and the deeper you’re drawn into it, the more frighteningly vivid it becomes” (F1). According to Canby of the *New York Times*, the film’s “production design is so evocative that one expects to meet a fiend on the order of Dr. Mabuse, Fritz Lang’s master criminal, rather than D.C. Comics’ Joker,” linking the film’s design with German Expressionism (“Nicholson and Keaton,” C12). Roger Ebert of the *Chicago Sun-Times* also likened *Batman* to a German Expressionist film, in addition to a recent attempt to mix art cinema with the blockbuster: “Director Tim Burton and his special effects team have created a visual place that has some of the same strength as Fritz Lang’s ‘Metropolis’ or Ridley Scott’s futuristic Los Angeles in ‘Blade Runner.’ The gloominess of the visuals has a haunting power” (Rev. of *Batman*).

As a result of the film’s distinctive style, critics praised Burton for bringing an original vision to the blockbuster film. In the conclusion to his review, Hinson called the film “a masterpiece of pulp, the work of a true artist” (F1). According to the conclusion of his review, Carr believed that “Burton is an original. His flawed but powerful ‘Batman’ is a world apart from Hollywood’s summer parade of play-it-safe sequels” (“Batophilia,” 29). Kroll claimed that “The best stuff in ‘Batman’ reflects the surreal, black-humorist sensibility of 30-year-old Burton, one of the most original moviemakers to come along in years” (“The Joker is Wild,” 73). Thus, critics linked Burton, *Batman*’s style, and its ties to art cinema in terms of its Expressionist design together as outside the norms of the conventional Hollywood blockbuster.

Nearly a year after the release of *Batman*, another unconventional adaptation of a comic was released in theaters: Warren Beatty's *Dick Tracy* (1990), which also functioned as an early art blockbuster. The film was instantly compared with *Batman*, since they both were adapted from comics and had distinctive looks. With *Dick Tracy*, however, its highly stylized look was not influenced as much by Expressionism, but by Surrealism. With its limited, but extremely bright, color palette, the film looks like a comic strip come to life. In fact, the film's primary colors were taken directly from the comic strip's color scheme. Items like Tracy's signature yellow fedora and trench coat are so bright, they nearly pop off the screen. Producer Barrie Osborne likened the film's visuals to the work of Bertolt Brecht, claiming that the film's design "was derived from post-expressionist paintings—a 'Three Penny Opera'-Bertolt Brecht look" (qtd. in Thomas, "Dick Tracy"). The film's overall design meant to call attention to itself as a comic book adaptation, rather than blend in with the other blockbusters released around the same time. Many reviewers commented that *Dick Tracy* had a look never seen onscreen before, particularly with its vibrant use of color. Brian Johnson of *Maclean's* argued that "With its radical use of bold, paint-box colors, it looks like a comic book come to life. Visually, *Dick Tracy* is a stunning achievement: it has the quality of a remarkably sustained optical illusion" ("The Dashing," 51). Even with its unusual look, the film was clearly a blockbuster with its casting of big stars (Beatty, Madonna, Al Pacino, and Dustin Hoffman), tie-in products (including re-releases of the original strip in novelized form), and bestselling soundtrack. *Dick Tracy* ranked as the seventh highest film in terms of domestic rentals for 1990 with just under \$104 million dollars, but it was widely considered a box office failure since the film's budget and marketing costs combined nearly equaled its box office haul (\$45 million and \$55 million, respectively) and merchandise revenues were lukewarm (Fabrikant, "In Land of," D23). Yet, its

distinctive look and its positive critical reception set *Dick Tracy* apart from other blockbusters, putting it in the same realm as *Batman*.

Similar to *Batman* and *Dick Tracy*, James Cameron's *Terminator 2: Judgment Day* (1991) featured aspects of the art blockbuster. Its blockbuster aspects were more than clear. It was a sequel. It had a huge star, in the form of Arnold Schwarzenegger. It was big-budgeted—at one point, *Terminator 2* was the most expensive film ever made, with a budget of just over \$100 million. It also featured state-of-the-art visual effects which were nearly twenty percent of the film's overall budget ("How to Spend," 57). The film ultimately grossed \$205 million in domestic theaters, and an additional \$315 million worldwide, making it the top grossing film of the year. Although the film featured blockbuster attributes, the film was made by an independent film company, Carolco, which raised money for the production by pre-selling international distribution and television rights. Cameron was also an alumnus of independent film, having worked on exploitation films for Roger Corman, including as director for *Piranha II: The Spawning* (1981), and having written and directed *The Terminator* (1984) with another independent film studio, Orion. In 1989, on the cusp of the releases of *Batman* and Cameron's *The Abyss*, David Denby in *Premiere* profiled Burton and Cameron as two directors "standing at that perilous place, near the edge of disaster, where a really big budget can turn a director into a quailing Hollywood sap, suddenly afraid of risk and imagination" ("Babes," 22). Cameron's pushing of the budget to incorporate state-of-the-art effects was apparent on both *The Abyss* and *Terminator 2: Judgment Day*, a risk that paid off at the box office with the latter film. Critics' views of *Terminator 2* varied widely, but the effects were always a key concern. For example, Janet Maslin stressed that several of the effects sequences were "cause for applause in their own right" ("In New," C11). David Ansen believed that the effects enhanced the anti-nuclear focus of the film's narrative:

“For all its state-of-the-art pyrotechnics and breathtaking thrills, this bruisingly exciting movie never loses sight of its humanity. That’s its point, and its pride” (“Conan,” 57). While the film was not described as an indie blockbuster by any of the critics, the key issue of risk, the anti-nuclear theme, and the fact that it was produced outside of a major Hollywood studio by a director with independent film ties provided a challenge to the typical blockbuster.

Although these three films each had aspects of the art blockbuster, the first film that critics openly claimed as merging art cinema characteristics with the blockbuster was Burton’s 1992 sequel to *Batman*, *Batman Returns*. Critics discussed the film as a project that squarely fit into Burton’s oeuvre, situating the film less as a franchise blockbuster than as a personal work by an auteur. In the opening of his review, Carr claimed that

Tim Burton is a visionary director driven by a central recurring—and partly autobiographical—image of an outsider lurking in the shadows. Since the success of “Batman” he personally has gone from being a pale lurker to being a rich, suntanned lurker. But again in “Batman Returns,” he fills the screen with conflicted alter egos—schizoid, simmering in rage, swinging convulsively between the imploded and the flamboyant, reminding would-be artists that if you pursue the personal, it often turns out to be universal (Rev. of *Batman Returns*, 47).

Likewise, Dave Kehr, in his review for the *Toronto Star*, assessed *Batman Returns* as a very personal film for Burton: “There are flashes of commercially oriented action and humor, but the over-all feeling is one of a languid depression sprung straight from the heart of its author.” Indeed, Kehr fit the film into Burton’s personal style, more so than the Batman universe: “In fact, *Batman Returns* is so personal that it owes much more to *Edward Scissorhands*, Burton’s 1990 Christmas fantasy about a lonely young man with knifeblades for fingers, than it does to the comic book hero created by Bob Kane” (“Unhappy Outsiders,” B1). Todd McCarthy of *Variety* asserted that with *Batman Returns*, “Burton has once again managed to pursue his quirky personal concerns in the

context of broadly commercial entertainment” (Rev. of *Batman Returns*). Thus, the theme of *Batman Returns* as being a personal film, rather than a studio-created blockbuster, dominated the reviews.

As a sequel, the film was clearly tied to the commercial blockbuster tradition. At the time, sequels generally generated neither the critical response, nor the box office grosses, of their predecessors. However, *Batman Returns* bucked the first trend, with the majority of critics finding the film superior to the 1989 film. The first line of Carr’s review sums up the critics’ reactions to the film: “‘Batman Returns’ is the rarest of Hollywood beasts—a sequel that’s better than the original” (Rev. of *Batman Returns*, 47). According to Ansen, the film’s power lies in extending the vision seen in the previous film: “If ‘Batman’ was the darkest, weirdest, most unlikely blockbuster...to slip out of the Hollywood corporate system, wait till you get a load of *Batman Returns*” (“A Gotham Gothic,” 50). Janet Maslin of the *New York Times* believed that “Tim Burton has wisely switched gears, re-inventing the mood and manner of ‘Batman’ so fearlessly that he steps out of his own film’s murky shadow” (“A Sincere Bat,” C1). Kim Newman of *Sight and Sound* argued that *Batman Returns* “is a rare follow-up that refines and extends the original, suggesting further possibilities to be explored” (Rev. of *Batman Returns*, 49). All of these reviews have a subtext that *Batman Returns* was a risky direction for the franchise, given that most sequels follow as closely as possible to the formula of the original film. *Batman Returns* eschewed that tradition by providing few overt ties between the two films.

Indeed, this idea of risk is apparent in Ansen’s review of the film. He directly likened *Batman Returns* to an art film, albeit one with an extensive budget: “Burton couldn’t play it safe if he wanted to, and he doesn’t want to. Entrusted with one of the most valuable franchises in movie history. . .he’s made a moody, grotesque, perversely

funny \$50 million art film” (“A Gotham Gothic,” 50). Key to his argument about *Batman Returns* as an art film is its perversity and its reliance on the grotesque. Newman called Catwoman and Batman’s relationship “The strangest S&M relationship in mainstream cinema, signaled by the potent image of Catwoman licking Batman’s face from chin to cowl” and claimed that “Burton is obviously much less interested in conventional action. . .[than] in fringe grotesqueries” (49). Batman only makes three appearances in the film’s first hour, and two of them are fairly brief. Instead of focusing on the hero, the film spends this time examining the Penguin, also known as Oscar Cobblepot, and Catwoman, known as Selina Kyle in her alter ego. Carr stressed that these two characters bring perversity and grotesquerie together whenever they meet to hatch a plan to trap Batman: “Her [Michelle Pfeiffer’s] sexy volatility and [Danny] DeVito’s caricatured grotesqueness collide in an amusingly revolting scene during which Penguin comes on to Catwoman—who makes her lack of interest known” by swallowing his pet bird (Rev. of *Batman Returns*, 47). Given its status as a PG-13 rated film, these intense sexual and grotesque aspects were more in tune with an R-rated film than a typical Hollywood blockbuster. In fact, a number of the reviews suggested that the film’s content was inappropriate for children. Maslin warned that “a cartoonish spirit and a taste for toys do not make it a children’s film” (“A Sincere Bat,” C1). One of the common critiques of the blockbuster is that it panders to the youth audience, a criticism particularly lobbed at franchise films since ancillary products, such as action figures, are specifically aimed at the youth market. Thus, the emphasis in *Batman Returns* on adult-centered material is another risk taken with the franchise.

Ultimately, the box office grosses of *Batman Returns* were disappointing. While critics deemed the film better than the original, many Batman fans were disheartened by the lack of focus on Bruce Wayne and Batman, while many parents, parents groups, and

Christian rights groups were particularly distraught by the film's non-kid friendly, macabre atmosphere. Yet, the film is a testament to how risky franchise films can be, and how close to the typical aesthetics of the art film the blockbuster can strive. It was the top grossing film of the year, edging out two other sequels, *Home Alone 2: Lost in New York* and *Lethal Weapon 3*.⁹⁸

Batman Returns was not the only art blockbuster in the marketplace in 1992. *Basic Instinct* was the sixth highest film in domestic grosses for 1992, starred Michael Douglas and Sharon Stone, and was written by one of Hollywood's highest paid and most well-known screenwriters, Joe Eszterhas. Despite its blockbuster pedigree, the film was actually produced by the independent company, Carolco. The erotic thriller, best known for the controversy that surrounded its problematic presentation of bisexuality as well as its near NC-17 rating due to its overt depiction of sexuality, is thus an atypical blockbuster. Helmed by Dutch filmmaker Paul Verhoeven, who was well-regarded for films like *The Fourth Man* (1983) which won the International Critics Award at the Toronto International Film Festival, *Basic Instinct* was promoted through Verhoeven's auteur status as a way to deflect criticism based on its presentation of sexuality. In the essay "Sex, Controversy, Box-Office: From Blockbuster to Bonkbuster," Rebecca Feasey argues that "*Basic Instinct*'s cutting-edge representations of explicit sex and graphic violence are invoked in order simultaneously to demote the film's status as a sexploitation text and to assert its higher cultural value as a legitimate auteurist vision" (171). The promotional aspects of the film deflected the focus from it being an exploitation film (albeit one with high production values) to being part of Verhoeven's history with sexually-explicit thrillers. Feasey argues that the film was celebrated at its

⁹⁸ Due to its release late in the year, *Home Alone 2* eventually surpassed *Batman Returns* in terms of domestic grosses, but *Variety*'s annual box office tallies do not take into account grosses earned the following year.

release by a number of critics because it was “respected for its aesthetic appeal, controversial material, and ability to push censorship boundaries,” and its box office status despite its strong R-rating and surrounding controversy attests to the public’s embracing of a non-family friendly blockbuster, a rarity with the genre⁹⁹ (174).

While *Basic Instinct* relied on Verhoeven’s auteur status and his frank depictions of sexuality as art cinema features, another art blockbuster released in 1992 was closely tied to art cinema based on its dark and brooding themes and visual style. The third film in the profitable *Alien* franchise, David Fincher’s *Alien 3*, differed significantly from the science fiction and war film conventions seen in the franchise’s previous two films directed by Ridley Scott and James Cameron, respectively. In his book, *Blockbuster: How Hollywood Learned to Stop Worrying and Love the Summer*, Tom Shone described the film as an art movie, rather than a typical blockbuster: “With its air of celestial melancholy, its Bosch-like furnaces, and positively medieval gloom, it seemed to have drifted light-years away from the bright lights of the multiplex, and closer to the dolorous realm more normally patrolled by the art film: the world’s first \$80 million art movie” (172). Ansen of *Newsweek* also used the word “arty,” in relation to the film’s trajectory away from the previous two entries in the franchise: “*Alien 3* is harder to pigeonhole, but it, too, goes its own, rather arty, way” (“Saint Ripley,” 73). The film’s dark atmosphere—from its towering, Expressionist sets to its symbolic storyline dealing with AIDS and religious martyrdom—is highlighted by the death of the franchise’s heroine, who sacrifices herself into hell-like fire just as a gestating queen alien bursts from her belly. Killing off the franchise’s primary character seemed like a death knell for the

⁹⁹ At the time of this writing, only one film in the top twenty domestic grossing films of all time has not been rated G, PG, or PG-13. Mel Gibson’s *The Passion of the Christ* (2004) was rated R due to its graphic depiction of Jesus’s crucifixion, but many families saw the film despite its rating and graphic nature due to the film’s religious subject matter.

franchise¹⁰⁰, and was one of the many aspects over which director David Fincher and the studio fought during the production of the film. In fact, star Sigourney Weaver, while promoting the film, spoke of the fights which centered on “creating a more cerebral film rather than an outright thriller,” a thriller being more typical of a summer franchise release and the cerebral film being more associated with art cinema (Lowry, Rev. of *Alien3*). However, the film did not perform well at the box office, grossing \$55 million in domestic theaters and an additional \$104 million internationally.

THE GROWTH OF THE INDIE BLOCKBUSTER

With the releases of *Batman Returns*, *Basic Instinct*, and *Alien 3* in 1992, it was clear that critics were experiencing a growing comfort with the merger of the art film and the blockbuster. As far as filmmaking was concerned, it was a process that began with the release of *Batman* in 1989, but abruptly stopped with the less-than-stellar box office returns of *Batman Returns* and *Alien 3*. However, the terms of the discussion of the art blockbuster shifted to the indie blockbuster, a trend which was accelerated by the arrival of independent filmmakers either working completely outside the studio system or within the studio-led independent subsidiaries.

After the success of Steven Soderbergh’s *sex, lies and videotape* in 1989, the Sundance Film Festival became an important source of not only pickups by studios, but also for recruiting new talent. The 1991 festival featured Richard Linklater’s *Slacker*, while the 1992 festival featured *Reservoir Dogs* by Quentin Tarantino and the 1993 festival featured films by Bryan Singer and Robert Rodriguez (*Public Access* and *El Mariachi*, respectively), all filmmakers who would later make blockbusters for

¹⁰⁰ Although a fourth film in the franchise was produced in 1997, *Alien: Resurrection* (Jean-Pierre Jeunet), where Ripley is resurrected through cloning two hundred years after her death in order to help fight a new strain of aliens.

Hollywood studios. Indeed, Tarantino's second feature film, *Pulp Fiction* (1994), may be seen as the burgeoning of this Sundance trend. Produced by Miramax, the film featured several stars—including Bruce Willis, John Travolta, Uma Thurman, and Samuel L. Jackson—as well as a non-linear narrative. *Pulp Fiction* made over \$100 million at the domestic box office, becoming one of the first independently produced films to reach that benchmark in its initial theatrical release. Argues Peter Biskind, *Pulp Fiction* “became the *Star Wars* of independents, exploding expectations for what an indie film could do at the box office” (*Down and Dirty*, 195). Its influence extended beyond its critical acclaim and box office success, however. *Pulp Fiction* impacted other filmmakers' choices in narrative structure as well as stars' willingness to work in smaller, independent films. Indeed, the film instigated the “Tarantino effect”:

Quentin Tarantino did not invent non-linear storytelling in film, of course, but his first two films. . . did make playing with narration cool and fun, and no doubt emboldened a host of filmmakers to experiment. In the past fifteen years, Tarantino's “wild” techniques are probably the most visible influence on unorthodox film narration, and to that extent we can speak broadly of a “Tarantino effect” to indicate the rising number of alternative narratives over that time. This is not to say that other filmmakers. . . did not have an impact, just to credit Tarantino with leading the latest parade (Ramírez Berg, 5-6).

The non-linear structures of *Pulp Fiction*, *Reservoir Dogs*, and *sex, lies and videotape* in addition to Tarantino and Soderbergh's status as publicly known auteurs have been highly influential over the last two decades, clearly situating the importance of Sundance and independent film on contemporary Hollywood filmmaking.

Indeed, the independent film became so important in the 1990s, that the Hollywood studios either developed their own specialty units or acquired independent film subsidiaries to compete in this growing market. Miramax, which released *sex, lies and videotape*, *Reservoir Dogs*, and *Pulp Fiction*, was purchased by Disney in 1993 while its chief competitor, New Line Cinema, was purchased by Turner Broadcasting in

1994 before merging with Time Warner two years later. This trend has certainly confounded the use of the term independent and begs the question of whether a film can be deemed independent if it is released and/or produced by a company with ties to a conglomerate. In *Cinema of Outsiders: The Rise of American Independent Film*, Emanuel Levy addresses the changing role of the independents during the decade: “The concept that best describes independents in the 1990s is that of institutionalization. Indies now form an industry that runs not so much against Hollywood as parallel to Hollywood” (501). In *Celluloid Mavericks: A History of American Independent Film*, Greg Merritt argues that “Independent film became big business in the nineties. Not coincidentally, somewhere along the way, the term nearly lost all meaning” (XI). If the term independent film no longer could be defined as existing entirely outside of corporate Hollywood, as it had been in previous decades, it came to stand for the films distributed and/or produced by subsidiaries which operated with a degree of autonomy from the major studios. These films were thus became part of Indiewood, with one foot planted in the world of the traditional independents and another within the world of Hollywood conglomerates.

Pulp Fiction is an apt example of an Indiewood film, with its unconventional narrative structure and dark subject matter which interacted with its more traditional elements of the Hollywood film—the use of stars, such as John Travolta, and its heavy reliance on a musical soundtrack. *Pulp Fiction*’s seven Academy Award nominations and indie blockbuster status at the box office had started a trend; by 1996, the prominence of Indiewood was readily apparent. Four of the year’s five best picture nominees were produced by independent subsidiaries—*The English Patient* by Miramax; *Fargo* by Gramercy Pictures; *Secrets & Lies* by October Films; and *Shine* by Fine Line Features—and several other nominated films came from independent production companies and

distributors as well. In his *Newsweek* review of *The English Patient*, David Ansen claimed that the film should be successful because as “A modernist melodrama, it’s the sort of movie that can reach both the arthouse crowd and the popcorn patrons” (“Mapping,” 44). In addition to winning the Academy Award for Best Picture (the first film from an independent film subsidiary to do so), *The English Patient* grossed \$79 million in domestic theaters, and an additional \$150 million internationally, making it an indie blockbuster. Similarly, Miramax’s *Good Will Hunting* emerged as the seventh highest grossing film at the domestic box office in 1997, grossing over \$138 million. The film also earned nine Academy Award nominations, clearly situating it as an indie blockbuster.

At the same time that films with independent ties were receiving Academy Awards and becoming indie blockbusters at the box office, the franchise blockbuster sputtered. Although the Joel Schumacher-helmed third film in the *Batman* franchise, *Batman Forever* (1995), did well at the box office, the fourth film, *Batman and Robin* (1997), fared poorly. Critics noticed the difference between the Burton and Schumacher films, and stressed that while Burton’s films blended aspects of the art film with the commercial interests of the blockbuster, Schumacher’s films were only commercially-driven. In her review of *Batman Forever*, Janet Maslin of the *New York Times* makes this point clear:

Joel Schumacher’s flashy direction is messier and less interestingly macabre than Tim Burton’s darkly ingenious films in this genre. . . .Pandering more directly to a teen-age audience than either ‘Batman’ or ‘Batman Returns’ did, this third film also dwells on sophomoric wisecracks. Like this: “You trying to get under my cape?”

Serious audiences will be less interested than ever in what’s under Batman’s cape or cowl. There’s not much to contemplate here beyond the spectacle of gimmicky props and the kitsch of good actors (all of whom have lately done better work elsewhere) dressed for a red-hot Halloween (“New Challenges,” C1).

In their assessments of the fourth *Batman* film, critics deemed it even more commercial and juvenile than Schumacher's previous *Batman* film. *Batman and Robin*'s poor performance at the box office and with critics put the *Batman* franchise on hold for eight years. But it was not the only franchise film that suffered difficulties in the 1990s. Few new multimedia franchises sustained themselves during the 1990s, while several key franchises were petering out like *Batman*. *Speed* (1994) grossed over \$120 million at the domestic box office, but its sequel, *Speed 2: Cruise Control* (1997), flopped at the box office when star Keanu Reeves was replaced by a lesser known actor. *Lethal Weapon 3* was the third highest grossing film of 1992 and *Lethal Weapon 4* the eighth highest grossing film of 1998, but the characters' age precluded future films in the series. *Die Hard: With a Vengeance*, the third film in the franchise, was the seventh highest grossing film of 1995, but it too featured an aging hero unlikely suitable for further films, although a fourth film was released in 2006, *Live Free or Die Hard*, which tied into terrorism in New York City in the post-9/11 environment. The James Bond franchise continued in the decade, but *GoldenEye* (1995) was the last film of the franchise to emerge in the top ten grossing films of the year until the franchise "re-booted" a decade later.

While independent films had a key presence in 1997 and the franchise film was gasping for air, the top grossing film for the year, and most award-winning, was James Cameron's *Titanic*. With its over \$200 million budget, lavish and cutting edge special effects, and epic look and feel, the film clearly had traditional blockbuster credentials. However, Bill Mechanic, the chairman of filmed entertainment at Fox, described *Titanic* as a "\$200 million art film," a notion that seems like an oxymoron (qtd. in Wyatt and Vlesmas, 36). In "*Titanic* Allegories: The Blockbuster as Art Film," James S. Hurley uses the film as an example of the changes taking place in the industry, particularly regarding the independent film and the international prestige productions of Merchant-

Ivory, types of films which he claims have both “taken on the cultural role and much of the cultural capital that were previously the modernist art film’s” (95). Hurley describes prestige productions as being “made on middle-level budgets through international co-financing, with subject matter that tends to involve artists, aristocrats, and other nostalgically figurable victims of modernity, and that is often drawn from literary sources of high critical regard” (95). With the casting of Leonard DiCaprio and Kate Winslet, Cameron selected actors whose independent film roots spoke to the importance of the alternative cinema as a training (and recruiting) ground for studio work.¹⁰¹ Cameron’s attention to historical detail—from choosing the same china patterns as those found on the doomed ocean liner to recreating its awe-inspiring grand staircase—was reminiscent of the conventions of prestige productions, particularly in regard to verisimilitude, an aspect of the art film that David Bordwell describes in *Narration and the Fiction Film* (206). The class conflict foregrounded in the film also echoes a central concern of prestige productions, as does the film’s love triangle which itself has class implications. Hurley ultimately argues that the film embodies the joining of the blockbuster with art cinema: “*Titanic* allegorizes the effects of the transition into this new economic and mediatic regime on the aesthetic status of Hollywood cinema, and, more precisely, the allegorical staging in Cameron’s blockbuster of an institutional struggle to reconcile economic with cultural capital” (93). Indeed, he suggests that the film’s cultural appeal could not occur without the high-end digital technologies employed to make the film a “museum,” nor could the class conflict prevalent in prestige productions be presented

¹⁰¹ Previous to *Titanic*, Winslet had been featured in Peter Jackson’s film *Heavenly Creatures* (1994), released by Miramax; an adaptation of Jane Austen’s novel *Sense and Sensibility* by Ang Lee (1995), a prestige film; and Kenneth Branagh’s modernization of *Hamlet* (1996). She had received a Best Supporting Actress Academy Award nomination for *Sense and Sensibility*. Like Winslet, DiCaprio also had been nominated previous to his role in *Titanic*, for his supporting work in *What’s Eating Gilbert Grape?* (1993). His independent work included *The Basketball Diaries* (1995), released by New Line; Baz Luhrmann’s rock musical adaptation of *Romeo and Juliet* (1996); and *Marvin’s Room* (1996), released by Miramax.

without ties to the much denigrated genre of melodrama, all of which created an ethos of “blockbuster Marxism” (97-99). Indeed, Corie Brown and David Ansen deemed *Titanic* to be a “quasi-Marxist epic” in *Newsweek*, a description not usually associated with the blockbuster (“Rough Waters,” 64).

As the highest grossing film of all time¹⁰², *Titanic* is perhaps the most prominent example of the merger of art cinema with the Hollywood blockbuster. While *Titanic*’s extraordinary box office performance has yet to be matched, the trend of mixing the two disparate types of films has certainly continued. The Academy Awards for 1998 saw the controversial upset of Steven Spielberg’s traditional homage to war films, *Saving Private Ryan*,¹⁰³ losing the Best Picture Award to Miramax’s *Shakespeare in Love*. The prestige film roots of *Shakespeare in Love*—from its Elizabethan setting to the focus on literary figure William Shakespeare—mixed with the Hollywood blockbuster aspects of star casting (Gwyneth Paltrow and Ben Affleck) and box office success (a domestic gross of over \$100 million and \$189 million internationally) to create another indie blockbuster. The next Academy Awards saw DreamWorks-produced *American Beauty* (1999) win several of the top awards, including Best Picture. With its edgy subject matter—which included drug use, pedophilia, and homosexuality—*American Beauty* hardly fit the mold of previous era’s best picture winners. The film earned over \$130 million at the domestic box office and \$226 million internationally, and was another indie blockbuster. 1999 may have been the most prominent year for the mixture of art and independent film with

¹⁰² As of 2007, *Titanic* has grossed over \$601 million at the domestic box office in addition to over \$1.2 billion overseas.

¹⁰³ Interestingly, the opening of *Saving Private Ryan* is anything but traditional. Over twenty minutes in length, the film depicts the assault on Omaha Beach in punishing detail, including the numerous casualties from the invasion. Although a number of the principal characters are seen in this segment, they are only onscreen briefly and without much of a narrative arc. Rather, the opening was designed to give viewers an insider’s perspective of what the assault was like, and it mimics the confusion of war. This segment has more in common with art cinema conventions than the rest of the film, which has a more classical Hollywood structure in line with traditional war films.

the blockbuster as *The Blair Witch Project*, *The Matrix*, and *The Sixth Sense* were amongst the highest grossing films of the year.¹⁰⁴ Henry Jenkins in *Convergence Culture: Where Old and New Media Collide* argues that *The Matrix* franchise pushed the boundaries of the blockbuster into the realm of the art film via its transmedia storytelling approach:

When previous generations wondered whether they ‘got’ a movie, it was usually a European art movie, an independent film, or perhaps an obscure late-night cult flick. . . .*The Matrix* is entertainment for the age of media convergence, integrating multiple texts to create a narrative so large that it cannot be contained within a single medium (94-95).

Indeed, while Jenkins believes *The Matrix*’s difficulty lies with its transmedia storytelling approach, the fact is that a number of blockbusters had ties to art cinema by the end of the decade. As Hollywood studios moved into the new millenium, the art blockbuster was no longer an isolated phenomenon, but an increasingly standard approach, particularly with franchise films.

THE ART BLOCKBUSTER AND FILM CRITICISM

Even with the art blockbuster as a more regular feature of studio output, the maligning of blockbusters is so wide-spread that New York Times film critic Manohla Dargis wrote an essay entitled “Defending Goliath: Hollywood and the Art of the Blockbuster” as a rebuttal to film critics’ hostility, including her own, towards the blockbuster. Published in May 2007, Dargis argued that reviews of blockbuster films often have less to do with the films themselves, than with what they represent:

Blockbuster is really just [a] descriptive [term], but it often carries with it a down-market whiff, as do many pop-cultural products that come with eye-catching price

¹⁰⁴ *The Sixth Sense* was the second highest grossing film domestically in 1999, with over \$275 million while *The Matrix*, as the fifth highest domestic grosser, earned \$172 million and *The Blair Witch Project* grossed \$140 million to place tenth for the year.

tags and seem precision-tooled for young audiences. Critics, including, yes, yours truly, often use blockbuster as easy (too easy) shorthand for overinflated productions that rely more on special effects than words and characters, and that distract rather than engage the audience. At its most reductive the negative spin on blockbusters is that they signal the death of cinema art and mark the triumph of the corporate bottom line, of marketing strategies, product placements and opening-weekend returns (1).

Critics' views create a discourse around contemporary blockbusters that is openly hostile. Many of their criticisms—the reliance on known formulas, the appeal to a teen-aged audience, the overblown budgets, the adherence to a corporate bottom line—are echoed in individual film reviews. For example, Matt Zoller Seitz's review in the *New York Times* of *National Treasure: Book of Secrets* (2007)—the second film in the Disney franchise—stresses its formulaic climax, ripe with corporate possibilities: “The protracted climax of ‘Book of Secrets,’ set in a dimly lighted, waterlogged Cibola (you thought they wouldn’t find it?), plays like a promotional reel for a forthcoming Disney World attraction” (“Racing Around”).

Despite the harsh criticism contemporary blockbusters often receive, there seems to be very little impact on the box office grosses as many of these films still earn substantial amounts. *National Treasure: Book of Secrets* grossed \$218 million in domestic theaters and an additional \$234 million internationally (making it the 10th highest grossing film worldwide in 2007) despite generally negative reviews. As validation of this point, a recent *Los Angeles Times* poll found that only three percent of 18- to 24-year-old moviegoers used reviews as a primary factor in their film choices (Goldstein, “The Big Picture,” E1). In recent years, film critics themselves have discussed whether or not film criticism matters anymore given the current film environment. In October 2007, Todd McCarthy of *Variety* admitted that “the power of any individual critic is diluted; gone is the day when one critic who happens to work for a publication like the *New York Times* can make or break a film” (“Crix Mix,” 1).

While mainstream film critics may not enjoy the same cultural impact that they have in previous eras, film criticism is still important in the larger discourse surrounding contemporary films. Certainly, critics continue to have an impact on independent and art films, as both their accolades in terms of awards and their writings can encourage viewers to see particular films. Gerry Rich, Paramount's President of Worldwide Motion Picture Marketing, suggested that critics' support of Oliver Stone's *World Trade Center* (2006) shifted the focus from the film as a perceived exploitation of the events of September 11th, 2001, to a tale of heroism: "They helped address people's apprehensions and preconceived notions in a way that made them feel it was OK to see the picture" (qtd. in Goldstein, "The Big Picture," E1). In fact, in a study of over twelve hundred films released between 1929 and 1991 that received popular, professional, and/or critical recognition at the time of their release, researchers found that film critics and scholars acted as "reputational entrepreneurs" by "shap[ing], to some extent, the reputations of films and those who produce them" (Allen and Lincoln, 877). In assessing the films that are consecrated by institutions such as the National Film Registry and the American Film Institute, both of which preserve films of high distinction, the researchers found that "the extent of subsequent critical discourse about a film and its director has significant positive effects on its odds of retrospective consecration" by these institutions (Allen and Lincoln, 889). In other words, film critics' and scholars' writings about particular films and filmmakers helped shape ideas about what films held cultural significance, and were thus influential in the selection of films to be included by these institutions. While the negative discourse surrounding contemporary blockbusters may not affect their eventual box office hauls, they do potentially have the ability to impact how the films are received by important institutions in the future.

Allen and Lincoln's study also points to the importance of individual filmmakers in how films are received, both at the time of their release and in the future. In his book on blockbusters, Thomas Shone argues that the blockbuster began to change with Peter Jackson and the *Lord of the Rings* trilogy: "Having been commandeered by first the producers in the late eighties, and then the executives in the early nineties, the blockbuster has now been returned to the directors, with whom it first started, as it had to, if it was to be restored to some of its old luster, and regain a little muscle tone" (309). As I have argued in this chapter, the change began much earlier, in large part a response to the success of Burton's two *Batman* films and the growing importance of the independent film movement throughout the 1990s. As the conglomerates turned their attention to dominating the independent film market as well, part of their strategy was to find new talent capable of heading the franchise pictures in which they specialize. Indeed, Jeff Robinov, the President of Production at Warner Bros., explained that his philosophy for Warner Bros. was to deliver key franchises by relying on singular talent, particularly those arising out of independent film:

The challenge is not to deliver the safe stuff the safe way. If we do that, we've failed. . . . [W]hen you hire a director like a Ridley Scott, a Tim Burton, a Miguel Arteta or a Chris Nolan, it's not because you want them to do what you tell them to. You want them to express their own vision (qtd. in Bing and Dunkley).

In her essay "Defending Goliath: Hollywood and the Art of the Blockbuster," Manohla Dargis suggested that critics need to re-evaluate the blockbuster, then provided a list of films that defied her typical criticisms of the blockbuster. In each film she lists, she argues that the film "takes you places you might never otherwise go and shows you things you could never do" (A1). Nearly every recent blockbuster she lists is a film with a substantial relationship with a (formerly) independent filmmaker: *The Matrix*, *Batman Begins*, *Spider-Man*, *Casino Royale*, *The Lord of the Rings* trilogy, and the *Harry Potter*

films. While she never uses the term art blockbuster, she describes certain salient features seen in this hybrid type of film.

Since the premiere of *Batman* in 1989, the blockbuster strategy has changed to include aspects of art cinema and to adapt to the growing importance of the independent film movement. Certainly, the incorporation of aesthetics and talent from an alternative cinema is not without precedent in Hollywood. In the 1930s, for example, Hollywood studios channeled Expressionist lighting and set design into horror films, especially as a number of filmmakers from that tradition emigrated to the United States and worked in that genre. However, the horror films were often cheaply made B-films, as were many of the post-War film noirs which also incorporated numerous aspects of German Expressionism. In other words, these were not the most profitable types of films for the studios, as franchise films are in contemporary Hollywood. In addition, the incorporation of techniques associated with art and independent cinema introduces a degree of complexity into films which are produced for a worldwide, mass audience. Where Hollywood studios have historically endeavored to create films without ambiguity—particularly in their biggest films—the art blockbuster’s very strategy relies on challenging characters, narratives, and aesthetics, a significant change from the juvenile-focused blockbuster of the early New Hollywood era.

Within the contemporary media environment, I argue that the art blockbuster has several key, identifiable features. First, an art blockbuster is directed by someone with an art or independent film background. Authorship is a key component of art and independent cinema, and the art blockbuster must thus fit into the filmmaker’s overall oeuvre. Second, an art blockbuster has an unusual story structure or subject matter and features unconventional set design, camerawork, and editing, or some combination thereof. Third, an art blockbuster receives critical praise. Even if the blockbuster

elements are panned, or if the film is disliked overall, the aspects of art cinema present in the film are commented upon and appreciated. Fourth, an art blockbuster is character-driven, often with critically acclaimed actors as the leads, and not necessarily the top Hollywood stars. Finally, an art blockbuster indeed has aspects of the typical blockbuster—a large budget, special effects, record-breaking grosses, or other characteristics associated with size and spectacle. This includes the production and distribution capabilities (and limitations) of a major studio, or one of its subsidiaries.

The art blockbuster is most evident in the indie film auteurs who have not only taken the helm of several film franchises, but also have brought aspects of independent film to the franchise film. In his review of Sam Raimi's *Spider-Man* (2002), A.O. Scott of the *New York Times* likened the development of the film's central romance to one seen in a modernist novel: "The last scene between Peter and Mary Jane, whose romance gives the movie an old-Hollywood ache, is like something out of a Henry James novel, if you can imagine a Henry James novel with lots of special effects and a sequel already in the works" ("Muscles Ripple," E1). Likewise, Scott's review of Alfonso Cuarón's *Harry Potter and the Prisoner of Azkaban* (2004) stressed the importance of the director to the (perceived) audience reaction to the film: "For certain grown-ups in the audience, the most thrilling moment in 'Harry Potter and the Prisoner of Azkaban' may well be the director's credit at the beginning. Alfonso Cuarón, who made the feverish and romantic 'Y Tu Mama Tambien,' is a name sure to set many critics' hearts aflutter" ("An Adolescent Wizard," E1). Ansen compared Bryan Singer's *Superman Returns* to an art film:

This 'Superman,' which infuses its action with poetry, soars as a love story filled with epic yearnings, thwarted desires and breathtaking imagery: Lois, spied on with her lover's X-ray vision, ascending in a skyscraper's elevator; Superman, zapped with kryptonite, descending silently and helplessly through space. (If Jean

Cocteau had directed \$200 million action movies, they might have looked a little like this.) (“The Big Guy,” 12).

In the years since Tim Burton first helmed *Batman*, Time Warner had clearly learned what worked best for its key franchises: distinctive directors. From the Wachowski brothers to Peter Jackson, from Christopher Nolan to Bryan Singer, the majority of Time Warner’s most recent franchises featured accomplished directors with an independent film background as the driving force. Clearly, authorship has developed as a key feature of the franchise film. In the next chapter, I investigate how directorial authorship, in particular, works in relation to the *Batman* franchise.

Chapter Six: Authorship, Auteurism, and the *Batman* Franchise

Bringing an auteur sensibility to blockbuster material may sound next door to impossible, but *Batman Begins* shows it can be done.

- Kenneth Turan, in his *Los Angeles Times* review of *Batman Begins*

The art cinema has sustained itself through international filmmakers ranging from Ingmar Bergman to Federico Fellini, and from Pedro Almodóvar to Jean-Luc Godard. These filmmakers have been deemed auteurs for the recurring personal visions and stylistics that they bring to each of their films. Indeed, the emergence of the international art cinema coincided with the development of the auteur theory as enumerated in the French film journal, *Cahiers du Cinéma*. Although auteur theory originally was a method of thinking about filmmakers' agency within Hollywood, it found a much easier applicability to filmmakers working within the traditions of Italian Neorealism, the French New Wave, and New German Cinema, all movements which explicitly countered the commercial aims of Hollywood filmmaking and actively promoted individual expression. As the term auteur became applied to more and more Hollywood filmmakers, particularly in relation to the writings of Andrew Sarris, it grew increasingly problematic. Academics began to bring in elements from other established theoretical work, such as Semiotics and Structuralism, to help substantiate auteur theory as applied to American filmmakers. The fundamental question of how personal expression enters into the commercial filmmaking process continues to be a key concern even in contemporary studies of film authorship. As the above quote from Kenneth Turan demonstrates, the ability of filmmakers to achieve these two seemingly separate goals—

personal expression and commercial viability—remains a nearly impossible feat, at least in the minds (and writings) of the critical establishment.

As auteur theory has moved from the critical to the industrial context, two strands have developed. On the one hand, auteurism is an effective business strategy for filmmakers to substantiate their creative roles, thus guaranteeing more personal freedom in the filmmaking process and even gaining more money. On the other hand, auteurism is also an effective business strategy for the studios since it provides yet another way to promote (original) products in the marketplace. In this environment, the auteur has moved from being solely about defining the terms of his or her authorship to achieving stardom and recognition. By becoming a celebrity, the film author brings up an interesting dilemma for today's critics and academics writing about authorship:

What is at stake in the matter of the author-as-star is not just the way we think and write about “the author”—as romantic individual, as structural function, as the genius of the system, or what have you—but the way we and the institutions we are a part of distribute the symbolic capital we and they produce (English, 282).

In other words, to what extent does the critical establishment further the aims of industrial authorship by perpetuating a division between commerce and artistry? Within this environment, auteurism emerges as something of a tautology. Filmmakers who have commercial clout gain enough power to create films on their own terms, which allows for more personal expression. However, some degree of personal expression and originality must have been present in order for their previous films to have performed well and been attributed to their efforts (as opposed to the popularity of the actor, property, or topic). Thus, critical assessments of auteurs and their terms of authorship hinge on the interrelationship of commerce and artistry, whether or not that relationship is explicitly stated. Turan's statement about *Batman Begins* may hold these aspects as inherently

separate, but ultimately a combination of artistry and commerce shapes the notions of authorship in contemporary Hollywood cinema.

This chapter examines the three filmmakers involved in the *Batman* franchise through an authorship perspective. Burton, Schumacher, and Nolan have each crafted different versions of Batman, and, as a result, their *Batman* films are highly idiosyncratic. Through an investigation of the critical discourse surrounding each filmmaker and his works as well as textual analysis from some of their key films, it is clear that Burton, Schumacher, and Nolan have unique perspectives and skills that shaped the direction(s) of the *Batman* franchise. However, assessments of their contributions to the franchise vary considerably as a result of critical views of their oeuvres. While Schumacher is often disparaged for his ties to (overly) commercial filmmaking, Burton and Nolan are acclaimed for their personal styles, regardless of their ties to studio filmmaking. With franchise films, directorial authorship has become one of the studios' most reliable and marketable assets, as the successes of the indie auteurs in franchises such as *The Lord of the Rings* and *The Matrix*, clearly demonstrate. Ultimately, an understanding of authorship must take into account not only what is demonstrated onscreen, but also the relationship between the discourse surrounding the auteur, the marketing of his/her films, and the studio's investment in the project, particularly in regard to the director's degree of control over a production. In this regard, the three filmmakers involved in the *Batman* franchise are instructive in determining the terms of authorship in contemporary Hollywood filmmaking.

TIM BURTON: THE MAINSTREAM AUTEUR

The selection of Tim Burton as the director for *Batman* eschewed the 1980s blockbuster tradition where the director for these big budget projects was George Lucas

or Steven Spielberg, one of their protégés, or a well-established filmmaker. Although Burton had made two feature films prior to his role as director for *Batman*, they were both smaller budget films that were surprisingly successful at the box office and in ancillary markets. With the box office success of *Batman*, Burton established himself as a director who could not only deliver popular, commercial entertainment, but also foreground a personal style. As an individual who has spent the majority of his career working within the studio system, his relationship to art cinema—particularly, in terms of his visual style, with ties to both Surrealism and German Expressionism—is indeed tenuous. However, it is the distinctive blend of the commercial and the personal found within his works that made his *Batman* films so successful, and the beginnings of this franchise so unique. In his career since 1989, Burton has continued to merge these often contradictory aspects with a number of visually striking and commercially successful films and in his multimedia endeavors (see Appendix 5 for Burton’s filmography). Ultimately, Burton’s status as a successful commercial director and as a director with ties to the art cinema mark him as a particularly unique case in contemporary Hollywood.

Burton’s early history as an animator established him as having a strong visual style, but he also had trouble following the commercial constraints of his corporate-sponsored projects. After attending the California Institute of the Arts, Burton received a fellowship from the Walt Disney Co. and went to work in the company’s animation division. Although Burton’s artistic perspective clashed with the projects to which he was assigned, he still received \$60,000 from Disney’s Head of Creative Development in 1982 to create a stop-motion short based on an original poem. The result, *Vincent*, follows a young suburban boy who idolizes Vincent Price as he moves in and out of fantastical moments inspired by Price’s films. *Vincent* reflects a visual style reminiscent of the German Expressionist film *The Cabinet of Dr. Caligari* (1920) with its distorted

mise-en-scène and use of shadows (see Photo 1 in Appendix 6). Although *Vincent* had little commercial viability as an original animated short, his work was well-regarded by critics and in the industry.¹⁰⁵ After *Vincent*, Burton received nearly \$1 million from Disney in order to produce another short film, this time to accompany the theatrical re-release of *Pinocchio* (1940). Burton's live-action film, *Frankenweenie* (1984), follows a young boy who re-animates his beloved pet dog after he has been killed by a car. Like *Vincent*, *Frankenweenie* features many aspects reminiscent of German Expressionism—the contrast between shadows and bright light, jagged lines, and a dominating mise-en-scène (see Photo 2 in Appendix 6). *Frankenweenie* received a PG rating, and Disney refused to release the twenty-five minute film with the G-rated classic.¹⁰⁶ However, videotapes of the film circulated around Hollywood, just as Burton decided to leave Disney.

At the time, Warner Bros. was developing a project with Paul Reubens based on his Pee-Wee character, which he performed in the 1970s as part of The Groundlings, a Los Angeles-based improvisation troupe. Reubens also performed as Pee-Wee frequently on *Late Night with David Letterman* (1982-1993) and on MTV, but he was hardly a household name. Although Warner Bros. executives thought the character could be popular with a larger audience, the budget for *Pee-Wee's Big Adventure* was only \$6.8 million, which allowed Reubens and Warner Bros. to take a chance with Burton as a first time feature director.¹⁰⁷ With *Pee-Wee's Big Adventure* (1985), Burton further developed the style apparent in his two film shorts. He continued the visual allusions to German Expressionism, and also exhibited aspects of Surrealism—the mixture of a known, filmic

¹⁰⁵ *Vincent* won an award at the Ottawa Film Festival and two awards at the Chicago Film Festival.

¹⁰⁶ Interestingly, Burton is working currently on a feature-length adaptation of *Frankenweenie* for Disney, scheduled for release in 2009.

¹⁰⁷ The average production budget for a studio film in 1985 ranged between fifteen and twenty million dollars (Prince, 21).

reality with hyperbolic, fantastic elements. For example, Burton's super-saturated use of color, particularly the color red as seen with Pee-Wee's candy-colored home, was indicative of his Surrealistic visual style (see Photo 3 in Appendix 6). Critics at the time of the release of *Pee-Wee's Big Adventure* did not particularly enjoy or understand the film or the appeal of the film's child-like main character. By the end of its theatrical run, however, the film surprisingly had earned over \$40 million at the domestic box office to place within the top twenty grossing films of the year. The film launched Reubens' stardom, as his character was given his own television show, *Pee-Wee's Playhouse* (1986-1991), and it also jumpstarted Burton's career as a director.

When Burton received the script for *Beetlejuice* (1988), his next film, he found a film with narrative and visual possibilities that suited his developing style. Burton claimed that the script "had no real story, it didn't make any sense, it was more like stream of consciousness," like the typical narrative found in Surrealist films (qtd. in Salisbury, 55). The film was budgeted at a modest \$13 million, and only \$1 million of this budget was designated for the film's many special effects sequences.¹⁰⁸ In fact, the majority of the afterworld seen in *Beetlejuice* required some form of special effect. Rather than being truly disturbing or scary, Burton infused each image of the afterworld with some sort of cartoonish, joking aspect. For example, when Barbara Maitland hangs herself in the closet, two characters push her dead body abruptly aside, astonished at how little space the closet offers. Many of the afterworld scenes are not only cartoonish, but also feature elements of German Expressionism—characters dwarfed by large set pieces, distorted set design, and menacing darkness. As *Beetlejuice* attempts to marry Lydia, an askew fireplace and a ghost straight out of Edvard Munch's painting *The Scream* (1893) dominate the mise-en-scène (see Photo 4 in Appendix 6). Other parts of the film rely

¹⁰⁸The average production cost in 1988 was \$18 million, while print and publicity costs were an addition \$9 million (Prince, 21).

heavily on the influence of Surrealism. As the couple from New York moves into the house, their furniture resembles pieces straight out of Salvador Dali's paintings (see Photo 5 in Appendix 6). With its cartoonish imagery and macabre atmosphere, the film earned a PG rating, although little blood or realistic violence is ever present onscreen. Yet, *Beetlejuice* grossed over \$70 million in domestic theaters, and unexpectedly emerged as the tenth highest film in domestic rentals for 1988. Its popularity spawned a Saturday morning cartoon on ABC, *Beetlejuice* (1989-1991), as well as a video game released in 1991 for the Nintendo Entertainment System. In addition, a sequel was initially planned, but later abandoned.¹⁰⁹ The film's success secured Burton as the director for *Batman* even though he had never helmed a big-budget project before.

Burton and *Batman*

Burton's unique personal style, coupled with his ability to present grotesque elements within a child-friendly atmosphere, suited the needs of a blockbuster based on dark material that required a PG-13 rating. Indeed, marketing materials for *Batman* stressed this particular skill in regard to Burton. In *Batman: The Official Movie Book of the Movie*, Burton is described as "a with-it director who will wow the kids" and who exhibits "a cartoon innocence which is unsurprising in an ex-Disney animator" (Marriott, 19). As Burton was uniquely portrayed as both hip (for adults) and child-like, the marketing materials situated *Batman* as something audiences of all ages could enjoy. Many Bat-fans became unnerved when they learned that Burton would direct the feature film based on Batman, since his first two feature films had such prominent ties to the children's market. Worried that the film would mimic the campy and comedic tone of

¹⁰⁹ Indeed, Warren Skaaren, who worked on the screenplays for both *Beetlejuice* and *Batman*, was involved in writing early drafts of the unproduced sequel.

the 1960s television show, fans protested the hiring of Burton, as well as the casting of Jack Nicholson as the Joker, and *Beetlejuice* star Michael Keaton as Batman. In a December 1988 article for the *Wall Street Journal*, Bob Kane assured fans that “The movie isn’t a comedy at all. It’s going to be heavy melodrama. . . . [The Joker] is a psychotic murderer, a maniacal killer,” an assessment he based on his work on the script and his on-set inclusion as a consultant (qtd. in Kathleen A. Hughes).

Indeed, as he did with *Beetlejuice*, Burton meshed the darkest moments of *Batman* with cartoonish violence acceptable for the children in the audience. In an early September 1988 exchange between writer Warren Skaaren and Tim Burton, Burton stressed that he could not figure a way to kill the Joker at the end of the film that was not too brutal (Skaaren, “Fax to Tim Burton,” 20). The final film has the Joker falling to his death from a helicopter, but the sequence does not show him falling, nor is there much blood on the Joker’s dead body when it is later revealed. In another example, the Joker kills Antoine Rotelli with a joy buzzer after Rotelli challenges his ascendancy in the wake of their boss’ disappearance. As the two shake hands in a two-shot, smoke begins to emerge from their hands. The scene intercuts between a close-up of the Joker as he laughs at the situation, the joined hands with the smoking joy buzzer, and Rotelli as a bright light emerges all over his face. Then, a medium shot, made hazy by the smoke in the room, captures the charred body of Rotelli as he falls back into his chair, dead. And yet, the scene remains appropriate for children, as the melting body is never seen, and the charred body is more cartoonish than gruesome (see Photo 6 in Appendix 6). Although the scene presents the Joker making several jokes as Rotelli dies (such as, “Antoine got a little hot under the collar”), the scene also portrays the Joker as a psychotic criminal, meshing the dark nature of the scene with comedy.

As the Joker is part of the criminal underworld of Gotham, depicting the crime-ridden city was an important consideration for the film's overall style. In an early interview for *Batman*, Burton claimed that the sets are a key component of telling his stories: "I always love it when the sets are a character and not just the set" (qtd. in de Vries, B11). In fact, in his work on the script, Skaaren was keenly aware of Burton's emphasis on the sets. In memos regarding his work on the screenplay, Skaaren continually referred to the images he was cutting out with a sense of regret, as when he told Burton that he cut a sequence "Although the costume shop is interesting. [But], It adds little new in escalating story stakes" (Skaaren, "Fax to Tim Burton," 14). As with his previous films, the visual style of Burton's *Batman* is clearly linked to German Expressionism. Gotham City is dominated by towering buildings, including the Gotham Cathedral, reminiscent of the buildings seen in Fritz Lang's 1927 film, *Metropolis* (see Photo 7 and Photo 8 in Appendix 6). These buildings give the sense of an overwhelming, pressing danger for the citizens of Gotham. In addition to the towering exteriors, even the interiors of the buildings reflect Expressionist style. Carl Grissom stands small in the frame right before he is killed, as the Joker dominates the right side while, on the left, the architecture of his apartment dominates, including a stone statue on the face of the building visible through the window (see Photo 9 in Appendix 6).

According to production designer Anton Furst, the idea he and Burton had in pre-production was to make Gotham appear "disquieting, forbidding, dangerous. . . .We took the worst aspects of New York and condensed them, and then stretched them up vertically" (qtd. in Barol, 72). Furst claimed that with the design of Gotham, "There's fascism and German Expressionism and a sort of general industrial mix to these buildings. . . .The result is timelessness that runs from the 40's to the future" (qtd. in de Vries, B11). The film's noir undertones, ranging from the high contrast between lights

and shadows to the focus on Gotham's streets, are evident throughout, and make it difficult to discern during what time period the film is set—it could be the 1940s world of noir, or it could be present day. Indeed, the art on the walls of the Flugelheim Museum spans from the 1700s to more recent pieces. The film's collapse of time, as well as its ties to German Expressionism, is humorously invoked when the Joker and his henchmen destroy the classical pieces of art throughout the Museum until the Joker happens on the one Expressionist-inspired piece hanging on its walls: "I kinda like this one, Bob. Leave it." Almost everything in Gotham is brown, gray, or black, befitting the black and white scheme of a film noir, with its only significant points of color being provided by the Joker and his antics. Argues Stephen Prince: "Burton, Furst, and cinematographer Roger Pratt created a strikingly grim Gotham City, with fascist-style architecture, expressionist shadows, and a black-on-black color palette. . . .been employed so flamboyantly as a dominant element of *mise-en-scène*. . . .*Batman* is a key achievement of eighties production design" (246). Indeed, Burton's highly stylized blockbuster reflected a new look and feel for the genre. With its limited color palette, focus on shadows and darkness, and domineering set design, *Batman* was a significant departure from the look of the top blockbusters of the 1980s.

This visual style suits the narrative, since the main two characters are estranged from society, particularly because they are outsiders, a common theme seen across Burton's films. The Joker, with his bright green hair, chalky white skin, and face frozen in an ever-present grin, cannot relate to the everyday people of Gotham—part of the reason he begins to make them over as a "homicidal artist." Nor can Bruce Wayne, who spends his nights hiding in the shadows as Batman, fit into the traditional role of a wealthy playboy. He awkwardly tends to his guests at the casino party to raise money for Gotham's 200th anniversary. He acknowledges to Vicki Vale during their dinner date

that he has never even been in that dining room before. Even the extremely long dining table accentuates the distance between Bruce and his guest. After having sex with Vicki, Bruce rebuffs the close comfort of the bed they share to hang upside-down in gravity boots for a while, then spends the night alone on the couch. When she later asks him if they are going to try to make their relationship work, he simply tells her, “I have to go to work.”

It is because of Burton’s interest in characters’ outsider status that, at times, the narratives of his films do not cohere. Rather than follow the narrative structure and causal logic of classical Hollywood film, with each scene serving as a building block to the next, Burton presents situations and images that do not propel the narrative forward, but do continue to shape the characters and their environments. In their book *Tim Burton*, Colin Odell and Michelle Le Blanc claim that throughout his films, Burton lacks an overall interest in classical narrative structure:

In many of his works. . .there is an almost gleeful disregard for narrative pacing—events form apparently freestyle and merge from one to another. . . . Burton rarely employs tension or suspense, which is unusual for works within the horror genre. However, he punctuates the flow of the films with tangential flourishes (23).

In Odell and Le Blanc’s opinion, it is Burton’s flair for these tangential flourishes—often visual—that marks him as a unique director. With *Batman*, the climax of the film is punctuated with unnecessary visual puns related to the Joker. For example, after being hit in the mouth by Batman, the Joker falls against a wall and holds his mouth. He then throws wind-up chattering teeth, covered in blood, at the feet of Batman; the object and its chattering sound are featured in a close-up and on the soundtrack for several seconds (see Photo 10 in Appendix 6).

Burton’s next film after *Batman* was a personal project, *Edward Scissorhands* (1990), and, in his own words, it was because of the success of the former that he got to

create and direct the latter: “I got the chance to do what I want to do completely” (qtd. in Halpern Smith, B18). Based on a story created by Burton himself, *Edward Scissorhands* follows a young man with scissors for hands who lives alone in a large, barren castle until a woman visits his home and takes him back with her to her 1950s-inspired suburban town. Starring Johnny Depp as the title character, the film made over \$50 million at the domestic box office and was well-regarded by critics, particularly because of its striking visuals. Edward’s cold, colorless, Expressionist-inspired world clashes dramatically with the candy-colored Surrealistic pastels of the suburban lifestyle. Jay Carr described the film as “a visually potent parable of teen-age alienation,” while Janet Maslin claimed that Burton “invests awe-inspiring ingenuity into the process of reinventing something very small”—in this case, a fairy tale about alienation (Carr, “Scissorhands,” 53; Maslin, “And So Handy,” C1). When *Edward Scissorhands* was released, Burton was still deciding whether or not to direct the second *Batman* film. Articles covering Burton and the second *Batman* film stressed that due to the fact that *Batman* “won an Oscar for Best Art Direction, created a year-long fad, broke all imaginable records... [it] let Burton write his own ticket for the rest of his natural life” (Wilner, S12). With *Edward Scissorhands* furthering the idea of Burton’s work as inherently personal, it was clear to critics that if he did return to the *Batman* franchise, “it’ll have his trademark vision behind it” (Wilner, S12)

Because of the success of *Batman* and the critical credibility he received as a result of *Edward Scissorhands*, Burton was indeed given much more freedom when he worked on the sequel, *Batman Returns*. In an article on the production of *Batman Returns*, writer Fred Schruers stressed how those in the industry saw him as both a creative and commercial force in the industry: “The executives call him ‘genius’ and ‘visionary’ because they can’t very well tag him as a goony bird after counting the sacks

of money he's brought in" (58). Compared to *Batman*, the marketing materials for *Batman Returns* were more direct about Burton's role in the film's creation. In *Batman Returns: The Official Movie Book*, Burton is clearly situated as the central figure in the film's production story. Producer Denise Di Novi claimed that the film's power lies with Burton: "What was exciting to me about the movie was not only that it's such an extravaganza—which is a once-in-a-lifetime opportunity—but it's not merely big for big's sake. It's marrying artistic genius with scope, which is a rare thing" (qtd. in Singer, 12). Co-screenwriter Daniel Waters believed that "When you're working on a Tim Burton movie. . .you're dealing with a completely alternative reality. You're given the freedom to do just about anything. You can't be too operatic, too baroque, too unusual [in a Burton film]. The only rule going into *Batman Returns* was that there were no rules" (qtd. in Singer, 53). In the first few pages of the book, writer Michael Singer sets out the book's central theme regarding the director: "Tim Burton is a unique phenomenon in the film world—a man with a singular and very personal vision who translates his wildly imaginative and wholly unexpected concepts to the screen without any compromise" (9). Clearly by the release of *Batman Returns*, Burton was promoted as a director in total control of his productions, even his big-budget tentpole pictures, and as discussed in the previous chapter, critics also shared this opinion.

As he had done in his previous films, Burton continued to use elements from both German Expressionism and Surrealism in *Batman Returns*. The character of Max Schreck is named after the actor who played the vampire in F.W. Murnau's Expressionistic *Nosferatu* (1922). Many of the Penguin's gang members, most of whom are ex-carnival folk, reflect costumes which could have come straight out of Expressionist paintings—for example, the skeleton on the motorcycle has jagged black lines across his face and an oversized head (see Photo 11 in Appendix 6). The Penguin's

gadgets are Surrealistic, including his large rubber ducky that can act as both a boat and a land vehicle. Its sheer size, which dwarfs other objects and people around it, also has ties to Expressionism (see Photo 12 in Appendix 6). The cemetery where the Penguin's parents' graves are located and the Arctic World display in the dilapidated Gotham Zoo have jutting angles and canted structures, like those found in previous Burton films (see Photo 13 in Appendix 6). The Penguin's lair underneath the dilapidated zoo emphasizes his estrangement from typical tropes of humanity; it's barren, without color, dirty, and cold. Similarly, Selina's apartment exhibits several markers of the 1950s, an era before second-wave feminism (see Photo 14 in Appendix 6). Once she has become Catwoman, however, she destroys all of the signifiers of the 1950s version of femininity seen in her apartment. Most pointedly, her pink neon sign is indicative of this change, as it moves from its inviting "HELLO THERE" to the challenging "HELL HERE," a reflection of her new persona. The *mise-en-scène* thus gives insight into each character.

It is not until over an hour into the film that the three main characters all meet, and the film's plot is not solidified until after this meeting. The first hour of the film establishes their characteristics, primarily Catwoman's and Penguin's, in a series of character-building scenes. Indeed, Batman only appears twice in the film's first forty-five minutes and his alter ego, Bruce Wayne, only has a few additional minutes of screen time—unusual for a film that is, ostensibly, about Batman returning.¹¹⁰ The focus of the film, thus, shifted to the three villains—the Penguin, Catwoman, and Max Schreck. The first fifty minutes of the film delves into both the Penguin's and Catwoman's backstories, as well as Schreck's plans for Gotham, with minimal focus on Bruce, Batman, or the film's central conflict. As an outsider because of his deformity, the character of Oswald

¹¹⁰ Batman is involved in an early action sequence where he foils the Penguin's gang in the first few minutes of the film, then appears only one other time, briefly, to check on the Penguin as he works at the Hall of Records in the film's first fifty minutes.

Cobblepot fits right into the characters seen in every one of Burton's films. So, too, does Selina Kyle/Catwoman, as a woman who cannot fit into the masculine-dominated business world inhabited by her boss, Max Shreck, or the avenging world, headed by Batman. The two villains are much more adult-oriented than typical characters found in a blockbuster. Catwoman's fetishistic costume and double entendres clearly mark her as sexually aggressive, while Oswald's vengeful and savage streak is clearly demonstrated when he bites the nose of one of his campaign workers.

Unlike blockbusters which tend to demarcate heroes and villains as clearly good and evil, *Batman Returns* features three main protagonists with a deep sense of ambiguity. While Batman is the film's ostensible hero, he also revs his Batmobile to (unnecessarily) light a foe on fire. He also plants a ticking bomb on a much larger opponent. While Batman's vigilantism is questionably heroic in both of these instances, Catwoman and the Penguin have sympathetic backstories even though they are the film's villains. As Selina Kyle, Catwoman is abused by her boss, Max Schreck, who eventually pushes her out of the window rather than let her expose his criminal power venture. Likewise, the Penguin is abandoned as a baby due to his deformity and his aggressive nature. At one point, the Oscar Cobblepot claims that "I was their number one son, and they treated me like number two. But it's human nature to fear the unusual. Perhaps, when I held my Tiffany baby rattle with a shiny flipper instead of five, chubby digits, they freaked. But I forgive them." In both cases, some justification for their illegal and immoral behavior is provided, making the characters more ambiguous than typical villains in blockbusters.

With its ambiguous main characters, the film is character-driven, more like an art film than a typical blockbuster. As such, the plot does not follow the classical narrative paradigm, and many critics claimed that the film did not have a coherent or well-

developed narrative. For example, Duane Byrge of the *Hollywood Reporter* believed that the narrative elements never cohered into a comprehensible story: “In essence, the central conflict is way too nebulous. Numerous scenes, which are terrific in their singular strangeness, are patched together, but with no particular discernible story pattern” (Rev. of *Batman Returns*). However, Richard Corliss of *Time* suggested that the film was more about Burton’s vision than a story of Batman:

Batman Returns could mark a happy beginning for Hollywood—not because it might make a mint but because it dispenses with realism and aspires to animation, to the freedom of idea and image found in the best feature-length cartoons. Most directors think pictures have to be anchored in the narrowest form of reality: the one that Hollywood has presented since the dawn of sound 65 years ago. Burton, once an animator at Disney, understands that to go deeper, you must fly higher, to liberation from plot into poetry. Here he’s done it. This *Batman [Returns]* soars (“Battier and Better,” 71).

As hyperbolic as this statement is about Burton’s artistry, this idea of Burton as a visionary has been the thread of the critical work that has centered on him since the *Batman* franchise. As a result of his success with *Batman*, in particular, Burton has been given significantly more freedom with each production, from *Edward Scissorhands* and *Batman Returns*, through his present-day work, and this feeds into his construction as “a genius blessed with the Midas touch” (Salisbury, XIV).

Because of his consistent use of personal themes and visual motifs, his ties to Surrealism and Expressionism, as well as his continual disregard for classical narrative structure, Burton has been highly regarded by actors, academics, and critics. Martin Landau—who won a Best Supporting Actor Academy Award for Burton’s *Ed Wood* (1994)—claimed that Burton was a singular entity in Hollywood:

One would be hard-pressed to name another filmmaker in the Hollywood mainstream, working regularly within the system, creating big and expensive studio films, who chooses only to work on projects that attract his sensibilities, and arouse his own special predilections and personal tastes.

There is no other filmmaker with the latitude that Tim [Burton] enjoys (qtd. in Smith and Matthews, I).

Similarly, Jim Smith and J. Clive Matthews, in their book *Tim Burton*, claim that he “has demonstrated a willingness to take mainstream cinema audiences to places where they would not have gone without him” (1). Odell and Le Blanc’s book, *Tim Burton*, opens with the claim that “Tim Burton is an artist. Normally such a statement is anathema to all that Hollywood cinema stands for” (11). In the introduction to his book *Burton on Burton*, Mark Salisbury likens Burton to the auteurs of art cinema: “Burton’s films are, in many ways, as uniquely personal, if not more so than those of Martin Scorsese, Paul Schrader or even Ingmar Bergman” (XIV). According to these writers, what makes Burton’s particular case unique is his ability to navigate the commercial necessities of Hollywood cinema with the personal aspects typically associated with art cinema. Indeed, in a review of *Big Fish* (2003), Ebert first likened the film’s visual style to Federico Fellini only to reassert Burton’s status as an auteur: “Because Burton is the director, ‘Big Fish’ of course is a great-looking film, with a fantastical visual style that could be called Felliniesque if Burton had not by now earned the right to the adjective Burtonesque” (Rev. of *Big Fish*).

While Burton’s career certainly fits into the traditional auteur model through his use of recurring themes and visual motifs, understanding his status as an auteur requires more than textual analyses of his films. Burton has been active in constructing his image as an auteur not only through his feature film work, but his other endeavors as well. Burton created content for the Internet with his six episode cartoon series, *The World of Stainboy* (2000), hosted by Shockwave.com and based on a character from his book, *The Melancholy Death of Oyster Boy and Other Stories* (published in 1997). In addition to serving as an Executive Producer and design consultant for the (short-lived) prime-time

television show *Family Dog* (1993), Burton also served as the Executive Producer for the animated cartoon *Beetlejuice* (1989-1991). He produced *The Nightmare before Christmas* (1993), a stop-motion animated film about the inhabitants of Halloweentown trying to expand into Christmastown's territory. The film was based on an original story by Burton, and the look of the film very much fits into Burton's Expressionist and Surrealist visual style (see Photo 15 in Appendix 6). Thus, Burton's extension into other media—including books, Internet properties, and producing films and television shows—has established him as a name brand like Spielberg or Lucas. As Odell and Le Blanc suggest in their book on the filmmaker, "It is the overall aesthetic cohesion that makes his work stand out. Conceptually he is far removed from the mainstream and yet is successful enough to ensure that his name on a film is eminently marketable" (11). It is his ability to marry the conventions of art cinema with the commercial demands of Hollywood that has made him an endearing artist.

However, these statements about Burton as a visionary, a genius, or an artist that occur again and again in discussions about the director reinforce a view that commercial cinema—best epitomized by the franchise film—and art cinema are inherently incompatible. In many of these discussions, it is only through the auteur—an auteur like Burton—that a blockbuster can approach art. These assertions about Burton's status as an artist easily serve as a marketing device about his highly commercial products, distinguishing him and his films from the myriad choices available at the box office. Certainly, his films offer a unique visual style from the typical blockbusters which dominate the box office. However, these statements indicate how reductive arguments about authorship have become, particularly in the popular and industrial press. In discussions about Burton, his visual style and thematic motifs place him as an original

artist who happens to make his blockbuster films personal, differentiating him particularly from a chameleon-like, studio-based filmmaker such as Joel Schumacher.

SCHUMACHER: A MAN OF MANY GENRES

Unlike Burton when he was selected to direct *Batman*, Joel Schumacher was a veteran filmmaker when he was named the director for *Batman Forever*. He also had directed an eclectic mix of films: the punk-inspired vampire film *The Lost Boys* (1987); a romantic comedy based on a popular French movie, *Cousins* (1989); a melodrama starring Julia Roberts called *Dying Young* (1991); and *The Client* (1994), an adaptation of a John Grisham thriller (see Appendix 5 for Schumacher's filmography). Although he worked across many genres, there are some similarities among these films—particularly, his striking visual design and tendency to cast young actors on the verge of stardom. However, unlike Burton, he has never attained the label of a creative genius working within Hollywood; rather, he is referred to more like a craftsman than an artist. His status in the industry, thus, had an impact on how his two *Batman* films were received. As he is often cast as the villain who derailed the profitable *Batman* franchise, particularly in light of his successor's *Batman* film, I examine how a director with his successful track record came to warrant the hostile sentiment that surrounded *Batman and Robin*. Without the easily definable personal style and characteristics, as well as the public image, of an artist like Burton, Schumacher and his work never emerged as something worth defending by fans, critics, and academics. While there are some similarities between Schumacher and Burton, ultimately Schumacher's foregrounding of overt commerciality as well as the presence of queer aspects in his two *Batman* films have encouraged an overzealous backlash that continued well past the release of *Batman and Robin*.

Like Burton, Schumacher studied at an art school—in Schumacher’s case, it was Parsons the New School of Design in New York City. In the 1970s, he worked as a costume designer on films such as Woody Allen’s *Sleeper* (1973) and *Interiors* (1978). Abruptly, Schumacher then moved into screenwriting, writing *Car Wash* (1976) and the screenplay for *The Wiz* (1978). In 1981, he directed his first feature film, *The Incredible Shrinking Woman*, which starred Lily Tomlin. He wrote and directed the Mr. T-starring vehicle *D.C. Cab* (1983), which was followed by the successful *St. Elmo’s Fire* (1985), which he also wrote. Due to Schumacher’s background in visual art, reviews of these early films stress the importance of their look to the overall film’s effectiveness, much as reviews of Tim Burton’s films stress his visuals. However, unlike Burton’s films, Schumacher’s oeuvre does not reveal a stylistic consistency, particularly since he has worked in so many different genres. In David Ansen’s review of *The Lost Boys*, he argued that the point of the film is its visual style: “These vampires are extremely style conscious, as is everything about director Joel Schumacher’s fluid, comical, horror film” (“From California”). Similarly, Justin Wyatt in his book *High Concept: Movies and Marketing in Hollywood*, argues that Schumacher’s *Flatliners* (1990) pays an “excessive” attention to the visual atmosphere, which “create[s] moments within the film which seem to work against the developing story, encouraging an appreciation for the film’s formal composition” (27). In the film, several medical students engage in life and death experiments in which they “flatline” for several minutes at a time. In Wyatt’s view, “the scenes shot in the medical experimentation room seem stylized and formal. These scenes are excessive, since the look of the operating room sequences overwhelms their narrative function” (30). As the medical students each take their turns in the experiment, the décor of the building does indeed overwhelm them in the frame (see Photos 1 and 2 in Appendix 7). While Wyatt argues that these moments disrupt the narrative, ultimately

they are key to establishing Schumacher as a visual artist. Indeed, the (over)emphasis on style was a form of product differentiation that occurred during the 1980s, in particular, as the theatrical market became more competitive not only for the films themselves, but also for the directors. The number of directors who started their careers in a visual arts-related field—whether it be television commercials, music videos, or fashion, like Schumacher—increased during the decade, and fit into Hollywood’s growing emphasis on cinematography and production design which culminated with *Batman*.

Prior to his work on the *Batman* franchise, one of the dominant themes in reviews of Schumacher’s films was how the narrative was often sacrificed in favor of the visual elements and the ensemble casts which populated his films. For example, in Janet Maslin’s *New York Times* review of *St. Elmo’s Fire*, she claimed that the film’s focus on the actors is disruptive to the narrative: “‘St. Elmo’s Fire’. . .has seven attention-getting young stars and a director, Joel Schumacher, whose hardest job is apportioning them equal time. When the story gets in the way of this, it is simply jettisoned” (Rev. of *St. Elmo’s Fire*, C6). Similarly, the tones of Schumacher’s films were seen as being at odds with the narratives’ progressions. Of all of Schumacher’s pre-*Batman* films, *Falling Down* (1993) received the most critical attention because of its serious subject matter. The film follows the character known as D-Fens (named because of his license plate, and played by Michael Douglas) as he leaves his car, frustrated, in a traffic jam to walk through the streets of contemporary, diverse Los Angeles, only to find that as a White, middle-class man, he no longer fits in that world. According to Jay Carr of the *Boston Globe*, the film veered from its serious subject matter through its “cartoony” presentation:

Slickly directed by Schumacher, who sees that each and every button in this unabashedly manipulative film is pushed hard, “Falling Down” could have been deeply disturbing if it weren’t so cartoony, so determined to glibly escape the moral consequences of the vicarious white-rampage fantasies to which it caters (“Nerd,” 25).

As Schumacher's most prominent attempt to create a serious work, however, the overall critical reaction to *Falling Down* cemented his most recognizable fault as a director—an inability to set a consistent tone within his films, and ultimately across the entire body of his work as a director.

Schumacher's next film after *Falling Down* was an adaptation of popular author John Grisham's book, *The Client* (1994), the first of his two Grisham adaptations. Grisham's status as a writer of legal thrillers—of beach reading during the summer—lent itself to a director known for making sleek, entertaining films. Schumacher's track record established him as a director who could deliver just such a film for the summer, as *The Client* was released in July. Indeed, reviews of *The Client* stressed that the film was entertaining, but without much content beyond its entertainment value. Todd McCarthy of *Variety* believed that the film “is a satisfactory, by-the-numbers child-in-jeopardy thriller that will fill the bill as a very commercial hot weather popcorn picture” (Rev. of *The Client*). Duane Byrge of *The Hollywood Reporter* claimed that the film is “taut entertainment that never loses an ounce of steam in its second half” (Rev. of *The Client*). The film did well at the box office, grossing nearly \$100 million domestically. *The Client* was produced by Warner Bros., and Schumacher's successful relationship with the studio was key to him being named the director for the third *Batman* film.

Schumacher and the *Batman* Franchise

Because Burton's *Batman Returns* was considered too dark and adult for the direction of the franchise, Warner Bros. wanted to lighten the next film and make it more entertaining and fun for children. Although he had not made child friendly films per se, Schumacher's history as an entertainer was crucial for him being named as the director of the third film, as was his adroit handling of Grisham's *The Client*. None of the previous

actors (except Michael Gough, who played the butler, Alfred) were returning from the previous *Batman* films, and *Batman Forever* offered the opportunity for something like a clean slate for the franchise. Indeed, the differences between Burton's *Batman* films and Schumacher's were like night and day. Keaton decided against taking the dual role of Bruce Wayne and Batman a third time, so executives at Warner Bros. shifted gears by signing the younger Val Kilmer to play the part. Award-winning actor Tommy Lee Jones was added as the villainous Harvey Two Face, reminiscent of Nicholson's role in the first film. *Batman Forever* also featured rising stars Chris O'Donnell as Robin, Nicole Kidman as Chase Meredith, and Jim Carrey as the Riddler. In fact, Schumacher and Carrey had known each other for years, and Schumacher recruited Carrey after Robin Williams could not agree to the terms offered by the studio. In addition to the more youthful direction of the film, Schumacher's film lightened the mood with more jokes, an expanded color palette, and less shadows, including several scenes of Gotham City during the daytime.

Overall, Schumacher's film had a different look from the previous Burton *Batman* films, although they equally foregrounded an impressive visual style. Similar to Wyatt's assertion regarding *Flatliners*, Schumacher's décor in *Batman Forever* was often excessive. When Dick Grayson takes the Batmobile out for a drive, he runs into a gang of black light-painted hooligans whose look matches the hyperbolically spray painted walls which enclose their crime-ridden alley (see Photo 3 in Appendix 7). Similarly, the Riddler's lair is photographed with a fish-eye lens that accentuates its distorted appearance, which includes the circular walls, throne, and trail of question mark lights that engulf Batman (see Photo 4 in Appendix 7). Byrge of the *Hollywood Reporter* cited the visuals as the star of the Schumacher film, claiming that "Schumacher's visuals, with frames swathed in character-identifying neon, steal our attention." Byrge continued that

Schumacher's visuals make the Expressionist look of the first two *Batman* films definitively enter the pop culture world of the 1990s: "'Batman Forever' is perfect pop for the 1990s: Expressionism in the movie microwave" (Rev. of *Batman Forever*). Whereas Burton's Expressionist visuals were reflective of the art movement's early twentieth century origins, Schumacher's Expressionist tendencies merged the distorted compositions with modern aesthetics. For example, gigantic, colorful, playful advertisements tower over the city in a "microwave" fashion (see Photo 5 in Appendix 7).

Schumacher's film also paid considerable visual attention to the male body and the armor used to protect it. *Batman Forever*, unlike the previous *Batman* films, opens with a series of close-ups of the Batsuit as Batman prepares for battle. These fetishistic close-ups display one of the newest features to the Batsuit—the addition of nipples. Bob Kane—who worked as a consultant on the film, and had a director's chair next to Schumacher's on set—did not appreciate the addition of the nipples. According to Schumacher, the addition of the nipples was an attempt to make the Batsuit, and indeed the look of the entire film, more of the 1990s:

Bob Kane doesn't understand why Chris O'Donnell has an earring and Batman has nipples. I told him, "It's the '90s, Bob! Pumped up!" I wanted a very sexy, very sensual, very body-hugging suit. It's *my* Gotham City, and if I want Batman to have nipples, he's going to have nipples! (qtd. in Bibby, 56).

In a similar way, close-ups of the Batsuit focus on Batman's codpiece and butt (see Photo 6 in Appendix 7). Surprisingly, the major reviews of the film rarely mentioned this aspect, or the film's other (potentially) queer aspects, such as the Riddler sporting a tiara during a heist, or Edward Nygma becoming obsessed with Bruce Wayne. One of the few critics to make this connection is Jack Kroll. In his review of the film for *Newsweek*, Kroll suggested that the addition of Robin might have been an attempt to attract a gay

audience, given the history of assertions about the relationship between Batman and his ward: “Is it too cynical to speculate that he’s been disinterred with the increasingly coveted gay audience in mind? Chris O’Donnell as Robin sports a close-cropped head, long sideburns and an earring. Chew on that, you pop-culture iconographers!” (“Lighten Up,” 54).

Although critics rarely mentioned the queer aspects of the film, several remarked that Schumacher’s film had a much more commercial tone than Burton’s *Batman* films. Lowry of *Variety* claimed that *Batman Forever* “is as much a finely tuned marketing/merchandising machine as a movie, down to the not-so-subtle McDonald’s plug (‘I’ll get drive-through’) after the opening credits” (Rev. of *Batman Forever*). Maslin of the *New York Times* mentioned the McDonald’s reference early in the film as well, and claimed that *Batman Forever* is “the empty-calorie equivalent of a Happy Meal (another Batman tie-in), so clearly a product that the question of its cinematic merit is strictly an afterthought” (“New Challenges,” C1). Jay Carr of the *Boston Globe* believed that the film has been too watered down to appease the children (and the parents of the children) who found *Batman Returns* to be too dark:

“Batman Lite” is what they should call this sequel, not “Batman Forever.” It’s the third in the series, and the first that plays as if it were put together by a committee. From beginning to end, it’s a marketing strategy, designed to purge the franchise of the darkness and weirdness that made the first two films interesting, and transform it into something more mainstream-friendly. Unfortunately, it succeeds (“Wholly,” 59).

Certain symbols worked within the film itself as narrative devices, while simultaneously working as a marketing tool (see Photo 7 and Photo 8 in Appendix 7). According to Schumacher, the Riddler’s identifiable question mark “became one of the selling points of the movie. They used it on all of the one-sheets that you saw in the theaters and it, you know, certainly became a big merchandising item that all of those people grasped onto”

(qtd. in *Batman Forever* Audio Commentary). Again, tying together the film with its marketing materials is indicative of its heightened commercial feel from Burton's *Batman* films.

In an interview conducted before the release of *Batman Forever*, Schumacher was asked how much the film would gross to which he replied: "If I knew these things, it wouldn't be much fun, would it? But my films have always been profitable, which was helpful when the jury was still out on me as a director—in fact, I'm sure that jury is *still* out" (qtd. in Bibby, 58). While *Batman Forever* may have not been a critical success, it became the highest grossing film domestically for 1995 with over \$180 million. It surpassed *Jurassic Park's* (1993) opening weekend record, grossing \$53 million. *Batman Forever* also set a record with its wide release: it opened in over 2,800 theaters, on over 4,300 screens—approximately 20 per cent of all screens available domestically (Graham, "Riddle Me This," 59). In addition, *Batman Forever* grossed over \$150 million in international theaters. Time Warner's stock rose \$2.50 per share to \$43.12 after *Batman Forever's* first weekend, a figure it had not matched in a year (Farhi, "Holy 52," D2). Thus, Schumacher's film, which lightened the tone and look of the previous *Batman* films, seemed to set the franchise on a new path to box office success.

As a result of the film's performance, Schumacher quickly became attached to a subsequent *Batman* film, which was set to be released in theaters in less than two years. The gap between Burton's first and second film had been three years; likewise, the gap between *Batman Returns* and *Batman Forever* was three years. In between his two *Batman* films, Schumacher directed another Warner Bros. adaptation of a Grisham novel, *A Time to Kill*. With less time to develop, shoot, and edit the film, *Batman and Robin* was set up to mimic the formula that proved successful with *Batman Forever*. Like *Batman Forever*, *Batman and Robin* featured two villains in addition to the title

characters, as well as the arrival of Batgirl, played by rising star Alicia Silverstone. Arnold Schwarzenegger, as Mr. Freeze, received top billing over new Bruce Wayne/Batman, George Clooney. Due to scheduling conflicts, as well as his clashes with Schumacher on the set of *Batman Forever*, Kilmer did not reprise his role as the titled character. Uma Thurman filled out the roster as the villainess, Poison Ivy.

As he had been critiqued for during much of his career with ensemble casts, finding enough time to develop each character proved difficult for Schumacher. In fact, Wayne's love interest Julie Madison (played by supermodel Elle Macpherson) appears in only a couple of scenes, while Barbara Wilson's transformation into Batgirl is conducted completely off-screen. As the film's primary star, the development of other characters was inhibited by the showcasing of Schwarzenegger and his character's uneasy attempts to deliver various puns on ice and cold. In addition, the film's tone wildly shifted between presenting him as Batman and Robin's nemesis and as a sympathetic antagonist since he only steals diamonds in order to continue life support for his disease-stricken wife. Thurman's character has a number of nature-inspired puns, but her over-the-top performance provides no depth to Poison Ivy's green agenda; instead, her performance is closer to camp.

Unlike the reviews for *Batman Forever*, which rarely mentioned camp overtly or indirectly, the association with camp was a dominant theme in the reviews for *Batman and Robin*. In her review for the *New York Times*, Maslin claimed that Thurman's performance "mixes true femininity with the winking womanliness of a drag queen." Later in her review, she suggested that the character of Poison Ivy (and Thurman's performance of it) is indicative of the film's overall tone: "Poison Ivy captures the essence of 'Batman and Robin,' a wild, campy costume party of a movie and the first 'Batman' to suggest that somewhere in Gotham City there might be a Studio 54" ("Holy

Iceberg!", C1). Like his previous film, Schumacher starts *Batman and Robin* with a series of fetishistic close-ups, this time of both Batman and Robin (see Photo 9 in Appendix 7). David Ansen of *Newsweek* called the film a "costume party. . . albeit with kinky, S&M-inspired costumes," as shown in the film's opening ("The Batmobile"). John Simon of the *National Review* believed that the film's overly passive treatment of women—Wayne's girlfriend, Julie Madison; Mr. Freeze's cryogenically frozen wife, played by supermodel Vendela Thommesen; and Ms. B. Haven, played by Vivica A. Fox, who appears onscreen in a skimpy costume without any significant lines of dialogue—was indicative of an overly (negative) queer aesthetic at work in the film: "This demeaning use of gorgeous women clearly bespeaks an anti-heterosexual stance." Later in his review, Simon made a further case about the film's ties to queer aesthetics: "The movie comes across as a bigger, more scurrilous, and much more deafening version of the Halloween Gay Parade" (60). Simon's comments about the film's ties to queer aesthetics are the most pointed, and probably the most homophobic, seen in the film's reviews, but he certainly is not the only one to make this connection as the use of the words "disco" and "camp" was rampant in the film's reviews. An article in the *Advocate* suggested that *Batman and Robin* will offer pleasures to the gay viewer: "In this summer's action pics, Hollywood will be shipping out bigger, better beefcake, and gay audiences will be jostling the kiddies to get a look. On June 20 we'll see megababes George Clooney and Chris O'Donnell in new and improved codpieces in *Batman & Robin*" ("The Boys of Summer").

Indeed, much of the backlash that *Batman and Robin* suffered seems to be related to its ties to queer aesthetics, although Schumacher's film was hardly the first Batman text to have such ties. Frederic Wertham's charge in the 1950s that Batman and Robin engaged in a homosexual relationship in the comic books created a legacy for Batman in

terms of homosexuality—an unfathomable and unwanted concept for legions of fans. In particular, the debate over Batman’s (homo)sexuality has centered on the 1960s television show with its direct ties to camp aesthetics. Argues Andy Medhurst in “Batman, Deviance and Camp”:

For the unreconstructed devotee of the Batman (that is, people who insist on giving him the definite article before the name), the [Adam] West years had been hell—a tricky travesty, an effeminizing of the cowled avenger. . . . This outrage, this horror at shattered illusions, comes close to encapsulating the loathing and dread the campy Batman has received from the old guard of Gotham City and the younger born-again Bat-fans (159).

The threat of Batman’s homosexuality has been a stable thread in the property’s history since Wertham’s account, particularly in light of the television show’s campy aesthetics. DC Comics, in particular, has been vigilant in patrolling Batman’s sexual image. In an article for *Lingua Franca*, Jeet Heer chronicled the pursuit of Chris York, then a graduate student at Michigan State University, to obtain the rights to use several panels of Batman from DC Comics for his article “All in the Family: Homophobia and *Batman* Comics in the 1950s.” Heer mentioned several other academic works discussing Batman and homosexuality which have also been denied the rights for reproductions (including the anthology *The Many Lives of the Batman*, which features Medhurst’s essay cited above).

In terms of the *Batman* film franchise, those involved in the productions have also patrolled Batman’s image in terms of homosexuality. With the 1989 *Batman* film, there were a number of expressed concerns regarding Batman/Bruce Wayne’s sexuality. In an inter-office memo dated September 19, 1988, Warner Bros.’ President of Worldwide Production Mark Canton responded to a line in the script where Batman is referred to as “Mr. Rodent Queenie,” and stated that there were “too many of these rodent/drag insults” found in the script (Canton). In his role as a consultant on the film, Bob Kane critiqued the fourth draft of the script for using the same “rodent/drag insults” to which

Canton objected and claimed that it was “demeaning to Batman’s macho image in his bat costume.” He also requested that a scene where Wayne conceals his identity with Vicki’s silk stocking be removed, again claiming it tarnished Batman’s macho image: “I found this act effeminate and ludicrous looking and unbecoming to any macho male—particularly our hero, Bruce Wayne” (Kane). The scene was later dropped, as were the drag insults. In “Spectacular Repression: Sanitizing the Batman,” Robert E. Terrill does a textual analysis of *Batman Forever* in terms of the characters’ sexualities, arguing that “Considerable effort is expended toward disambiguating Wayne/Batman’s sexuality, both through contrast with the Riddler and identification with Robin and [Chase] Meridian, culminating ultimately in a hysterical display of heterosexuality...” (505). The issue of Batman’s sexuality has thus found a considerable interest in academic work, and (at least) a tacit denial from officials at DC Comics, in addition to consideration by those involved in the film franchise.

With the attention paid to the male body and the campy performances, *Batman and Robin* foregrounded ties to queer aesthetics, a relationship that many fans and critics found distasteful. Critics and fans also reacted negatively to the film’s excessive visual design. Maslin described the film’s visual aesthetics as a circus: “Joel Schumacher, director and ringmaster, piles on the flashy showmanship and keeps the film as big, bold, noisy and mindlessly overwhelming as possible” (“Holy Iceberg,” C1). Likewise, Carr believed that Schumacher’s visuals were the only strong point of the movie, though they were still excessive: “While Schumacher does wonders with visual diversions (especially heavy use of teal, magenta, red, and blue filters), he can only do so much” (“A Busy,” D1). Mike Clark of *USA Today* believed that the film’s design overshadows everything else in the film: “Title notwithstanding, both Batguys are fourth wheels again—and not just to the villains, but to spiffy art direction as well” (D4). As an example of the film’s

excessive visuals, the film's opening is often cited. In this sequence, Batman crashes through a window only to land on the (frozen) head of the Gotham City Museum's replica of a dinosaur. He then slides down the icy neck, back, and tail of the gigantic beast in order to battle Mr. Freeze. Later, Batman and Robin battle Freeze's goons on the museum's icy floors amongst the teal and magenta-tinged frozen artifacts that Carr mentions, including through an impromptu ice hockey match with a gigantic diamond serving as the puck (see Photo 10 in Appendix 7).

As with Burton's films, Schumacher's stylish visuals were prominent in both of his *Batman* films, but by *Batman and Robin*, critics and fans held Schumacher accountable for the increased foregrounding of the franchise's commercial aspects. In addition, the series' increasing relationship to camp aesthetics was upsetting for a number of critics and fans who found the series' less serious tone to be antithetical to the character's dark roots. Ultimately, the poor performance of *Batman and Robin* halted Warner Bros.' premiere franchise, and Schumacher emerged as the central figure responsible for its demise. The film's box office grosses were disappointing, with just barely over \$100 million at domestic theaters and \$130 million in international theaters. While Warner Bros.'s stature in terms of market share suffered as a result of the film's less-than-satisfying performance at the box office, Schumacher's reputation took an even stronger hit. Harry Knowles, the founder of the Website Ain't It Cool News, claimed that the film was so awful, it was "The sort of flick that cries out for vengeance" (Knowles. Rev. of *Batman and Robin*). His review was not posted on the Website until the film opened, but he had posted hundreds of negative reviews of *Batman and Robin* previously from viewers who had seen the film at previews, including one viewer who proclaimed "Death to Schumacher!" at his preview screening, a sentiment that became prevalent in fan communities. Three disgruntled fans even created their own satirical screenplay

combining the two Schumacher *Batman* films, called it “Batman Sucks Forever,” and posted it on the Web (Wyshynski et al.). Since 1997, fan and critical displeasure with Schumacher has only grown more vehement. In a 2005 article, Mark Rahner of the *Seattle Times* claimed that Schumacher “earned himself a few acres in Cinema Hell” for his *Batman* films, and particularly with *Batman and Robin*, killed an omnipotent hero: “Schumacher put a stake in Batman’s heart with this pile of guano” (K1). As the direction of the *Batman* franchise languished, Schumacher’s post-*Batman* career did not fare much better as a result of the criticism he received for *Batman and Robin*.

Unlike Burton, who has several books which focus on his career, Schumacher has none, and is unlikely to have any in the future. Schumacher has not had a successful film at the box office since *Batman Forever* and *A Time to Kill* in 1995 and 1996, respectively. Nearly every review of his films since the *Batman and Robin* debacle references the excessive nature of his *Batman* films, from their campiness to their overt commercialism. He has continued to cross genres, making a biopic, a musical, an independent-styled film, and even a drag queen comedy. His films lack a common tone or theme, though they have continued to provide arresting visuals and roles for up-and-coming stars. He has not produced work across media like Burton, nor has he created any Oscar-worthy films that might redeem him. One exception to the critical drubbing Schumacher received after *Batman and Robin* involved *Tigerland* (2000). *Tigerland* focuses on a bunch of recruits receiving their last training before heading to Vietnam. Released by 20th Century Fox and produced on a miniscule \$7 million budget, critics praised Schumacher’s ability to make a film with an independent feeling. Emanuel Levy of *Variety* claimed that Schumacher’s usual, excessive visual style was not evident here; instead, he relied on a minimalist approach: “In many respects, ‘Tigerland’ is [the] helmer’s most independent and experimental work, as well as the closest a Hollywood

movie has come to adopting the tenets of Dogma 95” (Rev. of *Tigerland*, 10). *Tigerland* features no orchestral score, uses 16 millimeter film stock, was shot in only twenty-eight days, and eschews the use of a tripod for the majority of camera setups. *Tigerland* has more of a documentary feel to it, especially with its ensemble of young and non-professional actors, including Colin Farrell. Thus, Schumacher’s ties to independent filmmaking are praised. The praise for *Tigerland* stems not just from the film’s production itself, but also from the independent aesthetics that had begun to affect the Hollywood film industry since the 1990s. As someone who has spent his entire career working for studios, Schumacher could not be mistaken as an independent filmmaker; but *Tigerland* looks and feels much like one and, as such, is praised highly for it.

Although he has never been presented by critics as an art film director, even with *Tigerland*, Michael Singer’s book *Batman and Robin: The Making of the Movie*, situated Schumacher as a director who “sits comfortably between art and commerce” (13). Indeed, he quoted Schumacher as admitting to trying to balance the two aspects in his work: “It’s a tightrope. . .because if you swing too far to art for its own sake it becomes self-serving and pompous, and if you’re too much on the side of commerce, why get up in the morning? I try and choose projects which both excite me and are, hopefully, appealing to a wide audience” (qtd. in Singer, 13). Since the release of *Batman and Robin*, he has not been confused as a director who works on the art side of the equation. While he was originally set to direct a third *Batman* film, the criticism he received for *Batman and Robin*, as well as the critical, fan, and box office response to the film, curtailed his endeavors with the franchise. Rather, Warner Bros., after a series of starts and stops, choose someone whose style and background was antithetical to Schumacher, someone who had thus far managed the art and commerce divide as an independent filmmaker.

GOTHAM'S NEW KNIGHT: CHRISTOPHER NOLAN

Similar to Burton, Christopher Nolan only had directed a few feature films before working on the *Batman* franchise. Unlike Burton and Schumacher, however, Nolan's first two films were independent of the studio system. Indeed, his work in the independent film industry was key in his selection for *Batman Begins* since it attested to original vision, an ability to handle lower budget filmmaking, and inventiveness in narrative structure and style. When Warner Bros. announced that Nolan would be directing the reboot film for the *Batman* franchise, critics and fans alike positioned him as a savior. Although a young filmmaker who has only directed six feature films, Nolan has been positioned as one of the most important directors working in Hollywood today (see Appendix 5 for his filmography). This position hinges upon the status of his independent film roots, particularly in regard to how he structures his films. His non-linear narrative structures are still visible even in his studio features, including in the franchise film *Batman Begins*.

Although he started making films as a child with his parents' Super 8 camera, Nolan did not go to film school. Nolan's first feature film, *Following* (1998), was produced for \$6,000, and was shot over an entire year solely on the weekends to accommodate everyone's day jobs, including his own. *Following* was shown at Slamdance in 1999, as well as the New Directors/New Films program presented at the Film Society of Lincoln Center. The latter proved to be an important venue for Nolan's film, as major critics had the opportunity to see the movie and review it. *Following* focuses on a young man, Bill, who likes to follow people to get ideas for his writing, until he is caught by Cobb, a burglar. The young man begins to accompany Cobb on his jobs, only to get drawn into a plot he cannot control. Although the film is short (at a scant 70 minutes), it is told through a series of complex flashbacks and flash forwards that make it

difficult to discern at any one moment where you are in the story. The complex narrative structure in light of the film's budgetary and production limitations is one of the aspects singled out in reviews of the film. The reviewer of the film in the *Hollywood Reporter* suggested that "This ultra low-budget exercise marks the emergence of a significant directorial talent who should have no problem parlaying this calling card into studio work" ("Nolan Embraces"). Nolan's next film, however, remained outside of the Hollywood studio system. *Memento* (2001) was the first film released through independent production company Newmarket's new distribution arm, and it proved to be an unimaginable success. The film earned \$25 million at the domestic box office and garnered acclaim from several film festivals and awards groups.¹¹¹

Memento follows Leonard Shelby, who suffers from anterograde amnesia, as he tries to track the killer of his wife. According to Nolan, identification with Leonard and his plight became a key concern of the film's structure: "I was thinking about how to put the audience in Leonard's head as much as possible. . . . One day I drank too much coffee and said to myself, 'Well, if you tell the story backwards, then the audience is put in the same position as Leonard. He doesn't know what just happened, but neither do we'" (qtd. in Winters, B23). As viewers, we are thrown into Leonard's world since the film unfolds backwards, with the beginning of the actual story taking place at the end of the film. The film opens by unraveling the present, as a close-up of a fully developed Polaroid slowly devolves into as-yet-developed film (see Photos 1 and 2 in Appendix 8). The second shot of the film shows the film going back into the camera, and, in reverse, shows Leonard take the picture we have just seen (see Photos 3 and 4 in Appendix 8). At this point, we see the "real" event represented in the photograph—a man's dead body and a wall

¹¹¹ The film received two Academy Award nominations, for Best Editing and Best Original Screenplay; was nominated for the Grand Jury Prize at Sundance and won the screenplay award at the festival; and won four awards at the Independent Spirit Awards, including Best Feature, Best Director, and Best Screenplay. Nolan also received a nomination from the Directors Guild of America for Best Director.

splattered with blood. *Memento*'s unusual story structure was one of the most remarked aspects of its reviews.

With the critical success of *Memento*, Nolan's next film was made for Warner Bros. *Insomnia* (2002) is a remake of a well-regarded 1997 Swedish film of the same name. Nolan's name attracted Academy Award-winning actors, including Al Pacino, Robin Williams, and Hilary Swank. Pacino plays Will Dormer, a nationally known detective who is called to a small town in Alaska to help solve a murder. While chasing the (unknown) perpetrator of the crime, Dormer accidentally shoots and kills his partner, then covers it up. The perpetrator, played by Williams, knows of Dormer's guilt, and begins a cat-and-mouse game with the detective. Although the film is told in a linear fashion, unlike his previous two films, Nolan does incorporate flashbacks of Dormer's partner's death at several points, each with a slightly different take on what happened. This ambiguity heightens the moral quandary of the film. According to Nolan, it is this ambiguity that makes the film complex: "The complexities of 'Insomnia' aren't structural; they're in the murkiness of the situations and the characters' morality. Ironically, the plot of 'Insomnia' is much more complicated than 'Memento,' but it's approached from a different point of view" (qtd. in Longsdorf, F9). Although not a huge box office hit—probably because of the dark subject matter—*Insomnia* made over \$67 million domestically upon its theatrical release during the summer of 2002.

It was the distinctive talent shown in Nolan's first three features that got Warner Bros.'s attention in the summer of *Spider-Man*, formerly independent filmmaker Sam Raimi's beginning of the Marvel Comics franchise which earned more than \$400 million at the domestic box office and broke nearly every box office record imaginable during the same summer as *Insomnia*'s release. The second highest grossing film of 2002—*The Lord of the Rings: The Two Towers*—earned nearly \$340 million at the domestic box

office and also featured a (formerly) independent filmmaker, Peter Jackson, as the director. An article in the Canadian newspaper the *Globe and Mail* in the Fall of 2002 stressed that Warner Bros.' strategy with the later films in the *Harry Potter* franchise would necessitate a different type of director than Steven Spielberg protégé Christopher Columbus, who directed the first two films in the franchise: "Expect darker, edgier Harry Potter sequels as movie execs try to keep an aging fan-base interested in the franchise" (John Lippmann, R5). At the end of the article, the writer stresses that the third Harry Potter film would in fact feature the talents of Alfonso Cuarón as director, whose Mexican film *Y Tu Mama Tambien* was a dark, adult-oriented comedy. Tapping into a talent like Nolan's to revamp an important franchise was Warner Bros.'s response to the profitability of these and other blockbusters helmed by formerly independent filmmakers. Nolan's pitch to Warner Bros. executives for a new Batman film made sense in this environment, and he was given a pay-or-play deal on the spot, without a treatment or script in place (Greenberg, E10).¹¹² After a prolonged hiatus, Warner Bros. was finally ready to revamp the franchise, trusting the independent filmmaker's suggestion that the franchise begin before Bruce Wayne becomes Batman.

Nolan and *Batman Begins* (Again)

Given the important role that the *Batman* franchise played in the development of Time Warner, it is not only surprising that it took eight years to release a new *Batman* film, but also that executives for Warner Bros. had little active involvement in the franchise's new direction. Claimed Nolan: "There wasn't even a fight. . . .I approached them with the idea. They already knew that studio filmmaking had screwed up this franchise. They couldn't do it their way, so I got to do it my way" (qtd. in Kotler, A1).

¹¹² A pay-or-play contract guarantees payment, regardless of whether the film is actually made.

Co-screenwriter David Goyer seconds Nolan's take on the film's production process: "I think they knew they had to do something different in terms of reinventing the franchise . . . and I think they knew it wasn't a film that could be made by committee" (qtd. in Greenberg, E10). Both Nolan and Goyer may be glossing over how much freedom they really did experience on the film's production, but the fact that pre-production, production, and postproduction all occurred in England suggests, at the very least, that executives did not have the ability to micromanage the film.

Nolan, Goyer, and production designer Nathan Crowley worked for several months out of Nolan's garage, writing and re-writing the script and settling on designs for key locations and gadgets, far removed from the executives at Warner Bros. in Hollywood and New York. Although parts of the script are influenced by other Batman texts, particularly the graphic novels of Frank Miller, ultimately Nolan and Goyer's screenplay for *Batman Begins* deals with a period that has not been extensively detailed either in the comics or graphic novels previously. This allowed Nolan and Goyer to develop a story which focused on the beginnings of Batman, as he tinkers to become the Dark Knight. One of the most important sections of the film is Bruce Wayne's interaction with Lucius Fox, who gives him high-tech but costly militaristic equipment which eventually become Bat-gadgets. According to screenwriter Goyer, all of these items were "based on either existing technology or technology that was going to be thrown into the marketplace in the next 10 years or so. So it was stuff that was being developed by the Department of Defense or existing programs" (qtd. in Jordan and Gross, 25). For example, the Batmobile loses the sleek, Gothic design of previous films and becomes part Humvee in *Batman Begins* (see Photo 5 in Appendix 8). Batman's cape is made of a micro-fiber that stiffens when an electric current is applied, allowing it to take the form of a glider. Costume Designer Lindy Hemming claimed that in the process of

designing Batman's suit, "We're always talking with parachute engineers and wet suit engineers and funny admirals and scientists" in order to make the look of the gadgets appear more realistic (qtd. in Russo, 71). Ty Burr of the *Boston Globe* argued that the focus on realistic gadgets was especially appealing to Bat-fans: "Everything in 'Batman Begins' has its prosaic, real-world explanation—The Bat-Signal? Gordon's hastily improvised way of getting Batman's attention—and if you've ever had any emotion invested in this story, there's huge satisfaction as each nugget of bat-data clicks neatly into place" ("Christian Bale's").

The film's reliance on realism was not limited to the functions of the Bat-gadgets. Nolan chose to do extensive location shooting in Iceland, London, Chicago, and New York. Indeed, Bruce and Ducard's initial duel was filmed on a real glacier, and its naturalistic look could not be approximated in the studio (see Photo 6 in Appendix 8). Devin Gordon of *Newsweek* termed the film's approach as one of "gritty urban realism," emphasizing real locales or, when necessary, visual effects which took real locations as their base ("Bat Out of Hell"). For example, downtown Gotham reflects much of the skyline of present-day Chicago, and it even has an elevated train running through the city's most important buildings, including the Wayne Building (see Photo 7 in Appendix 8). Many of the scenes which feature the Batmobile were filmed on the actual streets of Chicago; for example, it winds through the rush hour traffic of the city to escape the police cars that are following it (see Photo 8 in Appendix 8). The film's appeal to realism was a trait typically not associated with the superhero genre and its ties to fantasy. Critics appreciated the way the film laid a real-world foundation for the action, gadgets, and psychology of the characters. In Manohla Dargis' review for the *New York Times*, she likened the film's realism to its sense of wonder:

Weaned on countless comics and a handful of movies, we may think we know the bat cave like we know the inside of our childhood bedroom. But to watch Bruce Wayne stand in the atmospheric gloom of this new cavern, surrounded by a cloud of swirling bats, is to see the underground refuge for the first time (“Dark”).

Similarly, Ty Burr found that “everything concerned with how a billionaire orphan with a bat complex might go about setting up shop is genuinely inspired” (“Christian Bale’s”).

Besides the film’s direct appeal to realism, another important factor that ties it to Nolan’s independent film roots is how the story is structured. Given Christopher Nolan’s background as an independent filmmaker known for playing with the conventions of film narrative, it is hardly surprising that *Batman Begins* opens with a series of flashbacks that move across three separate points in time. The film’s first forty minutes are devoted to this intermingling of the three separate time frames, an unusual introduction for a blockbuster. The film’s introduction vacillates between Bruce as a child when he falls down into the cave and his parents’ later murder; Bruce as a college-aged individual who attends the parole hearing of Joe Chill, his parents’ murderer; and Bruce in present day Asia, serving a sentence in prison then joining the League of Shadows. Indeed, the film introduces Bruce as a college-aged man at the twenty-one minute mark of the film, a point in which a typical blockbuster is closing act one and starting to move into act two. In addition to moving in and out of flashbacks during the film’s first act, the film also presents sequences which provide little anchoring in time. In Bruce and Henri Ducard’s duel, Ducard speaks to Bruce in voice-over as they fight on the glacial ice. Later, the film cuts to other moments of Ducard giving Bruce instruction, but the time frame is never made clear. For example, Ducard teaches Bruce to use explosives as a means of distraction. This lesson may have occurred months before the fight on the glacier, directly before, or a while after. Since Bruce ultimately loses the fight on the ice (he falls into the freezing water after some of the ice breaks away), it is reasonable to assume that

the fight was part of his training. In what order the lessons occurred is never made clear, as the film intercuts between the fight and several other lessons.

While *Batman Begins* provides a complicated flashback structure in its introduction, the film also employs the technique of subjective realism, a convention typical of art cinema. According to Bordwell, subjective realism “is a fully expressive realism in that the syuzhet can employ film techniques to dramatize private mental processes. Art-cinema narration employs all the sorts of subjectivity. . . Dreams, memories, hallucinations, daydreams, fantasies, and other mental activities can find embodiment in the image or on the sound track” (208). In *Batman Begins*, we are given Bruce’s subjective experience after he partakes in a powerful inhalant supplied by Ducard. We see his fears in quick flashbacks—the swirl of bats while he was in the hole; his fear at the opera the night his parents were killed; and the murder of his parents. As the film returns to a close-up of Ducard from Bruce’s point of view, the editing and camerawork change significantly. The camera violently shakes, and Ducard’s eyes turn into brilliant white lights. We are returned to a close-up of Bruce looking before him, then we see a sea of ninjas, again with the brilliant white lights in their eyes and the shaking camera (see Photo 9 in Appendix 8). It is clear that this is an effect of the inhalant that Bruce has taken, as the shaking and bright lights are only visible in shots from his perspective, and not when the camera takes a third person perspective. In the midst of all of the ninjas, Bruce sees a box. Shot again from his perspective, the box seems to float above the ground as everything else shakes before him.

Thus, the first act is longer than typical blockbusters and more intricate, with its juxtaposition between three points in time. It also introduces us to a device that we will see several times later in the film—the hallucinogenic properties of the drug Bruce inhales. It is used again when Dr. Crane talks with Carmine Falcone to evaluate his

mental stability to stand trial. Dr. Crane puts on his scarecrow mask and pushes a button in his suitcase, which releases a gas that Falcone inhales. Falcone then hears the disembodied voice of Dr. Crane, and the camera shakes violently as he looks upon the Scarecrow, just as it did when Bruce was amongst the sea of ninjas (see Photo 10 in Appendix 8). Falcone's screams can still be heard after Dr. Crane leaves the room. We next see the effects of the drug on Batman, when the Scarecrow sprays him with the same gas. In his induced state, Batman sees bats coming out of the Scarecrow's mouth (see Photo 11 in Appendix 8). We also are given several quick flashes back to Bruce's childhood and his time with the League of Shadows as he struggles against the poison invading his body and brain. During the course of the film, we will also see Rachel and Dr. Crane's reactions to the inhaled drug, as well as the reactions of several (unnamed) inhabitants of the Narrows after the drug has been released into that section of Gotham. In each case, the camera shakes violently and some fearful image is flashed as the affected party suffers from the poison (see Photo 12 in Appendix 8 for an image of Batman from the perspective of some inhabitants of the Narrows).

The fact that the same drug is used at the beginning of the film and in act three should be indicative that the two acts are tied together directly. In fact, we learn that Ducard is alive¹¹³ and is continuing the attack on Gotham City through the use of the (inhaled) drug. Ducard and several of his underlings show up at Bruce's birthday party unexpectedly, revealing that not only is he Ra's Al Ghul, but that he is also continuing the original plan to eradicate Gotham City. It was an unexpected twist; indeed, blockbusters typically lay out the entire story as clearly as possible so no one is confused. According to Bordwell, art films often leave out essential factors in the story until they

¹¹³ At this point in the film, Ducard refers to himself as Ra's Al Ghul. The film never makes clear whether he was Ra's all along, with the Ken Watanabe version being a decoy, or if Ducard assumed the position after the Ken Watanabe version died.

are actually required for narrative progression: “Exposition will tend to be delayed and widely distributed; often we will learn the most important causal factors only at the film’s end” (210). The unexpected twist in the third act is an example of this delayed exposition. Nolan, of course, had featured twists in all of his films previous to *Batman Begins* and other art blockbusters, such as *The Sixth Sense* (1999), were also notable for the surprise element found near the end of the films’ narratives. In *Following*, we learn that Bill has been set-up to take the fall for a different crime than we originally thought. In *Memento*, we learn in the film’s final minutes the truth of Leonard’s identity and his quest to find the killer of his wife. However, as *Batman Begins* had set up Dr. Crane/Scarecrow and Carmine Falcone as the key villains during act two, the reveal of an even larger foe—one presumed to be dead, according to the first act of the film—was quite surprising. In his review for the *Hollywood Reporter*, Kirk Honeycutt suggested that the film’s key surprise encouraged “repeat visits because the carefully laid-in details will more fully emerge with each viewing” (Rev. of *Batman Begins*).

Another key surprise emerges at the very end of the film when Jim Gordon (now a lieutenant) confronts Batman on a rooftop; he warns of the escalations by criminals in response to Gotham’s resident winged avenger. He then pulls out evidence from a crime scene from one such criminal to show to Batman. The evidence turns out to be a joker from a card deck, indicating the direction and key villain of the (presumed) sequel. The ending certainly bespeaks the blockbuster roots of the film—leaving (narrative) space open for a sequel. But it also has the effect of keeping the film from being closed, an aspect of film narrative typically seen in art films. Gordon admits to Batman that the Narrows are lost and that, despite his best efforts to save Gotham, the situation is far from resolved. In response to a question from Elvis Mitchell regarding whether any of

Batman's battles are ever finished or even won, Nolan claimed the ending was always meant to be ambiguous:

There isn't a pile of dead guys at the end who've been defeated and, and run out of town. . . .It's more ambiguous than that. . . .The absurdity, and admirable absurdity, of one man attempting to transform an entire society is fascinating to watch, but if you're telling it in realistic terms, you've got to be realistic about what's he going to achieve (qtd. in Mitchell, "Interview with Christopher Nolan").

With the Scarecrow still loose, and psychotic murderers wandering the streets of Gotham after having been released from Arkham Asylum, Batman's job is far from finished. Additionally, the film's title does not appear until the end of the film when Batman takes his leave of Gordon, and soars over the city. It is only at this point that Batman truly begins. Reserving the title for the end of the film is an unusual tactic in a blockbuster, but it indicates the extent to which the story is far from finished. The final scene raises the issues that the film has left unaddressed, and provides a particular direction for the next installment of the story. *Batman Begins* can not end happily or satisfactorily, for the story has simply just begun.

This open ending is an aspect of the film's objective realism since, in life, there is rarely closure. According to Bordwell, "The art film's 'reality' is multifaceted. The film will deal with 'real' subject matter, current psychological problems such as contemporary 'alienation' and 'lack of communication.' The mise-en-scène may emphasize verisimilitude of behavior as well as verisimilitude of space. . . .or time" (206). The (over)emphasis in *Batman Begins* on the real-life applications of the gadgets which later become part of Batman's arsenal is one aspect of the film's objective reality. In his review of the film, Roger Ebert stresses that since Bruce's emergence as Batman is relatively recent, his gadgets have not had the opportunity to be perfected yet: "The Batman costume is an early design. The Bat Cave is an actual cave beneath Wayne Manor. The Batmobile enters and leaves it by leaping across a chasm and through a

waterfall. The Bat Signal is crude and out of focus” (Rev. of *Batman Begins*). This crudeness is an indication of the film’s overall attempts at verisimilitude.

One of the most prominent themes in the critical response to the film was that *Batman Begins* was the antithesis of the films directed by Schumacher whose films were seen as overly commercial, campy, and frenetic. Many critics deemed Nolan a savior to the Batman film image, particularly in response to the exaggerated direction Schumacher took with his two Batman films. Dargis’s review of the film for the *New York Times* suggested that the real hero of the film was not Batman, but Nolan: “[T]he most memorable rescue mission in ‘Batman Begins’ isn’t engineered by the caped crusader, but by the film’s director, Christopher Nolan” (“Dark”). Kirk Honeycutt of the *Hollywood Reporter* asserted that Nolan’s re-direction of the franchise was miraculous: “That any filmmaker could now revive the comic book character and his retro-futuristic world of Gotham City is a minor miracle. But for Christopher Nolan to turn ‘Batman Begins’ into such a smart, gritty, brooding, visceral experience is astonishing. Truly, Batman does begin again” (Rev. of *Batman Begins*). Although David Ansen of *Newsweek* thought the film had its flaws, he ultimately claimed that *Batman Begins* is “a mostly successful attempt to resuscitate a series soiled by silliness, sloppiness and Joel Schumacher” (“The Bruce,” 61).

Nolan’s take on the franchise—to ground it in a knowable reality, and to provide a non-classical narrative structure—worked. *Batman Begins* grossed over \$200 million at the domestic box office, in addition to \$167 million in international theaters. Its success, both at the box office and critically, paved the way for another film in the franchise, scheduled for release during the summer of 2008. Between the two *Batman* films, Nolan has completed one other feature film: *The Prestige* (2006). *The Prestige* features two of his *Batman Begins* stars—Christian Bale and Michael Caine—as well as Hugh Jackman

and Scarlett Johansson. In *The Prestige*, Bale as Alfred Borden and Jackman as Robert Angier play rival magicians in late 1800s London, as Angier tries to find out how Borden has created his greatest trick. *The Prestige* continues the narrative experimentation seen in Nolan's previous work. The film's structure of multiple flashbacks and flash forwards makes it a difficult film to follow, and leads to several (possible) endings before the film's conclusion is actually reached. The title refers to the third act of a magic trick, where tricks and turns lead to a shocking conclusion. Like its namesake, *The Prestige* does pull a twisting conclusion in its third act. With *The Prestige*, we learn in the film's final minutes not only how Borden did his famous trick, but also how Angier did his. Like in *Batman Begins*, the film switches between three different time periods with little indication. At the beginning of the film, we see Angier's death, then we see him arrive in Colorado Springs to meet Nikola Tesla, and finally we see him as a young magician with his wife. The film then intercuts between these three separate time frames in the laying out of the narrative. In a bit of a surprise given its structure and subject matter, *The Prestige* opened as number one for its week, earning \$14.8 million at the domestic box office. According to Disney's President of Distribution, a big reason for the large October opening was Nolan himself (Eller, C1).

Positioned by both critics and fans as the savior to the Batman film franchise, Christopher Nolan's background as an independent filmmaker was an essential ingredient in the assessments of the film. Nearly every article about or review of the film cites his ties to independent film, a trope that legitimized him as the proper director to revamp the franchise. In his review of the film, Roger Ebert wondered why Nolan was selected for the franchise based on his previous work, but admitted it was the proper choice: "What Warner Bros. saw in those pictures that inspired them to think of Nolan is hard to say, but the studio guessed correctly, and after an eight-year hiatus, the Batman franchise has

finally found its way” (Rev. of *Batman Begins*). By 2005, Warner Bros. had had several franchises successfully helmed by formerly independent filmmakers; the choice of Nolan thus made perfect sense. For many critics, Nolan’s work on *Batman Begins* elevated the blockbuster which, in recent years, has been deemed juvenile, overly commercial, and unimaginative. In her May 2007 essay “Defending Goliath: Hollywood And the Art of the Blockbuster,” *New York Times*’ Manohla Dargis argues for critics to re-appreciate the blockbuster since “Blockbusters that open on thousands of screens are. . .considered dubious because anything that appeals to a wide audience is inherently suspect,” but films like *The Matrix*, *Spider-Man*, and *Batman Begins* demonstrate that they can offer significant possibilities for surprise, intelligence, and beauty (“Defending Goliath,” A2). Without even articulating it, she reaffirms the idea that indie auteurs like Nolan have altered the terms of the blockbuster

EXPOSING CONTRADICTIONS BETWEEN COMMERCIAL AND ARTISTIC INTERESTS

As these three filmmakers indicate, authorship with franchise films is fraught with contradictions seen between commercial viability and personal style. Burton and Nolan were both labeled auteurs by critics, which necessarily elevated their *Batman* films—Burton because of his ties to Expressionism and Surrealism and Nolan because of his independent film background. Schumacher, on the other hand, was circumspect because his background was not consistent, he foregrounded queer aesthetics, and his two *Batman* films appeared to be *too* commercial. Although some critics in 1989 acknowledged that *Batman* seemed to awkwardly oscillate between its commercial elements (for example, the incorporation of Prince) and the director’s art cinema ties, several of these same critics seemed to forget that aspect of the film in light of Schumacher’s take on the *Batman* franchise. Similarly, critics’ original stance on Schumacher was subsequently

validated when Nolan was named the director to take the franchise in a new direction and *Batman Begins* presented elements typically seen in art films in the highly commercial blockbuster.

Based on the critical reception and box office figures of the five *Batman* films, the easy lesson to draw from them is that a definable authorship—one with ties to art and/or independent cinema—is the key feature of the successful franchise film. Certainly, Burton and Nolan's backgrounds were important—if not the most important—factors in how the films were assessed, and they clearly played a shaping role in how the films were constructed, marketed, and received. Yet, Schumacher's first *Batman* film, *Batman Forever*, performed well at the box office and even received some middling to ecstatic reviews from critics and fans who felt that *Batman Returns* took the franchise in the wrong direction. He hardly seems to merit the vehement backlash he has received since *Batman and Robin*, if only based on the performance of *Batman Forever*. Perhaps the backlash was not just about the quality of *Batman and Robin*, or even its ties to queerness, but about what it said about the industry at large and the role of the director within it. As discussed previously, besides the *Batman* franchise, franchises in the 1990s had a hard time sustaining themselves, often petering out after a second, much less successful film. Schumacher's second *Batman* effort ties into these other would-be-franchises, all of which were deemed guilty of trying too hard to emulate a successful formula without adding any nuances, and which were seen as much more commercially driven than their previous entries. Even though Burton's second *Batman* film was also a disappointment at the box office, the critical reception of the film ultimately salvaged both the franchise and the filmmaker.

While both Burton and Nolan were presented as auteurs in reference to their *Batman* films, unquestionably their work was the result of a commercial filmmaking

environment which encouraged their personal expression. This is not to say that there were not contradictions between the studio's commercial imperatives and their artistic sentiments, either in the production process or in the films themselves. But it is to say that by working in such a highly commercial form of filmmaking—the blockbuster, and more specifically, the franchise film—their films still had to meet certain criteria by the studio, just as Schumacher's films did. All of their films were a larger part of the Batman property, shaped by a variety of personnel from comic books to the 1960s television show to the 1980s graphic novels. Their films also circulated within a larger community of fan expectation and appreciation. While they may be viewed as the auteurs of the *Batman* film franchise, they are only a part of the bigger system of *Batman* and authorship.

Chapter Seven: Adapting the Property into a Film Franchise: Collaborative Authorship and *Batman*

It's amazing what an excellent cast, a solid screenplay and a regard for the source material can do for a comic book movie. . . .Mr. [Christopher] Nolan approaches Batman with respect rather than reverence. It's obvious that Mr. Nolan has made a close study of the Batman legacy, but he owes a specific debt to Mr. [Frank] Miller's 1980's rethink of the character, which resurrected the Dark Knight side of his identity (Dargis, "Dark").

Every *Batman* film presents some version of the credit "Based on Batman Characters Created by Bob Kane," an assertion of the comic artist's authorship of the property.¹¹⁴ While Kane has been, and continues to be, presented as the original creator and shaper of Batman, he is hardly the only author in the property's nearly seventy year history. Writers such as Alan Moore and writer/artists such as Frank Miller have also had a profound impact on the direction of Batman. Nor is Kane the only author in Batman's early history. Comic books by their very nature are a collaborative medium. While writers, artists, and editors are clearly instrumental in the direction of a comic, letterers, colorists, pencillers, and inkers are also important in shaping the look (Brooker, 266-279).¹¹⁵ In the introduction to Volume Two of *Batman: Hush*, artist Jim Lee stressed the collaborative nature of the medium: "It's true most comics are collaborations. All the creators have simple, clean titles under their names—writer, penciller, inker, letterer, colorist. But the truth is that we all are stepping on one another's toes, pitching in our two cents, sometimes—well, most times unsolicited" (*Batman: Hush*).

¹¹⁴ The credit is a bit different in *Batman Begins*. It states: "Batman Created by Bob Kane." Unlike the other *Batman* films, no credits appear onscreen until the end of the film.

¹¹⁵ Pencillers draw the image in pencil, while inkers outline the drawings in black ink. Letterers draw the text which is read in the panels of the comic book. Finally, colorists provide color to the black and white art. Early comic book production separated all of these aspects so the work could be done more quickly. With contemporary comic books, some (or all) of these jobs can be combined.

As collaborative authorship is necessary in the making of comics, it is also a required aspect of the filmmaking process. Most critics and scholars privilege the “Myth of Solitary Genius”—the auteur—and tend to denigrate films that appear to be made via committee (Stillinger). Franchises, because of their inherent commercial nature, are often described as the worst offender of the film-by-committee syndrome, as studio executives, merchandisers, and even tie-in partners may have a say in a film’s construction. While the contributions of certain artists like the cinematographer or composer may be acknowledged, even championed on their own merits, discussions of film as an art form tend to hinge on notions of the director as the sole author. In *Convergence Culture: Where Old and New Media Collide*, Henry Jenkins argues that a franchise like *The Matrix* offers a foundational case study for collaborative authorship in its attempts to present “the full aesthetic potential of transmedia storytelling” (97). Although the Wachowski brothers were responsible for the franchise’s foundation—developing the original idea, directing the three films, and producing content for the franchise’s other media iterations—a number of other collaborators were instrumental in shaping the world of *The Matrix*. Argues Jenkins:

If all they wanted was synergy, they could have hired hack collaborators who could crank out the games, comics, and cartoons. . . . By contrast, the Wachowskis sought animators and comic-book writers who already had cult followings and were known for their distinctive visual styles and authorial voices. They worked with people they admired, not people they felt would follow orders (108-109).

In other words, the Wachowskis’ collaborators—the artists who contributed to *The Animatrix* DVD and the *Enter the Matrix* videogame, as well as content for the Web—demonstrated their own personal styles that meshed within the larger world of the franchise. In Jenkins’ view, the fans were also part of the collaborative process, since no one individual could understand the franchise due to its “depth and breadth;” indeed, he

argues that “the emergence of knowledge cultures made it possible for the community as a whole to dig deeper into this bottomless text” (127).

Although the texts themselves may be dense and offer significant breadth, ultimately *The Matrix* franchise has a short history compared to other franchises operating in contemporary Hollywood, like the *Batman* franchise. The *Batman* films do not exist in a vacuum but rather within a multimedia history that stretches back to before World War II and encompasses several media: comic books, television, merchandising, and graphic novels, to name but a few. Although the directors may be credited (or discredited, in the case of Joel Schumacher) as the artists behind the film franchise, ultimately what emerges on screen is not only part of the directors’ oeuvres, but also part of a larger ongoing text about Batman. The degree to which each of the *Batman* films incorporated aspects of the Batman property is thus an important consideration of the films’ success. According to Paul Levitz, the current President of DC Comics, there are three intersecting rings that contribute to any Batman property: the aspirational experience, the expected moments, and the creative interpretation (Graser, “The ‘3 Rings,’” 106). The aspirational experience refers to the audience’s understanding of and relation to the Bruce Wayne/Batman story. The expected moments include the gadgets, characters, and settings that are known of the Batman universe, and have been established by authors such as Bob Kane, Dennis O’Neil, Frank Miller, and Alan Moore, among others, over the character’s seventy year history—in other words, Batman’s overall mythology and iconography. Finally, Levitz argues that new aspects have to be brought to the property; however, any additions must work in relation to the other two circles. While DC Comics does not have any final say over film versions of the Batman story, they often work in conjunction with the filmmakers to create films that not only fit into the universe, but also add new dimensions to that universe. According to Levitz:

We're all part of the same company and trying to achieve the same goal: a wonderful Batman film that will delight old fans and make new fans. So there's no complicated contractual language ruling the creative process between us. . . We have the right to be consulted, the right to warn. We're happy to be part of the process. It's just old-fashioned teamwork (qtd. in Graser, "The '3 Rings,'" 106).

Levitz's comment stresses that any new Batman story is a combination of the classic aspects that have made the comic book popular for so long and newer visions of the character and his universe in order to reach new fans, and to surprise the longstanding ones. In Levitz's view, thus, there is room for multiple authors with differing interpretations to shape the history of the character.

While Tim Burton's and Christopher Nolan's films may be seen as more in line with the dark roots and the history of Batman, Schumacher's films were more in line with the campy television show of the late 1960s. Will Brooker argues in *Batman Unmasked* that in terms of Batman fandom, "light and dark, TV and comic book, continue to attract different groups of fans and embody mutually exclusive associations, and never the twain shall meet" (242-243). However, one of these paths seems to have become the more "authentic" version of Batman as negotiated by fans, scholars, and critics alike. The dark version, helped in part by the popularity of the graphic novels by Frank Miller and Alan Moore, among others, in the 1980s, has been deemed the "official" or "authentic" version of the property by many in the fan community, while the television show tends to be described as an "aberration" (Brooker, 175). As *New York Times* film critic Manohla Dargis claims in the quote presented above, a "respect" for Frank Miller's version of Batman helps establish *Batman Begins* as a film worth watching because it drew from what she considered to be appropriate Batman source material. Thus, the receptions to the *Batman* films were not only based upon the direction exercised by Burton, Schumacher, and Nolan, but also how the films reflected the negotiated terms of the Batman property as a whole. In this chapter, I examine the idea of an "authentic" Batman

that has emerged not just from the directorial authors specifically, but through a combination of historical, industrial, and popular factors. In this regard, the films must not only be seen as the product of specific (directorial) authors, but as the product of a collaborative process of art.

COMIC ADAPTATIONS: BATMAN AND ITS LEGACY OF AUTHORS

Adaptations from comics not only have the interest of active fan communities, but also the recognition of the property by a mass audience, two ingredients that are especially intriguing for Hollywood studios. Since the success of Warner Bros.'s *Superman* and *Batman* franchises in the 1970s and '80s, comics have become a rich source of blockbuster films. Many of the most popular, ongoing comics have translated to box office success as well. The three adaptations of Spider-Man—Sam Raimi's *Spider-Man* (2002) and its two sequels, *Spider-Man 2* (2004) and *Spider-Man 3* (2007)—together have grossed over \$1 billion domestically and over \$1.3 billion internationally, while the three X-Men films—Bryan Singer's *X-Men* (2000) and *X2: X-Men United* (2003), as well as Brett Ratner's *X-Men: The Last Stand* (2006)—together have grossed over \$600 million domestically and an additional \$600 million from international markets, making them two of the most profitable franchises operating in contemporary Hollywood. Indeed, in nearly every year since the release of *Batman* in 1989, at least one comic adaptation has been in the top ten films at the domestic box office (see Table 15 below). The summer of 2008 features the theatrical release of five comic book and graphic novel adaptations (*Iron Man*, *The Dark Knight*, *The Incredible Hulk*, *Wanted*, and

Table 15: Film Adaptations of Comics¹¹⁶

Year	Film	Domestic Gross (in millions)	Rank for Year	Foreign Gross (in millions)
1989	<i>Batman</i>	\$251	1 st	\$160
1990	<i>Teenage Mutant Ninja Turtles</i>	\$133	6 th	\$67
	<i>Dick Tracy</i>	\$104	7 th	\$59
1991	<i>Teenage Mutant Ninja Turtles 2</i>	\$79	10 th	
1992	<i>Batman Returns</i>	\$163	2 nd	\$104
1994	<i>The Mask</i>	\$119	8 th	\$232
1995	<i>Batman Forever</i>	\$184	1 st	\$153
	<i>Casper</i>	\$100	6 th	\$188
1997	<i>Men in Black</i>	\$250	1 st	\$339
	<i>Batman and Robin</i>	\$107	9 th	\$131
2000	<i>X-Men</i>	\$157	6 th	\$139
2002	<i>Spider-Man</i>	\$404	1 st	\$418
	<i>Men in Black 2</i>	\$190	8 th	\$251
2003	<i>X2: X-Men United</i>	\$215	6 th	\$193
2004	<i>Spider-Man 2</i>	\$373	2 nd	\$410
2005	<i>Batman Begins</i>	\$205	9 th	\$167
2006	<i>X-Men: The Last Stand</i>	\$234	3 rd	\$225
	<i>Superman Returns</i>	\$200	5 th	\$191
2007	<i>Spider-Man 3</i>	\$337	1 st	\$555
	<i>300</i>	\$211	7 th	\$246

Hellboy 2: The Golden Army) and one from manga, the Japanese version of the comic book (*Speed Racer*), and at least one of these films will likely be in the top grossing films for the year.

Superhero comics, in particular, fit neatly into the Hollywood blockbuster mold. With heroic characters (and vibrant villains) suitable for the biggest Hollywood stars, long and evolving narratives ideal for sequels, and gadgets perfectly fitting for merchandising opportunities, films based on superheroes have been the most popular and

¹¹⁶ Films included in this chart are direct adaptations from comic strips, comic books, and graphic novels. However, several other films were significantly based on or influenced by these forms, including *The Incredibles* (2004), which grossed \$252 million domestically and was fourth for the year, and *The Matrix* franchise.

profitable of the comic adaptations. In addition to Superman, Batman, Spider-Man, and the X-Men, recent superheroes on-screen have included the Punisher, the Fantastic Four, Spawn, Blade, and Daredevil. While superhero adaptations have been especially popular material for Hollywood franchises, they are not the only comic genre being produced into theatrical releases. Adaptations of child-focused comic strips, such as *Casper* (1995) and *Richie Rich* (1994), court the juvenile market while adaptations of more adult-oriented graphic novels, such as *Sin City* (2005) and *From Hell* (2001), feature the explicit violence and nudity (often) characteristic of the format. These films' bevy of stars—from Christina Ricci in *Casper* to Macauley Caulkin in *Richie Rich*, from Bruce Willis in *Sin City* to Johnny Depp in *From Hell*—indeed fit the typical conventions of the blockbuster genre.

Although the term “comics” is useful as an umbrella for the medium, there are important distinctions within the medium itself which affect how they are adapted into films. In *Understanding Comics: The Invisible Art*, Scott McCloud defines comics as “juxtaposed pictorial and other images in deliberate sequence, intended to convey information and/or to produce an aesthetic response in the viewer” (9). Comic strips appear in newspapers and other media as a short sequence of panels that tend to set-up and complete a gag, such as in *Garfield* (1978-present), or provide a short chapter in an ongoing adventure serial, like *Dick Tracy* (1931-present).¹¹⁷ Comic books are much longer in duration, usually the size of a small magazine, are published in regular intervals, and tend to feature a complete narrative, although they may end with cliffhangers. Graphic novels are the prestige format of comics, arising out of the “aesthetic and political attributes of the underground comics of the 1960s and the

¹¹⁷ Both of these comic strips have been adapted. *Garfield and Friends* aired on CBS Saturday mornings from 1988-1995. The film adaptation *Garfield: The Movie* was released in 2004, and grossed nearly \$200 million worldwide. A sequel, *Garfield: A Tail of Two Kitties* was released in 2006, and grossed over \$140 million worldwide. Warren Beatty directed an adaptation of *Dick Tracy* released in 1990.

economic stability and narrative continuity of mainstream comic book companies like Marvel and DC” (McAllister et al., 112). Graphic novels tend to be longer in duration, sometimes bundling multiple issues of a comic book into one novel, feature more adult material, and present innovative means for telling and visually presenting the story. Like the Hollywood film studios did with independent film subsidiaries, the major comic publishers have created divisions that specialize in the production of graphic novels. DC Comics’ division Vertigo was created in the 1990s “as a venue for material of a more mature and sophisticated nature that did not fit easily with the traditionally superhero-dominated mainstream comics” (DC Comics).

Hollywood studios have also begun to create adaptations of comics more in line with the conventions of art and independent cinema than that of blockbuster movies. Both *A History of Violence* (2005), which was originally a graphic novel published by Vertigo, and *Road to Perdition* (2002), which was a series of graphic novels released by DC Comics division Paradox Press, feature moody atmospheres, dark themes, and stylistic signatures prevalent in art cinema. Although both films feature stars (Viggo Mortensen, Ed Harris, and William Hurt in *A History of Violence* and Tom Hanks, Daniel Craig, and Paul Newman in *Road to Perdition*), their narratives are not readily open to the sequel possibilities, nor the merchandising opportunities, typically seen in Hollywood comic adaptations. Rather, they are dramas that address serious issues, particularly in relation to violence and family, elements more often witnessed in the art cinema than within the blockbuster. In part because of their subject matter, both films fared well critically. In her review of *A History of Violence*, Manohla Dargis claims that the film succeeds because it “tak[es] aim at our violence-addicted cinema, those seductive, self-heroicizing self-justifications we sell to the world,” while Stephen Holden of the *New York Times* claims that *Road to Perdition* exudes “a profound moral ambiguity” about the

righteousness of violence, both of which are perspectives that counter the typically violent conventions of the blockbuster (“Once Disaster,” E1; “A Hell,” E1). *Road to Perdition* received six Academy Award nominations, while *A History of Violence* received two.¹¹⁸ Thus, adaptations of comics, in whatever form, lend themselves not only to the blockbuster, but also to the conventions of independent film and art cinema.

As this brief inventory indicates, the number of Hollywood studio projects which are adaptations of comics has grown considerably since *Batman*, and now include a range of subjects from the superheroes typically identified with the medium to the darker themes expressed in graphic novels such as *A History of Violence*. Correspondingly, *Batman Begins* drew heavily from the graphic novel format, particularly in terms of its dark subject matter and visual presentation. Kenneth Turan, in his review for the *Los Angeles Times*, suggested that *Batman Begins* “brought the franchise back to its modern origins. That would be the appearance in 1986, three years before the first Tim Burton film, of Frank Miller’s somber and ominous graphic novel ‘Batman: The Dark Knight Returns’” (Rev. of *Batman Begins*). Julian Darius’s book, *Batman Begins and the Comics*, chronicles the film in terms of its ties to the larger Batman mythology. In Darius’ opinion, the film is “A faithful adaptation of the Batman mythos. . .and succeeds in large part because of its knowledge of the almost seventy years of writers and artists who have worked on Batman in the past, refining the character and his origins” (1).

In regard to the film franchise, the previous authors of the comic books, graphic novels, and even the 1960s television show had a significant impact on the final films, even if these authors were nowhere near the set when the films were in production. However, some of these contributions were seen as more influential in the shaping of the

¹¹⁸ *Road to Perdition* received Academy Award nominations for Best Sound Editing, Best Sound, Best Original Score, Best Art Direction, and Best Supporting Actor (Paul Newman). The film won the Academy Award for Best Cinematography. *A History of Violence* was nominated for Best Supporting Actor (William Hurt) and Best Adapted Screenplay.

Batman property than others. Brooker suggests that this is, in fact, not a process new to the film franchise. In relation to the 1960s television show, certain aspects of the Batman mythos were seen as essential, while others—such as his title as the Dark Knight—were less important to his construction:

It is intriguing to see which aspects of the character were regarded by DC as sacrosanct and which were open to change during this historical moment—Batman could be portrayed as a pedantic buffoon, as long as he never turned to crime—though again we should bear in mind that the comic books of the early 1960s had already embraced elements of comedy, dual address, and self-consciousness (186).

Since the arrival of the graphic novels by Moore, Miller, and others in the 1980s, depictions of Batman as dark and brooding have been the authentic version of the character and the lighter, more campy Batman has been viewed as the bad object. As Burton and Nolan have been inspired by the more canonical Batman texts such as *Batman: Year One* and *The Killing Joke* favored by fans and artists, Schumacher's films were inspired by the post-War era of the comic book and the 1960s television show, both of which tend to be disfavored in the contemporary comic environment. While they draw from different source materials, the five *Batman* films each present an updating of the foundational texts in Batman's history, shaped by the films' directors and other important collaborators.

The Influence of Early Batman Authors and Texts

As the primary artist for the Batman comics from 1939 until 1966, Kane's name is synonymous with the character's creation. Because he is acknowledged as the creator of the Batman comic, Bob Kane's presence on the set of *Batman* as well as an appearance in the film itself was an important way to validate the 1989 film as part of the comic's original lineage. Kane was credited as a project consultant for the film, and in a

marketing piece, *On the Set with Bob Kane*, Kane claims that “I envisioned Gotham the way I see it now at Pinewood. They’ve got every brick and building and cornerstone here. It’s just marvelous.” As a further testament to his validation of the film, a drawing of Kane’s even has a cameo in *Batman*. When reporter Alexander Knox returns to the newsroom after asking the mayor whether he has a file on Batman, he is harassed by his colleagues, including the cartoonist for the paper. The cartoonist hands Knox a picture of a bat dressed up in a suit; the drawing is noticeably signed by Bob Kane. Will Brooker argues in *Batman Unmasked* that without the appearance of Kane’s cooperation and involvement, fans would not have supported the film, particularly as the film prepared for production: “With Kane as consultant, Warners had the stamp and approval of the ‘creator’; without him, they could have earned themselves another aggrieved and bitter enemy who might well have swung the opinion of the comic fans and press even more vehemently against the motion picture” (*Batman Unmasked*, 285).

Kane’s value in the history and creation of Batman is without question, but it is important to point out that his contributions were never solitary, even in the original comic book line. He had help in creating the main attributes of Batman’s look and narrative from the character’s onset. Kane was the original artist for the comic book, and is credited with coming up with the original Batman idea. However, Bill Finger was the writer for the original comic for several years and a number of the key concepts of the Batman universe actually came from him, including the names Bruce Wayne and Robin. Because of DC Comics’ vested (commercial) interest in only naming a single author, it is only in recent years that Finger has been acknowledged publicly as the co-author of Batman. Finger advised Kane on Batman’s costume—including the colors, the inclusion of a cape, and the use of a hood with eye slits, rather than solely a mask—for the first issue of *Detective Comics* which featured Batman, while Gardner Fox, another writer for

the comic, created the Batarang—Batman’s bat-shaped throwing device—later in 1939 (Brooker, *Batman Unmasked*, 43 and 52). Through the 1960s, Kane’s name remained on the comic book as the author, serving as a veritable trademark, even in issues in which it was clear he had not done the drawing. For Brooker, “it is impossible to discern the various hands at work behind the ubiquitous signature ‘Bob Kane’, which was stamped on every Batman product until the mid-1960s” (*Batman Unmasked*, 52). Early comic books, thus, often subsumed a variety of (potential) authors under one name, making their contributions less clear in the comic’s overall history.

Unlike his authorship with the comics, at least in the early years of Batman, Kane’s contribution to the 1989 film was never direct. Although Kane was a visible presence on the *Batman* set, critics and fans believed that he had little influence overall on the direction of the franchise in his role as a consultant. However, Kane did have an active presence as a consultant at least on the first film, as he had access to drafts of the script during the pre-production phase of *Batman*, and he commented on them on numerous occasions. In a September 1988 letter to screenwriter Warren Skaaren, he recommended several changes to the most recent version of the script and suggested important aspects of the Batman character needed to be considered, including Batman’s resistance to the use of firearms and the changes in register between Batman’s and Wayne’s voices (Kane, “Letter to Skaaren,” 2). He also objected to what he described as acts that were “demeaning to Batman’s macho image in his bat costume,” which included insults that referenced Batman as a “fucking mouse in drag” (Kane, “Letter to Skaaren,” 2). While his may not have been the most powerful voice on set, Kane’s support and input was indeed important to the film’s overall image of being faithful to the character’s history. Batman never carried a gun in the film, and most of the actions to which Kane objected were removed during the pre-production process. In a 1990 interview with

National Public Radio, he stressed that he loved the final result: “It was very true to the roots of Batman, the way I started it. . .the dark, brooding Batman that I created in the early years. I love the campy version, but I really prefer the dark, brooding version” (Kane, Interview with Terry Gross).

Kane not only worked as a consultant on the first film, but also on *Batman Returns* as well as both Joel Schumacher-directed *Batman* films, even having a chair next to Schumacher’s on the set.¹¹⁹ Kane’s wife, Elizabeth Sanders Kane, claimed that her husband preferred the lighter touch seen in *Batman Forever* to the utter darkness seen in *Batman Returns*: “Bob thought that because the second one was a . . .perhaps, at moments, a little too dark, than the third one should be a little more upbeat. Not like the television show by any means, but, but a little bit more lighter, brighter, than the second one” (qtd. in *Shadows of the Bat Part 5*). While Kane may have preferred the lighter tone of the third film, he disagreed with certain aspects of the costuming. Indeed, Jim Carrey claimed that the nipples on the Batsuit “pissed off Bob Kane. . . .Kane was walking around going, ‘I never put nipples on a Batsuit. Whoever heard of nipples on the Batsuit?’” (qtd. in Bibby, 56). While he may have had a seat next to the director’s, Kane did not have equal influence on the production in his role as a consultant. However, his inclusion on the set even with the fourth film reinforced his importance to the franchise, at least in a ceremonial fashion.

In several interviews, Schumacher referred to his take on the franchise as one of making “a living comic book” (see Bibby, 55; Busch, “Batman Makeover,” 1; *Riddle Me This*). According to executive producer Michael Uslan, *Batman Forever* drew significantly from the mid-1940s through 1950s era of the comic book, which focused on the fun-filled exploits of Batman and his ward, Robin:

¹¹⁹ Kane’s wife, Elizabeth Sanders Kane, also had a cameo in both Schumacher films as Gossip Gerty.

I thought that *Batman Forever* clearly captured that 1940s, early 50s era of Batman comics. Bill Finger used to write these great stories about Batman fighting villains jumping from the keys of a giant typewriter that was on display at some world's fair or wherever. . . .Batman and Robin were fighting together for the first time. The Riddler made his first appearance in the comics around that time. So, everything began to change and I think that *Batman Forever* did capture that era of the comic books successfully (qtd. in *Shadows of the Bat Part 5*).

Indeed, the Riddler's lair shown in *Batman Forever* provides a similar mise-en-scène as described by Uslan in which Batman and Robin fight their enemies in oversized environments. Batman seems miniscule next to the glass tubes, metal structures, and enormous curved walls that accentuate the Riddler's hideout. Schumacher's second film drew primarily from the 1960s comics and television show, which often placed Batman and Robin into outlandish situations. In the 1966 feature film based on the television series, *Batman*, Robin conveniently hands Batman a can of Anti-Shark Repellant when a hungry shark attacks him as he tries to climb a ladder up to a helicopter. Similarly, in *Batman and Robin*, the two heroes conveniently click their feet together in order to reveal ice skates at the bottom of their boots, needed in the film's opening museum sequence since Mr. Freeze has rendered the museum's floors ice-covered. Outlandish situations such as this and the gags used within these moments brought *Batman and Robin* more in line with the campy television version of Batman seen in the late 1960s.

The Influence of the 1970s and '80s Batman Authors and Texts

Dennis O'Neil, who was a comic book writer for Batman in the 1970s and the editor of the Batman line throughout much of the 1980s and '90s for DC Comics, was a key individual who significantly shaped Batman during the post-television show period. One of O'Neil's roles as editor was to develop a Bat-Bible of acceptable aspects of the character and his history. The function of the Bat-Bible was to keep consistency for the

character across the many comic lines in which he appeared, which was an important consideration of Batman's most avid fan base. According to O'Neil, consistency was upheld "By giving people a bible which sets limits and by looking at the material. If Bats [Batman] is doing something totally out of character then the writer will be asked to rewrite the story. It's as simple as that" (qtd. in Pearson and Uricchio, 24). Burton, Skaaren, Jon Peters, and Peter Guber paid little attention to O'Neil's Bat-Bible during the making of *Batman*, often contradicting significant aspects of the acquired history, such as Jack Napier's involvement in the Waynes' deaths rather than Joe Chill. According to Brooker, "The *Bat-Bible* has its limits, and those limits end when DC Comics ends and Warner Brothers [sic], the overarching conglomeration, begins. There can be no continuity enforced between DC's comics and Warners' films" (279). Thus, while O'Neil had a significant amount of control of the Batman character in comics, he had little power over controlling the character in his film incarnations.

However, O'Neil's impact on the film can be seen more indirectly. As editor of the Batman line, he oversaw the publication of Frank Miller's *The Dark Knight Returns* and *Batman: Year One*, as well as Alan Moore's *The Killing Joke*. In 1988, he decided to have fans vote by calling a 1-900 number on whether or not Robin would be killed by the Joker in an upcoming issue of the comic, a macabre publicity stunt that befitted the darker version of Batman prevalent in the 1980s. The result, four comic book issues later assembled to form the graphic novel *A Death in the Family*, was the killing of the crime fighter, not to mention significant press exposure. In fact, it was the killing of Robin in the comic books that helped Burton and Skaaren convince executives at Warner Bros. to keep Robin out of the feature film script: "The timing was very helpful in convincing Warners [that] Robin didn't matter"¹²⁰ (Burton qtd. in Jones, 61). In turn, each of these

¹²⁰ Of course, the Robin in the contemporary comic book line was not the same person as would have been in the film. In the comic line during the 1980s, the original Robin—Dick Grayson—had become

versions of Batman created an environment that was agreeable to a dark direction in the film franchise.

In fact, O'Neil's collaboration with artist Neal Adams in the 1970s is credited with moving the Batman comic books from its campy late-1960s incarnation to the darker environment which characterized the 1980s. O'Neil's background as a journalist served the comic well, as he and Adams attempted to bring more realism into the Batman plotlines and artwork after the campiness found in 1960s comic books and the television show. During the 1970s, O'Neil and Adams created Ra's al Ghul (one of the villains in *Batman Begins*) as an eco-terrorist who sees Bruce Wayne as an equal. His motives are not completely evil; he wishes to rid the world of an excessive population in order to restore balance to the Earth through his League of Assassins. His overarching goal, thus, was more global than the traditional stable of Batman villains, who tended to have more personal goals or were just crazy, like the Joker. According to Adams, Ra's was an attempt to find a credible match to Batman's abilities:

We wanted to create a character that was Batman's equal, but evil, like Moriarty is the evil equal of Sherlock Holmes. . . . This is not somebody that's crazy, like The Joker. . . . Batman has a lot of trouble with Joker, but he's not the Batman's mental equal. . . . [The Joker] doesn't represent a challenge to Batman that he has to push himself to the extent of his abilities to overcome. [Ra's makes] Batman search his own moral faculties (qtd. in McCoy, C1).

O'Neil's and Adams' work is clearly important to the foundation of *Batman Begins*, and the Ra's storyline was also a movement towards the darker comic book themes and graphic novels which would become prevalent in the 1980s. A 1980s comic written by O'Neil, with Dick Giordano as artist, was also an important source text for *Batman Begins*. The 1989 release of "The Man Who Falls," as part of the *Secret Origins of the*

emancipated from Batman and emerged as the character Nightwing. The Robin that was killed by the Joker was Jason Todd, who had replaced Grayson as Batman's sidekick. Todd was never popular with the fan base of the comic, which made his killing less of an issue for many fans. The film version would have been the Grayson Robin, and harkened back to the origins of the character from the 1940s.

World's Greatest Super-Heroes series by DC Comics, inspired not only Bruce's fall into the cave at the beginning of the film, but also Bruce's relentless wandering around the globe. O'Neil and Giordano's story was one of the few to look at this period of Bruce's life, and this issue had a significant impact on *Batman Begins*.¹²¹

While O'Neil was the editor for the Batman line at DC Comics, he oversaw the production of two of Frank Miller's most important Batman works: *The Dark Knight Returns* (1986) and *Batman: Year One* (1987). Miller later worked with director Darren Aronofsky on an adaptation of his graphic novel *Batman: Year One*, a version that subsequently fell apart because they could not adhere to the studio's firm PG-13 rating. However, Miller's influence on the *Batman* franchise is not solely based on the failed adaptation of one of his works during the franchise's hiatus. Miller's *Batman: The Dark Knight Returns* featured the murder of Bruce Wayne's parents by focusing on Martha's pearl necklace in close-ups—a new version of this longstanding moment that is seen subsequently in *Batman*, *Batman Forever*, and *Batman Begins* (see photos 1 through 6 in Appendix 9 for a comparison). Most importantly, *Batman: Year One* was the primary source text for *Batman Begins*. Miller's graphic novel was one of the few Batman stories to deal with Bruce Wayne's initial metamorphosis into Batman, as it chronicles him in the year following his return to Gotham City after a significant time training abroad. The novel also intertwines the narrative of Batman's growing friendship with Jim Gordon, a young police officer trying to combat the corruption he sees everywhere in Gotham's justice system. According to *Batman Begins* screenwriter David Goyer, the use of material from *Batman: Year One* had to be tempered with more family-friendly elements in the final film:

¹²¹ Indeed, "The Man Who Falls" was one of the three stories packaged with the *Batman Begins* DVD. The other two stories were Batman's introduction in 1939 by Kane and Finger, and an excerpt from writer Jeph Loeb and artist Tim Sale's *The Long Halloween* (1996-97), which develops Carmine Falcone, one of the villains seen in the film.

My favorite depiction of Batman has always been Frank Miller's *Batman: Year One*. We knew we wanted to draw a lot of inspiration from that. But, the flip side of that dilemma was Warner Bros. They were understandably nervous. They didn't want us to tell a Batman story that was so dark it would alienate the larger, non-comic book audience. It was definitely a balancing act (Goyer, 44-45).

Batman's sonic summoning of the bats while cornered in Arkham Asylum as well as the rooftop conversation between Gordon and Batman regarding the Joker at the end of the film are direct references to Miller's graphic novel. The spirit of *Batman: Year One* also is particularly apparent in Gordon's story, as an honest cop who can barely function within the corrupt Gotham police department. *Batman Begins* gives several glimpses of Gordon's struggle, including watching his partner, Flass, extort money from one of Gotham's powerless shop owners.

Alan Moore's *The Killing Joke* (1988) is another graphic novel that has had a tremendous impact on the Batman mythology. *The Killing Joke* was inspirational to the portrayal of the Joker in *Batman*, and is rumored to be a major source for Nolan's second *Batman* film, *The Dark Knight*, scheduled for release in 2008. Although the Joker's origin story had been told before, Moore's novel gave a sympathetic back story that made the villain a more three-dimensional character rather than just a psychotic. *Batman* uses a similar narrative device as *The Killing Joke* in that the persona of the Joker is created when he falls into a vat of nuclear waste after a botched job at the Chemical Factory, although admittedly under different circumstances. According to Burton, the look and psychology of the graphic novel were used as a source text, particularly in regard to the Joker:

And the thing I liked about *The Killing Joke*, it was very visual. It was almost like boards for a film, you know, it had a filmic quality to it. And, the, if I recall correctly, the writing was sort of minimal and it was, it was just more cinematic to me that way. And so. . . I liked the seriousness of it and the psycho, psychology of it and all. So it probably had, you know, there was some inspiration for me in those things (qtd. in *Batman* Audio Commentary).

Indeed, several shots of the sequence where the Joker falls into a vat of acid are similar to images in Moore's novel (see photos 7 and 8 in Appendix 9). The Joker of the graphic novel engages in heinous acts, including the leading of a naked Gordon around by a leash and taking photographs of his bleeding, paralyzed daughter, which the Joker later shows to Gordon. While these were not quite the family-friendly elements the studio was looking for in a PG-13 film, the Joker of the film does engage in several disturbing acts, including the electrocution of a local mob boss via a joy buzzer, the stabbing to death of another mob boss with a ridiculously long quill pen, and the murder of countless Gothamites through tainted health products. In Hamm's original screenplay, the Joker even sends Vicki Vale a bouquet of severed ears (ultimately replaced in the final film version with a severed hand holding dead flowers). While not specifically depicted in *The Killing Joke*, these acts in the film are inspired by the novel's no-holds-barred view of the Joker's actions.

Matt Reinhart argues in the preface to his book, *The Batman Filmography: Live-Action Features, 1943-1997*, that "Generally speaking, the live-action Batman films produced to date have been fairly independent of Batman's comic book origins" (1). Certainly, *Batman Begins* was calculated to be more representative of the graphic novel aspect of the Batman mythology than previous iterations of the franchise. However, as I have made clear in this section, it was not the franchise's first attempt to work closely with the comic's history, and it is a mischaracterization to label *Batman Begins* as the first Batman film that attempted to stay true to those roots. In their own way, the productions of both Burton's and Schumacher's films did exhibit direct ties to previous Batman texts. However, assessments of how these productions related to the overall Batman property have varied significantly based on whose contribution was used as a base.

In particular, Schumacher's campier take on the character has been the object of ridicule with the comics community itself. In the "Legends of the Dark Knight" episode of *Batman: Gotham Knights* (1997-1999), several children discuss which is the "true" version of the Batman, and their different versions include Kane's and Frank Miller's. The children come upon an acquaintance named Joel, standing in front of the Shoemaker Dress Shop. In his version of Batman, which he relates to the others as he strokes a fur stole, Joel claims: "I love Batman. All those muscles, the tight rubber armor, and that flashy car. I heard it can drive up walls." The children laugh at his version and say "Yeah, sure, Joel" as they leave. Joel has a striking resemblance to Joel Schumacher and Shoemaker is the English version of the name, Schumacher. Schumacher was critiqued for his display of Val Kilmer's muscles in *Batman Forever*, as well as his addition of nipples to the Batman suit. The Batmobile drives up a wall in the film, which is not out of line with the depictions of the Batmobile in the 1960s television show. For example, in the television version of *Batman*, the Batmobile features an Emergency Bat-turn lever, which releases parachutes that allow the car to make a quick 180 degree turn. Yet, Joel's version is discounted by the children and, by extension, the creators of the animated television series as well. The darker version of Batman is privileged in the episode of *Batman: Gotham Knights* described above, and it is the version most prevalent in the character's manifestations since the 1980s.

THE CONSTRUCTION OF A FRANCHISE: ISSUES OF AUTHENTICITY

While Schumacher and Nolan's direction may be placed on opposing sides of the lightness and darkness debate, including in terms of the Batman texts from which they draw, the film adaptations of the Batman mythology involved a number of other important talents who drew from these specific texts. Creative personnel, with varying

backgrounds in the tradition of Batman, re-directed the property as they worked on the film franchise. From the writers to the actors to the art directors, these contributions were essential in placing the films into the ongoing Batman universe. As a result of their contributions, there are aspects that have become new parts of the Batman universe, aspects of Batman's history which were contradicted, and aspects which solidified iconic moments in the character's development. In this section, I survey some of the key contributors to the creation of the *Batman* films and analyze how their work fit into ideas of the authentic Batman.

Although director Burton and producers Jon Peters and Peter Gruber had little familiarity with the history of the Batman property, the first film did have one important tie to the acquired Batman mythology—screenwriter Sam Hamm. Hamm was a self-described “religious reader of ‘Batman’ when I was a kid” (qtd. in Taylor White, 8). His screenplay for the (still unproduced) film *Pulitzer Prize* earned him a contract with Warner Bros. and it was in the middle of working on this project that he expressed interest in adapting Batman. Sam Hamm's original draft of the *Batman* screenplay was credited with finally sparking the film's production after years languishing about the studio. Hamm's fondness for Batman comic books kept his draft true to the character's history, but he also attempted to ground Batman within the real world. Although the screenplay did have moments of humor, Hamm explained that it was “nasty, dark humor all the way through the movie, but I don't think anyone's going to mistake it for a gagfest. The sense of humor is very dark and deadpan” (qtd. in Taylor White, 61). Indeed, the opening lines of his screenplay stressed how dark and ominous this version of Gotham was to be:

The place is Gotham City. The time, 1987—once removed.

The city of Tomorrow: stark angles, creeping shadows, dense, crowded, airless, a random tangle of steel and concrete, self-generating, almost subterranean in its aspect... as if hell had erupted through the sidewalks and kept on growing.

Because of a strike from March through August 1988 by the Writers Guild of America (WGA), Hamm was unavailable for final rewrites as *Batman* was gearing up for fall production. During this period, Hamm wrote a three-episode arc of the Batman comic, in which he introduced the character of Henri Ducard, who has a prominent role in *Batman Begins*.

In late August, after the end of the strike, Warren Skaaren—who had previously contributed to the screenplay of Burton's *Beetlejuice* (1988)—was brought in to polish the screenplay before the October 10, 1988, production start date. Through December, Skaaren also was flown out to Pinewood Studios in London to make changes to the script throughout the production process. During his work on *Batman*, Skaaren never met with or talked to Hamm about the project. Indeed, their first meeting came at the film's premiere. According to Skaaren in an interview for the August 1990 issue of *Comics Scene*, "I shook his hand that night, and when *Batman* opened and did well, we exchanged letters. I consider him a creative partner even though I don't know him" (qtd. in Jankiewicz, 65).

Particularly, Skaaren felt that Hamm's screenplay stayed too close to the character's acquired history, and his primary job was to make Batman more of today: "The BIG challenge. WHO IS BATMAN TODAY? . . . Things change. Yet I sensed that Hamm, in assembling stories from 60 years of comic books had made perhaps a too-literal translation of the stories. The screenplay needed to be made more modern" ("Statement of Contribution," 3). Over twenty pages, Skaaren's "Statement of Contribution" listed and described in detail every fundamental change he made to the

script. Indeed, Skaaren suggested that some of his changes were not entirely obvious on the screenplay page:

In addition to new scenes, new characterization and much new dialogue, a significant part of my work went into translating 60 year-old comic book concepts into modern movie drama with modern characterizations, some of which become clear only to a thoughtful professional reader (Skaaran, “Statement of Contribution,” 1).

Skaaren’s important role in the final film is unquestionable. Key lines—such as the Joker’s mantra, “Did you ever dance with the devil in the pale moonlight?”—as well as added scenes and altered characterizations of the principal characters are most definitely his contributions. Indeed, Skaaren’s addition of Jack Napier (the Joker’s alter ego, before he falls into nuclear waste) as the killer of Bruce Wayne’s parents was against the history of Batman and was a change that Hamm himself denounced. But, while it may have upset fans of the comic books, the change tied a number of the film’s threads and scenes together cleverly and efficiently—Batman’s unconscious recognition of Napier’s eyes in the Chemical Factory, which leads to his hand slipping and Napier falling into the cauldron of nuclear waste; Wayne’s recall of Napier’s mantra in Vicki’s apartment, and thus the revelation of the Joker’s connection to his parents’ murder; and the final climax where they both realize that they have “made” each other.

Skaaren’s imprint on *Batman* upset many fans for countering the official Batman history at the time, and for writing situations unfathomable in the comics. Alfred’s allowing of Vicki Vale to enter the Batcave, in particular, riled fans to the point that Burton made sure there was a line addressing their anger in the follow-up, *Batman Returns*.¹²² Screenwriter Daniel Waters had no background in comics, and *Batman*

¹²² Indeed, Bruce admonishes Alfred for allowing her in during a scene where the two discuss the security of the Batcave. In his audio commentary, Burton claims “The comment about Vicki Vale in the Batcave really was aimed at all the angry people that were angry about the first one” (qtd. in *Batman Audio Commentary*).

Returns was only his second film as a screenwriter. Waters honed a dark tone and wit on the previous film he wrote, *Heathers* (1989), which fit with Burton's vision of the next *Batman* feature. Waters' screenplay had little to do with the comic continuity for Selina Kyle (Catwoman), who was primarily represented as a cat burglar in previous iterations of the character. Nor was Waters' screenplay faithful to the history of Oswald Cobblepot (the Penguin), although Cobblepot's deformed appearance in the film has become more standard in the comic books and animated series since *Batman Returns* was released. In fact, Waters stressed that adherence to the Batman mythology was never an issue when he worked on the screenplay:

Tim and I never had a conversation about, like, hmm? What are fans of the comic book going to think? What are the people going to think? What are the sponsors who, you know, have promotions connected to the movie gonna think of this movie? We never had those conversations. We never thought about it. We were really just about the art (qtd. in *Shadows of the Bat Part 4*).

As a result, *Batman Returns* is the franchise film which has the least in common with the acquired Batman mythology. Indeed, Dave Kehr of the *Toronto Star* claimed in his review of the film "that it owes much more to 'Edward Scissorhands,' Burton's 1990 Christmas fantasy about a lonely young man with knifeblades for fingers, than it does to the comic book hero created by Bob Kane" ("Unhappy Outsiders," B1).

While *Batman Returns* faced criticism for having little in common with the Batman mythology, Akiva Goldsman received negative attention for turning the franchise towards the sensibility of the 1960s television show. Goldsman co-wrote *Batman Forever* with Lee and Janet Scott Batchler, and single-handedly wrote *Batman and Robin*.¹²³ Unlike the criticism Schumacher received for his role in the franchise, the criticism for Goldsman's contribution to both *Batman and Robin* and *Batman Forever*

¹²³ Goldsman also worked with Joel Schumacher on *The Client* (1994) and *A Time to Kill* (1996), two adaptations of John Grisham novels.

focuses on his writing abilities and not the campy, and potentially homosexual, undertones of the film. Much of the criticism of his screenplay for *Batman and Robin*, in particular, focused on the film's frequent use of puns. David Ansen of *Newsweek* thought the dialogue was too much of the focus of the writing: "Akiva Goldsman has written quips, not characters" ("The Batmobile"). Likewise, Janet Maslin related the characters with the dialogue claiming that Mr. Freeze's "deadliest weapon in the film is an arsenal of har-har puns" ("Holy Iceberg!" C1). For example, Mr. Freeze tells a museum guard begging for his life in the opening scene: "I'm afraid that my condition has left me cold to your pleas of mercy." The frequent use of puns was reminiscent of the jokey nature of the 1960s television series, in which Robin often referred to situations with the adjective "Holy," such as in "Holy Bill of Rights, Batman!" Indeed, Goldsman suggests that the fan base considers the lighter version of Batman's story that he did with both films was decidedly off-target: "There's a certain component of the fan base who will literally think I'm a personification of the other" (qtd. in *Shadows of the Bat* Part Six).

Unlike Skaaren, Waters, and Goldsman, David S. Goyer was well-versed in comic book writing as well as adapting comics to the big screen when he was selected to co-write *Batman Begins*. He was a key writer for DC Comics' *Justice Society of America* comic from 1999-2003, and he had written film and television adaptations of the comics *Blade*, *The Crow*, and *Nick Fury* before working on the *Batman* franchise. He worked closely with Nolan in adapting the film to please the hardcore fans, claiming that "Because of [my] background, I'd like to think I have a fairly good handle on what the hardcore comic fanbase will like or dislike. Chris used me as a fan barometer" (Goyer 44-45). Since the inception of the Batman persona for Bruce Wayne has been largely ignored in the comic books and graphic novels, Goyer and Nolan were able to forge new ground in the Batman mythology. They also took some liberties with the acquired

mythology; for example, they placed Dr. Jonathan Crane as a psychologist at Arkham Asylum, a position which he had never held before in the comics (Goyer, 45). Due to his background with comics, however, Goyer's changes were not seen as drastically contradicting the mythology; rather, these were changes "keeping with the spirit of Batman" (Goyer, 45).

While Goyer and Hamm, with their comic book connections, have been regarded as successfully adapting the Batman mythology for the film franchise, the writers without connections to comic books have often faced harsher criticism from fans, comic artists, and critics alike. Hamm's original screenplay for *Batman* still circulates in the fan community, and is highly regarded even though it was altered significantly by the production team and Skaaren.¹²⁴ Because of Goyer's background with comics, he is often celebrated as bringing the franchise's focus back to the darker versions of the graphic novels, versions which were eschewed in the third and fourth films. Although Skaaren's version was sufficiently dark, his taking of significant liberties with the Batman mythology caused an uproar in the fan community, even if these liberties allowed for a more classical film structure. Waters' screenplay had little to do with Batman mythology, restarting the origin stories for the film's two principal villains. Goldsman has faced criticism for taking the film franchise into the lighter, campier direction of the 1960s comic books and television show. Thus, each of these writers played an important role in the direction of the franchise, helping shape the overall mood and tone of the films

¹²⁴ Harry Knowles, the founder of Ain't It Cool News, discussed his reaction to the original Hamm script in his review of *Batman Begins*: "In May of 1988 I got the script to Sam Hamm's BATMAN and dreamt of a Batman movie that was to never be. This wasn't to be a cartoon or a tv show... but an epic Batman movie on an enormous scale. . . .When I finally saw Burton's BATMAN – I walked out of the theater depressed. It was ok. Hell, it beat the living shit of the last two SUPERMAN movies, it was even a pretty good BATMAN movie... but it wasn't a hair on the ass of Sam Hamm's script. Anyone that read that legendary draft, a script that Tarantino has been heard to say it was one of the best scripts he's ever read" (Knowles, Rev. of *Batman Begins*).

and lending credence to whether they were considerate of the acquired Batman mythology.

Authenticity of Performance: The Batman Stars

Another important factor in the adaptation of the Batman mythology was the issue of casting and performance. In a way, each of the *Batman* films served as a star vehicle, albeit more often for the actors playing the villains than for those playing Batman. In *The Star System: Hollywood's Production of Popular Identities*, Paul McDonald claims that “The star vehicle combines two methods of product differentiation: the personal monopoly of a star’s image, and the familiar conventions that establish generic expectations” (93). The casting of stars to fill key Batman roles tied not only into the stars’ own oeuvres, but also into the typical filmmaking terms of the blockbuster. In the realization of characters with a sixty-year history before them, the casting decisions for the films were an integral part of their success. In the casting process, a key question emerged: to what extent do the actors fit the roles as defined in the Batman mythology? Thus, the casting decisions became embroiled in discussions of authenticity. Some of the cast actors seemed to be personifications of the traits, body types, and psychologies of the key characters while others hardly seemed like the right fit. Others were cast specifically because of their star power, with little concern about how their casting would impact the Batman story being told. Ultimately, these casting choices regarding the use of stars impacted the direction of the franchise not only in terms of how Batman was constructed, but also how he related to the villains—often, he was at a disadvantage in terms of the narratives and marketing materials.

By the time he had signed on to star as the Joker in *Batman*, Jack Nicholson had earned nine Academy Award nominations and two wins¹²⁵, and had starred in some of the most critically acclaimed and highest grossing films of the past two decades, including *One Flew over the Cuckoo's Nest* (1975) and *Terms of Endearment* (1982). Thus, he was one of the biggest stars in Hollywood. Getting Nicholson to agree to star in the picture required producer Peter Guber, especially, to woo him with luxuries and a substantial cut of the film's grosses. But, according to the producer, it was necessary to have someone of Nicholson's caliber in order to change the critic's perception of the film as simply a comic book movie:

It changed the nature of the comic framework into a film. From a movie into a film, with the inclusion of Jack Nicholson. There was something to be discovered there by the critics and by the media, because they would find it intriguing that Jack wanted to do that (qtd. in *Shadows of the Bat Part 2*).

For executive producer Uslan, Nicholson not only garnered attention from the critics, but from other stars interested in taking a villainous role later in the *Batman* franchise:

Part of the thinking in getting Nicholson was really similar, going back to the Marlon Brando concept in the first *Superman* picture, you get such a great deal of respectability for the picture, for what you're trying to do, that, not only does that help bring audiences in from young to old, but it also makes it very attractive to other major stars to want to become the next Batman villain, to follow in the footsteps of Jack Nicholson (qtd. in *Shadows of the Bat Part 2*).

Nicholson's inclusion, thus, was seen as an attempt to validate *Batman* as a film, rather than a comic book movie, for critics and (future) stars alike.

Once Nicholson agreed to star in *Batman*, the focus of the screenplay shifted to accommodate a star of his magnitude. Regarding the August 25, 1988, draft of the screenplay, two comments in particular seem focused on Nicholson's star persona and the

¹²⁵ Nicholson won the Best Actor Academy Award for *One Flew over the Cuckoo's Nest* and the Supporting Actor Award for *Terms of Endearment*. His previous nominations included Best Supporting Actor for *Easy Rider* (1968) and *Reds* (1981) as well as Best Actor performances in *Five Easy Pieces* (1970), *The Last Detail* (1973), *Chinatown* (1974), *Prizzi's Honor* (1985), and *Ironweed* (1987).

character he was to play. The first comment was that the producers did not like the fact that Jack Napier puts black paint on his face when he goes to the chemical factory to destroy evidence: “Do we want to see JACK in black camouflage paint throughout the Ace Chemical action? There is so little of natural JACK in this movie already” (Warner Bros. and The Guber-Peters Company, 4). The second comment was that the film needed a line where Jack really becomes the Joker: “We need the scene where JACK names himself ‘the Joker’” (Warner Bros. and The Guber-Peters Company, 5). Regarding the Joker’s dialogue in Skaaren’s first draft, Michael Besman, the Vice President of Production for the Guber-Peters Entertainment Co., claimed that the

Joker’s speech should really carry more weight so it [*sic*] not merely about his demented goals, but something almost shockingly perceptive about society—the same way Van Horne’s speeches in “*Witches of Eastwick*” showed such perception regarding the battle of the sexes (Besman, 3).

Besman was making reference to Nicholson’s character in another Guber-Peters production, *The Witches of Eastwick* (1987), which had been a huge hit for the producers and Warner Bros., placing sixth at the domestic box office for 1987 with \$32 million. Fixing the screenplay to indicate a smart, perceptive Joker was particularly important since Nicholson had final script approval and was first-billed as the star of the film (Skaaren, “Datebook Diary”).

Once Skaaren began working on the screenplay, his focus shifted to making the Joker a credible character, because he was “uneasy with Hamm’s literal translation of Joker as a nutcase. Too much random action. Not enough big ideas” (“Statement of Contribution,” 18). Skaaren’s approach to the Joker was heavily influenced by philosopher Fredric Nietzsche, and during the pre-production process, he discussed this with Nicholson: “When I met with Nicholson Sept. 9, 1988, I threw a line or two of Nietzsche at him. He picked up the cue and pursued it. Surprisingly, Nicholson knew a

great deal of Nietzsche and loved my concept of recharacterizing Joker as a Nietzschean hero” (“Statement of Contribution,” 19). According to Skaaren, he and Nicholson closely worked together on the Joker’s characterization, an option he did not really have with Michael Keaton as his access to Keaton was much more limited during pre-production and the actual shoot (Jankiewicz, 49). Critics picked up on the imbalance between Keaton and Nicholson in the final film. Hal Hinson of the *Washington Post* suggested that “as thrilling as Nicholson’s work is as the Joker, Burton may be overenthralled with the character to the detriment of Keaton’s Wayne. (He may also be compensating for holes in the script.)” (Hinson, F1). Jay Carr of the *Boston Globe* had a similar reaction, arguing that “any Batman movie in which the architecture and the Joker take over is, you will gather, a bit lopsided” (“Batophilia,” 29). Even co-star Robert Wuhl, as reporter Alexander Knox, believed the balance shifted: “When Jack entered the movie, the balance of the movie started to shift a little bit. So, you wanted to you know, play to your strengths, you know. The Joker became a little bit more than he actually was in the earlier drafts” (qtd. in *Shadows of the Bat Part 2*).

Nicholson’s role in the film was well-paid, as he received a substantial backend deal. Because he received a percentage of the film’s box office grosses as well as a percentage from licensing and merchandising revenues, his paycheck from *Batman* exceeded \$50 million.¹²⁶ According to Guber, this heavy investment in Nicholson was well worth the \$50 million price tag: “Because of his presence and because of his performance and because of the weight of his, of his existence, he really made an incredible, indelible imprint on that genre, and on that film. And made a lot, I mean a lot, of money, and deservedly so” (qtd. in *Shadows of the Bat Part 2*). At the time, Nicholson’s take from *Batman* was the largest ever for an actor, a record that held for

¹²⁶ Nicholson was paid 15% of Warner’s take of the box office receipts, plus a percentage of licensing and merchandising sales.

several years. Nicholson's substantial paycheck from the film attests to his importance in the film's shaping. Because he had script approval, Nicholson had tremendous influence over the direction of the film. His increased screen time versus the main character, as well as the pre-production activity centered on the Joker, indicates Nicholson's power over the final film.¹²⁷

Nicholson's name came first in the credits, even though the title role was played by Michael Keaton. Primarily known for his comedic roles, including in the Tim Burton-directed *Beetlejuice*, Keaton's casting caused an uproar with Bat-fans. In addition to his comedic background, which many fans thought indicated a campy performance of the Dark Knight more in line with the 1960s television show, Keaton did not possess the physique associated with a comic book hero. Indeed, in a profile of Keaton in the July 1989 issue of *Premiere*, Terri Minsky describes an incident where a handyman on set failed to recognize Keaton as playing Batman even though he was wearing part of the Batman bodysuit. According to Minsky:

Without the benefit of his Bat-biceps and his pointy Bat-ears, the 37-year-old Keaton could answer the call for an ordinary guy. He isn't physically imposing. His jaw doesn't jut and his voice doesn't boom, and his muscles, though well-defined, don't strain the fabric of his clothes. With the mask, he looks solemn and imperious; without it, his face has a friendly, playful quality highlighted by Cupid's-bow lips and a mischievous arch in his eyebrows (50).

With the casting of Keaton as Batman, the film faced an uphill battle in pleasing the character's fans, as his star image and his body type were both seen as problematic.

According to Burton, however, it is precisely these two qualities which made Keaton the perfect choice for the dual role. When critiqued for casting Keaton, who did not possess the body type fans envisioned for Batman, Burton countered with the

¹²⁷ In fact, Bob Kane claimed in a 1992 interview that once the Joker was introduced in the comics, "he became even more popular than Batman" (qtd. in Jefferson Graham, D3). So the heightened presence of the Joker is not without precedent.

argument that a man of such great size would hardly need the suit in order to become a hero:

Our Batman is not somebody from another planet, he's not this mythic thing. It's very easy to go for a square-jawed hulk, but I find it much more interesting to go our way. If some guy is 6-foot-5 with gigantic muscles and incredibly handsome, why does he need to put on a batsuit? Why doesn't he just put on a ski mask and kick the crap out of people? (qtd. in Jim Miller, 68).

Likewise, Burton felt that Keaton's comedic talents were an asset to the dark character he was to portray: "Comedy really does come from anger. . . .Michael has this explosive side. All you have to do is look in his eyes and you know he's nuts" (qtd. in Barol, 72). As Skaaren was working on early drafts of his screenplay, he was told several times that Bruce Wayne was Michael Keaton, and traits like "funny," "slight bumbler," and "forgetful," were attached to the character (Skaaren, Meeting Notes). Indeed, in the release cut of *Batman*, Bruce Wayne is first introduced as he tries to put a pen into a topiary, then a glass of champagne on a wooden craps table. Alfred, his trusty butler, saves him from each faux pas.

Keaton opted out of the third *Batman* film after Warner Bros. refused to meet his salary expectations, and he was replaced ultimately by Val Kilmer. Kilmer's youth and his handsomeness, as well as his toned body, are key differences from Keaton's version of Batman.¹²⁸ Kilmer's naked torso is shown three times during *Batman Forever*, "an attempt to guarantee the veracity of the costume, and thus to assert the 'authenticity' of Kilmer and/as Bruce Wayne/Batman" after the criticism Keaton received for not having the ideal body type for the role (Austin, 140). Duane Byrge's review of the film in the *Hollywood Reporter* stressed that Batman was "svelter" in this film, while Brian Lowry of *Variety* acknowledged that "There is something to be said for having a Batman who

¹²⁸ Kilmer was 35 years old when *Batman Forever* was released. Keaton was 38 years old when *Batman* was released in 1989, and would have been 44 years old had he chosen to remain as Batman in the third film.

can be shown with his shirt off” (Byrge, Rev. of *Batman Forever*; Lowry, Rev. of *Batman Forever*). Like Keaton’s performance in the previous films, though, the costume enhanced Kilmer’s physique. Kilmer acknowledged that he did not physically train much for the role because “The Batsuit takes care of the look. It has leg muscles and arm muscles. It’s like slipping into a black Arnold [Schwarzenegger] body” (qtd. in Spillman, “Kilmer,” D2). Thus, Kilmer’s attractiveness and body were important aspects to incorporate into the film, but, like Keaton, his Batman is still noticeably enhanced.

While the film emphasizes Kilmer’s body, youth, and looks as important aspects of the character, the other differences from Keaton’s portrayal are relatively minor. In fact, several critics remarked about how little changed between Keaton and Kilmer’s portrayals. For example, Jay Carr of the *Boston Globe* believed that Kilmer’s portrayal of Batman “doesn’t differ vastly” from Keaton’s (“Wholly Hollywood,” 59). Unlike the Batman of the first two films, though, Kilmer’s Batman has a sense of humor—for example, smiling to the camera when Dr. Chase Meridian tells him that she is in love with his alter ego, Bruce Wayne. But this is more an indication of Schumacher’s new direction for the franchise than Kilmer’s handling of the character. Keaton, with his comedic background, could have delivered humorous lines as well, had the Burton films skewed in a lighter direction.

While Kilmer’s initiation as Batman/Bruce Wayne was the dominant story of the film franchise reported in the press before the release of the third film, it was again the role of a villain which seemed to dominate the discourse after the film’s release. Nicholson’s portrayal of the Joker set an important precedent for the *Batman* franchise. The villains often overshadowed Batman and Bruce Wayne in terms of screen time, narrative importance, and marketing strategies. The June 26, 1995, cover of *Newsweek* featured a picture of Jim Carrey, and the cover story is about him and *Batman and*

Forever, barely mentioning Kilmer. Just before *Batman Forever* hit theaters, it was announced that Jim Carrey would receive a \$20 million salary for his next film, *The Cable Guy* (1996), making him not only the highest paid actor at the time, but also solidifying his star status in the yet-to-be released *Batman Forever*. Carrey's star turn as the Riddler was singled out in many reviews of *Batman Forever* as both a fortunate accident (casting him before his trio of 1994 films became blockbusters, thus establishing him as a star) and a key reason to see the film. Jack Kroll's review of the film for *Newsweek* stressed that "the presence of Jim Carrey is bound to add a few blocks [to its blockbuster status]: Holy Catching a Star at the Pivotal Nanosecond of his Popularity!" ("Lighten Up," 54). In Janet Maslin's review for the *New York Times*, she claimed that "Mr. Carrey is the only performer in 'Batman Forever' who is right in his element, frantically campy and reveling in wildly jokey effects" ("New Challenges," C1). Throughout the film, Carrey thrashes around the sets, spouting one-liners. For example, the Riddler dances around the Batcave after destroying Batman's key accoutrements—including the Batmobile and his bodysuit—then exclaims "Joygasm!" with the jaunty twirling of his cane. The ridiculousness of the Riddler's scheme to steal people's brain waves perfectly suited Carrey's manic comedic style.

Like Carrey's scene-stealing performance of the Riddler in *Batman Forever*, Arnold Schwarzenegger's villainous Mr. Freeze was the primary focus in *Batman and Robin*. Indeed, Schumacher stated that it was the casting of the villains like Mr. Freeze that was key to sustaining the franchise: "The great thing about the *Batman* franchise. . .is you get new villains. . .each time" (qtd. in "Summer Preview," 51). Schwarzenegger's box office history established him as a major star, while his popularity in overseas markets was another important factor in why he was cast. Schwarzenegger himself

admitted that choosing the role was, in part, due to his own global box office considerations:

Perhaps it's because I am from overseas. . .because when I read a script one of the first questions I ask myself is whether the movie is for the entire world. For some, perhaps, Italy or Germany or Japan or Brazil may be nice places to take a vacation. For me, these are important markets with audiences seeking entertainment, just as Americans do (qtd. in Singer, *Batman & Robin*, 27).

Schwarzenegger was rumored to have been paid \$25 million for his work on the film, plus a percentage of merchandising revenues ("Schwarzenegger Gets"). Given his star status, Schwarzenegger's name was first on the credits and his face dominated the top quadrant of the film's movie poster. He also was presented first in promotional materials associated with the film. In Michael Singer's *Batman & Robin: The Making of the Movie*, a full page medium shot of Mr. Freeze is opposite the first page of content and he is featured first in the section spotlighting the cast. Warner Bros. retail stores even featured décor related to the Mr. Freeze character to tie into the film's release. The marketing focus on Schwarzenegger seemed a bit odd, given that the film was titled *Batman and Robin*, but fit into the franchise's increasing dependence upon star talent in the roles of the villains.

Although George Clooney was not a star of the same magnitude as Schwarzenegger, he was a star on television's highest rated prime-time show, the Warner Bros.-produced *E.R.* (1994 – present),¹²⁹ and he was quickly accumulating a solid roster of films as a leading man.¹³⁰ In fact, his version of Bruce Wayne was much like his *E.R.* character, Dr. Doug Ross: paternalistic in bedside manner for the ailing Alfred in the film. *Batman and Robin* was the first film in a three-picture deal the actor had secured

¹²⁹ In fact, Clooney filmed both *ER* and *Batman and Robin* at the same time. He worked on *ER* for four days, then spent the remaining three days of the week on the set of *Batman and Robin*.

¹³⁰ Clooney starred in Robert Rodriguez's *From Dusk Till Dawn* (1996), *One Fine Day* (1996) with Michelle Pfeiffer, and DreamWorks' first film, *The Peacemaker* (1997), which was filmed before *Batman and Robin* but not released until later in 1997.

with Warner Bros. for \$25 million in early 1996 (Busch and Dawtrey, 1). With all of the actors in the fourth film, particularly Schwarzenegger, Clooney believed that his role in the film hardly mattered:

I'll be overshadowed. . . . That's part of the gig, part of the deal. Batman isn't the most interesting character in the Batman projects, and I probably won't be the most interesting Batman. But I do get to work with a great director, Joel Schumacher. I get to work with some amazing actors, and I get to be part of the biggest franchise in film history (qtd. in Portman, D8).

Although he knew he would not be the star of the film, Clooney acknowledged that the film was a great opportunity to launch his film career: "You get to star in one of the biggest movies of all time, and you'll get a chance at a film career" (qtd. in Schaefer, 37). As the third Batman in four films, Clooney understood that his role, while essential, lacked the importance of the other characters in the film, particularly the villains. Indeed, a review of *Batman and Robin* in *Variety* stressed this very point: "It is difficult to think of another superhero series in which it would matter so little who plays the part, and it is indicative of the ongoing flaw in the Batman franchise that the changes in leading men have so little impact on the films' popularity or effectiveness" (McCarthy, "Freeze Frames," 34)

While Clooney's performance as Bruce Wayne/Batman may be seen as relatively irrelevant to the overall film, the structure of *Batman Begins* as an origin story places significant importance on the casting of the dual role. The casting for Nolan's *Batman* film differed from the previous films in that the majority of actors selected for the film had ties to independent film. Tom Wilkinson, who portrayed Carmine Falcone, received an Academy Award nomination for his role in the independent film *In the Bedroom* (2001) while Gary Oldman had a long history of independent work, including the biographical film of Sid Vicious, *Sid and Nancy* (1986). The film's Batman/Bruce Wayne, Christian Bale, had worked in independent films and art cinema, including

American Psycho (2000) and *The Machinist* (2004). Devin Gordon, in an article for *Newsweek* about the film's production, stressed that Bale's independent film background was key in re-configuring the series away from the scenery-chewing villains: "The hiring of the Welsh indie actor Bale ('American Psycho') was a healthy start—especially given the crass, movie-star jamboree (Uma Thurman, Arnold Schwarzenegger) that mucked up the later 'Batman' sequels" ("Bat Out of"). Articles discussing the film stressed Bale's youth (thirty-one years old at the time of the film's release), his drive as an actor,¹³¹ and his acting abilities honed in independent cinema as key to this new version of Batman and Bruce Wayne.

The main stars of the films in the franchise differed in terms of how much control they had over the final products. Jack Nicholson, for example, held a considerably vital position since he was the biggest star, guaranteed the most money, *and* had script approval on *Batman*. The actors playing the villains, including Jim Carrey and Arnold Schwarzenegger, often overshadowed the Batman character in discussions by the press, marketing materials, and within the films themselves. Thus, the overwhelming narrative thrust of the first four *Batman* films was a diminished interest in the eponymous character. Still, the actors involved in the franchise created alternative versions of the Batman character, suggesting the range of options available in the mythology. Indeed, "the Batman role does afford a limited degree of elasticity, and allows for some rewriting of the character, the better to fit with a given star persona" (Austin, 137). Bale's intense but youthful Batman, Clooney's paternalistic Batman, Kilmer's sexy Batman with a wry sense of humor, and Keaton's Batman as outsider all demonstrate the malleability of the character. After stepping in as the fourth Batman, Bale claimed it was not a difficult task

¹³¹ Right before he shot *Batman Begins*, Bale lost over sixty pounds for his role in *The Machinist* as a man who has not slept in over a year. He had to quickly put the weight back on and train in order to prepare his body for the *Batman* film's action sequences.

because the character never became synonymous with any other actor: “I don’t feel like that ever happened with Batman, so I felt like I had an opportunity to expand and bring something new to it” (qtd. in Portman, B1). Each of these versions of the Batman fit within the boundaries established over the years by writers and artists while at the same time providing the actors the opportunity to create a Batman specifically defined by their talents.

Conceptualizing Gotham

While the writers and actors shaped key narrative and performance features of the *Batman* films, other key creative personnel have been involved in developing the films’ overall style and relating it to the Batman mythology. Of particular importance to the franchise are the production designers, who have designed Gotham to reflect not only Batman’s lineage from the comic books, television series, and graphic novels, but also the particular needs of the director and the stories they were trying to tell. Peter Young, the set decorator for *Batman*, believed that Burton’s art background established the importance of the overall (stylish) look to the franchise: “Tim is very art department orientated. And his films are, in brackets, art department films” (qtd. in *Visualizing Gotham*). As such, *Batman* set the foundation for how Gotham would be approached in future films of the franchise. Anton Furst, the production designer for *Batman*, developed Gotham City with a sense of timelessness, mixing eras of design and a “pot-pourri of styles” in the construction of the film’s massive, fifty foot sets (Furst qtd. in Singer, *The Making of Batman*, 84). The towering buildings, jutting at various angles, powerfully demonstrate the Gotham described in the opening pages of the screenplay, as “hell had erupted through the sidewalks and kept on growing.” The first street-level image of Gotham provides a view of gray and brown tangled metal and stone, reaching

up to the sky and leaving little room for sunlight to emerge. For many reviewers of the film, Furst's set designs provided an important component of the *Batman* experience. Stanley Kauffmann of *The New Republic* stressed that with Furst's designs, "Gotham becomes the most completely realized, insanely articulated synthetic city since the one in *Blade Runner*" (Rev. of *Batman*, 24). Roger Ebert of the *Chicago Sun-Times* believed the film's design was the key feature of the film: "The Gotham City created in 'Batman' is one of the most distinctive and atmospheric places I've seen in the movies. It's a shame something more memorable doesn't happen there. 'Batman' is a triumph of design over story, style over substance—a great-looking movie with a plot you can't care much about" (Rev. of *Batman*).

Bo Welch served as the production designer for *Batman Returns*, having worked previously with Burton on *Beetlejuice* and *Edward Scissorhands*. In press materials for the film, it is stressed that "an entire world unto itself was conjured up on seven soundstages at Warner Bros., another at nearby Universal and two large backlot exterior sets at Warner" (Singer, *Batman Returns*, 11). The emphasis in these materials is on the size and grandeur of the sets—towering Christmas trees and buildings line the streets of Gotham, while *Citizen Kane*-inspired fireplaces accommodate the wealthy like Bruce Wayne and the Cobblepots. Everything is beyond big; overly exaggerated sets dominate the film's mise-en-scène. In her review of the film, the *New York Times*' Caryn James claimed that the film's "production design deliberately evokes that fun-house image. Gotham Plaza, with its oversized Christmas tree and gargantuan statues, is Rockefeller Plaza as it might appear in some demented Disneyland" ("Batman Returns," B11).

Barbara Ling's production design for both Schumacher-directed *Batman* films was similar to Furst and Welch's designs for the Burton films in that Ling's Gotham featured oversized sets and exaggerated proportions. Ling's designs brought in more

color, however, and added an element of playfulness. The Gotham Observatory seen in *Batman and Robin*, for example, rests precariously in the hands of a large statue which towers over the Gotham skyline, both an impracticality and a visual wonder. In a documentary focused on Ling's art direction for *Batman and Robin*, the title stresses the film's design as *Bigger, Bolder, Brighter*. In this documentary, Ling describes her designs as an attempt to bring a "World's Fair proportion" to each of the film's sets. Indeed, the actors interviewed in the documentary stress the massive size of the sets and the vast amounts of money spent to make these sets for the film. According to Clooney, the film featured "The biggest built set I've ever seen. It's a couple of million dollars, this set" (qtd. in *Bigger, Bolder, Brighter*). In both Roger Ebert's and Jay Carr's estimations of *Batman and Robin*, it is the architectural elements which stand out in the film. Ebert suggested that the film "is wonderful to look at. . .[but] has nothing authentic at its core," while Carr argued that "Gotham City continues to be a character in the Batman sagas. Although less prominent here than previously, its dark, grandiose, Gothic presence still counts for a lot" (Rev. of *Batman and Robin*; "A Busy, Banal," D1).

Unlike the production designers for the first four films, which reveled in exaggeration to varying degrees, Nathan Crowley's production design in *Batman Begins* centered more on a realistic, contemporary city. Partly, this was informed by the location shooting, particularly in Chicago. Nolan wanted the film to "have a recognizable texture, like a sort of New York on steroids" (qtd. in *Gotham City Rises*). A large part of Gotham's look was created via visual effects, which heightened the footage shot on location in Chicago to include the Wayne Enterprises skyscraper and the city's main mode of transportation, the monorail. Crowley's design for the Narrows, which was created in an air hanger outside of London, was based on the look of the slums of Hong Kong, again emphasizing a realistic aesthetic.

While the role of Gotham in the franchise is indisputable, the production designers are not the only ones who have helped the franchise establish the film's overall style and tone. Danny Elfman, the composer for both *Batman* and *Batman Returns*, set the mood for both films with his chilling orchestral score,¹³² while the use of songs by pop music star Prince enhanced the frenzied characterization of the Joker. In "The Classical Film Score Forever? *Batman*, *Batman Returns* and Post-Classical Film Music," K.J. Donnelly argues that the foregrounded nature of the music in the two Burton films is an indication of how "the dual function of music—as both film element and object in its own right—has had an effect upon the character of the music itself" (153). According to Elfman, "Most of the work of *Batman* was establishing the tone of the movie and Gotham and everything else" (qtd. in *Nocturnal Overtures*). Elfman's musical score for the first film was primarily associated with Batman, and its Wagnerian overtones suited a dark superhero. Pauline Kael described the effect of his score as "the musical form of [Batman's] thoughts; it's wonderfully morose superhero music" (Rev. of *Batman*, 84). The beats of the percussion instruments signal Batman as a powerful and dangerous individual, accentuating Batman's naming of himself at the beginning of the film as he tells the street punk "I'm Batman," and warns him to tell all of his friends. Similarly, Prince's pulsating music caught the whirlwind nature of the Joker and his antics in the museum and at the parade. In each case, the foregrounding of the music helped set the tone associated with the characters. Indeed, *Batman* was the first feature film to release two related soundtrack albums—one with orchestral music provided by Elfman, the other with pop songs created by Prince—because the music not only enhanced the film, but also stood out on its own.

¹³² Elfman's first film as composer was Burton's *Pee-Wee's Big Adventure*. In all, Elfman has served as the composer for twelve Burton films, including *Beetlejuice*, *Corpse Bride*, and *Big Fish*.

The score for *Batman Returns* featured over ninety minutes of music—considerably more than the first film and more than the typical Hollywood feature at the time. According to Elfman, the film was unusual in that almost every musical piece was presented front and center; rarely did the music recede into the background. In Elfman’s opinion:

Batman Returns was halfway for me between me doing a film score and writing music for an opera because every scene felt like the curtains were opening up on a theatrical vignette and I’d play the music and the characters would do their stuff. Everything was very broad and then the curtains would close. And the next scene begins. It has that feel to it (qtd. in *Inside the Elfman Studio*).

Elfman’s score contributed to the feeling of Gotham as a cold, dark, and dangerous place. His music added a texture to the events unfolding onscreen, such as when the Penguin unleashes the Red Circle Gang on the unsuspecting populace of Gotham and the music veers from the creeping sound of a lone tuba as a giant present is slowly wheeled into the square to the macabre funhouse antics of the organ grinder as he shoots at the Christmas tree. While the tie-in soundtracks have remained a popular aspect of the film franchise, Elfman’s music, in particular, had the most dramatic impact in the films themselves. Wagnerian in construction, particularly in the use of leitmotifs, his operatic scores fit the vision of Gotham as designed by Burton, Furst, and Welch. Although comics and graphic novels do not have theme music played while you read them, Elfman’s music fit naturally into the dark worlds inhabited by Batman and the other residents of Gotham.

Trying to capture the authentic aspects of the Batman mythology, the contributions of the production designers and Elfman speak to the degree that a film’s power is not based solely on direction alone. As a collaborative medium, film inherently requires the vision of a number of creative personnel. Constructing a Gotham to reflect the history of the comics and a score that evokes the dark feel of a crime-ridden world, these contributors significantly placed the film *Batman* into his decades long history.

Indeed, it is clear that the production design was instrumental in aligning the films with certain texts in the Batman mythology, while Elfman's music constructed a framework for hearing the world of Batman.

As the world developed in the Batman comics is dependent upon a number of individuals—from the artists to the writers to the editors—it is a reasonable assumption that even in the film world, the construction of Batman, his adversaries, and Gotham City is the result of collaboration. The actors' roles in constructing their characters, the writers' choices regarding the overall Batman narrative, and the production designs evoking the look and feel of Gotham were all necessary components in the development of the franchise. In the conclusion to their anthology *The Many Lives of the Batman: Critical Approaches to a Superhero and his Media*, William Uricchio and Roberta E. Pearson stress that Batman by necessity is shaped by many "authors":

Since his creation in 1939, numerous editors writers, artists, directors, scriptwriters, performers and licensed manufacturers have continually "authored" the Batman, with the specificities of various media necessitating the selective emphasis of character qualities. Unlike some fictional characters, the Batman has no primary urtext set in a specific period, but has rather existed in a plethora of equally valid texts constantly appearing over more than five decades (184-185).

Those involved in the *Batman* franchise not only engaged in a collaborative filmmaking process, but in the telling of the larger story of Batman, a story which crosses media and time periods. Thus, the collaborative authorship(s) which emerged during the franchise were an indication of the complexity, depth, and popularity of the Batman universe. From the onset of Batman in the late 1930s, the property has been shaped not only by identifiable authors such as Kane, Miller, or even Burton, but also by those who contributed to the overall texture of Batman and his world.

COLLABORATION WITH THE BAT-FANS

In his book *Batman Unmasked: Analysing a Cultural Icon*, Will Brooker discusses Batman as a product shaped by comic book artists and fans until the arrival of the character's feature film in 1989. With Burton's *Batman*, Brooker argues, the major shaping of the Batman property moved from the comic book venue to the globalized film community which included the director, the production company and personnel, and the moviegoers who may or may not have been fans of the character and/or comic books. Clearly, Brooker voices dismay about this development:

Batman now belonged to a multi-national conglomeration and the global audience who bought the tickets and the merchandise, rather than to the dedicated comic readers and the community of writers, artists and editors who had themselves emerged from the ranks of fandom (293).

Towards the end of his book, Brooker asserts that there is a divide between the contemporary fans' and Time Warner's interest in and expectations of the character: "As Batman enters his sixty-first year, the future of the movie franchise—and in turn, the conflict between fandom and Time-Warner's subsidiaries for 'ownership' of the character—hangs very much in the balance" (307). Fans do not own the property, but they feel an entitlement to it given their long support.

As a contemporary property, however, the *Batman* film franchise is in fact shaped by how consumers use and understand the products available in the marketplace. Although they did not have an active role in the production process of the *Batman* films, the fans nonetheless have continuously voiced their opinions about the direction of the franchise, providing Time Warner with a guideline for future *Batman* endeavors. Independent filmmaker and comic book writer Kevin Smith outlines the difference between audience involvement in contemporary blockbusters, in *Batman Begins* in particular, and independent films thus:

The online audience is not actively involved in *The Human Stain*. But they're actively fucking involved in *Terminator 3*. They're actively fucking involved in the *Batman* movie Chris Nolan is directing. That's their movie, man. They're as much a part of it as the filmmakers. Whether it's because they've read a lot of press that says these people can sway an opening, or whether by writing something in cyberspace, they have a sense of authorship, these people are actively involved (qtd. in Hayes and Bing, 354-355).

Blockbuster filmmaker Jan de Bont agrees, claiming "The audience is as inventive as a filmmaker. Quite often, they think like filmmakers much more than we think" (qtd. in Shone, 244). The role of the audience can thus not be discounted in issues of franchise construction, since focus groups, fan conventions, and online sites like Aint It Cool News have an impact on what emerges on screen. Through the five films in the *Batman* franchise, fans loudly have voiced their opinions—mostly negative, but not always—about the direction of the property.

On November 29, 1988, the front page of the *Wall Street Journal* ran the headline "Beetlejuice Batman has Fans in a Flap." Kathleen A. Hughes' article profiled fans' distrust and disgust with the production of the 1989 *Batman* film. In the words of one ardent fan, Warner Bros. was

after the money of all the people who only remember Batman as a buffoon with a twerp for a sidekick in the campy TV series from the '60s. . . .Hollywood is just in it for the money, and Warner Bros. has been doing a bit of duplicity. I don't think Mr. Burton has any intention of making a serious Batman movie. But Batman has been part of everyone's childhood. He deserves a bit of respect (qtd. in Hughes).

The chief complaint of fans at the time was the casting of Michael Keaton as Batman. Complained another fan: "If you saw him in an alley wearing a bat suit, you would laugh, not run in fear. Batman should be 6-2, 235 pounds, your classically handsome guy with an imposing, scary image" (qtd. in Hughes). Indeed, in the second line of the article, Hughes suggested that Keaton's "caped crusader may turn out to be a wimp." The co-

editor of Comics' Buyer's Guide claimed that he had received over five hundred protest letters already from fans disappointed with the direction of the Warner Bros. film, a number that grew as a result of the article's impact (Hughes). The front page article in the *Wall Street Journal* certainly brought its share of negative publicity, heightening fans' fears about the direction of the emerging franchise film. In a June 1989 article about the film in *Newsweek*, producer Peters stressed that the choice of Keaton indeed was controversial with the fan base: "We were ostracized by the Bat-community. They booed us at the Bat-convention" (qtd. in Barol, 72).

In the years before the Internet, however, many of the fans realized that their protests were futile. Fan James Van Hise knew that complaining about the casting would get Batman fans nowhere: "There's been enough whining about Michael Keaton playing Batman. . . .People are still going on and on about it as though it will make a difference. The one thing a studio will never do is let fans tell them how to make a movie" (qtd. in Hughes). Van Hise was right, to an extent; the protest certainly did not cause the production to stop or the film to be re-cast. But it did prompt the producers to rush out a trailer for Christmas in order to counteract the negative sentiment being voiced in the fan community—a trailer which demonstrated that the film was eschewing the campy 1960s aesthetic of the Batman television series.

Still, producer Peters seemed ambivalent about the fan base for Batman months after the flap in the *Wall Street Journal*, when other mainstream publications discussed fans' displeasure with the upcoming film: "Let's face it, the fans are the core of our audience. On the other hand, I didn't intentionally try to figure out a way to please them" (qtd. in Mietkiewicz, C1). In many ways, the film differed from the continuity of the character propagated by DC Comics and endorsed by fans—including the Waynes being killed by Napier, instead of Joe Chill; Vicki being let into the Batcave by Alfred; and the

decreased focus on Wayne's social life as a playboy or his business life with Wayne Enterprises. Indeed, Skaaren himself acknowledged that he removed the playboy aspects of Wayne's character, originally found in Hamm's draft, because he wanted a "more classical heroic characterization" rather than a completely faithful version ("Statement of Contribution," 16). In the audio commentary to the DVD of *Batman*, Burton recalled the effect the scene where Alfred lets Vicki into the Batcave had on fans:

There was a lot of flak for letting Vicki Vale into the Batcave. . . .They [the fans] seem to become more forgiving in the past few years about these kind [*sic*] of issues. . . .At the time. . . .I couldn't show my face at conventions. . . . Definitely I recall there were some near death threats and things like that (qtd. in *Batman* Audio Commentary).

Indeed, Burton's comments stress how fans related to the property and how his particular version violated the principles they expected in a Batman story.

Although the Burton films may have strayed from the history of Batman as developed by DC Comics, fans were ultimately less upset by these changes than the return to the aesthetics of the 1960s television show which were prevalent in Schumacher's two *Batman* films. According to Brooker, Batman fans forgot the problems with the 1989 film, particularly, in the face of the exaggerated *mise-en-scène*, light mood, and pun-ridden dialogue found in Schumacher's two films:

In a curious but perhaps inevitable twist, Burton's Batman therefore became something of a 'good object' within the Internet debates of 1997. The campaign against Michael Keaton's casting and the discrepancies between 1989's screen *Batman* and the comic book *Dark Knight* it was meant to resemble were apparently forgotten—by these fans at least—in the face of Schumacher's reinterpretation. Fewer than eight years had passed since *Batman*'s release, but already a nostalgic revisionism had settled around the movie and by association, the summer of 1989 (*Batman Unmasked*, 299).

Indeed, *Batman Returns* screenwriter Daniel Waters claimed that even the critical opinion of Burton's second film changed dramatically as a result of Schumacher's films:

Joel Schumacher gave me the best reviews of my career. I love the critics, after the other ones came out, “*Batman Returns*, that was a truly good [film].” Where were you guys, when it first came out. It did get good reviews, but the opinion of the movie really elevated after the other two movies came out (qtd. in Ferrante).

While Burton may have been critiqued for his lack of interest in Batman history, his two *Batman* films did, at least, return to the character’s dark roots.

Unlike Burton’s sufficiently dark *Batman* films, Schumacher’s version of Batman made was too light, according to many fans. Harry Knowles, at the end of his review of *Batman and Robin* on Ain’t It Cool News, likened the film to a child’s terrible drawing:

What I saw, can not be explained. Why do people make ugly things? Is it stupidity, is it ignorance I don’t know. Maybe this film is beautiful in a Ed Wood way. Maybe Schumacher is like that kindergarten child with fingerpaints doing portraits of mommy and daddy. When you see those fingerpaints you say, ooooh Joel, that’s nice, but inside you look at the indiscenable mixtures of colors forming vague shapes and wonder what the hell your kid was thinking. You put it on the fridge, and then one day it’s in the closet being eaten by roaches and rats. This is that film (Knowles; original text left as is).

When representatives at Warner Bros. complained about his review of the film, Knowles responded by placing dozens of similar reviews from irate fans on the Website, including comments from the infamous fan who exclaimed “Death to Schumacher!” at a preview screening. In Brooker’s book, he discusses three Websites that were created after the theatrical release of *Batman and Robin* to respond to the turn in the tone of the franchise: the “Anti-Schumacher Site,” the “Anti-Schumacher Society,” and “Bring Me the Head of Joel Schumacher,” none of which are still online today. On the homepage for “Bring Me the Head of Joel Schumacher,” creators Aaron Koscielniak and Adam Rosen claimed that *Batman and Robin*

was absolutely worthless, and what’s worse, it defames the good name of Batman and what he represents. . . . Joel Schumacher has truly trashed the Dark Night [*sic*]. The traditional dark, gothic atmosphere of Gotham City is replaced with a neon circus, and he tries to sell the heroes off as clowns, with Schumacher the

ringmaster. This site is dedicated to getting off our chests. . .all the things that made us really PISSED OFF about this movie (Koscielniak and Rosen).¹³³

Fans' vehemence against Schumacher is still present nearly ten years after *Batman and Robin* was released. In a talkback forum regarding Schumacher's 2007 film, *The Number 23*, one poster compares watching *Batman and Robin* with torture: "I hate Schumacher for *Batman and Robin*. I still haven't sat through that film to the end. And I'm a Batman nut. I'd rather have Burt Ward [the actor who played Robin on the television series] paper-cut my eyeballs and then pour lemon juice on them than try and watch *Batman and Robin* again" (tiredpm).

Although representatives from Warner Bros. have not discussed publicly why the fifth *Batman* film, with Schumacher as director, was quickly scuttled after the release of *Batman and Robin*, the fans' sentiment about his two *Batman* films was inescapable, especially with the burgeoning of the Internet in the late 1990s. Perhaps if the Internet were more omnipresent during the first two *Batman* films, the franchise would have suffered the same fate, just earlier. But even those fans who were disappointed with Burton's *Batman* films never seemed to use the same violent imagery or language that they did, and continue to do, with Schumacher. As discussed in the last chapter, Schumacher's aesthetic choices brought the series closer to its campy 1960s roots, and brought Batman's associations with queerness to the forefront. Indeed, many of the posts about Schumacher's *Batman* films are rife with homophobic remarks by fans. For example, in a talkback forum regarding *Batman Begins*, a poster uses the phrase "gay-licious Schumacher's Batman" divisively while another poster claims that "[B]y the time flamboyantly gay director Joel Schumacher took over for movies 3 and 4, gave the Batman suit nipples, and had the camera watch George Clooney for 10 minutes as he put

¹³³ Although the Website is no longer available online, the Internet Archive has rudimentary versions of the site available. The quote was taken from the December 6, 1998, sample of the site, but was included on the homepage for each subsequent sample as well.

on his suit, I too was ready for a bat break” (Matt_Doom; itsmedave). Thus, the negative fan reaction to Schumacher seems to have had as much to do with Schumacher’s own sexuality as with the campy aesthetics he employed in his two *Batman* films.

After what many fans defined as a disastrous turn in the franchise, the fifth *Batman* film needed to move away from the campy associations of the 1960s television show and back towards Batman’s darker roots. The announcement of Christopher Nolan as the next *Batman* film director was heralded by fans since he seemed to possess the attributes about which they most cared: a lack of interest in campy aesthetics and an actual love for the comics. Indeed, for those who had seen Nolan’s first feature film, *Following*, one of the apartments that the burglar and writer break into has a prominent Batman symbol on the door (see Photo 13 in Appendix 8). In reference to a May 2003 story on Ain’t It Cool News, “A Little Bit More on Christopher Nolan’s BATMAN,” posters were excited by the possibilities of a “real director” doing a *Batman* film (Cash Bailey). Many of the posters were surprised and some a little worried that Warner Bros. chose someone with a background in independent film. According to one poster, “Christopher Nolan is actually a talented director. Wow. Good choice. Now get a good script (second obstacle) and cast it properly (third obstacle). Nolan should know enough to make a dark, tough Batman movie. Kind of scary that this movie could actually turn out, against the odds” (Barron34). Another poster agreed, claiming that Nolan’s strengths would be great for a *Batman* film: “I think ‘setting’ may be one of his strengths, so visual effects/set design would certainly work in his favor. And with Nolan’s great focus of storytelling. . .we just might get the first GREAT Batman film” (JDanielP). In regard to this story, a number of fans were far more concerned that the marketing interests of Warner Bros. would upend Nolan’s vision, rather than Nolan’s inability to do justice to the material.

Batman Begins screenwriter David Goyer later recalled that at a comic book convention in the summer of 2004, the first question he was asked by a fan was “How can you guarantee this movie won’t suck,” to which the audience of several thousand readily applauded (qtd. in Greenberg, E10). Goyer presented the film in the press as a “cinematic equivalent of a reboot,” which was a process common in comics:

One of the reasons they do that is after 10 years of telling the same story, it gets stale and times change. . . .[B]y doing that, setting it at the beginning, you’re instantly distancing yourself from anything that’s come before (qtd. in Greenberg, E10).

Essentially, this was the strategy of Warner Bros. in promoting the film—a new beginning for the franchise. For most fans, *Batman Begins* was more closely related to the comic books and graphic novels that were favored over the lighter, campier versions of Batman. William E. Ramey, the creator of the Batman on Film Website,¹³⁴ praised the film, and Nolan in particular, for “getting it right”:

I’ll cut to the chase: this movie is the best *BATMAN* film by *far*. It is downright excellent. Not only as a *BATMAN* or “comic book movie” per se, but as a *film* in general. It is an epic and heroic piece of cinema, yet genuinely scary and menacing. I want to take Mr. Nolan to a bar, buy him a beer and say—from the bottom of my heart —“THANK YOU!” . . . This is the *BATMAN* film you and I have been waiting for. Yes people, they *finally* got it right (Ramey).

The avid fan response, by fans such as Ramey, indicated that the choice of Nolan had worked; fans had finally received a *Batman* film which not only paid close attention to the property’s history, but also stuck to the canonical texts that they most admired.

The use of the Internet by fans to express their thoughts and feelings about the *Batman* franchise has grown since *Batman Forever* became the first *Batman* film to have a Website in 1995. Certainly, this particular fan base has had an impact on how the films have been marketed, but it also points to a more direct relationship between the producers

¹³⁴ Batmanonfilm.com was created in 1998, and is still an active Website.

and the consumers of media products. As fans express discontent over casting rumors or over the direction of the franchise, representatives at Time Warner can react to these criticisms quickly and efficiently. At the same time, the positive aspects of the films receive inordinate amounts of attention by Internet-savvy fans and, perhaps as a result, within the mass media. Although some Batman fans in 1988 understood that Warner Bros. would not re-cast a movie because of their unhappiness with Keaton in the dual role, the entrance of the Internet into fandom circles since the first two films allows for more access to pre-production information at an earlier date, more pre-release press, and more opportunities to impact the franchise. While fans have no direct hand in the production of the films, clearly their input is a major consideration at all levels of the production process and they have an important role in the direction of the franchise.

The Batman fan base, and its increasing importance in the construction of the film franchise, is an example of the growing convergence culture, described by Henry Jenkins as “where old and new media collide, where grassroots and corporate media intersect, where the power of the media producer and the power of the media consumer interact in unpredictable ways” (*Convergence Culture*, 2). In Jenkins’ view,

Corporate convergence coexists with grassroots convergence. Media companies are learning how to accelerate the flow of media content across delivery channels to expand revenue opportunities, broaden markets, and reinforce viewer commitments. Consumers are learning how to use these different media technologies to bring the flow of media more fully under their control and to interact with other consumers (*Convergence Culture*, 18).

The Internet, in particular, has provided a forum for Bat-fans to engage in multiple media constructions of the character, create their own Batman products and distribute them, and discuss their opinions with other Bat-fans from across the globe. While the Bat-fans who engage in discussions on the Internet may not be representative of all Bat-fans, they are

the fans who have the most direct impact on the direction of the franchise. They prefer their Batman dark, and tend to list canonical texts like Miller's *The Dark Knight Returns* and *Batman: Year One* as their favorites. There may be plenty of fans of the 1960s television show who prefer their Batman lighter, but their presence on the Internet is far outweighed by the dark purists. In Brooker's opinion, "while any number of valid interpretations is possible [for Batman]. . .these various, contradictory meanings need to be argued for and supported if they are to extend beyond the microsphere of the individual reading, and certain groups are more forceful in disseminating their own interpretations than others" (29). Within the growing convergence culture, representatives from Time Warner and its many subsidiaries that produce Batman-related products are much more willing to listen to the more vocal, larger base of fans that circulate on the Internet. Whether or not their view is more authentic and true to the overall history of Batman than other versions, their interpretation has become the dominant perspective. As new Batman texts emerge, both within the film franchise and in other media, the fans' perspectives will continue to push the property in their desired direction.

THE BATMAN BRAND: UNDERSTANDING THE FORMULA

We love these characters, we love the mythology. And everyone just keeps taking the mythology out, and putting it back. And then people look at that, take that out and do their own spin on it. And so it becomes this big melting pot of ideas over decades (Geoff Johns, qtd. in *Legends of the Dark Knight*).

In *A New Brand World: 8 Principles for Achieving Brand Leadership in the 21st Century*, Scott Bedbury describes the process of expanding a brand in terms of a franchise: "Mass customization. . .[is] the process of creating a broader array of 'niche'

products that emanate from one central brand position like spokes on a wheel. Executed properly, mass customization enables large brands to build and retain relationships with smaller subsets of a mass market while growing the entire brand franchise” (3). As such, we can think of all of the various authors involved in a film franchise as creating differentiation within the overall brand through these affiliated “niche products.” As long as certain attributes inherent in the brand remain true, authors can stretch the brand into new directions and create their own versions. In terms of Batman, these versions may occur in film, graphic novels, video games, or some other medium. As comic book writer Geoff Johns attests, the development of a character like Batman is a “melting pot,” shaped over the years via various authors across media.

Brooker suggests that, given the variety of texts that now makeup the Batman line, perhaps there is a Batman genre (328). As a genre, there are indeed specific narratives, conventions, and iconographical elements that shape the development of its texts. If we look at Batman as a brand or a genre, then every incarnation is a consumable product and there are discernable codes that govern the creation and understanding of these products. According to Bedbury, “Every brand has at its core a substance that gives it strength. You have to understand it before you can grow it” (28). With the foundation provided by Kane, Finger, O’Neil, and other comic artists, the Batman brand was given its core attributes. Each new Batman product—whether it be a Miller graphic novel or a Nolan feature film—builds upon that foundation, but takes the brand into new directions. Clearly, certain texts have pushed the limits of that foundation—texts like the 1960s television show which is seen as more of an aberration than a true part of Batman history by (many) fans and critics alike. In a similar way, the campy aspects of Schumacher’s two films—particularly *Batman and Robin*—are viewed as outside the official substance of the genre.

David Bordwell, Janet Staiger, and Kristin Thompson's definition of Classical Hollywood Cinema as a paradigm offers an important comparison to the idea of "mass customization" of a brand. According to Bordwell, Staiger, and Thompson, Classical Hollywood Cinema was the style of mainstream American filmmaking from the late 1910s until the 1960s, and this style limited the options available to filmmakers. This style provided "Basic principles [which] govern[ed] not only the elements in the paradigm but also the ways in which the elements may function" (5). Thus, the notion of Classical Hollywood Cinema as a paradigm "helps us retain a sense of the choices open to filmmakers [working] within the tradition. At the same time, the style remains a unified system because the paradigm offers *bounded* alternatives" (5). In the same way, a brand offers multiple directions for the authors, but only within a fixed set of rules. For example, Bruce Wayne's witnessing of his parents' deaths as a result of violence is a fixture that cannot be altered within the Batman brand. While Bordwell, Staiger, and Thompson use the notion of a paradigm to discuss the range of options available across different Hollywood genres, it nonetheless is an apt way to think about the openings and limitations that a brand has on its products.

Within the Batman brand, certain unassailable aspects are present. With the film franchise, in particular, a formula has developed. The Batman formula can be divided into three aspects: the production considerations, the narrative considerations, and the post-production considerations. In terms of the production considerations, the main point of emphasis is the creative personnel involved in the franchise. Of particular importance is the selection of a director, one who can be both an innovator in terms of the Batman brand and also someone who can follow at least some of the rules of the history. Secondly, the director has to have an oeuvre which can greatly contribute to the other important facets of the franchise—production design, cinematography, editing, and

narrative construction chief among them. Production considerations also involve the key stars who will shape the Batman characters—making them plausible, approachable, and watchable—as well as the designers who create and shape the world of Gotham seen onscreen. Lastly, a key production figure—whether it is the screenwriter or the director—needs to have a keen familiarity with the property.

With narrative considerations, the primary concern is what is depicted on screen. The texts which serve as reference points—and how they are presented—are a key concern. The appropriate parts of the mythology must be referenced and included in the story unfolding onscreen. Similarly, the choice of which characters to include becomes a focal point. Every *Batman* film has to have Batman/Bruce Wayne, but the choice of villains can be from a range and can be multiple. Periphery characters help establish Batman's world. Robin need not be present, but Alfred is a mainstay. So, too, is a love interest for Batman. All of the characters must be fitted into the plot appropriately. Again, a reliance upon the past Batman texts is key to understanding the motivations, actions, and desires of these characters. Added to the narrative considerations are the apt paraphernalia for the story. The Batmobile must be featured, but the other gear can vary, although the chosen Bat-gadgets need a prominent place in the films.

Lastly, the *Batman* film franchise formula heavily relies on the postproduction aspects of moviemaking. Mass marketing is a central concern, but appeals directly to the most active fan base are also necessary. Therefore, a combination of saturation and niche marketing has become more and more prevalent with this franchise. Films of the *Batman* franchise are always released in summer, usually in June. A respite must be taken between the films; usually the duration is three years. Two seems to be too short, as between *Batman Forever* and *Batman and Robin*. The hiatus between *Batman and Robin*

and *Batman Begins* was an exception, as the studio tried to figure out the best way to handle a reboot of the franchise.

As the *Batman* film franchise enters its nineteenth year with a sixth film looming, it is clear that the formula is still much in effect for the film. Nolan returned as director for *The Dark Knight*, while Christian Bale and Michael Caine returned to their roles as Batman/Bruce Wayne and Alfred, respectively. Although Goyer did not return as a screenwriter, he helped develop the story initially. Moore's *The Killing Joke* is a major foundational text for how the Joker is portrayed. Bruce's love interest from *Batman Begins*, Rachel Dawes, is returning (although with a new actress in the role) while another key Batman character, Harvey Dent, is being introduced. The trailer focuses on a new Bat-gadget in the form of the Bat-cycle, although the Batmobile is also present. The marketing campaign involves both mass marketing and niche marketing, especially using the Internet. Although *The Dark Knight* is scheduled for release in July 2008, it is still squarely within the summer vacation period.

As the number of franchises has grown significantly since the onset of the *Batman* franchise, it has formed a foundation for these other franchise to build upon. The *Batman* formula, while specific to this property, is also generalizable to the larger system of franchise creation, particularly with franchises based on popular culture products. In a 2002 article for *Newsweek* entitled "Franchise Fever," John Horn claimed that franchises are based on simple name recognition:

[E]very film company is churning out stories that are so easily identifiable that they can be completely understood by their titles alone: 'Spider-Man.' 'Star Wars: Episode II—Attack of the Clones.' 'Scooby-Doo.' They're called franchise films, and they are revolutionizing the way Hollywood does business (58).

However, each of these "names" also encompasses a wide range of products, expectations, and histories which must become part of the film franchise if they are to be

successful. The criticism aimed towards the Schumacher-directed films is therefore instructive of what *not* to do in a franchise—going in a direction which opposes fans’ identification with the property. Adapting a property into a film franchise is thus filled with perils, but as the success of the *Batman* franchise demonstrates, it can also be a highly lucrative endeavor—not only for the studio heads, but for the talent involved and, when done correctly, for the fan base as well.

Chapter Eight: Conclusion

Dealing only with the small Marvel team [for *Iron Man*], [Jon] Favreau felt he was working on “a big independent film,” he says. “I had the most freedom on this” (Favreau qtd. in Thompson, “Jon Favreau”).

As the film industry approaches another summer season, the prognosis looks bright. The release schedule is filled with sequels with record-breaking box office potential, including *Indiana Jones and the Kingdom of the Crystal Skull*, *The Chronicles of Narnia: Prince Caspian*, *Hellboy 2: The Golden Army*, *The Mummy: The Tomb of the Dragon Emperor*, *The X-Files 2*, and of course, the next Batman film, *The Dark Knight*. In addition, a number of adaptations are also scheduled to be released in theaters, including *Get Smart* (television show), *Speed Racer* (manga and television show), *Iron Man* (comic book), *Sex and the City* (television show), *Wanted* (graphic novel), *Mamma Mia!* (Broadway musical), and *Star Wars: The Clone Wars*.

What is particularly interesting about the slate of films for the summer of 2008 is the number of art blockbusters to be released. The press surrounding the first major release of the summer of 2008, *Iron Man*, is indicative of the growing realization that art cinema and blockbuster aesthetics can merge cohesively. In the title to her review of the film, Associated Press film critic Christy Lemire calls *Iron Man* “a blockbuster with a brain.” As the above quote indicates, Favreau has likened his \$180-million plus franchise film to the making of “a big independent film.” In a profile of the film for *Variety*, the author argues that *Iron Man* is part of a culture where comic adaptations can now be taken seriously both in the filmmaking process and by the critics and the audience:

Now, the “serious” approach is standard; just look at ‘Batman Begins,’ ‘300’ and ‘Sin City.’ Marvel is keeping pace [with DC Comics]—‘Iron Man’ may be about a guy with a red metal suit, but it stars three Oscar nominees ([Robert] Downey [Jr.], Terrence Howard and Jeff Bridges) as well as one winner (Gwyneth

Paltrow). A decade ago, that would have been shocking; now it's barely noted (Boucher, 1).

In the same article, Kevin Feige, the President of Production at Marvel Studios, states his opinion on what film served as a turning point to this more serious presentation of comic heroes: "I tell people the seminal film that's responsible for everything that has happened was 'Batman & Robin'. . . . If it hadn't been so bad, things wouldn't have gotten so good" (qtd. in Boucher, 1).

While Feige points to the failure of *Batman and Robin* as seminal in the presentation of comic adaptations, this dissertation has argued that this process began with the first film in the *Batman* franchise in 1989. The lesson learned from the poor performance of *Batman and Robin* was a re-affirmation of the key features which made the first film succeed: the dark tone, the original style, and the auteur, aspects all incorporated into the franchise's reboot in 2005 with *Batman Begins*. In a 2007 article for *The Guardian*, Steve Rose prescribes a method for revitalizing dormant franchises like *Batman*: "Want to Modernise Your Film Franchise? Then Give It a Goth Makeover." By quoting him at length, it is apparent that he believes "darkness" has become a key feature in popular culture, particularly in franchise films such as *Batman Begins*:

The key benefit of this sombre revolution has been to reverse the excessive brightness levels of previous generations, at long last. . . . At the time, Tim Burton's 1989 reboot of *Batman* was considered to be taking the Dark Knight into new, "serious" territory, a fair claim in comparison to the camp *Batman* TV series of the 1960s, but by then we'd already had Frank Miller's graphic novel *The Dark Knight Returns*, which served up a properly bleak, violent, decaying *Batman* of the future. Miller's *Batman* was far too dark for 1980s Hollywood, but just about right for 2005 Hollywood. *Batman Begins* portrayed Bruce Wayne as he was supposed to be: a virtual psychopath driven by revenge and disinclined to experiment with coloured fabrics. It's no accident, either, that some of Frank Miller's other old comic-book stories—the ecstatically violent war epic *300* and the blacker-than-noir *Sin City*—are commercially viable now in a way they never would have been 10 years ago (4).

Rose's assertion that the audience (and critics) seem much more willing to accept serious, dark topics, even in blockbuster films, is specifically related to the duration of the *Batman* franchise. Indeed, with the dark focus of other film reboots including *Superman Returns* and *Casino Royale*, as well as the financial success of the graphic novel adaptations *300* and *Sin City*, it is clear that this focus is hardly the province of the *Batman* franchise alone.

With *The Dark Knight*, *Iron Man*, *Speed Racer*, and *Hellboy 2: The Golden Army* all scheduled for release in the summer, the dark, serious edge is being led by indie auteurs. *Iron Man* is helmed by Favreau, the writer of the indie blockbuster *Swingers* (1996). In addition to Nolan, with *The Dark Knight*, and the Wachowski brothers with *Speed Racer*, Guillermo del Toro heads *Hellboy 2: The Golden Army*. Del Toro's relationship with independent film has included releases via several of the major independent companies—October Films; Dimension Films, Miramax's genre division; Sony Picture Classics; New Line Cinema; and Picturehouse.¹³⁵ Although in various states of production in 2008, several other indie auteurs are attached to franchise pictures. Del Toro is to head the two-picture adaptation of *The Hobbit* (with Peter Jackson serving as producer); Gavin Hood is helming the *X-Men* spin-off, *Wolverine*; Mike Newell is attached to direct films in the adaptation of the popular video game, *The Prince of Persia*; and Marc Forster is currently in production on the newest James Bond film, *Quantum of Solace*, to be released late in 2008.¹³⁶ In her daily blog, *Variety* columnist Anne Thompson particularly singled out the contributions Forster could make to the Bond franchise:

¹³⁵ Respectively, the releases are *Cronos* (1993), *Mimic* (1997), *The Devil's Backbone* (2001), *Blade II* (2002), and *Pan's Labyrinth* (2006).

¹³⁶ Gavin Hood won the Academy Award for Foreign Language Film in 2005 for *Tsotsi*. Mike Newell has been discussed in previous chapters; in addition to directing *Enchanted April* (1992) and *Four Weddings and a Funeral* (1994), Newell directed the fourth Harry Potter film, *Harry Potter and the Goblet of Fire* (2005). Marc Forster directed *Monster's Ball* (2001) and *Finding Neverland* (2004).

Sony is following the approach taken by Warners on the Harry Potter films—put the best directors (and spend a fortune) on your franchise series, and the movies will turn out well. You could argue that Sony did the same thing when they put Sam Raimi on *Spider-Man*, but he was someone with an affinity for comic books and action, whereas Forster has not yet gone down the big-budget action road (“Sequels”).

Thus, in Thompson’s view, the hiring of Forster is tied to Warner Bros.’ strategy with its franchise films, and also an affirmation of the utility of indie talent in the franchise film.

These different essays suggest how influential the *Batman* model, and by extension, its corporate parent Time Warner, has been on the franchise film. By examining the marketplace over the last few years and looking ahead at the releases for the next few years, it is apparent that the indie auteur and franchise combination has become an increasingly important focus of the industry. Coinciding with more and more potential venues for profit—DVDs, video games, international theaters, and merchandising ventures, to name but a few—the involvement of independent film talent in franchises is a key development for the entertainment industry. With the growing number of franchises which involve independent film talent, the franchise film has been significantly altered from its earlier incarnations in the 1980s and 1990s, as the Spielberg-Lucas films and the *Batman* franchise dominated the box office, respectively. While blockbusters have typically been denigrated for being juvenile, simple, overly commercial, and forgettable, art blockbusters such as *Batman Begins*, *Iron Man*, and *Speed Racer* challenge the notion that art cinema and the blockbuster are indeed separate and unequal types of filmmaking. As franchise films have grown to encompass more talent from independent film, and more independent film and art cinema techniques, the lines drawn between these types of films no longer seems completely accurate. Franchise filmmaking has benefited commercially, aesthetically, and critically from the combination of the blockbuster and the art film.

As I have argued throughout this dissertation, the process began in 1989, as *Batman* dominated the box office and the auteur-driven art blockbuster emerged. During the 1990s, however, Warner Bros. turned away from the very factors that made *Batman* and, to a lesser extent, *Batman Returns*, successful, choosing Joel Schumacher as the director for the third and fourth films. With the failure of *Batman and Robin*, Warner Bros. re-assessed what the key factors of its premiere franchise were, and developed more and more franchises in the original mold of *Batman*. As the independent film industry grew increasingly competitive with the major studios during the 1990s, they offered an alternative and compelling blockbuster model. What began in 1988 with the unconventional selection of Tim Burton as the director of the (would-be) franchise film *Batman* has thus coalesced in the decade since the independent film became a challenge to the studios. As indie talent moved into the blockbuster, a merger of studio and independent, commerce and art was reflected onscreen. *Batman Begins* is a prime example of the art blockbuster strategy exemplified by Time Warner and, over the last few years, the other Hollywood studios.

In the next few pages, I assess the current state of the *Batman* franchise as it heads towards the release of its sixth film. With its growing convergence outlook, its pushing of new media technologies in terms of marketing and production, and its reliance on more traditional synergistic models, *The Dark Knight* is indicative of the current state of franchise filmmaking. Similarly, Warner Bros. exemplifies the multimedia franchise strategy which has gripped the studios in the last two decades. As we head into another summer season dominated by franchises and (potentially) record-breaking box office grosses, the importance of the franchise film to the studios cannot be understated. Indeed, the films of the summer of 2008 provide the perfect opportunity to reflect upon

the state of the contemporary film industry, our critical response to it, and the prolonged effect of *Batman*.

THE DARK KNIGHT: THE FRANCHISE AS CONVERGENCE

The announcement that the next *Batman* film, *The Dark Knight*, would feature Heath Ledger as the Joker—the role originally played by Jack Nicholson in 1989—was a firm affirmation that the franchise was indeed separate from the first four films in the franchise, particularly in terms of the narrative arc. Ledger's untimely demise in January 2008 has left Warner Bros. in a bit of a quandary—as the film's central villain, how does the company promote the film in light of the star's death? From the beginning of the marketing campaign, Warner Bros. has sought a strategy of activating the fan base early, touting its pioneering use of IMAX, and incorporating more traditional forms of synergy. Ultimately, *The Dark Knight* is a prime example of how contemporary film franchises rely on media convergence at nearly every level of production.

With *The Dark Knight* in production, and set for release in July 2008, Warner Bros. instigated a viral marketing campaign during the summer of 2007 to promote the film. A few days after the official Warner Bros. Website for the film launched, Joker cards similar to the one seen at the end of *Batman Begins* started appearing in specialty comic shops. The official Warner Bros. Website featured a campaign poster for character Harvey Dent, running for Gotham's District Attorney, with the tagline "I Believe in Harvey Dent," while the Joker cards featured an alternative Website address, IBelieveinHarveyDentToo.com. The same poster appeared at this alternative site, but it was defaced. In investigating the page, users entered their email addresses when prompted and then received an email message which gave the location of one pixel that was to be removed from the Website. As more users investigated the page, provided

their email addresses, and clicked onto their pixels, a new image was revealed. Fans, using sites such as Aint It Cool News, spread the word about the site, which soon displayed a hidden picture of the Joker, the first public image of the character featured in the forthcoming sequel.

This marketing campaign for *The Dark Knight* is a prime example of media convergence as both a corporate-led process and a consumer-based interaction, with fans ultimately working together to unveil the Joker's image. According to Henry Jenkins in *Convergence Culture: Where Old and New Media Collide*, the processes of "Extension, synergy, and franchising are pushing media industries to embrace convergence" in nearly every aspect of production and marketing (19). In Jenkins' view, extension is the process of "expand[ing] the potential markets [for a product] by moving content across different delivery systems," while synergy refers to the corporation's vested interests that benefit as a result of this process. Franchising is the corporations' "coordinated effort[s] to brand and market fictional content under these new conditions" (19). It is indicative not only of Time Warner's long-term strategy to extend the Batman experience to the most vocal fan community prior to the release of *The Dark Knight*, but also to integrate new media technologies like the Internet into the promotion and marketing practices for their key franchises.

Another new media technology that plays an important role in regard to *The Dark Knight* is IMAX. The introduction of the Joker in the film, released as the film's prologue in December 2007, was shot in the IMAX format, as were several other action sequences in the film. According to Nolan, he wanted something exceptional for introducing the character: "Batman has some of the most extraordinary characters in pop culture. We wanted the Joker to have the grandest entrance possible" (qtd. in Bowles, "Enter the Joker," D1). Indeed, the IMAX format guarantees the largest possible image

when shown on IMAX screens, up to eight stories high in some cases. In non-IMAX theaters, the scenes shot in the IMAX format will appear more vivid than the typical 35 MM images. *The Dark Knight* is the first Hollywood feature film to shoot sequences in the IMAX format. Although IMAX has been used extensively in documentary features, the amount of light required to secure an image coupled with the noise supplied by the cameras make it a difficult format for fiction films to use. The use of the IMAX format was described by Nolan as a way to make the film grander and more of a special event: “I think the experience is really going to be something special. You’re on an incredible roller coaster. It really takes you back to being a little kid and watching a film that’s larger than life” (qtd. in *The Dark Knight* IMAX Featurette). Indeed, Nolan stressed that the use of IMAX immerses the viewer more into the world onscreen: “There’s simply nothing like seeing a movie that way. . . It’s more immersive for the audience” (qtd. in Bowles, “Enter the Joker,” D1).

Whether or not Nolan purposefully chose to compare the film’s use of IMAX to a roller coaster ride, interestingly there is a Batman roller coaster set to debut in three Six Flags amusement parks (Six Flags Great America, in Chicago; Six Flags New England, in Massachusetts; and Six Flags Great Adventure, in New Jersey) before the film’s bow. The ride features audio and visuals directly from the film, particularly the conflict between Batman and the Joker, as well as sequences of Harvey Dent filmed specifically for the ride. Claimed Karen McTier, the Executive Vice President of Domestic Licensing and Worldwide Marketing for Warner Bros. Consumer Products, about the ride’s relationship with the film: “The Dark Knight Coaster will give fans a firsthand experience, immersing them with the sights, sounds and thrills of crime fighting in Gotham City” (qtd. in Chavez). According to a Six Flags press release, the coasters will allows guests to

see, hear and feel the action of the movie the moment they enter the ride queue line, as they are transformed into citizens of *Gotham City* — caught in the middle of a city under siege and torn apart by *The Joker*. Guests will then board a *Gotham City* rail car and careen through demented hallways of twists, turns, unseen hills and chaotic images, and continue to be tormented by The Joker as they are thrust onto the battlefield of good vs. evil (“Six Flags Releases”).

The roller coaster rides thus serve as both an introduction to the film, since they will be open in the three parks before the film’s release, and an extension of the film experience, continuing the major conflicts and iconography seen in the film. As both marketing devices and extensions of the brand experience, the roller coasters are indicative of how franchises expand the entertainment experience before and after the release of the films.

In a similar way, the direct-to-DVD anthology, *Batman: Gotham Knight*, serves as a marketing device and a brand extension. To be released in early July 2008, *Batman: Gotham Knight* is a collection of six animated stories about Batman’s transition from a novice crimefighter to the Gotham Knight, and each story is situated between the events of *Batman Begins* and *The Dark Knight*, akin to *The Animatrix* and the principles of transmedia storytelling. According to Dan Didio, the Senior Vice President and Executive Editor for DC Comics, this was the central focus of the DVD: “By creating an animated film leading into the big live action movie, it’s something that enhances the overall experience for the character” (qtd. in *Batman: Gotham Knight Sneak Peek*). David S. Goyer, the screenwriter for *Batman Begins*, wrote one of the stories, and the majority of the writers involved in the DVD also have a comic background. For example, Alan Burnett worked on several Batman-related television projects, including *Batman Beyond* (1999-2001) and *Batman: The Animated Series* (1992-1995), while Greg Rucka has worked on the comic lines for Batman, Superman, and Wonder Woman. Two stories feature Batman facing villain Killer Croc and the police, while in another segment Bruce Wayne learns more valuable fighting techniques. Each of the stories are separate,

yet feature elements that interlock within the film itself, as well as the larger arc told through the Nolan films.

The animators involved in the project are all well-established Japanese animators, and the animation is done in the style of manga—the first time that Batman has been rendered using this approach. Besides the artistic aspects of incorporating manga into the Batman universe, the potential impact on the international marketplace—particularly in Japan—seems to be an additional consideration for melding the character with Japanese animation. Japan is the second largest market for U.S.-made films (after the domestic arena itself), and *Batman Begins* did not perform well there (Inose). Indeed, the film only grossed \$12 million in Japan, compared to \$56 million for *Spider-Man*, \$50 million for *The Incredibles*, and \$95 million for *The Return of the King*. According to Sue Kroll, the President of International Marketing for Warner Bros., the company conducted focus groups to determine why *Batman Begins* did not meet box office expectations overseas, and the results showed that foreign audiences found the film and character to be too dark (Holson, “More than Ever,” C1). According to Bruce Timm, one of the producers of *Batman: Gotham Knight* as well as several Batman projects including *Batman Beyond* and *Batman: The Animated Series*, the film was an attempt to merge aspects of the Japanese manga tradition with the Batman universe:

The unique thing about Batman amongst American superheroes. . .is that he’s the one. . .most easily adaptable to an anime sensibility. The Japanese superhero genre is really radically different than the American superhero genre. Their heroes have a tendency to be more what we call probably anti-heroes. But Batman by the nature of the fact that he’s a darker character and that he’s just a human being, that he doesn’t have super powers of any kind, that’s much more in line with what the typical Japanese anime hero is all about (qtd. in *Batman: Gotham Knight – Sneak Peek*).

By creating a Batman product with cultural ties to the Japanese entertainment marketplace, producers may be priming the Japanese audience for the new theatrical release, as well.

As the date for the release of *The Dark Knight* approaches, it is clear that Warner Bros. is engaging in a number of promotional activities to involve fans in the process. What effect the campaigns will have ultimately on the box office total remains to be seen, but they have had the effect of generating good buzz for the film by fans and in the media at large. With the IMAX footage, the Six Flags roller coasters and the DVD anthology which precede the film's release, the marketing campaign for *The Dark Knight* is Warner Bros.'s attempt to control the franchise's fate in an increasingly convergent media environment. The film's marketing focus is indicative of the importance of digital technologies, DVDs, and the worldwide box office to the success of contemporary franchise films.

THE CURRENT STATE OF FRANCHISING AND CONGLOMERATION

The commitment of Warner Bros. to making franchises is demonstrated in its Summer 2008 slate. In addition to *The Dark Knight*, Warner Bros. serves as the producer and/or distributor for four other franchises to be released: *Speed Racer*, *Get Smart*, *Sex and the City*, and the animated *Star Wars: The Clone Wars*. Warner Bros. is not the only studio whose franchise focus is apparent in its 2008 release schedule. Paramount/DreamWorks has four franchises or potential franchises set for release: the fourth *Indiana Jones* film; *Iron Man*; *The Incredible Hulk*, a reboot film for the franchise; and *Kung Fu Panda*, an animated film. Universal has three franchises on deck: *Hellboy 2*; *The Mummy: Tomb of the Dragon Emperor*; and *Wanted*, which has a second film

already in development. Disney has two franchise films to be released: the second film in *The Chronicles of Narnia* series and the Pixar-created *WALL-E*. Both Sony and Fox are light on franchises during the summer, with the Will Smith-starring *Hancock* and *The X-Files 2*, respectively, but have franchises scheduled for the fall and winter months—the next James Bond film and an adaptation of the video game, *Max Payne*. Thus, each of the major studios has a developed franchise focus, with multiple franchises at the center of their business strategies.

Warner Bros. has several other active franchises in various states of development in addition to the franchises described above. The *Superman* franchise has another film scheduled for release in 2009, while the *Harry Potter* franchise has three more upcoming films: *Harry Potter and the Half-Blood Prince*, scheduled for November 2008, and the two-part *Harry Potter and the Deathly Hallows*, scheduled for release in the winter of 2010 and the summer of 2011 and all to be directed by David Yates. In announcing the division of the final film into two parts, Jeff Robinov, the President of Warner Bros., claimed that the book “is packed with vital plot points that complete the story arcs of all its beloved characters. That said, we feel that the best way to do the book, and its many fans, justice is to expand the screen adaptation. . .and release the film in two parts” (qtd. in Van Gelder, E6). Certainly, the two-part final installment mirrors the length of the final book in the series, but it also is an attempt to prolong a profitable franchise.

While these are established film franchises, Time Warner has a number of tentpole films aimed at becoming film franchises as well. The Wachowski-helmed *Speed Racer* (2008) and the adaptation of the graphic novel *The Watchmen* (2009) are both based on cult texts, but could provide the bases for a range of multimedia products, including sequels, should they prove to do well at the box office. An adaptation of *Wonder Woman* remains in active development and could be released as early as 2009.

Perhaps the film with the greatest franchise potential is the adaptation of the *Justice League* comic, *Justice League Mortal*, set for release in 2009. Directed by George Miller—the director and producer of the *Mad Max* and *Babe* franchises—the film features a collection of superheroes, including Batman, Superman, Wonder Woman, the Green Lantern, and the Flash, who join together to combat common enemies. The film could provide a base for a number of spin-offs of lesser known superheroes, much as the *X-Men* film franchise has provided material for *Wolverine* and *Magneto*¹³⁷ spin-offs. On the other hand, the adaptation of the *Justice League* may pose a significant problem to the *Superman* and *Batman* franchises, since the films will not feature the same actors nor will they fit into the same story arcs. The potential impact on the stand-alone franchises has not been lost on the actors or the directors; Brandon Routh, Christian Bale, Nolan, and Bryan Singer reportedly have each voiced disappointment about the *Justice League* adaptation (Garrett, “WB Makes,” 1). At present, the film’s production has been delayed due to the length of the Writers Guild of America strike, and it is not scheduled for production until autumn 2008, depending upon the status of the Screen Actors Guild’s negotiations to avoid another strike.

Since the end of *The Lord of the Rings* franchise, Time Warner subsidiary New Line Cinema has had trouble developing new franchises. New Line’s woes became increasingly apparent when Peter Jackson filed a lawsuit against the company in early 2005, charging inaccurate accounting practices. The disagreements between Jackson and New Line CEO Bob Shaye were heated and aired publicly, as Shaye promised that Jackson would never work on any New Line project again. The lawsuit affected the planned production of *The Hobbit*, the prequel novel to *The Lord of the Rings* books. The adaptation of *The Hobbit* was to be directed by Jackson and released in two parts in 2009

¹³⁷ The Magneto spinoff, *X-Men Origins: Magneto*, is to be directed by *Batman Begins* screenwriter, David S. Goyer, and released in late 2009 while *X-Men Origins: Wolverine* is set for release during Summer 2009.

and 2010. Fans began to mobilize boycotts online in reaction to the news that Jackson would not be involved in the films' production. In late 2007, the lawsuit was settled out of court and the production of *The Hobbit* began in earnest again, with Jackson producing and Sam Raimi attached to direct the two films.¹³⁸ Two months later, Raimi had exited from the films' production while Guillermo del Toro had stepped in as the large-scale project's director. The two films are now slated for four years of production, with releases expected in 2011 and 2012.

New Line's attempts to create another franchise on the scale of *The Lord of the Rings* backfired with the adaptation of the popular fantasy trilogy *His Dark Materials* by Philip Pullman. The first film of the book series, *The Golden Compass* (2007), featured an international cast including Nicole Kidman, Daniel Craig, and Eva Green and a budget of \$180 million. The film fared poorly in domestic theaters, however, earning only \$70 million despite its release during the busy holiday season. Its box office prospects worldwide were better, grossing over \$280 million, yet it was described in the press as a massive box office failure. New Line saw little of the international gross, since it had sold the international distribution rights in order to offset the film's massive budget. In part, it was the failure of the ambitious film, and New Line's poor box office performance overall since *The Lord of the Rings* franchise finished in 2003, which led to the folding of the subsidiary into Warner Bros. Since the Turner merger in 1996, New Line Cinema had functioned rather independently from the Warner Bros. division of the company. In March 2008, Jeff Bewkes, the recently named President and CEO of Time Warner, declared that this independent corporate structure no longer worked with the cost

¹³⁸ In recent years, New Line has faced other lawsuits regarding *The Lord of the Rings*. The Tolkien Trust, the group that maintains the trust for the Tolkien estate, filed suit in late 2007. The Tolkien Trust claimed that it had yet to receive any of its gross profits from the franchise, and it wanted to stop the planned production of *The Hobbit* until its lawsuit was resolved. In addition to the lawsuits by Jackson and the Tolkien estate, producer Saul Zaentz has sued the company on two occasions, also in relation to the company's accounting practices.

effective measures he was instituting for the company overall. Indeed, Bewkes viewed the sale of the international distribution rights to *The Golden Compass* as a major problem with New Line's economic strategy: "International revenues are becoming more important and it doesn't make sense to give up foreign rights, where a lot of the upside is" (qtd. in Eller, A1). With the folding of New Line into the larger studio of Warner Bros., Time Warner has lost its key independent film subsidiary. In an article chronicling New Line's demise, *Variety* reporter Anne Thompson declared in the title that "New Line's Rebel Days [have] Come to an End" (5). As a recent development, the repercussions of New Line's dissolve into Warner Bros. are hard to gauge, but it does show that the major studios, and not their specialty arms, are best suited for the creation and sustaining of franchises in the contemporary industry.

ASSESSING THE ROLE OF FRANCHISES

As I have argued throughout this dissertation, franchise filmmaking during the conglomerate era has led to increasing profitability for the studios. Warner Bros. had three films in the top ten worldwide grossers for 2007: *Harry Potter and the Order of the Phoenix* (\$939 million), *I Am Legend* (\$584 million), and *300* (\$456 million), all based on popular novels.¹³⁹ In the 2007 *Fortune* 500, Time Warner remains the top company in terms of the entertainment industry with revenues of \$44 billion ("The *Fortune* 500," 2008). Disney had three films in the top ten worldwide grossers for 2007: *Pirates of the Caribbean: At World's End* (\$961 million), *Ratatouille* (\$621 million), and *National Treasure: Book of Secrets* (\$455 million). Each of these films is also part of a multimedia franchise. The company had the second highest revenues in the

¹³⁹ While the *Harry Potter* film is an adaptation of the popular book with the same name, *I am Legend* is an adaptation of the 1954 science fiction novel while *300* is an adaptation of the graphic novel of the same name.

entertainment industry for the year, with revenues of \$34 billion (“The *Fortune* 500,” 2008). News Corp. earned \$25 billion in revenues for the year, in large part because of the success of franchises such as *Alvin and the Chipmunks* (\$358 million worldwide), *The Simpsons Movie* (\$530 million worldwide), and *Live Free or Die Hard* (\$383 million worldwide) (“The *Fortune* 500,” 2008).

Part of the project of this dissertation has been to push past simplified notions of the franchise by analyzing how it is integrated into the corporate structure currently reigning in the entertainment industry. Although ubiquitous in press accounts of the industry, most of our knowledge of the franchise film is in relation to their box office grosses. As there are few full-length studies on contemporary franchises, and even fewer on the relationship between the corporate structure and the films themselves, this dissertation has been an attempt to assert how we may examine these issues concurrently. Given the prevalence of franchises in the contemporary filmmaking environment, other studies of franchises are indeed necessary. Trying to bring together information regarding DVD sales, international grosses, and merchandising revenues can be difficult since no single source combines these data in an easily understood and public forum. This is one of the key challenges we face as we analyze these highly commercial forms of filmmaking.

Another project of this study has been to give a foundation for understanding the poetics of the franchise film, particularly in relation to notions of authorship. By examining the *Batman* franchise, this dissertation is a step in the direction of more in-depth analysis of the contemporary franchise film. The *Batman* franchise and its relationship with its corporate parent Time Warner instigated several major developments in contemporary franchises. First, the successes and failures in the *Batman* franchise promoted new standards for the adaptation of comics, as seen with the upcoming release

of *Iron Man*. Tim Burton's *Batman* films indicated that the dark direction could be popular with a mass audience, while Joel Schumacher's two *Batman* films demonstrated the importance of fans' tastes in regard to the reception of the franchise. For franchise films to succeed, it is clear that mediations have to occur between mainstream and specialty audience desires. Second, the critical and box office success of *Batman*, in particular, led to the emergence of the art blockbuster—the merging of commercial and art cinema. As I have profiled throughout this dissertation, the number of blockbusters which have incorporated aspects of the art cinema has grown steadily over the past two decades, and is clearly evident in the releases slated for the summer of 2008. Third, every arm of the media conglomerate—from the music arm, to the publication arm, to the home video arm—plays a role in promoting and sustaining the film franchise, a phenomenon jumpstarted in 1989 with the release of *Batman* by media conglomerate Time Warner. In recent years, the independent film subsidiary has also been a crucial feature in the development of franchises, as formerly independent talent move into these big-budget productions, as seen with Christopher Nolan and *Batman Begins*.

On the other hand, the *Batman* film franchise has eschewed some of the major developments in the film industry over the past two decades and, as such, can hardly be seen as the era's paradigmatic franchise. The growing importance of visual effects in franchise films, in high-grossing films ranging from *Jurassic Park* to *Spider-Man*, and *Men in Black* to the *Harry Potter* films, has not impacted the *Batman* franchise very much at all. Indeed, most of the effects in the first four films in the franchise were special effects, achieved either through the use of models or elaborately staged live-action stunts. Even *Batman Begins* relies more heavily on actual footage shot than on computer-generated imagery (CGI), although some of the sets were in fact enhanced by CGI. In this regard, the *Batman* franchise has been out-of-synch with the majority of

franchise films produced by the studios, including its corporate parent Time Warner, whose *The Matrix* and *Harry Potter* films all rely heavily on CGI, in addition to New Line's *The Lord of the Rings* trilogy which features a prominent CGI character. Whereas the *Batman* franchise was Time Warner's key film commodity during the 1990s, the contemporary film studios now rely on a multitude of franchises, of which the *Batman* franchise is only a small part. In terms of revenues, the *Batman* franchise does not compare to the grosses seen by Time Warner's other franchises, such as *Harry Potter*.

Yet, a number of the trends seen in contemporary franchises were first apparent in the *Batman* film franchise. The growing importance of the international market, the additional windows for viewing the films, and the merchandising revenues achieved through myriad tie-in products—these are all elements that can be traced throughout the franchise's tenure and assessed in regard to the complex developments that have occurred in contemporary Hollywood. The place of *Batman* in the scheme of Time Warner's development, as well as the industry as a whole, makes it a unique case study, but not one without applicability to franchise studies in general. As this study makes clear, no franchise film exists within a vacuum. Between the relationship with other films in the same franchise, other films within the same company, and other films released by rival studios, a single franchise film hardly stands alone in the contemporary filmmaking environment. In fact, with the myriad texts associated with a franchise, multimedia analysis is a required part of critical study.

In his feature film introduction in 1989, Batman tells a thug: "I want you to do me a favor. I want you to tell all of your friends about me." It is an apt introduction for a character whose franchise has influenced the studio approach to the multimedia blockbuster. Ultimately, what the *Batman* franchise tells us about contemporary Hollywood is that the franchise mentality of the studios has shifted since the 1980s. In

the years since *Batman*, the number of franchises at both Time Warner and in the industry at large has skyrocketed, as the singular franchise focus gave way to a multitude of calculated franchises. Not only have all of the thug's friends been alerted to the possibilities of the franchise, but so too have the studios. Within the contemporary franchise filmmaking environment, Batman truly is forever.

Appendix 1

TOP 50 FILMS IN TERMS OF DOMESTIC GROSSES¹⁴⁰

Rank	Film Title	Year of Release	Studio	Gross (in millions)	Franchise Status ¹⁴¹
1	<i>Titanic</i>	1997	Paramount and 20 th Century Fox	\$601	MF
2	<i>Star Wars</i>	1977	20 th Century Fox	\$461	FF, MF
3	<i>Shrek 2</i>	2004	DreamWorks	\$437	FF, MF
4	<i>E.T. the Extra-Terrestrial</i>	1982	Universal	\$435	MF
5	<i>Star Wars Episode 1: The Phantom Menace</i>	1999	20 th Century Fox	\$431	FF, MF
6	<i>Pirates of the Caribbean: Dead Man's Chest</i>	2006	Disney	\$423	FF, MF
7	<i>Spider-Man</i>	2002	Sony	\$404	FF, MF
8	<i>Star Wars Episode 3: Revenge of the Sith</i>	2005	20 th Century Fox	\$380	FF, MF
9	<i>Lord of the Rings: Return of the King</i>	2003	New Line	\$377	FF, MF
10	<i>Spider-Man 2</i>	2004	Sony	\$373	FF, MF
11	<i>The Passion of the Christ</i>	2004	NewMarket	\$370	
12	<i>Jurassic Park</i>	1993	Universal	\$357	FF, MF
13	<i>Lord of the Rings: The Two Towers</i>	2002	New Line	\$342	FF, MF
14	<i>Finding Nemo</i>	2003	Disney	\$340	MF
15	<i>Spider-Man 3</i>	2007	Sony	\$337	FF, MF
16	<i>Forrest Gump</i>	1994	Paramount	\$330	
17	<i>The Lion King</i>	1994	Disney	\$329	MF
18	<i>Shrek the Third</i>	2007	Paramount/Dream Works	\$321	FF, MF
19	<i>Transformers</i>	2007	Paramount/Dream Works	\$319	FF, MF
20	<i>Harry Potter and the Sorcerer's Stone</i>	2001	Warner Bros.	\$318	FF, MF
21	<i>Lord of the Rings: Fellowship of the Ring</i>	2001	New Line	\$315	FF, MF

¹⁴⁰ As of January 2008. All figures from *Variety*, "Top 250 Films of All-Time (Domestic)." Available at http://www.variety.com/index.asp?layout=chart_top_250&dept=Film&year=&x=11&y=12.

¹⁴¹ FF stands for film in a franchise, while MF stands for a multimedia franchise. Some films are part of both.

22	<i>Star Wars Episode 2: Attack of the Clones</i>	2002	20 th Century Fox	\$311	FF, MF
23	<i>Pirates of the Caribbean: At World's End</i>	2007	Disney	\$309	FF, MF
24	<i>Return of the Jedi</i>	1983	20 th Century Fox	\$309	FF, MF
25	<i>Independence Day</i>	1996	20 th Century Fox	\$306	
26	<i>Pirates of the Caribbean: Curse of the Black Pearl</i>	2003	Disney	\$305	FF, MF
27	<i>The Sixth Sense</i>	1999	Disney	\$294	
28	<i>Harry Potter and the Order of the Phoenix</i>	2007	Warner Bros.	\$292	FF, MF
28	<i>The Chronicles of Narnia: The Lion, the Witch, and the Wardrobe</i>	2005	Disney	\$292	FF, MF
29	<i>The Empire Strikes Back</i>	1980	20 th Century Fox	\$290	FF, MF
30	<i>Harry Potter and the Goblet of Fire</i>	2005	Warner Bros.	\$290	FF, MF
32	<i>Home Alone</i>	1990	20 th Century Fox	\$286	FF
33	<i>The Matrix Reloaded</i>	2003	Warner Bros.	\$282	FF, MF
34	<i>Meet the Fockers</i>	2004	Universal	\$279	FF
35	<i>Shrek</i>	2001	DreamWorks	\$268	FF, MF
36	<i>Harry Potter and the Chamber of Secrets</i>	2002	Warner Bros.	\$262	FF, MF
37	<i>The Incredibles</i>	2004	Disney	\$261	MF
38	<i>Dr. Seuss' How the Grinch Stole Christmas</i>	2000	Universal	\$260	MF
39	<i>Jaws</i>	1975	Universal	\$260	FF, MF
40	<i>Monsters, Inc.</i>	2001	Disney	\$256	MF
41	<i>Batman</i>	1989	Warner Bros.	\$251	FF, MF
42	<i>Night at the Museum</i>	2006	20 th Century Fox	\$251	FF, MF
43	<i>Men in Black</i>	1997	Sony	\$251	FF, MF
44	<i>Harry Potter and the Prisoner of Azkaban</i>	2004	Warner Bros.	\$250	FF, MF
45	<i>Toy Story 2</i>	1999	Disney	\$246	FF, MF
46	<i>Raiders of the Lost Ark</i>	1981	Paramount	\$245	FF, MF
47	<i>Cars</i>	2006	Disney	\$244	MF
48	<i>Bruce Almighty</i>	2003	Universal	\$243	FF, MF
49	<i>Twister</i>	1996	Warner Bros.	\$242	
50	<i>My Big Fat Greek Wedding</i>	2002	IFC Films	\$241	MF

Appendix 2

POSTERS FOR *BATMAN* LIVE-ACTION FEATURE FILMS, 1989 - 1997

Figure 1 – *Batman* Poster (1989)

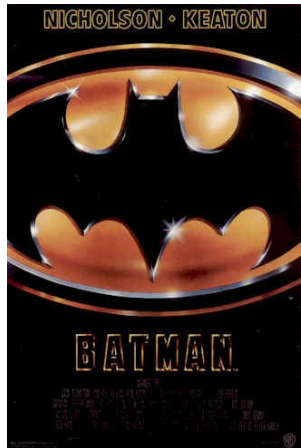


Figure 2 – *Batman Returns* Poster (1992)



Figure 3 – *Batman Forever* Poster (1995)

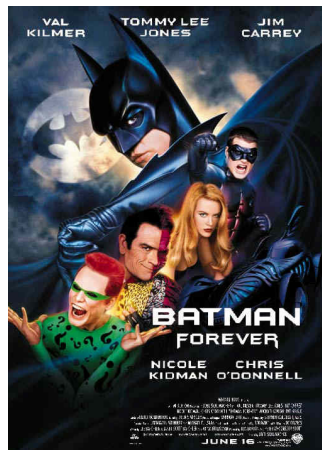


Figure 4 – *Batman and Robin* Poster (1997)



Appendix 3

WARNER BROS. MARKET SHARE AND TOP FILMS BY YEAR, 1970 - 1990

Year	Market Share	Market Share Rank	Top Grossing Film	Domestic Rentals (in millions)	Film Rank for the year
1970	5 %	7 th	<i>Woodstock</i>	\$13.5	5 th
1971	9 %	4 th	<i>Summer of '42</i>	\$14	3 rd
1972	18 %	2 nd	<i>What's Up, Doc?</i>	\$17	4 th
1973	16 %	2 nd	<i>Deliverance</i>	\$18	2 nd
1974	23 %	1 st	<i>The Exorcist</i>	\$66.3	2 nd
1975	9 %	6 th	<i>Freebie and the Bean</i>	\$12.5	12 th
1976	18 %	1 st	<i>All the President's Men</i>	\$29	2 nd
1977	14 %	3 rd	<i>A Star is Born</i>	\$37.1	4 th
1978	13 %	3 rd	<i>The Goodbye Girl</i>	\$41	6 th
1979	20 %	1 st	<i>Superman</i>	\$81	1 st
1980	14 %	4 th	<i>Private Benjamin</i>	\$33.5	7 th
1981	18 %	1 st	<i>Superman II</i>	\$64	2 nd
1982	10 %	5 th	<i>Chariots of Fire*</i>	\$27.6	10 th
1983	17 %	2 nd	<i>Superman III</i>	\$36.4	5 th
1984	19 %	2 nd	<i>Gremlins</i>	\$78.5	3 rd
1985	18 %	1 st	<i>The Goonies</i>	\$29.9	6 th
1986	12 %	2 nd	<i>The Color Purple</i>	\$41.9	6 th

1987	13 %	3 rd	<i>The Witches of Eastwick</i>	\$31.8	6 th
1988	11 %	3 rd	<i>Beetlejuice</i>	\$33.2	10 th
1989	19 %	1 st	<i>Batman</i>	\$150.5	1 st
1990	13 %	3 rd	<i>Driving Miss Daisy</i>	\$104.8	9 th

* Distributed with The Ladd Company.

Market share figures available from A.D. Murphy, "North American Theatrical Film Rental Market Shares: 1970-1990," *Variety* 14 Jan. 1991, 12. Information on top grossing film, domestic rentals, and film rank collected from *Variety's* annual list of Big Rental Films from 1970 through 1988. Rental figures for 1989 from Gerald Putzer, "B.O. Blasts Off in Year of the Bat," *Variety* 30 Jan. 1990. Rental figures for 1990 from "Top 250 of 1990," *Variety Online*, <http://www.variety.com/index.asp?layout=chart_top_250&dept=Film&year=1990&x=11&y=16>.

Appendix 4

WARNER BROS. MARKET SHARE AND TOP FILMS BY YEAR, 1991 - 2005

Year	Market Share	Market Share Rank	Top Grossing Film	Domestic Grosses (in millions)	Film Rank for the year
1991	14 %	1 st	<i>Robin Hood: Prince of Thieves</i>	\$165.5	2 nd
1992	20 %	1 st	<i>Batman Returns</i>	\$163	2 nd
1993	19 %	1 st	<i>The Fugitive</i>	\$179.3	2 nd
1994	16 %	2 nd	<i>Maverick</i>	\$101.6	10 th
1995	16 %	2 nd	<i>Batman Forever</i>	\$184	1 st
1996	16 %	2 nd	<i>Twister</i>	\$241.7	2 nd
1997	11 %	4 th	<i>Batman and Robin</i>	\$107.3	9 th
1998	12 %	3 rd	<i>Rush Hour*</i>	\$136.1	8 th
1999	14 %	2 nd	<i>Austin Powers: The Spy Who Shagged Me*</i>	\$205	4 th
2000	12 %	3 rd	<i>The Perfect Storm</i>	\$182.6	4 th
2001	15 %	1 st	<i>Harry Potter and the Sorcerer's Stone</i>	\$291.6	1 st
2002	12 %	3 rd	<i>Harry Potter and the Chamber of Secrets</i>	\$246	3 rd
2003	13 %	3 rd	<i>The Lord of the Rings: The Return of the King*</i>	\$290	3 rd
2004	18 %	1 st	<i>Harry Potter and the Prisoner of Azkaban</i>	\$249	5 th
2005	22 %	1 st	<i>Harry Potter and the Goblet of Fire</i>	\$277	2 nd
2006	11.6%	4 th	<i>Superman Returns</i>	\$200	6 th

2007	14.7%	2 nd	<i>Harry Potter and the Order of the Phoenix</i>	\$292	5 th
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* Distributed via subsidiary New Line Cinema.

Market Share Information available from the following sources: "Domestic Film Box Office Market Shares," *Variety* 11 Jan. 1993: 16 (both 1991 and 1992); "WB Grabs Top Share of 1993," *Variety* 24 Jan. 1994: 7; Leonard Klady, "Disney Takes 'Lion's' Share of '94 Boffo B.O.," *Variety* 15 Jan. 1995: 13+; Klady, "Good News: B.O. Up; Bad News: Only By a Bit," *Variety* 18 Jan. 1996: 13+; Klady, "Year's Big B.O. Bang," *Variety* 12 Jan. 1997: 9+; Klady, "B.O. Breaks the Bank," *Variety* 22 Dec. 1997: 9+; Klady, "That Championship Season," *Variety* 11 Jan. 1999: 9+; Dade Hayes, "Box Office: Reel Fine in '99," *Variety* 10 Jan. 2000: 9+; Hayes, "Late Rally Lifts Wilted Wickets," *Variety* 8 Jan. 2001: 9+; Carl DiOrio, "'Potter' Plants WB on Top of Market," *Variety* 24 Dec. 2001: 12; DiOrio, "Tickets to Success," *Variety* 6 Jan. 2003: 18+; Gabriel Snyder, "Indie Duo Buoy B.O.," *Variety* 4 Jan. 2005: 7; DiOrio, Mouse Wore the Top Hat with Flat 2003," *Variety* 5 Jan. 2004: 1+; Ben Fritz, "WB, Fox Share Year's Bounty," *Variety* 4 Jan. 2006: 1+; and Box Office Mojo (boxofficemojo.com).

Information on top grossing film, domestic grosses, and film rank collected from the following sources: Gerald Putzer, "'Terminator 2' Takes Ring in \$200 Mil Year," *Variety* 6 Jan. 1992: 5+; Putzer, "Blockbuster Sequels Sparked B.O. in '92," *Variety* 4 Jan. 1993: 5+; Leonard Klady, "Top 100 Pix Take \$8 Bil Globally," *Variety* 3 Jan. 1994: 1+; Klady, "The Lowdown on '94's Record Box Office Heights," *Variety* 30 Jan. 1995: 17+; Klady, "Good News: B.O. Up; Bad News: Only By a Bit," *Variety* 18 Jan. 1996: 13+; "Top 10 Grossers of '96," *Variety* 12 Jan. 1997: 16; Klady, "H'wood's B.O. Blast," *Variety* 5 Jan. 1998: 1+; Klady, "Top 125 Worldwide," *Variety* 25 Jan. 1999: 36+; "The Top 250 of 1999," *Variety* 10 Jan. 2000: 20+; Anthony D'Alessandro, "Top 250 of 2000," *Variety* 8 Jan. 2001: 20+; "Top Grossing Pics of 2001," *Variety* 7 Jan. 2002: 38+; "The Top 250 of 2002," *Variety* 6 Jan. 2003: 26+; D'Alessandro, "The Top 250 of 2003," *Variety* 12 Jan. 2004: 14+; D'Alessandro, "Domestic Top 250 of 2004," *Variety* 10 Jan. 2005: 14+; D'Alessandro, "Top Worldwide Grossers 2005," *Variety* 16 Jan. 2006: 14+; and Box Office Mojo (boxofficemojo.com).

Appendix 5

FILMOGRAPHIES AND AWARDS FOR *BATMAN* DIRECTORS

Tim Burton

Vincent (1982) – also Writer
Frankenweenie (1984)
Pee-Wee's Big Adventure (1985)
Beetlejuice (1988)
Batman (1989)
Edward Scissorhands (1990) – also Producer and Story Creator
Batman Returns (1992) – also Producer
Family Dog (1992) – as Executive Producer
The Nightmare Before Christmas (1993) – as Producer and Story Creator
Ed Wood (1994) – also Producer
Cabin Boy (1994) – as Producer
Batman Forever (1995) – as Producer
Mars Attacks! (1996) – also Producer
James and the Giant Peach (1996) – as Producer
The World of Stainboy (2000) – also Producer and Writer
Sleepy Hollow (1999)
Planet of the Apes (2001)
Big Fish (2003)
Charlie and the Chocolate Factory (2005)
Corpse Bride (2005) – also Producer
Sweeney Todd: The Demon Barber of Fleet Street (2007)

Selected Awards:

2007 Winner, Best Director, National Board of Review (*Sweeney Todd*)
2007 Golden Globe Nominee, Best Director (*Sweeney Todd*)
2007 Winner, Career Golden Lion, Venice International Film Festival
2005 Academy Award Nominee, Best Animated Feature Film (*Corpse Bride*)
2005 Winner, Future Film Festival Digital Award, Venice International Film Festival (*Corpse Bride*)
1995 Golden Palm Nominee, Cannes International Film Festival (*Ed Wood*)
1990 Director of the Year, ShoWest Convention

Joel Schumacher

Car Wash (1976) – as Screenwriter
The Wiz (1978) – as Screenwriter
The Incredible Shrinking Woman (1981)
D.C. Cab (1983) - also Story
St. Elmo's Fire (1985) – also Screenwriter
The Lost Boys (1987)
Cousins (1989)
Flatliners (1990)
Dying Young (1991)
Falling Down (1993)
The Client (1994)
Batman Forever (1995)
A Time to Kill (1996)
Batman and Robin (1997)
8 MM (1999) – also Producer
Flawless (1999) – also Screenwriter and Producer
Tigerland (2000)
Bad Company (2002)
Phone Booth (2002)
Veronica Guerin (2003)
The Phantom of the Opera (2004) – also Screenwriter
The Number 23 (2007)

Selected Awards:

1999 Golden Berlin Bear Nominee, Berlin International Film Festival (*8 MM*)
1998 Nominee, Worst Director, Razzie Awards (*Batman and Robin*)
1997 Director of the Year, ShoWest Convention
1993 Golden Palm Nominee, Cannes International Film Festival (*Falling Down*)

Christopher Nolan

Following (1998) – also Screenwriter, Editor, Cinematographer and Producer

Memento (2000) – also Screenplay

Insomnia (2002)

Batman Begins (2005) – also Screenplay

The Prestige (2006) – also Screenplay

The Dark Knight (2008) – also Screenplay and Producer

Selected Awards:

2002 Academy Award Nominee, Best Original Screenplay (*Memento*)

2002 Winner, Best Director, Independent Spirit Awards (*Memento*)

2002 Winner, Best Screenplay, Independent Spirit Awards (*Memento*)

2002 Winner, Best New Filmmaker, MTV Movie Awards

2001 Nominee, Grand Jury Prize, Sundance Film Festival (*Memento*)

2001 Winner, Waldo Salt Screenwriting Award, Sundance Film Festival (*Memento*)

Appendix 6

IMAGES FROM TIM BURTON FILMS*



Photo 1: *Vincent*



Photo 2: *Frankenweenie*



Photo 3: *Pee Wee's Big Adventure*



Photo 4: *Beetlejuice*

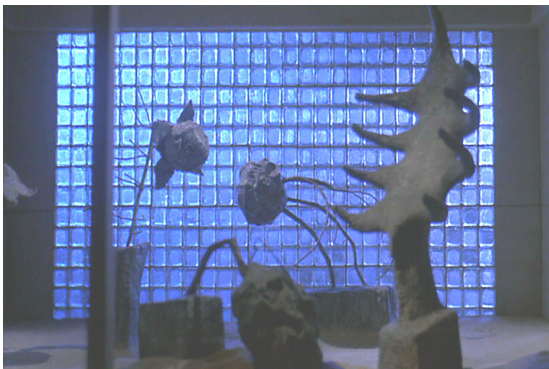


Photo 5: *Beetlejuice*



Photo 6: *Batman*



Photo 7: *Batman*

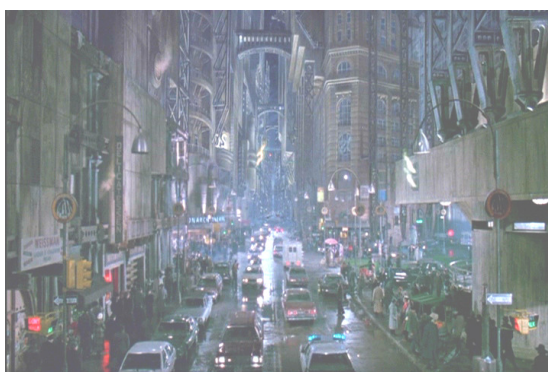


Photo 8: *Batman*



Photo 9: *Batman*



Photo 10: *Batman*



Photo 11: *Batman Returns*

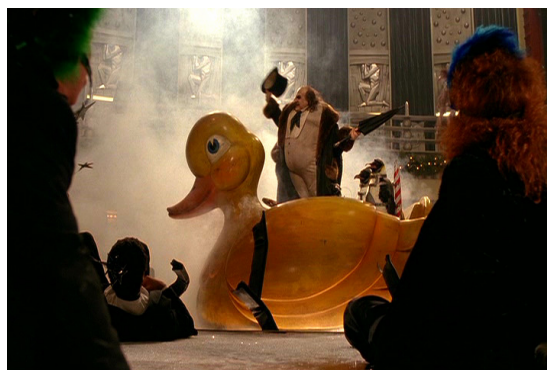


Photo 12: *Batman Returns*



Photo 13: *Batman Returns*



Photo 14: *Batman Returns*

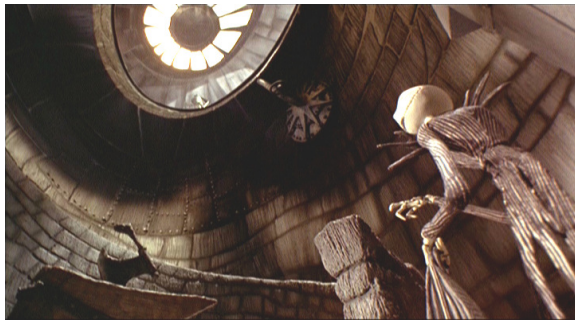


Photo 15: *The Nightmare before Christmas*

*Images have had both brightness and contrast levels adjusted in order to be reproduced more clearly.

Appendix 7

IMAGES FROM JOEL SCHUMACHER FILMS*



Photo 1: *Flatliners*

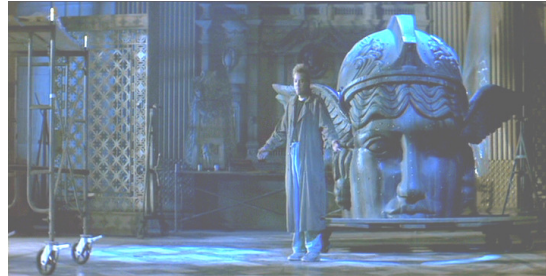


Photo 2: *Flatliners*

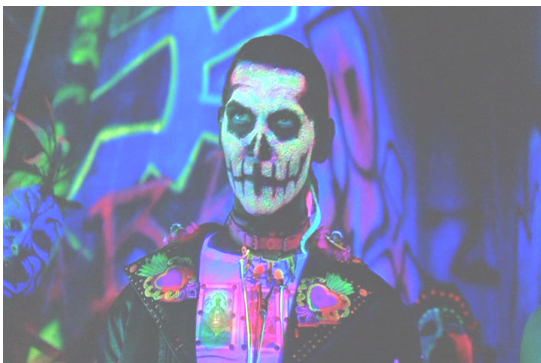


Photo 3: *Batman Forever*

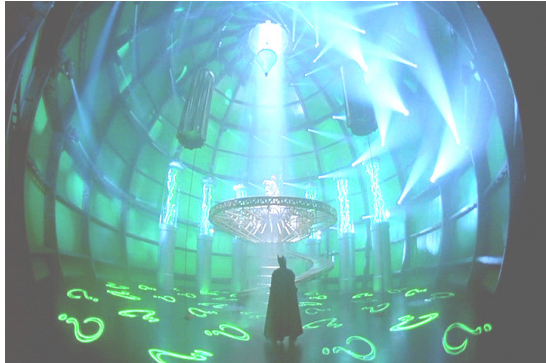


Photo 4: *Batman Forever*

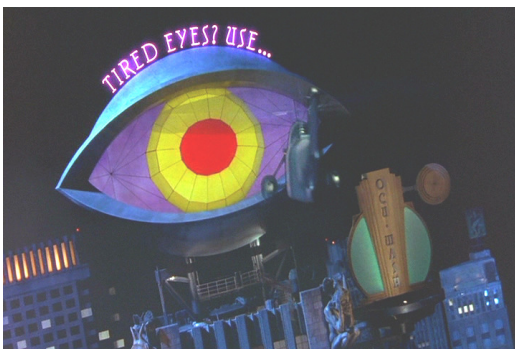


Photo 5: *Batman Forever*



Photo 6: *Batman Forever*



Photo 7: *Batman Forever*



Photo 8: *Batman Forever*

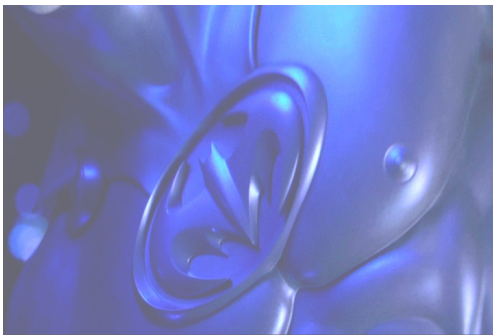


Photo 9: *Batman Forever*



Photo 10: *Batman and Robin*

*Images have had both brightness and contrast levels adjusted in order to be reproduced more clearly.

Appendix 8

IMAGES FROM CHRISTOPHER NOLAN'S FILMS*



Photo 1: *Memento*

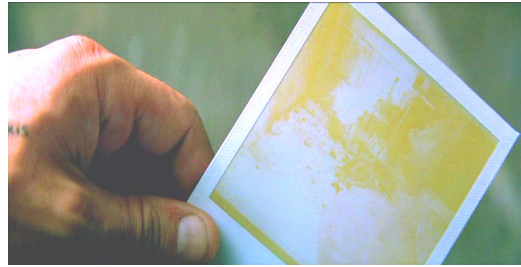


Photo 2: *Memento*



Photo 3: *Memento*



Photo 4: *Memento*



Photo 5: *Batman Begins*



Photo 6: *Batman Begins*

*Images have had both brightness and contrast levels adjusted in order to be reproduced more clearly.



Photo 7: *Batman Begins*



Photo 8: *Batman Begins*



Photo 9: *Batman Begins*



Photo 10: *Batman Begins*



Photo 11: *Batman Begins*



Photo 12: *Batman Begins*



Photo 13: *Following*

Appendix 9

VISUAL REFERENCES TO GRAPHIC NOVELS*



Photo 1: *The Dark Knight Returns*



Photo 2: *Batman*

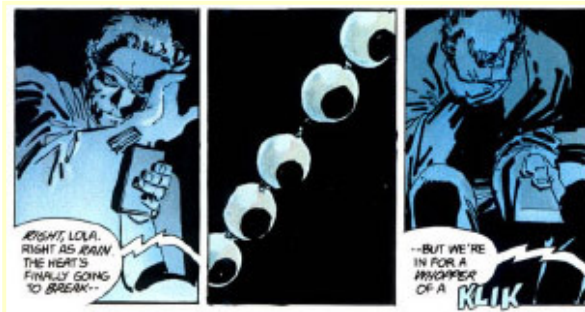


Photo 3: *The Dark Knight Returns*



Photo 4: *Batman Forever*



Photo 5: *Batman Begins*



Photo 6: *The Dark Knight Returns*



Photo 7: *The Killing Joke*



Photo 8: *Batman*

*Images have had both brightness and contrast levels adjusted in order to be reproduced more clearly.

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