

## **FIA – THE FIRST THIRTY YEARS**

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The first meeting of what later became the International Federation of Actors took place in Paris on the 2<sup>nd</sup> and 3<sup>rd</sup> April 1951, when the Syndicat National des Acteurs Français convened a meeting of the European actors' unions. Though called the First European Congress of Actors it was, in fact, not the first attempt by the French union to bring actors' unions together: a similar initiative had already been taken in 1928 but had soon failed.

The musicians were represented at international level: the International Federation of Musicians (FIM) had been founded in August 1948. Variety artists too had an international organisation. But, apart from regional and linguistic groups – e.g. the Nordisk Skuespillerad formed by the Scandinavian unions – actors' unions seemed elusive of organisation on a broad international base. Much credit is due, therefore, to Jean Darcante, then President of the French actors' union, for his persistence and his early recognition that the problems of professional performers would increasingly transcend national borders and would require international solutions flowing from the co-operation between the performers' unions in individual countries.

Jean Darcante's devotion to a concept of international co-operation is all the more remarkable that much of Europe was still recovering from the Second World War, soon to be followed by the "cold war", which hampered international relations. Representatives from the performers' unions in Czechoslovakia, Poland and what later became the German Democratic Republic – who were all interested in the Federation from its inception – were sometimes unable to attend Congresses, as they could not get the necessary visas to enter the country hosting the event.

In the countries particularly devastated by the war, performers' unions experienced more immediate problems, such as the rebuilding of destroyed theatres, which could only be done ever so slowly as in Greece, where reconstruction under the Marshall Plan made no provision whatsoever for theatres.

Yet at that first meeting there were representatives from the actors' unions in Belgium, Denmark, France, Hungary, Norway, Switzerland, the United Kingdom and expressions of interest and goodwill from Finland, Italy, Poland, Sweden, West Germany and former Yugoslavia.

Jean Darcante's efforts to bring the national performers' unions together had much to do with his concern about performers' rights or, more accurately, the lack of them. The French union, itself struggling unsuccessfully to obtain national legislation for performers' rights, believed that the introduction of TV would exacerbate the problem in every country. Performers' rights became indeed a predominant issue in the following years.

At that first meeting were also discussed worrying issues arising from the exchange of recorded radio and TV programmes. Indeed, considering that in many European countries, apart from the UK and France, TV was either only in an experimental phase or had yet to be introduced, these early fears were to prove remarkably accurate. TV was to have enormous repercussions upon all aspects of the profession.

The participants in that first meeting were, by the afternoon of the second day, sufficiently convinced of both the necessity and the value of international co-operation between actors'

unions to pass a Resolution calling for the drafting of a Constitution which would set up a European organisation of actors.

The next meeting of European actors' unions was held in London on the 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> of June 1952 and was attended by delegates from fifteen European nations and an observer from Australia.

In the Constitution, drafted by Jean Darcante together with Gordon Sandison and Gerald Croasdell – respectively General Secretary and Assistant General Secretary of British Actors' Equity – appeared for the first time the title "International Federation of Actors and Performers". Jean Darcante foresaw that if actors' unions were to have access to international meetings, their organisation would need to be "International" rather than "European" in title. He also believed that, sometime in the future, non-European actors' unions might also wish to join.

The Constitution and the title – shortened to "International Federation of Actors"<sup>1</sup> – were adopted and the second meeting of the European actors' unions became the I Congress of the International Federation of Actors. Jean Darcante was elected President, Gordon Sandison Vice-president and the Executive Committee consisted of Austria, Denmark, Italy and former Yugoslavia. The French union agreed to provide the facilities for the Federation's Secretariat and the services of Pierre Chesnais as General Secretary.

By 1953 the Federation representativeness at an international level had been accepted by the International Labour Organisation (ILO) and the European Broadcasting Union (EBU). Furthermore, Jean Darcante's belief that the Federation would be of interest to actors' unions in countries outside Europe soon proved to be correct. The first to join was the Asociación Nacional de Actores (ANDA) of Mexico. The union's then General Secretary, a well-known Mexican actor named Rodolfo Landa, not only served between 1956 and 1967 three terms as the Federation's Vice-president and one as President, but was also instrumental in arousing the interest of Latin American's actors' unions in the Federation. The admission of the Mexican actors' union was followed in 1954 by that of the actors' union of Argentina. The Actors' and Announcers' Union of Australia joined in 1955 and in 1956 came the National Council of Canadian Authors and Actors (later to become ACTRA) and the actors' unions from Cuba and Poland. Rather strikingly – considering how the world was quickly taking sides on either border of the iron curtain – the Federation welcomed in its membership performers' unions from countries of very different ideologies.

The landmark in terms of the FIA's membership was to be the VII Congress held in Prague, former Czechoslovakia, in 1967. This congress, the first to be held in a Socialist country, was organised by Vlastimil Fisar who hoped to bring into membership those countries that had not yet joined FIA. It was an unprecedented event attended by a considerably high number of both delegates and observers, the latter originating from the USA as well as from the former USSR. Within the next three years, Hungary, the USSR, the German Democratic Republic, Bulgaria, and the USA (both the Screen Actors' Guild and the Actors' Equity Association) became members of FIA. The combined efforts of Vlastimil Fisar and Rolf Rembe were all the more praiseworthy as they took place at a time of great political tension internationally.

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<sup>1</sup> Though shortened to "International Federation of Actors" it was agreed that the Federation's representativeness should not be limited only to actors but should cover all performers other than instrumental musicians and – until the incorporation of the FIAV in 1974 – variety artists. This wider representativeness should be borne in mind wherever, for the sake of simplicity, reference is made to actors' unions.

As the membership grew, the need for a full-time General Secretary became apparent. The French union generously provided this facility and Pierre Chesnais added to his responsibilities within his own union the function of FIA's General Secretary. At the end of May 1968, he resigned from both positions and was replaced for the next five years by Rolf Rembe, an Executive from the Swedish Actors' Union, Svenska Teaterförbundet. In 1973, at the IX FIA Congress, it was decided to set up a permanent Secretariat and Gerald Croasdell, who had then just retired from his position as General Secretary of British Equity became, in May 1974, the first full-time General Secretary of FIA, in London.

The founding of FIA coinciding with the introduction of the television, it provided its membership with an early test of unity in what was known as the "*Eurovision strike*". In 1951, the only European countries to enjoy regular daily TV services for 3 and 4 hours respectively were France and the UK. In all other European countries, the introduction of TV was either still at an experimental stage or under discussion. By 1952, there were already 1.4 million TV sets in use in the UK, not quite as many in France and 3,000 in the Netherlands. Italy and Spain only had experimental transmitters, and Germany was considering installing transmitters in the British and American occupied zones. In Ireland it seemed unlikely to have a TV service set up for another 20 years. The mountainous nature of both Norway and Sweden meant that the cost of installing and maintaining TV sets was dauntingly high, and in Denmark the whole project was shelved. Switzerland had experimental services in some areas but at least one canton had voted against its introduction. A major problem encountered by most countries was programme materials: France and the UK were producing a good amount of their own programming but most other countries had very little money left over for production, once their own TV service was installed. In Belgium, it was feared that the development of national TV programmes would be impeded by an overflow of French and Dutch material from neighbouring countries. Furthermore, performers were not used to this media and had virtually no experience in TV work. Therefore, the delegates at the first meetings in Paris and London believed that, in small countries, TV material would only consist of old cinema films and programmes from the two major producers - France and the UK - since at that stage there was no export of TV programmes to Europe by US producers.

At that time, the European Broadcasting Union (EBU) experimented the broadcasting of TV programmes internationally on the assumption that this could be done without additional payment to the actual performers or even their consent. Indeed many broadcasters believed that TV performers should not expect to be paid in addition to being given the opportunity to make use of a new media and get wider recognition at European level – for instance in the UK, the BBC opposed performers' claims to realistic fees that they considered detrimental to the progress of a new invention.

Therefore the three Federations (FIM, FIA and FIAV) advised their member unions in 1954 not to work in TV productions meant for broadcasting to other countries until an agreement was reached with the EBU. The EBU eventually agreed to negotiate in October 1954.

The three Federations asked for a limitation of the number of international relays to uphold employment in receiving countries, and for an additional payment of 50% of the performers' TV fees per receiving country. This first proposal was rejected by the EBU who offered, in response to the second proposal, to make this additional payment to performers proportionate to the number of TV-licence holders in receiving countries. Practically, this implied a very low payment scale, since, among the few receivers, most TV-sets were not licensed. The ban therefore went on. In 1955, when the demand for TV programmes greatly increased in various European countries, the EBU was once again willing to negotiate and by March 1956 all outstanding

points were agreed upon. Finally, the Eurovision Agreement came into force on 1 February 1957.

This first case of international collective bargaining helped FIA and FIM establish themselves as key negotiating partners and create a pattern of strong trade union solidarity at international level almost without precedent. Indeed, it was featured in an article by Philip Mincimarra published many years later in the *British Journal of Industrial Relations*<sup>2</sup> that "*The entertainment industry has proven to be a single significant exception to this pattern of limited success in multinational collective bargaining. Two labour federations in particular, the International Federation of Actors and the International Federation of Musicians, have exhibited a remarkable capacity for conducting a high level of professional, ideological neutral activity while remaining virtually anonymous outside their industry.*"

The crucial element in the success of this strike lied in the early action taken by the performers at the onset of the development of that new media, thus preventing the establishment of a practice that would have been hard to reverse. Indeed the opposite was true as far as radio broadcasts were concerned, where practice of radio relays had been established long before trade unions came into being, thus hampering attempts by performers to get limitations of programme broadcasts and additional remuneration.

The insight of the delegates at the FIA meetings in Paris and London was all the more remarkable since very few had any experience in TV matters. Yet they clearly understood the problem that would arise in a number of countries from the serious under-financing of TV production, which - coupled in most cases with a failure to acknowledge it as a media in its own right - hampered the safeguarding of national TV production and was to be on FIA members' agenda for many years to come.

This under-financing – at least in most European countries at that time – was mainly caused by a monopoly, usually held by a state organisation, whose income came from often-inadequate licence fees. The lack of funds to invest in production meant that the existing media were almost exclusively relied upon, e.g. cinema, live theatre and the British and French pre-recorded programmes. Cinema films provided in many countries a major source of programming. Ready-made product could also be obtained by transmissions of live-theatre productions, despite the fact that it was difficult to encapsulate a whole theatre stage onto a few inches big flat screen. Theatre transmissions barely cost anything and meant strong advertisement in the eyes of the theatre managers, while it was widely assumed that performers would be delighted by the prospect of instant exposure to possible fame. But the latter couldn't be further from the truth, as it transpired at the Preparatory Congress in 1951 where a Resolution was passed recommending the prohibition of relays from live theatres. Some actors' unions were successful in implementing this Resolution, while others couldn't put a stop to the existing practice. At the II FIA Congress in 1954, the Austrian delegate reported that the plans for the refurbishment of the Vienna Opera House included the permanent incorporation of TV cameras, an issue that was to prompt many Resolutions over the years to come, especially, in due course, with the advent of the video.

But the main problem in national TV production came from the massive and rapid improvement of recording techniques that resulted in a swift expansion of TV broadcasting. It meant that air time could be filled with foreign product, bought at a fraction of the cost of national production, and with repeats (re-runs) of both foreign and domestic product. The technical improvement

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<sup>2</sup> "The Entertainment Industry : Inroads in Multinational Collective Bargaining". Philip A. Mincimarra, published in the *British Journal of Industrial Relations*, Vol. XIX, No. 1 (March 1981)

happened at its fastest pace in the US, which already hosted a considerable TV industry. Recording techniques provided US producers with a potential world market where their programmes could be sold at virtually "give away" prices, while they already had recouped their production costs in the US market. US programmes thus became extremely attractive to foreign broadcasters - as they could be used to fill up airtime at very little cost - and also to viewers, because they often featured performers well known through Hollywood films. By 1958 the export of US programmes was so important that delegates at the IV FIA Congress in Geneva passed a Resolution suggesting negotiating with the US actors' unions in order to come to an agreement containing the importation of US programmes.

Other countries too increasingly exported recorded material although many could not really to compete with the bargain prices of the US programmes. UK material was broadcast to Commonwealth countries such as Australia and New Zealand as well as Europe - so much so that a Swedish delegate once pointed out that his children were as fluent in English as they were in Swedish ! As TV was introduced in Latin America, most countries' channels were principally dominated by products from Argentina, Spain and even the US in the form of dubbed feature films. This paved the way over the years to the feeling that, in many countries, TV hardly reflected national culture, and that the lack of national production - particularly drama and light entertainment - denied performers the work opportunities which should have come with this new medium.

The safeguarding of national TV production therefore became a subject of prime importance over the years. Delegates at the Preparatory Congress understood that smaller countries were to be protected through a limitation on the use of TV programmes produced by their larger neighbours and thus passed a Resolution at the V Congress in 1961 encouraging member unions to establish in their own country either a guarantee for national production or a quota of foreign programmes or a combination of both. This wasn't easily implemented, even in Australia, where the actors' union managed to achieve a quota for "Australian content" only to find that the broadcasters were meeting it by providing, among other things, news programmes. In some countries actors' unions were still battling against overwhelming odds, 40 years later, to obtain quotas for national production.

Another two serious problems encountered by performers' unions resulted from the development of recording techniques, namely Re-runs and Residuals.

For unions in countries where production was dominated by foreign products, re-runs of the latter added insult to an already considerable injury. But the endless repeats of programmes and series were also a problem for unions in the producing countries, limiting work opportunities to unemployed actors. Thus both the V (1961) and VI (1964) Congresses passed Resolutions urging not only for a limitation of the number of repeats but also for a restriction on the time in which the latter were to be allowed.

Residuals were the subject of much discussion and exchange of information at early FIA meetings. In 1951, despite having achieved residuals for re-runs, no unions had apparently managed to secure residuals for overseas sales. By 1964, unions in a number of countries had already established residuals of varying amounts, although a distinction was still being made between recorded programmes and TV films, since - as was argued by the producers - they would inflate the selling price of feature films. The question of residuals was to become increasingly complex, especially with the launch on some local markets of the "hybrid" products, which could be used both on TV and in cinema halls. The "hybrid" was a producers' favourite, because if declared to be intended solely for cinema exhibition, it would free the producer from any obligation to pay residuals for TV release to performers who were thus engaged on film

contracts. Residuals for the use on TV of cinema films were only paid in a few countries. As with sound radio, the performers' employment conditions in cinema films were established well before many actors' unions came into existence, preventing most unions to implement a FIA principle set up in 1966 (Code 552) asking for supplementary fees to be paid out to the performers for the release on TV of cinema films.

The issue of residuals for foreign use was to be complicated first by the accidental or deliberate TV "overspill" extending audiences beyond national frontiers, and also by the development of cable TV, enabling local cable operators to pluck from the air the entire broadcasting output of a neighbouring country.

Residuals, once achieved, were usually proportionate to the size of a potential audience – a practice, however, that was to be complicated by the development of direct satellite broadcasting, which, according to estimates, could show a single programme to an audience of 500 billion viewers. Since the increasing exploitation of videos and satellite broadcasting resulted in a multiple utilisation becoming rapidly uncontrollable, residuals did not seem as important any more as the ability to control and limit the uses made of a performer's work.

The growth of TV was to bring forward innumerable problems, such as the one related to TV recordings. Some actors' unions did not initially realise that TV recordings could turn performers into their own strike-breakers, or even into strike-breakers in other countries where performers were in dispute. This situation was – and continues to be – quite unique in trade union terms. The "blackleg" if not already ensconced in the broadcasting library of recordings could easily be brought across the picket line in someone's pocket.

In 1956, a Resolution of the ITI Congress showed the members' determination not to permit their recorded work to be used to the detriment of actors in other countries, especially if involved in industrial disputes. In this regard, a provision was included in the Eurovision Agreement concluded in early 1957 and a number of affiliated unions were able, over the years, to obtain clauses in their collective agreements banning the use of programmes in other countries where performers are on strike.

But some unions could not protect the use of their members' recorded work during a national strike. Wherever a union was prevented from striking at any time other than between termination and re-negotiation of a collective agreement, a canny broadcaster could build up a sufficient backlog of recorded material to be able to last through an entire performers' strike. Experience certainly showed that strikes by TV performers tended, in some countries, to be lengthy.

By its very existence, TV of course had an effect on both live theatre and cinema. Although it did not affect theatre audiences as much as cinema audiences, it still led to the virtual disappearance of touring theatres and music hall already seriously endangered by the movies. At the VI FIA Congress in 1964, delegates from Austria, Colombia, France, Peru and Poland were to put much of the blame for declining theatre audiences on the increasing popularity of TV, but also on the fact that performers could earn more money and achieve wider recognition through TV work.

It was asserted from the beginning that, in spite of technological developments, the theatre constituted one of the most precious forms of national and international culture and the very foundation of the vocation of performer. Unfortunately, the increasing cost of theatre production did not help towards the safeguarding of live theatre. At the VI FIA Congress, delegates were already aware that few theatres would be able to survive on a commercial basis

and that subsidisation would be necessary. Over the years, the main issues related to the preservation of live performance were the need for adequate funding, necessary for the performers' training, the maintenance of the theatres and the production of plays, and the need to stimulate an interest in live performance in both the young and adult population. In Socialist countries, these principles flowed naturally from their theatre tradition. Professional training was of prime quality and students' intake was directly related to the available work opportunities, making unemployment virtually non-existent as opposed to the situation in France and the UK. Theatres did not operate simply on a commercial basis, the subsidisation being sufficient not only to cover all production and maintenance costs but also to provide for performers' good working conditions, medical care, pensions and other benefits. Moreover, an early interest in theatregoing was instilled in young children through access to children's theatre and tuition in the performing arts as part of their curriculum.

The question of adequate public funding for theatres was worsened by the fact that countries with market economy mostly had no national theatre. Even England, whose theatre tradition is several centuries old, had - comparatively - only recently established a national theatre. In 1991, the United States was still without one. In Latin American countries however, where foreign products dominated both theatre and TV, the performers' unions saw the establishment of a national theatre as the only possibility of staging the work of local playwrights and thus developing a national culture.

In countries with market economy, many actors' unions saw their struggle to maintain live theatre worsened by the property development boom affecting city centres, where theatres and cinemas were threatened by either demolition or conversion. As a result many stood empty, disappeared or were driven literally underground, located beneath shopping malls. Thus the IX FIA Congress passed in 1973 a Resolution calling upon governments to prevent the demolition or conversion of live theatres - an action that was carried out in many countries by the performers and their unions themselves. In the 90's, the economic recession felt in many countries was to accelerate the destruction of theatres.

The decline in many European film production industries was initially not so much due to the growth of TV than to the influx of US films. In some European countries, film production industries had survived the war by not being used for "war effort" production. Hungary and Italy, that had been occupied during the war, made a very quick recovery. By 1952, Hungary was producing no less than 12 films a year despite the shortage of actors. The Italian film industry also had in the 50s a remarkable renaissance. The British industry was productive again immediately after the war, but still had undergone a serious decline by the time of the preparatory FIA Congress in 1951. US films had flooded in and the establishment of a quota in order to protect British production had proved ineffective, partly because it was too low and the penalties for infringement were negligible, and also because the proceeds from exhibition of US films - prevented by currency control from being taken out of the country - were being used by US producers to make films in the UK that fell under the provision of the quota as "British", although they cast US performers in leading roles and relegated British performers to supporting roles.

The influx of US films was also felt in the Federal Republic of Germany and in France, where the Blum-Byrnes Agreement of 1946 had made the importation of close to 200 US films a year possible. Efforts by local performers' unions to draw public attention to the impact of this influx on national film industry met with hostility and accusations of political motivation from the press and public. It was not until the early 50's that the public began to support the unions' campaign.

A major factor of the influx of US cinema films was that, having already covered their production costs in the extensive home market, they could then be rented abroad for substantially less than it would cost those host countries to produce their own. European actors' unions therefore turned at dubbing - without which US films would lose their appeal to foreign audiences - as a possible key to the problem. The issue of dubbing became a major on-going FIA preoccupation in the coming years. While unions in France and the Federal Republic of Germany were seeking to reduce the dubbing of foreign films in the 50's, the union in Greece - where 75% of the films shown were American and released in the original - would have actually welcomed dubbing as a source of employment for their members. In Italy, dubbing was used not only for foreign films, but also in local film production in order to replace the unsuitable voices of non-professional performers by voices of professional performers. Since dubbed voices are associated with the performers, popular stars were often dubbed even on TV chat shows. Many Italian professional performers are therefore in the undesirable position of being dependent from dubbing for employment while their voices contribute to the success of amateurs.

A drop in cinema attendance brought about by the spread of TV accelerated the decrease in film production. Even Hollywood saw the closure or conversion of many studios to TV production. Many participants in FIA meetings over the years believed that the decline in cinema audiences was directly related to the showing of cinema films on TV. In England, as early as 1951, it was definitely more economical to own a TV set than to take the family to the cinema in a nearby town. Thanks to cinema owners and performers' unions, much of the programming in the early days of TV consisted of cinema films of less than a certain age. But film producers were anxious to exploit their product in the new medium, understanding that expanding TV services needed material. Thus an agreement signed in 1952 by the Screen Actors' Guild (SAG) in Hollywood concerning the payment of residuals for the use of cinema films on TV, caused great concern among the delegates at the I FIA Congress that year because it seemed to imply acceptance of the practice.

From then on, the release of cinema films on TV became a subject for discussion and recommendations at many FIA meetings. Many actors' unions had to fight for a number of years to achieve residuals for their members, whose feature films were released on TV. But some unions never agreed with this particular use in the first place, since there was always a concern that their unrestricted use on TV would replace original production, and that TV might be able to compete with the cinema release of recent films. This issue was exacerbated by the spread of international cable TV, which made it possible for films shown on TV in a country after having completed their home cinema exhibition to be plucked from the air by cable TV operators in neighbouring countries prior to their local cinema release. It seemed that not only would performers be denied potential employment, but also TV would be prevented from developing as an artistic medium in its own right.

In the member states of the (then) European Economic Community, film production industries were confronted by yet another threat arising primarily from the inability of the EEC Commission to recognise that films are neither manufactured nor consumed in the same way as goods. According to their interpretation, a major provision of the Treaty of Rome prevented any financial aid schemes for filmmaking, if related to the nationality of the workforce, the production studio or the processing laboratories. The performers' and film technicians' unions had early on acknowledged the threat that this posed to national film production industries and tried to counteract it at national level. But by 1976 the gravity of the situation was such that an increased lobbying from the sector became necessary. Thus FIA, FIM and FISTAV (the International Federation of Audio-visual Workers' Union) set up a Joint Committee and were formally recognised by the Commission as representatives of the interests of the cultural



workers within the EEC countries. The first task of this Joint Committee was to prevent the preclusion of that financial aid - which, in the countries concerned, was the only hope of maintaining a national film production industry - and to argue strenuously that film production is a cultural activity, not to be governed solely by economic criteria – an argument supported by the European Parliament and used by governments to counteract the Commission's continuing attacks on their national financial aid systems.

As production costs rose and national film industries declined, several countries attempted to pool their resources together by entering into co-production treaties, much to the anguish of many member unions. Co-productions basically prevented two national films from being produced separately, often resulted in a hybrid film lacking the national character of either countries involved, greatly differed in respect to wage scales, working conditions and social provisions, and did not ensure that the casting of performers was fairly proportioned among the countries involved. As a result, Resolutions of the IV (1950), V (1961), VI (1964) and VII (1967) FIA Congresses, embodied a number of values related to co-productions, embodied in the FIA Code of Principles.

The solidarity of FIA members is immeasurable and well surpassed anything that Jean Darcante might have envisaged when convening the first European Congress of actors in 1951. The EBU strike had very clearly demonstrated to the broadcasting organisations that, despite widely differing national situations, performers' unions could and would stand together if needed. Throughout the years, FIA was able to provide advice and support to its member unions as well as channel the information to other member unions, enabling many actions to be carried out in support of colleagues in other countries. As early as the III FIA Congress in 1956, a Resolution was passed requiring all affiliated unions to make sure that neither their direct nor recorded TV transmissions would be used to the detriment of actors in other countries, particularly when engaged in an industrial dispute. This was an invaluable guarantee for actors' unions in countries where TV services consisted much of foreign programming, because broadcasters were then prevented in an industrial dispute from increasing the amount of non-local programmes.

But solidarity between FIA member unions also involved recovering unpaid actors' fees from defaulting employers and handling many professional problems of visiting artists, such as financing court actions.

Solidarity actions were also beneficial to non-member unions. In the 60's, despite the fact that SAG in America still had not joined FIA, its members nevertheless took a firm stand against American producers who sought to produce abroad in order to evade the provisions of the SAG agreements. One such "runaway" production was the TV-series "Harry's Girls" (1963) which British Equity refused to let MGM produce in the UK until they would agree to engage British actors on terms equal to those of the SAG agreement, especially in respect of payment for re-runs in the US. MGM refused and moved the production to France where the series was eventually made, but only after the French actors' union had secured a full application of the SAG agreement.

But there were nevertheless other attempts at runaway productions. Perhaps the most astonishing case occurred in the autumn of 1974, when a major series for US TV – to be shown as part of that country's Bicentennial celebrations and concerning a controversial figure in its history, Aaron Burr – was to be produced in the UK and the Irish Republic to save costs. Though the employment would have been welcome in both countries, the SAG's objections, made both in the US and through FIA, were firmly supported by both Irish and British Equity and the project was consequently shelved.

Dubbed films were used in many countries as cheap television programming, to the detriment of national employment. In 1965, the Mexican union refused to dub 1,000 US feature films destined for Latin American networks, at a time when Mexican performers were themselves suffering unemployment due to a massive import of TV material. The solidarity of the Latin American unions was all the more remarkable as a great number of them faced many difficulties largely unknown in other countries.

Concern for the development of national TV worldwide also gave rise to other solidarity actions. In 1976, SAG refused all inducements for an agreement that would have resulted in the "dumping" of 428 hours of TV films and series in countries all over the world. The unions in the Nordic Actors' Council have, for many years, taken actions in support of the efforts by the Icelandic actors' union to obtain guarantees of a reasonable level of national TV production.

For the unions that, either before or since FIA's inception, have come together in regional or linguistic groups, solidarity was of prime importance when faced with problems that could have more easily divided than united, such as major issues arising out of a shared language and the domination of the cultures in some countries by those of the major producing countries.

Solidarity was to take on a different aspect when performers or their unions came under attack because of political events in their countries. After the military coup in Greece in 1967, the officers of the actors' union were expelled from office and replaced by government nominees, whom the actors refused to acknowledge. The government then dissolved the union and set up a new one under its control, which FIA and its member unions refused to recognise, all the while protesting against the rigorous censorship imposed on the theatre and the persecution of many performers forcing them to leave the country. This situation was thankfully reversed when the military regime was finally deposed and the union and its officers restored. The Greek union's re-admission to FIA naturally ensued.

After the military coup in Chile in 1973, several performers were arrested, tortured and held in detention without formal charges. Since the actors' union, as all other trade unions in Chile, was under suspicion and constantly harassed, FIA on behalf of its entire membership conducted a campaign for those held prisoners. Many of the performers were subsequently released but forced to go into exile, where FIA and its member unions offered help. Unfortunately, some detained performers and union leaders "disappeared" and, regrettably, all the efforts by FIA and its individual member unions, as well as a carefully co-ordinated campaign in 1980, failed to elicit any information about their fate.

But solidarity and industrial struggle could only provide limited defences against developments that were to increase the unemployment and enable an even greater exploitation of the performers' work. The growing success of gramophone records meant that records gradually replaced the musicians and singers in radio productions. The development of silent movies, though it created a whole new industry, brought in its wake the slow death of music hall and vaudeville. The development of talkies put an end to the careers of the silent movies performers and the cinema musicians who had so far provided the accompaniment to the screen action. Moving pictures in cinema halls were replaced by moving pictures in the home – live performance was increasingly replaced by performance captured on film or tape. Each new development exacerbated the problem originated by the very first recording, where the performer through the uninhibited use and reproduction of that recording was replaced again and again. In the early days of gramophone, whenever Caruso recorded an aria for a wax cylinder he was required – and paid for – to repeat the performance for each cylinder made. As

techniques improved, he only had to record the matrix and let the mechanical reproduction take over. In the early days of TV, the repeat of a drama production required the actors to return to the studio and play it again, which soon became unnecessary with the introduction of improved recording techniques. Performers were then made redundant.

Many countries lacked legal provisions that would provide adequate protection for performers in the face of these developments. The few existing legal provisions were either outpaced by each successive invention or indeed adapted to facilitate the exploitation of the performers. In the absence of intellectual property rights, the unions fought for contracts that would enable the performers to control the uses made of their recorded work, though knowing that the internationalisation of TV by means of cable and satellite would make national limitations ineffective. If performers were to have any hope of continuing to make a living with their profession they had to retain some degree of control over the uses made of their recorded or broadcast performances by way of an effective international instrument. What they needed, in other words, was the universal recognition of their intellectual property rights.

The situation of performers was first raised at international level in the 20's when thousands of musicians had already been made redundant by the ever-increasing use of gramophone records in radio and the talkies. The International Labour Organisation (ILO), when asked in 1926 by the International Union of Musicians (a forerunner of FIM) to examine the problem, thought that performers should be granted rights, not so much analogous to copyright but rather derived from "labour" in order to maintain employment opportunities. In succeeding years, several conferences took place but it was not until 1945 that a Resolution was made to study the issue of "performers' rights". Unfortunately the committee established for that purpose worked for many years to come only towards the granting of rights "neighbouring" on copyright, thus reducing the emphasis the ILO had placed on safeguarding employment. Subsequently in the international instrument finally agreed, namely the Rome Convention in 1961, performers were provided with "neighbouring rights", as were also the phonogram producers and broadcasting organisations. Several provisions of the Convention reflected the disparity of the aims of the international organisations involved in the years of preparatory work and the attempt to reconcile the not always compatible interests of the three beneficiaries. But its major drawback was the fact that the Convention only reflected the developments existing at the time of its drafting and was not fit to cope with the rapid technological developments to ensue in the shape of cable TV and videograms. Also, the Convention stopped short of granting intellectual property rights to performers with respect to their audiovisual fixations and the several means of exploitation of the latter.

Nevertheless the Rome Convention provided them with an international instrument which stipulated not only that their live performance (whether aural or audiovisual) could no longer be recorded or broadcast without their consent, but that sound recordings of their performances could not be used for purposes not authorised by them. Through this instrument, performers' unions could draw the attention of their governments to the need of protecting national performers. Though the Convention did not prescribe the method of protection to be adopted at national level, laws similar to copyright, criminal provisions or labour legislation would. Since any country ratifying the Convention had to provide in its national legislation at least the minimum protection specified therein, a major part of the work of the Federations of Musicians, Actors and Variety Artists (the FFF) has since then been devoted to seeking, through ratifications of the Rome Convention, at least that minimum level of protection of performers in the ratifying countries.

One article of the Convention, to which the broadcasters have ever since objected, stipulated that the broadcasters had to pay an "equitable remuneration" for the broadcasting of

commercial records to be shared in practice between the performers and the record producers. This provision was to provide a substantial source of income for performers.

In the ten years of preparatory work immediately preceding the establishment of this Convention, several international organisations opposed not only the participation of performers but even the granting of rights to them. The fact that performers finally obtained these rights was certainly due to the policy and influence of the ILO, but also to the unceasing efforts of the FFF that were represented at virtually all the preparatory meetings in that period.

Nevertheless, twenty years after the establishment of the Rome Convention, the number of countries providing performers with some form of protection was still far below those providing protection to broadcasting organisations and phonogram producers. Performers' rights still remained, over the years, an area in which much was to be achieved.

The prevailing attitude at the beginning was to disregard the performers' creative contribution and claim that, by speaking someone else's words and playing someone else's notes, performers were just providing a form a service. The work of the FFF over the years was slowly but surely to bring upon an acceptance of the creative role of the performer. The Federations had always insisted that the performer is an interpretative artist, that the art of interpretation is itself creative and that performers must therefore have the moral and economic rights of creators. Tangible evidence of the changing attitude to performers came when the General Conference of UNESCO unanimously adopted in 1980 a Recommendation on the Status of the Artist, recognising the principle the FFF had so long fought for.

Parallel to the growing recognition of the performers' status as a creative artist, grew the awareness of the serious economic repercussions the technological changes had on the profession. More recently, intergovernmental organisations - considering the impact of home copying on the already serious unemployment among performers - have expressed the view that the lack of any relevant national laws or international instruments should not be used as a means to avoid providing performers with the compensation required by the principle of equity.

But for the FFF, the ever-increasing unemployment also inevitably meant a diminishing national culture.

It must be stressed that the development of the greatest medium of communication yet seen, which brought audio-visual entertainment into the home – namely TV – coincided with the development of FIA. The Federation has always insisted that this new medium should be regarded as separate from theatre and cinema. Since the important effects of TV on those media were worrying the member unions, FIA was able to provide a forum in which to exchange information and seek solutions to the various aspects of this issue. Today, the Internet and the spread of decentralised networks between personal computers around the world to exchange data – including copyrighted material – between end-users, are posing a similar, very difficult challenge to the unions and the performers they represent.

At the time, the pace of development in the communications media had taken up such speed that it soon became clear that much of the profession would be radically altered. International cable and direct satellite broadcasting, in the search for new profit sources, were to bring about an internationalisation of entertainment with negative repercussions on both national employment and cultures.

Live theatre was also (and still is) affected by the home audio-visual entertainment: since most theatres were no longer able to cover production costs from box office returns, it was

understood that additional revenue could be obtained via the infinitely wider audio-visual market. Even today, the threat to live theatre is worrying on both economic and artistic grounds. Today the camera is used for recording and widespread exploitation of live theatre performances in all new media. But unless this trend is controlled, the demands of the wider market will dictate the choice of play, its casting, the style of production and performance, and live theatre will ultimately be made subordinate to its audio-visual exploitation.

Therefore, in the face of these developments which threaten all aspects of the profession – theatre, TV, cinema, variety and circus – it will be vital to strengthen the mutual assistance between member unions in their day-to-day industrial challenges; and to carry on fighting for rights which will enable performers to control all uses made of their performances.

Where once the opponents were only national employers whose resistance to performers' claims could be overcome by moral persuasion and industrial action, the opponents came to include trans-national interests whose power transcends anything previously experienced. It is now less a question of keeping apace with developments than of fighting for survival.