

The Fragility of Authorship for Film Directors in Contemporary China

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Abstract Despite its progressive liberalisation and development, the Chinese film industry is still subject to strict control from the China Film Administration (CFA). Laws and regulations evolved since the 1990s, but they leave large space to interpretation, opening the door to a long process of negotiation that can alter the vision of the directors. In the early 1990s, the Sixth Generation of directors changed the canons of Chinese art-house cinema, adopting a gritty neo-realist style, investigating the darker sides of Chinese society, and working outside the official studio system. Despite recognition in the international festival circuit, which deprived them of national distribution, they decided to return to the fold. The negotiation process with the CFA makes their authorship fragile, and the necessity to continue to be present in the festival circuit risk to put them in a double occupancy position. This article will analyse what are the factors that fragilise the authorship of contemporary Chinese art-house directors and what are the countermeasures adopted by some of them to preserve their authorship.

Keywords Art-house cinema. Authorship. Negotiation. Fragility. Marginalisation. Censorship. Marketisation.

Summary 1 Introduction. – 2 The Roots of Chinese Art-House Cinema in the Sixth Generation, Independent, Underground Scene. – 3 Affirmation and Fragilisation of Authorship: International Festivals, Market Forces and Censorship. – 4 Strategies and Countermeasures to Preserve Authorship. – 5 Conclusion.



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If you're an artist working in China, you become aware that there are things you have to give up in order to practice your art. For the most part, you know what they are.¹

Jia Zhangke, 2013

1 Introduction

The Chinese film industry has experienced remarkable growth and transformation over the past few decades, emerging as a prominent player on the global cinematic stage. However, beneath the surface of this rapid development lies a complex web of laws, regulations, and competitive market conditions that have profound implications for the artistic freedom and authorship of contemporary art-house directors. In this article, we delve into the nuanced environment of the Chinese film industry and examine how it has created a delicate ecosystem in which the autonomy and creative vision of directors are increasingly vulnerable.

China's film industry has undergone significant shifts since its liberalisation in the 1980s, transitioning from a heavily regulated state-controlled system to a more market-oriented model. While this transition has provided newfound opportunities and commercial success for many film-makers, it has also posed challenges for those seeking to create thought-provoking, artistically daring works outside the mainstream. One of the primary factors contributing to the fragilisation of authorship is the negotiation required under the laws and regulations that govern the Chinese film industry, which often pushes directors to make compromises, leading to diluted narratives or self-censorship to ensure their works comply with political and cultural sensitivities. Furthermore, the highly competitive market conditions within the Chinese film industry add another layer of pressure on art-house directors. With the dominance of commercial blockbusters and the relentless pursuit of box office success, artistic films often struggle to find adequate funding, distribution channels, and screening opportunities.

This article aims to shed light on the multi-faceted challenges faced by contemporary art-house directors in China. By examining the interplay between the legal and regulatory landscape, the influence of censorship, and the commercial demands of the market, we seek to deepen our understanding of how these factors collectively erode the authorship and creative agency of film-makers. Ultimately, this article aims to provoke critical reflection on the delicate balance between artistic freedom, market forces, and regulatory frameworks

¹ Cf. Johnson 2013.

within the Chinese film industry. By illuminating the challenges faced by contemporary art-house directors, we aspire to contribute to ongoing discussions surrounding creative autonomy, cultural production, and the preservation of diverse cinematic expression in the global film-making landscape.

The article will first explore the roots of art-house cinema in the cinema of the so-called “Sixth Generation”. It will show how their style and poetry allowed them to become icons of the international festival circuit and synonymous with Chinese art-house cinema. We will see how this international recognition put them in a dual position, having to satisfy both festivals to ensure acceptance, as well as appease the censors for a national release in China. The analysis will then focus on the difficulties that Chinese authors face in finding a space in an extremely competitive market under strict control by the authorities. Finally, the article will point out to what are the resources available to Chinese directors in preserving their authorship.

2 The Roots of Chinese Art-House Cinema in the Sixth Generation, Independent, Underground Scene

Art cinema is a global phenomenon that encompasses a diverse range of films produced across different countries and cultures. It is characterised by its commitment to artistic expression, experimental storytelling, and departure from mainstream commercial cinema. Art cinema seeks to challenge conventional narrative structures, engage with complex themes, and evoke emotional and intellectual responses from its audience (Cardullo 2011, 1-4). In China, the film industry was a hostage of the propagandistic structure, and it was only after the end of the Cultural Revolution and the reform era that it slowly started to regain vitality. The government allowed private initiative and loosened control over production, allowing a new generation of film-makers, known as the “Fifth Generation”,² to emerge. These directors, like Zhang Yimou 张艺谋 (1950) and Chen Kaige 陈凯歌 (1952), often employed lavish production design, poetic storytelling, and viv-

² A form of labelling that respects the chronological tradition of dividing the history of Chinese cinema into ‘ages’: the First Generation represents the forefathers of Chinese cinematography, who were active from the introduction of cinema in 1896 and made their main contributions in the early 1920s; the Second Generation came up during the 1920s and 1930s; the Third Generation is mostly associated with the time span from the founding of the Republic in 1949 until the beginning of the Cultural Revolution in 1966; the Fourth Generation was formed just before the Cultural Revolution, which meant they only started working at the end of it; and the Fifth Generation is composed of the first graduates of film academies after the Cultural Revolution, the most prominent of which is Zhang Yimou (Song, Ward 2011).

id cinematography. Their films, such as *Red Sorghum* (*Hong gaoliang* 红高粱, 1988) and *Yellow Earth* (*Huang tudi* 黄土地, 1984), received critical acclaim and played a crucial role in putting Chinese cinema on the map. In the 1990s and early 2000s, a new generation of Chinese film-makers, known as the “Sixth Generation”, emerged, going on to represent the new wave of Chinese art-house cinema by revolutionising the associated poetics, politics, and techniques.

This generation of directors focused on depicting the social realities and challenges faced by individuals in contemporary China. Inspired by neo-realism, they moved away from the Fifth Generation’s grand historical narratives and critical engagement with tradition and culture, adopting instead a gritty style to represent the controversies and socio-political issues of contemporary China (Lu 2016, 177-8). Unlike Fifth-Generation directors, who often worked within the boundaries of state-funded studios and abided by official policies, the film-makers of the Sixth Generation embraced independent film-making, working without following procedures, and often faced censorship challenges due to their critical portrayals of contemporary Chinese society. Their reflections and explorations of the tensions and transformations within Chinese society offer insightful commentary on issues such as urbanisation, globalisation, and individual identity, helping to establish them as ambassadors of Chinese art-house cinema. Among the ranks of the Sixth Generation, we can find Jia Zhangke 贾樟柯 (1970), Wang Xiaoshuai 王小帅 (1966), and Lou Ye 娄烨 (1965), who were some of the first directors to establish this new path of art cinema and influenced those like Diao Yinan 刁亦男 (1969) and Ying Liang 应亮 (1977), who emerged later and followed in their footsteps.

Jia Zhangke represents an archetype of the Sixth-Generation independent art-house director. Jia’s authorship was first observed in a hometown trilogy, composed of *Xiao Wu* 小武 (1997), the story of a pickpocket, *Platform* (*Zhantai* 站台, 2000), set in the aftermath of the Cultural Revolution and exploring the lives of the members of a theatre troupe, and *Unknown Pleasures* (*Renxiaoyao* 任逍遥, 2002), which follows three disaffected, aimless young people in the industrial city of Datong. The trilogy offers poignant insights into the lives of ordinary individuals grappling with the complexity and uncertainty caused by rapid urbanisation, political reforms and globalisation, but was not released in China (Mello 2022, 35-57). However, the critical acclaim received by these films allowed the young director to establish himself as an auteur and marquee name of Chinese art cinema in the festival circuit, earning him the support of global art-house cinema lovers. Despite being ‘officially banned in China’, the films circulated via the pirate DVD market, small cinephile clubs and cafés, and underground film festivals, building a niche audience at home as well. This aspect of national circulation is common for all Sixth-

Generation directors and earned them another label, that of ‘underground directors’.

The label of ‘independent’ is controversial, as it is a borrowing from the American art lexicon, suggesting small-budget productions realised outside of the Hollywood big-budget studio standard. This clashes with the post-socialist conditions of China under reform. On the other hand, the term ‘underground’ is one that many Chinese film-makers chose to adopt as part of their identity, as it reflected their artistic path as well as the importance of the underground circuit in forming a community of professionals and building a relationship with the national audience (Pickowicz 2006, 3). Private initiative and funding in the film industry were permitted from the late 1970s, when China started to implement reforms and loosen its socialist economic structure. The film industry was trying to recover from the damage of the Cultural Revolution; however, if this relaxation around economic participation allowed these young directors to find international and transnational financiers for their early projects, there was not a relaxation of content control or censorship to accompany it. The state continued to strictly monitor all cultural production via the various incarnations of the Film Bureau, which today is called the ‘China Film Administration’ or CFA (*Guojia dianyingju* 国家电影局) and is under the direct control of the Propaganda Department. Despite policies being changed over the years, they were ratified only in 2016 by the Standing Committee of the National People’s Congress under the Film Industry Promotion Law of the People’s Republic of China (*Zhonghua renmin gongheguo dianying chanye cujinfa* 中华人民共和国电影产业促进法), which established that all scripts must be first reviewed to obtain authorisation to start filming, and a final review of the filmed material is mandatory to obtain a distribution license (SCNPC 2017, ch. 2, arts 13, 18). Hence, the independence that Sixth-Generation directors are known for is related more to their disregard of official procedures, as they filmed and submitted their films to festivals without any official permission.

Furthermore, the ‘generation’ and ‘underground’ labels are sometimes combined, with these directors also referred to as the ‘urban generation’. This underlines the relationship between the subject matter of their films and the socio-cultural changes taking place in urban areas, while keeping the connection with the traditional chronological categorisation used up to this point (Zhang 2007, 3). All these labels, especially ‘independent’ or ‘banned’, have been often used as branding strategies on the various platforms where these directors’ works were presented (Nie 2021, 380). Although their initial ‘underground’ works earned them exposure and praise in the international festival circuit, they were renouncing the possibility of obtaining national theatrical screenings. Their return to the fold, best exemplified by Jia Zhangke’s *The World* (*Shijie* 世界, 2004), was surely influ-

enced by the gradual loss of the underground environment that culminated with the 2014 crackdown of the Beijing Independent Film Festival (Lichaa 2017, 302). This caused an impoverishment of the space they had gained through years of screenings on cine-clubs, cafés and small bars, so that many of them, like Jia Zhangke, felt the urge to compromise with the authorities in order not to give up their desire to officially reach a national audience (McGrath 2007, 108).

This turning point marked the beginning of an officially state-approved art cinema. Films continued to circulate at international festivals and obtained licenses for national distribution in Chinese theatres. Although this rendered all previously used labels obsolete, the ethics, poetics and style of the Sixth Generation would influence all new directors that aspired to make art cinema. Following state regulations also meant that directors' creativity and authorship were now subject to censorship, and furthermore, they also had to face the struggle of finding distribution in a highly competitive and profit-oriented market. This twofold negotiation process will be the focus of the following section of this article.

3 Affirmation and Fragilisation of Authorship: International Festivals, Market Forces and Censorship

The director is the 'authority' in all processes of the creation of a film. They direct all involved parties (the director of photography and technical crew, the scriptwriter if there is one, and of course the actors) that work in collaboration to create a filmic product (Truffaut 1954). As decision-makers, directors can impose their vision from pre-production to the screening of the film in theatres. In the case of many Sixth Generation directors, they may also be the scriptwriter, producer, director of photography, art director, editor, or even act in their own films. The role of the director is that of a chief of operations, coordinating the troops to create their vision, style and poetics in the product, obtaining recognition as the 'author' of the film. The directors that will be the focus of the article have all occupied different roles during the production of most of their films. Jia Zhangke was director, scriptwriter, producer, and editor for *The World, Still Life* (*Sanxia haoren* 三峡好人, 2006), *A Touch of Sin* (*Tianzhuding* 天注定, 2014) and other films. Lou Ye acted as both director and scriptwriter in *Mystery* (*Fucheng mishi* 浮城謎事, 2012), *Summer Palace* (*Yihe-yuan* 颐和园, 2006) and *Suzhou River* (*Suzhou he* 苏州河, 2000). Diao Yinan occupied the positions of director and scriptwriter for all his films, as did Ying Liang.³

³ These details can be found in the credits of all films.

By occupying these roles, central in the classic debate over authorship, they cement their position as authors. To further justify their supremacy in the creative process, and consequently their authorship, it should be noted that it is the director, although often accompanied by the producer, who pays the price for eluding censorship and violating the control measures imposed by the state. In practice, this involves a fine and a ban on making films for up to five years, as demonstrated by the case of Lou Ye, who was sanctioned first for *Suzhou River*, with a two-year ban for screening the film at Rotterdam Film Festival without an official license (Brody 2023), and again in 2006, for his controversial participation in Cannes Film Festival with *Summer Palace* (Variety 2006).

Since during their independent period, these art-house directors were living and working in obscurity and in a hostile environment for their creations, their participation and accolades at prestigious international festivals gained them a sympathetic Western audience and significant foreign financial support, unavailable in their homeland. Even famed film critic Dai Jinhua first learned of their existence from newspapers and journals published abroad and saw their works only at international festivals, foreign embassies in Beijing, and with her friends (Lin 2010, 91-2). The festival circuit clearly played an important role in elevating these directors and their cinema to the status of art cinema. Screening their films and winning awards on these stages allowed them to forge their “brand name”, fundamental in establishing them as authors (Jeong, Szaniawski 2016, 4). The exposure obtained first by their being ‘officially banned in China’ allowed them to draw new attention to the panorama of cinema from the People’s Republic of China, establishing their style as the style of Chinese art-house cinema. In fact, starting in the 1990s, the gritty realism and bleak societal critiques of the Sixth Generation took over the vivid images of the Fifth Generation’s historic melodrama and pushed their predecessors to adapt to the new trend to remain relevant. Zhang Yimou and Chen Kaige also experimented with this trend, the former with his film *Not One Less* (*Tianshang you yige taiyang* 天上有个太阳, 1999), the latter with *Together* (*Heni zai yiqi* 和你在一起, 2002), before returning to their historical dramas and gaining box office success with their martial arts (*wuxia pian* 武侠片).

The Sixth Generation’s constant presence in the festival circuit institutionalised their authorship (Jeong, Szaniawski 2016, 5), reinforcing their brand name and symbolic capital. All these factors were instrumental in their return to the fold, as the Chinese film industry and market were searching for official recognition that was not accompanied by controversial labels, recognition that could serve in spreading soft power (Pollacchi 2017, 224).

As previously mentioned, all films that aspire to obtain a release, be it for the national market, the international festival circuit, the in-

ternational market, or even for online distribution via the burgeoning universe of SVOD platforms, like iQIYI (爱奇艺) or Tencent Video (*Tengxun shipin* 腾讯视频), must undergo the scrutiny of the CFA (SCNPC 2017). Despite the market liberalisation that began in the 1980s (allowing private initiative to invest in the film industry, with the import of foreign films authorised in 1994), cinema is still a highly controlled cultural industry. The 2016 Film Industry Promotion Law regulates all aspects of film production and distribution and gives some provisions regarding banned content. As expressed in Article 16, films must not contain the following content:

[one that] slander the fine cultural traditions of the nation, inciting national hatred and discrimination, infringing on national customs and habits, distorting national history or historical figures, hurting national feelings, and undermining national unity [...] Endanger national unity, sovereignty, and territorial integrity, divulge state secrets, endanger national security, damage national dignity, honor, and interests, and promote terrorism and extremism; [...] Endangering social morality, disturbing social order, undermining social stability, promoting obscenity, gambling, drug use, exaggerating violence and terror, instigating crimes or teaching criminal methods.⁴ (SCNPC 2017)

However, instead of providing the industry with a rating system like that of the Motion Picture Association of America (MPAA),⁵ which rates a motion picture's suitability for certain audiences based on its content, the Promotion Law simply gives a list of content that is problematic and, at least theoretically, banned from all motion pictures, forcing directors into a process of constant negotiation. As mentioned, the scrutiny imposed by the CFA starts from the script stage: it must be submitted for preliminary review to the Film Administration before shooting begins; if it receives the 'green light', filming can start. However, if the script is not fully approved, the censor will give feedback and suggest what modifications should be applied, and the process starts again. Once shooting is concluded, all material must be sent for a second review. If certain scenes are deemed to violate the guidelines, changes will be suggested. However, if everything is compliant, the film can then apply for a distribution license or 'Permit for Public Screening' (*Dianyingpian gongying xukezheng* 电影片

⁴ A translated version of this law is available on the China Law Translate website: <https://www.chinalawtranslate.com/film-industry-promotion-law-2016>.

⁵ The MPAA rating system is a guide for parents to determine the appropriateness of a film's content for children and teenagers. More information on the rating system is available on the MPAA website: <https://www.motionpictures.org/film-ratings>.

公映许可证), also referred as the 'dragon sigil' (*longbiao* 龙标) for the logo that appears at the beginning of all approved films.

One of the main points that triggers CFA attention is the depiction of violence. An art-house film that encountered problems for this reason is Jia Zhangke's *A Touch of Sin*. The film blends Jia's traditional predilection for realism and slow-paced camera shots with brutal and bloody violence *à la* Tarantino, in a four-chapter anthology of social criticism and harsh satire. The stories represented by the film are all based on true events: Hu Wenhai, a peasant vigilante who killed fourteen villagers in Shanxi in 2001; Zhou Kehua, a fugitive who carried out a series of armed robberies in 2012; Deng Yujiao, a pedicure worker who stabbed a customer and local government official to death when he attempted to sexually assault her in a hotel in Hubei in 2009; and the wave of suicides of Foxconn employees, who jumped off the factory's buildings to their deaths in 2010 (Xiao 2015, 24).

Despite its sensitive subject matter, the film was allowed to participate in the Cannes Film Festival, where it won the Best Screenplay Award. Following this, Jia and the censors agreed to a national release in October 2013. However, although at first the censors' board agreed to distribute the film, the director was contacted shortly after the festival and notified that the national release date had to be postponed, as the violence depicted might influence people to resort to violence in an already tumultuous time for the country. The film therefore fell into a kind of limbo. Despite the dragon sigil for distribution, it was never allowed to be officially released, ending up on the pirate market and P2P websites. It was however authorised for international release, but this was not enough for the film to earn back its production costs (Berry 2022).

Another director who encountered issues related to the use of violence is Lou Ye, for his film *Mystery*. Lou was already accustomed to suffering censorship repercussions for his films, having received two bans from film-making. However, this was his first authorised film for which he carried out all negotiation processes. This neo-noir melodrama follows the story of a married woman who discovers that her husband is having an affair with a younger woman. The trio of protagonists' private drama takes place against the backdrop of a corrupt society, echoing some of contemporary China's own problems, such as corruption, obsession with money, ambiguity, and morality.

The film was shot legally, having obtained all the authorisations for filming, and had been approved for international co-production with the French group Les Films du Lendemain and funding from the Centre national du cinéma. It was also green-lighted for festival participation. As stated by the director, the negotiation process for approval of a film that wanted to engage with such delicate themes was long and the outcome was not the one expected. The prolonged dis-

cussion with authorities ended up pushing him to change some scenes that were deemed too violent. The crew agreed to modify them and dim the lights in the murder scenes in order to mitigate the violence depicted (Pedroletti 2012).

While art-house films often encounter difficulties for their use of violence, on the other hand it is common practice to witness brutal and bloody scenes in propaganda main melody films (*zhuxuanlv di-anying* 主旋律电影).⁶ Recent examples can be found in *Railway Heroes* (*Tiedao yingxiong* 铁道英雄, 2021), a film that follows the story of a counter-Japanese underground armed force of the Communist Party in Shandong during the Second Sino-Japanese War. In their raids against Japanese goods trains and support actions to other guerrilla groups, the heroes engage in bloody clashes, with many conflicts ending with limbs taken away by bullets. Another example can be found in *Home Coming* (*Wan li gui tu* 万里归途, 2022), which tells the account of the evacuation of a group of Chinese citizens from a fictional Arab country. With civil war ravaging the country, the audience is confronted with graphic post-bombing scenes, where the camera often dwells on the mutilated bodies of wounded soldiers and civilians.

Chinese regulations leave space for interpretation on content conformity and negotiation between the parties. According to Article 42 of the 2001 Film Regulations, the state reserves the power to, “under special circumstances, decide to suspend distribution, screening or release” (State Council of the PRC 2001). While this was the case for *A Touch of Sin*, it was not the case for *Railway Heroes* and *Home Coming*, as in both films the controversial nature of the violence was instrumental in elevating the Chinese protagonists as heroes. The whole negotiation process forces art-house directors to bend their vision, limiting not only their agency in the creative process but also their space in the market, making them more fragile in their own field and putting them in a precarious position that is also related to the impossibility to earn money and cover production expenses or invest in future projects.

Issues relating to national unity have always been central in Chinese political discourse, and there were concerns that liberalisation of cultural industries and a lack of control over content would result in favouring the spread of spiritual pollution even before the Tiananmen Incident of 1989 (Chu 2002, 46-9). Not surprisingly, Article 16 of Chapter 2 of the 2016 Promotion Law clearly states that films must not offend national honour, endanger social morality, disrupt social order or undermine social stability.

⁶ “Main melody films” are characterised by their focus on promoting the core values and ideologies of the CCP and reflecting the themes and narratives endorsed by the government (Su 2016, 21).

One director that was accused of offending national honour and disrupting social order is Ying Liang, with his 2012 film *When Night Falls* (*Wo hai youhua yao shuo* 我还有话要说). Inspired by real events, this film adopts a semi-documentary form to tell the story of the controversial arrest of a young Shanghaiese man for the murder of six policemen who harassed and abused him during his arrest (Fisher 2019).⁷ Filmed and distributed on the festival circuit without having sought authorisation, the film won Ying the prize for Best Director and Nai An (耐安) that for Best Actress at the Locarno Festival (Brody 2012). The film was also presented at Jeonju Festival in South Korea, where such a depiction of public authority did not pass unobserved. It was during his stay in Korea that Ying was contacted by his mother, who informed him that the Chinese police had pressurised her to contact him and push him to withdraw the film from the festival. At the same time, the festival was also contacted by the Chinese authorities, urging them to revoke the director's participation and withdraw the film. Intimidated by all this, Ying Liang decided to exile himself to Hong Kong, a city where he was already working as a professor at Hong Kong Baptist University (Zeng 2019).

The social importance of cinema and its educational function has been always significant for the communist regime. The election of Xi Jinping to the leadership of the Party and the country in 2012 and 2013 was accompanied by the China Dream (*Zhongguo meng* 中国梦) promotional campaign, aiming to affirm China as a leading global power in all areas, from economy to cultural production (Klimeš, Marinelli 2018). Thereafter, the focus on national narrative and content censorship was further accentuated with the celebrations for the Seventieth Anniversary of the Founding of the People's Republic in 2019 and the centenary of the CCP in 2021. The Chinese leadership demanded a greater focus on the 'educational' function of cinema, and this resulted in favouring the production and distribution of main melody films (Wang 2021). Furthermore, with the Fourteenth Five-Year Plan for the Development of the Chinese Film Industry (*Shi si wu zhi Zhongguo dianying chanye fazhan guihua* 十四五中国电影发展规划) released in 2021, the CFA expressed a new focus on the importance of social over economic benefits (CFA 2021b), resulting in

⁷ The film depicts the controversial story of Yang Jia, arrested in Shanghai in October 2007 for riding an unlicensed bicycle. During the interrogation, Yang endured beatings and abuse from the officers involved. Despite his attempts to report the mistreatment he suffered during his arrest, his complaints fell on deaf ears, leading to further harassment by the authorities. Frustrated, desperate, and enraged, Yang launched an attack on a police headquarters in Shanghai, resulting in the deaths of six police officers. Once arrested, he was subjected to a hasty trial under dubious circumstances, and ultimately sentenced to death. Meanwhile, Yang's mother, Wang Jingmei, was unjustly sent to a mental hospital and detained for a shocking 143 days, preventing her from providing assistance to her son (cf. Bandurski 2008).

an even stricter control and censorship over the content and circulation of art cinema.

If censorship can be defined as the hammer, then the market has become the anvil for every film production. Since the 1980s, after the Reform and Opening-Up period, the film industry has seen growing participation from private stakeholders. The downfall of the “Iron rice bowl” system, supported by the state’s total ownership of all means of production, opened the door to liberalisation, private initiative and competition, always under rigorous scrutiny from the controlling apparatus (Zhu 2003, 105). In the decade from 2011 to 2021, an average of 696 films were produced every year, with a peak of 902 in 2018 and the lowest point in 2020 with only 531 films, due to the obvious impact of the COVID-19 pandemic, while the previous year Chinese studios produced 850 films (Lai Lin 2023).

In addition to the competition represented by the extensive number of domestic film productions, art cinema faces significant structural challenges. The reforms implemented following China’s entry into the World Trade Organisation (WTO) brought about a fresh impetus for private initiative in the distribution and screening sectors. According to the official state definition, theatre chains are required to be established based on capital or film supply. In order to acquire copies of films, theatres need to form partnerships by signing contracts which unify the theatre chain’s brand, movie release schedule and management. These alliances can take three different forms: an alliance between movie theatres, a collaboration between a film distributor and movie theatres, or a partnership between a film producer and movie theatres. If a cinema chooses not to join a theatre chain, it has no chance of obtaining copies of films from distributors. Consequently, theatre chain companies serve as intermediaries between distributors and cinemas. Despite the rising significance of privately-owned theatre chains in the market, state policies continue to favour state-owned media conglomerates, which possess a competitive advantage through ‘vertical integration’ supported by the state’s resources and backing. This strategy aligns with the Chinese government’s objective of promoting a “socialist market economy” where in public ownership retains a dominant role, while diverse forms of ownership co-exist (Lu 2016, 208-10).

With such fierce competition, accompanied by a market that tends to favour commercial cinema and a distribution chain superseded by the state, the space for art-house directors is extremely marginal. Lou Ye’s 2012 *Mystery* is one of several reported cases of art cinema that, despite being distributed in China (after six months of evaluation of the final cut), was given only one week of screening time before having to make space for commercial films and imported blockbusters (Célérier 2013). Furthermore, it is also informally known that distribution in theatres is assigned for a limited time frame. This pe-

riod can be prolonged based on the film's box office performance in the first week of screenings. However, if a film does not achieve the expected earnings within this time span, it will not continue to be screened in the following weeks, and it can even be withdrawn early if it flops in the opening days.⁸

Another practice that should be considered when analysing the characteristics of the Chinese film market is mandatory screenings. This phenomenon sees schools and work units being given tickets to attend screenings of certain films, mostly main melody, and has an obvious, but difficult-to-calculate impact on ticket sales and box office results (Zhang 2004, 286). A further symbol of the CFA's power over distributors, and how the state can intervene in the programming of state-owned as well as private theatres, can be found in a circular issued on the occasion of the centenary celebrations of the CCP. This document, released on 10 March 2021, states that all distribution units should prepare to screen "excellent films celebrating the 100th anniversary of the founding of the CCP". Theatres were instructed to prepare for no fewer than two screenings per week, and those belonging to the 'People's Cinema Line' (*Renmin yuanxian* 人民院线) and 'Art Theater Alliance' (*Yishu yingyuan lianmeng* 艺术影院联盟) at least five screenings per week. In the same document, it is stated that all units, distributors, and theatres should prepare to promote the screenings of great classics by all means necessary, including preferential ticket prices, allowing people to receive education in patriotism and revolutionary traditions (CFA 2021a).

With such difficult and precarious conditions in the national market, dominated by commercial and propaganda films, resonance on the international circuit is crucial for the success of Chinese art-house cinema, as success on this stage could lead to a domestic release date. However, this puts the directors under additional pressure and aggravates their double occupancy, a position caught between two masters: the first embodied by the CFA's authority, which pushes them to alter their vision and authorship in order to obtain the necessary authorisation and licenses, and the second represented by international festival directors, who expect dissidence and resistance from the film-maker (Elsaesser 2016, 26-7).

Either way, this can influence the position of representatives of Chinese art-house cinema in the international festival circuit. Not complying with the CFA will automatically sabotage their requests for a national release, causing Chinese art-house films that are shown at festivals to be absent from national programming (Shackleton 2022). On the other hand, if they lean too much into the expectations

⁸ This is an unwritten rule, which the Author was able to learn through his work on the festival circuit and meetings with film professionals.

of festivals, they will exoticise their authorship (Elsaesser 2016, 26). Furthermore, the special measures imposed on distributors by the CFA, such as those witnessed during the Party's centenary celebrations, further fragilise the symbolic capital these movies can use to find a space in national cinemas. These measures shrink the already small space for art cinema, as they represent an incursion by the field of power on all cinematic fields and sub-fields. By pushing cinemas and distributors to change their schedules to make space for more propaganda screenings, all other films are placed in competition with each other for the remaining slots (Nakajima 2016, 86-101).

4 Strategies and Countermeasures to Preserve Authorship

Despite all these obstacles, Chinese authors still have some strategies that they can enact to preserve their authorship and space, both in the market and in the institutional festival circuit. For those like Jia Zhangke, Lou Ye, and Diao Yanan, who can count on the recognition gained on the festival circuits, film archives, mass media, academic curriculum, that institutionalised their authorship and the symbolic capital they have earned throughout the years, they can still use their name recognition to help preserve their authorship and prestige.

Lou Ye's career often led him to clash with the authorities, however, this clash reinforced his name brand. *Mystery*, the film that saw his return to film-making, was presented at Cannes Film Festival, but the CFA required changes to allow a national release. The demands were directed at two scenes in particular: one depicting sexual violence and the other featuring a violent murder. For over two weeks, Lou was involved in an intense process of negotiation with the censors, and even posted on Weibo his exchanges with the officers of the CFA and the documents he sent them. This earned him the support of intellectuals and netizens alike (Lu 2012). A compromise was finally reached, and Lou dimmed the lights in the murder scenes to reduce the violence they depicted. However, seeing this as a violation of his authorship, the director also decided to remove his name from the credits of the national release (Makinen 2012).

He took full agency, refusing to identify himself with a product that was contaminated by someone else's intervention, and used this 'scandal' to his advantage in promotion on the international market, to boost his product by using the visibility provided by this act of artistic integrity. In fact, he had his name on the poster for international promotion, and we can argue that this was because the director and his team were conscious of the symbolic power that such an act gave him. It is difficult to evaluate the reasons behind the censors' actions, however, such behaviour is not new, as the cases of Jia

Zhangke's *Still Life* and *A Touch of Sin* demonstrate. The Chinese authorities, at the helm of an aspiring global power, have changed their approach across the years and decided to minimise their intervention, in order to not give rise to controversy around films by internationally renowned directors, but intervene more strictly when it comes to theatrical releases in China (Bertozzi 2016, 77-8).

As Lou Ye's case shows, the support from the netizen community and intellectuals surely demonstrates the strength of the following of art-house cinema in China. While no director wishes to have to face confrontation with the CFA, the name recognition and symbolic capital they acquire over the years can eventually be used as leverage with the censors of a country that wishes to use cinema to spread soft power and compete with Hollywood.

Chinese art-house cinema has always relied on transnational ties; these ties can become a support structure for those that find themselves in a physical condition of displacement and exile, as in the case of Ying Liang. Facing the pressure of the censors for his film *When Night Falls*, the director decided to exile himself to Hong Kong, refusing to go back for fear of facing serious repercussions for his artistic work. However, Ying transformed this move into a tool to reinforce his stance, principles, and authorship, and featured it in his 2018 semi-autobiographical film *A Family Tour* (*Ziyouxing* 自由行). This film was produced by Taiwanese, Malaysian, and other private investors, allowing the director to have as much creative freedom as possible, and to access a transnational distribution market.

The film is filled with references to Ying's real life and revolves around Yang Shu, a film-maker from mainland China who has been living in Hong Kong for several years. Due to her critical views towards the Chinese government expressed in one of her films, she is exiled in Hong Kong. Yang Shu's mother, Chen Xiaolin, is also affected by this separation, as she lives in China under constant surveillance. To reunite with her mother, Yang Shu plans a trip to Taiwan, and organises screenings of her work under the pretext of promoting her films, while her mother will join her with an organised tour from China without raising suspicions. However, the trip becomes emotionally and psychologically challenging for both Yang Shu and Chen Xiaolin. Throughout the film, the characters struggle with the consequences of exile and the weight of their shared past. Yang Shu grapples with guilt, feeling responsible for her mother's situation and the impact her activism has had on their family. Chen Xiaolin, on the other hand, is torn between her desire to reconnect with her daughter and the fear of reprisals from the government (Kerr 2018).

Ying Liang draws from his own experiences as an independent film-maker and the challenges he faced in China due to his outspoken views, depicting his own struggles with censorship and longing for creative freedom in this film. This *mise en abyme* creates a deep-

ly personal and introspective narrative that resonates with themes of identity, sacrifice, and the yearning for a sense of belonging (Zeng 2019). While his colleagues decided to cooperate and accept mediation between the parties, pushing them to endure the double occupancy, Ying's choice to put everything on the line and dedicate his work to denouncing social injustice has made him a unique author with a unique name brand in the contemporary panorama of Chinese cinema.

Diao Yanan is another art-house director who exemplifies the continuing importance of recognition from international festivals. His works demonstrate how blending art-house aesthetics with the narrative codes of genre cinema can produce socially critical films with potential for success on the market. This blend combination allowed him to gain major exposure, nationally and internationally, and differentiated him and his style from his colleagues, making him the new vedette of Chinese art-house cinema. Since his debut with *Uniform* (*Zhifu* 制服, 2003), Diao has shown his predilection for using genre cinema as a mirror to reflect the marginal spaces of Chinese society. His first films earned him the attention and tutelage of Jia Zhangke, who went on to produce and make a cameo in *Black Coal, Thin Ice* (*Bairiyanhuo* 白日焰火, 2014).

The film won two awards, including the Golden Bear Award for Best Picture at the 2014 Berlin Film Festival, and was subsequently screened in China from March of the same year. Despite not having the financial backing of any major state group, the victory in Berlin gained the film a domestic distributor and authorisation for national circulation, a much-awaited reward, as the writing process and quest for financiers lasted almost six years (Yin 2014, 86). Despite its lack of commercial elements, the box office gross proved surprisingly high, and the state newspaper *China Daily* praised the film as an exemplary art film able to appeal to both film critics and the Chinese audience (Liu 2014).

Diao's film paints a harsh representation of a community of coal miners in North-East China, which becomes the background for a series of murders. The mystery revolves around the central anti-heroic figure of Zhang Zili, an alcoholic policeman who was suspended a few years earlier after carnage was caused by some of his actions. Adopting a non-linear narrative structure, Diao divides the story into two periods: 1999 and 2004. In 1999, Zhang Zili is an experienced detective working in a small industrial town. During the investigation of a gruesome murder case, he falls in love with a key suspect's wife, Wu Zhizhen. However, the case remains unsolved, and Zhang Zili's pursuit of the truth ends in tragedy, leading to his resignation from the police force. Five years later, in 2004, Zhang is now a washed-up security guard. The murders from the past resurface, and victims' dismembered body parts begin to reappear in coal shipments.

Determined to uncover the truth and find closure, Zhang starts his own investigation, despite being warned by his former colleagues to stay away. As he delves deeper into the case, he discovers a complex web of deceit, corruption, and personal betrayals. He reconnects with Wu Zhizhen, who is now working as a dry cleaner. Their paths intertwine once again as they become entangled in a dangerous game of cat and mouse. The film explores themes of guilt, obsession, and redemption. Zhang's pursuit of justice becomes a personal journey of self-discovery as he confronts his own demons and attempts to reconcile with the past. The film's dark and atmospheric tone, along with its gritty portrayal of the industrial landscape, adds to the overall noir aesthetics and intensifies the suspense.

Choosing the codes of genre film helps Diao to attract an audience that is accustomed to the tropes and style of film noir narration. The director follows in this tradition by having crime and violence at the centre of the story, using it as a channel to express his concerns around the condition of society and its development without incurring conflicts with authority, as he does not violate the main tenets of mainstream ideology (Lu 2014, 49). Furthermore, the violence present in the film may be read as one of the conventions of film noir, and the choice to set the narrative in the past might guarantee a certain distance and avoid being perceived as critical towards the present. Nonetheless, the use of naturalistic photography typical of art-house cinema opens up alternative readings of the film that surpass the oversimplistic definition of *Black Coal, Thin Ice* as a noir film (Pollacchi 2017, 221).

In fact, as declared by Diao, his film was not aimed to be a simple depiction of violence and abuse. A key to understanding Diao's purpose is hidden in the Chinese title of the picture, which translates as 'Daylight Fireworks'. Fireworks are traditionally used to ward off evil ghosts, but here they represent a "cathartic way of warding off the harsher side of the real world. A catharsis that Chinese people so desperately need today" (Rayns 2014). Diao's ambitions are not limited to obtaining critical acclaim - reaching the audience is also extremely important, as he says:

I do want to impress the audience! What I want to imply here is our ability to make moral choices. I am calling on people to be prepared to act decisively. When they act, they are making choices - not blindly following orders without questioning the instructions they are given. (Rayns 2014)

If the market and the theatres tend to give more space to commercial films, art-house film-makers can find a refuge and an audience of connoisseurs in the Nationwide Alliance of Art-House Cinemas or NAAC (*Quanguo yishu dianying fangying lianmeng jingyuan* 全国艺术

电影放映联盟影院). In October 2016, on the initiative of China Film Archive in partnership with Huaxia Film Distribution, Wanda Cinemas and EDKO Films, NAAC signed agreements forming a union between 2,914 theatres with 3,489 screens in 308 cities. The members of the alliance commit to screening at least three art-house films per day and reserving ten primetime slots for art-house films selected by the NAAC (NAAC 2022). However, all films that will be projected will necessarily need to have received the CFA sigil of approval. The NAAC will grant no space to 'independent' or 'underground' films, as after all, it still is a creation of a government body (Fan 2019). However, the mission of the NAAC is to create a space for art-house cinema inside the country. The alliance organises debates and Q&As with directors to boost the participation of the art-house fan community (NAAC 2022). While on the one hand, this can be seen as recognition of the symbolic capital and importance of art cinema for the country's cultural development, on the other, it is a move to control community discourse in clear opposition to the underground circuit.

As expressed previously, the festival circuit is central to the development of art-house directors' name brand and is consequently tied to their authorship. As expressed in the Fourteenth Five-Year Plan for the Development of the Chinese Film Industry issued in 2021, cinema is held in high consideration for the overall affirmation of China as a leading world force. The directors, indicated in the plan as talents, are tasked with the significant responsibility of conveying socialist values while creating high quality films that can inspire the people but also elevate the name of the film industry abroad. To allow them to improve and affirm themselves on the global stage, the CFA will subsequently need to facilitate their development (CFA 2021b). While the plan expresses the CFA's will to contribute to the development and training of new generations of film-makers and talents, it should also focus on the development of the national festival circuit. In fact, the Chinese festival circuit has started diversifying itself and consequently enriching the panorama of Chinese cinema thanks mainly to the Xining FIRST Film Festival (*FIRST Xining dianying jie* FIRST 西宁电影节) and to the Pingyao International Film Festival or PYIFF (*Pingyao guoji dianyingzhan* 平遥国际电影展). FIRST is an art-house festival created in 2006 who focuses on discovering new directors by giving them a space on an internationally established platform (FIRST 2023). PYIFF was founded in 2017 by none other than Jia Zhangke himself, with the collaboration of another important name in the international festival circuit, festival curator Marco Müller, with the aim of discovering new talents and allowing cooperation between the Chinese and international film industries (PYIFF 2023). While Jia's institutionalisation on the international circuit made him the most prominent art-house director from China, he is now moving to the other side of the barricade, with the help of his name brand and

the symbolic capital gained from his authorship, becoming an institution that will allow others to build their authorship. This is another of his contributions to the promotion of Chinese art-house cinema; however, the creation of PYIFF is not only beneficial to the industry, but also to him and his authorship, as it reinforces his position and symbolic capital in the eyes of both the national and the international community.

Another space that can't avoid being mentioned in considering Chinese art-house films distribution is the Internet, as it can also help art-house directors to reach a broader audience and establish themselves and their authorship within national borders. While distribution in theatres is extremely competitive and market forces often marginalise art cinema, the Internet can provide not only a different space, but also different promotional tools that can help the cause of Chinese art cinema. In fact, while the trends of the past few years have given more prominences to commercial and propaganda films, the audience can still influence the production and success of films and, as showed by Guangchao (2017), studios are trying to profit from new technologies to intercept new trends and audiences' taste. Aggregators, online review portals, and cast star-power have all proven to be factors that can motivate the audience to attend screenings and therefore influence the success of a film, hence pushing producers to repeatedly use the most successful model. Another factor of success can be found in the cultural relevance of a filmic work - adaptation of a successful novel or depiction of cultural heritage can determine the success of a film. Since the Internet is becoming more and more important in this sense, with Big Data analysis becoming a fundamental tool in understanding consumer behaviour, it is plausible that despite the system being highly influenced by its own regulators, it will always have to come to terms with audience taste (Guangchao 2017, 659-72). One of the earliest examples of the use of the Internet for promotion can be found in *Black Coal, Thin Ice*, which used Big Data and social media platforms to promote the film, thus allowing the expansion of the film's audience (Tang, Liang, Wang 2015, 107).

Online SVOD platforms are another important resource in spreading art cinema. Though they are subject to the same content regulations as any other distributor, their business model requires them to attract the higher number possible of subscribers. Therefore, the niche of art-cinema fans represents an important market that would otherwise be diverted to piracy.⁹ Scrolling through the libraries of iQIY and Tencent Video, users are presented with a rich and genre-diversified catalogue, despite the fact that the main pages do not feature art-house films (at least at the time of writing). To find them,

⁹ For a complete understanding of the business model of SVOD platforms, cf. Lotz 2022.

we need to use the search bar, which signals that despite art cinema being included in the libraries of streaming platforms, these films are buried by the mass of commercial productions that constitute the major part of these libraries. Therefore, it is not a case of mass exposure. However, presence on these platforms is still important, not only as it erodes the space of piracy, but also because web-based promotional campaigns can redirect a broader audience to content that can be accessed from anywhere and on every portable device connected to the Internet.

5 Conclusion

This article aimed at exposing the dynamics that fragilise the authorship of contemporary Chinese art-house directors. While the continued negotiation imposed by the 2016 Promotion Law and CFA regulations require changes and adaptations to the filmic process and production, the market also plays a role in the marginalisation of Chinese art-house cinema within national borders. The international festival circuit has long served as a platform to present new trends and stars of global art cinema, and it has provided Chinese art directors with a stage to showcase their talent and institutionalise their authorship. Since the 1990s, the neo-realist cinema by directors such as Jia Zhangke and Lou Ye has imposed its canons as characteristic of what is considered Chinese art-house cinema. After using the fame and symbolic capital gained outside the system via the international circuit, they returned to the fold and started to work within the boundaries imposed by the system. The recognition they received for their style necessarily pushed others to follow in their footsteps and helped carry the torch of Chinese art-house cinema. While Ying Liang established himself as the most radical director, preferring exile to compromise with an authority that was using every measure, including extortion and threatening his family, to block his films from being screened abroad, Diao Yinan showed how blending the aesthetics of art cinema with the narrative style of film noir can help push forward the socially engaged discourse of Chinese art cinema.

All the choices that allowed these directors to forge their name brand and find their space inside and outside of Chinese borders, however, risk pushing them into what Elsaesser (2016) defined as “double occupancy”, a condition of serving two masters. The first is represented by the government and its controlling bodies - in order to obtain all the necessary authorisations, directors necessarily have to bend their will and risk losing their original creative intention. The second is represented by the international circuit, specifically, the directors of the festivals that institutionalised them. Festivals are still crucial for the circulation of art cinema, however,

working to produce a film likely to be welcomed by these platforms may lead to film-makers having to serve the master represented by festival directors, who expect dissidence and resistance from them.

Despite all the hardships that Chinese art directors must face, there are still some spaces where they can showcase their work and affirm their authorship. Smaller and emerging festivals such as FIRST Festival and Pingyao Film Festival allow the younger generation to access a platform where they can screen their films and meet international experts and industry professionals, laying the foundation for their future careers. The CFA has also had to recognise the importance of art cinema in helping China become a global leading power. Besides allowing these festivals to take place, so as to co-opt the discourse of art cinema once relegated to the underground, it also allowed the establishment of the NAAC. This federation of theatres, producers, and distributors offers both directors and the public the chance to find a place for art-house films to be screened, protecting them from direct rivalry with commercial cinema. Finally, online resources also can help directors to distribute their films. Big data analysis can help direct more spectators to theatres and SVOD platforms have the potential to allow art-house films to reach a broader audience outside the boundaries of cinemas and their slot allotments.

While there is some space for preserving authorship, it must be remembered that the field of power can intervene in all sub-fields, altering the delicate balance that allows art cinema to be created and distributed. As mentioned, the CCP centenary saw the country's leadership push theatres and producers to give more space to propaganda main melody films, showing exactly how, despite the liberalisation of the industry, it is always under the direct control and at the orders of the state and must abide by the request of the leadership. Authorship in China is subject to a lot of variables, but the struggle between the symbolic capital of directors and authority is still the greatest obstacle to their expression, both internationally and in the national market.

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