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# Can Protectionism Ever Be Respectable?

## *A Skeptic's Case for the Cultural Exception, with Special Reference to French Movies*



JACQUES DELACROIX WITH JULIEN BORNON

**T**he concept of a “cultural exception” to free trade seems to have arisen in large part as a result of a perceived impending American hegemony over trade in some cultural products in the 1980s and 1990s. In 1992 (unfortunately, one of the last years when the U.S. government provided such figures in convenient form), the value of U.S. exports of “communication and information” products was approximately the same as the value of its aerospace exports and more than twice the value of its electronics exports. Put another way, those exports—which exclude most royalty incomes earned abroad by U.S. economic actors—would have been enough to pay the country’s considerable bill for imported clothing. Although the United States has nothing like a monopoly in this matter, this kind of export grew by approximately 10 percent per year in the 1980s (U.S. Census Bureau 1994) and at about the same pace since then. According to Vaidhyanathan, commerce in “cultural products” (not otherwise specified) accounted for more than 7 percent of U.S. gross domestic product in 1999, and “copyright-sensitive” industries’ exports were worth approximately \$300 per U.S. citizen (2001, B7). In 2000, the total payroll of “information industries,”

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admittedly a miscellaneous category, stood at approximately one-third of the annual payroll of all U.S. manufacturing (U.S. Census Bureau 2002). Thus, it is possible to form the impression that Americans are increasingly paying their way in the global economy by exporting such products to the rest of the world (although, contrary to a widespread notion, the total value of U.S. manufactures kept growing during the 1990s). Motion pictures and television programs, because of both their visibility and their numbers, are prominent, and increasingly so, among these cultural exports.

Between 1970 and 1995, the U.S. share of worldwide production of motion pictures rose from less than 9 percent to approximately 45 percent (UNESCO 1995, 8-1). Consider all imports of movies worldwide: seventy-four countries provided the origin of their imports in the latest issue of the *UNESCO Statistical Yearbook* available to me (1999). Using only the figures given for the latest year for which they offered such figures (varying from country to country between 1991 and 1994) only four—Congo, Kenya, Tanzania, and Iran—had fewer than 30 percent of their imports originating in the United States; only sixteen had less than 50 percent U.S. imports. Notably, these twenty countries included neither communist Cuba nor culturally protectionist France. This situation still prevailed for the latter country in 2002, a banner year for the French cinema in terms of revenue (European Audiovisual Observatory [EAO] 2003, 39).

Faced with this U.S. export success, several countries, including Canada (and within it, separately, Quebec), Spain, the People's Republic of China, Taiwan, and France have responded in a statist mode by claiming the right to erect protectionist barriers in the name of an ill-defined "cultural exception" to the generally accepted idea that trade protectionism is bad because it impedes economic development. Accordingly, the concept of cultural exception gained recognition from the General Agreement on Tariffs and Trade (GATT)—predecessor to the World Trade Organization (WTO)—meeting of 1994.

Among the growing list of such claimants, France has special interest because it has adopted the most active and most vocal policy of cultural protectionism (although it is seldom clearly articulated in its totality). Members of the French political elite are so serious about this matter that they have considered enshrining the cultural-exception principle in the French Constitution (Horwitch 2002), presumably to prevent future governments from ever putting it into question.

In this article, I am not considering French policy in all its complexity in order to arrive at a deep understanding of this particular case. Rather, I am using the French case, because it is convenient, to make a broader point. (For an elaborate discussion of the interrelationships between French cultural policies, France's economic transformation under globalization, internal French politics, and historical anti-Americanism, see Meunier 2000.)<sup>1</sup> Here I examine the French case for film protectionism, viewing it as a subset of general support for the cultural exception. I take up this challenge as a strong advocate of free trade in general, as an American academic

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1. I am grateful to an anonymous referee for directing me to this article.

who generally leans toward conservative positions, and as a Voltairean skeptic in matters of nationalism—but also as an empirically oriented social scientist who tries to keep an open mind. I conclude that the economic costs of this policy may well be negligible, but that its political and ethical consequences are disturbing.

### Protectionism and Moribund or Terminally Ill Industries?

*Protectionism* is usually defined as a set of government policies designed to shield domestic producers from foreign competition. I am concerned here with protectionism applied to the allegedly special category of “cultural goods.” All products are cultural in the fundamental but also trivial sense that they comprise elements of both nature and culture (knowledge). I refer here more narrowly to products that carry a heavy load of seemingly nonfunctional and nonutilitarian information, such as novels, books of poetry, paintings, sculptures, musical recordings, television programs, and motion pictures—all intended primarily to move or to entertain.<sup>2</sup> I focus primarily on motion pictures and to a lesser degree on television programs, but some of the arguments I develop may apply to other kinds of cultural products.

We may study protectionism in cultural industries for at least three reasons. First, these industries are reasonably large in economic terms, important in some national economies, and becoming larger. Second, they are deemed to have multiplicative effects and influence well beyond their sheer dollar/euro/yen weight (Lampel, Lant, and Shamsie 2000, 263). Third, the concept of “cultural exception” constitutes a repetitive, tenacious, and therefore possibly exemplary breach of the generally accepted idea of the desirability of free international trade (Green 1999; Salusinsky 1999, 18). Hence, it may be the top of a slippery slope leading to a renewed rejection of the idea of free trade.

For most of the informed layman’s purposes, objections to trade protectionism can be reduced to two families of arguments. First, protectionism is economically inefficient, as are deviations from market processes in general. Second, protectionism constitutes a deprivation of individual freedom, a form of despotism. In ethical terms, any act or policy of protectionism by a national government violates the moral doctrine of subsidiarity endorsed by such disparate entities as the European Union and the Roman Catholic Church (Coriden, Thomas, and Heintschel 1985, 859). The principle of subsidiarity is that decisions should be made as close as possible to those they affect and thus, as a rule, not by representatives’ representatives’ appointees. In addition, government restrictions of behavior are often associated with the emergence of coercive bureaucracies bent on perpetuating their dominion and extending their jurisdiction. (The more police, the more different kinds of conduct become crimes.

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2. My definition of cultural goods is close to Hirsch’s classic definition: “‘Non-material goods’ directed at a public of consumers for whom they generally serve an aesthetic or expressive, rather than clearly utilitarian function” (1972, 641).

The U.S. war on drugs, for example, would be unthinkable in a sociopolitical context with no professional police force.) Note that the despotism argument is independent of and additive to the inefficiency argument: even if trade protectionism were not economically inefficient, it would be objectionable on moral grounds.

Individuals otherwise inclined toward free markets will often accept the inefficiency of protectionist policies for two reasons. First, large zones of economic inefficiency are commonly tolerated because of absolute cost indifference regarding small expenditures. Second, a degree of economic inefficiency is often explicitly accepted in pursuit of a greater social value: according to one view, fairly widespread in organizational theory, all organizations are inefficient as compared to the markets that might provide the same goods, but they are socially acceptable because they offer the value of predictability (Williamson 1975).

Likewise, freedom-loving individuals will often make ethical choices supporting a measure of despotism in the name of the broader social interest, as in the acceptance of government regulation of airlines. (I am in no way, however, making the argument that this regulation is the best way to achieve safety.) Sometimes, the acceptance of despotic measures may even be based in large part on altruistic motives: I do not evade laws regarding compulsory vaccination, even though the optimum situation for me is one in which all children except mine are vaccinated. Given the commonness of such exceptions, one would expect a broader ethical acceptance of protectionism than both an individualist ethic and economic rationalism would predict. The question I raise here is whether the cultural exception may not be a privileged entry point for such deviations (or tolerance).

At the level of national policy, industry and labor leaders as well as politicians will often claim exemptions from the rules of free trade. These claims commonly revolve around the “infant industry” argument and around the notion that the social benefits of “temporary relief” granted a given industry outweigh any economic harm such relief may cause.

The French government and other governments—some of which are unambiguously for free trade in other sectors (such as Australia; see Salusinsky 1999)—have formulated and promulgated seemingly durable protectionist policies of indeterminate duration in favor of industries that are neither young nor temporarily in difficulty, but old and apparently afflicted by long-term ailments. Prime among them are the cultural industries of motion pictures and television. The French television industry cannot reasonably be called an “infant industry,” although it seems to have been sick from birth, judging by the consistently high volume of disconsolate commentary in the French high-brow press since it began in the early 1950s.<sup>3</sup> The French motion-picture industry appears to be the oldest in the world or nearly so (Karney 1995). Whether it is sick or not is an ambiguous empirical question (Delacroix 1994), about which I have more to say shortly.

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3. I am a native speaker of French and have been reading the French press intermittently for forty years.

## An Imperfect Summary of French Cultural Protectionist Policies

The main elements of French screen protectionism include tax breaks, obligatory airtime quotas for French-made programs and motion pictures on television channels (public and private, including 40 percent air time devoted to French-language productions), and a gate tax on movies made outside the European Union, the proceeds of which are used to subsidize French movie production—a sort of double-whammy protectionism. In addition, tax concessions to television networks, themselves supported in large part by taxes, allow them to subsidize motion pictures made in France or elsewhere with French financial or artistic participation. (The television network Canal Plus was created explicitly to help the French cinema [Rogemont 2002, 35].)

The French motion-picture industry is pushed, aided, encouraged, and constricted by numerous subsidies and forced financial contributions intended to play their part all the way from project writing and even “rewriting” (Rogemont 2002, 29) to product distribution. A 2002 French parliamentary report attempts without much success to describe succinctly the French system (“envied by the whole of Europe,” according to the report’s main author [Rogemont 2002, 24, my translation]). It appears that nearly all movies made in France and most French coproductions are subsidized (Rogemont 2002, 30). The abundance and variety of forms of aid notwithstanding, the total invoice for this effort appears to be comparatively modest: 235 million euros in 2002 (Rogemont 2002, 27), or not much more than two weekends’ worth of domestic receipts for a successful film release in the United States.

The official French statements justifying these policies are often incoherent, incomprehensible, unverifiable, and sometimes nearly hysterical (Delacroix and McAnany 1999), yet these traits are not enough to demonstrate that the policies themselves cannot be justified: perhaps they are defensible, but their proponents and implementers defend them incompetently. This situation would not be surprising, given that the French opinion makers who promote such policies are rarely knowledgeable about free trade and free-market arguments in general. Antistatist views are rarely expressed in matters cultural in the French media. A notable exception pertaining to the media comes from a professor who teaches in a Quebec university (Lemieux 2000, 11).<sup>4</sup>

I examine the French case in particular because of the comparative clarity of the French policies and because of the quality of the data available regarding French television and cinema production. I consider the possibility that protectionism in favor of cultural industries may be more defensible somehow than suggested by either a priori ideological judgment or the ineptitude of the French official promotion of the policies.

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4. Again, I thank a referee for informing me of this article.

Both the limited justification of such policies and the warnings against its slipperiest aspects that I express here may be extended to other protectionist practices pertaining to the so-called cultural exception.

### **Intent and Practice of French Film Protectionism**

There is little doubt that French cultural protectionism is directed squarely against American products (Meunier 2000) and, to a much lesser degree, against Japanese products. It is intended to procure an advantage to films made in France and to some extent to French-language productions made anywhere. Yet, owing to the constraints of international trade agreements, no policy can be crafted so precisely that it achieves exactly the desired narrow national goals. Accordingly, French policies admit on nearly equal footing the movies and television programs made anywhere in the ever-expanding European Union. French television regulations require that 60 percent of air time devoted to motion pictures present films of European origin, and other rules ensure that such products are not relegated to unpopular time slots (Rogemont 2002, 39). These policies may penalize, probably inadvertently, screen products originating neither in the United States nor in Japan nor in the European Union. That most French restrictions are not imposed on British-made or German-made movies and television programs, for example, underscores the weakness of official French culturalist arguments and represents a major and continuing source of inconsistency: it is difficult to see how BBC television series in English or German-language movies do less to undermine whatever cultural protectionism aims to protect than, say, Mexican *cinemovelas* in Spanish or Indian movies in Hindi.

Not surprisingly, in the long run, official protectionism indirectly generates a sense of entitlement within the relevant French industries. Thus, in November 1999, a letter allegedly released by mistake revealed that the national association of French directors and producers demanded that negative film critiques not be published until after a French film had been released (Grey 1999). One director wrote, “Some reviews, which resemble premeditated assassinations, send chills down my back, as if the writers’ purpose was to kill off all commercial French cinema designed for a mass audience” (Riding 1999; the treatment meted out to artsy films was not in dispute). The critics just laughed at the request, whose ludicrousness was magnified by its stipulation that only negative comments were to be shunned. Piling on praise presumably was considered acceptable. In any event, making such a collective demand appeared to its authors to have self-evident legitimacy. (To be fair, I note that sixty directors working in France subsequently denounced the letter.) A noncritical stance within the French combined television-cinema establishment also appears self-evidently appropriate to a major public television CEO: “it’s not easy to engage in movie criticism during prime time hours and before a large television audience, for one would then have to accept the idea . . . that one might say that a given film is bad” (Rogemont 2002, 143, my translation).

**Table 1**  
**Ratio of French Motion-Picture Production to Production**  
**in Other Countries, before and after Implementation**  
**of French Protectionist Policies**

	1985	1995
India	0.17	0.21
Japan	0.20	0.80
United States	0.30	0.50
Italy	1.50	2.00

*Source:* UNESCO 1999.

*Note:* Figures show French production divided by other-country production of regular-length films.

### What Do the Policies Accomplish?

Setting aside our inquiry into the policies' intent, let us attempt now to appraise their accomplishments by making a before-and-after comparison.

In 1995, 208 full-length movies were produced in France, about as many as in 1973, 1974, or 1975, *before* the current policies discriminating against non-French movies and subsidizing French movies were adopted. It is not clear whether this equality should be considered a victory or a defeat for protectionism. Comparing French movie production in 1985, shortly after the implementation of protectionist policies, with production ten years later, in parallel with changes in other major national film industries during the same period, gives us a better idea of the policies' effectiveness. The ratios of movies made in France versus movies made in selected countries with large motion-picture industries at both dates are shown in table 1.

In terms of numbers, the French industry more than held its own in comparison with the relative decline in other unprotected or little-protected national movie industries. Later figures show that the number of French releases grew by approximately 50 percent between 1995 and 1998 (Riding 1999). The French movie industry's productivity even grew more quickly between 1985 and 1995 than did its U.S. counterpart's. Hence, in a superficial sense, the figures in table 1 and later numbers support more than they contradict the idea that French cultural protectionist policies were effective. But these data are not the whole story.

To be judged successful, protectionist policies should have multiplicative effects. They should not only discourage unwanted behavior in the short run, but also foster the desired long-term habits, for two reasons. First, the longer the allegedly temporary release from the rules of trade persists, the greater the political costs incurred in relation to foreign-trade partners. Second, the longer a formally democratic state imposes restrictive practices on consumer choices, the more transparent the display of



**Table 2**  
**Revenue per Capita from Rental of U.S. Video Films, 1992,**  
**in U.S. Dollars**

Canada	\$4.00
France	\$2.50
United Kingdom and Ireland	\$2.05
Germany	\$2.00
Japan	\$1.30

*Source:* U.S. Department of Commerce 1994.

despotism. So spontaneous consumer preferences ought eventually to become aligned with choices artificially imposed by government intervention.

One can test this idea by examining consumer expenditures in relation to private, individual economic decisions that largely escape government scrutiny and regulation. Table 2 shows the revenue per capita generated in 1992 for U.S. film companies through the rental of U.S.-made videos in countries with roughly comparable incomes. This table suggests that where the French government's regulation does not reach, French consumers demonstrate that they enjoy U.S. movies rather more than many other viewers in similar economic circumstances who are not "protected" by any official policies.<sup>5</sup>

Finally, the effectiveness of French cultural protectionism should be gauged also by its results beyond France because official French cultural discourse is seldom couched in narrow nation-state terms. More often it is articulated in terms of a French-speaking (cultural) area, *l'espace francophone* (Meunier 2000, 108). The French official intent clearly reaches beyond France itself because, if for no other reason, the more people who know French worldwide, the more useful is the French language (Lemieux 2000). The same is true for culture in general. Thus, it is both enlightening and fair to consider the effects of French protectionist policies on cinema consumption in countries that are probably within the target (cultural) area, yet stand politically outside the reach of the French state and its associated cultural elites. Table 3 displays the percentages of full-length commercial films shown that were imported from the United States and from France in the latest year for which data were available (as of 2003) for some French-speaking countries and for some of the main countries in the traditional French sphere of influence.

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5. A member of the French political elite, well placed to observe his country's exclusionary policies in action, intuited (without benefit of data) the following explanation: "the less our media are allowed to broadcast American programs, the more the French public asks for such programs, out of frustration" (Sorman 1997, 444, my translation).

**Table 3**  
**Origin of Imported Long Films in Areas of French Cultural Influence**

	Percentage from United States	Percentage from France
Mauritius (1993)	close to zero	66
Congo (1995)	22	35
Benin (1993)	36	4
Gabon (1993)	94	—
Côte d'Ivoire (1993)	45	6
Madagascar (1991)	84	5
Morocco (1995)	47	7
Lebanon (1993)	80	7
Syria (1993)	85	—
Canada (1996)	64	14
Switzerland (1992)	60	13
Belgium (1995)	43	17
Luxembourg (1994)	67	12

*Source:* UNESCO 1998 and 1999.

*Note:* Figures for most recent year available.

In Mauritius, the official language is English, but a large minority is French speaking, and French is taught in the lower grades at school. In the next five countries listed in the table, French is the normal language of primary instruction. In Morocco, for the period of observation, all school children began learning French in the third grade; and almost all university education was in French. In both Lebanon and Syria, under French mandate between the two world wars, a considerable francophone educational establishment remains, although much of it is private. Both countries are assiduously courted by French cultural authorities. Canada and Switzerland are each more than 20 percent French speaking. In both Belgium and Luxembourg, the whole population learns French in the early grades, English much later.

Table 3 shows that with the probably legitimate exception of the Congo (the smaller, “Brazzaville” Congo) and with the intriguing exception of Mauritius, in every country where French is either widely taught in the primary schools or serves as the language of the elite, French motion pictures lose out to competing U.S. products. Thus, outside France, after some ten years of French cinema protectionism, including significant subsidization, French motion pictures fall behind their American counterparts where they should not, according to *l'espace francophone* perspective. Official French protectionism appears powerless wherever the arm of French law does not reach.

## Beyond Emotion: What Are French Policies Supposed to Protect?

The foregoing mixed but not insignificant findings suggest that the French protectionist policies may have some effect, if only within France and with respect to what is shown in movie theaters. Hence, a substantive question cries out for an answer: What social goods, assets, or values are being protected? The question has both tangible and intangible answers.

### *Tangible Assets*

It is difficult to gauge the economic weight of protected French television viewing because that weight is a complex function of both lost movie royalties and lost advertising opportunities for television products made in other countries. As far as motion pictures are concerned, the French share is also difficult to evaluate, but it was undoubtedly less than 10 percent of global box office receipts worth approximately \$6 billion in 1995 (computed from EAO 1997, 87)—equivalent to approximately 100 euros per French person annually, or the cost of a pleasant but modest meal for four at Paris prices. The economic advantage one would reasonably assign to the success of protectionist policies would be only a fraction of this amount. According to Green (1999), Europe's total trade deficit with the United States in television and motion-picture products amounted only to approximately \$20 per European in recent years. These numbers do not signify overwhelming economic importance. Still, they do not exclude the possibility that the French cinema and television industries may carry a political weight far beyond their objective economic importance.

### *Intangible Assets*

The unofficial and intangible but commonsense answers to the question of what is being protected, culled from my irregular but long-term reading of the French press and government documents, emphasize both the desirability of diversity, a nation-neutral term suggesting a degree of humanistic altruism, and the wish to preserve "national identity," a frankly egocentric concept (Meunier 2000; Rogemont 2002, 16). The language used by the massive parliamentary report mentioned earlier inadvertently suggests that the latter motive dominates the former; it even includes an allusion to Asterix, the valiant little cartoon Gaul who resisted the Roman invader beyond the bitter end (Rogemont 2002, 11), and special self-congratulations for the success of *Amélie* in the United States, an "author's film" (presumably an artsy French specialty, contrasted with the mass cinema made in Hollywood), "filmed in French, and on a very French topic" (Rogemont 2002, 136, my translation).

The diversity argument presupposes the existence of a sort of national cinema genius. It takes for granted that there exists naturally more international diversity than

intranational diversity of styles and contents. As Cowen has argued for art forms in general, this presumption is dubious or false, except for one fact: most German movies are filmed in German, most U.S. movies in English, and most French movies in French (2002, 129–35). To the extent that language carries its own distinctive worldview or angle of vision, national cinemas supply the world with an extra degree of diversity not attainable through a mononational and therefore in most cases a monolingual motion-picture industry. Although the idea that each language carries both words and a distinctive *weltanschauung* has not been tested thoroughly, to my knowledge, it is sufficiently widespread to be taken into consideration, if cautiously.

The French parliamentary report, celebrating 2001 as the year of rebirth for the French cinema, inadvertently undermines the seriousness of the claim that French protectionism is intended to preserve worldwide cinema diversity. It refers approvingly to the adoption of “American recipes” by French movie producers. Its main author suggests that the traditional contrast (in France) between elite French “author’s cinema” and the “commercial” U.S. cinema has disappeared in large part (Rogemont 2002, 14–15). No sooner have some French movies proved commercially successful by losing their Frenchness than the sacred French duty to supply the world with cultural diversity vanishes!

In sum, restrictive devices and subsidies favored by the French government, by the French television and motion-picture industries, and by an unknown but undoubtedly large segment of the public promote the production and exhibition of French films and television programs that may have the effect of helping to preserve whatever is meant by French “national identity.”

However successful such an endeavor appears to be, it evokes skepticism on two counts.

First, it is unreasonable to accept even a small dose of despotism as a proper price to be paid for something that even the policy’s most passionate apologists cannot describe. (I hasten to add that the most passionate apologists are not all chauvinistic morons. They include, among others, the long-time former minister of culture Jack Lang, known both for his absurd public diatribes against “cultural imperialism” and for his extraordinary achievements as a theater promoter with a worldwide reach.)

Second, the concept of national identity implies a degree of cultural immutability that is always suspect (Hobsbawm and Ranger 1983). It is historically ludicrous as far as the French in particular are concerned. The French love of cuisine is demonstrably a Renaissance import from Italy. French democracy proceeds from close observation of English political institutions (by Montesquieu and by Voltaire, among others), and it is probably indebted also to Thomas Jefferson, who, suspiciously, was present in Paris when the Universal Declaration of the Rights of Man and of the Citizen—the French Bill of Rights—was adopted (an early draft having been offered by Lafayette, a good friend of Jefferson). The often brilliant late-nineteenth-century French science owed much to conscious imitation of the German scientific establishment, following the defeat of 1870 (Ousby 2003). And, as is well known, the dazzling French art scene

from 1880 to World War II resulted to a large extent from the attraction that prosperous Paris exercised on non-French artists such as Picasso, Miró, Gris, Chagall, Modigliani, Kandinsky, Klee, and Van Gogh, to name but a few.

Yet the unpersuasiveness of the official ideological justification of French policies of cultural protectionism does not constitute proof that these policies are ethically or politically untenable. Later, I attempt to develop three plausible supporting arguments. First, however, I reconsider what the policies really achieve with respect to consumers' interests that can be linked reasonably to the admittedly shaky concept of national identity.

### **Film Protectionism and Actual Consumer Choice**

We do not know exactly what would be displayed on French screens, small or large, absent protectionist policies, but we can speculate reasonably by comparing the cinema fare offered to French audiences with the offerings in countries situated similarly with respect to market size, such as the United Kingdom and Germany. In 1998 and in 1999, the percentage of movies shown in France originating in the United States was 35. (In 2002, according to recent newspaper figures, the percentage of U.S.—made movies had gone up to 52, and the percentage of French movies on the French market was only 34 [Schneider 2003].) The 1998 and 1999 French figures are significantly below the corresponding U.K. figure of 53 percent U.S. movies for both years and below the corresponding figure of 57 percent U.S. movies for Germany in 1998. Yet, in absolute numbers, French audiences had for 1998 and 1999 only somewhat fewer American movies at their disposal than did their British counterparts, 159 and 179 versus 190 (both years), in spite of the obstacle of language. (French dubbing is more often than not comically inept.) In four of the six years from 1993 to 1998, more U.S. movies were offered to French audiences than to German audiences, even though the potential German market exceeds the French one. For the four recent years for which comparable data are available, the French had access to many more movies originating outside of both the United States and Europe than did either the British or the Germans, on the average: for the years 1993, 1994, 1995, and 1997, French audiences had access to 60 percent more non-American, non-European movies than did their British counterparts and nearly three times more than did German audiences. Corresponding Italian imports of non-American, non-European movies were approximately half the French figures. (All these figures from EAO 2001, 79–80.) Thus, it would be difficult to argue that French film protectionism promotes a high degree of parochialism.

It seems instead that the advantage the French government authoritatively awards indigenous screen products has the following consequences: some French-made motion pictures and television programs that free-market forces might consign to the dustbin of visual history are allowed to coexist alongside large amounts of imported material, including especially screen material made in the United States. As a result, French audiences are presented with more or less the same fare that passes the

market test in the rest of the world, with a somewhat smaller U.S. component, but augmented with French-made products and larger imports from outside their own neighborhood. Like their neighbors, the French also get to view motion pictures (and television programs) made elsewhere in the European Union. In other words, it is possible paradoxically that French audiences enjoy a more varied offering than do audiences in countries with no protectionist policy, except that they view fewer U.S.-made movies. (Remember, however, that U.S. products nevertheless are extremely common on French screens.)

Thus, if French cultural protectionists wished to argue that their policies serve both French “national identity” and global cultural diversity (irrespective of their real intent), they would not be completely on soft ground. That they seldom make such complex claims or back them up with figures suggests a built-in inattention to facts, but it does not imply that the claims have no value.

### **The Minestrone Argument for Cultural Protectionism**

One might make a tenuous but not completely absurd argument that movies and television programs filmed in French (or in Spanish or in Tagalog) inherently enlarge the qualitative diversity of the world’s screen offerings. According to this perspective, the commercially nonviable products that spring from French protectionism extend the diversity of screen products potentially available to the whole world, whatever the protectionist policies’ real intent. The argument applies with less force to French motion pictures that could pass the market test without government backing because they tend to resemble Hollywood movies. French audiences’ support of a substantial number of non-European, non-U.S. movies extends the diversity further, and this support might be related indirectly to habits induced by protectionism, perhaps because the diversity created by protectionism-induced French products leads audiences to search for even more diversity. Of course, this greater range of products is available to all viewers in the world who live in countries where the government does not effectively restrict access. That French movies and television programs are not, on the whole, commercially successful worldwide does not eliminate this argument completely: some people, somewhere outside of France, watch them or eventually will watch them. Finally, as noted earlier, the numerous French viewers contribute disproportionately to the support of the non-American, non-European screen industries even though French policies penalize the same industries (probably inadvertently).

It is not difficult to argue that greater diversity in general has intrinsic aesthetic value, that it is a good thing in itself. If such were not the case, we would expect at least some hobby gardeners to plant gardens displaying only one variety of flowers at a time. If such gardens exist, however, they are exceedingly rare. In matters of visual pleasure as elsewhere, it must be true that more is better than fewer. Likewise, minestrone soup with only two vegetables would sadden most diners’ hearts. Hence, I call this train of thought the “minestrone argument.”

Some of the costs associated with this (perhaps unintended) consequence of the policy are easy to delineate. An efficiency cost undoubtedly is attached, although probably only a small one borne in large part by French audiences, who have to pay more to see the same popular (foreign) products. Some French resources are misallocated to the production of movies and television programs instead of being invested in activities at which the French excel (such as warplanes and other weaponry). The total cost to the French is probably very small in comparison to the French gross domestic product per capita of approximately \$21,000 (as of 1998, according to World Bank 2000). The opportunity costs to the dominant producers worldwide, the U.S. motion-picture and television industries, are probably quite modest by their own standards, all the more so because French movies do not do very well commercially where they should, as we have seen, or just about anywhere else either.<sup>6</sup> Yet France sets a bad example that might spread to other countries and to other industries, resulting in serious long-term cumulative losses. Moreover, as noted previously, French cultural protectionism may impose proportionately larger opportunity costs on the products of national screen industries almost certainly not targeted by the French government, such as middlebrow, serious Bengali or Egyptian films (and possibly Latin American television series), whose markets might be even larger in France than they already are, absent protectionist policies.

In addition, some French viewers who do not support these policies are forced to support them through their taxes. That such contrarians' objections are almost never heard in the quite-free French public discourse may reflect only the common indifference to small costs.

Finally, it is plausible, though difficult to measure, that even the small degree of freedom from competition the policy grants French producers and directors contributes to a climate in which they feel excused from having to try harder. (Subjectively, it is difficult to deny a sense that French movies are becoming worse and worse. The monumental flop in both the United States and France of the French-made but English-speaking movie about Joan of Arc, *The Messenger*, comes to mind.) To this habitual consumer of American cinema but active seeker of French movies, nearly all French films seem badly photographed, although major exceptions have appeared, such as *Indochine*, with Catherine Deneuve; the Provence-based *Jean de Florette*, starring Gérard Depardieu; and its sequel, *Manon of the Spring*.

### The Plan B Argument in Support of Cultural Protectionism

Nearly all U.S. movies and television programs originate in a narrow technical, financial, social, and institutional network located at either end of an axis running from

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6. *The Messenger (Jeanne d'Arc)*, a film made in English, obviously to facilitate foreign diffusion, obtained more than half of its admissions in France and nearly another half in another country, Spain, where English was probably not very helpful (EAO 2002, 102–3).

Hollywood to Manhattan, with a significant detour through Marin County, California, north of San Francisco, where LucasFilms special-effects studios are located. These areas consist of a few hundred square miles at most. At present, almost no commercial movies are conceived and produced in Boston, Philadelphia, or Atlanta—not even a Houston-produced television series breaks the rule—although movies and television programs can be physically filmed anywhere.<sup>7</sup> The few films produced in exotic locales are small and probably rely on institutional and financial capabilities located elsewhere. Hence, only three small, clean nuclear devices or a handful of dirty bombs—or two earthquakes or, more cogently, a single epidemic—might wipe out most of the U.S. motion-picture and television industries. The Japanese industry is similarly narrowly based. The Indian industries are more dispersed geographically but rely on even thinner institutional networks. They had essentially no legitimate sources of funding until about 2001.

Whether motion-picture and television industries located in other countries might ever equal the vigor of Hollywood in the absence of U.S. wealth, entrepreneurship, and liberty is a speculative question. We might note that India, a heavily bureaucratized society, and even nominally communist China have managed to engender thriving movie industries.

One might argue that the French people, through the protectionist policies imposed by their government, are bearing the main costs, economic as well as moral and political, of maintaining a duplicating capacity to turn out screen products in the event that other, market-tested institutional production networks should become incapacitated. (If Hollywood vanishes, the uncompetitive French cinema and television industries will step in immediately.) This argument is not frivolous because the screen industries are remarkably “low-code” industries (Kogut and Zander 1992), where the accumulation of useful knowledge is laborious and the ability to transfer skills deliberately is limited. These are fragile industries that might conceivably suffer irreversible damage. The French Plan B in this scheme has unwittingly the same relation to the market-approved U.S. industries as zoo breeding has to wild reproduction: it is not efficient; its results leave much to be desired (think consanguinity!), but it is better to have it than not. That the French Plan B arguably may be more a Plan C or Plan D because the capacity to make movies and television programs exists in several other locales outside of the United States and because other national industries are better market tested than the French ones does not impair the logic of the general idea. In the end, preserving globally multiple capabilities to make movies and television programs, even inferior ones, is better for consumers everywhere than not doing so. Even the most orthodox economists recognize the intrinsic value of options (Black and Scholes 1973).

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7. This situation may change radically in the next few years thanks to the increasing affordability of high-quality filming equipment, but this possibility is only an optimistic speculation.



## The Empty Calories Argument in Favor of Cultural Protectionism

French speeches in defense of the cultural exception, which emanate less often from government officials than from self-appointed guardians of culture, often ring with a tone usually reserved for the protection of virginal virtue. They sound as if national cultures were a kind of collective chastity easily ruptured by foreign objects (those of U.S. origin, in particular). The underlying view is, of course, silly because national cultures are at any point the result of numerous borrowings and mergers, and are constantly changing. (Amin Maalouf [1998], a Lebanese philosopher writing in French, argues that we have much more in common culturally with our contemporaries everywhere than we have with our grandfathers.) Therefore, the purity of a national culture ought not to be guarded, both because it is in large part a fiction and because it cannot be protected anyway. These facts do not imply, however, that a group is or should be indifferent to the images and ideas that constitute its regular diet.

### *Stories and Meaning*

Viewers exposed to imported television programs and movies unavoidably make cognitive acquisitions. Thus, anyone living in the less-developed world who is exposed to a few U.S. movies or television shows set in the United States will probably pick up factual information about the country. For example, most American adults, including ordinary working stiffs, own a car (or, even better, a truck); and everyone appears well fed, even the poor (indeed, the poor appear overfed). Yet such transfer of factual information is incidental to the real function of most screen spectacles.

Almost all movies and much television programming attempt to tell a story. The real value of a story depends not only on its intrinsic qualities, but also on the receptor's character. There are good and bad stories, but even excellent orally told stories are not fully appreciated by the deaf or, more cogently here, by the partially deaf. Stories are one of the means by which we impart meaning to quotidian reality. In fact, for many aspects of reality the only available meaning is that which stories convey. In some respects, the meaning conveyed by stories told through movies and television is the main meaning available. Thus, most of what I understood about war (until the recent action in Iraq) I obtained from movies. Because I have no firsthand experience of war, and in spite of much reading about it, war would have far less meaning for me than it does had I never seen a movie about war. Movies and television programs therefore must provide a great deal of meaning to many people, just as meals supply nourishment, especially for the multitudes worldwide who are illiterate, have little access to books, or simply dislike reading. Absent these particular carriers of meaning, many people must suffer from an incomplete diet, whether they know it or not. In the following discussion, I undertake the risky task of arguing that screen content origi-

nating outside the viewer's culture(s) is intrinsically poor in meaning, that it provides inferior "meaning nourishment," as refined sugar is said to supply empty calories.

### *The Human Search for Meaning*

We cannot take meaning for granted. Newborn humans are like powerful computers equipped with exceedingly primitive operating systems. Throughout life, software is installed incrementally, some of it intentionally by the family, churches, and schools, some of it unintentionally by the family, churches, schools, and peers. It would be absurd to maintain that the screen media do not also contribute some software. Much of the software drawn from these various institutions is used to solve practical problems of life, such as how to procure food or how to make friends. Another part does not possess such obvious functional usefulness and must be oriented toward the discovery or formulation of generic or abstract meaning. Two different observations indicate that this kind of meaning is both important and problematic. First, a feeling of meaninglessness is one of the most common subjective descriptions of clinical depression, a serious illness. Second, human groups in all ages and all physical circumstances expend large amounts of collective resources in activities that must be seen as primarily or solely meaning producing. These efforts include religion, much poetry and other forms of story telling, much philosophy and some pictorial art (such as prehistoric cave paintings). Screen products, with their combined assaults on the senses, their sheer power, and their ability to display the physically inaccessible seem especially well suited to the installation of new generic meaning in human minds.<sup>8</sup>

### *The Inferior Fare in Imported Audiovisual Products*

I speculate that imported audiovisual products constitute inherently inferior fare as far as meaning is concerned, although they may well pass the market test by imparting a feeling of satiation to the viewer. Of course, U.S. movies undoubtedly are usually fun. In the past ten years, their average technical level has been vastly superior to the average level of quality of French films, for example. This superiority is strikingly true of the photography and sound, but also applies to the physical attractiveness of actors and actresses as well as to costumes and attention to detail in general. (I submit that even bad U.S. movies are enjoyable, whereas even some good French and other European movies are painful to watch.<sup>9</sup> French soap operas are agonizingly slow, their sets often poorly constructed and flimsy looking; they are usually musically silent or

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8. Hard social science-based evidence in support of my claim is neither abundant nor direct, yet the absence of dispute of similar assumptions by those whose job it is to discuss movies and television programs suggests its plausibility.

9. My personal opinion is not unusual; it converges with that of film critics of some of the most important Paris newspapers (see Riding 1999).

musically inept. This shabbiness contrasts to the quality of French-made documentaries, however, which often command respect.)

Imported fare is inferior fare with regard to its meaning, regardless of its inherent qualities, however, because its foreign receptors cannot extract the full meaning inherent in the story told. Or, it is inferior because the receptors must distort the intended meaning in order to fit it into their cultural experience. I illustrate these statements with two examples.

*Meaning Attrition.* A common U.S. television image shows a happy family sitting around a Thanksgiving table laden with a giant roast turkey, cranberry sauce (bright red, often out of a can), several varieties of green vegetables, including autumn squash, complex poultry “stuffing” (often cooked outside the bird), candied yams, several kinds of bread (often baked at home), pumpkin pie, and boiled corn. This assortment of foods is intended to convey in a commemorative way the American folk understanding of the circumstances of the founding of the first English colony in North America (in fact, the third that survived). This visual presentation cannot begin to communicate to a French audience the full meaning it imparts to a U.S. audience. In France, turkey is uncommon, of modest size, and roasted with chestnuts inside. Bread comes from the bakery in a limited number of recognizable shapes. Autumn squash does not exist. There is no French word used in France for *cranberry*. Yams are found only in the few African and Caribbean specialty restaurants and certainly not served after prolonged soaking in sugar syrup. Pumpkin is used in soup, never in pie. Corn is fodder for farm animals, especially for pigs, and its presence on a dinner table is distractingly ludicrous to the French eye. French families normally sit together at the table for meals, so a family sitting around a table conveys nothing special to them, as it does to Americans, who seldom eat together on ordinary days. Although on certain occasions the French combine religious celebrations with meals, the idea of giving thanks to God by eating does not cross their minds. (In their heavily Catholic tradition, religious intent is associated instead with fasting.) French viewers may catch the idea of abundance and even perceive some of the festiveness involved, but the implied intimate joy must elude them: in the French experience, many foods placed on the table at once indicate hastiness rather than the element of solemnity that they signify in the traditional U.S. Thanksgiving dinner. Thus, the picture of a Thanksgiving dinner must be lost for the most part on French audiences. It does them no harm, and it does not offend them, but it probably adds little to their store of meaning.<sup>10</sup>

For similar reasons, French viewers likely derive from U.S.-made television programs only a fraction of the meaning they would obtain from French-made programs of equal technical quality.

*Meaning Distortion.* The figure of the populist Protestant fundamentalist preacher plays an important and often revisited role in the American cinema. (It is

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10. In the same vein, a French colleague, Professor Thierry Leterre, pointed out to me that the most dramatic moment of *In the Line of Fire* seems ridiculous to the French because, for them, the impropriety of the assassin’s placing his hands under the table, where he was assembling the murder weapon, would have alerted the intended victims.

also seen live on U.S. television every Sunday morning on several channels.) U.S. films staging preachers, from *Elmer Gantry* to *The Apostle*, are well received in France, as they are in the United States. French audiences can no doubt feel and share some of the emotions they portray—the adventurousness, the nervous roguishness. It is doubtful, however, that French viewers, who come from a spiritual tradition divided between freethinking and mainstream Roman Catholicism, can digest the temptations and travails at work in independent, spontaneous, inspirational, charismatic, indirect-contact-with-God individuals operating outside any clerical hierarchy. My guess is that the French receive about half the meaning of both *Elmer Gantry* and of *The Apostle* and that they fill up the resulting holes with preconceived notions that often distort important elements of the original work's meaning.

In both films, a crooked, self-centered, opportunistic individual ends up doing God's work in spite of himself. This dual reality harmonizes precisely with the Calvinist doctrine of predestination and conflicts with both the French freethinkers' rational-choice worldview and the French Catholic understanding of salvation through good works adumbrated by the occasional intervention of divine grace. The American populist preacher must remain a figure incomprehensible in large part even to reasonably well-educated French people. Indeed, French intellectuals must sometimes torture the original meaning of an American movie to make it fit their collective experience. Thus, the film critic of *Le Monde* (the most hoity-toity French daily) mistranslated the handwritten sign "One Way to Heaven" in *The Apostle* (meaning "path of no return" or simply "one-way street") as "the Only Way to Heaven," implying a sectarian intolerance strikingly contrary to the spirit of the film. This kind of distortion in translation is also common in French dubbing of American movies.<sup>11</sup> Because the French movie industry has been at it for a long time and because many good French translations from English exist in other areas of endeavor (such as high technology), it seems unlikely that these distortions result from simple linguistic incompetence. Rather, they probably constitute an attempted correction to allow the absorption and retention of some of the intended meaning that otherwise would be lost to culturally based incomprehension. The extent to which such corrections succeed is an open question and a difficult one to answer.

A significant retort to this observation is represented by J. Shively's 1992 study of American Indians' reactions to selected Western movies, in which she reports that those viewers appropriate the meaning of the movies and interpret them in their own cultural way, strikingly different from white viewers' perceptions. However, this interpretation and the problem I identified previously are not mutually exclusive: viewers may partially reinterpret culturally alien works to gain meaning from them and still miss most of their original, intended meaning.

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11. In the final scene of the classic *Joe Hill*, Joe's friends are in the basement of a settlement house, distributing the executed man's ashes among envelopes addressed to his closest followers, when dance music is suddenly heard. One of the people present comments, "The Anarchists must have begun their benefit [dance]." The French version can be translated back, "The Anarchists did well to beat it [to get away]!"

Although French viewers attend U.S.-made movies in droves, the meaning that they gain from them remains uncertain. The situation brings to mind children who, stuffing themselves with fries at McDonald's, enjoy themselves thoroughly and leave the restaurant with a pleasant feeling of satiation but miss out on the vitamins and minerals of a more nutritious meal. (Again, I am not characterizing the inherent features of U.S. or other imported movies, but rather their hypothetical effect, given the viewers' intrinsic inadequacies.) This "empty-calories meal" idea cannot apply only to French audiences, who are not especially ignorant and who are regular consumers of imported screen products. If it is real, it must be a general phenomenon.

### Summary and Conclusions

French cultural protectionism may or may not have saved the French cinema from extinction. If it has, the policy has contributed modestly to the diversity of screen offerings worldwide. This benefit has been obtained at little perceptible cost to the French, at negligible cost to the main purveyors of screen products, possibly at some significant but hidden costs to a second tier of global sources of movies and television series in India, Japan, Latin America, and elsewhere. French protectionism can be viewed as comparatively low-cost conservation of sociofinancial film-production capabilities of potential benefit to the whole of humanity. It does not appear to restrict the range of French cinema intake, however; it may, paradoxically, broaden it, although this idea is only a tentative hypothesis. Indeed, with regard to consumption, one of the most compelling arguments against protectionism in general is that it allows bad products to displace good ones. Still, this idea contains a hidden assumption that a zero-sum game is being played, which may be wrong at the most microlevel and as regards small expenditures: French viewers seem to get both superior U.S. products, although in slightly reduced numbers as compared to their neighbors, and inferior French ones. (Of course, some other product somewhere is being displaced.)

I speculate, moreover, that in the end this limited protectionism may serve French viewers well in the area of collective meaning because even superior imported products transmit meaning less successfully than do domestic products, even patently inferior ones. The idea is a rough hypothesis, but it is worth pursuing because if it is anything more than thin air, it may have substantial importance.

Whatever the merits of the notions I have advanced here, a cultural exception to free trade, aside from its direct costs, may lead to a slippery slope toward global economic irrationality. Every exportable item of merchandise (and a fortiori every service, conventionally defined) is a "cultural" product. Certain rare mountain-grown coffees surely qualify. Some Scotch whiskies deserve special attention. Many Italian shoemakers can claim that their products are works of art because of their universally recognized superior design; but their wheat-growing compatriots may then also demand special status for their original Italian durum on the grounds that it makes inimitable pasta. And so on.

No argument based on either efficiency or effectiveness deals adequately with the issue of despotism: whenever the state restricts individuals in their choices or

forces them to contribute, a moral issue arises. However, in the French case, dirigiste intervention takes a particular, somewhat weakly statist form. The establishment that conceives, implements, and promotes cultural protectionism is not a straightforward government agency, but rather an eclectic mixture of public intellectuals, government functionaries, industry notables, and parliamentarians, united by an idiosyncratically French faith in central planning (Rogemont 2002, 141–42). The broad participation of local-level elected representatives in the protectionist endeavor underscores again the idea that it is not a simple case of bureaucratic despotism. In 2002, the parliamentary Committee on Cultural, Social, and Family Issues, specifically charged with cinema and television affairs, had no fewer than 143 members (out of a total of 577 deputies in the National Assembly). The general form of the political foundations of French cultural protectionism might be called corporatist rather than bureaucratic.

Yet this quasi-participatory form of guidance and constraint may be as despotic as any other form of protectionism and possibly more so. Becoming used to the idea that a wise elite, including government officials and elected representatives, is entitled to select what one enjoys is possibly more destructive of individual freedom than accepting government restrictions on pharmaceuticals, for example. It is incomparably more insidious than direct political censorship and accordingly may be more dangerous to liberty.

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