To place colorization in its historical context reveals many areas unique to film archiving and preservation. A discussion of this context from an archival standpoint further illuminates the issues surrounding colorization even more. For instance, while the feature films colorized were exhibited on television or distributed through videotape, it was the feature films that received the attention. However, this cannot be looked upon with surprise given it was the films that were being significantly altered.

The debate over colorization as played out in the media, was largely one of creative personalities—directors like Woody Allen, Sydney Pollack, John Huston, Martin Scorsese and Steven Spielberg who decried the process versus the man who was closely associated with it, Ted Turner.¹ Both sides were very vocal in either their condemnation or praise of the procedure, and at times this tended to overshadow the serious issues that were at stake.²

What was at stake was two-fold: the possibility of establishing a "droit moral" or moral rights precedent that had been present in many European countries at least a century and protecting the films themselves in terms of not only stopping colorization, but also in bringing attention to the gravity of the state of moving image archives in the United States.

This paper will first place colorization in a historical context as it relates to archive and preservation history. Second, it will explore one of the main aesthetic arguments

¹ Susan Linfield, "The Color of Money," American Film 7, no. 4 (1987): 30.

² Everyone, both pro- and anti-colorization used the mass media, particularly newspapers to explain their positions. For instance, Allen and Spielberg both wrote newspaper articles. See, Woody Allen, "The Colorization of Films Insults Artists and Society," New York Times 28 June 1987, A1 and Steven Spielberg, ""The Creation of Art Is Not a Democratic Process," Washington Post, 28 February 1988, 107+. Turner, while not writing an article, was always good for a quote that tended to infuriate those against colorization even more. See, Greg Dawson, "Ted Turner," American Film, 14, no. 4 (1989): 36-9; 52.

swirling around colorization: that more people preferred colorized versions to the black-and-white original. Further, a discussion of the legal arguments between copyright and moral right will be discussed as well as an exploration of laws passed due in part to the furor over colorization, such as the National Film Preservation Act of 1988. And, in an effort to give a brief but interesting notion of the prevalence of colorized films today, a selection of 10 films that were colorized and distributed on videocassette will be examined. Beforehand, however, I wish to explore the preservation context into which colorization was centered.

In her essay on the status of moving image preservation during the decade of 1967-1977, Sarah Ziebell Mann, focuses primarily on the creation of the American Film Institute (AFI) and the "major role in determining how moving image preservation would operate in the United States for the remainder of the twentieth century." Mann stresses that before the AFI was founded, film was not considered to be one of the more recognizable art forms. It was therefore "a bold move" by the National Endowment of the Arts (NEA) "not only to *include* film under its aegis but to *financially support it* as a separate subentity." While there were other preservation-minded institutions, namely the Library of Congress, the George Eastman House, the National Archives and the Museum of Modern Art, the AFI helped to bring a more coherent and unified preservation group, largely by the formation o the Archives Advisory Committee.⁵

³ Sarah Ziebell Mann, "The Evolution of American Moving Image Preservation: Defining the Preservation Landscape (1967-1977)," Moving Image Journal 1, no. 1 (2001): 1.

⁴ Mann, 2. Emphasis included.

⁵ Mann, 4. For a more thorough discussion of the collaborative efforts of these institutions, particularly the AFI and the Library of Congress, as well insight into film preservation thoughts and practices in the 1970s, see, Lawrence F. Karr, "The American Film Institute and the Library of Congress: A Twelve-Year Perspective," Quarterly Journal of the Library of Congress 37, no. 3-4 (1980): 355-369. For a view on the status of moving image archives from roughly 1978-1988, please see, John Kuiper, "The Decade of Access? Moving Image Archives in the USA, a Retrospective Look and a Status Report," Journal of Film and Video 40, no. 1 (1988): 49-54.

Much of Mann's article focuses on the fund-raising difficulties encountered by the AFI, but she does also focus briefly on television preservation. She is correct in pointing out that while the major film institutions and organizations were beginning "to coordinate their film preservation efforts, most television preservation pioneers worked alone in their struggle to advance the cause of preservation for their medium."

Part of this struggle resulted from the fact that there were fewer institutions devoted to television preservation by the 1960s. The National Library of Television, housed at the University of California at Los Angeles Film and Television Archive, the Paley Foundation, which was more of a study into the desperate need for television collection and preservation, and the Vanderbilt project begun by Paul Simpson and consisting of taping the evening news from the three major networks each night were the three most visible television preservation efforts, and all suffered from a lack of cohesiveness and money. According to Mann, this lack of attention can be directly attributed to "the government's hard distinction...established at the very beginning of its involvement in the arts," between film and television archives. ⁷ A clear example of this hard distinction can be seen in Preserving the Moving Image, a study published in 1974 funded by the NEA and the Corporation for Public Broadcasting, in which videotape was included, not as its own entity, but rather because "some avant-garde and amateur filmmakers had begun to use it in their work."

However, the AFI was also instrumental in bringing more attention and money, from the Ford Foundation to television preservation. And, in 1976, much-needed and sought after federal recognition came in the Copyright Revision Act of 1976 which

⁶ Mann, 9.

⁷ Mann, 11.

⁸ Mann, 11.

"included a provision to create an American Television and Radio Archives (ATRA) at the Library of Congress." This provision, along with a court case in the same year sets the stage in a way for the concepts surrounding colorization brought up roughly a decade later.

In *Gilliam v. American Broadcasting Companies, Inc.*, the creators of Monty Python's Flying Circus filed an action to stop ABC from broadcasting their program that had been heavily edited. ¹⁰ In the initial ruling, Judge Morris E. Lasker was incredibly sympathetic with their plight, but since they did not hold the copyright on the program, he was constricted by the economic interpretation of copyright, rather than declare it a violation of the creators' moral rights. So, while Lasker did rule in favor of ABC, declaring that the station would "suffer great financial injury if prevented from broadcasting the program," ¹¹ he did order ABC to broadcast a disclaimer during the broadcast stating that the program had been edited. ¹²

The verdict was appealed and the case went to the U.S. Second Circuit Court of Appeals, during which it was revealed that Terry Gilliam and the other creators of Monty Python held the copyright to the screenplay on which their program was based. Because of this, the Second Circuit did rule for an injunction on ABC broadcasting any more shows. However, since a moral rights option was not open to the Court at this time, they used the Lanham Act, which includes a statute that rules in favor of the plaintiff if it can be established "that the screen credit is a false representation, express or

⁹ Mann, 12.

¹⁰ Mann, 15.

¹¹ Craig Wagner, "Motion Picture Colorization, Authenticity, and the Elusive Moral Right," <u>New York</u> University Law Review 64: 3 (1989): 682.

¹² Mann, 15.

implied, and that this misrepresentation is likely to confuse the public as to the true nature of the artistic contribution."13

It is interesting that more suits were not brought by directors against the companies who colorized films after the success that Gilliam et al. had when using the Lantham Act. According to Craig Wagner, though:

...a filmmaker could not establish that the addition of color is so flagrant a distortion that it renders the color versions a 'false' incarnation of the original work. Unlike editing, the addition of color to the original work does not affect the continuity of the drama. To be sure, colorizing alters the aesthetic impact of the film, and may certainly weaken its mood and effect, but he foundation of the film—its story line, direction, performances, locations and dialogue—remains for the most part unchanged.¹⁴

In other words, the Latham Act, while useful to some extent, "does not adequately safeguard the integrity of artistic creation." ¹⁵

Before tackling a discussion of moral rights and the legal ramifications due in part to colorization, an exploration of this "integrity of artistic creation" is needed. From the beginning, proponents of colorization insisted that the process "would help introduce classic movies to a new generation of moviegoers who…will not sit still for black-and-white films." The colorization process was developed by C. Wilson Markle.

¹³ Wagner, 680.

 $^{^{14}}$ 685.

¹⁵ Wagner, 686.

¹⁶ Vincent Canby, "'Colorization' Is Defacing Black and White Film Classics," <u>New York Times</u> 2 November 1986; H1.

It was Markle, after receiving Toronto-based backing founded Mobile Image Canada, Ltd. in 1981, subsequently renamed Colorization, Inc. in 1983.¹⁷

The procedure developed by Markle began with transferring the original blackand-white film to videotape, which would then be viewed on a high-resolution monitor.

The next step is to break the film into scenes, and even more thoroughly into separate
frames. Then, the first and last frames of each scene are assigned colors to each and
every area of the scene, including skin, hair, eyes, clothes, props and the background.

Then a computer operator assigns each area an appropriate color. The fifth step occurs
after this when electronic masks of the areas colored are assigned to the actual areas in
the scene. Since movement frequently occurs, adjustment is often required, which could
be incredibly time consuming. Then the masked areas are combined in the final step in
the "color adder," which was patented by Colorization, Inc. In this, the original material
is married to the color information, and the end result is a colorized videotape. 18

While the colorization could be an incredibly expensive endeavor—the film *Topper*, for instance, one of the first colorized videotapes to be distributed cost approximately \$350,000, it also made an astonishing \$2 million dollars in the first two years, through broadcast rights and video sales.¹⁹ Given this type of revenue, it is quite clear the real reason that other companies, such as Color Systems Technology and Tintoretto sprang up to fill the need prescribed by figures such as Ted Turner to colorize black-and-white films. While no one ever did deny the fact that they wanted to make a

¹⁷ Gary R. Edgerton, "The Germans Wore Gray, You Wore Blue': Frank Capra, *Casablanca* and the Colorization Controversy of the 1980s," <u>Journal of Popular Film and Television</u> 27, no. 4 (2000): 25.

¹⁸ "Advances in Colorization," New York Times 22 April 1987; D7.

¹⁹ "Advances," D7; Edgerton, 27.

profit, proponents of colorization repeatedly declared that they also wanted to open the films up to new and younger audience, one who preferred color to black-and-white.²⁰

To explore this claim further, two master's theses were studied. The theses, one of the more odd outcomes from the entire incident concerning colorization were written in 1989 and the second in 1991 to fulfill the degree requirements for a Master of Arts and Science respectively.²¹ Both written by graduate students in a Communications

Department, each author set out with a questionnaire and a control group.

In the first study, conducted by Malcolm H. Armstrong, from California State

University at Chico, used three experimental and three control groups, with the
intention of investigating "if colorization affects the way viewers perceive the visual
design or narrative content of three film genres." 72 female and 56 male
undergraduates, with the median age of 19 were the subjects of this study, all taken from
introductory speech course at the University. Without going too much into the
specifics of the study, 10 minute sequences from the films: D.O.A. (1949), Yankee Doodle

Dandy (1942) and Topper (1937) were selected to be the test subjects on how colorization
effect on perception of genres.

The end results were that the group that viewed the original black-and-white film "perceived the film's visual design as more effective" as well as finding that "the

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²⁰ Many of the newspaper and journal articles mention this. See, Megan Rosenfeld, "The Color Guard," Washington Post 13 May 1987: F8, where Roger Mayer, president of Turner Entertainment Co., is quoted as saying "Today's audiences are conditioned to looking at movies in color. They simply cannot be persuaded, cajoled or bullied into watching them in black and white." Also, Vincent Canby, "Through a Tinted Glass, Darkly," New York Times 30 November 1986; 120 and Charles R. Acland, "Tampering with the Inventory: Colorization and Popular Histories," Wide Angle 12, no. 2 (1990): 12-20.

²¹ It should be made clear that while I use the term "odd" in discussing these theses, I in no way intend to belittle or demean the scholastic achievements represented by them.

²² Malcolm H. Armstrong, "Colorization: Effect on Viewer Perceptions of Video-Transferred Entertainment Films" (Master of Arts Thesis, California State University, Chico, 1989), 20.

²³ Armstrong, 21-22.

experimental group (colorized) found it to be less involving and entertaining."²⁴
However, in terms of the comedy excerpt viewed, Armstrong discovered that the differences between the control (black-and-white) and experimental groups did not reach a very significant level. Overall, however, Armstrong's findings reject the notion put forth by colorization advocates; instead, "[t]he control group...rated the sequence visually more effective than the experimental group..."²⁵

The findings by the other study done two years later are similar. However, James Clauser, a graduate student in the Department of Telecommunications at Kutztown University in Pennsylvania chose to examine one 15 minute excerpt from one film. It's A Wonderful Life was chosen partly because "it has become," since its resurrection during Christmas programming, "a major source for analysis by film historians and critics." Again the subjects were from undergraduate classes, a total of 34 students, but this time, those who watched the colorized version were enrolled in an English course, Culture and Media. The subjects who watched the original feature were from a course entitled: The Film Idea. Both groups were asked "if they preferred a colorized film over its black and white counterpart," to which 29 participants responded negatively — they preferred the original format, 4 preferred colorization and one was undecided. Interestingly, however, the group who watched the colorized segment remembered more of the plot than the group who viewed the black-and-white original, but "remembered significantly more characters than those who watched the colorized

²⁴ Armstrong, 33.

²⁵ Armstrong, 48. There is, of course, much more to this study. Such things as "null hypotheses," "t-tests" and "frequency distribution analysis" are discussed much more thoroughly than I have done here.
²⁶ James Donald Clauser "A Comparison of the Reaction to a Colorized Film Over Its Black and White

Counterpart" (Master of Science thesis, Kutztown University, 1991), 32.

²⁷ Clauser, 38.

sequence."²⁸ In the end, these two studies prove that even if a new audience does watch a colorized version of a film, they do not necessarily enjoy it any more than if they did not.

Another argument made by those in favor of colorization was "that some directors would have preferred to make their films in color if their budgets had allowed the use of color film, which in its early days was very expensive." However, as many writers have pointed out, "artistic considerations were no doubt tempered by the producer's or studio's notion of an economically viable product, and yet many directors have managed to create films that incorporate innovative artistry and technique in spite of the restraints imposed" upon them by the industry.

One of the genres that colorization was protested against more vehemently than others was film noir. John Huston vehemently objected to the colorization of his classic, The Maltese Falcon (1941). Film noir, literally meaning "black film" from the French, where the visual style of these films by technicians could be termed "moral ambiguity" through "what has been called antitraditional cinematography....the pervasive use of wide-angle lenses, permitting greater depth of field but causing expressive distortion in close-ups; low-key lighting and night-for-night shooting...both of which create harsh contrasts between the light and dark areas of the frame, with dark predominating, to parallel the moral chaos of the world...."31 Colorization, in other words, affects the authenticity of a film. The process "modifies the 'reality' of the black-and-white film,

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²⁸ Clauser, 40-41. Again, I am cutting the study to the barest of details. Clauser's study is set-up quite differently than Armstrong's. For instance, Clauser asked questions about income, and questions regarding the respondent's feelings about a particular scene.

²⁹ Hans Fantel, "Foes of Colorization See Red Over Black and White," New York Times; H30.

³⁰ Wagner, 637.

³¹ David Cook, A History of Narrative Film, 3rd ed. (New York: Norton, 1996), 451.

changing things here and there to suit its purposes."³² Moreover, as Arthur Asa Berger argues, "once we violate the autonomy of the director or whomever makes the decisions about the final shape of the film, we open a Pandora's box that can lead to all manner of crazy things."³³

It should be clear by now that colorization was one of the "crazy things." But once Pandora's box was open, could it be shut again? Those who crusaded against colorization, fought for the creator's rights, and arguing that the rights of a director, screenwriter and/or producer should be enlarged so as to seek permission from them before any changes were made to their film. The basis of their argument rests on the droit moral or moral rights. As explained by Craig Wagner, the doctrine of moral rights:

seeks to protect the 'thought and personality' of the artist rather than the pecuniary value in intellectual property. The doctrine establishes the artist's ultimate control over the use of his name, the artistic integrity of the corpus of the work, and the manner in which the creative product is presented to the public. Because moral rights do no depend on copyright proprietorship but instead are personal to the artist, the creator may sell the exploitation rights, or the piece itself, without losing moral prerogative over the work.³⁴

While countries such as France, Italy and Germany had similar statute provisions recognizing the moral rights of artists going back to the mid-1800s, they, along with 73 other countries signed the Berne Copyright Act in 1886, which also recognizes the

³² Arthur Asa Berger, "Film Technology's Latest Frankenstein," Society 24, no. 4 (1987): 13.

³³ 13.

³⁴ Wagner, 687-8.

"artist's right of personality." The United States, however, was not an original signer of the Berne Convention. It was not until May 20, 1988 that the U.S. finally joined, when the Berne Implementation Act of 1988 (S. 1301) passed the Senate.

Coming near the height of the colorization debate, it was expected, or at least hoped, that the U.S. would finally recognize an artist's moral rights as so many other countries, whether developing or industrial giants had done so beforehand. However, it was not to be. Stating that "under existing U.S. law for the rights of authors...to claim authorship of their works ('the right of paternity'); and...to object to distortion, mutilation or other modification of their works, or other derogatory action with respect thereto" which could be found in various provisions of the Lantham Act and the Copyright Act."³⁶ By this reasoning then, and by agreement with Dr. Arpad Bogsch, the then Director of the World Intellectual Property Organization (WIPO), a United Nations entity that was in charge of administering the Berne Convention, the United States was able to join without incorporating the moral rights doctrine into U.S. law.³⁷

Taking a moment to compare the French concept and statute of moral rights with specific regard to cinematography to the United States concept of copyright is necessary to better explain the difference. In the French system, while a producer may obtain exploitation rights, the moral right remains with the artistic authors—in this case, five individuals. "These co-authors consist of the author of the script, the author of the adaptation, the author of the dialogue, the composer of the musical score, and the

³⁵ Wagner, 688.

³⁶ Berne Convention Implementation Act of 1988: Report (to Accompany S. 1301 (Washington, D.C.: U.S. G.P.O, 1988), 9.

³⁷ Berne, 10.

director."³⁸ Given the fact that more than one author is recognized in the French system, it is designed so that limits are placed on the objections to changes that occur after the work is completed; and to make a modification or change requires the consent of the coauthors. Therefore, under French law, filmmakers can prevent the colorization of their motion pictures.

In one such instance, the heirs of director John Huston were able to permanently halt the broadcast of his film The Asphalt Jungle (1950). In their ruling, the Paris Court of Appeal ruled "that exhibiting a colorized version of the black-and-white motion picture would case 'unmendable and intolerable damage' to the integrity of the work and would infringe Huston's moral rights." As a result, under French law the rights of personality do indeed pose a serious deterrent to any alteration to a motion picture, including colorization. The same cannot be said about U.S. law.

Not only does the U.S. not have any expressly written moral rights protection for artists, but the copyright and contract laws also fall short. Since the "copyright in a motion picture, whether the film was produced during the studio era or relatively recently, invariably vests in the studio or production company deemed to be the 'author' of a work made-for-hire. The owner of the rights in these films has the exclusive right to make derivative works based on the copyrighted motion picture." ⁴⁰ This is due to the Copyright Act of 1976, which states that motion pictures are copyrightable material that are either commissioned, or specially ordered. As such they fall into the definition of a

38 Wagner, 696.

³⁹ Wagner, 701. See Judgment of 23 Nov. 1988, Tribunal de Grande Instance de Paris (1re chamber) [Consorts Huston c/Cinquieme Chaine et autres], which is the actual ruling. See Hector Feliciano, "Judge Bars Airing of Colorized Film," <u>Washington Post</u> 25 June 1988; C10 and "French Court Blocks an Altered Film," <u>New York Times</u> 11 July 1988; C13 for reports in US newspapers.

⁴⁰ Wagner, 656.

work-for-hire, and if agreed upon in writing, the copyright is retained by the commissioning party — namely the studio or production company.⁴¹

While several states including California, Louisiana, Maine, Massachusetts, New Jersey, New York, Pennsylvania and Rhode Island have enacted artists' rights legislation. According to Craig Wagner, the "state statutes protect interests similar in kind to those secured under the continental doctrine of moral right. These laws give the artist the absolute right to claim authorship of a work created by him, or to disclaim such authorship for a just and valid reason." However, as might be noticeable from the wording, motion pictures generally fall just outside this category of protected subject matter. Moreover, even if every state did include film in its statute, they would most likely not holdup against federal law.

On the federal level, several artists' rights bills have been introduced alongside the introduction and passing of the eight state laws. Some, such as the one that Representative Richard Gephardt introduced in 1987 did not pass. The Film Integrity Act, which was "designed to safeguard classic motion pictures", was designed specifically in response to the colorization of motion pictures. Essentially this bill, if it had passed would not have distinguished between copyrighted works or those in the public domain, which were some of the first to be colorized (*Topper* and *It's a Wonderful Life* for example). Regardless of whether copyrighted or not, an artistic author could bring about an action for infringement.

⁴¹ Wagner, 655.

^{42 703}

⁴³ Of the eight states, only Massachusetts explicitly incorporates film into its definition of fine art. However, the film must also be "of recognized quality," which is determined by other artists, gallery owners, dealers, conservators and collectors. Wagner, 704.

⁴⁴ Wagner, 708.

However, even it had passed, it most likely would have been ruled unconstitutional because it would have granted integrity rights in perpetuity. Article I of the Constitution empowers Congress "[t]o promote the Progress of Science and useful Arts, by securing for *limited* Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries...."⁴⁵ Not only would the Film Integrity Act have gone against the express wording of the Constitution, but it would have also been inconsistent with the "fundamental notion of copyright as a limited monopoly designed to encourage artistic creation for the primary purpose of benefiting the public."⁴⁶

On the other hand, Congress did pass the National Film Preservation Act of 1988. This Act authorized the creation of a National Film Preservation Board, which, under the guidance of the Library of Congress was empowered to nominate up to twenty-five films per year "that are artistically significant" for inclusion in a national registry.⁴⁷ This film registry was not without its own opponents. Jack Valenti, the President of the Motion Picture Association of America (MPAA), for instance was a very vocal opponent declaring that a national registry "would amount to a form of censorship."⁴⁸ This did not stop him, however, from serving on the Board.

The Board was, in 1992, reauthorized for four years. And in 1996, the Board was reauthorized for seven years. The Board is meant to advise the Librarian of Congress on "the implementation of the national film preservation plan," as well as help select up to 25 features each year to be included in the film registry (Appendix 2). These films must

⁴⁵ U.S. Constitution, art. I, cl. 8. Quoted in Wagner, note 508; p. 710. Emphasis added.

⁴⁶ Wagner, 710.

⁴⁷ Wagner, 710.

⁴⁸ Laura Landro and Daniel Askt, "Plan for Government Panel With Power Over Colorization Angers Movie Firms," Wall Street Journal 16 June 1988, 1.

be at least ten years old, do not have to be feature length or have been theatrically distributed; rather they must be "'culturally, historically or aesthetically significant." 49

In terms of preservation, through the National Film Preservation Foundation (NFPF), federal matching funds of \$250,000 are available per year to serve the Foundation's primary mission, which "is to save *orphan films*, films without owners able to pay for their preservation." ⁵⁰ Each year NFPF spends the funds on grants enabling institutions, particularly those of a smaller size, to preserve their moving image collections.

It would be a mistake to assume that colorization died out with the enactment of the National Film Preservation Act of 1988. On the contrary, the Act did very little to expand the artists' rights under existing law. In fact, as long as a label or disclaimer of sorts is attached to the film, films may continue to be altered without the authorization of the film artist.⁵¹ Around this time too, the Copyright Office "ruled that the colorized prints of ...black-and-white films are eligible for copyright registration."⁵² In order to quality for copyright registration, certain criteria must be met. First, the colorizer or technician must choose the colors to be applied, not a computer. Second the changes must constitute more than a few frames or a scene, which leads into the last requirement; the overall appearance of the film must be significantly altered.⁵³ Furthermore, the Copyright Office also requires the deposit of an archival quality black-

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⁴⁹ National Film Preservation Board website. http://lcweb.loc.gov/film/filmabou.html

⁵⁰ National Film Preservation Board website.

⁵¹ Wagner, 711. There are two labels; one for films on the National Film Registry, the other for colorized films. The first reads:" This is a materially altered version of hte film originally marketed and distributed to the public. It has been altered without the participation of the principal director, screenwriter, and other creators of the original film." For colorized films, the label should read: "This is a colorized version of a film originally marketed and distributed to the public in black-and-white. It has been altered without the participation of the principal director, screenwriter, and other creators of the original film." Wagner, 711.

⁵² Wagner, 652.

⁵³ Wagner, 653.

and-white print of the original both to ensure that there are significant changes, but also to "enrich the film collection of the Library of Congress for the public benefit." 54

Films continued to be colorized for years after the Film Preservation Act, and were copyrighted as well. Ironically it was the most vocal defender of colorization, Ted Turner who helped cause the process to stop. In April 1994, Turner Broadcasting System introduced a new channel: Turner Classic Movies (TCM).⁵⁵ Drawing upon the MGM library he had acquired in 1986 for \$1.4 billion (and subsequently began colorizing), Turner instead began to broadcast them 24 hours a day, 7 days a week, with nary a commercial interruption.⁵⁶ Turner himself actually admitted as early as 1989 that colorization was "pretty much a dead issue."⁵⁷ When TCM began, it did so with the promise that all films would be "uninterrupted, uncolorized and commercial-free!."⁵⁸ With Turner no longer interested in colorizing films, the already financially shaky colorization companies, most quickly went out of business.

In the end, what matters in terms of film preservation is that certain black-and-white films (approximately 300⁵⁹) were colorized. Bemoan the fact as we may, they are nonetheless a small part of our cultural and archival history. Colorized films violate the Exploitation Rights prescribed by the International Federation of Film Archives (FIAF), whereby archivists are cautioned against exploiting material in any collection for

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⁵⁴ Wagner, note 143, p. 653.

⁵⁵ Elizabeth Kolbert, "A Turner Channel Seeks Carriers," <u>New York Times</u> 11 April 1994; D5.

⁵⁶ Kolbert, D5.

⁵⁷ Dawson, 39.

⁵⁸ Edgerton, 33.

⁵⁹ This is my own rough estimate and should be taken with a grain of salt. A total of 677 records are brought up in OCLC when the term "colorized" was searched. However, many titles are repeated, some as many as four or five times. I have not been able to find a full and complete list of all titles colorized. Furthermore, when "colorized" and "videocassette" are searched together, a total of 117 records are highlighted.

profit.⁶⁰ It should be made clear that no blame lays with archivists for the colorization of films during these years. Rather, this, and other code of ethics written by and for moving image archivists after the height of colorization illustrate how necessary it is to adhere to such rules.

While Arthur Berger is correct is stating that the colorization process altered the black-and-white original and were therefore not authentic representation of the original film. However, the colorized copy now, more than ever is its own authentic representation of an altered film. In an attempt to discover how many libraries currently own colorized videocassettes and have them available for anyone to view, I have put together 10 very brief and barely scientific access studies. Choosing 10 films more at less at random (some, such as *Casablanca* and *It's A Wonderful Life*) were chosen in part because they received a great deal of media attention over many of the others.

After listing the name and year it was originally produced, the distribution company and year that it was colorized is given. Then, a rough estimate of how many libraries own the title. In this field, it is important to keep in mind that I was relying on the figures and records provided by OCLC (http://newfirstsearch.oclc.org), and many titles had more than one record. This, I believe indicates how prevalent many colorized titles still are. Next, I quote the indicator found in the Marc record that labels it a colorized film. Then I list the holdings for the title which are in the Library of Congress and searchable by the online catalog (http://catalog.loc.gov/webvoy.htm). The reason I focused on the holdings at the Library of Congress is because of the stipulation that any colorized film with its own copyright needs to be deposited, along with a archival

^{60 &}quot;Code of Ethics," FIAF website. http://www.fiafnet.org/uk/members/ethics.cfm

quality black-and-white film to the Library. Next, I list any and all formats currently available and whether they are in black and white or colorized, or even both. This was done in part because I overlook an important factor in my research and that is the videos store. This was a largely intentional oversight as most libraries have a collection management policy that includes safeguarding and replacing old material. And finally I list whether or not they are readily available, meaning that in my web search, primarily on http://www.amazon.com, they are ready to ship within 24 hours. This distinction was needed I think because it illustrates that if someone cannot buy a copy, they will no doubt turn to renting one, perhaps from the public library.

In correspondence with the Library of Congress, I was informed that in all likelihood the "Moving Image Section staff selected all copyright deposits of colorized films. In doing so, the intent was not to preserve colorized versions of motion pictures, but to obtain quality copies (35mm, 16mm, or 1" video) of the original black & white films." In terms of my findings, I think the most startling features are that Shirley Temple movies (*Baby, Take a Bow* and *Bright Eyes*) have recently been released on DVD with black-and-white and colorized viewing options. Both released by Twentieth Century-Fox, I could find no written reason they were released in such a format. Also, smaller, and perhaps less well-known films such as the Laurel and Hardy *Way Out West* is that no format, colorized or not is available for purchase. There are, however, a number of libraries that own the colorized version. Section 1.

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⁶¹ Rosemary Hanes. E-mail correspondence with author. December 4, 2003. Hanes is a Reference Librarian in the Library of Congress' Moving Image section.

⁶² While I had thought to include statistics on the number of libraries that have black-and-white holdings of these films, I discounted this due largely to the fact that the colorized number is enough to make my point.

Ultimately, what I hope will become clear when reading through these access studies is the need to ensure that colorized films are not forever treated as bastardized forms of moving images. Instead, it should be acknowledged by the archival community that there is a need to preserve them as well. And while the Library of Congress is certainly a notable institution for collecting these films, there should, perhaps, be a reevaluation of colorized films with discussions focusing on the role libraries and archives should take in their policy toward such films. Rosemary Hanes, a Reference Librarian in the Moving Image Section of the Library of Congress admitted in an e-mail that she did not "believe there would be any attempt to replace a damaged colorized video copy."63 Admittedly, while I do believe that a small portion of these films should be preserved, if nothing else to show future generations what *not* to do (as well as how important the moving image archivists' role has become since the fiasco), this statement pleased me. While the fact that so many libraries own colorized versions pains me, this fact should serve as a warning for current and future caretakers of the moving image. The fact that studios, such as Disney and 20th Century Fox are releasing versions of certain films on DVD in both black-and-white and colorized versions angers and upsets me. This only serves as further impetus for some type of referendum held by archivists on the status of colorized versions of these original black-and-white films.

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⁶³ Hanes, correspondence with author.

Appendix 1: Selected Colorized Films and Access

Colorization Archival and Access: The Absent Minded Professor

Title (and year produced): *The Absent Minded Professor* (1961)

Distribution Company/Year Colorized: Buena Vista/1997

Approximate Number of Libraries that Own Colorized Version Worldwide: 228

Label (According to OCLC record): "Videocassette release of colorized edition of motion picture originally produced in black & white in 1961."

Library of Congress Record Holdings: 1 videodisc of 1(laser): sd., b&w; viewing copy

1 videodisc of 1 (laser): sd., b&w; viewing copy (copy 2)

Materials Currently Available (Format/Year/Colorized or B&W): VHS/2003/b&w; DVD/2003/b&w

Colorization Archival and Access: Baby, Take a Bow

Title (and year produced): *Baby, Take a Bow* (1934)

Distribution Company/Year Colorized: FoxVideo/1989

Approximate Number of Libraries that Own Colorized Version Worldwide: 430

Label (According to OCLC record): "This is a colorized version of a film originally marketed and distributed to the public in black and white. It has been altered without the participation of the principal director, screenwriter, and other creators of the original film."

Library of Congress Record Holdings: 1 videoreel of 1: sd., col.; 1 in. master

7 reels of 7: sd., b&w; 35mm. archival positive

Materials Currently Available (Format/Year/Colorized or B&W): VHS/2002/colorized; VHS/2001/colorized; VHS/1989/b&w

Readily Available: 2002 – yes; 2001 – no; 1989 – no

Colorization Archival and Access: Back to Bataan

Title (and year produced): Back to Bataan (1945)

Distribution Company/Year Colorized: Turner Home Entertainment/1989

Approximate Number of Libraries that Own Colorized Version Worldwide: 39

Label (According to OCLC record): "This is a colorized version of a film originally marketed and distributed to the public in black and white. It has been altered without the participation of the principal director, screenwriter and other creators of the original film."

Library of Congress Record Holdings: 10 reels of 10: sd., b&w; 16mm. ref print

10 reels of 10: sd., b&w; 35mm. ref print

10 reels of 10: sd., b&w; 35mm. masterpos.

Materials Currently Available (Format/Year/Colorized or B&W): VHS/1992/b&w

Readily Available: No

Colorization Archival and Access: Bright Eyes

Title (and year produced): Bright Eyes (1934)

Distribution Company/Year Colorized: Twentieth Century-Fox/1988

Approximate Number of Libraries that Own Colorized Version Worldwide:212 (including DVD)

Label (According to OCLC record): "Colorized version of the original black and white film." (VHS)

Library of Congress Record Holdings: 1 videoreel of 1: sd., col.; 1 in. master

9 reels of 9: sd., b&w; 35mm archival positive

Materials Currently Available (Format/Year/Colorized or B&W): VHS/1981/both; DVD/2001/Colorized and b & w options available

Readily Available: VHS – yes; DVD – yes

Colorization Archival and Access: Bringing Up Baby

Title (and year produced): *Bringing Up Baby* (1938)

Distribution Company/Year Colorized: Turner Home Entertainment/1989

Approximate Number of Libraries that Own Colorized Version Worldwide: 34

Label (According to OCLC record): "This is a colorized version of a film originally marketed an distributed to the public in black and white. It has been altered without the participation of the principal director, screenwriter and other creators of the original film."

Library of Congress Record Holdings: 1 videocassette of 1: sd., col.; ½ in. viewing copy

11 reels of 11: sd., b&w; 35mm archival positive

11 reels of 11: sd., b&w.; 16mm ref print

11 reels of 11: sd., b&w; 35mm ref print

11 reels of 11: sd., b&w; 35mm ref print (copy 2)

11 reels of 11: si., b&w; 35mm dupe neg

11 reels of 11: sd; 35mm double edge neg track

Materials Currently Available (Format/Year/Colorized or B&W): VHS/1997/B&W

Readily Available: Yes

Colorization Archival and Access: Casablanca

Title (and year produced): Casablanca (1943)

Distribution Company/Year Colorized: MGM/UA Home Video/1989

Approximate Number of Libraries that Own Colorized Version Worldwide: 108

Label (According to OCLC record): "This is a colorized version of a film originally marketed an distributed to the public in black and white. It has been altered without the participation of the principal director, screenwriter and other creators of the original film."

Library of Congress Record Holdings: 1 videocassette of 1: sd., col.; ¾ in. viewing copy

11 reels of 11: sd., b&w; 16mm ref print

8 reels of 11: sd., b&w; 16mm ref print (copy 2)

11 reels of 11: sd., b&w; 35mm archival pos.

1 videodisc of 1: sd., b&w; 12 in. viewing copy

1 videodisc of 1: sd., b&w; 12 in. viewing copy

Materials Currently Available (Format/Year/Colorized or B&W): VHS/2003/B&W; DVD/2003/B&W

Readily Available: VHS—yes; DVD—yes

Colorization Archival and Access: Jailhouse Rock

Title (and year produced): *Jailhouse Rock* (1957)

Distribution Company/Year Colorized: MGM/UA Home Video/1992

Approximate Number of Libraries that Own Colorized Version Worldwide: 38

Label (According to OCLC record): "This is a colorized version of a film originally marketed an distributed to the public in black and white. It has been altered without the participation of the principal director, screenwriter and other creators of the original film."

Library of Congress Record Holdings: 10 reels of 10: sd., b&w; 35mm ref print

10 reels of 10: sd., b&w; 35mm masterpos.

Materials Currently Available (Format/Year/Colorized or B&W): VHS/2000/B&W; DVD/1997/B&W

Readily Available: VHS—yes; DVD—yes

Colorization Archival and Access: It's A Wonderful Life

Title (and year produced): *It's A Wonderful Life* (1946)

Distribution Company/Year Colorized: various: Hal Roach Studios Film Classics/1987; Video Treasures/1994; VidAmerica/1991

Approximate Number of Libraries that Own Colorized Version Worldwide: 243

Label (According to OCLC record): Hal Roach Studios Film Classics and Video Treasures: "Colorized version;"

Library of Congress Record Holdings: 1 videocassette of 1: sd., b&w; ½ in. viewing copy

1 videocassette of 1: sd., col.; ½ in. viewing copy

2 videodiscs of 2: sd., col.; 12 in. viewing copy

14 reels of 14: sd., b&w; 16mm ref print

2 videoreels of 2: sd., b&w; 1 in. master

3 videoreels of 3: sd., col.; 1 in. master

14 reels of 14: sd., b&w; 35 mm arch pos.

14 reels of 14: sd., b&w: 35mm ref print

14 reels of 14: si., b&w; 35mm dupe neg

14 reels of 14: sd.; 35mm double edge neg track

13 reels of 14: si., b&w; 35mm masterpos

14 reels of 14: sd., b&w; 35mm arch pos (copy 2)

2 videocassettes of 2: sd., col.; ¾ in. viewing copy (in Chinese with Chinese and English subtitles)

Materials Currently Available (Format/Year/Colorized or B&W): VHS/2002/b&w; DVD/2002/b&w

Readily Available: VHS—yes; DVD—yes

Colorization Archival and Access: Night of the Living Dead

Title (and year produced): *Night of the Living Dead* (1968)

Distribution Company/Year Colorized: Various: Video Cassette Sales/1987; Best Film & Video Corp./1993

Approximate Number of Libraries that Own Colorized Version Worldwide: 27

Label (According to OCLC record): Video Cassette Sales: "Colorized version;" Best Film & Video Corp.: "Colorized digitally remastered"

Library of Congress Record Holdings: 1 videocassette of 1: sd., col.; ½ in. viewing copy

10 reels of 10:sd., b&w; 35mm ref print

10 reels of 10: sd., b&w; 35mm ref print (copy 2)

1 videoreel of 1: sd., b&w; 1 in. master

1 videoreel of 1: sd., b&w; 1 in. master (copy 2)

1 videoreel of 1: sd., b&w; 1 in. master (copy 3)

1 videoreel of 1: sd., col.; 1 in. master

1 videoreel of 1: sd., col.; 1 in. master (copy 2)

1 videodisc of 1: sd., col.; 12 in. viewing copy

Materials Currently Available (Format/Year/Colorized or B&W): Various Distributors: VHS/1985/B&W; DVD/2002/Colorized and B&W

Readily Available: VHS—yes; DVD—yes

Colorization Archival and Access: Way Out West

Title (and year produced): Way Out West (1937)

Distribution Company/Year Colorized: Hal Roach Studio Classics/1987

Approximate Number of Libraries that Own Colorized Version Worldwide: 121

Label (According to OCLC record): "Colorized version by Colorization, Inc."

Library of Congress Record Holdings: 1 videoreel of 1: sd., b&w; 1 in. master

1 videoreel of 1: sd., col.; 1 in. master (copy 2)

1 videodisc of 1: sd., b&w; 12 in. viewing copy

Materials Currently Available (Format/Year/Colorized or B&W): VHS/1997/Colorized

Readily Available: No

Appendix 2:

National Film Registry, 1994-2002

- 1) ABBOTT AND COSTELLO MEET FRANKENSTEIN (1948)
- 2) ADAM'S RIB (1949)
- 3) THE ADVENTURES OF ROBIN HOOD (1938)
- 4) THE AFRICAN QUEEN (1951)
- 5) ALIEN (1979)
- 6) ALL ABOUT EVE (1950)
- 7) ALL MY BABIES (1953)
- 8) ALL QUIET ON THE WESTERN FRONT (1930)
- 9) ALL THAT HEAVEN ALLOWS (1955)
- 10) ALL THAT JAZZ (1979)
- 11) ALL THE KING'S MEN (1949)
- 12) AMERICA, AMERICA (1963)
- 13) AMERICAN GRAFFITI (1973)
- 14) AN AMERICAN IN PARIS (1951)
- 15) ANNIE HALL (1977)
- 16) THE APARTMENT (1960)
- 17) APOCALYPSE NOW (1979)
- 18) THE AWFUL TRUTH (1937)
- 19) THE BAD AND THE BEAUTIFUL (1952)
- 20) BADLANDS (1973)
- 21) THE BAND WAGON (1953)
- 22) THE BANK DICK (1940)
- 23) THE BATTLE OF SAN PIETRO (1945)
- 24) BEAUTY AND THE BEAST (1991)
- 25) BEN-HUR (1926)
- 26) THE BEST YEARS OF OUR LIVES (1946)
- 27) BIG BUSINESS (1929)
- 28) THE BIG PARADE (1925)
- 29) THE BIG SLEEP (1946)
- 30) THE BIRTH OF A NATION (1915)
- 31) THE BLACK PIRATE (1926)
- 32) THE BLACK STALLION (1979)
- 33) BLACKSMITH SCENE (1893)
- 34) BLADE RUNNER (1982)
- 35) THE BLOOD OF JESUS (1941)
- 36) BONNIE AND CLYDE (1967)
- 37) BOYZ N THE HOOD (1991)
- 38) BRIDE OF FRANKENSTEIN (1935)
- 39) THE BRIDGE ON THE RIVER KWAI (1957)
- 40) BRINGING UP BABY (1938)
- 41) BROKEN BLOSSOMS (1919)
- 42) CABARET (1972)
- 43) CARMEN JONES (1954)
- 44) CASABLANCA (1942)

- 45) THEODORE CASE SOUND TEST: GUS VISSER AND HIS SINGING DUCK (1925)
- 46) CASTRO STREET (1966)
- 47) CAT PEOPLE (1942)
- 48) CHAN IS MISSING (1982)
- 49) THE CHEAT (1915)
- 50) CHINATOWN (1974)
- 51) CHULAS FRONTERAS (1976)
- 52) CITIZEN KANE (1941)
- 53) CITY, THE (1939)
- 54) CITY LIGHTS (1931)
- 55) CIVILIZATION (1916)
- 56) COLOGNE: FROM THE DIARY OF RAY AND ESTHER (1939)
- 57) THE CONVERSATION (1974)
- 58) COPS (1922)
- 59) A CORNER IN WHEAT (1909)
- 60) THE COOL WORLD (1963)
- 61) THE CROWD (1928)
- 62) CZECHOSLOVAKIA 1968 (1968)
- 63) DAVID HOLZMAN'S DIARY (1968)
- 64) THE DAY THE EARTH STOOD STILL (1951)
- 65) DEAD BIRDS (1964)
- 66) THE DEER HUNTER (1978)
- 67) DESTRY RIDES AGAIN (1939)
- 68) DETOUR (1946)
- 69) DO THE RIGHT THING (1989)
- 70) THE DOCKS OF NEW YORK (1928)
- 71) DODSWORTH (1936)
- 72) DOG STAR MAN (1964)
- 73) DON'T LOOK BACK (1967)
- 74) DOUBLE INDEMNITY (1944)
- 75) DR. STRANGELOVE (or, HOW I LEARNED TO STOP WORRYING AND LOVE
- THE BOMB) (1964)
- 76) DRACULA (1931)
- 77) DUCK AMUCK (1953)
- 78) DUCK SOUP (1933)
- 79) E.T. THE EXTRA-TERRESTRIAL (1982)
- 80) EASY RIDER (1969)
- 81) EAUX D'ARTIFICE (1953)
- 82) EL NORTE (1983)
- 83) THE EMPEROR JONES (1933)
- 84) THE ENDLESS SUMMER (1966)
- 85) EVIDENCE OF THE FILM (1913)
- 86) THE EXPLOITS OF ELAINE (1914)
- 87) FALL OF THE HOUSE OF USHER (1928)
- 88) FANTASIA (1940)81) 89) FATTY'S TINTYPE TANGLE (1915)
- 90) FIVE EASY PIECES (1970)
- 91) FLASH GORDON serial (1936)
- 92) FOOTLIGHT PARADE (1933)

- 93) FORCE OF EVIL (1948)
- 94) THE FORGOTTEN FRONTIER (1931)
- 95) 42ND STREET (1933)
- 96) THE FOUR HORSEMEN OF THE APOCALYPSE (1921)
- 97) FRANK FILM (1973)
- 98) FRANKENSTEIN (1931)
- 99) FREAKS (1932)
- 100) THE FRESHMAN (1925)
- 101) FROM HERE TO ETERNITY (1953)
- 102) FROM STUMP TO SHIP (1930)
- 103) FROM THE MANGER TO THE CROSS (1912)
- 104) FUJI (1974)
- 105) FURY (1936)
- 106) THE GENERAL (1927)
- 107) GERALD MCBOING BOING (1951)
- 108) GERTIE THE DINOSAUR (1914)
- 109) GIGI (1958)
- 110) THE GODFATHER (1972)
- 111) THE GODFATHER, PART II (1974)
- 112) THE GOLD RUSH (1925)
- 113) GONE WITH THE WIND (1939)
- 114) GOODFELLAS (1990)
- 115) THE GRADUATE (1967)
- 116) THE GRAPES OF WRATH (1940)
- 117) GRASS (1925)
- 118) THE GREAT DICTATOR (1940)
- 119) THE GREAT TRAIN ROBBERY (1903)
- 120) GREED (1924)
- 121) GUN CRAZY (1949)
- 122) GUNGA DIN (1939)
- 123) HARLAN COUNTY, U.S.A. (1976)
- 124) HAROLD AND MAUDE (1972)
- 125) THE HEIRESS (1949)
- 126) HELL'S HINGES (1916)
- 127) HINDENBURG DISASTER NEWSREEL FOOTAGE (1937)
- 128) HIGH SCHOOL (1968)
- 129) HIGH NOON (1952)
- 130) HIS GIRL FRIDAY (1940)
- 131) HITCH-HIKER, THE (1953)
- 132) HOOSIERS (1986)
- 133) HOSPITAL (1970)
- 134) THE HOSPITAL (1971)
- 135) THE HOUSE IN THE MIDDLE (1954)
- 136) HOW GREEN WAS MY VALLEY (1941)
- 137) HOW THE WEST WAS WON (1962)
- 138) THE HUSTLER (1961)
- 139) I AM A FUGITIVE FROM A CHAIN GANG (1932)
- 140) IMMIGRANT, THE (1917)

- 141) IN THE HEAT OF THE NIGHT (1967)
- 142) IN THE LAND OF THE HEAD HUNTERS (1914) aka IN THE LAND OF THE WAR CANOES
- 143) INTOLERANCE (1916)
- 144) INVASION OF THE BODY SNATCHERS (1956)
- 145) IT (1927)
- 146) IT HAPPENED ONE NIGHT (1934)
- 147) IT'S A WONDERFUL LIFE (1946)
- 148) THE ITALIAN (1915)
- 149) JAM SESSION (1942)
- 150) JAMMIN' THE BLUES (1944)
- 151) JAWS (1975)
- 152) JAZZ ON A SUMMER'S DAY (1959)
- 153) THE JAZZ SINGER (1927)
- 154) KILLER OF SHEEP (1977)
- 155) KING: A FILMED RECORD...MONTGOMERY TO MEMPHIS (1970)
- 156) KING KONG (1933)
- 157) THE KISS (1896)
- 158) KISS ME DEADLY (1955)
- 159) KNUTE ROCKNE, ALL AMERICAN (1940)
- 160) KOYAANISQATSI (1983)
- 161) THE LADY EVE (1941)
- 162) LADY WINDERMERE'S FAN (1925)
- 163) LAMBCHOPS (1929)
- 164) LAND BEYOND THE SUNSET (1912)
- 165) LASSIE COME HOME (1943)
- 166) THE LAST OF THE MOHICANS (1920)
- 167) LAST PICTURE SHOW, THE (1972)
- 168) LAURA (1944)
- 169) LAWRENCE OF ARABIA (1962)
- 170) THE LEARNING TREE (1969)
- 171) LET'S ALL GO TO THE LOBBY (1957)
- 172) LETTER FROM AN UNKNOWN WOMAN (1948)
- 173) THE LIFE AND DEATH OF 9413--A HOLLYWOOD EXTRA (1927)
- 174) THE LIFE AND TIMES OF ROSIE THE RIVETER (1980)
- 175) LIFE OF EMILE ZOLA, THE (1937)
- 176) LITTLE CAESAR (1930)
- 177) THE LITTLE FUGITIVE (1953)
- 178) LITTLE MISS MARKER (1934)
- 179) LIVING DESERT, THE (1953)
- 180) LOST WORLD, THE (1925)
- 181) LOUISIANA STORY (1948)
- 182) LOVE FINDS ANDY HARDY (1938)
- 183) LOVE ME TONIGHT (1932)
- 184) M*A*S*H (1970)
- 185) MAGICAL MAESTRO (1952)
- 186) THE MAGNIFICENT AMBERSONS (1942)
- 187) THE MALTESE FALCON (1941)

- 188) THE MANCHURIAN CANDIDATE (1962)
- 189) MANHATTA (1921)
- 190) MANHATTAN (1979)
- 191) MARCH OF TIME: INSIDE NAZI GERMANY--1938 (1938)
- 192) MARIAN ANDERSON: THE LINCOLN MEMORIAL CONCERT (1939)
- 193) MARTY (1955)
- 194) MASTER HANDS (1936)
- 195) MEAN STREETS (1973)
- 196) MEET ME IN ST. LOUIS (1944)
- 197) MELODY RANCH (1940)
- 198) MEMPHIS BELLE (1944)
- 199) MESHES OF THE AFTERNOON (1943)
- 200) MIDNIGHT COWBOY (1969)
- 201) MILDRED PIERCE (1945)
- 202) THE MIRACLE OF MORGAN'S CREEK (1944)
- 203) MISS LULU BETT (1922)
- 204) MODERN TIMES (1936)
- 205) MODESTA (1956)
- 206) MOROCCO (1930)
- 207) MOTION PAINTING NO. 1 (1947)
- 208) A MOVIE (1958)
- 209) MR. SMITH GOES TO WASHINGTON (1939)
- 210) MULTIPLE SIDOSIS (1970)
- 211) THE MUSIC BOX (1932)
- 212) MY DARLING CLEMENTINE (1946)
- 213) MY MAN GODFREY (1936)
- 214) THE NAKED SPUR (1953)
- 215) NANOOK OF THE NORTH (1922)
- 216) NASHVILLE (1975)
- 217) NATIONAL LAMPOON'S ANIMAL HOUSE (1978)
- 218) NETWORK (1976)
- 219) A NIGHT AT THE OPERA (1935)
- 220) THE NIGHT OF THE HUNTER (1955)
- 221) NIGHT OF THE LIVING DEAD (1968)
- 222) NINOTCHKA (1939)
- 223) NORTH BY NORTHWEST (1959)
- 224) NOTHING BUT A MAN (1964)
- 225) ON THE WATERFRONT (1954)
- 226) ONE FLEW OVER THE CUCKOO'S NEST (1975)
- 227) OUT OF THE PAST (1947)
- 228) OX-BOW INCIDENT, THE (1943)
- 229) THE OUTLAW JOSEY WALES (1976)
- 230) PASS THE GRAVY (1928)
- 231) PATHS OF GLORY (1957)
- 232) THE PEARL (1948)
- 233) PETER PAN (1924)
- 234) PHANTOM OF THE OPERA (1925)

- 235) THE PHILADELPHIA STORY (1940)
- 236) PINOCCHIO (1940)
- 237) A PLACE IN THE SUN (1951)
- 238) PLANET OF THE APES (1968)
- 239) THE PLOW THAT BROKE THE PLAINS (1936)
- 240) POINT OF ORDER (1964)
- 241) THE POOR LITTLE RICH GIRL (1917)
- 242) PORKY IN WACKYLAND (1938)
- 243) POWERS OF TEN (1978)
- 244) PRESIDENT MCKINLEY INAUGURATION FOOTAGE (1901)
- 245) PRIMARY (1960)
- 246) THE PRISONER OF ZENDA (1937)
- 247) THE PRODUCERS (1968)
- 248) PSYCHO (1960)
- 249) THE PUBLIC ENEMY (1931)
- 250) PULL MY DAISY (1959)
- 251) PUNCH DRUNKS (1934)
- 252) RAGING BULL (1980)
- 253) RAIDERS OF THE LOST ARK (1981)
- 254) REAR WINDOW (1954)
- 255) REBEL WITHOUT A CAUSE (1955)
- 256) RED RIVER (1948)
- **257) REGENERATION (1915)**
- 258) REPUBLIC STEEL STRIKE RIOT NEWSREEL FOOTAGE (1937)
- 259) RETURN OF THE SECAUCUS 7 (1980)
- 260) RIDE THE HIGH COUNTRY (1962)
- 261) RIP VAN WINKLE (1896)
- 262) THE RIVER (1937)
- 263) ROAD TO MOROCCO (1942)
- 264) ROMAN HOLIDAY (1953)
- 265) ROSE HOBART (1936)
- 266) SABRINA (1954)
- 267) SAFETY LAST (1923)
- 268) SALESMAN (1969)
- 269) SALOME (1922)
- 270) SALT OF THE EARTH (1954)
- 271) SCARFACE (1932)
- 272) THE SEARCHERS (1956)
- 273) SERENE VELOCITY (1970)
- 274) SEVENTH HEAVEN (1927)
- 275) SHADOW OF A DOUBT (1943)
- 276) SHADOWS (1959)
- 277) SHAFT (1971)
- 278) SHANE (1953)
- 279) SHE DONE HIM WRONG (1933)
- 280) SHERLOCK, JR. (1924)
- 281) SHERMAN'S MARCH (1986)
- 282) SHOCK CORRIDOR (1963)

- 283) THE SHOP AROUND THE CORNER (1940)
- 284) SHOW BOAT (1936)
- 285) SINGIN' IN THE RAIN (1952)
- 286) SKY HIGH (1922)
- 287) SNOW WHITE (1933)
- 288) SNOW WHITE AND THE SEVEN DWARFS (1937)
- 289) SOME LIKE IT HOT (1959)
- 290) THE SOUND OF MUSIC (1965)
- 291) STAGECOACH (1939)
- 292) STAR IS BORN, A (1954)
- 293) STAR THEATRE (1901)
- 294) STAR WARS (1977)
- 295) STEAMBOAT WILLIE (1928)
- 296) STORMY WEATHER (1943)
- 297) STRANGER THAN PARADISE (1984)
- 298) A STREETCAR NAMED DESIRE (1951)
- 299) SULLIVAN'S TRAVELS (1941)
- 300) SUNRISE (1927)
- 301) SUNSET BOULEVARD (1950)
- 302) SWEET SMELL OF SUCCESS (1957)
- 303) TABU (1931)
- 304) TACOMA NARROWS BRIDGE COLLAPSE (1940)
- 305) TALL T, THE (1957)
- 306) TAXI DRIVER (1976)
- 307) THE TELL-TALE HEART (1953)
- 308) THE TEN COMMANDMENTS (1956)
- 309) TEVYE (1939)
- 310) THE THIEF OF BAGDAD (1924)
- 311) THE THIN BLUE LINE (1988)
- 312) THE THIN MAN (1934)
- 313) THE THING FROM ANOTHER WORLD (1951)
- 314) THIS IS CINERAMA (1952)
- 315) THIS IS SPINAL TAP (1984)
- 316) THROUGH NAVAJO EYES (SERIES) (1966)
- 317) TO BE OR NOT TO BE (1942)
- 318) TO FLY (1976)
- 319) TO KILL A MOCKINGBIRD (1962)
- 320) TOOTSIE (1982)
- 321) TOP HAT (1935)
- 322) TOPAZ (1943-45) (home movie footage taken at Japanese American Internment
- Camp, the Topaz War Relocation Authority Center)
- 323 TOUCH OF EVIL (1958)
- 324) TRANCE AND DANCE IN BALI (1936-39)
- 325) THE TREASURE OF THE SIERRA MADRE (1948)
- 326) TROUBLE IN PARADISE (1932)
- 327) TULIPS SHALL GROW (1942)
- 328) TWELVE O'CLOCK HIGH (1949)
- 329) 2001: A SPACE ODYSSEY (1968)

- 330) VERBENA TRAGICA (1939)
- 331) VERTIGO (1958)
- 332) WEST SIDE STORY (1961)
- 333) WESTINGHOUSE WORKS, 1904 (1904)
- 334) WHAT'S OPERA, DOC? (1957)
- 335) WHERE ARE MY CHILDREN? (1916)
- 336) WHY MAN CREATES (1968)
- 337) WHY WE FIGHT (series) (1943-45)
- 338) WILD AND WOOLY (1917)
- 339) THE WILD BUNCH (1969)
- 340) WILD RIVER (1960)
- 341) WILL SUCCESS SPOIL ROCK HUNTER? (1957)
- 342) THE WIND (1928)
- 343) WINGS (1927)
- 344) WITHIN OUR GATES (1920)
- 345) THE WIZARD OF OZ (1939)
- 346) WOMAN OF THE YEAR (1942)
- 347) A WOMAN UNDER THE INFLUENCE (1974)
- 348) WOODSTOCK (1970)
- 349) YANKEE DOODLE DANDY (1942)
- 350) ZAPRUDER FILM (1963)

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Bibliography

- Acland, Charles R. "Tampering with the Inventory: Colorization and Popular Histories." Wide Angle 12, no. 2 (1990), 12-20.
- "Advances in Colorization." New York Times, 22 April 1987, D7.
- Allen, Woody. "The Colorization of Films Insults Artists and Society." New York Times, 28 June 1987, A1.
- Beck, Bernard. "Inglorious Color." Society 24, no. 4 (1987): 4-12.
- Belton, John. "The Shape of Money." Sight and Sound 57 (1987/1988): 44-48.
- Berger, Arthur Asa. "Film Technology's Latest Frankenstein." Society 24, no. 4 (1987): 12-13.
- Berne Convention Implementation Act of 1988: Report. 100th Congress, 2nd Session. Report 100-352.
- Canby, Vincent. "Through A Tinted Glass, Darkly." New York Times, 30 November 1986, 120.
- Casey, Timothy M. "The Visual Artists Rights Act." <u>Hastings Communication and</u> Entertainment Law Journal 14 (1991): 85-105.
- Cieply, Michael. "Movie Classics Transformed To Color Films." Wall Street Journal, 11 September 1984, 37.
- Cooper, Roger. "Colorization and Moral Rights: Should the United States Adopt Unified Protection for Artists?." Journalism Quarterly 68 (1991): 465-473.
- Damich, Edward J. "Moral Rights Protection and Resale Royalties for Visual Art in the United States: Development and Current Status." <u>Cardozo Arts and</u> Entertainment 12 (1994): 387-398.
- ---. "The Right of Personality: A Common-Law Basis for the Protection of the Moral Rights of Authors." <u>Georgia Law Review</u> 23 (1988): 1-96.
- Dawson, Greg. "Ted Turner." American Film 14, no.4 (1989): 36-9; 52.
- Dowd, Maureen. "Film Stars Protest Coloring." New York Times, 13 May 1987, C19.
- Edelman, Rob. "Homevideo." Cineaste 15, no. 2 (1986): 56-57.
- "Endangered Species." New York Times, 19 March 1995, H40.
- Farber, Stephen. "Will Colorizing Revitalize Old TV Series?." New York Times

- 7 June 1987, H35.
- Feliciano, Hector. "Judge Bars Airing of Colorized Film." <u>Washington Post</u>, 25 June 1988, C10.
- "Film Board Fails to Announce Choices." New York Times, 20 July 1989, C19.
- Gross, Barry. "Will 'Camille' Still Appeal In Color?" Washington Post, 7 January 1985, WB14.
- Hanes, Rosemary. E-mail correspondence with author. 4 December 2003.
- Honan, William H. "Artists, Newly Militant, Fight for Their Rights." New York Times, 3 March 1988, C29.
- Karr, Lawrence F. "The American Film Institute and the Library of Congress: A Twelve-Year Perspective." Quarterly Journal of the Library of Congress 37, no. 3-4 (1980):
- Kernan, Michael. "The Great Debate Over Artists' Rights." Washington Post, 22 May 1988, 197.
- Kilgore, Richard T. "Legal Perspectives on Colorization: Removing the Green." Entertainment and Sports Law Review 6 (1989): 87-108.
- King, Rufus C. "'Moral Rights' of Creators of Intellectual Property." <u>Cardozo Arts and Entertainment Law Journal</u> 9 (1991): 267-301.
- Klawans, Stuart. "Colorization: Rose-Tinted Spectacles," in <u>Seeing Through Movies</u>, ed. Mark Crispin Miller (New York: Pantheon Books, 1990), 150-185.
- Kohs, David J. "Paint Your Wagon Please!: Colorization, Copyright, and the Search for Moral Rights." Federal Communications Law Journal 40 (1988): 1-38.
- Kolbert, Elizabeth. "A Turner Channel Seeks Carriers." <u>New York Times</u>, 11 April 1994, D5.
- Kuiper, John. "The Decade of Access?: Moving Image Archives in the USA, A Retrospective Look and a Status Report." <u>Journal of Film and Video</u> 40, no. 1 (1988): 49-54.
- Lindsey, Robert. "Frank Capra's Films Lead Fresh Lives." New York Times, 19 May 1985, H1.
- Lipsitz, George. "Blue Money." Society 24, no. 4 (1987): 14-15.

- Mann, Sarah Ziebell. "The Evolution of American Moving Image Preservation: Defining The Preservation Landscape (1967-1977)," Moving Image Journal 1, no. 1 (2001): 1-20.
- Maurer, Joseph. "Color Spectography: Film of a Different Color." <u>Emmy</u> 8, no.3 (1987): 60-62.
- McNally, Janine V. "Comment: Congressional Limits on Technological Alterations to Film: The Public Interest and the Artists' Moral Right." <u>High Technology</u> Law Journal 5 (1990): 129-156.
- Mifflin, Lawrie. "Clash of the Old-Movie Titans." New York Times, 19 March 1995, H38.
- Molotsky, Irvin. "Film-Color Panel Seeks Meaning of 'American.'" New York Times, 24 January 1989, C19.
- National Film Preservation Board. Website. http://lcweb.loc.gov/film/filmabou.html
- National Film Preservation Foundation Why the NFPF Was Created. Website. http://filmpreservation.org/about/why.html
- Nelkin, Dorothy. "Show and Sell." <u>Society</u> 24, no. 4 (1987): 16-18.
- Rosenfeld, Megan. "The Color Guard." Washington Post, 13 May 1987, F1.
- Schudson, Michael. "Colorization and Authenticity." Society 24, no. 4 (1987): 18-19.
- Smith, Priscilla Ann. "Film Colorists Forecast Royalty Payoffs." Wall Street Journal, 15 May 1987, 17.
- Spielberg, Steven. "'The Creation of Art Is Not a Democratic Process.'" Washington Post, 28 February 1988, 107.
- Strong, William S. "Legal Shadings." Society 24, no. 4 (1987): 19-21.
- Swisher, Kara. "House Takes on Colorization." <u>Washington Post</u>, 30 June 1988, B3.
- "Turner Gets Go-Ahead on Colorizing." Washington Post, 18 December 1987, G11.
- Wagner, Craig. "Motion Picture Colorization, Authenticity, and the Elusive Moral Right." New York University Law Review 628 (1989): 628-725.
- Wilson, Robert N. "Green and Other Colors." Society 24, no. 4 (1987): 21-23.