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Authorship in Crisis: German Cinema and the Changing Roles of the Writer

By

Alicia A. Roy

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

German

and the Designated Emphasis

in

Film Studies

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Anton Kaes, Chair

Professor Chenxi Tang

Professor Robert Merges

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Abstract

Authorship in Crisis: German Cinema and the Changing Roles of the Writer

by

Alicia A. Roy

Doctor of Philosophy in German Studies

Designated Emphasis in Film Studies

University of California, Berkeley

Professor Anton Kaes, Chair

In my dissertation I examine the ways in which the concept of authorship, and its related discourses of authority, control, and artistic value, were destabilized by the introduction of the new film medium. Film not only represented collaborative work on an unprecedented scale, it was a mechanical technology that functioned without the spoken word. These characteristics resisted association with literary and artistic value, understood in the German context primarily through the figure of the *Dichter* (poet). This not only made it an object of intense criticism as supposedly valueless entertainment, the very way in which films were made, marketed, and received struggled to find language and frameworks to conceptualize film and filmmakers. I trace these changes through analyses of the reception of the films *Der Student von Prag* (1913), *Phantom* (1922), and *Die Dreigroschenoper* (1931). In particular I look at the way the writers, producers, directors, or actors of these films are represented as the originators, primary creative “voices,” or authorities of the production.

*for my Oma & Tito*

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## Introduction

We typically think today that if a film has an “author” or primary controlling individual, it is the director. The director is a prominent figure in the publicity circuit for a newly released film, their name often comes first in the film’s credits, their filmography is narrativized onto their biography to explain the themes or aesthetics of a film, and reviews speak of the director’s motivations, sensibility, or “touch.” Success (or failure) of a film, economically or artistically, is in large part attributed to this individual, who is praised (or criticized) for the result. Despite knowing that a film has hundreds of contributing workers and recognizing the power of today’s massive studio conglomerates, we think of the film as belonging to the director--it is his.<sup>1</sup> It is not just “a film by Peter Jackson,” it is “a Martin Scorsese film,” or “Quentin Tarantino’s latest.” “Have you seen the newest Bong-Joon Ho?”

But it did not have to be this way. There is nothing inherent in any of the roles within the sprawling, collaborative, and multi-stage process of film production which singles any of them out as the ‘most important.’ Instead, a series of conventions, habits, and expectations have developed over time which dictate contracts, workplace practices, and press coverage. These conventions, habits, and expectations were not yet established in the early 20th century, when film had moved from being an entertainment curiosity to a fully-fledged industry. In the period from 1912 to 1931 addressed in my dissertation, the film industry in Germany (at the time one of the most highly developed in the world) underwent massive changes, both in production and in cultural perception, that had an impact on how the film’s author was identified and defined.

In the following four chapters, I analyze and trace the conception of film authorship during this approximately twenty-year period in Germany. I show how the designation of author was alternately bestowed on the screenwriter and the director, resisting the opportunity to create a new definition of collaborative, nonhierarchical authorship. I also show that certain ideas of authorship, historically grounded in German literary history, influenced the way film writing and authorship was discussed. This historical legacy maintained certain ideas of literary and aesthetic quality that influenced the film industry to rely on literary adaptations to bring prestige to the medium. The conception of authorship in this German context acts as a prerequisite for film to be considered art, even as film was attempting to establish itself as an independently worthy and unique art form.

The cultural conception of authorship in Germany is a topic too massive and multifaceted to cover in a single dissertation, even within the limitations of a twenty-year time period. It is difficult enough to have a dissertation ‘about’ authorship, since the theories, definitions, and histories of authorship in various cultural and media contexts make up an entire sub-field of the humanities. Roland Barthes and Michel Foucault, among others, made possible my approach to authorship, which is not to attempt a strict definition, but instead to tease apart the layers,

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<sup>1</sup> I use the male pronoun deliberately here and not in the generic sense. As I will discuss, not only are directors typically male, the very concepts of authorship at work throughout my dissertation are implicitly and explicitly tied to masculinity and exclude female participation.

hierarchies, implications, and motivations within the umbrella term of authorship. What results is in many ways an examination of attitudes about creativity itself. Film writing, as a new activity for a new medium with a new class of participants, exposes the assumptions of artistic hierarchy and individualism embedded in the concept of authorship as popularly used during the early 20th century. The German term *Dichter* (poet) offers further opportunity to sharpen my approach, since its usage in German has extended to a creative male individual demonstrating exceptional quality and sensibility, whether in the written word or other media. Tracing the way this term is used (or not) during a changing media landscape allows me to examine how the concept of authorship is used regarding film. Sometimes it is weaponized to deny the new medium the status of being art, and alternatively it is used to assert validity of the medium and argue for the creative importance of the individuals working in film.

I have found that the term *Dichter* and the associated definitions and attributes of authorship relevant in early 20th century Germany were in many ways shaped by the literary movement of Romanticism from the late 18th and 19th centuries. Throughout my dissertation, I repeatedly refer to the Romantic conception of authorship as the most culturally influential for discussions and debates on film authorship. Ideas about authorship, creativity, and the *Dichter-as-genius* were enshrined and perpetuated by literary figures of the Romantic era, who wrote essays and philosophical works in addition to poems and novels that expressed their conceptions of these ideas. However, it is important to note that the reception of the Romantics in the 20th century popular imagination was generally quite simplified and based on the figures of a select group of high-prestige authors. The public image of these men as authors held broad influence on the cultural mindset in Germany, and formed the primary lens through which authorship, and indeed the conception of quality in art, was societally understood.

The 18th century is significant not just because of the highly influential literary figures from this period and their associated conception of authorship. This century is also when the idea of intellectual property began to have an impact on European copyright systems. The association between a particular idea of authorship and the special privileges of ownership and protections granted by law is significant. Scholars such as Martha Woodmansee have argued the latter was impossible until the solidification of the former.<sup>2</sup> Industrial factors in the 18<sup>th</sup> century sharpened the issue of the economics of authorship. The early 2000s saw heavy attention focused on piracy and its economic impact on the film and music industries; the 18th century likewise was accompanied by its own type of piracy, then known as reprinting.

By reprinting, printers could bypass the inherent economic insecurity of publishing by rapidly producing copies of a successful work by another publisher.<sup>3</sup> Reprinting became such a widespread issue that 1850-1900 was known as the “age of reprinting,” with conflicts running

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<sup>2</sup> See Martha Woodmansee, *The Author, Art, and the Market: Rereading the History of Aesthetics* (New York: Columbia University Press, 1994).

<sup>3</sup> Reprinters reaped the benefits of being able to knowingly pick a work which had proven its appeal to the book reading public, and of not needing to pay authors themselves.

from all directions between powerful publishing guilds, authors, and reprinters.<sup>4</sup> Within the expanding book market, which was driven by the growing middle class, the spread of literacy, and a series of improvements in printing technology, the economic stakes were high for all parties. Authors became increasingly cognizant of their potential earning power, where they had previously needed to be either independently wealthy or have noble or royal patronage. Authors needed a particular weapon that would effectively argue for their own special status and that of their works and would secure their economic independence. That weapon was originality, and the one who wielded it was a genius.

Originality and genius are perhaps the two most important concepts that became embedded into the conception of authorship from the 18<sup>th</sup> century onward. Starting in the 1770s, thinkers and writers associated with the *Sturm und Drang* literary movement paved the way for the broader movement of Romanticism in Germany, celebrating a highly individualized theory of aesthetic talent. Even before publishing *Die Leiden des jungen Werthers*, which would make him a massive literary sensation, Johann Wolfgang Goethe participated in the theoretical discussion of authorship. His speech “Zum Shakespeares Tag (1771)” is a classic articulation of *Genieästhetik* (the aesthetics of genius), which contrasted with the *Regelpoetik* (poetics of rules) of the Baroque and Renaissance periods. In defining the greatest and fullest achievement of art, *Regelpoetik* asserts this can only be achieved by a strict adherence to certain rules of composition, taste, probability, and proportion. *Genieästhetik* is an utter rejection of this, such as in Goethe’s Shakespeare speech, when he calls rules “cumbersome chains on our powers of imagination.”<sup>5</sup> As opposed to adhering to human rules, the genius is more like nature, which creates and gives rules to itself.

This break from rules given so much importance within the aesthetics of genius is central to the second primary concept: originality. Originality is now vital in our understanding of copyright and intellectual property, but it has not always been necessary in the cultural conception of authorship. In the literature of the German high middle ages, for example, literary quality and skill was not in the creation of new plots or characters, but instead in the faithful use of older sources.<sup>6</sup> All creation and knowledge was further traced back to the ultimate source of the divine. The author or artist rarely claimed to be the origin or originator of the story they were retelling.<sup>7</sup> Instead, medieval authors focused on the importance of their personal style and usage of language, which was the arena where they could garner praise and recognition. Continuing

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<sup>4</sup> See Ludwig Giesecke, *Vom Privileg zum Urheberrecht: die Entwicklung des Urheberrechts in Deutschland bis 1845* (Baden Baden: Nomos, 1995).

<sup>5</sup> Johann Wolfgang Goethe, “Zum Shakespeares Tag,” *Wikisource.org*, Wikimedia Foundation, last modified June 13, 2009, [https://de.wikisource.org/wiki/Zum\\_Sch%C3%A4kespears\\_Tag](https://de.wikisource.org/wiki/Zum_Sch%C3%A4kespears_Tag).

<sup>6</sup> For example, in the prologue to *Tristan* (1210), Gottfried von Straßbourg invokes Thomas von Britanje as his primary source for the story, since he told it in the ‘proper way.’

<sup>7</sup> There are, of course, exceptions, such as when Wolfram von Eschenbach, framing his addition to the Arthurian legend of Parzival, cites an author as his source who is unmentioned in any other works from the period, and is widely considered to be an invention of Wolfram’s. See Klaus Ridder, “Autorbilder und Werkbewußtsein im ‘Parzival’ Wolframs von Eschenbach,” in *Wolfram-Studien XV. Neue Wege der Mittelalter-Philologie: Überlieferung, Werkbegriff, Interpretation*, 168 - 194, eds. Joachim Heinze, L. Peter Johnson, Gisela Vollmann-Profe (Berlin: Erich Schmidt Verlag, 1998).

into the early print period of the 16th century, writers still gave ultimate credit to divine authority for the ideas they used or knowledge they recounted, including in the fields of medical research. It is therefore a central innovation of the late 18th century to emphasize the importance of originality, placing the genius' work on par with divine creation.<sup>8</sup>

In addition to the newly hyper-valorized concepts of genius and originality, the late 18th century discourse was also shaped by the increasing association between authorship and ownership, that is, what we now call intellectual property. The idea that an individual's property could include products of the mind (*Geistesprodukte*) took a long time to become a mainstream idea, and entered the general discourse (as well as law) for the first time in the 18th century.<sup>9</sup> Intellectual property not only changed the relationship between the author and the public, it also had a major effect on the relationship between the author and the publisher. Previously, a contract between an author and a publisher would generally have included only a one-time payment, and the author frequently needed to give up any long-term rights to later printings (although there were of course exceptions). After the popularization of intellectual property and its inclusion in general practice, authors gained new strength in negotiations and expanded expectations of their rights and payment, including royalties. This element of authorship became a powerful aspect in understanding the author's particular roles and privileges in society in three ways: that a written work is automatically the property of its writer; that there is a close personal association between the author's particular personality and their work; and that the author holds the right to long-term control over the work's publication and any adaptations.

An important figure for understanding the overlap between authorship and intellectual property is Immanuel Kant, whose ideas permeated into the general culture of the 18th and 19th centuries. Writers of the Romantic period, who themselves often wrote philosophical essays and treatises, were contemporaries and readers of Kant, and they respond to Kant as Kant responds to them. One example of this is his "tempered" approach to the concept of genius, which did find a more middle ground regarding originality and genius in the context of authorship.<sup>10</sup> For Kant, "genius is [an] innate mental predisposition," which aligns with the tendency of the Romantics to downplay the role of education and the external influence on authorship.<sup>11</sup> However, Kant does see training as a necessary step for any talent or genius to fully flourish, complicating the question of how much talent could be learned or taught.<sup>12</sup>

I will now briefly mention two more broad concepts of Kantian philosophy that are relevant to understanding the German context as it relates to authorship: possession and individualism. Possession (that is, ownership), is for Kant a requirement for the very freedom of an individual, and this ownership "confers both control and the prospect of compensation."<sup>13</sup> The

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<sup>8</sup> See Johann Wolfgang Goethe, "Prometheus," *Wikisource.org*, Wikimedia Foundation, last modified November 16, 2013, [https://de.wikisource.org/wiki/Prometheus\\_\(Gedicht,\\_fr%C3%BChe\\_Fassung\)](https://de.wikisource.org/wiki/Prometheus_(Gedicht,_fr%C3%BChe_Fassung)).

<sup>9</sup> See Gieseke, *Vom Privileg zum Urheberrecht*.

<sup>10</sup> See Paul W. Bruno, *Kant's Concept of Genius* (New York: Continuum, 2010).

<sup>11</sup> qtd. in Bruno, 111 – 112.

<sup>12</sup> Bruno, 114.

<sup>13</sup> Robert P. Merges, *Justifying Intellectual Property* (Cambridge: Harvard University Press, 2011), 18.

ability to possess and own property is inherent, and society exists (in some part) in order to ensure this right. Furthermore, individual autonomy and freedom are of the highest importance to Kant, and this freedom is expressed in the ability to exert one's will, which can be done on physical objects as with products of the mind. Individualism was a defining philosophical tenant in much of German thought from the Reformation onward, but gained new significance in the 18th century with the rejection of transcendental, complete divine authority.<sup>14</sup> These concepts illustrate something of the milieu of thought which continued to be relevant in the time period I discuss in my dissertation. Philosophical and literary works of Romanticism and the Enlightenment formed a common source of thinking that remained in some form into the 20th century. This shaped the way general discourse, as well as media theorists and the film industry, discussed the issues of authorship in relation to film.

Authors in the late 18th century were highly concerned with the economic instability of being a writer and were frustrated by their perception of profiteering publishers and booksellers. Martha Woodmansee in particular has shown how economic conditions led writers to form a new definition and cultural meaning of authorship. Commenters in the early 20th century frequently cited economic motivations as dishonorable and even unpoetic, suggesting that to work for pay was not authorly behavior. They labeled those hired, contract writers as *Schriftsteller* (writers) as opposed to *Dichter*, and frequently contrasted this 'mercenary' behavior with that of their idols, the Romantic authors. However, the historical perspective I am able to bring shows this vision of canonized authors as 'pure' and unmotivated by financial concerns is in fact a complete misunderstanding of how and why the special status for authors from the 18th century came about.

Authors of the Romantic period themselves sometimes participated in the process of their own canonization. Goethe's autobiography *Dichtung und Wahrheit* (1811-14, 1833) mythologizes his life as an exemplary pedagogical model and portrait of a genius. The book itself enacts a biographical analysis of Goethe's body of work, mixing historical and fictional accounts (as the title, "Poetry and Truth," suggests). Goethe's life and works were successfully canonized into German society and the period of 1770-1830 was named after him (*die Goethezeit*, the "Age of Goethe"). The posthumous publication of *Dichtung und Wahrheit* is the clearest expression of the authorial self-image of the late 18th and early 19th centuries, especially the importance of the author's personality and individual life story, as well as the discussion of economic motives.<sup>15</sup> *Dichtung und Wahrheit* is therefore exemplary of the way writers of the Romantic period actively participated in reworking the cultural and aesthetic view of authorship which remained influential throughout the 20th century.

Other European countries similarly underwent recalibrations of authorial identity and legal protection during the 18th century. For example, English law took a more utilitarian approach (which has remained influential for American copyright law) and in France the

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<sup>14</sup> Jochen Schmidt, *Die Geschichte des Genie-Gedankens in der deutschen Literatur, Philosophie und Politik, 1750-1945* (Heidelberg: Universitätsverlag Winter, 2004), 6

<sup>15</sup> Johann Wolfgang Goethe, "Dichtung und Wahrheit. Dritter und vierter Teil: Zwölftes Buch," *Projekt Gutenberg DE*, retrieved July 6, 2020, <https://www.projekt-gutenberg.org/goethe/dichwah2/chap002.html>.

philosophy was similar to Germany's (*droit d'auteur* and *Urheberrecht* both literally meaning author's/creator's rights). In Germany in particular, it is significant that an indisputable element of national identity and self-conception involves the very writers like Goethe and Kant I have alluded to above. Since the 19th century, the self-given nickname for Germany, *das Land der Dichter und Denker* ("the country of poets and thinkers") indicates this centrality, meaning that issues of authorship frequently take on valences of national pride.<sup>16</sup> Figures from the 18th century like Goethe and Friedrich Schiller were canonized into the category of highest literary achievement and made central to national pride and cultural identity. All this, and their deep embeddedness in the German educational system,<sup>17</sup> means these men became emblematic in the public consciousness for the meaning of *Dichter* but also an author more broadly.

However, it is important to note that the Romantic concept of authorship did not burst out of nowhere. The same is also true of the personal association between an author's personality and their works, and ideas of authorship that included the right or privilege of ownership.<sup>18</sup> Even the significance of genius as an authorial trait cannot neatly be traced to an 18th century source. The early modern and even medieval periods in Germany have examples of authors and artists playing with the concepts of genius and originality in their self-representation.<sup>19</sup> When I refer throughout to the influence of the Romantic era, I am not, therefore, implying that Romanticism is the origin of brand new concepts. It is also not true that the exact definition of certain terms or activities by Romantic figures was directly taken up by 20th century commentators and theorists. Instead, the types of references and comparisons made in letters, essays, reviews, and advertisements show a popularized, broad representation of Romantic authorship that was generally uncritical about their perceived genius, prestige, quality, and worthiness for emulation.

For example, an advertisement for the 1913 film *Der Student von Prag* cites a review that names Goethe and Adelbert von Chamisso as the "illustrious godfathers" of the film simply because the reviewer asserts it to be a "very literary" production.<sup>20</sup> The question of whether anyone else can approach the "greatness" of Goethe and Schiller appears uncritically in a discussion of Gerhart Hauptmann around the release of the 1922 *Phantom* film adaptation.<sup>21</sup> Quotations attributed to Goethe (which frequently get their own compound noun, *Goethewort*, "word of Goethe") pop up in various places as the final word on a subject, such as in questions of art ("art will always be art"<sup>22</sup>) or of money and art (alluding to Goethe's "Vorspiel auf dem

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<sup>16</sup> I will discuss this more in-depth in Chapter 1.

<sup>17</sup> In this category I would also include organizations like the Goetheverein, who joined the ranks of groups and institutions publicly taking a stance against the cinema in 1912, the same period as the boycotts I will discuss in Chapter 1.

<sup>18</sup> See Schmidt, *Die Geschichte des Genie-Gedankens*.

<sup>19</sup> For example, the 15th century artist Albrecht Dürer being lauded as a divine genius who also depicted himself using imagery associated with Christ, or the medieval author Wolfram von Eschenbach mixing and combining themes of divine and individual inspiration in his representation of his own authorship.

<sup>20</sup> "Unsere Prophezeiung über: 'Der Student von Prag.'" *Erste Internationale Film-Zeitung* 7, no. 35, 1.

<sup>21</sup> Richard Ott, "Gerhart Hauptmann," *Film Kurier* 4, no. 254 (15 November 1922), 2.

<sup>22</sup> Rudolf Genencher, "Künstlerische und kulturelle Perspektive des Filmdramas," *Der Kinematograph* no. 316 (15 January 1913).

Theater”<sup>23</sup>). With examples such as these, I show that the image and ideology associated with the Romantic period often manifested in a simplistic way. Names like Goethe’s, and indeed the term Dichter itself, are used to stand in for connotations of almost perfect quality, purity, and cultural value.

The historical elements I have illustrated here are meant to give background on three central concepts that appear throughout my dissertation: authorship as the genius-poet, authorship via originality, and authorial rights to ownership. In the four chapters that follow, I have selected an event or film release as a window into a particular moment in German cultural history. I use each of these moments as a lens through which to view these concepts as they interact with the introduction of a new medium, that of film. A changing media landscape caused an upheaval of norms and understandings regarding cultural and aesthetic production and participation, as it had in the past and will continue to do in the future. It is clear from viewing media change historically in this fashion that as new opportunities open up for forms of expression and unfamiliar ways of participating, there is always a resistance to redefining and reevaluating norms and definitions of the past.

## **Methodology**

The rise of studies in new media focused on digital phenomena has inspired a parallel push to delve into media studies before the digital age, that is, into the history of film, radio, television, the press, and other mass media. This media archaeological perspective is central to the approach found in my dissertation. Michel Foucault’s approach to history has been heavily influential to media archaeology, questioning as it does traditional methods of historical analysis regarding topics such as causality, continuity, and periodization.<sup>24</sup> Media archaeology as further articulated by Thomas Elsaesser allows us to “overcome the opposition between ‘old’ and ‘new’ media,” and certainly the estimation that the digital world is the ‘true’ realm of media studies.<sup>25</sup> The foundation of my dissertation is in the idea that the current landscape of digital technology and internet-based reception is not a unique development, but an environment that can be better understood in conversation with the early decades of film. In fact, “early cinema [is] the key to the new media paradigms” that we otherwise may be tempted to view divorced from any historical continuity or affinity to the early 20th century.<sup>26</sup> As I examine themes of authorial control and ownership (which could be considered particular issues of the digital age) in the

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<sup>23</sup> “Kino und Buchhandel. Antwort auf eine Umfrage des deutschen Buchhandels,” *Börsenblatt für den deutschen Buchhandel* 127 (5 June 1913), 5986.

<sup>24</sup> See Michel Foucault, *The Archaeology of Knowledge*, trans. A. M. Sheridan Smith (New York: Pantheon, 1972).

<sup>25</sup> Thomas Elsaesser, “The New Film History as Media Archaeology,” *Cinemas* 14, no. 2-3 (2004), 75.

<sup>26</sup> Elsaesser, 78.

early 20th century, I am following the tradition of media archaeology's attention to "unnoticed continuities" throughout media history.<sup>27</sup>

Within the field of media studies, it is not just media archaeology's influence that has led me to focus on the early decades of cinema history. Most crucially, I see technological changes as catalysts for both transformation and preservation of certain cultural values and modes of production. The emergence of film is one of many "new media" moments in German history, also including the transition from oral to written culture in the middle ages, the introduction of the printing press in the 15th century, and the development of photography and the phonograph in the 19th century. Each of these media transformations required a restructuring of labor and legal practices, as well as a re-evaluation of cultural values associated with artistic works. Friedrich Kittler's *Discourse Networks 1800/1900* is influential in this regard, as he pays attention to how the concepts of *Dichtung* (poetry) and *Dichter* transform during periods of media change.<sup>28</sup> Kittler's discussion of the gendered dynamics of these terms was also important for me, especially for my discussion of Thea von Harbou in Chapter Three. However, I do not apply Kittler's deep analysis of media technologies, whether as different forms of knowledge storage systems or as themselves acts of poetry. This is because I am less interested in, for example, how film *is* a form of poetry or poetic expression than how film is *seen* to be a form of poetry and the filmmaker as a poet (or not).

I am most interested in the socio-cultural aspects of media and film studies, that is, viewing films and media theory as cultural practices within a web of relationships, interactions, debates, and priorities embedded in a larger societal context.<sup>29</sup> Therefore, my dissertation contains very minimal close readings of film themselves, and is more concerned with discourse and public debates. This is particularly influenced by the new film history movement, which is more attentive to the larger socio-cultural aspects of films than their internal workings as texts. Furthermore, new historicism, which gives equal weight to the 'nonliterary' text is formative for my approach. I have chosen three films as case studies in three of my four chapters, but in each case the release of the film is an opportunity to examine a particular historical moment as opposed to a close reading of the film. Viewing the film release as an event helps illustrate threads of discourse within German culture regarding authorship, creativity, and the continuation or disruption of traditional hierarchies of art. The case studies I have chosen are exemplary instances, but certainly not definitive statements of a universal truth. In each case I show that each event contains within it contradictions, disagreements, and breaks of continuity.

With the goal of illustrating attitudes about cinema, the film industry, and film workers, I reach beyond canonically recognized theory and theorists to articles, reviews, advertisements, and essays from journals, trade papers, and newspapers. These are written by some names

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<sup>27</sup> Erkki Huhtamo and Jussi Parikka, "Introduction: An Archaeology of Media Archaeology," in Huhtamo and Parikka, eds., *Media Archaeology: Approaches, Applications, and Implications* (Los Angeles: University of California Press, 2011), 3.

<sup>28</sup> Friedrich Kittler, *Discourse Networks 1800/1900*, trans. Michael Metteer and Chris Cullens (Stanford: Stanford University Press, 1990).

<sup>29</sup> In this approach I particularly draw on the work of Anton Kaes (see *Kino-Debatte* and *The Promise of Cinema*).



recognizable to the fields of film, cultural, and media theory, such as Siegfried Kracauer, Béla Balázs, Willy Haas, Bertolt Brecht, Lotte Eisner, Herbert Ihering, and Georg Lukács. However, just as many are written by staff writers at periodicals or are write-in responses from readers, and for many texts, the author is listed as an initial, or entirely unnamed. Using this approach, I aim to cast a broad net when characterizing a particular discourse, which always includes individuals and groups with varying material, aesthetic, and political concerns.

Each of my four chapters is predominantly centered on one or several events: in Chapter One, the announcement of a boycott; in Chapters Two and Three the release of a specific film; and in Chapter Four a lawsuit and subsequent film release. With this approach to film analysis, I seek a broader understanding of film as an event. My approach to history and curiosity regarding certain states of the film industry and reception are partially inspired by Michel Foucault's sense of "eventalization." For Foucault, eventalization is "a breach of self-evidence. It means making visible a singularity at places where there is a temptation to invoke a historical constant, an immediate anthropological trait, or an obviousness that imposes itself uniformly on all."<sup>30</sup> This probing of what appears self-evident is central in my dissertation. For example, I argue that when film became a culturally significant product and art form, it was not self-evident that there would need to be a single individual given creative ownership over a film.

There were several factors that placed film as distinct from related media that preceded it: The use of a mechanical recording apparatus; the necessity of another apparatus for projection and exhibition; and the thoroughly collaborative production mode, including new or rapidly changing occupations (such what we now know as screenwriters, cinematographers, and production designers). There was never an obvious choice for the 'film-author' and it was not necessarily natural to seek one out. And finally, it was certainly not self-evident that the person and role ultimately identified as the film's author would be the director. In fact, the heavy value still placed on literary culture and literary authorship in Germany during this time might have instead placed likelihood on the screenwriter, while early film's focus on the human face and subtleties of expression could have meant a more central importance for the actor. The cultural 'choice' between these three possibilities for film authorship (director, screenwriter, and actor) went through various stages and phases of prominence. And crucially, these stages were nonlinear and irregular – there was no inevitable march towards the director. There was often wide variation between commentators and theorists, even within the same year.

Inspired by Foucault's approach, analyzing something as an event leads to the analysis of processes and practices that shape and have shaped the event. Each of these processes and practices can in turn be further broken down and analyzed. In Foucault's words, this leads to the creation of a "polyhedron of intelligibility" whose multiple facets are theoretically infinite.<sup>31</sup> For example, starting with the high/low art discourse surrounding film, it is necessary to examine the class dimensions of film and its entertainment precursors. This leads to an analysis of the

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<sup>30</sup> Michel Foucault, "Questions of Method," in *Power: Essential Works of Foucault, 1954-1984*, vol. 3, ed. Paul Rabinow (New York: The New Press, 1994), 226.

<sup>31</sup> Foucault, "Questions of Method."

particularly German definitions of culture and education stemming from Romanticism, including the division of art from the other spheres of life (particularly technology and craft art), and the ideology of individualism that values individual over collective creative work. The many folds and facets of interrelated processes and practices open to reveal even further processes and practices. This is also echoed in Kaes, Baer, and Cowan's approach in *The Promise of Cinema*, where they understand "film theory as an entire network of discourses" from all spheres of German cultural and political life.<sup>32</sup> It is of course impossible to address each facet or discourse, but viewing the issues of culture, creation, and ownership in this dissertation, I take these theoretical modes as a cue to dispel the thought of being able to fully 'explain' or 'recreate' the past (or, for that matter, the present). Instead, I seek to illuminate as many of these facets as is helpful and possible in the bounds of my dissertation.

## Chapter Overview

In Chapter One, "Theater Goes to War," I analyze the historical moment of the *Denkschriften* (position papers) published in 1912 by two theatrical unions in Berlin. In the *Denkschriften*, representatives of the theater industry attacked cinema as anti-artistic and societally dangerous, calling for tighter legal restrictions and announcing a work boycott in the film industry. I argue that class anxiety and alarmism about morals, education, and taste shape the arguments in the *Denkschriften* above economic concerns. Furthermore, the *Denkschriften* operate within a system where language holds artistic supremacy. Film's lack of the spoken or written word, in the theatrical view, irrevocably classed it outside the realm of art. Without the guiding voice of a single author (*Dichter*), the theatrical unions argued that film was certain to have a degenerative moral effect on the audience. The Romantic ideology of language-based art and the individualized genius are therefore central to understanding this moment of media conflict.

In my second chapter, "The Author of the Autorenfilm," I argue that the *Autorenfilm* (author's film) movement acted as a response to the attacks on film from 1912. Claims from the theatrical world that film was unliterary and therefore unartistic led the film industry to reach out to authors (both as screenwriters and sources of works to be adapted) to bring prestige and legitimacy to the cinema. By doing so, the industry generally subscribed to older ideas of artistic hierarchy, although there were voices who argued for more film-specific artistic possibilities. In this vein, the terms *Filmdichtung* (film poetry) and *Filmdichter* (film-poet) gain central importance as both radical reimaginations of the traditionally hallowed 'poetry' and 'poet' status, and as the exposure of a push to locate a single 'author of the film.' In the example of the film *Der Student von Prag* (1913), the screenwriter Hanns Heinz Ewers was 'chosen' in the film's reception as the *Filmdichter* and primary authorial figure. I argue this is because of the

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<sup>32</sup> Anton Kaes, Nicholas Baer, and Michael Cowan, "Introduction," in *The Promise of Cinema: German Film Theory, 1907 – 1933*, ed. Anton Kaes, Nicholas Baer, and Michael Cowan (Oakland: University of California Press, 2016), 2.

combination of his prestige as an author outside of film, the fact that writing (in his case, screenwriting) was perceived as implying ownership over the production, and the framing of Ewers' role as a hybrid screenwriter/director.

In Chapter Three, "A Trinity of Authors: Hauptmann, von Harbou, and Murnau," I examine the roles of the literary author Gerhart Hauptmann, the screenwriter Thea von Harbou, and the director F.W. Murnau in the case study of the film *Phantom* (1922). This film was released in a continued context of the film industry seeking to 'bring' prestige and respectability from the literary realm. However, this method of acquiring prestige existed in tension with the desire to firmly establish film's independent credentials as serious and legitimate art. Ultimately, although Hauptmann is used heavily in the marketing of the film, his importance for the final product is minimized. Instead, the director emerges as the most important figure for the authorship of *Phantom*, with his role described as emotionally and technically linked to the film's success. Although Murnau's supremacy in this case looks forward to the modern age, when the director is nearly undisputedly considered a film's author, this is not a definitive indication of the director's importance in the early 20s. I show with the example of the screenwriter Carl Mayer that screenwriting was a role that in a film's reception could be considered to hold even more importance than the director. The sexist connotations of creative authorship and the Dichter meant that *Phantom*'s screenwriter, Thea von Harbou, was granted much less importance to the film.

In my final chapter, "Brecht on Trial," I take as my central theme the court case in which Bertolt Brecht sued the production company of the 1931 *Threepenny Opera* film. In the public discourse in during the case, I argue that the themes of art versus capital and the artist's authority over their works are the most important, while Brecht's own history of collaborative work (sometimes seen as plagiarism) do not enter the contemporary discourse. Brecht's authority and ownership of the *Threepenny Opera* are never in contention, and Brecht gives lip service to anti-bourgeois collectivity but ultimately claims primary authorship for himself. Public understanding of the film is flattened into an issue of G.W. Pabst (the director) versus Brecht, showing the continued desire to locate film authorship in an individual with supreme creative control. This also shows the director's prominent position becoming more secure, looking towards our current understanding of film authorship. In his essay *Der Dreigroschenprozess*, Brecht re-narrativizes the court case, but I argue that his Marxist critical view places him in a contradictory position. On the one hand, the dissolution of bourgeois morals is at times for him a positive opportunity for progressive change, but it is also how he lost control of 'his' *Threepenny Opera*. He selectively critiques the current situation and ultimately is unable to formulate a clear position on the implications of the "Threepenny Lawsuit." A vocal Marxist, Brecht nevertheless struggles to articulate his self-conception as an author and his authorial rights without reliance on the Romantic ideology of authorship.

## Chapter One: Theater Goes to War

“In accordance with the resolution of the extraordinary general assembly, the members are obligated to no longer do work for the cinemas.”<sup>33</sup> This extraordinary announcement of a ban on employment in the film industry is found in a *Denkschrift* (position paper) released by the Verband Deutscher Bühnenschriftsteller (Union of German Playwrights) following a special vote of the organization on March 18, 1912. Turning against the tide of increased collaboration between the two industries, the Verband Deutscher Bühnenschriftsteller was drawing a line in the sand, forbidding its members from seeking work in the film industry. What were the conditions which led to this boycott? What did it mean to achieve? What can be learned about this reaction to the film industry, at a time when it was still relatively new but quickly gaining mass popularity, while also making significant technological advances? In this chapter I analyze the conversation about film in 1912 from the perspective of the theatrical industry, with particular attention to implications about artistic creativity and authorship.

1912 marked a period of great change for the film industry and film art, less than 20 years into the medium's existence. Technological advancements were making longer films possible, while experienced technicians experimented with special effects and innovation. As these developments made new spectacles and narrative structures possible, producers sought to draw wider audiences. In addition, what is now recognized as film theory – the attempt to understand and define the special uses, abilities, and effects of the medium – was beginning to gain ground as a genre in itself. The changes within the film industry and around its reception meant that the cultural impact of film was a popular topic of discourse, from theorists to general commentators.

Theoretical and lay discussions of film commonly associated it with the particularities of urban modernity, heavily influenced by philosopher Georg Simmel's treatise *Die Großstädte und das Geistesleben* (*The Metropolis and Mental Life*, 1903). Simmel argued that visual culture was a defining feature of modernity: in the metropolis, the dominant environment of the 20th century, the eye is constantly engaged by posters, lights, signs, and crowds. All senses are hyperstimulated in the chaotic, fragmentary experience of modern life. Film theorists, as well as other intellectuals and commentators in Germany, considered film to be the perfect encapsulation of these characteristics, and thus, the era. This was variously interpreted as a neutral description, as pessimistic proof of cultural decline and sensory degradation, and as a positive indication of possibilities for new experiential and representational modes.

[Cinema], when viewed a bit closer, is a very concise and characteristic expression of our time. Firstly: it is short, rapid, quasi-encoded, and it stops for nothing. It has something succinct, precise, military about it. This fits very well to our age, which is an age of extracts. These days there is nothing we have less of an appreciation for than that idyllic repose and epic lingering by objects, that in earlier times counted as poetic.<sup>34</sup>

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<sup>33</sup> Wenzel Goldbaum, *Denkschrift über die Kinematographentheater im Auftrage des Verbandes Deutscher Bühnenschriftsteller* (Berlin: Verband Deutscher Bühnenschriftsteller e.V., 1912).

<sup>34</sup> Egon Friedell, “Prolog vor dem Film,” in *Kino-Debatte: Texte zum Verhältnis von Literatur und Film, 1909-1929*, ed. Anton Kaes (Tübingen: Max Niemeyer Verlag, 1978), 43-44. Unless otherwise noted, translations are my own.

This description is quite typical.<sup>35</sup> The demands of the age (as in Simmel), have molded modern humans to the point where they cannot endure the slower-paced, lyrical leisure activities of previous epochs. Friedell's reference to "extracts" alludes to the living of life in hectic bursts which allow only limited time to enjoy a truncated version of a play, novel, or piece of music – which is also the way a film presents short scenes and excerpts. A film cannot be viewed or examined from different angles or different speeds depending on the viewer (as with a sculpture, for instance). One speed fits all. Like traffic and tram schedules, a film proceeds at its own pace and requires that the viewers follow its temporal rules. The luxury of lingering, of slow contemplation, no longer fits in the current age, reflecting not just new modes of life but of increased social mobility and democratization.

Friedell's characterization of film and modernity gives the feeling of an approaching unknown, as cultural touchstones of the past (the reference to "Verweilen" in particular suggests an allusion to Goethe<sup>36</sup>) lose relevance and the meaning of what is "poetic" is thrown into doubt. Cultural and artistic life in Germany had in many ways been defined for over one hundred years by the authors and poets of the Romantic era – so what would things look like without these familiar standards of artistic production and reception? Amongst the descriptors Friedell uses, one in particular sticks out: "military." Is this what will replace idyllic art and artistic enjoyment? Does the modern age necessitate a shift from the individual to the collective?<sup>37</sup> Although Friedell seems neutral, even positive about the changes taking place, there is no question that he illustrates an uncertainty about what these changes could mean for society.

Other theorists focused on trying to articulate the unique possibilities film was bringing into the world. Even in a period when visual activity was gaining importance in general, there was no question that film was a major force of innovation regarding how people visually relate to the world. The way that cinema can slow down time, show extreme close ups or other angles of vision, or combine unrelated images through montage were considered evidence of film creating a new way of seeing.<sup>38</sup> This "new sight," or *neues Sehen*, also incorporated a changing understanding of objectivity and reality enabled by film documentation. The reversal of time by spooling film backwards and the ability to flit effortlessly between locations also allowed a new experience of causality.<sup>39</sup> Julius Bab wrote of the "freedom with regards to the order, direction, and pace" granted to the filmmaker, who in the film-depicted world becomes "the sovereign lord over space and time."<sup>40</sup> Unlike theater, which is bound by physical and temporal limitations, the creator or creators can make their most fantastical ideas into (the appearance of) reality. The ambitions of a filmmaker can be as sweeping as a novelist, and even beyond this, the camera provides a way to directly shape that which is perceived by the viewer. There is no reliance on the mind's eye or individual imagination of the reader. Romantic philosophies of the Dichter, whose creative capabilities are compared with divine creation, seem here to find their highest reach of possibility, with one major caveat: the collaborative, multifaceted, multiskilled nature of

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<sup>35</sup> See Karl Hans Strobl, "The Cinematograph," in *The Promise of Cinema*, ed. Anton Kaes, Nicholas Baer, and Michael Cowan (Oakland: University of California Press, 2016), 26. See also Joseph August Lux, "Über den Einfluß des Kinos auf Literatur und Buchhandel," in *Kino-Debatte*, 94-95.

<sup>36</sup> Specifically the famous line with which Faust seals his fate, "Verweile doch, du bist so schön."

<sup>37</sup> See Franz Pfemfert, "Kino als Erzieher," in *Kino-Debatte*, 60.

<sup>38</sup> See Anonymous, "Neuland für Kinematographentheater," in *Kino-Debatte*, 41. See also Gustav Melcher, "On Living Photography and the Film Drama," in *The Promise of Cinema*, 18-19.

<sup>39</sup> See Hanns Heinz Ewers, "The Kientopp," in *The Promise of Cinema*, 14.

<sup>40</sup> Julius Bab, "Die Kinematographenfrage," *Die Rheinlande* 22, no. 9 (1912), 314.

film production does not allow easy distinction of who the Filmdichter may be. I will further discuss the topic of the Filmdichter in Chapter Two.

This freedom of film to move beyond previous limitations of representation was also a focus in Georg Lukács' "Gedanken zu einer Ästhetik des Kino (1913)," one of the most important early works of film theory. Lukács was excited by the possibility in film for the representation of "extreme, uninhabited mobility of figures, the full coming to life of background, of nature and interior, of plants and animals: a life that is in no way inhibited by the content or limitations of ordinary life."<sup>41</sup> In this view, film opens up possibilities and allows unprecedented levels of expression,<sup>42</sup> for Lukács in particular of the natural world, but for others also of the fantastical, such as fairy tales.<sup>43</sup>

The perspectives I have illustrated above generally look eagerly towards the new possibilities offered by film and are supportive of its innovation and prominence. Not coincidentally, many of these voices were from within the film industry or from theorists whose focus was media and film. So what did the other side of the argument look like? The declarations made in 1912 by the Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein (German Stage Union) were not bolts of lightning out of nowhere, they were extensions of a discourse that was highly critical of film as a medium and as an industry. The world of theater saw itself and, indeed, the very nation, as being in danger, and was vocal in its effort to gain broader support against film.

## A New Threat

The first German film adaptation of a literary work was 1907's *Die Räuber*, and the following years saw an increase in the demand for literary and theatrical adaptations, alongside more intense efforts of the film industry to hire prominent stage actors. The theatrical industry was alarmed by the mass audiences films enjoyed and were concerned both for their economic livelihood and for a perceived devaluation of theater as a prized German art form. The publications from dramatists, theater owners, and playwrights focused on the latter aspect in order to drum up support, presenting themselves as concerned citizens worried on behalf of the nation. They criticized the supposedly superficial and morally dubious entertainment films, especially *Schundfilme* (trash films),<sup>44</sup> and despaired at film audiences' lack of taste and education, which they saw as setting the nation on a downward trajectory.

One hands a proletarian *Buddenbrooks* and he'll only feel right again after performing some muscular exertion [...] The person of average intelligence likes to splash around in the pools of his spiritual homeland, and, out of fear of intellectual seasickness, dares only against his will to approach the high seas of advanced aspiration. However, he feels at home in the "Kientopp." Amongst cumbersome words, here only the event is recorded.<sup>45</sup>

The contrast of the "proletarian" and the Thomas Mann classic *Buddenbrooks* is pointed, and representative of the class anxiety which permeates the anti-cinema discourse. That a laborer

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<sup>41</sup> Georg Lukács, "Gedanken zu einer Ästhetik des Kino," in *Zeitschrift für Germanistik* 11, no. 6 (December 1990), 710 - 713.

<sup>42</sup> See Egon Friedell, "Prolog vor dem Film."

<sup>43</sup> See Julius Bab, "Die Kinematographenfrage."

<sup>44</sup> *Schundfilme* were explicitly linked to the existing label for popular pulp literature, *Schundliteratur*.

<sup>45</sup> W.T. "Der Kientopp," *Die Schaubühne* no. 7 (1907), 183.

would have difficulty reading or relating to this lengthy, decidedly bourgeois novel is not an indication that the world of art needs to adapt to the times, but instead an indictment of the general masses' lack of taste and effort. As literacy in Germany continued to climb, the stratification between the literate lower classes and highly educated middle- and upper classes doesn't seem to have narrowed. The patronizing references to where the proletariat "feels at home" contrasted with the idealized "high" realm of advanced cultural enjoyment emphasizes this, crystalized into the issue of the word.<sup>46</sup> The contrast of the written word and the wordless stands in for a host of implied dichotomies, such as seriousness vs. spectacle, spiritual/intellectual vs. sensory/emotional, high culture vs. low entertainment. Although film is a new medium, this opinion piece frames film as a familiar, safe attraction for the "average prole." Instead of examining what novel draw the cinema has, the commentator insists it is simply an extension of the event- and movement-oriented tastes of the masses. This serves as a further dismissal of the medium and its audience.

Film and media theorists, as discussed above, were invigorated by the engagement of the eye and were dismissive of dependence on the word. Here we see the other side of the coin, as visuality is devalued and a sign of superficiality. Film, with its ability to present a rapid feast of images, is emblematic of a worrisome obsession with visual engagement called *Schaulust* (the desire to watch).<sup>47</sup> In a fiery piece by Werner Serner, he compares this urge to "wild festivals of pageantry of the old world" and events like the burning of Troy.<sup>48</sup> Instead of exploring a new way of seeing and perceiving the world, here the enjoyment of moving images is horrifying and barbarous. Film technology allows a return to the base instinct to be a spectator to something disastrous, salacious, or sensational. No longer able to observe gruesome situations in a socially acceptable context, Serner argues modern man finds a new outlet for this desire in the depiction on film of morally transgressive acts such as murder, sexual violence, and natural disasters. This perspective sees film as facilitating a return to deep-seated desires of "pre-civilized" life, which other forms of entertainment cannot satisfy. Film is the only medium which indulges "the desire to watch" and implicitly will itself lead to the de-civilization of the populace.

The supremacy of the image over the word, encapsulated in film over literature, represented a massive cultural shift, particularly in Germany's self-image, long defined by the so-called *Dichter und Denker*. The written word as the perfect expression of an individual's genius, in which he<sup>49</sup> communicates his creativity and will<sup>50</sup> onto the audience, seems to be devalued in the age of the cinema. And the estimation of cinema's artistic merit and cultural significance is, for many anti-film commentators, defined by this lack. Arnold Zweig writes that without the word, a film is "brutishly tense [and] inciting to the low powers of imagination."<sup>51</sup> In line with the concerns about it as anti-civilization, Zweig associates the visual with reduced mental faculty. He also contrasts reactions based on the senses versus those of the mind, and "functional pleasures" over intellectual effort and development. With a flippant reference to film not even being able to rhyme, Zweig emphasizes his view of film's fundamental "sin" as a

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<sup>46</sup> This theme is central to the *Denkschriften*, as I will examine in the next section.

<sup>47</sup> *Schaulust* is also translated as "curiosity" but is commonly pejorative--the need to observe, to be a spectator to events filled with sensation.

<sup>48</sup> Walter Serner, "Kino und Schaulust," *Die Schaubühne* 9, no. 34/35 (28 August 1913), 807-808.

<sup>49</sup> Poetic genius (including the label *Dichter*), was considered explicitly male.

<sup>50</sup> The individual exerting his will onto an object is a broadly Kantian idea, which can be seen in attitudes about creativity as well as European copyright principles, which see the imprint of the author on the work justifying strong moral rights over the work.

<sup>51</sup> Arnold Zweig, "Der Golem," *Die Schaubühne* 11, no. 10 (11 March 1915), 225-227.

nonverbal medium. He groups film and the phonograph together as mechanical and therefore nonartistic.

Other perspectives turned away from the audience and gave their attention to production, arguing that the lack of the spoken or written world also demonstrated a deficiency of those who worked in film:

He who doesn't have the gift of the word, but instead simply the gift of invention, and therefore leads a miserable existence as a writer, here is received among the most famous names. [...] He blithely degenerates this aesthetic nonsense into aesthetic mischief by 'cinemizing' sentences [...] <sup>52</sup>

Instead of viewing film involvement as proof of new skills and abilities coming into use, the anonymous commentator in *Die Schaubühne* sees it as the refuge of second- and third-rate writers who can't make it in the literary industry. The devaluation of "pure invention" seems significant, since the nature of film as a technological invention was itself commonly a reason for its artistic unsuitability.<sup>53</sup> The process of putting thoughts and emotions into words to be read or heard by the audience is paramount – and the realm of a Dichter. The presence or absence of the word categorizes the product as well as the producer.<sup>54</sup> The word is what art has and film lacks -- meaning that film is not art and those who make it are not artists, a typical view contradicted by defenders of film and its possibilities.<sup>55</sup>

Just as the form itself was considered inferior in theatrical circles, film content was also a source of objection. There was the association with *Schundliteratur* (trash literature), suggesting sensational and morally reprehensible plots with a corrupting influence. The only acceptable films were those aimed at "pure" entertainment,<sup>56</sup> showing no aspirations to literary or theatrical subjects. A description of a film program in *Die Schaubühne* summarizes a particular attitude on what is considered "a worthwhile and at the same time commercially possible [film] program."<sup>57</sup> This program features films that represent scenes from real life, nature, and science, and some unpretentious sentimentality,<sup>58</sup> which are the film types acceptable from the theatrical perspective. The reviewer, W. Fred, presents this as the ideal film program, but nearly every compliment is followed by a caveat. This serves to restrict film to exclusively nonliterary, nontheatrical (and therefore nonartistic) topics while at the same time undercutting its value even within these restrictions.<sup>59</sup> Many film reviews in *Die Schaubühne* from 1912 on follow this mix of grudging praise and criticism for "pure entertainment" films, while literary or theatrical adaptations were nearly without exception considered artistic failures.<sup>60</sup>

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<sup>52</sup> Anonymous, "Stucken und Wassermann," *Die Schaubühne* 9, no. 5 (30 January 1913), 138.

<sup>53</sup> See Anonymous, "Kulturfaktor Film," *Die Schaubühne* 9, no. 28/29 (17 July 1913), 707.

<sup>54</sup> The Denkschriften further articulate the ideological importance of the word, which will be seen below.

<sup>55</sup> See Hanns Heinz Ewers, "Der Film und ich," in *Kino-Debatte*, 104.

<sup>56</sup> See Anonymous, "Kulturfaktor Film," 707.

<sup>57</sup> W. Fred, "Lichtspiel und Variété II," *Die Schaubühne* 8, no. 41 (10 October 1912), 359.

<sup>58</sup> See Peter Panter, "Coletti," *Die Schaubühne* 9, no. 16 (17 April 1913), 450 - 451. See also W. Fred, "Herrfeldtheater, Zirkus, Kino," *Die Schaubühne* 8, no. 43 (24 October 1912), 422-423.

<sup>59</sup> "Almost all of the dramas that are somehow spiritually or intellectually more complicated completely fail. [...] If the idea for a cine-drama comes from somewhere in literature, or from that which the cinema-people would call literature, it is nauseating. [...] Material for illusion and fantasy, or information, that is, cinematographic journalism. Those are the two possibilities. Otherwise the hype is quickly over with." W. Fred, "Herrfeldtheater, Zirkus, Kino," 422-423.

<sup>60</sup> See W. Eklarz, "Feiner Film," *Die Schaubühne* 9, no. 41 (9 October 1913), 978.



The assertion that film belongs in the realm of scientific or educational subjects is a rejection of investigating new modes of artistic authorship in the context of new technology. Instead of exploring what it means for art to be produced by a collective and with the aid of a nonhuman (but human controlled) apparatus, these commentators wanted to associate film exclusively with a context without a clear single, influential creator. By the 20th century, science was seen as traditionally objective, not shaped by an artistic or creative hand, so encouraging film's association with science was a way of excluding film from the realm of art, and avoid expanding the definition of art itself. Perhaps with the understanding that film could not be eliminated completely,<sup>61</sup> theatrical commentators seized upon the idea of science as the true, proper purpose of film so that it would no longer compete with theater. Theaters would again achieve their position of former glory, once "the last Kientopp has disappeared from the last street corner and gone where it belongs: to the public educational institutions, to the schools [and] museums."<sup>62</sup>

It may seem naive in retrospect to think that film as public entertainment was a passing fad, and that it would retreat to allow the resurgence of theatrical art. But the belief that the tide could be turned back and cinema's spread be limited or eliminated is at the heart of calls for support against the film industry. This was combined with the logic which stated that cinema posed a moral and even criminal danger to the nation at large, which justified outside intervention in the matter. The fight against the cinema went beyond opinion pieces in a few journals; the theatrical world wanted action, and it was prepared to call on the highest spheres of law possible in order to get it.

### **Das hohe Wort**

In the spring of 1912, major theatrical organizations representing writers, actors, and directors made a public declaration of enmity against the cinema. The Verband Deutscher Bühnenschriftsteller, the Deutscher Bühnenverein, and the Deutsche Bühnengenossenschaft (German Stage Society) took a stance against film as a medium and competitive industry, a peak in activity after years of uneasy fluctuation between condescension and outright hostility. They emphatically labeled film as anti-art and, indeed, a threat to the nation. And beyond creating a hostile cultural environment against the film industry, these groups called for tighter legal restrictions on the film industry, ranging from laws about fire safety and maximum occupancy for movie theaters, to calls for tighter censorship and regulation of advertising and publicity. Finally, the Verband Deutscher Bühnenschriftsteller issued an outright boycott on collaboration with the new medium, banning their members from seeking work in the cinema.

The Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein each published Denkschriften to express their arguments and justifications, which I see as a culmination of opinions from the theatrical industry (as discussed above). The *Denkschrift über die Kinematographentheater im Auftrage des Verbandes Deutscher Bühnenschriftsteller*, written by Wenzel Goldbaum,<sup>63</sup> reports on the opinions of the Verband Deutscher Bühnenschriftsteller and the boycott decision they made at their extraordinary General Assembly on March 18, 1912. Artur Wolff wrote the *Denkschrift betreffend die Kinematographentheater, die durch ihr*

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<sup>61</sup> Max Epstein did at times express the desire for cinema to disappear altogether. See Max Epstein, "Das Theatergeschäft," *Die Schaubühne* 8, no. 14 (4 April 1912), 393.

<sup>62</sup> Heinrich Stümcke, "Kinematograph und Theater," *Bühne und Welt* 14, no. 2 (1912), 94.

<sup>63</sup> *Position Paper Concerning the Cinematographic Theaters, Commissioned by the Union of German Playwrights*. For brevity's sake, from this point I will refer to it simply as Goldbaum's or the Bühnenschriftsteller's *Denkschrift*.

*Überhandnehmen geschaffenen Mißstände und Vorschläge zu einheitlichen gesetzlichen Maßnahmen*<sup>64</sup> for the Deutscher Bühnenverein, and together these two documents represent the clearest articulation of how the theatrical world saw their conflict with the film industry. They are a convenient microcosm for understanding this period in film history and what role the author-function and the ideology of the Romantic Dichter played in the discourse.

In the Denkschriften, there are two broad categories of complaints regarding film: the economic and the artistic. In the former, film threatens the existence of theaters by stealing audiences and making theaters financially unable to compete. In the latter, film represents a more existential menace through its degenerative impact on audiences and, even further, the country. Goldbaum and Wolff must strike a delicate balance between the two categories of arguments in order to make the most convincing case but ultimately, their economic arguments are contradictory and less emotionally resonant. The true heart of the Denkschriften is in making the argument that film is a danger to the entire nation of Germany because of its destructive influence.

However, that is not to say that the economic arguments in the Denkschriften can be fully ignored. They do play an important role in setting the stage for the other arguments and are central to creating the impression of a nationwide crisis. Understanding the financial situation is key to analyzing the Denkschriften, in particular the work boycott, which was arguably the most famous measure undertaken by the Deutscher Bühnenverein and the Verein Deutscher Bühnenschriftsteller.<sup>65</sup> Although in its earliest years film had more in common with vaudevilles, cabaret, circus, and vaudeville, by 1912 its popularity was expanding beyond the audiences of these types of amusements. Film was rapidly becoming the most economically successful form of mass entertainment, a fact that Wolff and Goldbaum sought to connect with the financial struggles of German theaters.

It is undeniable that the number of cinemas across the country was expanding significantly--Wolff quotes a statistic from *Öffentliches Kinematographenrecht* that in 1900 there were just two permanent cinema establishments across thirty-three metropolises, which by 1910 had grown to four hundred and eighty (with three hundred in Berlin alone).<sup>66</sup> Goldbaum claims theater directors report that their theaters have “never done such bad business as in the last year,” that bankruptcies had never been so common, and that cheap seats and special performances for schoolchildren in particular have dramatically dropped off.<sup>67</sup> Wolff reports on the case study of Hildesheim, whose theater between the 1909/1910 and 1911/1912 seasons saw a 50% reduction in tickets sold per performance, with the biggest decrease in tickets from the second (cheaper) level of the orchestra and gallery seats.<sup>68</sup> There was little change in season tickets (*abonnierte Plätze*), suggesting these presumably more wealthy and more theater-committed patrons were little influenced by the temptation of cinema, although Wolff cites an unspecified reduction in the “better seats” in the 1911/12 season, “if not in as large an amount.”<sup>69</sup> He refers to statistics

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<sup>64</sup> *Position Paper Concerning the Cinematographic Theaters, the Grievances Caused by their Prevalence, and Suggestions for Unified Legal Measures, Commissioned by the Executive Committee of the German Stage Union*, Berlin: Druck von G. Bernstein, 1912. I will call this either Wolff's or the Bühnenverein's *Denkschrift*.

<sup>65</sup> See, among others: *Die deutsche Bühnengenossenschaft: Fünfzig Jahre Geschichte* by Max Hochdorf, *Chronik des deutschen Films* by Hans Helmut Prinzler, and *Literatur im Medienwechsel* by Michael Schaudig.

<sup>66</sup> Wolff, 7.

<sup>67</sup> Wolff, 4-5.

<sup>68</sup> Wolff, 8 - 9.

<sup>69</sup> Wolff, 9.

about other cities and towns in the Denkschrift to strengthen the image of theater under fire with the corresponding success of the film industry.

After considering the statistics given by Wolff and Goldbaum, who of course would be selective about what they use to support their arguments, it is useful to study information from other sources. In looking at theatrical journals, one would expect articles published in them to skew in this industry's favor, but I found that the results show a lack of unity with the claims of the *Denkschriften*. On the one hand, Heinrich Stümcke wrote for *Bühne und Welt* about a common anecdote much in line with what Wolff and Goldbaum describe: "We read more and more often that a stage has been forced to close its doors because the "Kientopp" across the way has cut off its lifeline."<sup>70</sup> This is nonspecific but suggests a common occurrence that readers would find familiar and believable. It appears that there was a general impression in the theatrical world that theaters were dying off and causing the suffering of actors, crew, and owners alike.

However, in *Die Schaubühne*, several pieces provide a different perspective. Richard Treitel wrote a report published in March 1912 on the yearly incomes of "stage members or dependents."<sup>71</sup> He describes that out of 2112 survey respondents, 56 had a yearly income of less than 400 Marks, "a cautionary warning that cannot be ignored."<sup>72</sup> But based on the other statistics, which state that 826 of those asked earned up to 1000 Marks a year, 1608 up to 2000 Marks, and 276 over 3000 Marks, the author asserts that "professional expenses are by no means meager."<sup>73</sup> There are two aspects to this information: on the one hand, most workers seem like they could participate in the work boycott without suffering a drastic loss of income from abstaining from cinematic work. However, on the other hand, this seems to indicate that the spread of cinemas has not outrageously endangered the livelihoods of many stage workers, which the *Denkschriften* strongly assert.

Similarly contradicting the dire predictions made by Wolff and Goldbaum, W. Fred wrote in *Die Schaubühne* that a few theaters may close, but "it is certain that not one less talent for acting or opera is born or less trained, not one less piece of value is written,"<sup>74</sup> even as cinema audiences grow. Not only does this dismiss financial factors in the production of quality works of art, Fred even suggests that those theaters who suffer or close because of cinemas deserve to do so. This view shows a drastically different perspective on film's popularity, and implicitly denies the necessity of measures to curtail it. Fred seems to consider film as a factor encouraging healthy competition, with no risk of defunding or losing potential works of artistic importance.

With these differing views on the economic situation, I illustrate the variety of opinions, even from within theatrical circles. The purpose of this chapter is not to determine the number of theatrical bankruptcies or the unemployment rates among theater workers, nor is it to make a conclusion about whether the film industry was responsible. It is important instead to recognize the rhetorical choices made in the *Denkschriften* which create the overwhelming feeling of an existential threat. The use of repeated, exact figures of ticket sales for each price class and numbers of theaters shut down and cinemas opened (especially in Wolff's *Denkschrift*) are meant to create the perception of an attack from all sides. This is the lens through which the issue of the film industry is to be viewed, although the ultimate justification comes not from

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<sup>70</sup> Stümcke, 89.

<sup>71</sup> Richard Treitel, "Die deutschen Bühnen und ihre Angehörigen," *Die Schaubühne* 8, no. 11 (14 March 1912), 298.

<sup>72</sup> Treitel, 298.

<sup>73</sup> Treitel, 298.

<sup>74</sup> W. Fred, "Lichtspiel und Variété," *Die Schaubühne*, 8, no. 40 (3 October 1912), 323.

economics, but from a cultural standpoint. And it is in this transition, from complaints of a financial nature to complaints which would warrant full police and political support, that the two Denkschriften make their most significant contribution to the discourse. Wolff and Goldbaum explicitly claim that film is a threat to the nation, aiming their publications at the lawmaking branch of the German government, setting them apart from texts written in trade journals.

So how do the Denkschriften attempt to convince the public and, more importantly, lawmakers, that they should be concerned with what otherwise seems to be a case of industrial competition? This requires firstly evoking feelings of protectiveness for theater through the pervasive feeling of an attack. Aside from the statistics mentioned above which emphasize the economic threat, Wolff and Goldbaum repeatedly use the word *Gefahr* (danger) as well as adjectives, verbs, and compound nouns using it as a root, and the verb *bedrohen* (to threaten) is common.<sup>75</sup> Furthermore, the danger is presented as imminent: "...the appointed professional body raises a warning cry against a great danger, perhaps already in the final hour."<sup>76</sup>

Even after effectively establishing the overall tone of a threat, Wolff and Goldbaum still need to convince the reader why this danger is a problem: that is, why theater deserves more protection than any other industry facing financial difficulties. Wolff's Denkschrift in particular argues vehemently for theater's cultural value, as with this reverent description of German theater's history at the beginning of the position paper:

Very gradually, out of the humble beginnings of pathetic wandering troupes of the 16th century and under the protection of princes and cities, the German theater has evolved to a bloom unachieved in any country of the world [...] at the pinnacle of all civilized people, Germany has become *the* country of theater [...] Long-winded statements on the value and significance of our theaters are unnecessary. Every single person knows how many livelihoods are economically dependent on the theater business, every single person knows the cultural importance of our theaters, every single person loves the dramatic art.<sup>77</sup>

The emphasis on the singularity of theatrical achievements in Germany recalls feelings of national pride, and Wolff even presents Germany's identity as inextricably linked to theater. This is a slight pivot from the "Land der Dichter und Denker", and the repetition of what is supposedly clear to "every single person" actually highlights the precariousness of this assertion.<sup>78</sup> Wolff seems determined to designate Germany as a country defined by theater, in order to strengthen the necessity of defending it against film and make the issue a point of national pride: "the proud cultural heritage of our people."<sup>79</sup> But he also argues that this is an already recognized fact, as if the German population were already unified in support of theater. But if every German was aware of theater's prominence and was invested in its continuation, the necessity for a document such as the Denkschrift would be unnecessary. It also is contradictory

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<sup>75</sup> The cinema itself is "die Kinematographengefahr (the cinematograph threat)," Wolff, 15; Goldbaum speaks of its "gefährlichen Einflüssen (dangerous influences)," among other examples.

<sup>76</sup> Wolff, 16.

<sup>77</sup> Wolff, 3.

<sup>78</sup> It also presents a contradictory claim: if everyone admires and loves theater, why are so many going to the cinema instead (as the *Denkschriften* would argue)? Does this statement exclude the masses and actually mean "every well-educated person" or "every person of taste," or does it imply everyone knows theater's value but not enough to invest in it?

<sup>79</sup> Wolff, 16.

to argue that there are livelihoods at stake, but at the same time ban workers from seeking jobs in an industry that was actively courting them – the work boycott seeks to remedy the potential loss for a job by closing off other opportunities. Wolff presents this justification without addressing the potential problems in logic, which is typical for the way the Denkschriften utilize economic arguments.

The relationship between art and the state is also presented in an odd way, as Wolff describes theater as only having come into its own with the protection of the government and the regions. This clearly provides a parallel to the current call for aid in support of theaters but introduces a contradictory argument. If theater went through an unimpressive, “pathetic” earlier stage but improved and flourished with help, couldn’t film do the same? Ultimately, the argument is no – despite its beginnings, theater was always art and therefore worthy of help and protection in order to develop. Film, on the other hand, is not and will never be art, a point on which Goldbaum and Wolff place heavy emphasis to justify their suggested measures. As in other instances in the Denkschriften, Goldbaum and Wolff do not universally apply the logic they use in their arguments.

It is essential for Wolff and Goldbaum to convince the reader not simply that cinema poses a danger to theaters, but to all of German society as well: “Much more, [the danger of the cinema] threatens to poison the nation itself, its taste, its sensibility and feeling.”<sup>80</sup> Wolff emphasizes that Germany’s theatrical culture places it at the “pinnacle of all civilized people.” This begins to hint toward another argument of the Denkschriften: that because of the close identification between theater and the nation, protecting theater is analogous to protecting Germany itself. Goldbaum also describes the purpose of the suggested measures being to protect the people, not to protect theaters. In their anti-film crusade, they wish to “defend the German people from the danger of the cinema,” a fight in which “the interests of the state and of the public come together.”<sup>81</sup> This makes the issue one of the broadest possible relevance. Goldbaum implies that inaction in this case is equivalent to ignoring a national crisis, and further vilifies members of the film industry (and anyone interested in working in the industry). The focus on the value of theater serves as the groundwork for much of the Denkschriften. The next step in justifying the attack on the new medium is centered around film’s supposed impact on the populace. Much of this perceived threat to the German people has to do with certain values of moral behavior, artistic sensibility and taste, and cultural pride.

In a similar way to the general complaints from theatrical circles, Wolff and Goldbaum frame their perspective on film, and their call for legal measures, as an expression of concern for the public. The position of the Denkschriften is that film and exposure to it are changing German society for the worse, from discouraging education to degenerating aesthetic taste and driving down moral sense, particularly in the youth. Film, therefore, must be restricted in the name of public interest – in this way, the conversation is again reframed from “film vs. theater” into “film vs. Germany” in order to justify the requests of stringent measures. The Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein present themselves as defenders of Germany and the German people, and objections to film occur on the levels of both form and content.

Echoing discussions of film as exemplary of modernity, Wolff describes how the epoch, led by film, has engendered a new sensory mode of living associated with speed and visual attractions, in a break from slower, more “authentic” historical ways of living. The

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<sup>80</sup> Wolff, 16.

<sup>81</sup> Goldbaum.

cinematograph represents an “overly-rushed anecdote-education” and the “superficial” tendency of the current age to “[rush] from event to event, from incident to incident [...] endeavoring simply to not miss anything.”<sup>82</sup> Film is therefore, on the essential level, associated with superficiality, unnatural rapidity, and a lack of learning or cultivation. It is fascinating to note the parallels to arguments about youth sensibilities in the digital age – Wolff’s description of the 20th century desire to not “to miss anything” sounds incredibly similar to the much-maligned “FOMO (fear of missing out)” discussed in the context of social media.<sup>83</sup>

The film medium apparently can also only represent events to be consumed without thought – simply events, as opposed to feelings, ideas, or moral questions to be reflected upon, something associated with literature, theater, or poetry. The medium is therefore fundamentally at fault, having undesirable effects regardless of *what* is represented:

The purely superficial representation of plot in the cinema arouses only the viewer’s craving for sensation, without following the example of drama to prompt the inner participation in the emotions of the actors. The viewer sees only the effect, not the affect, his ethical feeling is not cultivated, but is instead flattened and if anything brutalized.<sup>84</sup>

Significantly, Goldbaum also names *Sensationsgeliüste* (related to the Schaulust discussed previously) as a trait of film audiences. Taken together, the Denkschriften paint a portrait of audiences which creates a somewhat circular argument about where the fault in this moral degeneracy lies. The audience for film, equated with the lower-educated masses, has low cravings already, apparently as a result of their lack of education, and film thwarts their social improvement.<sup>85</sup> These cravings are then worsened as they are indulged on film, as the masses are repeatedly drawn to the cinema because it (apparently) satisfies their desires for feeling and sensation. Although this can be seen as an extension of existing critiques of *Schundliteratur*, the huge and ever-growing audience of film made it a particular point of concern.<sup>86</sup>

The consequences of viewing film also go beyond an unhealthy indulgence in sensation. That a film viewer would lose their sense of ethics, or at the very least have it decreased, is reflective of an anxiety about visuality in modernity: that seeing something happen could encourage an instinctual drive to imitate it. The danger of this was considered particularly acute in the young, and the defense of youth was then (as it is now) a strong component of arguments in the Denkschriften against the new medium. Youth also made up a significant fraction of film viewership, and the potential for long-term consequences on society was significant. The “damaging influences of the cinema on moral feeling, character, intellect, artistry, and aesthetic taste” have a greater effect on youth, who are “more sensitive and susceptible.”<sup>87</sup> The result of these “damaging influences” were popularized in anecdotes regarding children and film, such as the commonly cited<sup>88</sup> story about a boy from a well-to-do family who reports that all he has to

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<sup>82</sup> Wolff, 4.

<sup>83</sup> The discourse on “FOMO” reached a fever pitch with the Fyre Festival disaster in 2017.

<sup>84</sup> Wolff, 4.

<sup>85</sup> Goldbaum.

<sup>86</sup> “Through the perfection of the technical means of exhibiting photographs in such rapid sequence that the lifelike impression of living action is created, the so-called cinematic theaters have attracted an unimaginable sphere of distribution,” Goldbaum.

<sup>87</sup> Wolff, 4.

<sup>88</sup> I found it referenced both in Wolff and Willy Rath, *Kino und Bühne* (München Gladbach: Volksvereins-Verlag, 1913), both times referred to as a common and well-known anecdote, suggesting its familiarity to their readership.

do is go once more to the cinema in order to learn how to be a burglar.<sup>89</sup> The association between filmgoing and criminality continued through the rest of the decade,<sup>90</sup> and the Denkschriften rely in part on these fears for the future of the nation.

It is significant that taste appears several times as a victim of film's spreading influence, since in a strand of German aesthetic tradition, influenced by Friedrich Schiller, good taste is not simply an adornment for the upper class intellectual. In *On the Aesthetic Education of Man*, Schiller articulated the idea that developing proper aesthetic taste is part of the basis for human freedom, self-government, and social harmony. Several strands of Schiller-influenced aesthetic theory were still in popular usage in the early 20th century,<sup>91</sup> which helped provide the context for the argument that, by endangering taste, film endangered an essential German value as well as the very possibility for peace and unity in the country. With the elements outlined above, Wolff and Goldbaum seek to convince the general public, and political forces, that protecting theater is the same as protecting Germany.

It is fundamental for Wolff and Goldbaum to establish that curtailing film is a protective act, and that doing so will not result in a loss of any positive cultural elements. This requires them to show, definitively, that film is not art and can never be art. Establishing this point also ensures that no counterargument can be made to give cinema room to grow and evolve.<sup>92</sup> One strategy is to present film as a poorer substitute for theater that seeks to eliminate it. It is an important interpretation to argue that film is not a competitor of theater, but hopes to be its replacement, since it ensures that the Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein do not seem to be advocating the destruction of an independent industry. Instead, they see themselves justified in calling for the end of a fake substitute of their own product. "There can be no doubt that with [dramatic films], cinema treads into the realm of theater."<sup>93</sup> Goldbaum claims there is "no fundamental difference" between the two media, which seems to be an odd argument to make, but it reinforces the idea that there is a niche within German society available for drama which can only be occupied by one industry. It is the "true" home of the theater, which film now invades. Film is a new threat which is also paradoxically nothing new at all—just an imitation, a superfluous contribution.

Goldbaum and Wolff also rely heavily on the strict dichotomy of technology and art, following the ideological model whereby the two are mutually exclusive:

It is no fight against some artistic style that is being conducted here. On the contrary! The "Kientopps" constitute a dangerous, hard-to-break opposition to all artistic efforts, they suppress the exalted word and the noble gesture, they offer only a feeble surrogate. Every mechanical reproduction rules out any art as it has been understood up till now! The

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<sup>89</sup> Wolff, 5-6.

<sup>90</sup> A famous example is the case of a youth in Essen who in 1913 killed a four-year-old with no obvious motive. During the trial it was cited that "the accused is a chronic cinema-goer" making it extremely likely "that he committed the crime under the influence of film." (Thorsten Lorenz, *Wissen ist Medium: Die Philosophie des Kinos*, Munich: Wilhelm Fink Verlag, 1988, p. 31.)

<sup>91</sup> A quintessential example is Lothar Abel's *Der gute Geschmack* (Leipzig: A. Hartlebens Verlag, 1895), where he argues that improvement of taste will benefit social relations, civilize and milden people, that good taste and national character are intertwined, and that it cultivates national values and patriotism and therefore makes peace and consensus possible.

<sup>92</sup> Goldbaum.

<sup>93</sup> Goldbaum.

mechanical representation of the kinematograph is bereft of every higher interest of art. The kinematograph and the dramatic art are born enemies.<sup>94</sup>

Wolff's references to "the exalted word and the noble gesture" emphasize theater's superiority not only by its association with language, but also by virtue of live-ness and bodily presence, which film can only offer through the intermediary apparatus. Film being produced, displayed, and reproduced via various mechanical means denies it any pretensions to being art. Wolff also considers the speed at which the images proceed to be a reason for film's superficiality, as it "demands overhasty work by the brain, which is unable to adequately process the manifold images."<sup>95</sup> This implies film's inability to depict or engender deep emotion, and even the propensity to encourage immoral behavior, which in this view follows from a lack of being able to reflect on and judge what is seen. Wolff in turn emphasizes the factory-like conditions of film production and reproduction to make it seem all the more threatening and monolithic.<sup>96</sup>

Alongside establishing film as a non-artistic mode, those who work in film are presented in the Denkschriften as decisively not artists. Wolff often accompanies the ideological construction of art and technology as polar opposites with backhanded compliments of technology that serve to further alienate it from the domain of creativity and artistic skill. Film is a "Wundermaschine (machine of wonders)"<sup>97</sup> or "a brilliant marvel of technical ingenuity,"<sup>98</sup> allowing its invention a certain degree of recognition while downplaying artistic involvement. This echoes the long-running theme in artistic theory of artistic genius versus skilled craftsmanship, or *Handwerk*.<sup>99</sup> Film as a tool and as a medium does not make art and is not used by artists, a point reinforced by Goldbaum when he defends the work boycott, stating: "The so-called artistic enterprise of the cinemas is such a crude and lowly one, that authorial activity for this business cannot be unified with the artistic conscience."<sup>101</sup> Anyone working in film has forfeited a claim to artistic integrity and the label of being a true artist. Wolff and Goldbaum thoroughly lay out their arguments that film is by necessity and nature superficial, damaging to audiences, and a danger to society while characterizing its spread throughout the country as greedy. They therefore imply that the only possible motivating factor for cinematic work is economic.

The relationship between artists and money is another point of contention with a significant history. In this period, part of the image of the great Romantics had to do with their supposed independence from financial motivations for their work, which was referenced in order to highlight the supposed "mercenary" tendencies of modern writers.<sup>102</sup> However, this perspective glosses over the intense attention the Romantics paid to their financial situations,

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<sup>94</sup> Wolff, 16.

<sup>95</sup> Wolff, 4.

<sup>96</sup> Wolff, 11-12.

<sup>97</sup> Wolff, 4.

<sup>98</sup> Wolff, 3.

<sup>99</sup> Martha Woodmansee shows how Romantic authors increasingly distanced themselves and their work from characteristics associated with craftsmen and learned skill in "The Genius and the Copyright: Economic and Legal Conditions of the Emergence of the 'Author,'" *Eighteenth-Century Studies* 17, no. 4 (1984).

<sup>100</sup> Willy Haas argued for every art having a "handicraft period" before the "actual artistic period" in his defense of film ("Sprechbühne und Lichtbildbühne: Brief eines Filmwesens an ein Theaterwesen," in *Kino Debatte*, 153).

<sup>101</sup> Goldbaum.

<sup>102</sup> See Erich Oesterheld, "Wie die deutschen Dramatiker Barbaren wurden," *Die Aktion* 3 (26 February 1913) for an example of this.



evidenced by their interest in asserting author's rights over publishers' through copyright, and their struggles between patronage and supporting themselves through self-publishing ventures. The discourse of the early 20th century interpreted film as not art, meaning people who took work in the industry did so simply to make money. This plays into the larger belief that doing creative work for money is unartistic and devalues both the product and the maker. Implying the Romantics were above monetary concerns in order to discredit anyone with financial motivations for their work is an incarnation of an author-function as divorced from financial, "worldly" concerns. It looks back to a fictional golden era of independent authors driven only by their internal need for self-expression, and is a vision of a "true Dichter" that is filled with inherent classism and exclusivity. It rejects the efforts of individuals unable to afford producing works for only themselves, as well as those curious to explore the possibilities offered by a new medium.

Finally, the last way in which Wolff and Goldbaum cement the argument that film is not art, and that film workers are not artists, is through the focus on language. This issue was present in the anti-film discourse from the broader theatrical industry. It manifests as a classist criticism of the masses unable or unwilling to engage with "great art," the desire to associate film with natural over narrative subjects, and the alarmist renunciation of visuality. Wolff repeatedly discusses the importance of *Dichtkunst* (poetic art) by way of "spoken or sung words" that makes the audience into participants. He depicts emotional participation, alongside intellectual stimulation, as essential to the 'correct' form of reception, contrasted with superficial or passive consumption. Films, by only appearing to the eye, allow the broadest amount of leeway for the viewer to imagine motivations within the plot. Wolff contrasts this with "dramatic art" that draws on the capabilities of the eye and ear, which "allows all characters to express the works of their will."<sup>103</sup> This makes the audience "participant in all feelings, motivations for action and inaction, conflicts of emotion and duty."<sup>104</sup> By having no (or limited) language, Wolff claims that characters' actions and motivations will remain opaque to the audience, who will not empathize or fully understand the consequences, leading them morally astray. Indeed, leaving things up to the audience is a source of major trepidation, another example of mistrust in the masses.

Ultimately, the lack of words stemming from a single Dichter is the true core of the objections to film and the rejection of it as a new art form. The guiding force of the author fully dictates the way the work is represented and understood by the reader (or audience member). Furthermore, the author's words guarantee that the work ultimately has a civilizing, moralizing, and sensitizing effect, which is beneficial on an individual as well as societal level. This effect is independent of whatever content or plot is actually presented:

Spousal murder, marital infidelity, erotic love between siblings, etc. in the performance of a true work of art lack the possible damaging effects of a photographic representation, because the characteristics, the motivations, and the atonement of the acting individuals for their rebellion against the community and the ethical world order are conveyed by the words of the author.<sup>105</sup>

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<sup>103</sup> Wolff, 4.

<sup>104</sup> Wolff, 4.

<sup>105</sup> Wolff, 4.

Wolff admits the same plots in the worst Schundfilm can be found in classical and modern drama,<sup>106</sup> but in the theater they are thought-provoking and valuable, while on film they are actively dangerous. It is the words of the author that make the crucial difference, as they act as an intermediary between sensational or titillating plots and the audience. The power of the genius Dichter is therefore ideologically central to the Denkschriften and their case against film. The very reception of a work, the ethical and intellectual effect it will have on the audience, is apparently in the author's control and communicated through words. Without these words, a negative effect is inevitable, and this lack bars film from the realm of art.

I have shown the variety of arguments and rhetorical techniques at play in the Denkschriften written by Artur Wolff and Wenzel Goldbaum in order to locate the ultimate source of their complaints regarding film. Emotional elements such as fear and the identification of theater with the country itself help Wolff and Goldbaum reframe the conflict between two industries into an issue of vital national importance. Statistics about finances, ticket sales, and theater closures augment the general feeling of a threat but are also plagued with numerous internal contradictions. Concern about moral degeneration, especially in the youth, is a powerful argument that plays into popular worries of the time. However, the true heart of the Denkschriften is in conclusively determining that film is not art. Wolf and Goldbaum establish their opinion of film's inherent inferiority on the basis of its narrative representation without the words of an individual author. In the face of a new medium relying on innovative technology, the theatrical industry uses the ideology of the Romantic genius-Dichter and supremacy of language to uphold the existing hierarchy of high and low art threatened by film.

### **“It Has Produced the Very Opposite Effect to What Was Intended”**

The publications by the Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein were meant to elicit a strong reaction, and they did, although ultimately not in as wide of a public as they would have wished. The film and theatrical industries intensely discussed the Denkschriften and the work boycott, although surprisingly the reactions from the theatrical world were far from unified in their support of the unions' actions. In the earliest piece concerning the boycott in *Die Schaubühne*, Max Marx writes that he initially felt the boycott would benefit theatrical workers, while admitting that there is somewhat of a divide on the subject between actors and theater directors/owners.<sup>107</sup> However, in the same piece he goes on to say this *had* been his opinion until eight days ago, when he learned that Fritz Massary, Joseph Giampietro, and Max Pallenberg, all prominent Austrian actors and singers of the stage, had been engaged by a film company to appear in a series of productions. Marx points out that a ban placed on a few hundred small-time actors will make no impact in the face of even a “single guest appearance in a moving picture” by a massive celebrity.<sup>108</sup> It is already clear that the film industry was successfully pursuing stage actors and writers, and the work boycott could not rely on the solidarity of big-name actors who could possibly exert pressure on film companies.

In contrast, Max Epstein wrote a mid-year retrospective in July 1912 characterizing the Denkschriften and the work ban as welcome and necessary weapons against the “theater-murderers” and “root of all evil,” the cinematograph.<sup>109</sup> Heinrich Stümcke was similarly

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<sup>106</sup> Wolff, 4.

<sup>107</sup> Max Marx, “Zur Kinofrage”, *Die Schaubühne* 8, no. 20 (16 May 1912), 578.

<sup>108</sup> Marx, “Zur Kinofrage”, 578.

<sup>109</sup> Max Epstein, “Das Theatergeschäft: Rückblick und Ausblick,” *Die Schaubühne* 8, no. 26/27 (4 July 1912), 1-2.

enthusiastic, and echoed the way Wolff and Goldbaum disavow any theatrical worker who sought employment in the film industry:

[...] One can't hold it against the dramatists, who qualify for this name, if they disavow these new film-poets, as they do "occasional poets" who advertise their products for weddings and baptisms in the newspapers. And it is desperately to be desired that our stage poets keep themselves stiff-necked with regards to the ever-alluring offers of the film-folk who intend to cannibalize popular dramas for the cinema, since the pile of scraps and rags which the coherent structure of some dramas were reduced to under the knife of the film editor can only awaken pity or contempt.<sup>110</sup>

For Stümcke, by apparently following the economic incentives over inner drive, these writers have lost their right the label of true Dichter. The names "Filmdichter" and "Gelegenheitsdichter" are sarcastic terms in this context. These words would galvanize a certain type of reader, who would be indignant at the idea of someone who writes for the "Kientopp" being allowed the same occupational name as Goethe. Stümcke lumps the ideas of opportunism and low art forms together, implying that anyone interested in film is solely there out of greed and not artistic expression or exploration. This is an excellent example of the ideological function of internally motivated, financially independent authorship at play again.

Predictably, the film industry was defiant in the face of the boycott and the Denkschriften. As seen above in the example of Massary, Giampietro, and Pallenberg, the industry continued to successfully form contracts with theatrical actors. That is not to say that the film journals were dismissive of the Denkschriften and the activities of the theatrical unions – there was healthy coverage, especially in *Der Kinematograph*. Many commentators were in agreement that the Verband Deutscher Bühnenschriftsteller and the Deutscher Bühnenverein were acting out of fear for their businesses, despite their protests about art and taste.<sup>111</sup> This is an effective form of dismissal, since the film industry still strove for artistic acceptance and thus rejected the assertion that their medium was anti-art.

Richard Treitel wrote several emblematic pieces for *Der Kinematograph* about the ongoing attacks on the cinema. He disputes many of the factual claims used as evidence and therefore dismisses the conclusions made from them, and he speculates that Wolff and others like him actually have a very shallow understanding of film.<sup>112</sup> For him, in the face of high rates of unemployment among Berlin actors, the boycott's goals are "a dream, and an unrealizable one at that."<sup>113</sup> Treitel is indignant at what he sees as unfair treatment of cinema owners, who, if the theaters had their way, would face examination of their "moral, financial, and artistic credibility".<sup>114</sup> Within the film journals I found no evidence that the work boycott was having a broad effect – in general, the concern was that the Denkschriften would encourage more legal and police measures, such as censorship or a restriction on the building of new movie theaters. To prevent such further measures, the "Agitation Committee of the Cinematographic Technical Press for Combatting the External Enemy" was founded in 1912. The group apparently

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<sup>110</sup> Stümcke, 93-94.

<sup>111</sup> See Anonymous, "Kinematograph und Theater," *Der Kinematograph* no. 263 (10 January 1912).

<sup>112</sup> Richard Treitel, "Die Denkschrift des Verbandes der Bühnenschriftsteller," *Der Kinematograph* no. 282 (22 May 1912).

<sup>113</sup> Richard Treitel, "Der Kampf gegen das Kino," *Der Kinematograph* no. 274 (27 March 1912), 2 - 3.

<sup>114</sup> Treitel, "Die Denkschrift des Verbandes der Bühnenschriftsteller."

successfully managed to get some censorship bans lifted in Berlin,<sup>115</sup> and also published a response to Wolff's Denkschrift, written by Bruno May with opinions from many others, all declaring "that the cinematograph is to be considered a new artistic form of expression."<sup>116</sup>

Coverage from outside the two industries shows how well-known the debate was, particularly in Berlin. The *Berliner Volkszeitung* and the *Berliner Börsen-Zeitung* both reported on the story and it is clear from their language that the activity was familiar to readers, even before the publication of the Denkschriften.<sup>117</sup> The *Berliner Börsen-Zeitung* doesn't indicate anything of an editorial opinion on the issue either way, but the *Berliner Volkszeitung* refers to it as "the fight against the cinema threat" and asserts that the work ban should "naturally" be spread to stage workers in all of Germany and Austria.<sup>118</sup>

1912 ultimately did become a decisive year for the relationship between film and theater, but certainly not in the way the Verband Deutscher Bühnenschriftsteller or the Deutscher Bühnenverein had intended. As already mentioned above, big names worked without interruption for the cinema, nullifying any potential effects of the work boycott and continuing to bring their name recognition and prestige to the medium. From the side of cinemas, the ban "has thrown the best talents of the best theaters into our arms and has produced the very opposite effect to what was intended."<sup>119</sup> Furthermore, even before the end of the year, the Bühnenschriftsteller had rescinded the ban and gone as far as to seek out contracts with film production companies directly, in a decision roundly criticized in *Die Schaubühne* and celebrated in film journals.<sup>120</sup>

The momentum of the movies was not hindered in the slightest by the theatrical efforts in 1912, and the desire for prominent literary and theatrical names to work in film only became more intense moving into 1913. Despite the short-lived effects of the actions undertaken by the unions, their accusations about film as an artistic vacuum continued to linger. And in response, the film industry relied on the vanguards of high culture more than ever before in an attempt to assert film's artistic potential. In the next chapter, I will examine the consequences of the film industry investing ideologically in the model of literary authorship during the *Autorenfilm* movement.

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<sup>115</sup> Anonymous, "Erfreuliche Resultate des Agitations-Komitees," *Der Kinematograph* no. 296 (28 August 1912).

<sup>116</sup> Anonymous, "Die Denkschrift des Agitations-Komitees im Reichstag," *Erste Internationale Film-Zeitung* 7, no. 23 (7 June 1913), 47 - 48.

<sup>117</sup> Anonymous, "Kunst und Wissenschaft," *Berliner Börsen-Zeitung* no. 140 (23 March 1912), 10.

<sup>118</sup> Anonymous, "Theater und Kino," *Berliner Volkszeitung Abend-Ausgabe* 60, no. 154 (30 March 1912), 2.

<sup>119</sup> Leonardo Quaresima, "Dichter, heraus! The Autorenfilm and German Cinema of the 1910's," *Griffithiana* no. 38/39 (October 1990), 102.

<sup>120</sup> Julius Bab, "Wie die deutschen Bühnenschriftsteller Gerichtstag halten," *Die Schaubühne* 8, no. 52, (26 December 1912), 682.

## Chapter Two: The Author of the Autorenfilm

### Literature to Legitimize

“In order to consider the current so-called ‘literary’ epoch of film art, it is necessary to first look backwards, specifically to the moment when the news spread that the Union of German Playwrights had lifted the boycott against members who gave their works to film producers [...]”<sup>121</sup>

1912 had been a year of intense criticism against film, as the theatrical world denied film’s fundamental ability to be art in the effort to discredit the medium and curtail its budding dominance. Many of these criticisms focused on the figures of the Dichter and the role of language. Therefore, the fact that 1913 was unequivocally the year of the “literary film” and the “author’s film” (*Autorenfilm*) makes for a fascinating example of conflicting utilizations of the same ideology. While detractors claimed film could never be art because of the lack of a unified author and the absence of language, the Autorenfilm movement and the discourse surrounding it used the figure of the literary author to imbue film with artistic integrity and prestige. With the anti-cinema discourse becoming mainstream, the film industry continued to seek acceptance by arguing for film-specific possibilities. However, the prominence of the Autorenfilm movement and its significance to the discourse of film art shows that ultimately, the film industry relied on the vanguards of traditional aesthetic prestige to “bring” art to film.

The belief that film was trying to replace the intellectual and spiritual education traditionally associated with drama and literature was a major point of contention for the theatrical industry. In 1913, the film industry embraced this possibility, emphasizing how it could reach “the man of the people,” whose daily grind meant he “has no opportunity to continue educating his intellect through the means which are comfortably accessible to the better situated.”<sup>122</sup> The demands of modern life and the desires of the “common” person made film the true successor of pedagogical culture. The way to do this while emphasizing respectability and taste was through the participation of recognized authors, the core principle of the Autorenfilm movement at this time. Although the broader term Autorenfilm has been applied to successive periods as a comparable label to *auteur* cinema (such as New German Cinema of the 60s and 70s), I am here focusing on the first period of the term’s prevalence in Germany, in the early teens before World War I. There was no strict definition of what was or wasn’t an Autorenfilm, but a common stipulation was that these films were based on works by “important authors,” either as adaptations of existing works or original screenplays.<sup>123</sup> Adaptations of novels were the most common variant.<sup>124</sup> It is significant that Autorenfilm was explicitly named for and framed

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<sup>121</sup> Georg Fuhrmann, “Filmzauber,” *Lichtbild-Bühne* no. 37 (13 September 1913), 13.

<sup>122</sup> “Der Autorenfilm und seine Bewertung,” *Der Kinematograph* no. 326 (26 March 1913).

<sup>123</sup> Ludwig Hamburger, “Die Dichtung im Film,” *Erste Internationale Film-Zeitung* no. 30, vol. 7 (26 July 1913), 59.

<sup>124</sup> Alcofribas Rabier, “Filmgestaltung und Roman,” *Erste Internationale Film-Zeitung* no. 26, vol. 7 (28 June 1913), 49.

around the figure of the author (as opposed to the similar movement of *film d'art* in France), this being the origin of its claim to prominence and artistic worth.

Leonardo Quaresima has pointed out that the investment in Autorenfilm as a marketing label “gave the whole phenomenon a prominence and an impact that far exceeded” the actual number of so-called Autorenfilme released during the period.<sup>125</sup> Advertising in the journals *Erste Internationale Film-Zeitung*, *Lichtbild Bühne*, and *Der Kinematograph* from 1913 reflect the heavy use of the term to promote films,<sup>126</sup> as well as the trend of emphasizing important authors’ involvement, even if the label of Autorenfilm is not used.<sup>127</sup> The focus on authors therefore functioned on the level of “elevating the external reputation” of film as well as its acceptance as an artistic medium.<sup>128</sup> Well-known names would conjure up positive associations as well as grow audiences,<sup>129</sup> and could even serve as an implicit response to the calls for legal measures proposed in 1912 – if a Nobel laureate like Gerhart Hauptmann had decided the medium was worthy to adapt his works, what objection could there be?

Seemingly having found the key to these central goals of the film industry, commentators and critics responded enthusiastically to the development of literary adaptations and authors’ involvement, which some considered “the future of cinema” and a rebuke to the anti-cinema claims from previous years.<sup>130</sup> Films like *Quo vadis?* (1913) forced “even the sharpest critics of the cinema” to recognize film’s artistic potential, quelling their objections in the face of its “aesthetic, ethical, and educational value.”<sup>131</sup> Ludwig Hamburger characterizes literary adaptations like *Quo vadis?* as the pinnacle of artistic achievement for film, and the true way to prove its cultural worth. He significantly calls such films *Inszenierungen* (“stagings,” a common theatrical term) as opposed to *Verfilmungen* (literally “filmings,” also translated as “film adaptation”). Using this term presents the film as just another type of staging, a new production like any other, without making a clear divide between a film or theatrical adaptation. However, it is also an exaggeration for him to assert that all criticisms of the medium had been quashed – the reception of *Quo vadis?* for example still included harsh reactions.<sup>132</sup> But there certainly was a feeling of euphoria around these developments in film, particularly with regards to authors,

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<sup>125</sup> Quaresima, 106.

<sup>126</sup> *Das Leben, ein Roman* was advertised as the “Autorfilm von Carl Schönfeld“; the production company Autor-Film Co., G.m.b.H. was founded and released its first film in 1913; *Auferstehung* was advertised as “der Autorenfilm von Graf Leo Tolstoi.” Interestingly, Stuart Keen was advertised as “kein Autorenfilm: aber in Spiel und Aufbau die grösste Sensation!”

<sup>127</sup> An ad for Bioscop in 1913 proclaimed: “Die zwanzig Künstlerfilms der Bioscop! [...] Jeder dieser Films ist von einem Verfasser ersten Namens!”

<sup>128</sup> Spectator, “Der 'literarisch wertvolle' Film,” *Der Kinematograph* no. 323 (5 March 1913).

<sup>129</sup> Hans Brennert, “Kinometerdichter,” in: *Die zappelnde Leinwand*, ed. Max Mack (Berlin: Verlag von Dr. Eysler & Co., 1916), 23.

<sup>130</sup> qtd. in Diederichs, “The Origins of the Autorenfilm,” 386.

<sup>131</sup> Hamburger, 54.

<sup>132</sup> Joachim zu Putlitz, “Der dramatische Schriftsteller und das Kinodrama,” *Der Greif* 1 (1913-1914), 68.

directors, and actors who had “overcome their original aversion” to film,<sup>133</sup> and in turn the demand for authors was “colossal.”<sup>134</sup>

However, the eager embrace of literary and theatrical authors in the film industry and their heavy promotion through the Autorenfilm movement revealed a tension in the world of cinema. Aside from complaining about how employing prominent authors was raising the costs of film production,<sup>135</sup> the interest in authors was also labeled an “author’s fever”<sup>136</sup> or even “epidemic.”<sup>137</sup> Part of the issue seems to be the preference for famous writers over collaboration with writers in general.<sup>138</sup> Central to this complaint was firstly that famous authors had little to no idea of the craft of screenwriting, and many opinions emphasized the need for screenwriters who understood film, and had familiarity with the production process.<sup>139</sup> Finally, collaboration was key—another aspect a well-known author was unlikely to have experience with. If these authors really wanted to participate in the film industry, Rudolf Genencher writes, they will need to become “true collaborators of the cinema” or else leave the idea behind.<sup>140</sup>

The nature of Autorenfilm was the participation of recognized talent from other cultural spheres. While it was not the only way of creating an Autorenfilm, adaptations took center stage in the 1912-1913 period, a development that had wide ranging consequences, and spurred hefty debate within the industry as well as without. From the inside, filmmakers and critics wondered whether relying on adaptations, while inarguably profitable, was in the long run a step back for film art. And from the outside, where in 1912 the theater industry saw themselves affected, in this new phase of film output, the publishing industry had taken note. In 1913, the *Börsenblatt für den Deutschen Buchhandel* (*Financial Newspaper for the German Book Trade*) published a poll of their readership concerning *Verfilmungen*. In their editorial note explaining the poll, the staff of the *Börsenblatt* explained they wished to gather opinions to “clarify the relationship between the cinema and the publishing industry.”<sup>141</sup> They preface the poll in a relatively neutral way, without expressing a preemptive opinion on the subject. At least in this aspect, the tone is very different from the Denkschriften from the theatrical industry in 1912.

True to the fact that the publication was an industry paper for book tradesmen, the respondents to the *Börsenblatt* poll were a mix of writers and publishers. Despite the deliberately measured introduction to the poll by the editorial staff, the published opinions from readers often contain quite emotional and extreme language when expressing negative opinions about film and film adaptations. The medium and the industry were still the target of vitriol and harsh

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<sup>133</sup> “Der Autorenfilm und seine Bewertung,” *Der Kinematograph* no. 326 (26 March 1913).

<sup>134</sup> A.M., “Die kommende Hochflut der Films,” *Lichtbild Bühne* no. 29 (19 July 1913), 1-8.

<sup>135</sup> Spectator, “Der ‘literarisch wertvolle’ Film,” *Der Kinematograph* no. 323 (5 March 1913).

<sup>136</sup> Rudolf Genencher, “Der Kampf um das Wort und die ‘Autorenfilms,’” *Der Kinematograph* no. 333 (14 May 1913).

<sup>137</sup> A.M., 8.

<sup>138</sup> Werner Wilm, “Die Lage des Kinos,” *Der Kinematograph* no. 331 (30 April 1913).

<sup>139</sup> “Nochmals die ‘Ammre,’” *Lichtbild Bühne* no. 29 (19 July 1913), 18.

<sup>140</sup> Genencher.

<sup>141</sup> “Kino und Buchhandel. Antwort auf eine Umfrage des deutschen Buchhandels,” *Börsenblatt der Deutschen Buchhandel* no. 127 (5 June 1913), 5985.

judgement, and attitudes about film audiences range from the mildly condescending to the outright dismissive of their taste and class. The attention to film audiences is natural for the poll, since it is in this audience's relationship to books and the publishing industry that has a direct effect on the readers of the *Börsenblatt*. The editorial staff spoke to this in their introduction to the poll, where they express the hope that cinema owners "try and carry over the awakened interest to the books" from which popular adaptations stem.<sup>142</sup> Concerns about the film audience show that it was still generally considered to be made up of the less educated lower classes.

While overall opinions of film audiences among poll respondents is not high (there are many references to Schaulust, that 'disgraceful' modern tendency that the Denkschriften were similarly concerned with), there is less agreement about whether film has the possibility to send filmgoers to the bookstore. Because of condescending attitudes about film audiences, not many thought films were stealing audiences who would otherwise buy books. Some thought the audiences were so different that authors and publishers would experience no change in their business, as filmgoers "never read a good piece of literature anyways,"<sup>143</sup> while others more optimistically thought "the cinema could be a bridge from watching to reading and thinking," attracting previous "strangers to books" to explore literature.<sup>144</sup>

Of apparent more interest to those who responded to the poll in the *Börsenblatt* was expressing their opinions on the merit of film adaptations of literature, as opposed to financial concerns. We can again infer that the publishing industry, while attentive to the way film was reaching for literature to form the basis of plots, did not feel under particular economic threat. However, that is not to say they were supportive of the move towards Verfilmungen – to begin with, the film medium itself was considered incompatible with any artistic possibility, an opinion quite common in the responses. Film is not an art form, specifically because it is reliant on technology. "The cinematograph, like everything essentially mechanical, encompasses more antagonism to art than [the possibility of] furthering it."<sup>145</sup> Another response was similarly explicit that because of its mechanical basis as something "produced in factories," film could only ever be an "artificial substitute" for art.<sup>146</sup> These are familiar opinions to the ones found in the Denkschriften from 1912.

Regarding adaptations, views were mixed. Max Bruns argued that film art needed to start with an idea that is based on cinema and its possibilities, not a previous work of literature.<sup>147</sup> He saw the process of adaptation in general, whereby content and form are divided, as causing "the artistic value" to be "immediately destroyed."<sup>148</sup> For others, there were examples of adaptations that could have positive results, specifically for novels whose main strength was in the plot. Marthe Renate Fischer, writing in to the *Börsenblatt*, saw these as suitable for adaptation into

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<sup>142</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 5985.

<sup>143</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 6025.

<sup>144</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 5987.

<sup>145</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 6025.

<sup>146</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 135 (14 June 1913), 6322.

<sup>147</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 5985.

<sup>148</sup> "Kino und Buchhandel," *Börsenblatt der Deutschen Buchhandel* no. 127, 5985.



films, but for any work “whose allure is in the honed word, in psychology and realism,” adapting them would be “an act of violence.”<sup>149</sup> Using language of violence or depravity to describe adaptations is a recurring theme in the responses, such as “barbaric,”<sup>150</sup> “liaisons with prostituted art,”<sup>151</sup> or the “sale of intellectual children to be autopsied.”<sup>152</sup> These views equate adaptation with destruction, and writers who let their works be adapted with sex workers.

There were a few modest voices of support within the responses to the poll that did not see film as an inartistic medium or adaptations as objects of disgust. One respondent, identifying himself as a writer, says he personally “would have no misgivings” in having his works adapted, comparing film adaptations to a composer allowing their music to be played on a hand organ.<sup>153</sup> While clearly presenting a hierarchy (film is compared to a street musician’s organ, played for pennies, as opposed to an orchestra in a concert hall), he is good natured about the possibility of having his work performed in different circumstances to the original intent. Another poll respondent wrote that “no one has the right” to reproach authors who let their works be adapted, as they alone can decide how they feel about “the artistic side of the issue,” and it’s otherwise a perfectly respectable way to earn money.<sup>154</sup> In arguing that the creator is the only one whose opinion on adaptation is valid, this is a rather author-centric perspective, but also a more liberal, as it makes the decision a personal one rather than implying a total exclusion of film.

Of particular interest to me, and for the thematic red thread of authorship and creativity, is the way many responses to the poll reflect thoughts and emotions regarding writers who ‘switch over’ to work in cinema – that is, the authors whose participation shaped the whole of the Autorenfilm movement. In stark contrast to the excitement greeting these writers from the film industry, the *Börsenblatt* poll shows reactions ranging from surprise and confusion to outright disgust. How are these writers and the work they do described, and what does this say about the malleability of the Dichter-concept and the instability of authorship during the mechanical age? Many respondents explicitly saw the authors who wrote for the cinema as being another sign of the current cultural decline. One Rudolf Huch referred to a quote by Goethe in his response to the poll, in which Goethe complains about economic-minded theater owners and philistine theater audiences. Instead of taking the quote as a means to recognize that every age has its critics who see a disgraceful decline taking place, Huch claims the situation now is just as Goethe described from the 18th century, with cinema replacing theater in the example as the attraction for greedy speculators and uneducated audiences. Further, Huch expresses regret about how far poets seem to have ‘fallen,’ considering that the great Dichter Goethe saw this parallel development with “horror,” while “the poet of today goes along with it.”<sup>155</sup> Critics of cinema

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<sup>149</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 135, 6322.

<sup>150</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 5986.

<sup>151</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 132 (11 June 1913), 6233.

<sup>152</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 132, 6233

<sup>153</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 5987.

<sup>154</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 132, 6234.

<sup>155</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 5986,

commonly use the age of Romanticism and the prominent names from this period to denigrate current authors, implying both their craft and their motives are ‘impure’ in comparison.

Going even further, some respondents to the *Börsenblatt* poll asserted that writers who work in the cinema can never be considered Dichter. The Verband deutscher Bühnenschriftsteller and the Deutscher Bühnenverein had made membership mutually exclusive with film work during their boycotts, and here the most culturally valued form of writer is necessarily one who avoids ‘contamination’ by the new medium. “Writers [*Schriftsteller*] may turn willingly to the cinema, but the poets [Dichter] among them would not.”<sup>156</sup> Another respondent similarly claims only second-rate writers (“for whom the word is only the means to tell the most ‘exciting’ story possible”) would work for film, again calling them *Schriftsteller*.<sup>157</sup> By emphasizing the value judgement inherent in the choice of language, this kind of attitude demonstrates the radicality of the term *Filmdichter* and why screenwriters of the period often fought hard for recognition of the special talents and knowledge required for that occupation. Similar to the above, Huch also labels film writers specifically as *Schriftsteller* in order to separate them from *Dichter* and goes further to say that anyone who works in film is changed forever. From that point on they would be excluded from the realm of poetry, because “the muse is sensitive and never forgets an insult.”<sup>158</sup> Writing for film is an act that forever taints the writer.

The earlier reference to prostitution when discussing literature on film opens the last thread of criticism raised against writers who decide to write for film: economics. This is a familiar aspect of the anti-film debate, as the *Denkschriften* also asserted economic motivations meant a writer was no longer capable of producing art. Respondents to the *Börsenblatt* poll similarly mention the “selling” of written work in a derogatory fashion. Working for film is an indication of shameful greed. Hanns Heinz Ewers, who in film circles is a figure of great praise and talent, in the context of the publishing industry represents unscrupulous, unliterary, unartistic writers within the film industry. “People like [him]” may do it, but true artists wouldn’t.<sup>159</sup> Hans von Hoffenthal submitted his opinion to the journal that working for film is on the same moral level as stealing, and places his hopes on those writers “who refrain from such sources of income.”<sup>160</sup> Prostitution, stealing, selling one’s children – all are extreme moral judgements on working within film. Interestingly, economic *need* is never mentioned as a possible factor, and all but a very few respondents report being able to think of any motivation for working in film that is not economic.

While opinions from the *Börsenblatt* survey are on average not as vitriolic or alarmist as the language exhibited in the *Denkschriften*, members of the publishing industry displayed many similar attitudes about film’s (lack of) artistic or cultural value, and a dismissal of film writers (or writers whose works were adapted for film). Adaptations in this context represent less an economic threat to the publishing industry and more of a threat to the reputation of authors and

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<sup>156</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 6025.

<sup>157</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 135, 6371.

<sup>158</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 5986.

<sup>159</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 6025.

<sup>160</sup> “Kino und Buchhandel,” *Börsenblatt der Deutschen Buchhandel* no. 127, 6025.

works, through their (supposed) “mangling” on film. Within the film industry itself, adaptations presented an interesting conundrum. On the one hand, Verfilmungen offered very real marketing and commercial advantages, and there were those who saw the benefit of prestigious authors’ names being attached to films. On the other, relying on adaptations ran the risk of further cementing the hierarchy of art whereby film had to “borrow” prestige via adaptation. Perspectives on the value and critical merit of adaptations was mixed to say the least.

In stark contrast to the reasons for apprehension in the *Börsenblatt* survey, the most supportive voices of adaptations from within the industry asserted that adapting a work could actually be an improvement on the original. Film could make an old work accessible to the masses: “In the cinema the dead letter gains life and movement,” meaning a work “long thought dead” can again find resonance with the people.<sup>161</sup> The letter on paper, or even spoken on a traditional stage, is an old-fashioned holdover from the past, and film can be the helping hand to bring works that would otherwise fall out of public awareness back to relevance in a new age. In the context of *Neues Sehen* and urban life (as discussed in Chapter One), film was the media form that could speak to new entertainment needs and desires, allowing the audience to “completely share in the experience” of the characters.<sup>162</sup> The extraordinary capacity for tension and emotion on film was similarly attractive to audiences, sensations that Moritz Heimann wrote could be matched by “no poet.”<sup>163</sup> <sup>164</sup> These perspectives embraced film’s newness and relevancy in the modern world and argued the supremacy of literature had passed.

These positive perspectives saw the potential for bringing literature into the new, visual medium and asserted the value of this cross-pollination. However, others saw the reliance on adaptations as harmful to precisely the potential to move beyond language, and as a reflection of an unhelpful obsession with literature and language. Critics of adaptations from within the film industry argued that this practice maintained an interest in the hierarchy of high and low art that denigrated film. Egon Friedell declared that “today we are not so inclined to give the word such absolute hegemony,” and that language seemed somewhat superfluous or old-fashioned. Things that only film could properly represent, such as the human face or changes of expression and body language “have more to say than human language.”<sup>165</sup> The value or de-valuing of language was therefore a central element of the discussion on adaptations.

The actor Paul Wegener stressed that “filmmakers must forget theater and novels,” and focus instead on the combination of images and the development of effects and tricks of the camera and editing in order to push the film industry forward and develop a form of *Filmdichtung*.<sup>166</sup> This term is significant, as it combines the ever-important *Dichter* with film,

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<sup>161</sup> Anonymous, “Buchhandel und Kinematograph,” *Der Kinematograph* no. 328 (9 April 1913).

<sup>162</sup> Anonymous, “Der ‘Atlantis’ Film,” *Lichtbild Bühne* no. 34 (23 August 1913), 43 - 46.

<sup>163</sup> However, he does ultimately claim the overwhelming sensation film can awaken is fleeting and temporary, in contrast to the effect of theater.

<sup>164</sup> Moritz Heimann, “Der Kinematographen-Unfug,” *Die Neue Rundschau* no. 24 (1913), 124.

<sup>165</sup> Friedell, 45.

<sup>166</sup> Paul Wegener, “On the Artistic Possibilities of the Motion Picture,” trans. Alex H. Bush, in *The Promise of Cinema*, 207.

creating a new compound noun that asserted film's artistic value (not just potential). Wegener famously asserted that "the true poet (Dichter) of the film must be the camera,"<sup>167</sup> a radical statement when many strands of film art were still linked to traditional, literary modes of authorship and creativity. Hanns Heinz Ewers, who worked with Wegener on *Der Student von Prag*, also spoke to this theme of exploring visual language and the language of the body that can go beyond the abilities of words. Speaking to the theme of poetry (Dichtung) in film, he admits that "it seemed like the Dichter was unthinkable without this 'word,'" but that pushing the boundaries of the definition of Dichtung was one of the motivating factors behind his work with film.<sup>168</sup> In 1913, Wegener and Ewers both submitted to film journals before and during the immediate release of their film *Der Student von Prag* to express their thoughts on film art. Doing so was a deliberate act to enter *Der Student von Prag* as a part of the discourse on art in film and Filmdichtung.

### **Possibilities of Filmdichtung**

The search for Filmdichtung, and even the use of the term, was a radical statement asserting the validity of film and associating it with the tradition of Dichtung in Germany. The terms Dichtung and Dichter are generally translated as poetry and poet, respectively, translations I have used previously in this dissertation. But it is important to take a moment to consider the cultural connotations of these terms to understand why speaking of Dichtung or the Dichter in connection with the film medium incited intense and often emotional discussions. The classic understanding of the Dichter was an individual, always male, who was "God's mouthpiece, a visionary and proclaimer."<sup>169</sup> He sees and imagines what others cannot and is uniquely capable to communicate his vision. In addition to the particular understanding of the Dichter's unique genius, the effect of his Dichtung is key to its definition. A poetic work of genius creates "amazement and delight" in the reader or audience,<sup>170</sup> and in the 18th century the pedagogical aspect of Dichtung and the Dichter's work took center stage. Aside from enjoyment or sensation, Dichtung was meant to impart proper morals, good taste, and emotional intelligence. The responsibility of the Dichter was therefore larger than the individual – it impacted all of society.

By the early 20th century, the uses of the terms Dichtung and Dichter firmly implied a judgement of quality and value on the product and producer, as opposed to a description of a piece of poetry or poet in the literal sense. Being a Dichter or creating a work of Dichtung do not necessarily imply literal poetry (although they can), they instead are connotations of something beautiful and valuable that are considered to have a positive cultural, aesthetic, and social impact. The two terms also imply each other: Dichtung requires a Dichter, not just in the

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<sup>167</sup> Wegener, "On the Artistic Possibilities of the Motion Picture," 207.

<sup>168</sup> Ewers, "Der Film und ich," 103-104.

<sup>169</sup> Gunter E. Grimm, *Metamorphosen des Dichters*, ed. Gunter E. Grimm, Frankfurt am Main: Fischer Taschenbuch Verlag, 1992, 7.

<sup>170</sup> Johann Wolfgang Goethe, "Baukunst," *Sämtliche Werke nach Epochen seines Schaffens, Band 4.2* (Munich: Carl Hanser Verlag, 1986), 54.

practical sense (someone is required to produce the work) but because the Dichter's individuality is also what makes the Dichtung. A work of Dichtung can only be created by a Dichter.

Exposure and immersion in the work are synonymous with exposure and immersion "in the volition and skill, in the disposition and fantasy, in short, in the *personality* of the Dichter," which in turn results in an internal benefit to the reader.<sup>171</sup> The Dichter's "personal relationship to the world" is crucial and is what makes art out of what they create.<sup>172</sup> The element of personality is key, with the author's individuality being an indivisible element of his work and, in fact, the reason that this work takes on artistic quality. Therefore, the terms Dichtung and Dichter not only imply a certain caliber of art based on a specific hierarchy, they refer to an individual effort and personality in order to achieve the successful status. This adds to the complication presented by film's collaborative model, and helps explain why there is often a strong thread in film criticism of trying to identify where the personal mark of an individual is reflected in the film, and whose it is.

While Dichtung is a broader term than simply poetry, it was a major point of discussion whether or not Dichtung beyond spoken or written language was possible. This formed part of the debate on Filmdichtung, since films operated without the extensive use of language. Intertitles do not enter this discussion – although nearly all films at the time still relied on explanatory intertitles, this fact does not seem to contradict the general consideration of film's "wordlessness." This was in direct conflict with the attitude that language and the word was the only possible means of achieving Dichtung. This attitude asserted that Dichtung is the specific realm of art that uses language, with the word being the poet's "tool"<sup>173</sup> or "medium, like color for a painter."<sup>174</sup> This does not necessarily exclude film from the realm of art, but it does assert the distinctiveness of Dichtung and the Dichter, and tie both to the written word.

As shown above, the concept of the Dichter's personality and perspective are central to the understanding of Dichtung. The "flow of spirit" coming from the Dichter is what separates art from what would otherwise simply be a "series of exciting plot points," and this can "always only be achieved through the word."<sup>175</sup> The emphasis on plot versus form often appears in this discussion – film is able to represent plot with extraordinary skill, since film images don't rely necessarily on an imaginative leap by the audience. The reason art through language is held by Paul Ernst, for example, to be the highest artistic form is because the word "unites the sensory and the spiritual, the descriptive and the abstract."<sup>176</sup> The emphasis on the word hearkens back to arguments discussed in Chapter One from the theatrical industry claiming that because it lacked language, film could not be art. Ernst further believes that other forms of art can only partially address the human experience. The separation between poetry and "representation" is therefore a common element of claims that film cannot possibly be a source of Dichtung. Even in

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<sup>171</sup> "Kino und Buchhandel," *Börsenblatt für den Deutschen Buchhandel* no. 135, 6371, emphasis mine.

<sup>172</sup> Bab, "Die Kinematographenfrage," 312.

<sup>173</sup> Bab, "Die Kinematographenfrage," 312.

<sup>174</sup> Paul Ernst, "Möglichkeiten einer Kinokunst," in *Kino-Debatte*, 120.

<sup>175</sup> Bab, "Die Kinematographenfrage," 312.

<sup>176</sup> Ernst, 120.

allowing for film art, Lothar Knud Fredrik also relies on this distinction to dismiss the possibility of *Filmdichtung*.<sup>177</sup>

German is a language famously open to the creation of new compound nouns, making *Filmdichtung* and *Filmdichter* neologisms that were logical and easy to understand to a speaker of the language. However, I have not found *-dichter* and *-dichtung* to be common suffixes in compound nouns at the time. The exception seems to be the musical genre of *Tondichtung* (symphonic poem or tone poem), a term appearing in the 19th century, referring to musical attempts to depict “narrative or pictorial ideas,”<sup>178</sup> and the accompanying *Tondichter*. The idea of creating a compound noun with *-dichter* and *-dichtung* was therefore not brand new, but not very widespread. Therefore, although there was a historical precedence for the idea of new categories of *Dichtung*, it is significant that the only major category was within a realm already considered respectably and firmly art, that of orchestral music. To apply this idea to a brand-new medium, and one so widely considered technical and lowbrow, is a considerably radical move.

The terms *Filmdichter* and *Filmdichtung* were themselves lightning rods for discussion, as people like Erich Oesterheld use the term “film poets” sarcastically and dismissively. Oesterheld calls such people “evil” men who draw in respectable authors to conduct their “murderous manual craft (*Handwerk*).”<sup>179</sup> Here, the men who label themselves film poets take the poetic work of others and violently destroy it in the process of adapting for the cinema. In addition to Oesterheld utterly dismissing the concept of *Filmdichtung*, he draws attention to the technical, manual aspect of film production to denigrate it, playing into the classic dichotomy of crafts versus art. Similar to Oesterheld’s sarcasm, Hans Brennert disparagingly refers to the “new species of poets” who write and sell “by the meter and kilometer.”<sup>180</sup> Economic concerns, which were so prominent in the *Denkschriften* from the theater, appear again as an unmitigated sign of anti-artistic leanings and greed at the expense of integrity. The apparently economic-minded behavior of writers in the cinema is enough to exclude them from the label of *Dichter*.

The issue of how to regard film’s technical aspects was a point of tension that frequently, for critics of film, meant the film could not be art. Alfred Döblin granted film the backhanded compliment that “this technology is very capable of evolution, [it has] almost ripened into art.”<sup>181</sup> A technological or craft stage is seen as part of a teleological development as a medium works its way up to the status of true art. However, film advocates instead rejected the dichotomy of poetry and technology as mutually exclusive. Indeed, Ludwig Hamburger wrote that the creation of film-poetry required “individual and technical consideration of requirements and conditions.”<sup>182</sup> Similarly, Arthur Mellini stated that “only he who knows our technology [...]

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<sup>177</sup> Lothar Knud Fredrik, “Das Kino und unsere Dichter und Denker. Die Kritik einer Umfrage,” *Erste Internationale Film-Zeitung* no. 26 (28 June 1913), 22).

<sup>178</sup> Mark Evan Bonds, “Symphony: II. 19th century,” *The New Grove Dictionary of Music and Musicians, Second Edition* (London: Macmillan, 2001), 24.

<sup>179</sup> Oesterheld, 100.

<sup>180</sup> Brennert, 20.

<sup>181</sup> Alfred Döblin, “Das Theater der kleinen Leute,” in *Kino-Debatte*, 37-38.

<sup>182</sup> Hamburger, 59.

can be a good Filmdichter.”<sup>183</sup> The technology and mechanics of film are not seen as blocks to art, but rather necessary aspects of it. This may seem logical, as a painter needs to understand the way different kinds of paint interact and how to use particular brushes. But there was a strong distinction in the early 20th century between artistic elements that were manipulated literally and physically by the artist, and what was “simply” performed by a machine. A camera is pointed in a certain direction, the lighting and set are carefully designed for the space, a script and director indicate what action takes place, but the thing that makes the recording is an apparatus. This is a central tension in identifying the Filmdichter, and therefore for the whole venture of Filmdichtung and film art.

The lack of language for some meant that film could never approach the realm of Dichtung. But from the other end, this lack is reframed as an opportunity to create a new definition of Dichtung that emancipates it from the requirement of language. Adolf Behne argues that language is “nothing else than the most subtle form of reasoning, of persuasion.”<sup>184</sup> Dichtung is an end, and language is simply a means to that end, with the emphasis on the result as opposed to the medium. In this definition, then, film offers heretofore “unforeseen possibilities” for poets in its forms of representation, of multiple perspectives, of hiding and revealing.<sup>185</sup> In fact, the poet working in film is all the better for being “less ‘literary.’”<sup>186</sup> Behne takes the “age of the eye” not as a complaint but instead as an invitation to explore possibilities beyond the constraints or definitions of the past, with film as the central, emblematic medium.

In contrast to the attitude that language is the ultimate medium for expressing poetry, others held that the image was not inferior or even equal, but actually superior. Ludwig Hamburger argued that film can uniquely “realize the poet’s world of thoughts” to the audience.<sup>187</sup> While subverting the traditional hierarchy of the word, Hamburger’s perspective still adheres to the definition of Dichtung that is reliant on the creativity of a singular individual. This kind of attitude is emblematic for the time, reflecting an emancipation by degrees – few are radical enough to say that *both* language and the idea of the individual genius Dichter are outmoded concepts. Similarly, Egon Friedell argues that the world of the cinema offers a more expansive realm of possibilities than all other media, as the “movie-poet (*Kinodichter*) actually has the whole world as a stage.”<sup>188</sup> Friedell and Hamburger both subscribe to the importance of an individual creative voice as they argue for the strengths and capabilities of film to create art. Collaboration within film is either erased (the film-poet’s impact supersedes all other possible contributions) or framed in a hierarchy that leaves no doubt that there is still an individual whose vision is paramount (the film-poet dictates the form of the final film).

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<sup>183</sup> Arthur Mellini, “Kunst und Literatur im Kino,” in *Hätte ich das Kino! Die Schriftsteller und der Stummfilm*, ed. Bernhard Zeller (Munich: Kommission Kösel Verlag GmbH., 1976), 22.

<sup>184</sup> Adolf Behne, “Die Stellung der Publikums zur modernen deutschen Literatur,” in *Kino-Debatte*, 162.

<sup>185</sup> Behne, 162.

<sup>186</sup> Behne, 162.

<sup>187</sup> Hamburger, “Die Dichtung im Film,” 54.

<sup>188</sup> Friedell, 44.

The search for *Dichtung* and a *Dichter* in the realm of film shows the tension within these terms in the early 20th century. A historical precedence of prestige and rigid tradition regarding the definitions of *Dichtung* and *Dichter* clash with the push to reject the hierarchy that places word-art at the pinnacle of creativity. Beyond even the still-controversial assertion that film could be art, *Filmdichtung* embraces associations with taste and pedagogical impact, within a period when film was still regularly derided for impairing audiences' educational and aesthetic development. Claiming *Dichtung* and *Dichter* could be applied to film was an emancipatory claim, shaking up the hierarchy of language over image and giving film the freedom to be considered art. But however emancipatory the argument for *Filmdichtung* was, it could not throw off the necessity for a *Filmdichter* – the elusive figure whose singular voice and personality was being communicated to the audience. The film industry accepted the established definition of art requiring a single artist, and so in the fight to claim art status for film, a *Dichter* had to be found. And the search for this person, the desire to locate the author of the film in this sense, was itself a complicated process throughout the teens and twenties.

### **“Sehr literarisch”**

As I have discussed, the Autorenfilm movement was grounded in strengthening working ties between film and the more culturally prestigious media of literature and theater. Via these associations, Autorenfilms were supposed improve film's reputation and reach more middle-class audiences. For this reason, I will now examine *Der Student von Prag*'s relationship to literature and the impact this relationship had on the public reception of the film. This film is not only one of the first and most successful of the Autorenfilm period, it presents an ideal opportunity to examine the themes of the so-called 'literary' film because of its subject matter, influences, production history, and connections to the worlds of literature and theater.

*Der Student von Prag* is perhaps the most prominent and well-remembered today from the crop of important Autorenfilms released in 1913, the year that marked the beginning of a new period for German film. It was not a direct adaptation but is (and was) considered an Autorenfilm by virtue of its associations with the theater, and its original screenplay written by a recognized author. Paul Wegener, who played the dual roles of the titular student Baldini and his *Doppelgänger*, was a major, celebrated name in the theater. The screenwriter Hanns Heinz Ewers also had theatrical associations through his work in the cabaret, for which he was relatively well-known in Berlin. He had also gained wider attention for his travel writings in *feuilletons* and for his novels, through which he became particularly associated with the genres of horror and fantasy. Ewers was a complicated figure in terms of his literary associations, seen by some as an example of the harmonious melding of literature and film, and by others as the typical “sensationalist” writer pretending to aspirations of art.

I have already shown how the models of *Filmdichtung* and film art in general featured a tension between reliance on the existing hierarchy of art and the desire to emancipate film from literary or theatrical associations. Ewers and Wegener, as mentioned above, were both vocal adherents to the latter attitude, advocating for film's independent value and possibilities. In his



writings on film, Ewers “attacked scriptwriters who imbued film texts with alien forms - i.e. literary contrivances taken from novels and dramas.”<sup>189</sup> As seen in his views on adaptations and film’s independence from the word, it was part of Ewers’ public persona as a film writer to be an advocate for film-specific possibilities and art beyond literature. Wegener and Ewers’ opinions on film in this strain were published in film journals and add to the reception and discussion of *Der Student von Prag*. Like the marketing circuit we know today, Wegener and Ewers primed audiences and critics to view the film in a certain way, although this was not always a straightforward interaction.

While Ewers was vocal in rejecting elements ‘foreign’ to film (that is, based in literature), reviews made note of *Der Student von Prag*’s perceived literary influences. Differing from Ewers’ own public opinion, these influences were not seen as detractions but rather valuable features of the film, and signs of its quality. A review cited in the *Erste Internationale Film-Zeitung* says twice in a row that the film is “very literary,” and that “its illustrious godfathers are Goethe, Chamisso, [E.T.A.] Hoffmann...their blood flows tastefully and eerily through the veins of this fantastical drama.”<sup>190</sup> The use of genealogical language is significant, as it follows the tradition of work and writer having a near-familial relationship that reflects the impact of personality and character, also an important element to understandings of intellectual property.

Similarly noting the strands of literature in *Der Student von Prag*, Ludwig Hamburger lists off multiple authors “who stand living before us” through their influence in the film, including E.T.A. Hoffmann, Eugen Sue, Victor Hugo, and Alexandre Dumas.<sup>191</sup> Emphasizing the film’s vivid representation of the Doppelgänger story, “we feel as though we have been sent back a hundred years in literary history.”<sup>192</sup> However, in a slight shift, Hamburger lightly criticizes the literary elements in *Der Student von Prag* as somewhat obvious and familiar, making the film less unique, although he emphasizes “this drama is extremely important for cinematography at large.”<sup>193</sup> A critic for the *Lichtbild-Bühne* also admitted that “the idea of the piece is not a new one,” but he praises Ewers and says he has “kept his word” regarding the production of a piece of art in the cinema.<sup>194</sup> It is significant that the apparent lack of originality in the idea behind *Der Student von Prag* does not present a barrier to discussions of its value. Despite originality generally appearing as a necessary feature of *Dichtung*, both these critics praise Ewers’ skill and positively discuss the film’s relationship to *Dichtung*.

The critic listed as J.W., writing for the *Lichtbild-Bühne*, speaks extensively of the piece’s effect on the audience. I have already shown that the theme of *Dichtung* having a particular effect is a central theme in these discussions. This exists in tension with criticism of

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<sup>189</sup> Heide Schlüpmann, “The first German art film: Rye’s *The Student of Prague*,” in *German Film and Literature: Adaptations and Transformations*, ed. Eric Rentschler (New York: Metheun, 1986), 9.

<sup>190</sup> “Unsere Prophezeiung über: ‘Der Student von Prag,’” *Erste Internationale Film-Zeitung* no. 35 (30 August 1913), 1.

<sup>191</sup> Ludwig Hamburger, “Der Student von Prag,” *Erste Internationale Film-Zeitung* no. 35 (30 August 1913), 60.

<sup>192</sup> Hamburger, “Der Student von Prag,” 60.

<sup>193</sup> Hamburger, 60.

<sup>194</sup> J.W., “Der Student von Prag,” *Lichtbild-Bühne* no. 35 (30 August 1913), 23 - 24.

popular literature that supposedly arouses only base feeling or emotion in the audience. In their review, J.W. describes the “breathtaking” and overwhelming feelings of horror and tension that made them lose the ability to “analyze and dissect.”<sup>195</sup> The powerful effect of the film endangered J.W.’s ability to perform their job as film reviewer. This review, therefore, has strange echoes of anti-film discourse in its representation of *Student von Prag*’s effect on the audience, although it is certainly not presented as a negative characteristic. However implicit, this review shows the contradictions of literary associations for *Der Student von Prag*: on the one hand, references and elements borrowed from Chamisso, Hoffmann, and others seem to lend the film prestige and positive associations. On the other hand, the effect of the film, tied to extreme feelings of tension, horror, and suspense, are more in line with the popular characterization of *Schundliteratur*, of pulp novels and popular literature.

Also in contrast to most other reviews, J.W. actually downplays the literary elements in *Der Student von Prag* (which they argue are restricted to “the idea” behind the plot).<sup>196</sup> “Much more important” than its literary associations or influences is the fact that “depiction and direction [are] in the foreground,” as is appropriate for a film.<sup>197</sup> That the makers of *Der Student von Prag* were cognizant and familiar with “the means [and] possibilities” available to film is what makes it a valuable contribution to film as an art form.<sup>198</sup> It is also in this recognition that Ewers shows his “greatness” as a poet and makes the film “his very own.”<sup>199</sup> For J.W., what makes the film special is not the mishmash of influences or references to literature, or even that Ewers had a literary career and Wegener a theatrical one, but that Ewers (to whom J.W. attributes the success) saw “as no one before him” what film could uniquely offer to telling such a story.<sup>200</sup> This is certainly the kind of review that would have gratified both Ewers and Wegener, based on their own writings about *Der Student von Prag*, and film in general.

Within the reception of *Der Student von Prag*, therefore, there is a tension in the understanding of the film’s relationship to literature and the impact this has on the film (particularly in whether or not it impacts the film’s status as a work of art). In general, literary elements were central to most reviewers’ framings of the film’s artistic value, perhaps speaking to readers’ interest or familiarity with the works or authors who appear to have influenced the plot of *Der Student von Prag*. This is ironic considering both Ewers’ and Wegener’s desire that film find value independently, without reference to other art. It is clear that in 1913, the issue of film’s artistic merit or potential was caught in a bind: referring to other, “acceptable” media and emphasizing their association with film was easier but would downplay film’s independent value. Trying to establish new language and associations for discussing art in film was more radical and film-positive but required overcoming the well-entrenched models of authorship and creativity.

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<sup>195</sup> J.W., 24.

<sup>196</sup> J.W., 24.

<sup>197</sup> J.W., 24.

<sup>198</sup> J.W., 24.

<sup>199</sup> J.W., 24.

<sup>200</sup> J.W., 24.

The question of locating and attributing the success of *Der Student von Prag* is similarly filled with tension. In this case, the tension is due to the ongoing reliance on a model of individualistic attribution, whereby a single figure is perceived as the guiding voice and central creative force whose personality is imbued into the work. The association between a work and the creator's personality or character makes the question of attribution all the more complex and personal. If a person is chosen as "responsible" for a well-received piece of art, it speaks highly of them not just in terms of their abilities, but in terms of who they are as a person. Not only that, locating the responsible party of *Der Student von Prag* had the ability to influence the discussion of film authorship during this early period, when the understanding of the division of responsibilities within film's collaborative framework was undergoing major changes.

Regarding *Der Student von Prag*, there were two major candidates for creative ownership, and perhaps not the ones we would today consider. Paul Wegener and Hanns Heinz Ewers, both in their own words and in the reception of the film, were considered the central figures for understanding the film's success and artistic achievements. Both men presented their roles in production as collaborative, but also, in subtle but significant ways, claimed leadership and ownership of *Der Student von Prag*. Wegener and Ewers never engaged in a public dispute on the subject, and never explicitly contradicted or argued with each other's characterization of their role in the production. But despite this fact, the reception of the film and Wegener and Ewers' writings show that there was the desire to find a single author of the film, and this search often relied on language of the *Dichter and Dichtung* to define who was responsible for *Der Student von Prag*.

The lead actor Paul Wegener utilizes the association between origin and author in order to present himself as the creator of *Der Student von Prag* by virtue of it having been originally his idea. He describes the film being brought about by an inspiration he had after seeing some trick photographs and thinking of E.T.A. Hoffmann's *Doppelgänger*. "I said to myself, this has to also be possible in film."<sup>201</sup> Because he conceived the idea (another genealogical and biological term for creation that appears in language regarding artistic creativity), Wegener feels able to claim the film as "my *Student of Prague*."<sup>202</sup> He places himself at the origin and frames everything that followed in the film's production as having been done on his behalf. He took the idea to Bioscop, where he reports being referred to Ewers, "the company's dramaturg,"<sup>203</sup> who "put it into film form for me."<sup>204</sup> He does not erase collaboration in the process, saying after Bioscop gave the green light, with Ewers and "together with [Guido] Seeber and the deceased director [Stellan] Rye we made *The Student of Prague*."<sup>205</sup> However, this collaboration is not an egalitarian exercise, otherwise the film would be "ours" not "mine."

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<sup>201</sup> Paul Wegener, "Die künstlerischen Möglichkeiten des Films," in *Paul Wegener: Sein Leben und seine Rollen*, ed. Kai Möller (Hamburg: Rowohlt Verlag, 1954), 110.

<sup>202</sup> Wegener, "Die künstlerischen Möglichkeiten des Films," 110.

<sup>203</sup> Wegener, "Mein Werdegang," in *Paul Wegener: Sein Leben und seine Rollen*, 34.

<sup>204</sup> Wegener, "Die künstlerischen Möglichkeiten des Films," 110.

<sup>205</sup> Wegener, "Mein Werdegang," 34.

Ewers also wrote several texts about the production process of the film, both at the time and retrospectively (including a whole book, *Der Student von Prag: Eine Idee*). He “wrote the piece,” which implies a certain ownership of the film (if not the idea), although he also later states that he “wrote it for Paul Wegener,”<sup>206</sup> which, read with what Wegener himself said, places Ewers in a more contract-like position.<sup>207</sup> Ewers, like Wegener, also acknowledges collaboration, although Ewers speaks in more detail of the Seeber-Wegener-Ewers trio and how they worked together during production.<sup>208</sup> He emphasizes a positive working relationship whereby “differences of opinion” were sources of “fruitful” learning during the development of the film.<sup>209</sup> Ewers seems to reject a hierarchy of work within production, recognizing Wegener’s importance but not giving individual credit. However, this is made more complicated by Ewers seemingly contradicting this attitude when he asserts that he “took over and led the entire production” of *Der Student von Prag*.<sup>210</sup> Contrasting Wegener’s description of Bioscop giving him Ewers to execute his vision as dramaturg, Ewers asserts that the production company believed in *his* vision and “provided [him] with everything [he] could wish.”<sup>211</sup> He therefore describes a collaborative atmosphere that nonetheless had a single leader, him, who directed and led operations and therefore imprinted his vision and beliefs onto the film.

Both Paul Wegener and Hanns Heinz Ewers place importance of vision (of what the film specifically could be, and what film as a medium could be) for locating ownership or authority over the film *Der Student von Prag*. Their visions as they represent them are certainly compatible and rather similar, but Wegener and Ewers present their visions as their own, and not a shared single vision. Ewers spoke of his goal for the film to be a “touchstone” that would “prove that film, just as well as the stage, could produce great and good art.”<sup>212</sup> This is similar to Wegener’s statement that he was drawn to film as a “new art form” with possibilities he wanted to highlight.<sup>213</sup> Both men framed the production of *Der Student von Prag* as successfully executing their vision, taking individual responsibility for the general renown that followed. The aspect of ownership that has to do with original vision is therefore a point of contention when their statements are viewed together, although they never had a public disagreement about attribution of responsibility for the film.

And what of Wegener and Ewers’ other collaborators? It may seem odd that the director’s role in the production of *Der Student von Prag* appears ambivalent, considering the important place the director has since taken in the understanding of film authorship. Stellan Rye is certainly not ignored, but his significance in the production is downplayed, with reviews and

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<sup>206</sup> Hanns Heinz Ewers, “Der Film und ich,” 104.

<sup>207</sup> Alternately, it could also be interpreted to mean that Ewers had Wegener in mind and wrote the screenplay with the view to have Wegener appear in it.

<sup>208</sup> Hanns Heinz Ewers, *Der Student von Prag: Eine Idee* (Berlin: Dom-Verlag, 1930), 14.

<sup>209</sup> Ewers, *Der Student von Prag: Eine Idee*, 14.

<sup>210</sup> Ewers, *Der Student von Prag: Eine Idee*, 14.

<sup>211</sup> Ewers, “Der Film und ich,” 104.

<sup>212</sup> Ewers, “Der Film und ich,” 104.

<sup>213</sup> Wegener, “Mein Werdegang,” 34.

advertising material frequently instead emphasizing that the film was “staged” by Ewers,<sup>214</sup> and some even stating “Ewers directed the film himself.”<sup>215</sup> Retrospective scholarship is also varied, sometimes giving Ewers co-director credit,<sup>216</sup> and other times Wegener is listed as Rye’s co-director.<sup>217</sup> This mixed attribution, both at the time and since, has a few likely causes, foremost being that Rye himself died in World War I just the year after *Der Student von Prag* was released. This prevented him from joining the long-term conversation regarding the film, especially as it grew in esteem over the years. There is nothing surviving from him where he could express his experience of the production, or his view of his role as director in collaboration with others or individually. The other reason is that in general, the director was not yet considered a central figure within film production, particularly when there was a well-known author working on the film. Even into the twenties, the director’s role and how it related to the overall production and reception were far from stable, as I will discuss in Chapter Three.

Despite Wegener’s framing of himself as the originating creative force behind *Der Student von Prag*, critical reception of the film almost universally cited Ewers as the film’s author, in the sense of primary authority and responsibility. There seems to be a strong association between his role as the writer and his claim to authority over the production, but this does not account fully for how reception treated Ewers. For example, in the *Erste Internationale Film-Zeitung*, Ewers was assigned full responsibility for the film and accorded individual commendation for the achievement, as the film had fulfilled *his* specific goal to prove the value of the medium. The artistic success of *Der Student von Prag* is therefore framed as Ewers’ personal accomplishment.<sup>218</sup> Further strengthening this individual interpretation of the film’s authorship, multiple other reviews repeated the phrase that Ewers wrote the film and “staged it himself.”<sup>219</sup> <sup>220</sup> This common phrasing erases the others who played a role in the process from idea to film, and flattens the production into something that can be done by a single person. The representation of production in this manner encourages the identification of a single author of the film, even when the person in question admitted collaboration (albeit in a contradictory fashion).

As I have said, part of the reason for Ewers being treated as the central director of production on *Der Student von Prag* does indeed have to do with the fact that he wrote the screenplay and was already a known writer. Both of these facts that at this point in time strongly indicated the reception of the film would name him as its author. This sense of authorship as writing as well as responsibility is important, but reception of *Der Student von Prag* goes further

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<sup>214</sup> *Erste Internationale Film Zeitung* no. 33 (16 August 1913).

<sup>215</sup> “Der Student von Prag,” *Bild und Film: Zeitschrift für Lichtbilderei und Kinematographie* no. 3 (December 1913/January 1914), 88.

<sup>216</sup> *Der Student von Prag: Programm zur Premiere der restaurierten und rekonstruierten Fassung des Films* (Düsseldorf: Filminstitut Düsseldorf, 1988).

<sup>217</sup> “Der Student von Prag,” *Evangelischer Filmbeobachter* (München: Evangelischer Presseverband für Bayern, 1967), 143.

<sup>218</sup> “Der Student von Prag,” *Erste Internationale Film-Zeitung* no. 31 (2 August 1913), 1.

<sup>219</sup> qtd. in “Unsere Prophezeiung über: ‘Der Student von Prag,’” *Erste Internationale Film-Zeitung* no. 35 (30 August 1913), 2.

<sup>220</sup> Hamburger, “Der Student von Prag,” 60.

to name Ewers as its Dichter. I have already shown that bringing Dichtung and film together was a radical act, and in the example of Ewers it shows the stark dividing line between the world of film writing and other spheres of culture. In the *Börsenblatt* poll discussed earlier, opinions from the publishing industry denigrated Ewers as the author of popular trash, an author (Autor) or writer (Schriftsteller). He was certainly not a Dichter, with his involvement in film simply further proving his mercurial, sensationalist streak. In contrast, many reviews (even those not in dedicated film journals) did frequently refer to Ewers as a Dichter,<sup>221 222</sup> as well as the slightly less common “Filmpoet.”<sup>223</sup> Aside from designation through the noun Dichter, Ewers’ actions within the film’s production were also described as *dichten*, the verb form that can be translated as “to create poetry.”<sup>224</sup>

Description of Ewers as the film’s Dichter went hand in hand with the ideological markings of the Romantic conception of authorship. By virtue of being named as the film’s author, he was its owner and leader – *Der Student von Prag* was “his creation” or “his poetic production.”<sup>225 226</sup> Similar to Ewers’ own self-representation, reviews of the film commonly rely on the genius-rhetoric of the author’s internal drive and vision. The period of *Sturm und Drang*, immediately preceding the Romantic period and featuring many of the same figures, famously made the case that the internal vision of the poet was entirely self-motivated and self-created, as opposed to inspiration being granted by a deity.<sup>227</sup> Although in the Romantic age not always presented so starkly, reviews of *Der Student von Prag* echo this theme, such as Konrad Wolter’s, in which he says Ewers “had no model or exemplar other than himself.”<sup>228</sup> In an interesting way, this serves to both further associate Ewers with the Romantic model of authorship and simultaneously argue for the specificity of Filmdichtung, as Ewers was inspired by no other medium or source than himself.

Further, reviewers echo the close association between Dichter and work in the Romantic tradition when they call the film “a real ‘Ewers’,” another repeated phrase.<sup>229 230</sup> Ewer’s name serves as a marketing strategy as well as a sign of quality, at least from the perspective of the film industry. Ewers’ personality and reputation, and the film itself, are melted into a single signifier that “suffices as a review” of *Der Student von Prag*.<sup>231</sup> Wegener’s name was also used heavily in marketing, although usually in tandem with Ewers’ name, such as an advertisement in

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<sup>221</sup> “Der Student von Prag,” *Schlesische Zeitung* (23 August 1913).

<sup>222</sup> J.W., “Der Student von Prag,” 24.

<sup>223</sup> Konrad Wolter, “Der Doppelgänger,” *Erste Internationale Film-Zeitung* no. 36 (6 September 1913), 62.

<sup>224</sup> qtd. in “Unsere Prophezeiung über: ‘Der Student von Prag,’” *Erste Internationale Film-Zeitung* 7 no. 35 (30 August 1913), 2.

<sup>225</sup> J.W., “Der Student von Prag,” *Lichtbild Bühne* no. 35 (30 August 1913), 29.

<sup>226</sup> Wolter, “Der Doppelgänger,” 62.

<sup>227</sup> See Goethe’s pair of poems “Prometheus” and “Ganymede” as famous examples.

<sup>228</sup> Wolter, “Der Doppelgänger,” 62.

<sup>229</sup> qtd. in “Weitere Urteile über ‘Der Student von Prag,’” *Erste Internationale Film-Zeitung* no. 36 (6 September 1913), 1.

<sup>230</sup> qtd. in “Weitere Urteile über ‘Der Student von Prag,’” 3.

<sup>231</sup> qtd. in “Weitere Urteile über ‘Der Student von Prag,’” 1.

the *Erste Internationale Film-Zeitung* calling it “the first film of the Paul Wegener series” and “the first film of the Hanns Heinz Ewers series.”<sup>232</sup> Wegener’s name apparently did not fully suffice as a marketing or personality label, although he was just as well-known as Ewers, if not more so with the general population. The fact that Ewers appears more prominently both in reviews and in advertising for the film supports the idea that Ewers-as-Dichter was the more significant force in the discourse surrounding *Der Student von Prag*. The phenomenon of the film industry and film reception using names as labels is a significant theme within the teens and twenties, as I will explore more in Chapter Three with the example of *Phantom*.

It seems that Ewers was a particularly powerful figure within the reception and discourse of *Der Student von Prag* because of his ability to straddle the worlds of literature and film. He was considered literary enough to bring prestige to film, but he also was a writer who understood and was interested in cinema. The fact that Ewers was “a well-known name” because of his literary career is emphasized in reviews, underscoring this as a metric for quality and respectability.<sup>233</sup> A reviewer for the *Schlesische Zeitung* focused on Ewers’ ability to move between the worlds of literature and film while “remain[ing] true to his style,” referring to his well-known affinity to horror.<sup>234</sup> Speaking of Ewers’ own style also emphasizes Ewers’ reputation for individuality and specific ‘Ewers-ness,’ which strengthens the association between his public personality and the film. Finally, Ewers’ status as “the most zealous champion of cinema art (*Lichtbildkunst*)” understandably endeared him to film journals,<sup>235</sup> who were eager to see affirmed Ewers’ goal of using “possibilities only open to the cinema.”<sup>236</sup> The mix of characteristics that Ewers represented can help to explain why he emerges as the central figure in the reception of *Der Student von Prag*.

It is clear from the discourse of the teens that there was an overarching principle regarding the definition of art that had a massive impact on film reception: the traditional idea that art requires a single artist, and that the highest form of this artist is the Dichter. Working backwards, then, to argue that film was an art form, the industry and press sought to identify this Dichter of the film. The connotations of quality, pedagogy, and personality within this conception of authorship necessitate a paradoxical approach to film’s collaborative production model. In the case of *Der Student von Prag*, the screenwriter and actor actively entered the discourse to self-identify as the author of the film. Ultimately Hanns Heinz Ewers was chosen by the reception of *Der Student von Prag*, in the sense that industry marketing and reviews represented the film in close association with Ewers-as-Dichter. The figure of the director, Stellan Rye, remains a blank space – partially because the reception of *Der Student von Prag* frequently represented Ewers’ role as a fusion between screenwriter and director. The screenwriter role as analog to the literary author (especially when the screenwriter had a literary career), and a lack of recognition for the particular role and responsibilities of the director make

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<sup>232</sup> “Advertisement for ‘Der Student von Prag,’” *Erste Internationale Film-Zeitung* no. 26 (28 June 1913), 1.

<sup>233</sup> Anonymous, “Der Student von Prag,” *Berliner Volks-Zeitung* no. 395, Erstes Beiblatt (24 August 1913), 2.

<sup>234</sup> qtd. in “Weitere Urteile über ‘Der Student von Prag,’” 2.

<sup>235</sup> qtd. in “Weitere Urteile über ‘Der Student von Prag,’” 2.

<sup>236</sup> qtd. in “Unsere Prophezeiung über: ‘Der Student von Prag,’” 3.

the screenwriter the more important figure during this period. However, in the following chapter, I examine a film from just under ten years later, during which period the tone has shifted and it is the director, not the screenwriter, who is primarily identified with film authorship.



## Chapter Three: A Trinity of Authors – Hauptmann, von Harbou, and Murnau

In the teens, the German film industry showed a remarkable ability to assimilate elements of the culture that had previously been thought entirely divorced from, or even hostile to, the medium of film. The success of several prominent Autorenfilme showed the potential, both critically and commercially, for incorporating literary elements and influences on film. The need for prestige and respectability drove the ever more frequent desire to adapt prominent works of literature and theater, but as members of the film industry grew in technical prowess and creative potential, literary authors were used more as marketing tools than as collaborators or contributors, a feature of the industry that was to become even more entrenched after 1930. In addition, as films became longer and the technical possibilities more complex, the role of the screenwriter became more prominent, as did the tension between the screenwriter and the other figure increasing in importance, the director. In the early twenties, neither figure was decisively considered secondary to the other. But in the example of *Phantom*, the additional complication of gender (as it was adapted by the screenwriter Thea von Harbou) means that even at this early point, authorship of the film is attributed to the director F.W. Murnau, using language familiar from the Romantic model of authorship. This situation looks forward to the later state of the industry, whereby in the public discourse, directors are undisputedly heads of production and “their” films are inextricably tied to their personalities, characteristics, and wishes.

### Using Authors: Prestige and Branding

Ten years after the theatrical boycotts against film, there was no question that it had been a disastrous mistake to try and resist the ever-growing economic power of the film industry, and the flow of workers from the “old” industries to the new had (mostly) lost its stigma. However, despite the robustness of the film industry, there was still one thing theater and literature had that film needed: prestige. A primary goal of the Autorenfilm movement had been to establish film’s credentials as an artistic medium and change public perception. Well into the twenties, however, the question of film as art was still up for discussion. Articles from film journals show that not only was the debate just as ongoing and relevant as ever, with some calling it “the endlessly-discussed question,”<sup>237</sup> but also that many expected the discussion to continue for many years into the future.<sup>238</sup> The mission to make film a respectable entertainment form, and thereby expand its popularity across the whole class spectrum, needed a boost. And despite the common hostility from literary circles towards film, the film industry deliberately sought to draw the much-needed prestige from literature, and the literary model of creative authorship.

As I have shown with regards to the Autorenfilm movement through the example of *Der Student von Prag*, literary elements or content were markers of quality and prestige beginning in the teens. This continued into the twenties, with the vague descriptor of “literary influences” encompassing many different types of intermedial relationships. On the explicit end were adapted screenplays, based either on historical literary works or those with still-living authors. During this transitional period for the occupation of screenwriting, there were adaptations of novels written by authors who also worked as screenwriters--sometimes even adapting their own novels. Although the teens and twenties were a period of great change for the possibilities of the media form (most obviously reel length and advances in visual effects), much of the “fight for

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<sup>237</sup> qtd. in Murnau: *Ein Melancholiker des Films*, ed. Hans Helmut Prinzler (Berlin: Bertz Verlag GbR, 2003), 137)

<sup>238</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 191.

legitimacy” seems to have played out in relation to content, not form. In the push-pull between original screenplays and adapted literary works, the latter tended to be preferred as the model for “prestige” films (a situation not unlike the current Hollywood model).

Film on its own was still tied to perceptions of broad, base entertainment, although the intense attacks on its supposed salaciousness or youth endangerment had lessened slightly. Film for film’s sake was not sufficient to overcome these perceptions and attract the upper-middle and upper class audiences. But these classes’ investment in traditional literary culture meant that adaptations were an expedient method of drawing them to the cinemas. “The work behind the work” was a common shorthand for showing a film’s cultural merit and value. If there was another work from an acceptable medium that informed the film, then it had verifiable quality that the middle and upper classes could recognize. For example, a review of *Der Bucklige und die Tänzerin* described “a film plot of the most exciting convention. Behind it a novella from the best of literature.”<sup>239</sup> The literary basis of a film lifts it above the rest. Even when the film was not a direct adaptation, the nebulous term “influences” could stand in as a sign of quality or even a perceived guarantee of success. An example of this is *Der Januskopf* (1920), which like *Der Student von Prag* featured a mashup of various literary elements, most prominently Robert Louis Stevenson’s *The Strange Case of Dr. Jekyll and Mr. Hyde* (1886). One review of the film highlighted the impeccable pedigree of the literary influences in the source materials (its “godparents”) as one of the reasons for its success and significance.<sup>240</sup>

The world of film theory struggled with the industrial tendency to borrow techniques, content, and workers from literature and theater. The cultural cache coming from the exploitation of elements from the older media played an important role in the general public discourse, as a massive part of the movement to legitimize film relied on enhancing these connections. But film theorists and a few individuals on the production side pushed back against this tendency, urging for the emancipation of film art independent of literature or theatre. They argued for the intrinsic merits and possibilities of film, a realm of theory still in the process of being articulated during the twenties.<sup>241</sup> Their focus was on the unique power of representation and the image within film that could push past the boundaries of linguistic description and human “rationality.”<sup>242</sup> Therefore, the search for film poetry and poets (*Dichtung* and *Dichter*) or film art and artists, continuing from the discourse of the teens, remains the most interesting debate to follow. It shows multiple threads and counterarguments regarding the nature of film, its possibilities, and its future.

Adaptations also continued to be a contentious topic. Despite the eagerness of the film industry to produce them, attitudes on *Verfilmungen* were still mixed. Some commentators saw adaptations as an opportunity for the screenwriter who recognizes the “disadvantages and limitations” of the situation.<sup>243</sup> Thomas Mann, while not particularly impressed with a film version of his novel *Buddenbrooks* (dir. Gerhard Lamprecht, 1923), nevertheless expressed interest in the possibilities film could offer to an adaptation of *Der Zauberberg*, especially the ability to show “visions from all fields of activity,” such as nature, sports, science, and

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<sup>239</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 104.

<sup>240</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 105.

<sup>241</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 191.

<sup>242</sup> Béla Bálazs, “Filmwunder,” *Film-Kurier*, no. 293 (12 December 1924), 1.

<sup>243</sup> Franz Schulz, “Warum wir niemals ein gutes Spielfilmmanuskript haben können,” *Film-Kurier* 6, no. 301 (22 December 1924), 2.

politics.<sup>244</sup> However, more prevalent was the view that Verfilmungen should be avoided. Some thought that content which had originally been achieved with words was impossible to show on film, and that internal emotions or motivations could not be expressed through film.<sup>245</sup> Others, such as Heinrich Mann, believed the prevalence of Verfilmungen were preventing the further development of an emancipated film art.<sup>246</sup> Significantly, interference with the author's vision or individual "stamp" was a central complaint against film adaptations, such as a review of an adaptation of an August Strindberg play in which "it was exactly the Strindberg-ness that was removed."<sup>247</sup> Cases where the author was dead were even worse, as they were unable to exert control over the adaptation – Paul Kornfeld called this a "desecration of the corpse."<sup>248</sup> The sanctity of the author, and the author's vision of their work, are violated by the meddling of others.

The search for film art – what techniques and characteristics it would exhibit or make use of, what kind of artistry would be behind it – was a broad question. From avant-garde or theoretical perspectives film art was seen as necessarily emancipated from literature, having instead to do with film's particular abilities.<sup>249</sup> However, the more narrow question of *Filmdichtung* (and the *Filmdichter*) shows the continued concern with finding an analogue mode to poetry within the medium of film. And in the search for *Filmdichtung*, there is no avoiding the ideology of art as stemming from the internal life and expression of a creative individual. In his review of *Der brennende Acker* (1922), Paul Medina posed the question, "can a film equal a work of *Dichtung*, a work of art that proves its cultural worth in the effect that it exudes? Yes," he answers, as long as "the author of such a film has something significant to give [...] something that marks out his spiritual being."<sup>250</sup> The Romantic idea of an inner drive and the expression of an internal artistic quality still holds sway for film, marking a through line from the teens into the twenties.

Medina's exemplary review of *Der brennende Acker* shows how conceptions of authorship are central to discussions of film as art. Arguments for film art created analogues to the Romantic author within the film production process, whether it was the screenwriter, original author, or the director, to support the statement that film could be art. This upholds the tradition of the Romantic author-function and seeks to apply it within the realm of film, requiring the singling out of a particular individual to rise above the otherwise industrial-collaborative model. As discussed in Chapter Two, it is crucial that this individual, the author of the film, expresses their personality through the work – they leave behind a unique creative imprint which determines the effect the film has on the audience. Instead of trying to persuade audiences and critics that a work of art could follow from the combination of many individual's efforts and talents, the argument for cultural merit and prestige is based on finding the single individual to whom the entirety can be attributed.

Authors and adaptations serve multiple functions for the film industry: they provide a ready-made plot, they are a well of prestige to improve film's cultural status, and they are a convenient means of advertisement to attract audiences through positive associations. Dating

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<sup>244</sup> Thomas Mann, "Über den Film," in *Kino-Debatte*, 166.

<sup>245</sup> qtd. in Sigfrid Hoefert, *Gerhart Hauptmann und der Film* (Berlin: Erich Schmidt Verlag, 1996), 11.

<sup>246</sup> Heinrich Mann, "Der Film," in *Kino-Debatte*, 172.

<sup>247</sup> Emil Schering, "Die Verfilmung Strindbergs," *Der Kinematograph* 806 (6 August 1922), 72.

<sup>248</sup> Paul Kornfeld, "Leichenschändung," in *Kino-Debatte*, 132.

<sup>249</sup> Oskar Kanehl, "Kinokunst," in *Kino-Debatte*, 50 - 53.

<sup>250</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 137.

back to the inception of the Autorenfilm and even before, an essential function of cross-pollination between film and the worlds of literature and theater had to do with marketing. Using names of well-known titles and positively regarded authors is an easy way to give the advertising campaign of a new film a boost – this has been a beloved strategy of the film industry nearly from its beginnings until the present day. In 1919, screenwriter and director Ewald Andre Dupont admitted: “In the case of literary adaptations, it is said that one chooses the title of the book for reasons of propaganda.”<sup>251</sup> In Germany in particular, national pride in the long history of exceptional literature infused the landscape of film marketing with a preference for association with famous authors and works. The attempt to draw new audiences who were wealthier, better educated, and more conservative is a likely reason why the tone of discourse in the twenties from within the film industry regarding the “traditional arts” is overtly respectful and at times even obsequious. Many of the strategies for legitimizing film are therefore based in appealing to conservative sensibilities about art and artists, which is well illustrated through the case study of *Phantom*.

Within the discourse on adaptations, with vocal proponents as well as detractors, there were a number of well-known authors who were willing to agree to Verfilmungen of their works. One of the most significant of these, particularly in the teens and twenties, was Gerhart Hauptmann. After a long career as a prominent name in the naturalist literary movement and winning (several times) the Franz-Grillparzer-Preis and finally the Nobel Prize for literature in 1912, by the 1920s Hauptmann was widely seen as one of Germany’s “great personages.”<sup>252</sup> While past the height of his commercial and critical success in the first decade of the twentieth century, Hauptmann maintained huge name recognition and significant popularity as one of Germany’s preeminent living authors. His plays and prose had undergone several evolutions of style as well as political content, and by this time he was firmly established as a respectable favorite of the middle class, a significant choice for the desired audience of the film.

*Phantom*, based on a Hauptmann novel originally published in the *Berliner Illustrierte Zeitung*, was released in 1922, accompanied by a flurry of advertising material emphasizing its connection to one of Germany’s most famous living authors. The release of *Phantom* coincided with Hauptmann’s sixtieth birthday, and was counted amongst the many honors accorded Hauptmann on the occasion.<sup>253</sup> In a single journal (the *Film-Kurier*), more than ten articles over the course of two weeks concentrated on honoring, thanking, and praising Hauptmann while advertising the *Phantom* adaptation. It was the fifth film adaptation of his works, the first (*Atlantis*) being one of the earliest Autorenfilme in 1913. The relationship between Hauptmann and the film industry was (from the film perspective) one of the most treasured, as Hauptmann’s name recognition and cultural clout were significant boons to the release of any film based on his works.

With the film *Phantom*, the strands of discourse on authorship in the early 20s come together: an adaptation of a big-name author, adapted by a screenwriter well known in the industry, and directed by a man regularly named as “the strongest hope among the generation of young directors.”<sup>254</sup> At a point when the relation of these roles was still in flux, and the cultural

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<sup>251</sup> qtd. in Michael Schaudig, *Literatur im Medienwechsel: Gerhart Hauptmanns Tragikomödie “Die Ratten“ und ihre Adaption für Kino, Hörfunk, Fernsehen: Prolegomena zu einer Medienkomparatistik* (Munich: Verlegergemeinschaft Schaudig, Bauer, Ledig, 1992), 15.

<sup>252</sup> Schach, Max, “Dank und Gruß an Hauptmann,” *Film-Kurier* 4, no. 254 (15 November 1922), 1.

<sup>253</sup> Ernst Ulitzsch, “Film-Kritik: ‘Phantom,’” *Film-Kurier* 4, no. 253 (14 November 1922).

<sup>254</sup> Ulitzsch.

prestige of the literary world was in high demand for the film industry, what can the reception of *Phantom* tell us? It shows the eagerness to use a literary author's name and reputation to lift the film in public consciousness, both in awareness and in the associations of class and taste. Hauptmann is heavily praised in his own right, and the symbolic nature of his relationship to the film industry is applauded, but there is little attempt to give him ownership over the film. Regarding the screenwriter, Thea von Harbou is generally praised for her technical skill but the understanding of her as an adapter reduces her individual creativity, and there are definite traces of sexism in the discourse. Perhaps because of the diminishment of von Harbou's role, the director F.W. Murnau emerges as the central figure for the film. This was not necessarily a given for the film world of 1922, when the director was not yet undisputedly considered the author of the film.

In the case of *Phantom*, Hauptmann's association with the production went even further than the use of his name to brand the film<sup>255</sup>: he actually appears on screen in the opening scene. Directly after the credits, Hauptmann's appearance takes place before the beginning of the narrative, serving as a sort of frame or introduction to *Phantom*. Surrounded by a rural, agricultural landscape, Hauptmann himself walks towards the frame, approaching the viewer from a short distance (fig. 1, below). A cut to a medium close-up, in which his face is pensive and he holds a book, presumably his own and possibly meant to be *Phantom* (although this would be anachronistic, since it was not published in book form until 1923). Hauptmann then looks around, seeming to contemplate the natural landscape in which he stands. This implicitly brings to mind the greater writers of the Romantic age and their fascination with nature, and the popular image of them writing outdoors.

Further, as a famous literary figure appearing on film, Hauptmann is also reflexively surveying the frame in which he is bound, the new medium onto which his work is appearing. As he looks to the sides and then behind him (fig. 2), his gaze takes in the space on screen, encompassed by the frame, as well as the space beyond it, that which cannot be shown on film. He seems to be asking what his novel will now look like in this new form and what images will replace him on the screen. His gaze even is directed for a moment directly at the camera (fig. 3), contemplating the "readership" his story now reaches. In his writings on cinema, Hauptmann expressed the that film could be "a pathway and a step towards real [...] art" for audiences.<sup>256</sup> In this vein, he confronts the audience who sit in the theater and who may or may not have read *Phantom* before seeing the film, who may now be led to "higher" things. *Phantom* as a film therefore gives Hauptmann the "first word," leaving the audience in no doubt of his importance. There is a difference, therefore, in the film's presentation of Hauptmann-as-author and that of the discourse and critical reception of the film, where his influence over the production is minimized.

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<sup>255</sup> Sigrid Hoefert claims that Hauptmann set out in 1920 to write a film scenario, whose plot then was used in the novel *Phantom*, but based on the record of Hauptmann's attempts to write directly for the screen, it seems unlikely that he completed a screenplay for *Phantom* that was used in production. Hauptmann's Briefnachlaß shows a correspondence with Thea von Harbou where she asks him to look at her screenplay in order "to check, to change, or to augment with new sections." Unfortunately, it is not known to what or any extent he did collaborate with von Harbou on the screenplay (Hoefert, 29).

<sup>256</sup> Gerhart Hauptmann, "Bühne und Film," in *Gerhart Hauptmann: Sämtliche Werke Band XI*, eds. Hans-Egon Hass and Martin Machatzke (Berlin: Verlag Ullstein GmbH, 1974), 926 -927.



fig. 1



fig. 2



fig. 3

Hauptmann's physical presence, his bodily participation in *Phantom*, is a strong example of the author lending his personal authority to a film production – perhaps the reason that Max Schach calls the author “a strong helper in the fight for legitimacy.”<sup>257</sup> Ultimately, in addition to authorizing an adaptation with his name attached, he also granted permission for the use of his own image. The protection of the use of an individual's name and image are organized under the legal category of personality rights (*Persönlichkeitsrecht*), which are often related to copyright (*Urheberrecht*). The right to a name (*Namensrecht*) shows the importance of the name as a label or designation which is inherent to an individual.<sup>258</sup> The close connection between the name and the person (including their reputation) becomes all the more delicate when the object of the label is an adaptation. An adaptation, as a derivative work, may or may not have the participation of the person named in the actual production, beyond its authorization. This became one of the sticking points for Bertolt Brecht in Chapter Four. Brecht objected to a film bearing his name which he thoroughly disowned, and a title closely associated with him and his reputation.

In the marketing and advertising material for *Phantom*, the overwhelming effect is of almost over-the-top deference to Hauptmann and the mode of creative output he represented

<sup>257</sup> Schach, “Dank und Gruß,” 1.

<sup>258</sup> Diethelm Klippel, *Der zivilrechtliche Schutz des Namens* (Munich: Ferdinand Schöningh, 1985).

(literature and theater). Ignoring the fact that Hauptmann's success had been on the wane and his attempts to write for the screen on his own were all failures,<sup>259</sup> the discourse coming from the film industry was not that they were helping *him*, but that he was bestowing on them a particular honor. His unsuccessful attempts to engage directly with film as a writer for cinema suggest that he had little understanding of how to express his ideas with use of the medium. However, from the perspective of film insiders, this was less important than Hauptmann's public views about film, which were generally positive,<sup>260</sup> and the simple fact that he had no objection to adaptations of his works. In this case, according to Max Schach, director of the Stern-Film-Gesellschaft, "one can truly speak of harmony" between author and industry.<sup>261</sup>

The language even goes beyond self-deprecation into self-criticism on behalf of the film industry. For example, when Max Schach speaks negatively of the first film adaptation of Hauptmann's works, saying perhaps it had been too early to bring *Atlantis* into the new medium. This occurs to the point where film in question (*Phantom*) is itself preemptively excused for not being able to live up to the high standard of Hauptmann's original, since "it would be a cheap amusement today to investigate how the filmed Hauptmann has lived up to the poetic Hauptmann as yet... To convey Gerhart Hauptmann to us through images has not yet been achieved."<sup>262</sup> Schach establishes the paradox that occurs when authors like Hauptmann interact with film: the result is a negative comparison (that the adaptation will always be inferior), but the association is still a necessary step in acquiring legitimacy and cultural weight.

The marketing, and legitimation, of the *Phantom* film through Hauptmann's name, image, and reputation is an example of using the existing cultural capital of the author-genius from the literary realm. Even more so than other authors who wrote for film after or concurrently with a career in theater or literature, Hauptmann stood for the very pinnacle of bourgeois, high-art literature. Although some of his works, particularly the early naturalist plays were politically and socially progressive, later in life Hauptmann was decidedly centrist and even nationalist.<sup>263</sup> In this way, by *Phantom*'s release he was a safe, noncontroversial figure whose life and career was compared to the greatest in German literature:

To humbly serve the immanent law of his soul – that is the meaning of his life. Then that is the blessing of a creative person, that the instinct shows him the direction and the goal...his youth is an allegory of every young generation's fight, and this is the reason that the spiritual youth of today hails this poet on his sixtieth birthday...in his "storm and stress," in the sorrows of young Hauptmann they find their own longing mirrored, in his countenance gazes back the countenance of their own souls.<sup>264</sup>

A more enthusiastic mythologization of Hauptmann's life is hardly to be imagined. As in many of the materials on Hauptmann in film journals during the marketing blitz for *Phantom*, the language borders on overly honorific. The author-as-genius trope is reproduced, with all its

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<sup>259</sup> Hauptmann wrote three Filmexposés (synopses) in the 1920s, but none were taken up as the basis for a film (Hoefert, 27).

<sup>260</sup> See Hauptmann, "Bühne und Film" in *Gerhart Hauptmann: Sämtliche Werke Band XI*, 926 - 930, and "Über das Kino," in *Kino-Debatte*, 159 – 160.

<sup>261</sup> Schach, 1.

<sup>262</sup> Schach, 1.

<sup>263</sup> For example, he was one of the signers of the "Manifesto of the Ninety-Three," released in 1914 by a group of scientists, scholars, and artists expounding their ardent support for German military action in World War I.

<sup>264</sup> Heinz Michaelis, "Gerhart Hauptmanns Werden," *Film-Kurier* 4, no. 254 (15 November 1922), 1.

suggestions of otherworldly talent, profound spiritual and intellectual depth, and genius which draws all others to it. The references to the Sturm und Drang literary movement and Goethe's *Die Leiden des jungen Werther* (*The Sorrows of Young Werther*) bring to mind exalted literary figures from the 18th century.<sup>265</sup> "Despite all adversities of the time, that which alone can someday bring about our rebirth has not died in our people: the reverence for the creative spirit."<sup>266</sup> The creative genius' social and cultural importance is expressed to a phenomenal degree even to the point where the hope of the entire nation rests upon it.

The repeated emphasis in the quote above on Hauptmann's soul, spirit, and intellect, as well as his sufferings and sorrows, is firmly ideologically grounded in the discourse of the genius, particularly the Romantic genius. The fact that film journals repeated and recreated much of the genius-discourse surrounding literary authors like Hauptmann shows just how deeply this ideology was rooted in the culture, and how effective a marketing strategy it was held to be. Film, despite being a necessarily collaborative medium, seems to be determined to find the analog role of the Romantic style author in the sphere of film production in order to borrow the existing cultural capital from the literary world. Even when promoting a film like *Phantom*, demonstrations and arguments for the specific possibilities and effects of cinema are transported in the same package as the ideology of the individual, creative author-genius (as I will show with regards to F.W. Murnau).

It is somewhat surprising to see that, despite the extensive coverage dedicated to Hauptmann in the advertising and lead-up to the release of *Phantom*, he is not strongly featured in reviews of the film. Hauptmann is praised for "trusting his creations" to the film industry, and reviewers gratefully determine that the film version of *Phantom* is "worthy of him."<sup>267</sup> Critics draw attention to his genius and creativity in the plot he developed and "offered" to readers in the book,<sup>268</sup> which is now experienced on film. However, they do not speak about his authority to dictate film choices, or his responsibility regarding the production. A reviewer for *Film-Echo* went further, stating that Hauptmann's personality or individuality didn't have anything to do with the resulting film; his name is simply advertising, not an indicator of any special characteristics to be found in the film.<sup>269</sup> While Hauptmann is undisputedly considered a Dichter, he is not a Filmdichter. His appearance in the film does work to give him authority over it, but in reviews his role with the film seems to have ended with the agreement to the adaptation.

## Of Directors and Screenwriters

If Gerhart Hauptmann was not the author of the film in the sense that his individual vision guided the production, who was? As I have shown, the search for the Filmdichter in this sense is tied to the argument that film is an art form, and the reliance on the Romantic model of authorship is still central. How does this concept coexist with the reality of film as a collaborative medium? The answer is complicated, and not always consistent. Some reviews from the same period as *Phantom* take particular time to acknowledging the multiple roles in film production. For example, a review of *Nosferatu* individually praises the work of Henrik Galeen (the screenwriter), F.W. Murnau (the director), Fritz Arno Wagner (the

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<sup>265</sup> Richard Ott is even more explicit in making this connection, comparing Hauptmann to Goethe and Schiller by name in "Gerhart Hauptmann," *Film-Kurier* 4, no. 254 (15 November 1922), 2.

<sup>266</sup> Michaelis, 1.

<sup>267</sup> Hans Wollenberg, "Gerhart Hauptmann 60 Jahre," *Lichtbild-Bühne* 15, no. 47 (18 November 1922), 16.

<sup>268</sup> Anonymous, "Phantom. Hauptmann-Feier im Ufa-Palast," *Berliner Börsen Zeitung* (14 November 1922), 36.

<sup>269</sup> Aros, "Phantom. Randbemerkungen zum Hauptmann-Jubiläumsfilm," *Film-Echo* no. 43 (20 November 1922), 1.



cameraman/cinematographer), and Albin Grau (production designer).<sup>270</sup> Reviews such as this contrast with the discourse that attribute success or main talent to a single member of production. However, more common is either the complete reliance on the single-genius model for discussing the creation of a film, or the uneasy coexistence of collaboration with exceptionalism. That is to say, at least in the realm of film criticism, the acknowledgement of collaboration within film production is used in various ways. Sometimes it highlights an individual within the collaboration who is seen to have power over the others (the first among equals), and sometimes, collaboration is ignored in favor of holding the effort of an individual paramount.

In the twenties, there was no consistent answer to the question of who the film-genius could be who could fill the same cultural and ideological role as the literary author-genius. Based on Foucault's description of the history of the author-function as punishable attribution, I will attempt to answer the question in the context of film production, again as illustrated in the journals. The author-function in this sense is often expressed through who is considered responsible for the success or failure of a film. It is also significant to consider a film's authorship in the context of marketing, as film journals perform a powerful advertising function, both in actual, paid advertisements and in reviews. Film authorship, as with other kinds of authorship, is inextricably linked to issues of recognition and marketing, something that authors, studios, and journals all have a stake in.

The dichotomy of the screenwriter and the director is the most fruitful place to examine film authorship. In the question for the "author of a film," the screenwriter was an early candidate, since their activity was the closest analogue to that of a Dichter: coming up with ideas and dialogue, and using language to represent them, usually in solitary work.<sup>271</sup> The emphasis is on an artistic person whose vision is successfully realized in film form. However, the figure of the screenwriter was fraught with tension. Complicating factors included: the fact that the screenwriter's written product was not the final stage of the work, the fact that the script was often adapted or completed in collaboration, and the increasing importance of the director in the discourse. This tension is exhibited even in the long-running issue of terminology in German: what is the distinction between Autor, Dichter, Schriftsteller, and Verfasser, and what are the connotations of ownership, skill, and originality of each? They are also all grammatically masculine, as most occupational nouns are in German, meaning that in the case of novelist and screenwriter Thea von Harbou, the issue becomes even more complicated. Who, then, was the screenwriter, what did they do, and what label should be put on them?<sup>272</sup>

In the dichotomy of screenwriter and director, the question of the film's origin often comes into play (already discussed in Chapter Two with the example of *Der Student von Prag*). The importance of the origin demonstrates the ongoing perception of creativity being associated with originality and uniqueness (an idea central in the Romantic period). Finding the source of the film, the individual who is the first to think of the story or idea, the first who experiences inspiration and formulates mental images to later be executed: this single individual is the person most responsible for the film. He is its author. Some discourse uses the language of genealogy to support this perception of the screenwriter, such as the screenwriter Willy Haas being named as

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<sup>270</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 130.

<sup>271</sup> It is interesting to note that even in the twenties, the understanding of the screenwriter as a figure working alone was a fallacy.

<sup>272</sup> As in the case of many roles in film production, and increasingly through the Autorenfilm period, many individuals who wrote for film also had careers as other types of writers, including novelists and poets. This is yet another complication for terminology.

“the father of the work” regarding the film *Der brennende Acker*.<sup>273</sup> Representing the screenwriter as the origin in this way can either allow for other influences to come in at later points, or asserts that despite changes along the production process, the screenwriter-as-originator has left an indelible mark on the resulting film.

Carl Mayer was a prominent screenwriter whose first screenplay (*Das Kabinett des Dr. Caligari*, with Hans Janowitz) had immediately made him famous in Germany. He worked frequently with F.W. Murnau and enjoyed much attention and praise for his screenplays. He was a major figure within the industry, although he later died in relative obscurity in London in 1944. Like Murnau, he was often singled out and distinguished above the “average” of his role. The journalist and novelist Joseph Roth called him “the only German Filmdichter,” contrasting him from the standard “manuscript writers and makers (*Manuskriptverfasser* und *-verfertiger*).”<sup>274</sup> Praising Mayer’s vision, Roth called for the invention of a tool or instrument which could take images from the mind of the author and directly transfer them to images in reality. Bypassing the spoken or written word, and any other intermediary (such as the director), this would allow a direct line from the origin (Mayer) to the audience, from his mind to their eyes. This is the most overt framing of the screenwriter as the unmitigated origin and creator of the film, which sees the director, in the imagined ideal state, as unnecessary.

Roth further de-emphasizes the director’s importance, which contrasts sharply with the other common discourse which placed the director at the heart of a film’s production and ultimate success. After the writer (again, using the Mayer as the exemplary figure) has imagined the images for the film, “the director must restrict himself to very clearly and precisely relaying the dictation of the Dichter to the actors and the technical staff.”<sup>275</sup> His personal contribution can amount only to “trifles.”<sup>276</sup> Dismissing the collaborative aspect of the screenwriter-director relationship, Roth conceptualizes the screenwriter as paramount and the director as the executor of the writer’s vision and “instructions,” with little opportunity to insert their own creativity in the film.<sup>277</sup> Despite all the other moving parts in film production, Roth sees the screenplay not as a document that undergoes change based on collaborative input or restrictions, but as a fixed blueprint which, after being put to paper, simply needs to be put into action by the director.

Similarly, but with less exclusionism, Willy Haas spoke of the screenwriter’s imprint on the film’s production. Reviewing *Der Gang in die Nacht*, Haas begins by acknowledging – indeed, proclaiming – that in film, the work of those involved becomes an indistinguishable whole through the process of collaboration. The contributions of the writer, the director, and the actor all “grow together, everything merges into everything else.”<sup>278</sup> However, Haas singles out Mayer as the creator of a “*Dichterwerk* (work of a poet),” who holds absolute authority and command of “filmic technique, [which] obeys the touch of his fingertips.”<sup>279</sup> By giving Mayer so much credit, Haas undermines his previous argument about the collaboration of the film production. Hans Wollenberg also praised Mayer and his exceptional understanding of film, calling him “the author [*Autor*] of *Sunrise* (1928),” which is significant since this was an adapted

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<sup>273</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 140

<sup>274</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 165.

<sup>275</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 166.

<sup>276</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 166.

<sup>277</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 165.

<sup>278</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 110.

<sup>279</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 110.

screenplay.<sup>280</sup> These critics, who to varying degrees acknowledge the reality or necessity of collaborative work on film, all emphasize the singular vision of the screenwriter (Mayer) and the enduring impact he has on the resulting film.

The final point of tension within understandings of the screenwriter is to do with the screenwriter's relationship to literature and the literary model. In some cases, explicit connections between the screenwriter and the traditional Dichter are used to create a familiar basis for describing creative genius and strengthen the argument for the screenwriter as the central figure within film production. However, this relationship is not presented uncritically or without complications, and in other cases it is precisely the unliterary aspect of the screenwriter's role that emphasizes their creativity and importance, a move that is more associated with the push to emancipate film art from literature.

Herbert Ihering<sup>281</sup> spoke to this tension when he reviewed *Der letzte Mann*, calling it a "contradiction" of Mayer's scripts that he sometimes writes as a "man of letters who envisage[s] the filmic" and in others as a "man of film, who literarily express[es] the practical."<sup>282</sup> The dichotomy of literature and film cannot quite be surmounted. This is even true in the case of Mayer, who was considered a "literary" screenwriter although he did not have a career in literature or the theater before working in film production.<sup>283</sup> Ihering describes Mayer as somewhat of a hybrid, albeit not a completely integrated one. The element of hybridity in Mayer's work is worth looking at more closely, since it represents the attempts to understand the occupation of screenwriting, a new and unfamiliar role in the creative process.

In describing Mayer's particular talents, Roth asserts that he "writes films in the same way one writes poems, stories, and dramas, that is, he transfers 'matter' out of the material, earthly, and random level of 'existence' and of 'incidence' into the metaphysical, singular, valid, and essential atmosphere."<sup>284</sup> The internal, imaginative process is the same, despite the use of a new medium, giving the screenwriter the same prestige of creativity and spiritual power. However, Roth goes on to say the fact that Mayer "works with paper, quill, or typewriter like a writer" is not important, downplaying the association between screenwriting and traditional writing in its technical aspects.<sup>285</sup> In a period when much attention was given to the fact that those involved with film production interacted with technical machinery instead of the more "human," direct tools like pen and paper, Roth rejects this devaluation of the apparatus. He could have relied on Romantic associations of "thinking and scribbling" to associate Mayer with poets of the past, but he does not. However, it is worth noting that Roth emphasizes Mayer's singularity ("the Filmdichter, represented solely by Carl Mayer"<sup>286</sup>). In this way, he dismisses the majority of screenwriters and echoes the extreme attention paid to chosen, magical, unique individuals of genius in the Romantic framework. It is not explicitly clear whether Roth would describe Mayer's creative output as God-given or innate versus a learned skill, but I would suspect the former, based on his rejection of (apparently) all other screenwriters.

Others besides Roth also focused on the non-literary nature of Mayer's work as a way to describe his success as a screenwriter. Ihering described Mayer as "writ[ing] his script like a

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<sup>280</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 191.

<sup>281</sup> He was variously credited as Ihering and Jhering. For consistency's sake I will use the first spelling.

<sup>282</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 167.

<sup>283</sup> He did have connections to the Berlin theater world but did not apparently write for the stage.

<sup>284</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 165.

<sup>285</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 165.

<sup>286</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 165.

director or [camera] operator,” bringing his activity a more technical aspect.<sup>287</sup> Writing as if he were a director implies a practicality and command of the possibilities and limitations of the apparatus and production process. This is contrasted with being driven solely by the imagination and whims of the individual. Alexander von Antalfy also includes the fact that Mayer is “unliterary” in his praise of him as a screenwriter who “creates poetry (*dichtet*)” for the screen, hoping that Mayer never tries to “prove that he’s not a simple writer (*Schriftsteller*)” by writing anything other than screenplays.<sup>288</sup> This debunks the necessity to link Mayer with Romantic authorship in order to praise him. It also emphasizes Mayer’s value as a screenwriter in the fact that he understands the requirements and possibilities of film and does not try to write a film as if he were writing a play or novel.

The level of praise and attention paid to Mayer’s technique and skill as a screenwriter shows that the role of the screenwriter within film production, and the screenwriter’s impact or responsibility over the film as a final work of art, were heavily discussed during this period. However, few other screenwriters experienced similar levels of detailed critique and analysis for the films they worked on. It is clear that, like Murnau as a director, Mayer was singled out as a particular, unique talent above the average level. It is therefore possible that the praise of Mayer was meant to highlight a perceived lack of quality screenwriters or scripts from this time. For example, in his review of *Der letzte Mann*, Roth also states “it was high time for him [Murnau] to find the Dichter Carl Mayer.”<sup>289</sup> Aside from misunderstanding that this was the first time they had worked together (their first collaboration was 1920’s *Der Bucklige und die Tänzerin*), it creates the impression that there were limited screenwriters of talent who could match the demands and skills of a director like Murnau.

Trying to define the role of the screenwriter and this role’s perception in the context of *Phantom* encounters an additional layer of complication in Thea von Harbou. One of a small number of women working behind the camera in the German film industry of the era, and one of the even smaller number of well-known, successful women in the industry, her gender within the male-dominated field means that what I have outlined above with regards to screenwriting and Carl Mayer often did not apply to her. By examining how von Harbou was received in the discourse, it reveals how flexible the treatment of screenwriting and screenwriters was, as her work was routinely dismissed and belittled. Above I showed how Carl Mayer was frequently described with enthusiasm as a Dichter and his screenplays as “pieces of poetry,”<sup>290</sup> so I would now like to consider the theme of Dichtung and gender. Dichter is certainly not the only term for a writer in German, but it does represent the gold standard for the cultural value placed on creative writing. To be labelled a Dichter in the early 20th century held special meaning for how much admiration and value the writer was given. And it cannot be ignored that the term is not just historically overwhelmingly the domain of men, in German it is also grammatically a masculine noun. The female form “Dichterin” is occasionally used to honor a woman working as a writer, but as with most female forms of occupational nouns in German, it uses the male term as the stem, with the female form as a variation of the masculine norm.

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<sup>287</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 167.

<sup>288</sup> Alexander v. Antalfy, “Autoren, lernt filmisch denken!” *Film B.Z.* (12 November 1922).

<sup>289</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 166.

<sup>290</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 110.

There is unfortunately only limited critical work examining how Dichterin is used in contrast to Dichter.<sup>291</sup> This is perhaps because in the 21st century, both terms are much less common overall than Autor/in and Schriftsteller/in. Dichter had a spike in usage from 1940 - 1947 and then a rapid decline, which I speculate is due to the Nazi's love of the term and the subsequent avoidance of it because of these connotations.<sup>292</sup> Aside from this coloring of the term, the Dichter is a figure deeply embedded in the Romantic tradition, which I've repeatedly shown continues to be relevant for the understanding of authorship. This Dichter was associated with godlike creativity and originality, which women were considered incapable of. In contrast, women could be muses to inspire men, or their "comforter[s]" in the case of mothers, sisters, and spouses.<sup>293</sup> As Friedrich Kittler has discussed, in the German literary tradition, writing and authorhood are considered to be male, while the voice and motherhood are female. Likewise, genius is a male trait, while taste is a female one. While the mother is the origin of language and the pedagogical system, women are barred from the realm of Dichtung except as readers.<sup>294</sup> Not only was the Dichter-mythos formed within a rigid patriarchal society that limited women's education and opportunities, the ideology of the Dichter excluded femininity explicitly.

For Kittler, the entrance of women to universities in the 20th century was the breakdown of the exclusionary dichotomy of authors and mothers. However, Christina Ujma has shown how Weimar Germany had a robust "cult of masculinity" that existed across the political spectrum, from far left to far right. This cult emphasized an austere, anti-ornamental, rational, militant aesthetic and attitude which alienated women from creative positions. In order to be accepted, female artists either fit themselves, or were placed in a mold of modesty, childishness, and small-scale art (or the further devalued category of crafts) dealing with domestic themes.<sup>295</sup> At its core, creativity and the capability for creativity were defined in terms of gender, and in many ways resisted the expansion of women's roles in the early 20th century. A more in-depth analysis of the Dichter-ideology and gender is necessary. It is nevertheless important to acknowledge the reality of Thea von Harbou as one of the very few female screenwriters during this period when I use *Phantom* as a case study.

In my analysis of the reception of *Phantom*, where von Harbou is granted success, it is within the scope of how well she translates the thoughts and imprints of others for the screen, that is, how well she adapts. This discourse reduces her individual creativity and emphasizes technical skill over creative innovation. Instead of internal motivation or drive, von Harbou's work is characterized as "obligatory per the order" of others.<sup>296</sup> This follows in the discourse of screenwriters as cogs in the larger machine of film production, but in a much harsher way than is generally used. For example, in reviews from around the same time, Carl Mayer is considered to

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<sup>291</sup> One critical work addressing the gendered politics of Dichtung is: *Hier spricht der Dichterin. Wer? Wo? Zur Konstitution des dichtenden Subjekts in der neueren österreichischen Literatur*, ed. Friedbert Aspetsberger, Innsbruck: StudienVerlag G.m.b.H., 1998.

<sup>292</sup> "Ngram Viewer: Dichter, Autor, Dichterin, Autorin, Verfasser, Verfasserin," *Google Books*, accessed November 13, 2018, <https://bit.ly/2RG4D50>.

<sup>293</sup> Christina Ujma, "Masculine Territories? Women and the Theories of the Avant-garde," in *Practicing Modernity: Female Creativity in the Weimar Republic*, ed. Christiane Schönfeld (Würzburg: Verlag Königshausen & Neumann GmbH, 2006), 15.

<sup>294</sup> See Friedrich Kittler, *Discourse Networks 1800/1900*, trans. Michael Metteer and Chris Cullens (Stanford: Stanford University Press, 1990).

<sup>295</sup> Ute Seiderer, "Between Minor Sculpture and Promethean Creativity. Käthe Kollwitz and Berlin's Women Sculptors in the Discourse on Intellectual Motherhood and the Myth of Masculinity," in *Practicing Modernity*, 95.

<sup>296</sup> Aros, 1.

be a singular Dichter for the films he writes screenplays for. Von Harbou, on the other hand, is praised as a “valued compiler (Verfasserin) of film scripts,”<sup>297</sup> and the praiseworthy skills she displays are in relation either to Hauptmann or Murnau. She is described as having succeeded in “reproducing the Hauptmannean world of thoughts,”<sup>298</sup> and as capturing the particular style of the original “surprisingly well.”<sup>299</sup> Some reviewers therefore give her shared responsibility with Murnau for the favorable outcome of the film,<sup>300</sup> but others dismiss her manuscript as “tertiary,” and simply a tool for the director.<sup>301</sup> This is an interesting reversal of the discourse regarding Carl Mayer, where the director is sometimes a subordinate figure, obliged to follow Mayer’s vision.

At the same time, there is a significant amount of gendered language that targets von Harbou as a female screenwriter. Some of this language softens praise to characterize her screenwriting efforts as particularly female, such as describing her as “a woman with gentle hands.”<sup>302</sup> Her supposed gentleness implies a light touch with regards to Hauptmann’s work – that she is aware of her place as adaptor and would not dare insert anything of herself. “Gentle hands” also recalls a domestic scene to mind, echoing Ute Seiderer’s assertion that whether they wanted it or not, creative women during the Weimar period were associated with the domestic sphere even in their professional and artistic lives.<sup>303</sup> Other reviewers singled her out as unfit for the work of screenwriting and adapting because of her femininity. In *Der Kinematograph*, a reviewer of *Phantom* calls her the “authoress (*Novellistin*) who loses herself in details, in an all-too female manner,” implying a supposed inability to grasp the needs of film production because she is a woman.<sup>304</sup> A review in *Der Tag* similarly decries her lack of “courage,” a stereotypically masculine trait, in being unwilling to make expansions or significant changes from the novel.<sup>305</sup> This seems particularly ironic, considering how eagerly and extensively Hauptmann is praised, and how his work is described within the discourse as nearly untouchable.

Before finally taking a closer look at the discourse of the director during this period, I will briefly address the third possible central figure for a film, alongside the screenwriter and the director: the actor. In the case of marketing, which I have already shown to be a vital ground for influencing public discourse on film authorship, a well-known and powerful actor or actress could be as important to the reception and marketing of a film than either director or screenwriter. Despite the enthusiastic reception of Carl Mayer’s screenplay for *Der letzte Mann*, in advertising it was actor Emil Janning whose name was emphasized above either Murnau or Mayer,<sup>306</sup> and other reviews referred to it as the “Murnau-Jannings film.”<sup>307</sup> Similarly, a review referring to *Abend - Nacht - Morgen* called it “a Conrad Veidt film” and made no mention of

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<sup>297</sup> Editorial staff, “Vom Phantom-Roman zum Phantom-Film,” *Film-Kurier* 4, no. 254 (15 November 1922), 2.

<sup>298</sup> Anonymous. “Phantom. Die Gerhard [sic] Hauptmann-Feier des Films,” *Der Film* 7, no. 47 (19 November 1922), 29.

<sup>299</sup> Ulitzsch.

<sup>300</sup> Anonymous, “Phantom. Gerhart Hauptmann-Feier im Ufa-Palast,” 36.

<sup>301</sup> Aros, 1.

<sup>302</sup> Anonymous, “Filmschau: Ufa-Palast,” *Deutsche Allgemeine Zeitung* 507/508 (21 November 1922).

<sup>303</sup> Ute Seiderer, “Between Minor Sculpture and Promethean Creativity. Käthe Kollwitz and Berlin’s Women Sculptors in the Discourse on Intellectual Motherhood and the Myth of Masculinity,” in *Practicing Modernity*, 95.

<sup>304</sup> Anonymous, “Phantom,” *Der Kinematograph* 16, no. 822 (19 November 1922).

<sup>305</sup> Anonymous, “Gerhart Hauptmanns ‘Phantom’ im Film,” *Der Tag* no. 332 (15 November 1922).

<sup>306</sup> See *Film-Kurier* (17 - 19 December 1924).

<sup>307</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 168.

Murnau, the director.<sup>308</sup> Another review of the same film was also filled with praise for Veidt, and only stated that the direction was “generally satisfactory,” without mentioning Murnau by name.<sup>309</sup>

Veidt and Murnau collaborated on a series of films in the 1920s after founding a studio together. Discourse on some of these films from the early to mid-twenties show that the actor could be perceived as having the most responsibility in ensuring or preventing the success of a film. Reception of *Der Jansukopf* highlights Veidt and identifies his effort as “the principal thing” in the film overall, “for which the author and director should heartily thank him.”<sup>310</sup> The complex play of emotions and characteristics, and Veidt’s ability to master and effectively represent them, are given the most attention in the review. It could be that because of limitations of camera work and cinematography, the early twenties were a period when the technical efforts of the actor were seen as more important to the success of a film.<sup>311</sup> The main actor in a production is considered a “possible film author (*Filmurheber*)” for the purposes of German copyright law, although they generally are not granted a copyright unless they had particular influence on the creation (for example, collaboration on directing or creative improvisation).<sup>312</sup> And regarding the labelling of films via actors (as with Jannings and Veidt, seen above), this tendency seems to wane in the late 1920s, at least regarding films directed by Murnau.

Through the case study of Murnau’s career in Germany and Hollywood, the shift in attention to the director becomes clear. He worked with some of the most prominent actors and screenwriters of the day, and examples of films he directed in this period show the change in how films were labelled. This extends to marketing as well as reviews. I have shown how in the first half of the twenties, both the actor and screenwriter could take premiere or equal place with the director in responsibility for the production. But into the latter half of the twenties, the creation of the film is increasingly placed on the director, and it is through the director that the film is understood, particularly as a work of art. Advertising labels show not only what figure is being emphasized to the public, but also the broad spectrum of styles of attribution possible in German. With a sample of films directed by Murnau, we can see a range from compound nouns (“Der Murnau-Film”),<sup>313</sup> adjectives (“dieser Murnausche Film”),<sup>314</sup> possessives (“Murnaus letzter Film”),<sup>315</sup> and nominalizations (“einen Murnau”).<sup>316</sup> The assignment of creative ownership to the director was not consistent, but for Murnau at least, starting in the late twenties the films he directed were labeled as “his.” The 1928 review of *4 Devils* makes the strongest association between film and director, as *4 Devils* is itself called “a Murnau.”

Similarly as with the screenwriter, part of the complication in understanding the discourse on the director has to do with the fact that this role was also undergoing changes.

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<sup>308</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 107.

<sup>309</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 108.

<sup>310</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 105 - 6.

<sup>311</sup> Prominent actors or well-regarded performances certainly still play a major role in public discourse on film today, including cases where the actor ‘carries’ the film despite other inadequacies of the production. But in the historical context of the early 1920s, it is worth particularly pointing out, since there was no set discourse on film reception or hierarchy of roles within the production.

<sup>312</sup> Christine Reupert, *Der Film im Urheberrecht* (Baden Baden: Nomos Verlagsgesellschaft, 1995).

<sup>313</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 158.

<sup>314</sup> “This Murnau-ic film leaves one cold,” qtd. in *Murnau: Ein Melancholiker des Films*, 194.

<sup>315</sup> “Murnau’s last film is a work...filled with the deeply painful sweetness of the bygone,” qtd. in *Murnau: Ein Melancholiker des Films*, 211.

<sup>316</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 203.

These changes extended to both concrete, technical aspects and in the cultural understanding of the director. As opposed to the direct creation of characters and plots, some critics focused on the director's role in creating an atmosphere or sensation in the audience. A review of *Der Bucklige und die Tänzerin* speaks of Murnau's "direction that creates an atmosphere around the figures, something soulful, almost a haze."<sup>317</sup> This is a sort of metaphysical result of the director's work that is hard to pin down or exactly quantify, but the emphasis on the soul certainly recalls the Romantic conception of the author's ability to arouse spiritual and emotional responses in the reader.

In other cases, critics addressed the primary element of the director's job being to bring many disparate elements together so that a unified whole is created. However, even this was difficult to describe, sometimes resulting in vague statements like the following from Willy Haas: "Murnau's direction? We alluded to it everywhere when we spoke of the talents of this film [...] Everything belongs to him - there's nothing more to add."<sup>318</sup> Haas attributes the overall effect of the whole to Murnau's direction but doesn't have something more specific to say about what Murnau's efforts and achievements were. A different review by Haas calls Murnau "the patrician among directors" and describes "a feeling of greatest restraint" which benefits the film.<sup>319</sup> His language that compares Murnau to an aristocrat with fine taste and sense of restraint seems to be a direct contrast to prevalent stereotypes about film production of the time: that it was industrial, cold, and technical, or crassly motivated by economic and business concerns.

References to Murnau's supposed emotional and intellectual sensitivity appear in other reviews (such as one that calls him "the brooder and ponderer"<sup>320</sup>). This element of the discourse connects the director's personality to the film, an important move for attributing film authorship that also fits the director in the creator-genius mold. In the case of *Phantom*, the overall success of the film is attributed to Murnau, who "gave the material final, artistic shape" following the scenario by Thea von Harbou.<sup>321</sup> It is common among reviews to speak to the significance of the director-function, even when the particularities of the director's actual role are vague. However, this is not to say that popular and trade-journal discourse on films did not try to articulate more of what the director does. Paul Medina, writing for the *Neue Berliner Zeitung*, asserts the "close connection" between director and film is even stronger than that of the screenwriter to the screenplay. This is "because he must bring the same technical directing skills as creative impetus to the apparatus; in this film every scene, every landscape image, and especially the casting reveal him."<sup>322</sup> It is significant that Media speaks of the interconnectedness of technical ability and creative skills, since the use of a technical apparatus had been considered a barrier to artistic creation, not a tool in its process. The Verband deutscher Bühnenschriftsteller had come right out in their "Declaration of Enmity" to state that film was incompatible with a true creative spirit.

Regarding his work on the film *Phantom*, in contrast to von Harbou and Hauptmann, Murnau as the director garnered particular praise: not only his ability to take control over the production, but also his specific artistic style which shines through the film beyond its framing as a collaborative work, or as an adaptation. He is given the majority of responsibility for the film's

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<sup>317</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 104.

<sup>318</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 110.

<sup>319</sup> Willy Haas, "Schloss Vogelöd," *Willy Haas: Der Kritiker als Mitproduzent. Texte zum Film 1920 - 1933*, eds. Wolfgang Jacobsen, Karl Prümm, Benno Wenz (Berlin: Edition Hentrich, 1992), 122.

<sup>320</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 159-60.

<sup>321</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 159-60.

<sup>322</sup> qtd. in *Murnau: Ein Melancholiker des Films*, 138.



success, as the “*Spielleiter* (master of ceremonies)” in control of production,<sup>323</sup> “he’s to thank” for the connection of the scenes, the cinematographic technique, and the achievements of the ensemble cast.<sup>324</sup> Aside from depicted as in undisputed control of the artistic tendencies and direction of the production, Murnau is ascribed emotional and personal qualities beyond technical skill. He is “clever and empathetic,”<sup>325</sup> his work is “confident and delicate” at the same time,<sup>326</sup> and he has his own, distinctive style that “gives a whole film a particular character.”<sup>327</sup> These descriptions create the image of the director as a very Dichter-like Romantic figure, whose feelings and personality are expressed in the final work, above the considerations and contributions of other collaborators in the production process.

Murnau’s twelve-year career as a movie director spanned the height of silent cinema and the emergence of sound film. Analyzing reception of many of his works shows how the figure of the director gained importance in the critical understanding of films as well as in marketing. The discourse of the director, whose role brings together both a command of technical knowledge and artistic vision, gradually supplants the figures of main actor or screenwriter as the primary author of a film. In an additional ideological turn which has persisted to this day, the perceived message or mission of a film is conflated with the desires and goals of the director. An example of this is a review for Murnau’s final film, *Tabu* (1931), where Lotte Eiser writes that “Murnau wishes to go back to nature, a dream landscape was there for him.” Even further, her description of the final film as the result of Murnau taking the “sun and beauty” of Bora Bora and “forming them after his will”<sup>328</sup> is a representation of the film as an externalization of Murnau’s deepest internal drive.

The example of *Phantom*’s reception in 1922 shows that the discourse heavily relied on the Romantic mythos of authorship both in using a literary author’s name and reputation to market a film and in how to describe the role of the director. However, despite this reliance, and his brief appearance at the beginning of *Phantom*, Gerhart Hauptmann is not given any particular ownership or responsibility over the film adaptation. The film industry is eager to make use of the Romantic author-function in certain ways, but also is seeming to assert the division between literary work and film work. As the film industry and film art moved and changed, declaring that there are special and particular skills required of a film writer, a film director, and so forth, is another way of arguing for film’s independence as a valid medium. This push exists in tension with the outward genuflection to literary, Dichter-figures such as Hauptmann, and the evolving conceptualization of the director also shows the strong influence of the Romantic discourse.

Ultimately, the director F.W. Murnau emerges as the central figure of film authorship for *Phantom*, beyond that of the novelist Hauptmann and the screenwriter von Harbou. However, in the context of *Phantom*, I have argued that the focus on Murnau in the film’s reception is not an indicator of the screenwriter being firmly subordinate to the director. In 1922, this status was still in flux, which can clearly be seen through the example of Carl Mayer, a screenwriter who often took central place in the reception of films for which he wrote the screenplays. Murnau’s centrality in the understanding and attribution of *Phantom* is not necessarily representative – I have shown through some of Murnau’s other films from the same period that this is not the case.

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<sup>323</sup> Wollenberg, 16.

<sup>324</sup> Anonymous, “Phantom.”

<sup>325</sup> Anonymous, “Gerhart Hauptmanns ‘Phantom’ im Film.”

<sup>326</sup> Anonymous, “Phantom. Die Gerhard [sic] Hauptmann-Feier des Films,” 29.

<sup>327</sup> Aros, 1.

<sup>328</sup> qtd. in Murnau: *Ein Melancholiker des Films*, 211-12.

The fact that *Phantom* was adapted, and adapted by a woman, is what allows the supremacy of the director at this early stage. However, the case of *Phantom* does point towards the development whereby the director gains in importance and, significantly, the literary author starts to be pushed to the background. It is precisely this development, and the resistance to sidelining the “original” author, that I take up in the next chapter with regards to Bertolt Brecht and the Threepenny Lawsuit.

## Chapter Four: Brecht on Trial

The previous chapter examined the state of authorship-related issues in the early 1920s, in particular the shifting roles and perceived importance of the screenwriter and the director, as well as the continuing struggle to relate the author of a literary work to its screen adaptation. This latter point now takes center stage, as I analyze the explosive court case Bertolt Brecht opened against the producers of the film version of *Die Dreigroschenoper* (*The Threepenny Opera*), and the lively public discourse that accompanied it. As a widely known and discussed case, the discourse around the *Dreigroschenoper* film dispute articulates continuing tensions regarding art in the capitalist age, the most interesting for my study being the question of where to place authority over an adaptation. Brecht is a complicated advocate for author's rights in this study, as his Marxist values and history of collaborative work are filled with paradoxes. Ultimately, the case of the *Dreigroschenoper* film affirms the momentum behind the increasing significance of the director in the understanding of a film and its authorship.

### Screenwriting and Author's Rights ca. 1930

The case of the fight over *Die Dreigroschenoper* is one of the biggest legal disputes in Germany regarding film from this time period, the relationship between film and the law having spent much of the first decades of the 20th century in a state of flux. The first major attempt at addressing film and copyright in German law came with the *Revidierte Berner Übereinkunft* (Revised Berne Convention, 1908), an international copyright agreement first accepted by a group of ten countries in 1886.<sup>329</sup> Two previous copyright laws from 1901 and 1907 had been "insufficient" to deal with film,<sup>330</sup> and this theme of inadequate legal frameworks repeated throughout the next two decades. It is also a reflection of the fact that 1907 was a turning point in the interplay between film and literature, when the first filmed literary adaptation was released in Germany.

Article 14 of the revised Berne Convention gives protection both for authors against the unauthorized use of their works in film, and for films against unauthorized reproduction or projection. This was an important step towards creating international standards for copyright, but it demonstrates the ongoing issue of finding the appropriate legal language to refer to film. For example, it still refers to a grammatically singular *Urheber* (creator/author), although commentators from the time pointed out the possibility of collaborative authorship.<sup>331</sup> The Revised Berne Convention did also establish the right of copyright for an original work in film. However, maintaining language that associated copyright with an individual's personality and creative originality, the law required a work to be an expression of individuality in order to qualify for copyright.<sup>332</sup>

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<sup>329</sup> The Berne Convention was meant to eliminate issues stemming from countries' differing laws governing copyright.

<sup>330</sup> Bruno May, *Das Recht des Kinematographen* (Berlin: Verlag von Richard Falk, 1912), 107.

<sup>331</sup> May, 115.

<sup>332</sup> May, 114 and qtd. in May, 108-9.

While it was significant in setting international standards and acknowledged the necessity of addressing the new medium of film, the Revised Berne Convention left open many questions regarding film and copyright. This situation continued through the twenties, with law lagging behind the rapid development of film and the film industry.<sup>333</sup> This led to a conflict about which existing laws should be applied to film, the most common possibilities being the *Verlagsgesetz* (Publishing Act), *Literaturschutzgesetz* (Literature Protection Act), and the *Kunstschutzgesetz* (Art Protection Act).<sup>334</sup> This situation was considered unsatisfactory by most.<sup>335</sup> John Fagg describes that at the beginning of the twenties, film was treated not as a distinct medium of its own, but as a mishmash of elements to be treated separately (e.g. a work of literature, a work of graphic art, and a work of photography).<sup>336</sup> The *Lichtspielgesetz* (Moving Picture Act) from 1920 finally established rules of inspection and regulation but did not concern copyright.

The issue of how to treat the different collaborators in a production, and how to determine if respective contributions were worthy of copyright or not, had been a source of disagreement since at least the early teens. Writers on the subject acknowledged that the role of the script writer had changed significantly since the early days.<sup>337</sup> The necessity for a script at all, driven by the expansion of technical capabilities in film, could be seen as the beginning of the ongoing “fight between author and director,” as they struggled for authority in the production process.<sup>338</sup> But while some saw the script as synonymous with the film itself,<sup>339</sup> a court decision from 1923 held it to simply be the “seed of the film’s essence,” and one part in the process of film production, in which individual pictures are connected and arranged.<sup>340</sup> This kind of move was concerning to authors, who faced a new environment where their submissions to film studios could be changed or adapted without their knowledge or control.

In discourse on this subject, the studios’ power and their control over the creative process stood in direct contrast to film writers’ loss of control over their ideas and the loss of a privileged, authorial position. As the novelist and playwright Arthur Holitscher discussed in “Filmmanuskript und geistiges Eigentumsrecht,” film writers who submit scripts to production companies faced uncertainty about how these scripts would be treated.<sup>341</sup> Studios had the freedom to take ideas from scripts submitted to them without the script in its entirety being produced, and these ideas could emerge drastically changed from their original context. Furthermore, Holitscher complained that the writer’s name would still be used to guarantee “distribution and attention,” even if the work had been significantly adapted (or, as he calls it,

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<sup>333</sup> Schlechtriem, “Der Film und die Entwicklung des Urheberrechts,” *Der Kinematograph* 806/7 (6 August 1922), 74-75.)

<sup>334</sup> Astrid Ackermann, *Film und Filmrecht 1919-1939* (Baden-Baden: Nomos Verlag, 2013), 38.

<sup>335</sup> Schlechtriem, 74-75.

<sup>336</sup> qtd. in Ackermann, 34-35.

<sup>337</sup> Anonymous, “Autor – Dramaturg – Regisseur – Fabrikant,” *Der Kinematograph* 760 (11 September 1922), 1.

<sup>338</sup> Anonymous, “Autor – Dramaturg – Regisseur – Fabrikant.”

<sup>339</sup> qtd. in Ackermann, 36.

<sup>340</sup> Ackermann, 34.

<sup>341</sup> Arthur Holitscher, “Filmmanuskript und geistiges Eigentumsrecht,” *Berliner Börsen-Courier* 409 (1 September 1922).

“stolen and devalued”).<sup>342</sup> Holitscher advocated for legal protections of the author’s original intention, which he saw as losing supremacy in this new media arena.

The values and needs of the film industry create a mismatch with the cultural position of the author-function. The writer’s creativity as a source of a work inextricable from the author and the original form cannot coexist with the collaborative and economic processes of the film industry. The emergence of screenwriting as an occupation represents a tense transition, as writers who explored this new arena experienced constraints on their attempts to exercise agency. The film production model tends to understand a screenwriter as simply one cog in a large and complex machine that favors cooperative over individual desires.<sup>343</sup> The perception<sup>344</sup> that many screenwriters rejected collaboration and therefore brought it upon themselves to be dissatisfied with the end result has direct parallels to Brecht’s situation: it was the production company’s view that he had refused to collaborate in the desired way on the *Threepenny* film. In the history of the poetic genius model in Germany, the placement of authority over the long-term life of a work is undisputedly that of the author. This framework operates with an assumption about the supremacy of a text’s “originator,” who is granted perpetual authority and say over a work and any adaptations. The author’s “original vision,” whatever it may be, is sacrosanct.

Even the perspective that collaboration is necessary does not remove the potential for ambiguity and disagreements. The crux of the issue tends to be the nature of work considered creative versus “only technical,”<sup>345</sup> although some still argued for the copyright claim of camera operators, for example.<sup>346</sup> Technical roles, or ones that were about interpreting the work of others,<sup>347</sup> were increasingly characterized as “tools” of the driving hand of the director or studio. Individual workers within the studio factory were considered contract workers, with no claim on the overall copyright of the produced film.<sup>348</sup> Although the studio was not necessarily a “creative” entity in the traditional sense, it was a primary controlling force which was given a large part of the credit for the resulting film.<sup>349</sup>

The conflict between screenwriter and director, already characterized as a battle, was the central issue in the 1920s. One perspective considered the director to be the author of the film, as they have the most opportunities and power to “translate their own thoughts into pictures,”<sup>350</sup> a description that echoes ideas of the Dichter forming their thoughts into reality. This view considered film production to be a collaborative project that nevertheless had a distinct, creative leader in the director, who for the purposes of copyright was the “true creator of the intended complete effect.”<sup>351</sup> However, the idea that a director could ruin a production by making

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<sup>342</sup> Holitscher, “Filmmanuskript und geistiges Eigentumsrecht.”

<sup>343</sup> Josef Coböken, “Eine Erwiderung,” *Berliner Börsen-Courier* 419 (7 September 1922).

<sup>344</sup> See Coböken, “Eine Erwiderung.”

<sup>345</sup> qtd. in Ackermann, 37.

<sup>346</sup> Schlechtriem, 74.

<sup>347</sup> Such as an actor who interprets the director’s vision, or the text of the screenplay.

<sup>348</sup> May, 15.

<sup>349</sup> Richard Treitel, “Das kinematographische Urheberrecht,” *Juristische Wochenschrift* 41 (1912), 569.

<sup>350</sup> Anonymous, “Autor – Dramaturg – Regisseur – Fabrikant.”

<sup>351</sup> qtd. in Ackermann, 37.

“unauthorized”<sup>352</sup> alterations or decisions continued to reinforce the precedence of the “original” author. The tendency to favor the director was not a straightforward progression, as I have already discussed in previous chapters, and the example of *Die Dreigroschenoper* shows that even into the 1930s, the hierarchy of collaboration was still contested.

### **Marxism, “Laxity,” and Collaboration: Brecht’s Intellectual Property**

When considering Brecht’s case against the makers of the *Dreigroschenoper* film, there are two significant factors that complicate the study. Against the background of ongoing discussions of copyright and intellectual property in film, Brecht was operating as a self-consciously countercultural figure. Although not as influential during the initial writing of *Die Dreigroschenoper* in 1928 as during the production of the film, Brecht’s turn to Marxism played a significant role in his attitudes about intellectual property. *Geistiges Eigentum* (intellectual property) on the one hand symbolizing a prioritization of bourgeois, individualistic culture and *Urheberrecht* (copyright) symbolizing the capitalist, commodifying model of culture on the other, Brecht was dismissive of both concepts. Brecht’s politics played a role in his collaborative mode of production, which is also not without controversy. These two elements, Brecht’s public attitude towards intellectual property and his private methods of collective work, are two factors variously considered explanations or complications to the cultural event and media circus that was called the Threepenny Lawsuit.

Marxist intellectual property is a relatively minor strand within the legal discipline, with few scholars, attorneys, or judges taking a Marxist approach to intellectual property.<sup>353</sup> However, there is still a relatively clear Marxist interpretation of the concept, considering Marxist attitudes to capitalism and private property rights: “According to the Marxist view, there should not be any tangible or intangible private property.”<sup>354</sup> The Marxist critique has had minimal influence on the discipline of copyright beyond the movement of Critical Legal Studies.<sup>355</sup> However, it is still noted as an important contribution to raise the issue of justice and equality within intellectual property, as well as giving perspective on why “the ideological emphasis on authorial works coincide[d] with an increasing industrialized mode of exploitation.”<sup>356</sup>

Brecht had first become actively engaged with Marxism in 1926. Although his history of collective work (seen variously as progressively decentralized or as selfishly opportunistic) ranges further back, Marxism certainly played an important role in Brecht’s public attitudes about copyright and intellectual property during the Threepenny Lawsuit. However, it is still complicated to tease out Brecht’s contradiction-filled stance on intellectual property. Brecht’s

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<sup>352</sup> Anonymous, “Autor – Dramaturg – Regisseur – Fabrikant.”

<sup>353</sup> D.B. Resnik, “A Pluralistic Account of Intellectual Property,” *Journal of Business Ethics* 46, no. 4 (Sept. 2003), 319 - 335.

<sup>354</sup> Resnik, 329.

<sup>355</sup> Martin Kretschmer with Lionel Bently and Ronan Deazley, “Introduction. The History of Copyright History: Notes from an Emerging Discipline.” In *Privilege & Property: Essays on the History of Copyright*, eds. Ronan Deazley, Martin Kretschmer and Lionel Bently (OpenBook Publishers, 2010), 14.

<sup>356</sup> Kretschmer, Bently, and Deazley, 13.

actions regarding intellectual property often conflict with his narrativization of the court case in articles and the “Dreigroschenprozeß (Threepenny Lawsuit)” essay,<sup>357</sup> where he attempted to control interpretation of the event. Brecht using his skills as a writer and commentator is therefore inextricably linked to the lawsuit as a cultural moment.

Steve Giles considers “Der Dreigroschenprozeß” to be “Brecht's most sustained and sophisticated contribution to Marxist critical and cultural theory” before Brecht’s other more “acknowledged classics” like the *Messingkauf* dialogues and the *Kleines Organon für das Theater*.<sup>358</sup> However, the sheer range of interpretations in secondary literature on the case within the field of Brecht studies demonstrates the difficulty of analyzing Brecht and the Threepenny Lawsuit. Even Brecht’s Marxist stance is not immune to contradictions and disagreements. Monika Dommann writes that regarding the Threepenny Lawsuit, Brecht was “trying to demonstrate that the bourgeois rights (in the form of intellectual property rights) was being swept away by capitalist film production.”<sup>359</sup> However, bourgeois individualism is not only critiqued by Marxism in general, it is understood as the target of several of Brecht’s works in particular.<sup>360</sup> So the idea that the film industry was precipitating a restructuring of the bourgeois legal system would seem to be applauded by a Marxist critic, not objected to. However, Brecht himself swings between seemingly supporting the destabilization of bourgeois aesthetic individualism and protesting the loss of his individual rights.

Aside from his Marxist beliefs, there is a public statement of Brecht’s that made him notorious in the public discourse. An avid reader of newspaper and journal articles that concerned him,<sup>361</sup> Brecht also occasionally wrote response statements. Perhaps his most famous of these was regarding an allegation of plagiarism within *Die Dreigroschenoper*. In a published collection of songs from the play, Brecht failed to cite K. L. Ammer, who had translated acknowledged source François Villon’s ballads into German. Some lines from Ammer’s translations appear word-for-word in *Die Dreigroschenoper*. In response to attacks for this omission, Brecht claims he “unfortunately” forgot to include Ammer’s name in his list of sources. He explains this forgetfulness with the most famous part of the statement: “This in turn I explain with my fundamental laxity in questions of intellectual property.”<sup>362</sup> This quote became immediately infamous, and is referenced in multiple articles covering the Threepenny Lawsuit, often as an ironic contrast to Brecht’s vigorous fight to protect “his” creation.<sup>363</sup>

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<sup>357</sup> Brecht, Bertolt. “Der Dreigroschenprozeß,” in *Versuche 1 – 12, Volumes 1 – 4*, 243 - 299 (Berlin: Suhrkamp Verlag, 1959).

<sup>358</sup> Steve Giles, *Bertolt Brecht and Critical Theory* (Bern: Peter Lang, 1997), 10.

<sup>359</sup> Monika Dommann, “Mehr Brecht als Recht - Der Dreigroschenprozess als Gerichtsbühne,” *literaturkritik.de*, revised November 21, 2016, [http://www.literaturkritik.de/public/rezension.php?rez\\_id=20810&ausgabe=201507](http://www.literaturkritik.de/public/rezension.php?rez_id=20810&ausgabe=201507)

<sup>360</sup> James K. Lyon, “Collective Productivity - Brecht and His Collaborators,” in *Intersections: The Brecht Yearbook Volume 21*, ed. Maarten van Dijk (Madison: University of Wisconsin Press, 1996), 5.

<sup>361</sup> *Der Dreigroschenprozeß* features extensive quotes from newspaper coverage of the case, for example.

<sup>362</sup> Bertolt Brecht, “Brechts Erklärung,” in *Bertolt Brechts Dreigroschenbuch: Texte, Materialien, Dokumente* (Frankfurt am Main: Suhrkamp Verlag, 1960), 204.

<sup>363</sup> See Herbert Lehr, “Streit um den Drei-Groschen-Geist,” in *Photo: Casparius* (Berlin: Stiftung Deutsche Kinemathek, 1978), 194.

Brecht's relationship with the concept of intellectual property and use of others' work was a source of a divide amongst his contemporaries. What was considered adaptation by those who admired him was seen by his enemies as plagiarism, piracy, and theft.<sup>364</sup> Herbert Ihering, a prominent theatrical critic for the *Berliner Börsen-Courier* and staunch defender of Brecht, blamed the allegations of plagiarism on a modern phenomenon of "hunting" for influences and an obsession with originality.<sup>365</sup> He also defended Brecht on the basis of collective work within the theater, although he acknowledged that Brecht's wording in his statement was easily interpreted as "arrogance."<sup>366</sup> But it is precisely in the topic of Brecht and his collaborators that reveals another area of disagreement and controversy. Throughout his career and well back into his first writings as a teenager,<sup>367</sup> Brecht is known to have had many collaborators with roles small and large, credited and uncredited. It was his practice to incorporate input and work from friends, a tendency strengthened by his Marxist beliefs, rejecting the idea of a solitary genius for collective production "as the imperative of the times."<sup>368</sup>

This collaboration can be seen in a positive sense, as a pioneering move to increase creativity and disrupt the dominant ideology. James Lyon asserts that Brecht's collaborative mode had a wide-ranging influence on the theater industry, particularly on the "collective writing [...] practiced in postmodern theater."<sup>369</sup> In this view, collaboration and the willingness to incorporate input from a wide circle is connected to a lack of ego and the cultivation of a stimulating creative community. However, the contrasting perspective is that Brecht freely benefitted from the talents of his friends and collaborators without proper reciprocation. John Fuegi describes Brecht giving ultimatums to force collaborators to agree with an unequal division of profits, such as forcing Kurt Weill to settle for 25% of the profits to the *Dreigroschenoper* when the composer was accustomed to receiving half or even 75% for his opera work. Fuegi also claims another primary collaborator, Elisabeth Hauptmann, had to agree to the "shameful" percentage of 12.5 because Brecht knew the opportunities for her to sell her own works were limited.<sup>370</sup>

The issue of Hauptmann's<sup>371</sup> role as collaborator is the source of a long-running debate in Brecht scholarship, both as a case study for understanding Brecht's inner circle and as a flash point for discussing gender issues in Brecht studies. Was Hauptmann exploited, did her economic share accurately reflect her role in productions released under Brecht's name, and how much of an impact did her personal relationship with Brecht have? Conceptions of and restrictions on female authorship, also touched on in the previous chapter with regards to Thea von Harbou, continue to be relevant here. And regarding the *Dreigroschenoper* specifically, the

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<sup>364</sup> qtd. in Dommann, 30.

<sup>365</sup> Herbert Ihering, "Plagiate," in *Der Kampf ums Theater und andere Streitschriften 1918 bis 1933* (Berlin: Henschelverlag, 1974), 271.

<sup>366</sup> Ihering, "Plagiate," 277.

<sup>367</sup> See Lyon.

<sup>368</sup> Lyon, 5.

<sup>369</sup> Lyon, 3.

<sup>370</sup> John Fuegi, *Brecht & Co.* (Hamburg: Europäische Verlagsanstalt, 1997), 276.

<sup>371</sup> In this chapter "Hauptmann" will always refer to Elisabeth, not Gerhart (as in Chapter Three).



debate on Hauptmann's share of the work adds an important facet to the later discussion of the lawsuit.

Fuegi's 1997 biography *Brecht & Co.*<sup>372</sup> set off somewhat of a firestorm within the intellectual community studying Brecht's life and works when he claimed that 80% of the *Dreigroschenoper* was written by Hauptmann. Although she is generally listed among the collaborators who played a significant role in the production of this piece, Fuegi's estimation was far beyond any previous claims. He characterizes Brecht as generally uninterested and completely uninvolved with Hauptmann's early work on the project. It is generally agreed upon that the idea was hers and that her translation of John Gay's 1728 *Beggar's Opera* was the origin of *Die Dreigroschenoper*.<sup>373</sup> Sabine Kebir, who is extremely critical of Fuegi's work, still agrees on the fundamental point that the project would not have existed without Hauptmann and her translation, citing Hauptmann herself as having said "it would never have come to be" otherwise.<sup>374</sup> This quotation from Hauptmann is an exception regarding her well-known deference and reluctance to speak about her collaboration with Brecht.

According to Fuegi, Brecht's apparent disinterest in the project abruptly shifted in the spring of 1928, when "the possibility of selling" the production appeared.<sup>375</sup> Fuegi claims that Brecht sold the work to the publishing house Felix Bloch Erben at a point when he had had very little to do with it. He also depicts Brecht as barely participating in the later writing, which took place as rehearsals were ongoing in the scramble to get the piece ready for opening. He claims that the text of the song "Mack the Knife," the arrangement of the "Cannon Song," and various additions and rearrangements constituted "the final contribution of Bertolt Brecht to this piece."<sup>376</sup> For Fuegi, *Die Dreigroschenoper* is a blatant co-opting of what was primarily Hauptmann's work, with Brecht taking advantage of the fact that she, as a female writer, would be unlikely to find a seller for the work under her own name.

*Die Dreigroschenoper* is perhaps the most famous work associated with Brecht, and it was certainly the most financially successful. It is not surprising that, particularly in Brecht studies, Fuegi's work garnered much attention. Kebir and Lyon are two Brecht scholars who addressed Fuegi's claims, and both refuted the 80% attribution to Hauptmann. Kebir in particular accused Fuegi of deliberate sensationalism in order to sell books, and says Fuegi is one of several male authors who hides behind superficial feminism while treating Hauptmann as a "passive object, simply a victim of a private relationship."<sup>377</sup> Fuegi sees Hauptmann's public silence as reflecting the practice of the era and her loyalty to Brecht, both of which Brecht in turn exploited. Kebir agrees that this silence was a necessary tactic throughout her life to make her way financially as a female writer. For Kebir, collaboration with Brecht was in Hauptmann's interest. She argues Hauptmann knew that neither the publishing nor the scholarly world was

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<sup>372</sup> The volume is also dedicated to Hauptmann.

<sup>373</sup> See also Lyon.

<sup>374</sup> qtd. in Sabine Kebir, *Ich fragte nicht nach meinem Anteil* (Berlin: Aufbau-Verlag, 1997), 102.

<sup>375</sup> Fuegi, 273.

<sup>376</sup> Fuegi, 286.

<sup>377</sup> Kebir, 9.

interested in viewing her as an independent writer, let alone a significant factor in works grouped under Brecht's "authorship."<sup>378</sup> Lyon dismisses claims of exploitation by the fact that Hauptmann defended Brecht till the end of her life and deemed it a privilege to have worked with him.<sup>379</sup>

Scholarship on Hauptmann has long been hampered by the fact that she disclosed very little about the nature of her collaboration with Brecht. Others have attempted to establish how much of the *Dreigroschenoper* was written by Hauptmann and whether Brecht took advantage of Hauptmann's precarity to further his own success. What is relevant for me is that in the public discourse around the Threepenny Lawsuit, Brecht's claim of authority over the *Dreigroschenoper* was never questioned, aside from Weill being acknowledged as his primary collaborator and originator of the music. However much authorship played into the debate about the Threepenny Lawsuit, it never included an interrogation of Brecht's claim of original ownership and, as I will discuss, Brecht is decidedly ambivalent about collaboration in the film context. Even from his critics, there was no discussion of how Brecht's collaborative mode had any impact on his self-positioning as the primary authority and author of *Die Dreigroschenoper*. In public responses, as in the "Dreigroschenprozeß" essay, Brecht frequently used the first-person plural ("we"), but he never names anyone else besides Weill. He therefore obscures who this collective "we" is, giving lip service to an anti-bourgeois collectivity but ultimately claims the primary authorship and ownership. And everyone who framed the trail as author versus industry, from sharpest critic to staunchest supporter, never questioned who this author was.

## **800,000 Marks**

The stage production of *Die Dreigroschenoper* had been a massive success in Germany, with the satirical, anti-capitalist story and Kurt Weill's innovative use of popular music styles drawing critical and mass acclaim. It seemed inevitable that the film industry, by this time filled with literary and theatrical adaptations, would want to produce a film version of *Die Dreigroschenoper*, and in the spring of 1930 this is precisely what happened. The details of the spring timeline, as the contracts were signed and pre-production was set into motion, became a point of central importance after Brecht sued the Nero-Film-Gesellschaft. It is therefore worth a brief overview of these events, especially since this timeline itself became the object of debate and disagreement once the Threepenny Lawsuit was in full swing.<sup>380</sup> My information is based primarily on the work by Steve Giles (who draws from information reprinted in 1931 in the *Archiv für Urheber-, Film- und Theaterrecht* as well as documents from the Brecht Archive in Berlin).<sup>381</sup>

On May 21, 1930, a contract was signed between Brecht and Weill's publishers (Felix Bloch Erben for Brecht, and Universal Edition Wien for Weill) and the film production

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<sup>378</sup> Kebir, 15.

<sup>379</sup> Lyon, 7.

<sup>380</sup> See Anonymous, "Der Roman eines Filmmanuskripts," *Berliner Tageblatt* 60, no. 89 (21 February 1931).

<sup>381</sup> Giles, 17.

company, Nero. It secured both men's *Mitbestimmungsrecht* (right of co-determination), which would become central to Brecht's dispute. This *Mitbestimmungsrecht* was reported on at the time, although Giles and as well as Wolfgang Gersch point out that Brecht and Weill had no contractual rights to object to a film made on the basis of an adaptation they had worked on.<sup>382</sup> "The authors' right of co-determination thus related, strictly speaking, only to the screenplay adaptation of *Die Dreigroschenoper* and not to the ultimate film."<sup>383</sup> An extra agreement between Brecht and Nero made on August 3, 1930 stipulated that Brecht would provide the *Grundlage* (foundation) for the screenplay. Brecht secured collaborators for the work on the *Grundlage*,<sup>384</sup> and Leo Lania was contracted to be the primary writer of the final screenplay.

Aside from these stipulations of the contract, the other most important event for the pre-history of the ultimate court case is what happened from August 3 - 23. On the 3rd, Brecht signed the additional agreement as I have just outlined, and this agreement also included a set of three deadlines regarding Brecht's *Grundlage*: that he would supply the first part on that day, the next part on August 12, and the last on August 15. Brecht made the first deadline, through oral communication with Lania, but failed to meet the second. Lania traveled to Bavaria, where Brecht (again, orally) informed him about the rest of the *Grundlage*, at which point Lania determined he was unable to complete the screenplay alone and needed Brecht's direct participation. The information Brecht had supplied about the rest of the *Grundlage* apparently required changes to the parts of the screenplay Lania had already written and would require changes Lania felt he could only do with Brecht's collaboration. After informing Nero, Lania was told to immediately return to Berlin and a lawyer from Nero was sent to offer Brecht 14,000 Marks in exchange for relinquishing his collaboration on the film. After Brecht refused, Nero officially took the stance that Brecht had failed to fulfill his terms of the contract by not meeting the agreed-upon deadlines, and that his screenplay suggestions were too different from the stage production and were "not suited to filming."<sup>385</sup>

Gersch argues that Brecht did meet the second deadline through his oral communication with Lania, and that the crucial point is the determination by Lania and Nero that Brecht had behaved in a way that made him necessary for the production of the screenplay. In either case, Nero officially broke off work with Brecht on August 23 and production on the film began "immediately."<sup>386</sup> This demonstrates that the production was under significant time pressure: the studio space had already been rented, and the actors had already been engaged.<sup>387</sup> Brecht responded by typing up his *Grundlage*, giving it to his lawyer for safe-keeping, and suing Nero

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<sup>382</sup> Wolfgang Gersch, *Film bei Brecht* (Munich: Carl Hanser Verlag, 1975), 58.

<sup>383</sup> Giles, 15.

<sup>384</sup> Giles states this *Grundlage* was to be completed in collaboration with Leo Lania and Ladislaus Vajda, while Gersch names Caspar Neher and Slatan Dudow as the *Grundlage* collaborators, and Lania as the collaborator on the screenplay.

<sup>385</sup> Giles, 17.

<sup>386</sup> Giles, 17.

<sup>387</sup> Gersch, 59.

(Weill filed his suit shortly thereafter). Brecht's suit was heard from October 17th to 21st, in the Landgericht I under the Landgerichtsdirektor Weigert.<sup>388</sup>

The court cases between Brecht and Nero, and between Weill and Nero, attracted a massive degree of public interest, matched by huge press coverage of the cases.<sup>389</sup> The popularity of the original stage production, the thematic overtones of the lawsuit, the active participation of both sides in the press, and a significantly dramatic courtroom created conditions for a true media circus.<sup>390</sup> The back and forth in journals and newspapers, including major publications like the *Berliner Börsen-Courier* and the *Frankfurter Zeitung*, became so frequent and complex that multiple articles reference the difficulty of getting facts straight or being able to cover all the previous details.<sup>391</sup> Siegfried Kracauer wrote that a prehistory of the case would constitute "a novel of several hundred pages."<sup>392</sup> The coverage effectively constituted free advertising for the film,<sup>393</sup> <sup>394</sup> and itself was the object of criticism for being out of proportion.<sup>395</sup>  
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My goal in examining the Threepenny Trial is not to examine the legal arguments made in the courtroom, but to analyze the way this legal issue elicited a discussion of authorship. The legal elements of the case are important, but it is interesting to see how the finer details of the legal conflict are often subsumed under a more abstract, ideological discussion in the widespread public debate. Steve Giles has done excellent work on close and critical readings of Brecht's *Die Beule* screenplay and the "Dreigroschenprozeß" essay. However, the difference for my study is a close examination of the discourse on the case, including Brecht's voice but considering it within the larger context. I argue that for the discourse on authorship, the way that the court case was perceived to have played out is just as important as the exact legal decision. I believe Brecht, too, was aware of this fact, explaining his vigorous engagement with commentators during and after the case (done personally as well as by proxy through his lawyer). He took this to its logical conclusion when he re-narrativized the case in his "Dreigroschenprozeß" essay, after having lost his lawsuit against Nero.

In the press and public discourse, the Threepenny Lawsuit was discussed in connection with a handful of main themes. Perhaps the most common was the understanding of the case as a

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<sup>388</sup> Herbert Ihering, "Die Autoren gegen den 'Dreigroschenoper'-Film," *Berliner Börsen Courier* no. 460 (2 October 1930), 2.

<sup>389</sup> They were technically two different cases, and Weill won his where Brecht lost. But generally, coverage grouped the two together except when discussing the eventual outcomes.

<sup>390</sup> See Anonymous, "Brecht's '3 Groschen-Oper' -- Klage vor der Weigert-Kammer," in *Photo: Casparius*, 202, and Anonymous, "Der Prozeß um die Dreigroschenoper: Dichter gegen Filmindustrie," *Berliner Börsen-Courier* no. 487 (18 October 1930), 7.

<sup>391</sup> The article "Der Roman eines Film-Manuskripts" from the *Berliner Tageblatt* is prefaced with a statement by the editorial board asserting they believe they are doing a "service" to "the public, that is extraordinarily interested in the very convoluted events in this dispute."

<sup>392</sup> Siegfried Kracauer, "Der Prozeß um die Dreigroschenoper," in *Brecht's Dreigroschenbuch*, 209.

<sup>393</sup> n.k., "'Die Dreigroschen-Oper' als Film," *Berliner Lokal-Anzeiger* 49, no. 87 (20 February 1931).

<sup>394</sup> Kurt London, "Die Dreigroschenoper," in *Photo Casparius*, 236.

<sup>395</sup> Rudolf Arnheim, "Post scriptum," in *Photo Casparius*, 241.

<sup>396</sup> Anonymous, "Um die 'Dreigroschenoper,'" in *Photo Casparius*, 201.

conflict between art on the one hand, and industry or capital on the other.<sup>397</sup> Since the twenties, the strength of studios and the film industry had been framed in contrast to desires to create film art.<sup>398</sup> The oft-repeated sum of 800,000 Marks, the purported cost of the production (which was ongoing during the lawsuit) is a testament to this. This huge sum was depicted as the true “opponent”<sup>399</sup> to “the artist, who simply is fighting for the ideals of his work.”<sup>400</sup> Industry against artistic collaboration is also one of the primary interpretations Brecht himself gave in the “Dreigroschenprozeß” essay.<sup>401</sup> Siegfried Kracauer confirmed that “for the general population,” removed from any detailed legal arguments or disputes over contracts, the only point of interest is “that artistic and economic powers have come into conflict.”<sup>402</sup> This can be understood in a larger context of anxieties about the possibilities for artistic production during a capitalist age.

Not only did the Nero film company represent the interests of industry and the huge amounts of capital at its disposal, the issue of money is even more fundamental. At a deeper level, the relationship between money and creative work, and the dynamics of payment, played a huge role in the discourse around the Threepenny Lawsuit. Although in retrospect Brecht openly stated money had been a motivating factor in agreeing to the film adaptation in the first place,<sup>403</sup> during the trial, accepting payment was equated to a loss of artistic integrity in the public discourse. Béla Balázs (now known more for his important work on early film theory) was contracted by Nero to work on the screenplay for *Die Dreigroschenoper* after work was cut off with Brecht. He attracted criticism for this paid work, which went against the wishes of the “original” authors, particularly from Herbert Ihering in the *Berliner Börsen Courier*.<sup>404</sup> Criticism directed at Balázs often insinuated that simply by agreeing to work for money under contract to Nero, he had lost all integrity as an artist.

But Balázs was not the only one to emerge from the Threepenny Lawsuit attacked for receiving payment. Even though he lost his case, Brecht himself was criticized for a payment of 16,000 marks he received from Nero after he appealed the first decision. The critical reactions were many, although Brecht’s supporters asserted this was simply the remaining royalties due to him. The film producer Lothar Stark published a response that is emblematic in its dripping sarcasm, addressed to the “spiritual heroes” Brecht and Weill and exaggeratedly praising their “poetic talents,” “spotless souls,” and defense of “noble ideals” along with references to the settlement sum.<sup>405</sup> The backlash grew so great that Brecht’s lawyer wrote an explanation to the *Berliner Tageblatt*, which was published with a critical note by the editorial staff: “For us the impression still remains that a principle was abandoned.”<sup>406</sup> At first, Brecht’s “fight against

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<sup>397</sup> Anonymous, “Der Prozeß um die Dreigroschenoper: Dichter gegen Filmindustrie,” 7.

<sup>398</sup> Iwan Goll, “Das Kinodram,” in *Kino-Debatte*, 136-137.

<sup>399</sup> Peter Suhrkamp, “Der Kampf um den Dreigroschen-Tonfilm,” in *Photo Casparius*, 216.

<sup>400</sup> er., “Montag Urteil im Prozeß um die ‘Drei-Groschen-Oper,’” in *Photo Casparius*, 204.

<sup>401</sup> Bertolt Brecht, “Der Dreigroschenprozeß,” 250.

<sup>402</sup> Kracauer, “Der Prozeß um die Dreigroschenoper,” 209.

<sup>403</sup> Gersch, 49.

<sup>404</sup> Ihering, “Die Autoren gegen den ‘Dreigroschenoper’-Film,” 2.

<sup>405</sup> Lothar Stark, “An die Herren Brecht und Weill,” in *Photo: Casparius*, 222-223.

<sup>406</sup> Anonymous, “Berichtigung,” *Berliner Tageblatt* 60, no. 82 (18 February 1931).

capital” was praised, then Balázs drew criticism for supposedly selling out his leftist principles, and finally Brecht in turn was scorned and dismissed for benefiting financially, despite having lost the case.

The interaction in this case between money and artistic work has connections to the long-running issue in the discourse of authorship in Germany. As I showed in Chapter One, it was central in the Denkschriften released by aggrieved theatrical organizations to argue that film held only financial, not artistic, interest. In that case, as in the Threepenny Lawsuit, economic and aesthetic motivations are considered mutually exclusive in the general discourse. This is against the backdrop of a decidedly mixed financial situation in the 1920s, especially for writers. Wenzel Goldbaum (the same who had written the Denkschrift for the Verband Deutscher Bühnenschriftsteller) wrote about the hardship facing creative workers (no health insurance, no pension, and no life insurance). In 1920, he wrote that “no one – except the well-off – has the time to create something and let it ripen...in the current situation he would have starved well before then.”<sup>407</sup> Despite the realities of the financial situation, the introduction of money continues to be seen as devaluing the “purity” of the work, as well as the creator.

The case of Brecht versus Nero also articulated the long-running question: what authority does the author have over an adaptation of their work? Within a cultural context that still places high value on the individual, “original” author and their creativity, what happens when this author claims rights of control in the increasingly complex and collaborative production process of a film? Such authors were often dismissed in film journals for wanting to assert authority despite not understanding film production, an issue sometimes simply called “the author problem.”<sup>408</sup> Furthermore, being a writer of novels or plays no longer made them automatically qualified to write a film screenplay, a job which had become sufficiently specialized to be its own occupation.<sup>409</sup> The “competence” of literary authors in the realm of film seemed to be its own element of dispute within the Threepenny Lawsuit, at least from perspectives within the film industry.<sup>410</sup> There is a tension, therefore, between the film industry’s clear desire to adapt popular works from well-known authors (also discussed in Chapter Three), and its defensiveness when these authors wished to dictate the direction of the film.

From Brecht’s perspective, in contrast, the author’s participation is nonnegotiable. He and his lawyers argued it was necessary in order to maintain “the characteristics of the style” of the original (as defined by him).<sup>411</sup> In the public discourse, the question of style was expressed through a discussion of the film’s political stance, and whether it was similarly, more, or less radical than the stage play. Examining the politics became the way of understanding whether the film had preserved the “*Tendenz* (tendency or leanings)” of the original production without

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<sup>407</sup> Wenzel Goldbaum, *Die deutschen Urheber: ihre Not - ihre Rettung* (Berlin: Verlag der Geschäftsstelle des Verbandes deutscher Filmautoren G.m.b.H., 1920), 4.

<sup>408</sup> Anonymous, “Der Autorenstreit um die ‘Drei-Groschen-Oper,’” in *Photo: Casparius*, 200.

<sup>409</sup> Schulz, 2.

<sup>410</sup> Anonymous, “Der Autorenstreit um die ‘Drei-Groschen-Oper,’” 200.

<sup>411</sup> Casper, “Für Bert Brecht. Von Rechtsanwalt Casper,” in *Photo: Casparius*, 175.

Brecht's explicit participation or not.<sup>412</sup> There was no consensus in the answers to the question of the film's politics. While some reviewers called the film "a harmless entertainment film,"<sup>413</sup> others determined that the film was actually more politically radical than the stage production, which is an ironic turn considering Brecht's position. Fritz Herbert Lehr called the film's end "actually more Threepenny Opera-esque than the play's" and said the film company had been "definitively braver than Brecht."<sup>414</sup> In the discussion of the *Threepenny Opera* film, politics is framed as a way of determining whether the author's collaboration is or isn't necessary to create a work that follows the same spirit as the original (the necessity of which is never questioned).<sup>415</sup>

Along with the political Tendenz, Brecht and his lawyers argued that if the production company was allowed to make changes without his permission, this would negatively impact his reputation with the general public.<sup>416</sup> The impact on an author's reputation has roots in the association between the author's individual personality and the work, which in Germany goes back to the early print period. According to Ludwig Gieseke, reputation became a point of discussion after the emergence of the idea of intellectual property during the 18th century.<sup>417</sup> Brecht's lawyer stated that "foreign texts" had been inserted into the film, "that the public could not distinguish" from Brecht's own.<sup>418</sup> This argument shows remarkable similarities to author's complaints going back to the 15th century.<sup>419</sup> The issue of the afterlife of a work, and its retroactive impact on the author, is therefore part of a long-running debate in Germany. Brecht's position was firmly that there was a final, definitive version of a text that appears with the author's permission. There is no afterlife of a work in which new ideas, collaborators, or forms can participate or be used.

## The Disowned Film

When the Nero-produced and G.W. Pabst-directed film *Die Dreigroschenoper* was released on February 19, 1931, the trial was over, having resulted in Brecht's loss on November 4 and the out-of-court settlement in December of the previous year. After the resolution of the legal dispute, there was much anticipation to see the film that had been produced among such tumult. Many saw the judgement on the finished film as being a judgement on the validity of Brecht and Weill's vocal campaign. And despite the tendency during the trial to focus on the role

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<sup>412</sup> As Gersch points out in *Film bei Brecht*, an added complication to the question of politics in the adaptation was that Brecht's own politics had changed since 1928, and that he wished for the film version to reflect his more radical position.

<sup>413</sup> Durus, "Die verfilmte 'Dreigroschenoper,'" in *Photo: Casparius*, 237.

<sup>414</sup> Lehr, 195-6.

<sup>415</sup> The disagreement about Brecht's role also showed a mismatch in the understanding of his contractually-secured *Mitbestimmungsrecht*.

<sup>416</sup> Anonymous, "Der Prozeß um die Dreigroschenoper: Dichter gegen Filmindustrie," 7.

<sup>417</sup> The personality theory of copyright, where the protection is focused on the relationship between author and work, is broadly connected to Hegel's *Elements of the Philosophy of Right* (1820) and are influential in the German model of author-focused *Urheberrecht*.

<sup>418</sup> qtd. in Anonymous, "Der Prozeß um die Dreigroschenoper: Dichter gegen Filmindustrie," 7.

<sup>419</sup> Sebastian Brant wrote an extra epilogue to his *Das Narrenschiff* in 1499, in which he protests about changes made to unauthorized reprintings that cause him personal pain, and injury to his name and reputation (*Das Narrenschiff*, ed. Manfred Lemmer, Tübingen: M. Niemeyer, 1986).

of capital and the production company, discussion of the film version of *Die Dreigroschenoper* shows that the understanding of film authorship was tied more than ever to an individual with creative control. Understandings of the film as “Pabst’s version” versus the hypothetical “Brecht version” flattened the issue into one of two contrasting personalities, whose artistic integrity and politics were debated to determine the success or failure of the *Dreigroschenoper* film.

Reactions were divided about the film and cannot strictly be categorized as film industry (which would supposedly back Pabst) versus theatrical (who would be more likely to support Brecht). There were those from various circles who were ready to see Pabst as the justified leader of aesthetic direction in the film without concern for Brecht, and described him as “one of the best, most progressive directors”<sup>420</sup> whose production pushed the boundaries of entertainment films.<sup>421</sup> Much of the positive language regarding Pabst explicitly draws on Romantic ideals. Describing his method originating in “the sentiment, that first lives in Pabst himself and drives his hand” is a classic depiction of the Dichter, who first experiences an internal impulse that he then directs outward into the world.<sup>422</sup> Even in a discussion of him as adapter, his ability to make “actually a completely new, characteristic and individual transformation of the old English subject” emphasizes originality,<sup>423</sup> while additionally emancipating Pabst from Brecht’s influence, placing them on equal footing as adapters of John Gay’s *Threepenny Opera*.<sup>424 425</sup>

Dealing with the mechanical aspect of the director’s role was complicated within the discourse about the film. Some labelled Pabst as “always an artist, never a mechanic.”<sup>426</sup> This separates the technical skills and apparatus from creative power in a way that uses the language of anti-film discourse (which disparaged film’s association with technology and mechanical reproduction). However, others were willing to acknowledge the technical elements of the director’s work (“Pabstism of the camera”) and make space for the possibility of “visual poetry” that takes aspects of traditional authorship into the realm of film.<sup>427</sup> Collaboration, the other complication of film production from the perspective of the authorship question, was framed under the guiding hand of Pabst the director, whose “intention” led all activities.<sup>428</sup> It is significant that mechanical and collaborative themes remain, but also that the director’s

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<sup>420</sup> Béla Balázs, “Antworten,” in *Photo: Casparius*, 240-241.

<sup>421</sup> Anonymous, “Die Dreigroschenoper,” in *Photo: Casparius*, 237.

<sup>422</sup> Anonymous, “Die Dreigroschenoper,” 237.

<sup>423</sup> Anonymous, “Verfilmte Dreigroschenoper,” *Der Montag: Berliner Lokal-Anzeiger* no. 8 (23 February 1931).

<sup>424</sup> Presenting Gay as the revered but distant “actual” original author seems to have been a tactic by Nero and even Pabst himself in the marketing of the film to undermine Brecht’s claim of authority. In these cases, language describing him is very straightforwardly Romantic, such as in *Programm: ‘Die 3 Groschenoper’* by Fritz Freund (Vienna: Filmpropaganda, 1931).

<sup>425</sup> Pabst himself spoke to this, describing how he read “the English ur-text” and engaged intensely with “the strangely serious and tragic material,” (Hans Taussig, “G.W. Pabst und die Dreigroschenoper,” in *Photo: Casparius*, 190).

<sup>426</sup> Taussig, 190.

<sup>427</sup> E.J., “Film-Kritik. Die 3-Groschen-Oper,” *Film-Kurier*, no. 43 (20 February 1931).

<sup>428</sup> Anonymous, “Darauf kommt es an: Was die Mitarbeiter der ‘3-Groschen-Oper’ wollen,” in *Photo: Casparius*, 185.



prominent position seems more and more secure, while continuing to be associated with genius-like characteristics.

Even those who criticized the *Dreigroschenoper* film often saw it as Pabst's responsibility. Where "the Brecht-Weillan" stage production may have been a "masterpiece," the "Pabstized *Dreigroschenoper* is in contrast watery soup."<sup>429</sup> As the stage play can be labelled with the eponymous adjectives from Brecht and Weill's names, the film had the Pabst-ness pushed on it. Nero's role, which took center stage during the lawsuit as representative of industrial, capitalist encroachment of art, rarely appears in reviews of the final film. Studio power therefore seems subsumed into Pabst, demonstrating the fact that at this point film authorship had moved even more firmly to the area of the director. While collaboration in general does appear as a reality and a theme in reviews of the film, the director as "leader of the production" seems firmly established.<sup>430</sup> Furthermore, the collaborators' roles, in particular the various men who worked on the foundation of the manuscript or the manuscript itself, also largely disappears from discussions of the final film. This is despite the vigorous discussion of their authority and relationship to Brecht's wishes, in particular Balázs' decision to work on the script after Brecht had been shut out of the production. Whether a success or failure, it was perceived to be almost exclusively in Pabst's hands.

G.W. Pabst's own representation of himself demonstrates the same blend of elements from Romanticism, with the director as an individual force of genius alongside acknowledgements of his collaborators. He strongly distances himself from a mechanical or technical role, preferring instead to highlight his creativity.<sup>431</sup> An interview published in October 1930 functions as a sort of statement of purpose for himself as director in a controversial production. In it, Pabst refers to the fact that he "is in conflict with Brecht and Weill" and that precisely this conflict encouraged him "to follow [his] own artistic intentions."<sup>432</sup> Pabst describes his working process as "visionary": "The finished film floats before me, I know how I want the scenes and only need to make them match my thoughts."<sup>433</sup> Responding implicitly to Brecht's contention that film production stood for the devaluation of artistic integrity for the sake of economic return and profit, Pabst heavily places himself in the tradition of the Dichter. After using this type of language, loaded with connotations of being the creative originator, Pabst does give attribution to some of his collaborators. However, even aside from presenting his role as organizing and directing these collaborators, he claims a more spiritual position of leadership as well, asserting that "no one loses their enthusiasm or bravery -- because I don't lose them!"<sup>434</sup>

Brecht himself responded at length to the court case in "Der Dreigroschenprozeß," an essay published in his collection *Versuche* in 1930. Aside from detailing his opinion on the court decision, Brecht turns his attention to analyzing several concepts and issues that the case

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<sup>429</sup> Durus, 237.

<sup>430</sup> E.J.

<sup>431</sup> Taussig, 190.

<sup>432</sup> Taussig, 190.

<sup>433</sup> Taussig, 190.

<sup>434</sup> Taussig, 190.

illuminated through a Marxist lens. In “Der Dreigroschenprozeß,” Brecht reframes his loss in court as an almost purposeful act of protest that allows him to conduct “a sociological experiment” (which is also the subtitle of the essay). After the extensive press coverage on the case but before the release of the film, Brecht seems to try to reframe the discussion. He strives to create a new narrative to replace the one in which his crusade ended in failure and (from some perspectives) humiliation and a loss of credibility.

Within this sprawling essay, I examine two aspects and how they relate to issues of authorship: Brecht’s attitudes on film as a medium and industry, and the issue of bourgeois ideology that Brecht traces through his case study. I find that there is a central paradox within “Der Dreigroschenprozeß,” which shows up in various ways throughout the individual themes he addresses. Brecht’s Marxism places him simultaneously for and against the forces of capitalism, which represent the supremacy of the market but also drive the breakdown of bourgeois morals. The dissolution of bourgeois ideology, which he otherwise argues is a place for progressive opportunity, is also tied to his loss of authorial control over the *Dreigroschenoper* film, which was a massive disappointment. Because of this paradox, Brecht places himself in the awkward position of decrying a development that one part of him resists because it is driven by capitalism, but another part supports because it breaks apart the remnants of an outdated, bourgeois model of property and individuality.

The medium of film itself presents opportunities and limitations for Brecht in “Der Dreigroschenprozeß.” He states that the possibility for an attack on bourgeois values and ideology through film was the reason he was interested in a film adaptation of *Die Dreigroschenoper* in the first place.<sup>435</sup> Aside from being able to perform a similar socio-critical function as the stage version, Brecht acknowledges the progressive potential of film as a driving force in the reconceptualization of art. He speaks of the “fusing” or melting down (*Umschmelzung*<sup>436</sup>) of pre-modern and pre-capitalist values being a process “that one can only approve of,” since these values represent models of bourgeois ideology.<sup>437</sup> Old ideas whereby art is meant to express a personality or create a world are not applicable to film, which instead “can (or could) shed light on human operations in detail.”<sup>438</sup> Film is therefore capable of being emancipated from the limitations of other media and can depict social conditions to bring about progressive change.

Despite these positive sentiments, Brecht paradoxically also displays disdain for film, and those who work with the film medium. For him, the camera apparatus is characterized by its lacks (*Mängel*) and is “unbelievably primitive,”<sup>439</sup> capable only of delivering an “imitation of a

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<sup>435</sup> Brecht, “Der Dreigroschenprozeß,” 275.

<sup>436</sup> *Umschmelzung* is a term similarly used by Walter Benjamin in the “Autor als Produzent” speech in 1934. Benjamin and Brecht enjoyed a brief but close relationship around the time of the Dreigroschenprozess and Benjamin’s work on “Der Autor als Produzent” and “Das Kunstwerk im Zeitalter seiner technischen Reproduzierbarkeit.” See Benjamin, “Der Autor als Produzent,” in *Versuche Über Brecht*, 95 – 116 (Frankfurt am Main: Suhrkamp, 1978).

<sup>437</sup> Brecht, “Der Dreigroschenprozeß,” 295.

<sup>438</sup> Brecht, “Der Dreigroschenprozeß,” 257.

<sup>439</sup> Brecht, “Der Dreigroschenprozeß,” 269.

work of art.”<sup>440</sup> The technical aspects are therefore dismissed out of hand, echoing anti-film discourse which comes from a bourgeois hierarchy of art versus machine. As when he flippantly refers to the director as a technically skilled “tradesman (*Fachmann*),”<sup>441</sup> Brecht separates film (which is mechanical and technical) from anything creative or intellectual. Far from being a radical attitude, this is a continuation of the Romantic perspective as expressed in 20th century bourgeois ideology. During the trial itself, he had made a retroactive shift regarding the process of adaptation, at which point adaptation became an unequivocally negative, inferior process and an encroachment on the author’s authority.<sup>442</sup> Adaptation, Brecht asserted, is “a form of meddling with the poetic substance of the work itself.”<sup>443</sup> Brecht’s initial views on the possibilities of film melt into familiar anti-technical discourse on the medium, and his loss of control of the adaptation leads to him roundly criticizing film workers and the desire to create film adaptations at all.

Another element which represents a paradox within “Der Dreigroschenprozeß” is that film is necessarily a collaborative medium. Brecht establishes collaboration as the counterpoint production model to the one which centers the bourgeois individual. However, he is deeply critical of filmic collaboration in practice. Answering the question “what kind of a collective do we have today in film?” Brecht states it exists only because each link in the chain (“the financier, the sellers [audience researchers], the director, the technicians and the writers”) is unwilling or unable to take on the jobs of the others.<sup>444</sup> Instead of being motivated by the desire to explore collective possibilities or create works in a non-hierarchical setting, Brecht claims film workers divide up responsibilities out of laziness or ignorance. As Marc Silberman says, “[Brecht’s] notion of collective production did not fit the studio model of industry specialization and rationalization.”<sup>445</sup> Brecht celebrates the theory of a medium shaped by collectivity, but rejects the actual praxis of collective work in film as it existed at the time.

The final issue Brecht presents regarding collectivity is that through the introduction of multiple players in the production, authorial control is lost. He speaks of this as a general problem as well as relevant in his own case, in which his property was taken from him and meddled with. His rights as the author were reduced to “making suggestions” for a script created by someone else.<sup>446</sup> Brecht repeatedly compares any changes made by others as arbitrary, as “damage,” tantamount to destruction, and essentially changing the nature of the work so completely as to make it no longer the same work.<sup>447</sup> The participation of others is therefore wholly negative both in terms of its impact on the product and as a violation of rights. Although he presents himself within a first-person plural voice (“we”), he explicitly and personally attacks

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<sup>440</sup> Brecht, “Der Dreigroschenprozeß,” 271.

<sup>441</sup> Brecht, “Der Dreigroschenprozeß,” 271.

<sup>442</sup> Brecht, “Meddling with the Poetic Substance,” in *Brecht on Film & Radio*, trans. Marc Silberman (London: Methuen, 2000), 145-146.

<sup>443</sup> Brecht, “Meddling with the Poetic Substance,” 145.

<sup>444</sup> Brecht, “Der Dreigroschenprozeß,” 269.

<sup>445</sup> Marc Silberman, “Introduction,” in *Brecht on Film & Radio*, xiii.

<sup>446</sup> Brecht, “Der Dreigroschenprozeß,” 291.

<sup>447</sup> Brecht, “Der Dreigroschenprozeß,” 275.

the film collaborators he sees as having usurped him. Vayda, Balázs, and Pabst are the targets of sarcasm and insults, who Brecht calls “second rate” or “especially unintelligent.”<sup>448</sup> And even when Brecht ostensibly speaks in generalities (not discussing the Threepenny Lawsuit in particular), he represents the possibility of an author being forced to allow changes to his work by “another” as a preposterous situation.<sup>449</sup> Collectivity in practice is therefore rejected and devalued in multiple ways throughout the text, despite its theoretical promise as an alternative to bourgeois creative production.

A major argument throughout the “Dreigroschenprozeß” essay is that the court case, and the very production of the *Threepenny Opera* film, express the collapse of bourgeois values of property and artistic individuality in the age of capitalism. Film nullifies the idea of “a work of art as an expression of a personality,” while the demands of the market mean the work is divided into elements that allow the introduction of new author(s).<sup>450</sup> The idea of unity between an individual author’s personality and a work with their name attached is broken down, while possibilities for numerous participants in the production process open up. Yet another paradox of the “Dreigroschenprozeß” essay is in Brecht’s relationship to these bourgeois values. Brecht’s goal of criticizing the outcome of his court case requires him to present the destruction of bourgeois values as a negative thing and also prevents him from devoting any space to developing a preferred model of collective production. Brecht uses deliberate linguistic choices (such as the first person plural, the third person, or the passive) to avoid representing his thoughts as individualistic perspectives. Refusing to speak in the first person, Brecht implicitly establishes himself at odds with bourgeois individualism, but the dissolution of this same individualism is connected to his loss of control over a work he saw as his.

Brecht frames the entire goal of this “sociological experiment” as the examination of conceptions that are “characteristic of the present state of bourgeois ideology.”<sup>451</sup> But by the end of the essay, it remains unclear precisely what Brecht wants the reader to take away with regards to this ideology of individualism. After criticizing the individualistic, isolated “genius” figure through the example of the bourgeois novel,<sup>452</sup> Brecht sounds increasingly like a lone author, insulted by the encroachment of others into “his” work. Does Brecht represent the individual or the collective? In places, Brecht acknowledges a certain level of paradox within his pursuit of the case (“We conducted a trial which insisted on concepts which were not our own, but that we had to assume in the courts”),<sup>453</sup> but he does not engage with the consequences this has for the arguments within the essay, or how the reader is meant to understand the case study of the Threepenny Lawsuit.

Brecht uses the loss in court in a process of re-narrativization to claim that this was the most beneficial outcome after all, since it allowed him to take a critical stance on the whole

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<sup>448</sup> Brecht, “Der Dreigroschenprozeß,” 282 - 293.

<sup>449</sup> Brecht, “Der Dreigroschenprozeß,” 278.

<sup>450</sup> Brecht, “Der Dreigroschenprozeß,” 275-9.

<sup>451</sup> Brecht, “Der Dreigroschenprozeß,” 243.

<sup>452</sup> Brecht, “Der Dreigroschenprozeß,” 257.

<sup>453</sup> Brecht, “Der Dreigroschenprozeß,” 288.

proceeding. But within his “sociological experiment,” the paradoxes about authority and progress abound. In the “Dreigroschenprozeß” essay, there is the story of the very real disappointment that must have been felt by a writer who had wished to see an adaptation that followed his vision. But Brecht also chooses, with a degree of arbitrariness, when to apply thematic criticism and when not, so he can present himself as both personally attacked, and as a distanced “social critic.” His own complicated relationship to the concepts of intellectual property and collaboration in practice (as with Elisabeth Hauptmann), speaks to the many tensions embedded in an attempt to reframe or re-theorize authorship within capitalism. As a case study on the state of authorship and politics of aesthetics in 1930, the “Dreigroschenprozeß” shows how difficult it was, even for a professed and vocal Marxist, to eliminate the ideology of Romanticism from his self-conception as an author and his rights as such.

## Epilogue

This dissertation has been a media-historical study of the German film industry and public discourse on the film medium from 1912 - 1931. At that time a controversial and increasingly popular new media form, film was a flash point for discussions regarding definitions of art and artistic creativity. Furthermore, the new mechanical tools and collective industrial models associated with film destabilized individualized authorship. The introduction of this new medium represented a disruption of norms and cultural attitudes, which I see as a quintessential theme of all periods of media change. In this dissertation, I have examined threads of aesthetic and moral elitism which censured film as a whole and the individuals working with it. I have also analyzed the search in public discourse to identify the single “author of the film,” motivated in large part by the historical legacy of Romanticism in Germany.

Although it is a historical work, the motivating questions driving this dissertation stem from our current digital age of the early 21st century, the era in which I became an adult. As in the early 20th century, the digital age has been a period of rapidly introduced new media forms that have caught positive and negative attention from social critics, artists, media theorists, politicians, and the public. Today, the possibility to access, and even more crucially, create artistic works is on a scale previously unknown to us. In many cases, all it takes is an internet connection and a laptop or smartphone (the latter being owned by a large majority of the population in the United States, regardless of class<sup>454</sup>). With this basic equipment anyone, regardless of professional background, can participate in the previously more closed-off, exclusive cycle of artistic creation. In the early 20th century in Germany, a new class of writers was gaining prominence—people we today would call screenwriters. These were writers-for-hire from a variety of backgrounds, including cabaret and pulp literature, who often looked nothing like the classic German image of the *Dichter* (poet): an upper-class male with a strict sense of moral and aesthetic educational responsibility. Screenwriters represented a disruption of this tradition: in their professional and personal backgrounds, in the collective process their scripts were a part of, in the audiences they were writing for, and in their goals for this audience. In both the early film era and the digital age, new players in the world of art force a re-evaluation of what it means to create and be a creator.

Emblematic of our time is also the ability for fans to cross the line from being audience members to engaged participants. YouTube, Instagram, Twitter, Tumblr, TikTok – these are platforms that are dominated by fans recutting, remixing, mashing, and re-mashing every kind of media that can exist in the digital space. Who is the audience, and who is the author? What is the meaning of the “original” version in such an environment? How do we define authorial ownership in such a context? From Anne Rice’s lawyers harassing fans writing fanfiction of the

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<sup>454</sup> “Demographics of Mobile Device Ownership and Adoption in the United States,” *Pew Research Center*, last modified June 12, 2019, <https://www.pewresearch.org/internet/fact-sheet/mobile/>.

vampire Lestat in the early 2000s<sup>455</sup> to Robin Thicke and Pharrell Williams paying the family of Marvin Gaye nearly \$5 million for copyright infringement<sup>456</sup> to countless YouTube takedowns of fan videos, the issue of who has authority over a cultural product and how long this ownership lasts is a defining question of the digital age. In the early 20th century, the new possibility for film adaptations of theater and literature similarly raised with fresh urgency the question of authorial ownership and intellectual property, as well as debates on whether or not adaptations were a valid artistic form at all.

We also see today a streak of alarmism regarding new media. The impact on youth in particular, whose psychology, socialization, and even mental development are seen to be threatened, makes up a significant part of the discourse on digital media (including video games). A statement from the Prussian Minister for Culture in 1912 could, with very few changes, make up a 21st century op-ed, speaking as it does of the “inappropriate and gruesome” content of the new medium, and the “loss of joy in quiet contemplation” among the youth.<sup>457</sup> Lines of division on what is considered good, worthwhile, or even healthy media are drawn not just on the basis of content, but also which media forms and tools are considered artistic and which are not. From the 20th to the 21st century, this reveals a still-ingrained hierarchy of art and media, extending today even to the correct way of consuming said media (e.g. screen size and physical surroundings<sup>458</sup>), judgments on particular audiences as non- or even anti-intellectual, and issues of class (as certain forms of consumption price out audiences with less disposable income).

The situation today is in many ways a magnification of issues from the early 20th century, existing on a larger scale. Viewing the period of media change from one hundred years ago provides an important basis for understanding our current state, and it shows that the early 20th century is not simply history. Although we often speak of the digital explosion as an unprecedented, unparalleled event in human development, with my dissertation I have shown that this is not the case. The scale today is different, of course, with a truly global economy adding even more layers of national and international concerns, and undermining ideas of nationally specific culture. But the destabilization of individual authorship, accompanied by a countering return to hyper-individualism, are present in both eras. I have found that the issues of ownership and participation in creative work are in reality unfinished questions of the early 20th century.

The introduction of a new medium or new method of production is a destabilizing event, as it reminds us that what we know and take for granted can always change. Even as the spheres of art, law, and public discourse still have disagreement about the role of copyright in the digital

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<sup>455</sup> Gita Jackson, “It Used To Be Perilous To Write Fanfiction,” *Kotaku*, published May 16, 2018, <https://kotaku.com/it-used-to-be-perilous-to-write-fanfiction-1826083509>.

<sup>456</sup> Althea Legaspi, “‘Blurred Lines’ Copyright Suit Against Robin Thicke, Pharrell Ends in \$5 Judgment,” *Rolling Stone*, published December 13, 2018, <https://www.rollingstone.com/music/music-news/robin-thicke-pharrell-williams-blurred-lines-copyright-suit-final-5-million-dollar-judgment-768508/>.

<sup>457</sup> Franz Lederemann, “Berliner Briefe V,” *Börsenblatt für den deutschen Buchhandel*, no. 114 (18 May 1912), 6124.

<sup>458</sup> See Gabriele Pedulla, *In Broad Daylight: Movies and Spectators After the Cinema* (Brooklyn: Verso, 2012).

age of amateur (or professional) remixing and (re)appropriating, another complication looms. The use of artificial intelligence (AI) to produce texts close to or indistinguishable from human-written texts is a topic that has gained importance from the mid-2000s onward. I have shown that in the early 20th century, anti-film commenters frequently cast writing as the highest and most special art form, due to its medium being language. Now in the 21st century, writing is no longer an exclusively human practice, as software and AI gain sophistication in producing texts. There are multiple examples that have caught widespread attention in recent years: In 2005, a group of MIT students created a computer program to write a fake scholarly article that was accepted to the World Multiconference on Systemics, Cybernetics and Informatics<sup>459</sup>, and a Japanese AI program made headlines in 2016 by “co-authoring” a novel that made it to the second round of screenings for the Hoshi Shinichi Literary Prize.<sup>460</sup> In cases such as these, the results of an AI-written text has generated multiple threads of commentary, sometimes reflecting on the future of literary forms written by computers, sometimes criticizing modern writing conventions or structures that were “fooled” by the AI-produced text.

The sophistication and abilities of AI to write texts continues to advance, with a recent example from 2019 being GPT-2, a language model developed by the artificial intelligence research company OpenAI. Trained on a massive dataset of eight million web pages, GPT-2 predicts the next word in a text to respond to a human-written prompt.<sup>461</sup> In the reception of the announcement by OpenAI, special attention was paid to the improved capability of nonhuman-authored texts. GPT-2 became a favorite of a group of participants in “NaNoGenMo,” an offshoot of National Novel Writing Month, who use code to generate a novel of 50,000 words.<sup>462</sup> In addition to the possibility of AI-written fiction, there were also worries about unsavory possible uses of GPT-2, for example to generate fake news articles. OpenAI themselves acknowledged such possible “malicious purposes” as the reason for releasing a “much smaller version of GPT-2” for open-access use, as opposed to the full, trained model.<sup>463</sup>

Issues and questions surrounding the increasing capabilities of AI to write text has naturally extended to the legal sphere. U.S. copyright law still only applies to “works created by a human being,” which excludes artwork created by animals or “by a machine or mere mechanical process that operates randomly or automatically.”<sup>464</sup> However, just this year, a Chinese court ruled that a news article written using the Dreamwriter software was eligible for

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<sup>459</sup> Adam Conner-Simons, “How three MIT students fooled the world of scientific journals,” *MIT News*, published April 14, 2015, <https://news.mit.edu/2015/how-three-mit-students-fooled-scientific-journals-0414>.

<sup>460</sup> Chloe Olewitz, “A Japanese A.I. program just wrote a short novel, and it almost won a literary prize,” *Digital Trends*, published March 23, 2016, <https://www.digitaltrends.com/cool-tech/japanese-ai-writes-novel-passes-first-round-national-literary-prize/>.

<sup>461</sup> Alec Radford et al., “Better Language Models and Their Implications,” *OpenAI.com*, published February 14, 2019, <https://openai.com/blog/better-language-models/#fn1>.

<sup>462</sup> Gregory Barber, “Text-Savvy AI Is Here to Write Fiction,” *Wired.com*, published November 23, 2019, <https://www.wired.com/story/nanogenmo-ai-novels-gpt2/>.

<sup>463</sup> Radford et al.

<sup>464</sup> U.S. Copyright Office, *Compendium of U.S. Copyright Office Practices, Third Edition* (2017), 16 – 17.



copyright protection, as “the article’s articulation and expression had a ‘certain originality.’”<sup>465</sup> The importance of originality, which for the Romantics had so much to do with individual personality and the valorized concept of human genius, has come in the 21st century to refer to a text written by a piece of software.

Anti-film critics in the theatrical Denkschriften discussed in Chapter One used the backhanded compliment *Wundermaschine* (machine of wonders) to describe the film apparatus. As I have shown, the legacy of Romantic rhetoric in the 20th century emphasized creativity through remarkable human individuality, which was diametrically opposed to the workings of a machine. The label *Wundermaschine*, therefore, acknowledges film’s ability to astound and entrance audiences, but divorces the role of humans in film production and frames it as an entirely mechanical process. The issue of AI presents a similar destabilization of our understanding of the division between human and technology, and it is also represented as a miraculous curiosity, fascinating but a little bit frightening. AI and film seem to confront us with the idea of automatic art, art that doesn’t require human hands to form and shape. However, in both cases, the medium is impossible without human intervention. A film camera may automatically record what is in front of it, but it requires a human to initiate the recording (let alone the fact that the apparatus was designed by humans). Similarly, the GPT-2 was created by a team of human workers, and its data input was drawn from thousands of web pages written by other humans. In both cases, what is seen as nonhuman or “only” a machine could not exist without humans.

History is riddled with defunct and forgotten technologies, and there is no way to deny or prevent change in the world of media. Instead, a media disruption allows us to confront and better understand our definitions of creativity, art, and authorship as we endeavor to integrate and use the new tools and methods presented to us. This is why I have never seen the experiences and voices from the previous century as pure history. The emergence of AI-authored texts simply reinforces the perspective that media change never ends, continuously opening up new possibilities for innovation and creation. The perspectives on the emergence of the film industry and film art from the early 20th century help draw into focus the assumptions about art and authorship we hold today that continue to interact with ongoing media change around us. What the births of these two *Wundermaschinen*, separated by more than a century, force us to reckon with is the limits of our existing understandings of how art can be made, and by who – or what.

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<sup>465</sup> Paul Sawers, “Chinese court rules AI-written article is protected by copyright,” *VentureBeat*, published January 10, 2020, <https://venturebeat.com/2020/01/10/chinese-court-rules-ai-written-article-is-protected-by-copyright/>.

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