

# A new definition for today's Chinese independent cinema

## Abstract

Different terminologies have been used to characterize the Chinese independent cinema in the 1990s. These definitions focused on experimental practices outside the official production system and independent of official ideology. The film industry has had distinctive development since China's entry into the World Trade Organisation (WTO) in 2001. Now, private investors play an essential role in the cinematic economy; strict censorship has been obviously relaxed; the film industry is being divided into two opposing parts at opposite extremes: major production companies which are both government and privately owned, and a collection of new and old independent producers often operating commercially. Thus, it is necessary to give a new definition of the Chinese independent cinema. I suggest here a definition of independent cinema for China, based on American independent film-making practice, which recognises as independent, any film that has not been financed, produced and distributed by "majors". At least four corporations are majors in the Chinese film industry. They are China Film Group Corporation, Huayi Brothers Corporation, PolyBona Film Distribution Corporation and Shanghai Film Group Corporation. Except the four majors, all the other film production or distribution companies are independents.

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## Introduction

Chinese independent cinema in the 1990s meant films "not approved by government". However that definition may not be appropriate in the new situation. This article analyzes the film industry reforms which have occurred, aimed at marketization and globalization, and the dramatic changes the reforms have brought about since the 1990s. Then it addresses the tension between the former definition of Chinese independent cinema and new identities belonging to the new economic situation, arguing that the dominant system against which Chinese independent filmmakers define themselves, has changed. The article proposes a new definition of Chinese independent cinema in light of American independent experience whose focus is on a film's industrial orientation, and then explains the definition in terms of "majors and indies".

Chinese independent cinema emerged in the early 1990s. Different terminologies have been used to characterize this alternative film culture. There are principally the concepts of "underground", "the sixth generation", and "independent cinema" —mostly western terms but with distinctive Chinese applications.

Overseas critics preferred the term "underground". They regarded the filmmaking activities as rebellious behavior (Chen and Xiao 2006). State-owned studios were the only legal entities to produce films by the late 1990s. Film censorship was very tough. Financial crisis prevailed in the film industry. The young directors who could not get opportunities within the monopoly of state-owned system had to embark on a unique, out-of-system journey to fulfill their dreams. They produced low budget films without official permissions and shipped them overseas to get exhibition. Their illegal activities are named "underground" filmmaking.

Some film scholars and critics preferred such terms as "the sixth generation" or "the new-born generation" to describe these young brave directors. Their argument is that their films present many common characteristics in comparison with films produced by other generations. The sixth generation directors explore the social realities of their daily urban surroundings.

"Underground" seems to suggest subversive positioning to the Party's political dominance. However, in fact, political criticism is not a major characteristic of most underground filmmaking (Pickowicz 2006). Directors also would deny describing their films as dissent work (Berry 2006). A majority of young directors prefer a relatively universal term "independent".

The emphasis of most literature on what is Chinese independent productions and how they are independent has still been placed on the out-of-system industrial and ideological locations. Pickowicz (Zhang, c2006) claims an independent Chinese film was traditionally to be considered the one produced outside the system and thus inevitably with a dissident stance. Cui (2005, 175) notes that independent filmmaking is an “experimental practices outside the official production system and its ideological censorship”. Zhang (2006, 26) states the term independent “best describes the alternative modes of production and circulation of their works: if not entirely independent of state institutions (for nominal affiliation was required in some cases), at least independent of official ideology”.

No matter which term critics selected for this alternative Chinese filmmaking, “underground”, “the sixth generation” or “independent”, their attention were mainly paid to films’ ideological status, in detail, the facts that the films were not approved by the Communist Party and that they represented alternative culture opposite to the mainstream propaganda. The definition has strong Chinese uniqueness with political color. This draws our attention to the question: what is the common definition for independent cinema?

The literature about the definition of independent cinema is rich. As mentioned before, unofficial actions and even taking of politically subversive positions was for many years the key feature of Chinese independent cinema; while the state system had relational dominance in the cinema world. However, in West, some understandings of “independent” focus on financing. Merritt (2000, 4) proposes that independent is “any motion picture financed and produced completely autonomous of all studios”. Merritt (2000) raises a difference between independent and semi-independent film. For him, an independent film is financed and produced thoroughly independently while “a semi-indie” is not produced by a major but does have a major’s distribution. More clearly, Holmlund (2005) points out that independent films are the films that are not released by the Big-Eight majors (Warner Brothers, Paramount, MGM, Twentieth Century-Fox, PKO, Columbia, Universal, and United Artists).

Some points of view on what is independent highlight its experimental aesthetics. Definition of “independent film” in Thesaurus is “art film” and “avant-garde film”.

Many directors affirm independent is a maverick activity rather than a commercial commodity (Levy 1999). For *Filmmaker Magazine* (2003) editors, independent movies “are broadly associated with alternative points

of view, whether they be expressed in experimental approaches or through crowd-pleasing comedies” (cited by Holmlund 2004, 3).

Other statements about independence combine industrial and formal components together. Maltby (2003) (Maltby, 2003) states any film financed not by majors is independent; while a film with an innovative perspective and personal style is independent. In a similar vein, Hillier (Hillier, 2001) notes that “independent is a concept opposite to ‘studio’”, “independent” suggests work that is different from the mainstream, both in economic or aesthetic terms. In his book *American independent cinema*, King (2005) discusses indies in three orientations: film’s financing, form and the social issues they concern.

In short, financing or aesthetics opposite to the dominance is the common ground for the definition of independent cinema. However, Tzioumakis (Tzioumakis & Ebooks Corporation., 2006) confesses that American independent cinema is a very difficult concept to define. In his book *American independent cinema: an introduction*, Tzioumakis examines American independent cinema in different historical trajectories. For him, different economic environments generated different majors and correspondingly different indies appeared. In a similar vein, Kleinhans (1998, 308) cites that “independent” is a “relational term”, in relation to “the dominant system”, rather than being understood as totally “free-standing and autonomous.” According to this viewpoint, before we can propose the definition of Chinese indies, first of all, we need to discuss what the dominant system is that Chinese independent cinema is relational with. In the United States, the dominant system has always been large corporations known Hollywood. Historically, the monopoly of state-owned system was the dominance in the People’s Republic of China. As already noted, the previous definition of Chinese independent cinema focused on its opposition to the state-owned system, at both industrial and ideological level. However a series of reforms since the 1990s, especially since China’ WTO entry, have caused groundbreaking changes in the film industry and have resulted in the emergence of new major dominance.

### **Economic reform in the Chinese film industry**

Since the establishment of the People’s Republic of China in 1949, the film industry of monopoly state control had been restrictedly managed within planned economy mechanism. The state subsidized production, and the state-

owned studios produced propaganda films according to the government target rather than the market demand. Distribution was by the state-owned China Film Corporation (CFC).

#### *Film reform in the 1980s*

In the mid 1980s reform started. The reform in the 1980s focused on the distribution-exhibition end. CFC acted as a monopoly distributor. It bought the prints from studios and passed them to distributors at provincial level where it would collect box office revenue. Provincial distributor did not need to pay money for the prints but shared revenue with CFC, so they usually asked for more prints in order to broaden screenings and then get more share. In order to reduce the burden of CFC the state required local distributors to pay for the extra prints and at the same time allow local distributors and exhibitors to have bigger share. In the following years the planned price system was relaxed and ticket prices were allowed to increase at some big cities. The measures granted distributors and exhibitors more financial autonomy, hoping they would bring back more audiences to theatres.

However, as Zhu (2002, 908) claims, the reform in the 1980s did not touch the “inefficiency and unproductivity” of the state-owned studio system. The shortage of production capital had severe impact on film’s quantity and quality. Around the early 1990s, the film industry experienced a financial crisis. Both audience attendance and box office receipts dropped sharply. Many film units were in debt.

#### *Film reform in the 1990s*

In the 1990s the aim of economic reform was to push the transition from socialist planned economy model to socialist market economy model. In the film spectrum the emphasis was on the part of production.

International and domestic private coproduction was adopted by individual studios as reform measures to cope with the problem of capital shortage in the early 1990s. Back to the year of 1984, the state withdrew government financial backing to studios, just paying for the most expensive propaganda films. In the new “self-responsibility” system the studios had to seek financial investment outside in an increasingly competitive cultural market (Chu 2002). Coproduction with international or domestic non-film-sector investors was the available means to collect money because at that time only

the 16 state-owned studios were allowed to produce films and if international or domestic investors were interested in film business they had to attach studios, buying the studio logo or the production license. However, these measures had not made the film industry profitable. In the case of international coproduction, studios could just collect merely licensing fees by providing cheap labors and facilities. Similarly, in the case of coproduction with domestic private capital, studios would have a flat “management fee” of around RMB300k (Zhu 2002, 911). In order to absorb more investment, in 1995, another regulation (MRFT No. 1, 1995) was introduced to allow thirteen film studios at province and city level to produce feature films. It also invited private enterprises to participate in investment. If their investment was over 70 percent, investors then had rights to be co-producer after gaining permission from the film Bureau. In 1996 this standard was lowered to 30 per cent (MRFT No. 735, 1996).

Merging with TV media was another important measure adopted by studios to increase profits. TV industry had much more audience than theatre and it was wealthy with massive amounts of advertising earning. Through the sale of copyright to TV stations the cinema channel soon became the substantial revenue source for film industry. Meanwhile, many provincial-level studios began to merge with local television stations to form film and TV production center (Zhu 2002). In order to cultivate various investment resources, in 1997 an invitation was issued to grant feature film production licenses to television stations and film studios at district level (Chu 2002).

The import of Hollywood blockbusters not only increased the box office revenue but also shaped the production mode in the Chinese film industry. From 1994 some Hollywood big-budget films were imported to China. The hi-tech spectacular visual and audio effects had greatly stimulated the desire of audiences to go back to cinema. The huge success of Hollywood movies let Chinese filmmakers acknowledge the significance of big budget movies. In 1995 the investment of four high-cost films rose to the record levels in the history of Chinese cinema and much of the investment was from private capital (Zhu 2002).

During the reform towards a market economy the government kept its strict censorship control. On the one hand, it allocated special fund for studios to produce 10 high quality propaganda films a year between 1996 and 2000. The films’ revenue was guaranteed through the government-organized and sponsored public viewing. On the other hand, it destroyed the low-budget entertainment films containing vulgar sex and violence. In addition, harsh treatment in the censorship and regulatory system were enforced to ban some

young directors' illegal activities of shooting and screening films overseas (Zhang 2006).

The reform in the 1990s emphasizing on production led to international coproduction, private investment, merging with TV and big budget production. However, the crisis of film industry was still severe. Both the number of films released and box office receipts dropped sharply around the year of 2000. Therefore, the crisis could not be solved through the simple reform of the mode of distribution or production.

### *Film reform after 2000*

*Hero* led China into blockbuster era. Chinese film industry was dying with the facts that Hollywood had accounted more than 70% of box office revenue in China and that the majority of domestic top hits were Hong Kong coproduction. At this turning point, *Hero* lit the hope. *Hero*, financed by private corporations, was released in 2002. It was the first significantly transnational Chinese blockbuster which had successfully employed many Hollywood marketing strategies. Its historically martial arts genre was the most favorite Chinese film style for international audiences. The film was made with a budget of US\$30 million (Chung 2007, 418) which had set the record. In its production strategies, *Hero* gathered professionals from transnational Chinese communities and international world. In terms of distribution, it selected Miramax, one of the Hollywood major distributors for its worldwide markets. The release strategy adopted wide-release exhibition in both domestic and international markets. The huge economic success of *Hero*, with the box office revenue of US\$177 million (Chung 2007, 420) totally, essentially influenced the direction and rapidity of the film reform.

Since then, a series of reforms have been issued one by one. They included Temporary Regulations on Access to Film Production, Distribution and Exhibition (2003), Several Opinions on Accelerating the Development of the Film Industry (2004), and Temporary Regulations on Film Screenplay (Outline) Register and Film Examination (2004). The new regulations aimed at establishing firm infrastructure, increasing the availability of capital investment, encouraging innovation of creative talents and protecting national cinema.

1. Standardize film examination process and relax the strict censorship regime.

Previously, the whole detailed screenplay and the completed film should be submitted to SARFT for examination. But now just 1000-word-script outline should be submitted and the completed film can be submitted to SARFT itself or some authorized subordinate locations (Shanghai, Guangdong, Zhejiang, Shanxi and Hubei). During the examination of films, censorship examination should be clearly separated from the art evaluation. The process of examination should be reasonable, avoiding the phenomena that different judges lead to different results.

2. Encourage local private investment into film industry

Before, only state owned studios and TV stations were authorized to produce films. Although in the late 1990s, large amounts of private capital flew into film production, these private investors had to purchase the logos of state owned studios to produce a film. The new regulations allow the establishment of private film production companies and lowered the access to film corporations. The private investors which have produced two feature films and have registered capital of at least RMB 1 million can apply to establish film production corporations.

3. Encourage foreign capital into the Chinese film industry

Foreign or overseas companies are allowed to jointly established film production corporations through the form of joint-venture capital or cooperation. These Sino-foreign production corporations should have registered capital of at least RMB 5 million and the percentage of foreign capital should not take more than 49% of registered capital.

4. Protect national cinema

Some regulations aimed to protect national cinema. For example, distribution companies should distributed at least 40 national movies each year and the box office revenue of national cinema should account for at least 40%; movie theatres should make at least 2/3 of the total amount of the exhibition time for national cinema; the newly established film production companies could suspend business tax for 1 to 3 years.

5. Establish theatre chains and digital cinemas

Theatre chains were initiated in 2002 in order to be in international track. Theatre chain is the modern film exhibition management which combines theaters together with the same brand, screening schedule and operation. The reform of theatre chains pushed the renovation or structure of luxurious cinemas. Meanwhile the establishment of digital cinemas developed rapidly in many big cities. In 2006 the government invested RMB30 million in rural areas to promote digital cinemas (Yeh and Davis 2008, 43).

The most dramatic changes to the Chinese film industry have come just after a few years of the enforcement of the new regulations. First, more capital from domestic or overseas sources is being absorbed. In recent two years around 300 private film production corporations are responsible for 60% of film production output. The films they involved account more than half of box office cinema (CCTV News 2004). Meanwhile, a large amount of overseas capital, especially the capital from Hong Kong, has flown into film production, choosing coproduction as a case by case strategy (Wan 2006). Second, both film production and box office revenue is increasing. According to Xinhuanet (2008), in 2007 402 movies were produced, increasing by 21.8% over 2006; the box office revenue in 2007 was RMB 3.327 billion, increasing by 26% over 2006; another significant fact is that the receipts of domestic cinema has been more than that of imported ones for 5 years. Third, the structure of the industry is becoming more effective. In 2002 the single movie *Hero* accounted for more than half of the revenue, while in 2007 the revenue of the two blockbusters accounted for not more than 25% (xinhuanet 2008). In brief, the film industry is booming!

### **The need for a new definition of Chinese independent cinema**

The traditional definition of Chinese independent cinema is appropriate for the context in the 1990s and thus has its historic limitations. In the 1990s, the state had virtual monopoly over the Chinese film industry, with the state-owned studios strictly controlling film production, from content to economy. The depression of the film industry in the 1990s and the poor economic performances of most independent films further encouraged critics to concentrate on the ideological consequence of independent Chinese films.

However, the film industry has had distinctive development since the entry of WTO in 2001. Some outcomes of reform were importantly relevant to the new independent cinema. First, private investors have played essential role in cinematic economy. In recent years the films produced or co-produced by private capitals accounted 80 per cent of the total film output. In 2006 the two top hits were features invested by private companies (Wan 2006). Second, strict censorship has been obviously relaxed. This means that filmmakers would have more opportunities for their film careers than ever, or in other words, they do not need to be “underground” or illegal anymore. An example is that Jia Zhangke, the previous “underground” director, has got permission for the exhibition for his new work. Third, the film industry is being divided into two opposing extremes. On the one hand, just a few blockbusters could have occupied the luxurious theatre circuits been released

in peak seasons. On the other hand, large numbers of low budget films have been squeezed into non-secured space and could just sell copyrights to TV channels for chicken feed. In this respect, the historic term of “independent” whose emphasis is on “out-of-system” does not make sense in the new industrial-economic context. Berry (2006, 110) contends that recently the rise of the marketization and globalization has played an important role in shaping Chinese independent productions, and “the state, corporations, and foreign sources of funding and exhibition opportunities” have become three large forces for independents to negotiate. So he proposes “the American experience of independence is becoming ever more relevant to understanding the Chinese context” (Berry 2006, 110).

The definition of independent cinema in today China I suggest in the light of American independence is that any film that has not been financed, produced and distributed by majors is independent. For further understanding the definition, some aspects are needed to be explained.

Firstly, the focus of the definition is on film's industrial orientation rather than its artistic style. The marketization of almost all levels of film industry has raised young filmmakers' box office awareness (Wan 2006). Winning awards at film festivals is not the final goal anymore; instead, it has become a marketing tool for a film's distribution. The fierce competition in film business led to the generation of new majors and independent corporations. The occupation of public resources and the amazing size of capital put the major conglomerates in an advantageous position in competing for investment or audiences with the economically independent entities. The definition's focus on economic end is also due to the concern that spirit is too slippery and the sole consideration of financing can launch a relatively more practical definition (King 2005).

Secondly, who are majors? Majors are “vertically integrated companies” (Tzioumakis 2006, 19). They finance and produce their films; they have nationally established distribution network and they own theatres for exhibition circuits. Hence, the powerful distribution network, the owned or shared-owned theatre-chains and the outstanding place that corporation occupies in the film industry, are the basic criteria for the answer of “who are majors”.

According to the criteria, at least four corporations are majors in the Chinese film industry. They are China Film Group Corporation, Huayi Brothers Corporation, PolyBona Film Distribution Corporation and Shanghai Film Group Corporation.

China Film Group Corporation (CFG) was conglomerated by government in 1999. It is “the most comprehensive and extensive state-owned film enterprise in China with the most complete industry chain” (CFG website). The dominance of CFG is obvious. It produces more than 30 percent of the whole nation’s film output annually; it owns the only movie channel (CCTV-6) in the country; its share-owned theatre circuits take 40 percent of the domestic box office (Yeh and Davis 2008).

Huayi Brothers was founded in 1997. It is one of the first private film production and distribution corporations in China. It is already China's biggest private-sector film company with its investment taking 30 per cent of the film market (ent.QQ 2008). It is one of the country's weightiest entertainment conglomerates with pretty diversity in terms of entertainment with TV, film, artists’ representation, advertising and music label.

PolyBona Film Distribution Co., Ltd. is China’s first and largest share-holding film distribution company. It has distributed over 120 domestic and foreign films in recent five years, earning over RMB 1 billion (approximately US\$ 130 million) in box office revenue, capturing over 20% of the overall market share (polybona website). PolyBona is shifting into film production. In 2006, PolyBona has produced and co-produced over 20 feature films. In 2007, Variety magazine recognized the growth of PolyBona as transforming from Miramax to Paramount.

Shanghai Film Group (SFG) was integrated by government In 2001. It has 5 large film production enterprises, 14 TV-series productions enterprises, Oriental Movie Channel and the largest theatre chain “Shanghai Lianhe Cinema Circuit”. It plans to produce 20 feature films, 50 TV films and 800 episodes of TV series annually in the next three years. The box office revenue of the cinema circuit is aimed to be 25% of the market with yearly revenue of RMB1.5 billion (about US \$80 million) (SFG website).

To sum up, CFG, Huayi Brothers, Bolybona and SFG are leading players in today’s Chinese film industry. Their powerful distribution networks connect the whole nation from north to south, from east to west. The theatre circuits they control or share guarantee exhibition of their production. The number of their film production or box office revenue takes distinctive percentage of the total film output and receipts in China. Their performance has complex and noteworthy impact on other players in the film industry, of course including independent sector.

Thirdly, who are independents? Except the four majors of CFG, Huayi Brothers, Bolybona and SFG, all the other film production or distribution companies are independents. They include more than 300 private film

corporations and about 20 state-owned studios. By contrast to majors who are vertically or horizontally integrated, these companies operate independently. However, the extent of their independence slides in a large range. We can study the independent spectrum through dividing them into two groups: top-rank independent and low-end independent, state-owned studios and private corporations.

Low-end independence represents a typical form of independent filmmaking. Compared with top-rank independents that enjoy the ties with majors, these companies operated completely “independently” to the majors. They finance and produce their films. Their own distribution branches release the films. The films are screened in small independent theatres located mainly in the residential areas of big cities, small towns and rural areas.

Chinese state-owned studios were founded by the government. They used to produce propaganda films according to the state’s production target. The state subsidized and purchased the production. However, a series of reforms aimed at decentralization and marketization caused the state to lower its support to studios; furthermore, during the process of conglomeration of some well-established studios like CFG and SFG, these small studios were ignored. They were pushed into the fiercely competitive market and tried to survive by self-responsibility. Shortage of capital, inefficient equipment and lack of innovation are the key features of these studios. Nowadays, most of them barely survive by coproduction with private companies, with the investment by the forms of studios, labour and equipment, or by coproduction with regional TV stations to shoot TV series.

These independent companies, especially the low-end independent corporations and poverty state-owned studios, operate in the shadow of the majors but manage with an effort outside their sphere of influence.

## Conclusion

The new economic environment necessitates the new definition of independent cinema in today China. Economic reform in the form of privatization and marketization has helped Chinese film industry to obtain its independence from state intervention. Indeed, the legal identity of private investment and the relaxed regulation system have significantly encouraged creative filmmaking. The monopoly of state-owned system, the basic ground for the former definition of Chinese independent cinema has not existed. Furthermore, in the era of blockbusters, the new majors and simultaneously new independent players are emerging. Some diversified conglomerates no

matter they are state-owned or private, have controlled markets all nation wide. Opposite to these moguls, many small private companies and state-owned studios operate independently, with producing cheap films and sidestepping the influence of the majors. In order to approach their independent behaviour as a discourse, first of all it needs to make a definition, a new one which is defined from the industrial-economic perspective. That is any film that has not been financed, produced and distributed by majors is independent film.

**Note:** ☐ Dividing filmmakers into different generations based on an historic trajectory is one way of periodising Chinese cinema in Mainland China. The fifth generation, among which Zhang Yimou and Chen Kaige were quite famous, made experimental art films to challenge the socialist realist tradition. They were dedicated to national legends and historical allegories. Their films won top awards at many international film festivals. The sixth generation refers to a group of young filmmakers who came of age during the post-Mao era and lived in urban centres. They emerged in the shadow of the international fame of the fifth generation. By contrast, they explored the social realities of their daily urban surroundings. The prominent figures of this generation include Wang Xiaoshuai (*Winter Days*, 1991), Zhang Yuan (*Beijing Bastards*, 1993), Jia Zhangke (*Xiao Wu*, 1998), and Lou Ye (*Suzhou River*, 2001).

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