

CORPORATE BRAND MANAGEMENT AND REPUTATION

MASTER CASES



VENI, VIDI...VICI?

Polanski & the Académie des César

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Corporate Brand Management and Reputation: Master's Cases

The "Corporate Brand Management and Reputation: Master's cases" is a case series for applying the case method of teaching and learning in higher education. The cases are relevant to brand strategists in private and public sector organizations, as well as academics and students at universities, business schools, and executive education.

The cases are written by groups of master's students as a course project. The specially developed case format is defined as: *"A management decision case describes a real business situation leading up to a question(s) that requires assessment, analysis, and a decision reached by discussion in class. The alternative approaches and recommendations from the class discussion are followed by a description of the choices made by the case company. This description is then discussed by the class."*

The student groups select the topics of their case providing updated and relevant insights into the corporate brand management. The cases can be used as "written cases" (handed out and read in advance, later to be discussed in class) and/or as "live case" (presented by the teacher following a discussion in class). Each case includes teaching notes, visuals with speaker's notes, learning objectives, board plans, and references.

The mission of the series is *"to develop cases for discussion providing insights into the theory and practice of corporate brand management and reputation, with the intent of bridging the gap between academic teaching and managerial practice."*

The series is a result of co-creation between students and teachers at the elective course Corporate Brand Management (BUSN35 – five-credit course/eight-week half-time studies), part of the master's program International Marketing and Brand Management at Lund School of Economics and Management, Sweden. The cases represent the result of the intellectual work of students under the supervision of the head of course.

Although based on real events and despite references to actual companies, the cases are solely intended to be a basis for class discussion, not as an endorsement, a source of primary data, or an illustration of effective or ineffective management. The cases are free to be used and are to be cited following international conventions.

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Veni, Vidi... Vici?
Polański & the Académie des César

WRITTEN CASE

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Is it the artist or the art that matters?

For more than 40 years Roman Polański has been a fugitive, choosing carefully what countries to enter. One false step and he ends up in jail. He has been several times accused of rape, never proven. During this time, and despite all the controversies around him, he received a number of the most prestigious film awards. However, now, his past, so well-known by the general public, became an argument against his work. His newest movie, *An Officer and a Spy*, was boycotted because of his past. Public pressure makes the situation very hard, not only for Polański, but also for film awards institutions, which have to decide whether to judge the movie or the master.

An Officer and a Spy

In November 2019, Roman Polański's new film, *An Officer and a Spy*, appeared in French cinemas. The movie is based on the so-called Dreyfus affair. It is a historical drama set around the year 1894, when protagonist Alfred Dreyfus, who was a Jewish captain in the French army, was wrongly accused of treason and sentenced to prison.

About a week before the movie's release, Valentine Monnier (former model and actress) revealed in the French newspaper *Le Parisien* that she had been raped and beaten by the director in 1975. The reason why she decided to break her silence after four decades was because she felt extremely anxious regarding an interview between Polański and the French writer Pascal Bruckner. Both men already knew each other, given that Polański made into a film Bruckner's novel *Bitter Moon*. During the interview Bruckner compared Polański to Dreyfus, stating that the director is "a Jew who was hunted during the war and a filmmaker persecuted by the Stalinists in Poland"¹. Apart from that, the writer also asked Polański how he would survive the existing "neo-feminist McCarthyism"². The answer of the director was: "I must admit that I am familiar with many of the workings of the apparatus of persecution shown in the film, and that has clearly inspired me"³. This interview was part of the press

^[1,2,3] Donadio, R. (2019), France's Growing Pushback Against Roman Polanski. The Atlantic, 23 November. Available Online: <https://www.theatlantic.com/entertainment/archive/2019/11/roman-polanskis-officer-and-spy-receives-pushback/602506/> [Accessed 12 February 2020]

material for the film when it premiered at the Venice Film Festival in August. The film was awarded with the second prize.

While Polański has denied the accusations and there have been no official charges filed against him, the public forged its own opinion. On the 12th of November 2019, day in which *An Officer and a Spy* premiered in France, a group of 40 activists blocked the entrance to Le Champo cinema, showing banners with the names of the women accusing Polański of rape and smoke flares (see **Exhibit 1**). Due to the activists' action, the projection of the movie did not take place. Before the debut, the hashtag #BoycottPolanski was created. Sibeth Ndiaye, a government spokeswoman, has shared her point of view with regards to Polański's film on various occasions. Even though she claimed that she personally wouldn't watch the film, she expressed her opposition against the boycott claiming that free expression should prevail. In a meeting with the Anglo-American Press Association she stated that France is a state of law and that it was the police and courts' responsibility to do their work. Ndiaye also pointed out that even though Polański hasn't faced legal actions regarding his more recent accusations, something regarding the stories perturbs her.

The different incidents originating from the new accusations led to Emmanuelle Seigner (Polański's wife), and Jean Dujardin, both actors present in *An Officer and a Spy*, to cancel their interviews on respectively a morning radio show and a news program during the promotion tour. Additionally, France's directors' guild announced its intention to introduce a motion to exclude Polański from its ranks. This decision was motivated by a rule recently adopted by the guild that implies the suspension of any members who went under judicial investigation and to ban those who have been charged of committing sexual crimes.

The #MeToo movement didn't begin to take root in France until recently, and its impact has been modest. Actress Adèle Hanael, unrelated to Polański, represents one of the most vivid cases. She declared in November 2019 to have been sexually abused as a child by the director Christophe Ruggia, who has denied all accusations. However, France is experiencing cultural and political changes. A similar hashtag to the #MeToo was created in 2017, #BalanceTonPorc (Denounce Your Pig). A mass movement is mobilizing to give visibility and request attention towards domestic violence and femicides. Although no changes on the matter have been applied to French legislation, Macron's government has been urging women to condemn sexual harassment situations, even after the possibility of pressing charges has expired.

Had it not been for Monnier's aforementioned letter, these conversations around Polański, the film and sexual harassment in general, might not have happened. Her accusations revived the scandals around the movie director, that had until then been dormant.

Biography of Roman Polański

Roman Polański is a Polish-French director with a Jewish background. He was born in 1933 in Paris and moved back to Poland with his family, where he managed

to survive the Holocaust. After that, he studied in the National Filmschool in Łódź. His works were early appreciated by film critics and in 1964 he was nominated for the Best Foreign Language Film Academy Award. However, he was forced to leave Poland because of communistic government antipathy towards him. His later work in the UK, France and USA resulted in him being nominated five times to the Academy Awards and receiving the Oscar for Best Director once, not to mention the Venice Film Festival awards and Golden Palms.

In 1977 he was accused and arrested for allegedly raping thirteen years old Samantha Gailey (see **Exhibit 2**). The prosecutor Roger Gunson draw six charges against the director: rape with the use of drugs, perversion, unnatural sexual intercourse, lascivious and indecent act of sex with a child under 14 years of age, sexual intercourse with a minor and giving a minor prohibited substances. Polański did not admit to any of the accusations. During the trial the director and his attorney proposed a settlement according to which Polański was to admit for the lightest point of accusation, which was unlawful sex with a minor. The lawyer of Samantha Gailey (later Geimer) agreed for the settlement, but pressed by the public opinion, the judge Rittenband still requested to send Polański to prison. He ended up staying in prison for diagnostic screening for 42 days and was released in January 1978. He was later informed by his lawyer that the judge planned to extend his sentence and would then be expelled from the country. Because of Rittenband's statement about not letting Polański leave prison, the director decided not to wait for the sentence and instead fled from the USA.

After the death of judge Rittenband in 1993, Polański agreed to pay Geimer the compensation. The director requested the case to be discontinued but his application was rejected in 2009 by the court in Los Angeles. In the same year Polański was arrested after landing in Zurich due to an American arrest warrant connected with the Geimer case. In 2010 the Swiss ministry of justice did not agree for the extradition of the director to the USA and, at the same time, ended the house arrest under which the director was restricted. Since 2017, the victim, Samantha Geimer, petitioned to close the case.

Polański was also accused of raping three other women. In 2010 a few months after the premiere of the director's *Ghostwriter*, which was a big hit, actress Charlotte Lewis stated that the director raped her when she was 16 (around 1985). In 2017, Renate Langer reported to Swiss police that in 1972 she was raped by Polański. In November 2019 actress Valentine Monnier, as explained in the previous section, testified to having been beaten and sexually abused by the director.

César Awards

The French Academy of Cinema Arts and Techniques, also known as the Académie des César, is the French equivalent to the Oscars. It was created in 1975 by Georges Cravenne, a French film producer and publicity agent. The reason why Cravenne created the Académie des César was because he admired the reputation and emblematic character of the Oscars and developed the idea of having an equivalent award in France.

Since November 2018, the institution is constituted of 4681 members, divided into 10 colleges (actors, directors, authors, technicians, producers, distributors/exporters/film brokers, technical industries, artistic agents/press contacts/casting directors, cinema exhibitors and associate members), who each year vote to award the most exceptional artists, technicians and films by honoring them with a trophy known as César.

The membership of the Academy can only be lost for the following reasons: in case of resignation, for judicial conviction for piracy activity or for not paying the membership fees for three consecutive years. In order to avoid contact between the members of the Academy and the nominees the list of members of the Academy is confidential.

The Academy is not financed by means of public subsidies. In contrast, its funds come from membership fees, concessions of rights to transmit the Ceremonies, monetary and non-monetary contributions from its official and technical partners and the sale of advertising space in the Academy's publications.

Lately, the organization has been facing lots of criticism of the way it operates. Professionals from the film industry have been openly stating their dissatisfaction and putting pressure on the director of the Academy. This was due to the French Academy's lack of transparency in regulations, and general lack of inclusivity.

The Governance of the Académie des César

The structure of the organization is described below, but for a better comprehension of this sophisticated formation see **Exhibit 3**.

Association pour la Promotion du Cinéma

The Académie des César is managed by the Association pour la Promotion du Cinéma (APC). This association was created in 1975 by Georges Cravenne with the objective of governing The Académie des César. The main role of the APC is establishing the conditions for entry into the Academy and maintaining the membership, and updating the list of members. Starting from the 1st of December 2018, the APC counts 49 members, all of which are French professionals from the film industry who have obtained an Oscar.

The Board of Directors of the APC (directed by Mr. Alain Terzian), comprises the founding members, former Presidents, the President of the CNC (Centre Nationale du Cinéma et de l'image animée), the Executive Director of the ECE (defined later), ex officio members and, additionally, between two and thirteen members of the Association selected by their peers for a period of five years.

The Academy Bureau

The Bureau of the Association is responsible for setting the conditions for the functioning of the Academy and updating the members' list. It is formed by members of the Board of Directors elected from among themselves for a period of five years. The Bureau is currently presided over by Mr. Alain Terzian, who is directing the whole organization (APC) as well as the ECE.

The ECE

The ECE is a subsidiary of the APC, it is established as a commercial company with the role of being responsible of the permanent structure of the Academy and managing the marketing of the rights of the Ceremony. The APC owns 100% of the shares of the ECE.

Hypothetical situation & questions

Imagine that you are a member of the Board of Directors of the Academy, and you, with the rest of the members involved in the voting committee, are in the process of selecting the films that will be nominated for the award. One of the films that the Academy is evaluating to include in the nominations is *An Officer and a Spy*, the latest film directed by Roman Polański. The director has been recognized and awarded several times along his professional career, including an Oscar in 2003, various awards from different Academies and nominations. The film in question has already won the second award in the Venice Film Festival and is well reviewed in the film industry.

Questions:

1. Considering the presented situation, would you nominate the movie in question? Why? What factors influence your decision?
2. Assuming that the movie was nominated, how may it impact the prestige of the César awards for the general audience and nominees?

Appendix

Exhibit 1 - *An Officer and a Spy*'s Presentation Crisis



Source: Pulse News Agency International, 2019⁴



Source: Guerin, 2019⁵

Exhibit 2 - Polański's Case

March 10, 1977 - Roman Polański is accused of having sex with a 13-year-old girl, Samantha Geimer.

⁴ <https://www.pulse.com.gh/news/world/polanski-faces-calls-for-boycott-of-new-film-after-fresh-rape-claim/5n0bdzn>

⁵ <https://www.prospectmagazine.co.uk/arts-and-books/roman-polanski-metoo-france-opinion>

March 24, 1977 - A grand jury accuses Polański on six criminal charges, including rape. He declared himself not guilty at arraignment.

August 1977 - Polański accepts a plea bargain whose terms included dismissal of the five initial charges in exchange for a guilty plea to the lesser charge of engaging in illicit sexual intercourse with a minor. He is ordered by a judge to go through further proceedings.

September 1977 - The director is sent to a California state prison for a 90-day diagnostic screening in order to help determine sentencing.

January 1978 - After 42 days, the diagnostic screening recommends placing Polański on probation.

Feb. 1, 1978 - The eve before the sentencing, the director escapes the United States after acknowledging that Judge, Laurence Rittenband, intends to send him back to prison. He can reside only in France, Poland and Switzerland after an arrest warrant is issued.

September 1997 - A new judge meets with the prosecutor and Polański's lawyer to discuss the case in chambers. No agreement is reached.

March 2003 - Polański is awarded with the Best Director Academy Award for *The Pianist*, however he is unable to collect his Oscar in person due to the current warrant for his arrest.

December 2008 - Polański's lawyers request a dismissal of the charges against him. The victim supports his motion.

February 2009 - Polański's dismissal motion is rejected by a Los Angeles Superior Court judge.

September 2009 - The director is arrested in Switzerland as stated by the warrant. Extradition proceedings begin.

December 2009 - Polański's appeal is rejected by a California court panel.

January 2010 - Polański's attorneys solicit the director to be sentenced without being present in Los Angeles.

July 2010 - Switzerland rejects Polański's U.S. extradition request.

December 2014 - An evidentiary hearing in order to explore Polański's allegations of judicial misbehavior in Los Angeles is requested by the director's lawyers. The motion is rejected by a judge without conducting a hearing.

October 2015 - The Polish court rejects the extradition of Polański.

May 2016 - The new justice minister of Poland restores the extradition proceedings against Polański.

December 2016 - The Polish Supreme Court dictates Polański will not be delivered to the United States.

April 2017 - Polański's requests to be sentenced without returning to court or for a resolution he has served his sentence are rejected by a Los Angeles judge.

June 2017 - Samantha Geimer, Polański's victim, solicits a judge in Los Angeles court to end the case, calling the "40-year-sentence" imposed on her and the director.

August 2017 - Geimer's request to end Polański's case is rejected by a Los Angeles judge.

May 3, 2018 - Polański and Bill Cosby are expelled from the Academy of Motion Picture Arts and Sciences.

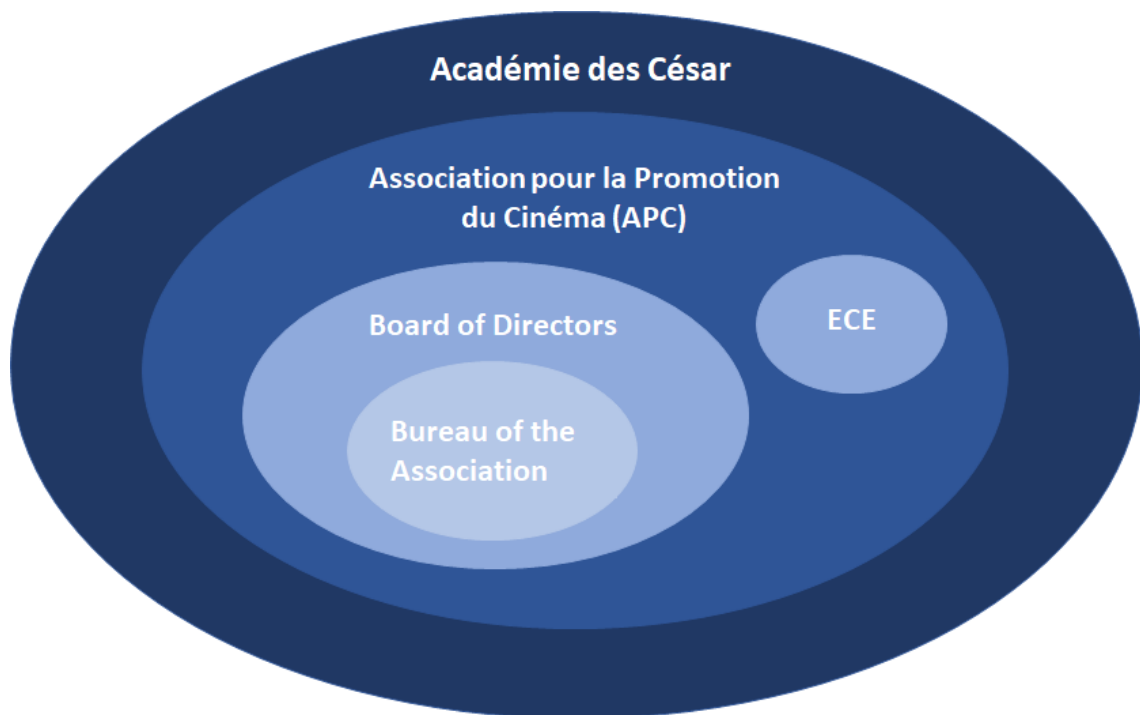
August 30, 2019 - *An Officer and a Spy* is premiered at Venice Film Festival (awarded with the second prize)

November 12, 2019 - Official premiere of *An Officer and a Spy* in France. Boycotted by feminist activists

November 13, 2019 - *An Officer and a Spy* is released in France followed by boycotts

Based on: AP News, 03 May 2018⁶

Exhibit 3 - The César Academy Structure



⁶ <https://apnews.com/e087fdee79e74caf99caa27edd8a8887/A-timeline-of-Roman-Polanski's-4-decade-underage-sex-case>