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Deals with the Devil: Faust, Contracts, and the Dangers of Mechanical Reproduction in Brian De Palma's *Phantom of the Paradise* (1974)

Annette Davison

University of Edinburgh

> Yeah, I think of lot of that [bitterness] is motivated by my own experiences, going into big buildings, bringing in your material that nobody pays any attention to or rips off in one way or another. That's the life of the business. I don't think it is "bitterness" necessarily. That's the way it is and you have to be able to operate within that reality.
>
> Nothing wrong with Hollywood. *If* you're in a position to control your destiny, it's the greatest place in the world.
>
> —Brian De Palma on *Phantom of the Paradise*[1]

Brian De Palma's film *Phantom of the Paradise* (1974) is decidedly "palimpsestuous," to use a term introduced by Gérard Genette in his discussion of the relationships between texts.[2] A palimpsest is here defined as "a text derived from another pre-existent text."[3] While this is most obvious in the case of pastiche or parody—wherein the intended meaning of a text is dependent upon the perceiver's recognition of its relationship with an earlier text or style—Genette argues that the same applies more generally to every new text that involves a relationship with an earlier one:[4] hypertext and hypotext, respectively. "The hypertext invites us to engage in a relational reading, the flavor of which, however perverse, may well be condensed in an adjective recently coined by Philippe Lejeune: a *palimpsestuous* reading. To put it differently, . . . one who really loves texts must wish from time to time to love (at least) two together."[5] The excessive hypertextuality of *Phantom of the Paradise* offers

audioviewers the opportunity to experience many more than two texts. The film refers to and adapts not just Gaston Leroux's novel and various screen adaptations of it, but also Goethe's *Faust: Part 1* (1808), Gounod's 1859 operatic adaptation of Goethe's play, and Oscar Wilde's novel *The Picture of Dorian Gray* (1890). It also features imitations of particular styles or idiolects from cinema (including, but not limited to, those of Alfred Hitchcock and Orson Welles) and popular music (The Beach Boys, Sha-Na-Na, and so on). As Cormac Newark points out in the introduction to this special issue, one of the most striking attributes of *Le Fantôme de l'Opéra* is its capacity for excursion into other, apparently unrelated narrative worlds; this adaptation is remarkable for making space for so many *in*cursions, from so many different media.

De Palma's plot positively thematizes the relationship between hypertext and hypotext. Winslow Leach (William Finlay), a naïve but ambitious songwriter, has his unfinished rock "cantata" about the Faust legend stolen by a predatory music producer, Swan (Paul Williams). Swan plans to have the Faust cantata performed by his own stable of performers at the opening of his new "rock palace," the Paradise. Leach's cantata will thus become the hypotext to Swan's hypertextual songs. This is not, however, a situation that Leach is willing to accept. He demands credit as the author of his musical masterpiece and believes that only he can perform it in a manner that is true to the work. Leach thus seeks to reclaim ownership and control of his music and resist its reimagining as hypotext. In this way, De Palma's film examines the meaning of the familiar presence of *Faust* in Leroux's novel in a unique way. Rather than commenting on the (boring) ubiquity of the opera in the context of nineteenth-century operatic repertoire, or its embodiment of soprano apotheosis, or even the original play's treatment of good, evil, and the temptations of beauty, De Palma's *Phantom* presents instead an extravagant and compelling meditation on corrosive contracts and the idea of the extent of (artistic) ownership.

Phantom of the Paradise elaborates a conflict of business versus art that lies at the heart of any industry involving the production and dissemination of creative work under capitalism, whether in movies or music—the nineteenth-century Paris Opéra included. Indeed, each of the film's main characters clearly represents a key agent of the music industry (composer/songwriter, singer, producer) and embodies their different skills and aspirations: Leach is passionate about the poetry and integrity of the work he has created, whereas Swan is motivated by producing hits and audience excitement; Phoenix (Jessica Harper), a singer and the film's "love interest," yearns to connect productively with an audience, while performing music she respects. According to this scheme, the film may be read as a hypertextual transposition of a part of Goethe's play that is relatively much less well known, and certainly not usually associated with either Gounod's opera or Leroux's novel, the "Prelude to the Theater" (*Vorspiel*), which is the second of three prefatory components that precede *Faust: Part I*. As Goethe acknowledges, while the aims of these various agents diverge and may even appear to be contradictory, each has a vital and necessary role to play in bringing a creative work into production. Though the quotations from De Palma given above may suggest frustration with the studio system, the director also seems to acknowledge the benefits it affords. Similarly, while De Palma's film shows the music industry, particularly as represented by the aggressive strategies of Swan, to be toxic, when considered in combination with aspects of its musical numbers (as the embodiment of Swan's skill and acumen, for example), the argument is rather more finely balanced. Indeed, alone among Phantom films, the opposition between the authentic and the manufactured is here interestingly undercut by several of the film's numbers.

On the surface, then, *Phantom of the Paradise* presents a satirical critique of the contemporary popular music industry, its agents, and its audience. In this article, though, I propose a more nuanced account that draws together two arguments: first, that De Palma's

film, unique among Phantom screen adaptations, is sustained not so much by the hypertextual *Faust* of Gounod, but rather the hypotextual, originary *Faust* of Goethe in order to suggest more strongly that artists' contracts with the music/entertainment industry, now as always, are deals with the devil, and explicitly harmful to the artist; second, that the film's musical numbers enable an interpretation that recognizes both cynicism and celebration in the film's depiction of the business of art as entertainment. Such a view is dependent on recognition of the film's reflexivity, and of its presentation of characters as representative of the various agents necessary for the creation, production, and dissemination of creative work, with the film as the means by which the divergent and even contradictory aims of these agents are explored. These latter points are by no means new—as hinted above, they were there all along in Goethe's "Prelude"—but they mark De Palma's film out as distinct among Phantom adaptations. Rather than situating his film within the world of opera, De Palma uses pop repertory as a means to stage a complicated and conflicted balance between authenticity, originality, and novelty in the context of established institutions.

Creative vs. Commercial Aspirations: Goethe's Prelude as Hypotext

The Prelude in the Theater is a reflexive sequence performed on stage before *Faust: Part 1*. It features a Director (*Direktor*), Dramatic Poet (*Theatherdichter*), and the traditional figure of the *lustige Person*, a comic actor. The pragmatic Director's focus is on the audience: he encourages the Dramatic Poet to cook up a "hash," a "stew" with plenty happening to generate a "buzz" for the show. The idealistic Dramatic Poet prefers not to think of that "surging crowd," or the ephemerality of a spectacle, however, but rather of the truth, integrity, and wholeness of an art that will be cherished by future generations. The comic actor affirms that the audience will gain from the Poet's work, which will help them to know

themselves, but also, mediating between the positions of Poet and Director, encourages the Poet not to forget *fun*.[6]

It is possible to understand the conflicting desires and aspirations of the producer (Swan), the composer (Leach), and performer (Phoenix) in *Phantom of the Paradise* in relation to the three "types" in Goethe's Prelude. Leach is passionate about the integrity of his work. Swan, as producer, hears in Leach's cantata an opportunity, though one that cannot be exploited while the work is in its current form. Swan's skill lies in his ability to generate audience excitement by ensuring that creative work is presented in its most appealing formulation. Phoenix is willing to make sacrifices for her career in order to connect with an audience. Where the opposing positions presented by the Director and Dramatic Poet are mediated by the comic actor in Goethe's Prelude, in De Palma's *Phantom* Swan squanders the opportunity for compromise that Phoenix presents.

Leach's initial refusal to relinquish his music to Swan seems quite reasonable: the producer stole his music, had him falsely imprisoned (and dentally mutilated!), and claimed ownership of Leach's songs by producing his own hypertextual versions of them. Leach attempts to reclaim his authorship by destroying physical evidence of Swan's repackaging of his music, though this results in the scarring of his body and the literal and figurative loss of his voice; Leach believes only his performance of the cantata is "fitting" and will enable the work to retain and project its integrity. Despite these life-changing injuries, he appropriates a mask and cloak and, as the phantom, begins to sabotage the preparations for the grand opening of the Paradise, which is to feature his music. Swan is too powerful to be resisted, however, at least if Leach retains his aspirations for his work. Thus, a bargain is struck: a contract signed in blood. The compromise? The composer agrees to complete the cantata so that Phoenix may sing it at the opening of the Paradise: now she alone has the voice to deliver the work as its creator intended. Swan has other ideas, though. He secretly replaces

Phoenix, demoting her to backing-singer ("She's perfect. But you know how I abhor perfection in anyone but myself"); instead "Beef" will perform Swan's arrangements of Leach's songs, creating a media splash. Once Leach has completed the revisions, the producer disposes of the composer for a second time, entombing him in the music studio in which he has been working.

The Goethean hypotext is complicated by the revelation later that both Swan *and* Leach may be understood as Faustian characters, as I explain below. Following Goethe, though, De Palma's film acknowledges not only that each of these roles is necessary to bring work to an audience, but also that each may also understand "success" differently. The casting of William Finlay, his naïve performance, and the way it is filmed suggest that Leach's success in disseminating his music will be limited as long as he insists on doing it himself. As producer, Swan recognizes the potential of Leach's music and has the skill and the means to endow it with mainstream appeal through spectacular production design, ingenious arrangements, and charismatic professional performers, as discussed in more detail in the next section. Yet entering into the contract with Swan will cost the composer not only his place in the performing spotlight but also his life.

Where the reflexivity of Goethe's Prelude connects most productively with *Phantom of the Paradise*, however, is in its engagement in a correspondence with the film as backstage musical, a cinematic subgenre that is organized around revelations of "behind the scenes" conflicts between creators, performers, and producers. Indeed, the backstage musical is the subgenre that foregrounds most explicitly the conflicted duality of art versus commerce in the entertainment industry; as Rick Altman puts it, "by pulling aside the backdrop or peeking into the wings we are able to satisfy our natural desire to look beyond, behind, and beneath."[7] Here the labor that apparently goes into the production of a show is placed on display.[8] As backstage musical, the squaring of entertainment, work, and business in De Palma's film

revolves around the themes of contractual agreements and ownership of the creator's work (and life), to which I return below. Indeed, the film is not about creativity per se, but rather its place within (and valorization by) the industrialized processes of production and dissemination of creative works. But the conventions of the backstage idiom, aside from preserving something of the reflexivity of *Faust*, also perform another important function: they provide for close examination of the original nature and stylistic adaptation of the film's musical numbers.

The Film's Musical Numbers

The numbers are motivated (and normalized) by the fact that the film's characters are involved in preparations for, and the delivery of, a form of live entertainment—they are cast as auditions, rehearsals, and performances, rather than as expressive outpourings between characters. In general, plot narrative and musical number are kept separate, although certain songs do echo or call attention to aspects of the story.[9] The Oscar-nominated song catalogue was composed by the singer-songwriter-turned actor Paul Williams,[10] who also played the role of Swan (he was initially considered for the more seemingly appropriate composer-songwriter role of Leach). It consists of Leach's originary "Faust cantata," performed by Leach and Phoenix, as well as re-imagined arrangements of these songs for performance by Swan's various bands, such as The Juicy Fruits, for whom Williams also contributed "Goodbye, Eddie, Goodbye," which opens the film (after the prologue).[11]

The cantata is still incomplete when Leach performs its title ballad, guerrilla fashion, during the interval of a scheduled performance by The Juicy Fruits. His performance is unadorned but impassioned: a lone voice at the piano. The audience has left the auditorium; the cleaners are sweeping the floor. Leach is filmed in close proximity from a camera situated at waist height pointing upwards, moving in a liberating circular motion via a dolly around

the piano (see fig. 1). De Palma's camerawork here celebrates Hitchcock's use of the technique in *Vertigo* (1958), one of many such allusions to the director in De Palma's oeuvre, but also celebrates Leach as creative artist, and as innocent, before he loses everything by entering into a Faustian pact with Swan.[12] The simple yet enthusiastic performance style of the gangly-looking Leach, who wears bottle-bottom glasses, contrasts with the well-lit, impressively choreographed, entertaining physical and vocal perfection of The Juicy Fruits, which it follows.

[Insert Figure 1]

Figure 1: Leach performing his *Faust* cantata (1974, dir. De Palma).

To emphasize the variety of Swan's stable of bands, Williams produced parodies of particular popular music styles, which in turn form the basis of the film's *musical* satire. Thus, The Juicy Fruits are fairly obviously modeled on the New York 1950s rock'n'roll revivalist band Sha Na Na, which De Palma had initially intended to feature in the film.[13] In a delightful ruse that satirizes the notion of "manufactured bands," the same three musicians appear fronting variously The Juicy Fruits, The Beach Bums (clearly a parody of The Beach Boys), and The Undeads (a parody of Alice Cooper and others). The film thus appears to present a familiar musical hierarchy, with simple, un-augmented, "authentic" performances by Leach and Phoenix valorized over Swan's packaged spectaculars. In practice, however, the satire Williams devised for these production numbers destabilizes, perhaps even overturns, that hierarchy.

Williams's satirical songs may be understood to generate humor through what John Covach has described as the dialectical interplay of congruity and incongruity (mainly achieved by exaggeration).[14] In the case of "Goodbye, Eddie, Goodbye," the song is set

against the model of the 1950s teenage tragedy song performed in the doo-wap style. Williams parodies the lyrical component of such songs and their juxtaposition of first love with tales of accidents, death by drowning, car/plane crashes, and so on. The awkwardness of this juxtaposition is reflected through subtle and not-so-subtle means: on one hand, intentionally clumsy musical scanning (e.g., "sui*cide*"); on the other, choreography that includes a band member stealing underwear from a member of the audience, and a lead singer who mimes stabbing himself and overdosing on heroin. At the same time, the band's vocalists conjure an impressively authentic-sounding version of Sha Na Na performing one of those tragic songs from the 1950s (see fig. 2).

[Insert Fig 2: The Juicy Fruits]

Figure 2: The Juicy Fruits, "Goodbye, Eddie, Goodbye" (1974, dir. De Palma).

The song's lyrics also provide a frame for the film more broadly. They tell the story of Eddie, a singer from a poor background whose sister needs a life-saving operation. Eddie realizes that his record will be more successful if he's dead, so he commits suicide. His record is a hit! Eddie's sister is saved: "we can't believe the price you paid for love." Eddie's sacrifice is not for fame and glory, and the song's lyrics are a critique of the music industry's promotion via sensation—but also of its sensation-seeking audience.[15]

Drawing on Genette's classifications of hypertextual relationships, the lyrics of "Goodbye, Eddie, Goodbye" may be designated as caricature. Indeed, the song's lyrics, the narrative they propose, and the band's performance all demonstrate incongruity via exaggeration. This is arguably not the case with Williams's music, however. The composition and arrangement of the song is far more congruent with the model/hypotext. On the one hand, it may be that this is necessary to better situate the song's lyric-based and *performative*

incongruity, exemplify its dialectical character, and thus enhance its satirical function. On the other, we might usefully understand aspects of these songs (and notably their musical arrangements) in terms of homage rather than satire.[16] Here, then, the relationship between hypotext and hypertext is one of imitation, rather than transformation.

“Goodbye, Eddie, Goodbye” is the only song in the film that is presented as not originally penned by Leach.[17] “Faust” and “Old Souls” are presented as the composer intended during the course of the film, but they are also re-presented in repackaged form as hypertexts by Swan.[18] Performed by The Beach Bums, “Upholstery” is a more thoroughly holistic transformation of Leach’s “Faust,” heard in its original form immediately after “Goodbye, Eddie, Goodbye” (see fig. 3). In the hands of Swan, the cantata’s heartfelt title ballad becomes “a surf-rock song about street racing,”[19] complete with an actual-size prop of a car, surf boards, and bikini-clad “surf chicks.”[20] While the musical arrangement of “Upholstery” is based on imitation, offering an accurate and playful pastiche of Beach Boys songs and their harmonized vocal stylings, the lyrics, production design, and the band’s performance would more accurately be defined as travesty, “a stylistic transformation whose function is to debase,”[21] as demonstrated by the Beach Bums’ introduction to the song: “Carburetors, man. That’s what life’s all about.”[22] Swan’s production of Leach’s song thus both defiles its source hypotext, while simultaneously celebrating the style of the Beach Boys as *musical* hypotext.

[Insert Figure 3]

Figure 3: The Beach Bums rehearsing “Upholstery,” split screen (1974, dir. De Palma).

The same opposition is presented by the simple yet poignant performance of “Old Souls” by Phoenix, wearing white and standing alone on a thrusting catwalk staging,

immediately after the combination of "Somebody Super Like You" and "Life at Last," which culminate in Beef's onstage death. "Life at Last" features extravagant production design, costuming, and make-up with hypotextual references to German Expressionist film, especially *The Cabinet of Dr. Caligari* (1920, dir. Robert Wiene), as well as Mary Shelley's *Frankenstein* (1818) and its numerous filmic hypertexts. During this sequence Beef appears to be "constructed": limbs are purloined, extracted from the show's audience by means of fakery, in the character of quite old-fashioned sleight-of-hand trickery, then electrified into existence through stage engineering.[23] Here Beef is thus presented as a manufactured pop phenomenon in more ways than one, which makes him an obvious target for the vengeful (and authorially purist) Leach.

It could be suggested that Leach and the "correct" performance of his music (as judged by the songwriter himself) are somewhat idealized by De Palma in the contrast between such scenes.[24] And yet, for the audioviewer, there is undeniably something rather wonderful about the professionalized and packaged performances of The Undeads, Beach Bums, and Juicy Fruits. Although the film seeks to engage its audience in a sympathetic response to Leach, Swan's production numbers are spectacular—operatic, even, in the sense of "extravagantly theatrical, histrionic."[25] Indeed, the whole conflict between the integrity of the music and performance styles represented by Winslow and Phoenix, on the one hand, and the insincere, opportunist sensationalism of Swan and Beef, on the other, is arguably also operatic, in that it replicates the medium's cyclical history of excess and reform. But, to repeat, the performance of Williams's songs by The Juicy Fruits and their stablemates undercuts any over-simplified argument in which "authenticity" is valorized over fakery and crowd-pleasing spectacle. While the film presents the distinction, it does not manage—perhaps does not even wholeheartedly try—to condemn fully the narcissism and grandeur of what was happening to rock music at the turn of the decade. If anything, it celebrates the

excess. But what it does do is expose the infrastructure of commercialism to extremely negative scrutiny, and in this it aligns itself to a greater or lesser degree with its respective hypotexts in Goethe, Leroux, and their adaptations. While the "Prelude in the Theater" does not promote one figure's view over that of another, indicating instead the need for compromise by all parties, for the Goethe of *The Sorrows of Young Werther*, say, true art would have been nothing if not uncompromising. Leroux's reservations are clear in his depiction of the bumbling nonsense of the Opera managers in his novel. And De Palma's film is still more explicitly critical of the requirements of commercialism. In the final section of this article I thus turn to the film's depiction of commercial contracts as hazardous, and of the (literally) corrosive effect of the mechanical reproduction of art as introduced in earlier cinematic adaptations of *The Phantom of the Opera*, and as ingeniously transposed in De Palma's film.

Contractual Obligations

Perhaps the most caustic aspect of the film's plot is its depiction of music industry contracts as monstrous and all-controlling: here, they are indeed Faustian pacts made with the devil. Characters appear willing to sign away their lives in order to become part of the music industry machine—whether to have their music performed, to have their talent rewarded by audience adoration, or to retain their youth and thereby their place in the industry. To sign away one's life in such a bargain is clearly an exaggeration and thus incongruent with reality, but it also builds on a congruence: the perception that music and/or entertainment industry contracts demand too much of their quarry. It also recognizes the strength of the music industry's position in this negotiation.

Three contracts are signed in blood in the course of the film: the first, between Swan and Leach; the second, Swan and Phoenix; and the third between Swan and the devil (in

flashback: this agreement long precedes the others chronologically). As mentioned above, Leach believes his contract is an agreement to complete his cantata so that it may be performed by Phoenix at the opening of the Paradise. The contract presented is an excessively lengthy tome filled with baroque legalese, which obfuscates the fact that it is actually a bargain for the songwriter's life (and soul): "Now we're in business together, forever." As Paul Malone notes, Leach then "feverishly revises his work in a montage set to 'The Phantom's Theme,' describing the famous Faustinian inner conflict ('Two souls, alas, dwell in my breast' . . . [*F*(*aust*), 1112]) as a tale in which 'All the devils that disturbed me and the angels that defeated them somehow' are bid to unite in the singer (in a distant, rather coy echo of the Beatles' 'Come Together') ([Paul] Williams 1998)."[26]

The montage sequence occurs at a moment in the plot that is significant in more ways than one. After both Leach and Swan have signed the contract in blood, Swan returns to a secret room in the theater (entry is via a mirror, after the twist of a light fitting) where he re-views the exchange captured by the theater's ubiquitous CCTV. But the voice we hear speaking Swan's words is not one we recognize: it is nasal and aged. The camera stays on Swan's face throughout, dwelling on his response to the recorded document: he finds it difficult to watch, disgusted by what he sees. Whose is the unknown voice? Then the montage sequence begins. Whereas all of Leach's songs (and Swan's hypertexts of them) are presented as performances, auditions, or rehearsals within the diegesis, as noted above, "The Phantom's Theme" is an exception: it is sourced either from beyond the diegesis (nondiegetic), or from deeper within it, i.e., from Leach's mind (i.e., as metadiegetic).[27] During the song, the hours turn into days, as images of Phoenix float among notes on the page.

[Insert Figure 4]

Figure 4: Swan, at the center of Death Records (1974, dir. De Palma).

At the end of the first verse, Swan reappears in the studio to collect the next pages of the manuscript, and diegetic sound returns. The song's accompaniment continues as the location switches to an office at the heart of Swan's empire: all-powerful, he sits in the central "hole" of a giant gold record, operating switches that conjure and dismiss new artists situated around the edge of this "record," who are in turn brightly lit and then returned to darkness (see fig. 4). Each artist or group continues the song by contributing a line or two of the verse we've just heard. The sequence ends with Beef, in whom Swan hears "something" he likes. A second montage sequence continues on to the second verse of the song sung by Williams (as Leach), returning its attention to Leach hard at his creative work, as yet unaware of Swan's decision to replace Pheonix. When he realizes he has been duped, Leach once more breaks out of imprisonment to "haunt" the Paradise to ensure that it is *his* musical vision that is presented, not Swan's.[28] He murders Beef mid-performance to allow his "musical voice to speak in a genuine manner" through Phoenix.[29] She is pushed to the front of the stage to sing "Old Souls." Her debut is a triumph! Enchanted by the adoration of the crowd, she fails to heed the warnings of the masked Phantom (whom she does not recognize as the composer of the music she loves) later that evening: the sensation-seeking audience will make ever greater demands upon her.[30] He is not wrong.

As should be clear by now, Swan appears straightforwardly evil, initially at least, sacrificing everyone and everything to continue his success. In the final portion of the film, however, we realize that he too is a victim of the music industry machine in some sense, albeit as a shallow narcissist. Twenty years earlier, at the realization that he would age, Swan was ready to film his suicide in a bathtub. The implication is that the loss of his looks as he grew older would result in the loss of his successful music career (aged rock stars were not as

common in the 1970s as they are today). Taking the form of Swan's mirrored reflection, the devil interrupts his plan and offers him a deal. The contract that Swan signs alludes to the covenant at the heart of Oscar Wilde's novel *The Picture of Dorian Gray*.[31] In making his bargain with the devil for everlasting youth, Swan of course also echoes Gounod's Faust.

Gray's painting was stored in the attic, while Swan's aging is captured on videotape. The recording of his deal with the devil must be preserved at all costs, for when it goes, he goes. Swan must also gaze upon his time-ravaged face via the recorded document every day "to see how lucky [he is]." The videotape thus entombs the effects of the passage of time upon Swan while his physical form denies it. This is clearly in contrast to the commonplace characterization of the capabilities of recording technology whereby it captures a moment and fixes it in time.[32]

At the culmination of the film, Leach burns Swan's videotapes, thereby ensuring the producer's death but, given the contract he signed that bound him to Swan, also his own.[33] He sacrifices himself so that Phoenix might be "saved," as Marguerite is redeemed in *Faust*. The audience at the Paradise continues its orgiastic celebration amid the carnage that ensues, enthusiastically welcoming the deaths as part of the show, and the film closes with a critique of the irrational power of the crowd as both manipulated and manipulating in their ever-increasing demands.[34] The more important point, however, in pursuit of which De Palma enlists Goethe, Wilde, *and* Leroux, is about the power, variously characterized, of artistic reproduction, above all mechanical.[35]

The Threat of Mechanical Reproduction

De Palma's film elaborates a novel plot development presented first, as a suspicion, in Universal's 1943 remake of *The Phantom of the Opera*, then emphasized in the 1962 version, a co-production between Universal and the British company Hammer Film Productions. This

is the “idea” that De Palma mentions in the quotation above: authorship theft. In both of the earlier cases the (apparent) thefts have dire consequences in connection with the conscious decision to present the Phantom’s deformity as the result of an accident, rather than as congenital (as in Leroux’s novel and Universal’s 1925 adaptation); a shift that was due in part to the fact that the first of Universal’s synch-sound adaptations of *Phantom* was produced after the United States’ entry into World War II.[36]

In the 1943 film, Erique Claudin (Claude Rains) is a lonely, aging violinist and composer, no longer able to perform in the Opéra’s orchestra. He is destitute, for he has been secretly underwriting the cost of singing lessons for Christine DuBois (Susannah Foster) from the celebrated teacher Signor Ferretti. He tells Claudin that with just a few more lessons she would achieve her potential and be launched on a successful solo career.[37] To raise the necessary finance, the composer tries to persuade Pleyel and Desjardins to publish his piano concerto. After being kept waiting at the publishing house, Claudin forces his way into Pleyel’s office. Frustratingly, his concerto cannot be found, but as the distraught composer turns to leave, he hears it being performed in an adjacent room.[38] Convinced that Pleyel has stolen his music, Claudin strangles the publisher, whose assistant throws a tray of engraving acid at him. He stumbles from the building whimpering, clutching his face, escaping the police by entering sewers below the street, finally throwing himself into their waters to relieve the burning.

[Insert Figure 5]

Figure 5: Claudin and the acid (1943, dir. Lubin).

The 1962 remake of *The Phantom of the Opera* opens with the premiere of an opera, Lord Ambrose D’Arcy’s *Saint Joan: The Tragedy of Joan of Arc*.[39] The performance is

halted abruptly when a murdered stage-hand swings across the stage from a rope; the terrified diva, Maria, departs the production. The phantom is thought to be the source of the malevolence, but the opera's (sacked) producer, Hunter (Edward De Souza), uncovers the truth: D'Arcy stole the work from its creator, Professor Petrie. Hunter's sleuthing enables him to "rescue" Christine Charles (Heather Sears), the abducted ingenue who was to replace Maria. By means of a flashback sequence, Petrie explains/shows that Lord D'Arcy was persuaded to buy the publishing rights to a substantial portfolio of his compositions, which included a symphony, a concerto, and an opera (*Saint Joan*). Desperately short of money, the unpublished composer accepted a paltry sum, albeit disconsolately. Upon visiting the printer, however, Petrie was shocked to see D'Arcy's name emblazoned across his scores as composer. When challenged, D'Arcy stressed that he had, after all, bought the piece: "*my* name on *my* music." D'Arcy claimed he now owned the music outright and was thus entitled to assert *his* moral authority on the work.[40] Petrie attempted to burn the printed scores and threw engraving acid over the plates onto which his music had been etched. The workshop was set alight accidentally. When Petrie reached for a bucket of water the liquid proved to be nitric acid: it fed rather than doused the flames, and splashed back upon his face. In agony, he ran from the printers' shop and jumped into the river.

In both films, action taken by a composer in response to the (apparent) theft of his work results in horrific disfigurement caused by a material used in the mechanical reproduction of printed music. The use of engraving acid (nitric acid) in music printing was generally associated with "etching": a process whereby acid was used to "eat into the copper plate, already coated with wax, to ensure that the acid only acted where wanted."[41] Although the process was only rarely (if ever) used in music printing by the end of the nineteenth century, its historic use means that its presence in printing and publishing houses was certainly plausible, if not historically accurate. The films from 1943 and 1962 make a

connection between the caustic properties of engraving (nitric) acid and the history of music printing and publishing, the means by which musical works were fixed and made durable in material form. For not only does it offer a means of documenting the work, of recording it on paper via notation, but its associated industrial processes enabled mass distribution and led to the emergence of copyright (and piracy), and of contracts with publishers. The scarred bodies of Claudin and Petrie bear witness to the pain caused by the literal theft of their scores and their rights over their own music. More metaphorically, their disfigurement may be read as a result of the loss of artistic control enforced by certain kinds of contractual obligation.

In *Phantom of Paradise*, the corrosive powers of engraving acid are displaced by steam and the hefty bulk of a hydraulic record press. Leach's fragile body is powerless to stop the force of the machine as it burns the grooves of the Juicy Fruits' hypertextual performance of *Faust* onto his flesh (see figs. 6 and 7).[42] In the 1962 film, the authorial stamp on Petrie's autograph manuscript was simply scribbled out, and another, that of D'Arcy, written in its place. Although the composer's authorship had been stolen—and, certainly as depicted here, the pain of this plagiarism is great, seared into flesh—the integrity of the work remains intact. By contrast, in De Palma's film, the specter of adaptation and arrangement materializes. Leach's songs are first stolen, then used as the basis (hypotext) of Swan's hypertexts: repackaged, performed, and sold in renderings that—in the view of the composer/phantom—are antithetical to the work's sensibility. Where the development of notation, printing, scores, and copyright assisted the composer to find a place at the top of a hierarchy (above performers, for example), with the development of recording the composer is displaced by the producer, the gatekeeper through whose agency the composer's work may be disseminated. No one understood this dynamic better than De Palma, who had personal experience of its vicissitudes.

[Insert Figure 6]

Figure 6: Leach and the record press (1974, dir. De Palma).

[Insert Figure 7]

Figure 7: The record stamper of "Faust" performed by The Juicy Fruits (1974, dir. De Palma).

Hypertextuality, Reflexivity, and Deals with the Devil

In 1970 Brian De Palma was fired from his first studio picture, *Get to Know Your Rabbit*, which featured Orson Welles among its cast. Warner Bros. gave the picture a limited release two years later, which flopped. The director had been working on *Phantom of the Paradise* since 1969 and, against that backdrop, it is not hard to interpret the latter film as a response to his previous experience with the Hollywood studio system, with the music industry standing in for the film industry. Indeed, the film functions as a frame through which De Palma critiques the Faustian pacts of the entertainment business generally, as well as emphasizing the conflicts between the aims and aspirations of the various agents and stakeholders involved in production. As I suggest above, however, overall the film's celebration of artifice, spectacle, and professionalized charisma is more complex than a straightforward "Damnation of the Creative Industry."[43]

The complexity did not end with De Palma's nuanced reading of the creator-producer dynamic. At its release, *Phantom of the Paradise* was threatened with multiple law suits concerning its rights management, or rather lack thereof. These included a case brought by King Features, a comic strip producer, over the planned use of the title *Phantom*, after the production company was refused permission to use the original title, *Phantom of the Fillmore*, named for the iconic rock venue in San Francisco. Another case involved Atlantic

Records. De Palma had named Swan's label Swan Song Enterprises, but Atlantic already owned "Swan Song Records" and asked him to change it. The threat of legal action thus led to a change to the film's title, as well as optical removal of all reference to "Swan Song Enterprises" within the film and its replacement with its new name, "Death Records," via superimposition.

The greatest threat the film faced, however, was likely the case brought by Universal. Following a deal struck between Carl Laemmle and Leroux in the 1920s, the studio owned the right to adapt Leroux's serialized novel for the screen in the United States. Despite its rather loose and idiosyncratic approach to adapting (or, rather, transposing) Leroux's text, Universal clearly believed that *Phantom of the Paradise* fell within the remit of their contract with the author. Or perhaps their case was based on the fact that De Palma's film developed further the novel theme of authorship theft introduced in Universal's 1943 and 1962 adaptations of Leroux. In either case, the studio was apparently finally placated with a cash settlement as well as a percentage of the film deal.[44]

I began this article with the pronouncement that *Phantom of the Paradise* could accurately be described as palimpsestuous—or even an example of hypertextuality run amok. Such an accusation is not unusual in relation to De Palma's oeuvre; many critics use it as a stick with which to beat the director, whose work they classify as derivative. In relation to De Palma's "thefts" from Hitchcock, however, adaptation scholar Thomas Leitch argues that they "go beyond derivations, beyond even allusions, and become directorial signatures comparable to . . . Hitchcock's own cameo appearances."[45] De Palma endorses hypertextuality over hypotexts, as demonstrated by the court cases brought against the film, possibly the result of a somewhat laissez faire attitude to rights management, but perhaps instead just another aspect of the thematization of rights (and wrongs) of artistic ownership. Given the range and variety of hypotexts alluded to, *Phantom of the Paradise* is arguably the

most palimpsestuous of all De Palma's films, a jostling space where erased earlier texts repeatedly push their way through the film's hypertextual surface or, rather, corrosive acid eats its way down through the many layers of the film's hypotexts. In one sense, then, this corrosion signals the means by which channels between the film's surface and the many layers of hypotexts are sculpted. More important to the argument here, though, is the notion that the composers' disfigurement by acid (or indeed scalding steam) is a literal demonstration of the caustic effect of commerce on art, in which the machinery of success in a capitalist society—i.e., mechanical reproduction—painfully consumes its creator. Leroux's references to *Faust* are redeployed by De Palma in order to draw attention to the domineering power of the industry over its artists, expressed through an examination of its contracts, yet the director simultaneously problematizes this critique, suggesting that there may be benefits if artists accept and submit to this inequity.

Dr. Annette Davison is senior lecturer in the Reid School of Music at the University of Edinburgh. Her research focuses on the history, theory, and analysis of audiovisual media, particularly cinema and television. Her monographs include *Hollywood Theory, Non-Hollywood Practice: Cinema Soundtracks in the 1980s–1990s* (Farnham: Ashgate, 2004) and *Alex North's* A Streetcar Named Desire: *A Film Score Guide* (Lanham: Scarecrow, 2009) as well as co-edited collections of essays on the work of David Lynch and sonic practice in the "silent" era in Britain. Her recent research focuses on main title and end credit sequences for television serials, and on industrial films.

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1. Bartholemew in Lawrence F. Knapp, *Brian De Palma: Interviews* (Jackson: University of Mississippi Press, 2003), 15–36; 16 and 35.

2. Gérard Genette, *Palimpsests: Literature in the Second Degree*, trans. Channa Newman and Claude Doubinsky (Lincoln: University of Nebraska Press, 1997); Linda Hutcheon uses the term in her exploration of adaptations *as* adaptations. See, for example, Hutcheon (with Siobhan O'Flynn), *Theory of Adaptation* 2nd ed. (Abingdon: Routledge, 2013).

3. Genette, *Palimpsests*, 5. The origins of the term "palimpsest" refer to a parchment or other writing surface that may be reused when earlier writing has been erased, though more recently it has been used by Genette and others to describe a situation in which an (effaced) earlier text shows through beneath later writing that has been superimposed over it.

4. The exception here is commentary. Ibid.

5. Ibid., 398.

6. For critic Jane Brown, the comic character emphasizes that "the play should combine realism with fantasy, variety with clarity, error with truth, play with revelation." Brown, *Goethe's* Faust: *The German Tragedy* (Ithaca: Cornell University Press, 1986), 37.

7. Rick Altman, *The American Film Musical* (Bloomington: Indiana University Press, 1988), 206.

8. Where other categories of the musical work hard to elide musical (and choreographic) labor and the requirement of economic viability, the backstage (or show) musical is concerned with "the need to reconcile entertainment with work and business, for the show musical alone regularly confronts directly the question of entertainment's monetary value." Ibid., 342.

9. Examples include "Goodbye, Eddie, Goodbye," discussed below, and "Special to Me," which elaborates Gretchen's failure to understand Faust in Goethe's play, and which may be understood in this context to outline the relationship between Phoenix and Leach.

10. Williams was then contracted to A&M Records, and he was suggested by the label when De Palma was in discussion with its film division (De Palma with Bartholomew in Knapp, *Brian De Palma*, 17). Williams's previous hits include "Rainy Days and Mondays" (1971) and "We've Only Just Begun" (1970) for the Carpenters; the latter developed from a fragment produced for a bank advertisement. In 1973 he played Virgil in *Battle for the Planet of the Apes* (dir. J. Lee Thompson). He would go on to score Alan Parker's musical *Bugsy Malone* (1976), write "Evergreen" for Barbra Streisand (1976) and "The Rainbow Connection" for *The Muppet Movie* (1979, dir. James Frawley). The film's instrumental score is by noted arranger George Aliceson Tipton, whose output includes the arrangement of "Everybody's Talkin'" for Harry Nillson.

11. As Paul Malone highlights, "Although the plot of Leach's cantata never becomes clear, the sentiments expressed might not be out of place in Faust's reveries in Gretchen's bedchamber (*F*[*aust*], 2687–728): complaining of being miscast as a 'cryin' clown', Leach as Faust sings that he would sell his soul for one true love, in a fantasy of endless happiness and laughter ([Paul] Williams 1998)." Paul M. Malone, "They Sold Their Souls for Rock'n'Roll: Faustian Rock Musicals," in *International Faust Studies: Adaptation, Reception, Translation*, ed. Lorna Fitzsimmons (London: Continuum, 2008), 216–30, 217.

12. For more on the critical reception of De Palma's Hitchcock allusions, see, for example, Thomas M. Leitch, "How to Steal from Hitchcock," in *After Hitchcock: Influence, Imitation, and Intertextuality*, ed. David Boyd and R. Barton Palmer (Austin: University of Texas Press, 2010), 251–70, 258.

13. Philip Auslander draws attention to Sha Na Na in his discussion of artists whose performances anticipate the rise of glam rock in the theatricality of their performance practice, with choreographed moves, glitzy costumes mixed with black leather jackets, and their adoption of Italianate stage-names. The band anticipated glam through performance

techniques that constructed an obviously artificial image. See *Performing Glam Rock: Gender and Theatricality in Popular Music* (Ann Arbor: University of Michigan Press, 2006), esp. 9–38.

14. John Covach, "The *Ruttles* and the Use of Specific Models in Musical Satire," in *Indiana Theory Review* 11 (1990): 119−44; 122. Covach is concerned with the specifically *musical* means by which an amused response may be elicited, rather than how musical numbers interact with aspects of the narrative in which they are situated. See also John Covach, "Stylistic Competencies, *Musical Satire*, and *This Is Spinal Tap*," in *Concert Music, Rock, and Jazz since 1945: Essays and Analytical Studies*, ed. Elizabeth West Marvin and Richard Hermann (Rochester, NY: University of Rochester Press, 1995), 399–421.

15. Arguably it also prefigures the sacrifice made at the end of the film by Winslow Leach, to save the life of Phoenix.

16. Williams has spoken of the "great treat" of being given the opportunity "to satirize the kinds of music I love, like the Beach Boys and '50s stuff." Williams quoted in Peter Gerstenzang, "The Movie No One Saw but Everyone Loves," *Esquire* (31 Oct. 2014). http://www.esquire.com/entertainment/movies/a30573/phantom-of-the-paradise/ (accessed February 1, 2018). He states that this work was "the most fun part of the whole gig, to actually analyze music that I love. You listen to Brian Wilson melodies—I mean, listen to the melody of 'Little Surfer Girl.' It's brilliant. 'In My Room,' brilliant. So to be able to jump in and catch their energy—which I think we did." Williams in interview with Sam Adams, "'70s hitmaker Paul Williams on having his songs sung by The Carpenters and The Muppets," *AV Club* (June 8, 2012) https://music.avclub.com/70s-hitmaker-paul-williams-on-having-his-songs-sung-by-1798231796 (accessed February 1, 2018).

17. The song "The Hell of It," heard over the end credits, is more complicated in this sense. It was to be performed at a scene presenting Beef's funeral, but the sequence was cut during

production after it was decided Beef would die on stage rather than in the shower. It certainly references Faust-related ideas, but there is not space to explore it further here.

18. Segments of “Old Souls” resurface in “Somebody Super Like You” (Beef Construction Song), sung by The Undeads, and “Life at Last,” performed by Beef (an imitation of a more general rock style, rather than a particular idiolect).

19. Malone, “They Sold Their Souls,” 218.

20. This sequence is also notable for its use of split screen, a technique that has become virtually synonymous with De Palma. It also refers to the celebrated opening tracking shot sequence of Orson Welles’s *Touch of Evil*: the camera follows a car into which dynamite has been placed (connected to a timer), unknown to the driver and his passenger. In *Phantom of the Paradise* Leach/the Phantom places an explosive into the boot of the prop-car used in “Upholstery,” which detonates at the end of the scene. In the context of this article, it seems relevant to point out that Welles’s musical vision for the sequence was over-ridden and changed by the studio.

21. Genette, *Palimpsests*, 25.

22. Extracts from equivalent sections of the two songs (“Faust” and “Upholstery”) demonstrate this more clearly (lyrics by Paul Williams). “Faust”: [v2 + chorus] “I was not myself last night, In the morning light I could see the change was showing. Like a child who was always poor, Reaching out for more I could feel the hunger growing. And as I lost control, I swore I'd sell my soul for one love, Who would sing my song, And fill this emptiness inside me . . . ”; Upholstery: [v2 + chorus] “I was not myself last night, Ran a light without my registration. Where the cops were bound to see, And you know me already on probation, I wound up on parole, I tore my tuck-n-roll. Upholstery—Where my baby sits up close to me, That’s supposed to be what our life is all about. Upholstery where my baby sits up close to me, That’s supposed to be what our life is all about. . . . ”

23. For example, an audience member's "arm" appears to be sliced off by a blade that extends from the fingerboard of a band member's prop guitar. The arm is then spirited up stage onto an operating table where it is sewn together with other body parts that, when fully assembled and electrified into life in a manner akin to the creation of Frankenstein's monster, *become* Beef. The "arm" has quite obviously been "added" to the actor/audience member, for the staged amputations are playful rather than gory or horrific.

24. Philip Auslander suggests as much when, following critic Pauline Kael, he argues that De Palma produces a mis-step in presenting Phoenix's triumph (following Beef's death) in an unironic manner. His view is that "it would have been more consistent for De Palma to use this scene to show that Phoenix, like everyone else in the film, despite her apparent innocence, stands to be corrupted by her lust for audience and fame." My interpretation of the scene is that De Palma achieves exactly that, particularly following the iris-in close-up of Phoenix's face, and her subsequent behavior. De Palma characterizes Phoenix as just as corruptible as the next person. Philip Auslander, "A Look Back at Brian De Palma's *The Phantom of the Paradise,*" in *The Art Section: An Online Journal of Art and Cultural Commentary*, October 2008. Available online http://www.theartsection.com/october-2008 (accessed April 27, 2018).

25. *Oxford English Dictionary*, "operatic," adjective. Indeed, De Palma's film is operatic in a variety of ways beyond its references Leroux's Phantom and to *Faust*: i.e., in its costume and production design; in its use of a theater as the predominant location, including backstage spaces; in terms of its sung performances within theatrical spaces, including "theatrical" productions of several numbers; and in terms of De Palma's flamboyant style of filmmaking: from the controlled choreography of the use of split screen technique, to extended handheld and/or POV camera sequences, through to the *cinema verité* style of the finale.

26. Malone, "They Sold Their Souls," 218.

27. It should be noted that the sung voice that Swan engineers for Leach when plugged into the console (after his accident) is actually the voice of Paul Williams (who plays Swan) rather than William Finlay (Leach). Similarly, it is Williams's voice that we hear singing "The Phantom's Theme" in this montage sequence. Swan does not sing (as Swan) during the film, though the song's lyrics (as sung by Williams, as Leach) hint at the character doubling that is later revealed by the video tape of the bargain the devil strikes with Swan. In this way, both Leach and Swan appear to be representations of the character of Faust.
28. See John Snelson's article "Controlling Voices: Singing in *Phantom* Films," elsewhere in this issue.
29. Snelson, "Controlling Voices."
30. There would seem to be some overlap here with De Palma's viewpoint on this matter, particularly in relation to the changes that were happening to popular music at the time of the film's release. As he told David Bartholomew in interview: "The film endeavors to show what this tells us about this whole culture. That it is obsessed with death, with destroying yourself, burning yourself up, consuming yourself for entertainment and amusement. This is what the film is about basically. I think it is a culture looking for bigger and better highs, whether it is nostalgia or reminiscing or Armageddon. It is whatever moves them, and the intensity of what moves them is being escalated all the time. It is a very de-sensitized, de-emotionalized culture. They have turned themselves off with drugs and detachment, and they're looking for things to make them feel alive." (De Palma with Bartholomew in Knapp, *Brian De Palma*, 19.)
31. Oscar Wilde, *The Picture of Dorian Gray* (London: Penguin, 1890/2003).
32. As Jonathan Sterne highlights in relation to the Victorian-era aspiration to capture voices permanently via recording so that they may be preserved after death, recorded media also

ages and degrades. Jonathan Sterne, *The Audible Past: Cultural Origins of Sound Reproduction* (Durham, NC: Duke University Press, 2003).

33. Leach attempts suicide earlier in the film, as he watches voyeuristically from a skylight above the bedroom as Swan and Phoenix make love (to his recording of Phoenix singing "Old Souls" from earlier in the evening, thereby twisting the knife in Leach's back, as it were). Swan (who was actually also watching/recording Leach watching their intimacy) appears upon the roof soon after to explain to Leach that the contract bound them together for life. Leach is unable to commit suicide. François Ribac considers the bound lives (and deaths) of Swan and Leach as akin to Howard Becker's co-operation chains. Ribac, "*Phantom of the Paradise* by Brian De Palma, or How Recording Can Save Us from Death," in *Volume! La revue des musiques populaires* 3/0 (2004): "Rock et Cinéma," 35–43, 40.

34. This trope was explored in *Privilege* (1967, dir. Peter Watkins) and arguably also in The Beatles' *Hard Day's Night* (1964, dir. Richard Lester).

35. For more on Leroux's motivating theme of recordings of opera, see the article by Cormac Newark in the present special issue.

36. As Jerrold E. Hogle explains, Hollywood's studios were "under heavy pressure both to support and to sanitize the reality of World War II." Hogle, *The Undergrounds of* The Phantom of the Opera*: Sublimation and the Gothic in Leroux's Novel and Its Progeny* (New York: Palgrave, 2002), 157. According to Susannah Foster (1943's Christine), the studio feared that highly grotesque makeup for the phantom "might prove not merely frightening but, in view of the current conditions, offensive to the public" (ibid.). Furthermore, the actor playing Claudin (Claude Rains) apparently refused to have his face as scarred or deformed, as Lon Chaney famously had in 1925, because he wanted to continue to play leading men, and believed this would preclude it (ibid.). Indeed, the revelation of the phantom's scarring is presented relatively briefly in the 1943 film, occurring only in its final moments.

37. Claudin's onscreen devotion to Christine would be less problematic were he revealed to be her estranged father as planned in early drafts of the adaptation's screenplay. In the review in the *Hollywood Reporter* the critic elected to "explain" this. Ibid.

38. A junior member of the publisher's staff who believes the score has merit has asked Franz Liszt (!) for his opinion.

39. The score and the operatic work at its heart were composed by the British television composer Edwin Astley.

40. "UK copyright law did not explicitly include the provision of moral rights until 1988, however, the 1886 Berne Convention for the Protection of Literary and Artistic Works, to which Britain was a signatory, provided the automatic protection of authors' rights, including the exclusive right to make reproductions, and also to assert their 'moral rights,' i.e., 'the right to claim authorship of the work and the right to object to any mutilation, deformation or other modification of, or other derogatory action in relation to, the work that would be prejudicial to the author's honour or reputation.'" Summary of the *Berne Convention for the Protection of Literary and Artistic Works* (1886), World Intellectual Property Organization. http://www.wipo.int/treaties/en/ip/berne/summary_berne.html#_ftn2 (accessed August 9, 2017). The performance right for dramatic works was included in the 1833 Copyright Act and extended to musical works in the 1842 Copyright Act.

41. Stanley Boorman, Eleanor Selfridge-Field, and Donald W. Krummel (2001), "Printing and Publishing of Music," *Grove Music Online* (accessed August 9, 2017).

42. There are echoes of Franz Kafka's short story *The Penal Colony* (*In der Strafkolonie*) in this act of imprinting. A Condemned Man is placed into a machine that is a tool of torture and execution. By means of needles, a Harrow inscribes the law that he has broken upon the Man's body. The Condemned Man knows only of the crime of which he is accused through its inscription upon his body. I am grateful to the anonymous reviewer for drawing my

attention to this text. Kafka, *In the Penal Colony* (1919), in *The Metamorphosis and Other Stories*, trans. Joyce Crick (Oxford and New York: Oxford University Press, 2009).

43. Jacob Oller "*Phantom of the Paradise*: Brian De Palma's Damnation of the Creative Industry," *The Film Stage* (June 2016). Available online https://thefilmstage.com/features/phantom-of-the-paradise-brian-de-palmas-damnation-of-the-creative-industry/ (accessed August 6, 2017).

44. De Palma with Bartholomew in Knapp, *Brian De Palma*, 17.

45. Leitch, "How to Steal from Hitchcock," 258.