

“It’s absolutely shameful that MGM has acquired the rights to this very important film but not released it”

## Kevin Eugene Smith, son of famed photojournalist, discusses MGM’s burying of *Minamata*

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This is the third in a series of discussions on *Minamata*, a new movie by Andrew Levitas, in addition to our original review. The film, featuring Johnny Depp, focuses on the industrial poisoning of Japanese fishing communities by the Chisso Corporation in Minamata and the courageous work by acclaimed photo-essayist W. Eugene Smith (Depp) and his wife Aileen Mioko Smith to expose this crime to global audiences during the early 1970s. This work is memorialised in their book *Minamata: A Warning to the World*.

The first of these discussions was with photographer Stephen Dupont, a winner of the W. Eugene Smith Grant for Humanistic Photography in 2007; the second with acclaimed Australian documentary photographer Jack Picone. The following interview is with Kevin Eugene Smith, a lawyer, former television producer and journalist, and the manager of the photographic estate of his father, W. Eugene Smith.

While *Minamata* has been successfully released in several countries—New Zealand, Australia, Russia, Ireland, the UK, Japan, France and, later this month, Italy—MGM, which purchased the rights to distribute the film in North America, has not released it in the US. The company, which is being taken over by Amazon, has refused to give any date when it will be screened in North American cinemas.

In July, director Levitas revealed that he had been told by MGM’s acquisitions head Sam Wollman that the company was “burying” *Minamata* over concerns that “the personal issues of Johnny Depp,” could reflect negatively on MGM. The company’s arrogant and censorious actions constitute an outrageous attack on all those involved in the film’s production, including Aileen Mioko Smith, who was co-author of the book on which it was based, as well as the victims and families of those poisoned by Chisso.

Kevin Eugene Smith, who lives in Pasadena, California, spoke to the WWSW by phone last week. This is an edited version of the conversation.

Richard Phillips: What brings us together is our shared concern about MGM’s refusal to announce a date for the release of *Minamata* in North America, let alone provide any reason for this unprecedented delay. Why do you think the studio is doing this?

Kevin Eugene Smith: As you know, I’ve been quite active on Twitter and Facebook expressing my feelings about the non-release of the film. These are in line with the feelings of director Andrew Levitas and the Johnny Depp team.

It’s absolutely shameful that MGM has acquired the rights to this very important film, but has not released it. This is not just because it is about

my dad, who was a legendary and heroic photojournalist, but because it is a very serious story about the victims of corporate greed, environmental poisoning.

MGM acquired distribution rights in good faith. They scheduled an initial North American release date of February 5, 2021, and then, because of COVID, they postponed it. That was quite justifiable—a lot of movie theatres here in the US were closed—but inexplicably they’ve now released a slate of films that were made after *Minamata*.

All these movies have been heavily promoted on social media, but there’s nothing about *Minamata*. Director Levitas issued his public and very strongly worded rebuke of MGM back in July, accusing them of “burying” the film and attributing it to their take on Johnny Depp’s personal situation.

What I’m seeking now is actual honesty from MGM. They’ve been mum on the subject and that’s what upsetting me the most. They issued a kind of corporate, one- or two-sentence response to Levitas, saying that the film is handled by one of their subsidiaries and that it’s in the pipeline or some garbage like that. This was a non-answer.

We deserve answers and so does the viewing public, that’s evident in the discussions on social media and in your interview with Stephen Dupont, which I’ve repeatedly republished on Facebook and Twitter.

Dupont’s statement encapsulates my thoughts completely. This is not about Johnny Depp—who cares what his personal problems are! The film was licensed to Depp’s company by Aileen Mioko Smith, a very serious individual and my dad’s co-creator of the *Minamata* project. Aileen licensed it because she was determined to get the story out about the *Minamata* victims and for those still alive and suffering to this day who have not yet received full reparations from the Chisso Corporation. This movie is their story and Aileen licensed the film in good faith.

I don’t know Mr. Depp personally, but he agreed to star in the film, for which I’m truly grateful. I know nothing about his personal problems, but as Stephen Dupont said, we don’t know what went on in the marriage. It’s between two people. He accuses her and she accuses him, but there are no criminal charges.

People seem to forget that the lawsuits have been brought by Depp to clear his name. Nobody is prosecuting him, there aren’t ten women accusing him. In fact, an ex-wife and other women in his life have come out and defended him.

As Dupont says, all this is beside the point. Depp is an actor in a movie role and the story is the film. MGM, whatever its reason, is not just

punishing Johnny Depp, there are other actors, a director, a cinematographer and many more people who have done terrific work on this movie.

We are owed an explanation from MGM as to what the heck they're doing and I can assure you that I'm pursuing this every day on social media. I'm passionate about this.

I don't have any evidence, but in my personal opinion it's tied up with the acquisition of MGM by Amazon Studios. I think they're skittish about doing anything controversial or even seemingly controversial that might cause bad publicity until the deal goes through.

As you know there's an army—hundreds, maybe thousands—of people on social media onto this, demanding MGM and Amazon release the movie. Maybe that'll tip the scales.

RP: Amazon and others have a track record on this. It's used #MeToo-style allegations to bury other films. Woody Allen had to sue Amazon after it refused to release one of his movies, *A Rainy Day in New York* [2019]. There's also *J'accuse [An Officer and a Spy, 2019]*. Roman Polanski's last film has not been released in the US, Canada or Australia. So-called reputational issues are used to block or censor films.

KES: Yes, but then I can only answer your question, with a question. If MGM was concerned about the film, then why did it acquire the distribution rights to the film in the first place?

Sometimes media corporations acquire something for the specific purpose of burying it. We had the situation with the *National Inquirer* and Trump. They paid a six-figure amount to one of his alleged mistresses in order to stop her story from being published and to prevent her from selling it to someone else.

But I don't think that's the case here. The allegations against Depp were out there even before they started shooting *Minamata*.

I've compiled a list of the serious journalists—about a dozen of them—who cover the business of Hollywood. I've sent my first message to someone in the *New York Times*, but nobody over here is diving into this. Levitas's open letter to MGM was only really publicised in *Deadline*, a kind of niche online publication, nobody else picked it up. *Variety* didn't, nor did the *Hollywood Reporter* or the *LA Times*.

I used to be a television business reporter in Los Angeles covering Hollywood and would have been all over this story. Here's a story involving a superstar, a takeover of MGM, a legendary brand, by one of the most powerful companies in the world. I'd compare it in some ways to *Citizen Kane*, although maybe not on the same scale, but you certainly have powerful interests trying to bury a film.

Why aren't they covering this? Why aren't they demanding answers from MGM and Amazon? Maybe it's because the trade publications are too cosy with MGM and too reliant on them for interviews, exclusives and that sort of thing. Whatever the case, they're stonewalling it.

I'm the one who started tagging Amazon on social media. It's obviously hard to gain the attention of Jeff Bezos, the richest guy in the world, but he owns the *Washington Post* and changed its masthead to "Democracy dies in darkness," which is a pretty good slogan. He's supposed to be interested in serious and investigative journalism. Maybe I'm Don Quixote and living in fantasy land.

Again, I appreciate what you're doing, but I think MGM and Amazon would have a tougher time if the *New York Times*, *Washington Post*, *Wall Street Journal* or *LA Times* did a big story on this and demanded a comment.

I'd like to get it distributed this year and could talk for another half-hour about why that's necessary. Why do you like the film?

RP: It's an excellent movie on every level. It introduces a new generation to the brilliant contribution your father made to the art of photography and photojournalism. It deals with the problems that he struggled with in the aftermath of World War II, while never losing sight of the essential foundations of the story, the exposure of a corporate

crime.

The movie also captures your father's fighting spirit and the fact that he had little patience with editors or publishers who failed to present his work properly. All serious photographers or photojournalists have experienced this on some level. *Minamata* is worth fighting for.

KES: Compared to the garbage movies that are out in cinemas, this is a quality, thoughtful and well-crafted film.

The scenes that resonated most with me were those in New York prior to my dad and Aileen arriving in Minamata. I think Bill Nighy as the *Life* magazine publisher—a fictitious composite character—deserves an Oscar nomination for best supporting actor.

Even though the movie takes liberties with some details and the timeline, it's true to the story's moral core and its mission is honest, that's all I really care about. Depp's portrayal of my dad, never having met him, is earnest and honest and I want it to be seen.

As you say, it's attracting attention to my father's work and his legacy. Many of the legion of Depp fans fighting to get the film released probably had not even heard of W. Eugene Smith.

RP: Under conditions where the mainstream media is so sanitised and politically controlled, *Minamata's* subject matter—a photojournalist determined to expose the mercury poisoning of a whole community—is highly significant. The movie, moreover, does not conclude with some bogus happy ending. It issues a challenge and emphasises that the surviving Minamata victims are still dealing with this.

KES: I don't think there ever was anything in my dad's life that had a happy ending. You can quote me on that. And, yes, this issue isn't going to go away and as you can see from my social media posts, I'm going to keep at it.

RP: How old were you when your father was in Minamata and do you have any particular memories from that period and from when he returned.

KES: I was in college when he was in Minamata. He and Aileen were there from 1971 to 1974 and the *Life* magazine photographs were published in 1972. I can't exactly remember when he was beaten up by Chisso thugs, but that was a big event.

I was in college at Stanford University here in California and it overlapped closely with the time he and Aileen were in Minamata. I was not in direct communication with him—decades before email and the internet—but in 1973 the *New York Times* did a very large spread about Minamata and showed him there and with the bandages. It was a very good article.

My dad came back to the US a couple of times during those years, but I was on the West Coast. He suffered for quite a while from the Chisso beating and was in extreme pain. He couldn't photograph properly and he couldn't see very well at all.

A bunch of his friends in the US, I think in the spring of 1974, tried to get him some medical treatment. Paul Fusco, one of the photographers who brought him back, lived in the San Francisco area and so my dad stayed with him for a few days. I visited him there but he wasn't in good shape. I brought a friend and my dad tried to take a picture of us, but his hands were shaking.

A year later I graduated from Stanford and in one of those delightful ironies Aileen had been a student there from 1969–71 and then become my dad's assistant. In any case, they both came to my graduation in 1975—he had recovered—and my mom came too.

That was the last, happiest remembrance of him. In late 1977, he had a massive stroke in Arizona and died later the next year. So that weekend at Stanford was very happy. Aileen and dad's book was coming out and we all had a lovely weekend. My dad took about a thousand photographs of my graduation and then somehow, much to my mother's anger, lost the film.



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