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DIPLOMARBEIT

Titel der Diplomarbeit

“A Question of Honour – On Ethical Conduct of Filmmakers in the Documentary Genre“

verfasst von

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angestrebter akademischer Grad

Magistra der Philosophie (Mag. phil.)

Wien, 2015

Studienkennzahl lt. Studienblatt:

A 317

Studienrichtung lt. Studienblatt:

Theater, - Film- und Medienwissenschaft

Betreuer:

Mag. Dr. habil. Ramón Reichert

This I choose to do.
(T. Pratchett, *Wintersmith*)

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1 Introduction

1.1 Overview and Structure

This thesis is roughly divided into three parts. In the first part I give a selected overview on the history of documentary film and information on particularly important contributors to the genre and their works. In part one I also inform on selected documentary movements and styles that I feel are particularly relevant to the ethical bottom line of the thesis. For further reading into the extensive and interesting history of documentary film, I suggest Erik Barnouw's extremely educated classic "Documentary. A History of the Non-Fiction Film" (1993) as a starting point to cover the time frame from early experiments with documentary scenes in the late 1870's up until the 1990's. A contemporary look that follows the development of the genre from its beginnings up until 2010 and is guided by a helpful and precise overview on periods and ages, is offered by Betsy A. McLane's "A New History of Documentary Film" (2005).

In part two I discuss the role of ethics in the genre and describe a selection of the respective discourse in documentary film academia and the related field of journalism. In my writing about documentary studies I included scholars and texts that are to my best knowledge essential to get a grasp on documentary theories, particularly ethical theories. For the purpose of my thesis, I preferred texts with an inherent focus on, or particular parts about documentary ethics. Good places to start further reading are suggested in Patricia Aufderheide's "Documentary Film: A Very Short Introduction" (2007: ebook edition ch.3.3), Betsy McLane's "A New History of Documentary Film" (2012: ebook edition ch.1.5) and Bill Nichols "Introduction to Documentary" (Nichols 2010: ebook edition appendix).

In the third part I analyse the communication patterns shown by filmmaker Louis Theroux in the documentary film "The Most Hated Family in America" in his interactions with the subjects and his messages to the audience about the subjects. Through categorization of different patterns, I try to map out where and when communication about the subjects takes place and which form it takes. I thereby strive to determine the importance of the filmmaker's communication, in regard to his representation of the subjects, in this documentary.

1.2 Methods and Objectives

In the first two parts of this thesis I collect, compare and reflect on selected works and theories of many renowned scholars from the field of documentary studies. I chose references according to my main focus of ethics in documentary film. As this thesis is limited in scope I concern myself only with particular parts of the world where documentary films started to spread from: the UK, Western Europe and North America. With the exception of early film history and the works by Ruttmann and Riefenstahl, all considered films are in English language. All quoted articles and books in this thesis are in English language and concern themselves predominantly with films and theories from those parts of the world mentioned above. All quoted authors, as well as myself, must be expected to argue from a western and democratic point of view, education and value system.

Readers who want to educate themselves further about documentary film from the Asian or African continent, may find a good starting point through further research in the "Documentary Box" - a first of its kind journal and forum created by the Yamagata International Documentary Film Festival from Japan - and the website of the Africa World Documentary Film Festival.

In the third part of the thesis I analyse the communication patterns shown by filmmaker Louis Theroux in the documentary film "The Most Hated Family in America", to map out where and when communication about the subjects takes place and which form it takes. Through determining the frequency of the patterns throughout the documentary, I strive to deduct their importance as communication device between filmmaker and audience in the documentary as a whole.

I chose Harvard Citation for my thesis because of its prevalence in the english-speaking academic community. Readers are asked to take note that a part of my sources are kindle-based e-books. Due to the lack of pagenumbers and the possibility to find direct citations through the search-function, all e-books are cited with name, year and specific chapters and subchapters or descriptions like "index" or "appendix" instead of pagenumbers. A comprehensive description of each book and e-book can be found in the references.

2 History: Selected Periods and Styles in the Documentary Genre

2.1 A New Medium: The Founding Fathers

The very roots of documentary film, as of film in general, can be found in the many inventions that led to putting pictures in motion. Experiments with light and optics have been made throughout the ages and first experiences with the camera obscura date back to the 6th century. Throughout the 17th century until the 19th century, various animation devices were invented to simulate movement of pictures, either painted by light or brush. 1839 brought the introduction of photography by Louis Daguerre (Barnouw 1993: 3f.).

The factor of entertainment was an important drive in the development of motion picture devices. According to Aufderheide (2007: ebook ch.2/5), the “early answer to the ‘why make movies’ question was straightforward: to make money“. Barnouw (1993: 3) looked at the motives of early documentarists and explained that the need of documenting a process was predominant in the field of sciences during the last quarter of the 19th century. Through trial and error, devices to record and project were invented and re-designed by “experimenters with special interest“ (Barnouw 1993: 4). As they learned from each other and found they needed different means to achieve their goals, devices evolved. Examples: A camera for taking pictures automatically, was followed by a series of cameras photographing different angles automatically. Images banned on a single revolving photographic plate, were followed by the use of celluloid strips. (Barnouw 1993: 3f.).

Pierre Jules Janssen was an French astronomer who wanted to record the passing of Venus in 1874, three years later English photographer Eadweard Muybridge was employed by a horsebreeder who asked him to produce information on the movement of horses. Janssen developed a camera that, at a short interval, put pictures of the passing planet on a glass plate. Muybridge captured the various stages of movement in horses and other animals. When he recorded the moment when a galloping horse doesn't touch the ground, he showed what I think is one of the most exciting potentials film has to offer: Being able to make something visible through film, that was hitherto unperceivable to the human eye. While Janssen had no way yet to project the wandering planet in motion, Muybridge adapted a *laterna magica* to present his pictures to

an audience at varying speeds. In 1882, French physiologist Étienne Jules Marey wanted to capture pictures of birds in flight. He devised a photographic 'gun' to shoot movements without the pre-selected route Muybridge had used only two years before for the horses. Marey also found a way to improve Janssen's glassplate. He substituted it by first putting many images on strips of photographic paper and from 1888 onwards, he used celluloid strips. Marey's assistant Georges Démény adapted the devices for his own purposes and in 1892 he presented moving pictures of himself in close-up, as he formed various words for the purpose of teaching deaf people to learn lip-reading (Barnouw 1993: 3f). Experimenters and scientists who became intrigued with documenting the respective processes they were passionate about, were the first to use the new medium, but the enormous potential of film was yet to be discovered.

In 1888 American inventor Thomas A. Edison developed a camera-like device to capture motion, which he called the 'kinetograph'. Around 1892 he followed up with a motion picture exhibition device which he named 'kinetoscope'. It allowed a single person to view a sequence of pictures through a peephole. In the world's first film-production studio which was dubbed the „Black Maria“ and built between 1892 and 1893, Edison made his first films (Barnouw 1993: 5).

People and items had to be brought before the machine and they performed in front of a black background at a fixed distance. Edison. The set-up left no room for spontaneity regarding subject choice, but instead corresponded well with planned acting. In 1894 Edison presented his kinetoscope to the public. Examples of first scenes include three men pretending to be blacksmiths, a record of Edison's assistant pretending to sneeze („Fred Ott's Sneeze“, 1894) and various showmen- and -women dancing, juggling, or doing magic tricks and similar activities. As Barnouw (1993: 5) put it, „this camera did not go out to examine the world“. Up until 1903, when fiction gained the favour of the audience, seventy-five percent of the produced films were of factual nature, but Edison's work can hardly be described as the starting point of documentary film. It was this early on in the development of film, that already two approaches towards the matter of subject emerged:

“Even in its infancy, when films were composed of a single shot and lasted less than a minute, film-makers were divided into two camps: those who looked to the real world für their subject matter, and those who filmed performances.“

(Cousins & McDonalds 2011: ebook ch.1.1)

In general agreement (McLane 2012; Cousins & Macdonald 2011; Aufderheide 2007; Barnouw 1993) the 'fathers' of the first factual films were the French brothers Lumière. It can therefore be assumed that their works became a major milestone in the development of documentary films.

Both Louis and Auguste Lumière had received a technical education and especially Louis showed himself to be an ambitious inventor at an early age. Working in his father's laboratory for portrait photography as a teenager, he improved a procedure for photographic plates. While he usually worked together with his brother Auguste on inventions, in a night of 1894 Louis solely worked through the last problems of a device that could record, print and project moving pictures. The 'cinématographe' was one-hundred times lighter than Edison's kinoscope, handcranked and easy to carry for a single person. The device was both a recorder, a printer and a projector. Its qualities made operators independent from a studio and allowed them to explore the everyday world around them. Being businessmen and fiercely believing in the success of their product, the Lumières devised a thought-out marketing-plan. The inner workings of the apparatus as well as the ways to operate it, were strictly guarded from the public and from competitors (Barnouw 1993: 6f.).

Before unveiling it to the general public, the Lumières demonstrated the new invention in 1895 at several closed showings in Paris and Brussels. Their selected audience consisted of photographers, businessmen and scientists. In the first of those showings they showed "Sortie des usines Lumière à Lyon" (1895), which consisted of a single scene of their workers leaving the factory and lasted just short of one minute (Barnouw 1993: 7).

There are written reviews from contemporary witnesses, that suggest while Edison's films were marvelled at, it was the realism of the Lumière-films that evoked reactions like disbelief, panic and amazement (Cousins & Macdonald 2005: ebook ch.1.1). Since at least three versions of "Sortie des usines..." are available, it is known – though the existence of different versions is just one indication of a few – that the action has been staged for the camera. What is depicted though, is neither a magic trick nor a dancing performance. Instead, the audience was presented with a daily and real action that was re-staged in special circumstances: Workers leaving the factory and going home. This short film and its depiction of a staged event that happens in the real world, can well be adduced as an first example of the difficulty of defining what is 'real' in documentary film.

“Here then is another ‘crease’ wherein documentary can be said to exist - that between the total manipulation of a fictional set-up (which, without the film-makers’ imaginations and preparations would not exist) and the unmediated observational filming of events (which would have occurred whether film-makers were present or not)”.

(Winston 2013: 6)

During the year of 1895 the brothers produced several dozen films, each about one minute long, amongst the most well-known of them is „Arrival of a Train“(1896). With only a few exceptions like „Feeding the Baby“ (1895) and „Watering the Gardener“(1895), their films generally showed small portions of actual French life. As more cinématographes were being manufactured, the brothers started employing and training their future film operators in Lyon. Those pioneer directors didn’t necessarily have any experience with photography or motion picture devices. On the 28th of December 1895 the cinématographe was presented to the general public: The Lumières presented their first show in the basement of the Grand Café on the Boulevard des Capucines in Paris, which was seated for 120 people (Barnouw 1996: 8f.).

Russian writer Maxim Gorky reported his first viewing of the Lumières’ work in 1896. As can be assumed of the majority of the audiences attending these shows, it probably was his first contact with film which he calls ‘moving photography’.(Cousins & Macdonald 2005: ebook ch.1.2). I feel precious insight can be gained from this contemporary source, as Gorky’s account is both emotional and exact.

Last night I was in the Kingdom of Shadows. If you only knew how strange it is to be there. It is a world without sound, without colour. [...] It is not life but its shadow, it is not motion but its soundless spectre.

(Gorky 1896 in: Cousins & Macdonald 2005: ebook ch. 1.2)

Gorky mused about the "edges" of the screen and mentioned how things are "vanishing somewhere beyond it" . He seemed amazed at the realistic impression of the foliage of the trees swaying in the wind, peoples’ movements full of living energy, peoples’ face-muscles which were contracting as they were shown laughing. Gorky allegorized what had seen with a magician's "vicious trick", a "grotesque creation". He explained his psychological reaction to the film, when he described his heart "growing faint" and "strange imagining" invading his mind (Gorky 1896 in Cousins & Macdonald 2005: ebook ch.1.2).

George Méliès, a French illusionist and later filmmaker also described an early showing by the Lumières. He noted in his writing, that the attention of his fellow audience was especially drawn by the natural elements like floating dust, moving waves and foliage. He suggested that while the idea of seeing people perform was something the audience was used to from the theatres, they were not used to experience reality on screen (Cousins & Macdonald 2005: ebook ch.1.2).

As a result of the success, the number of showing locations and shows a day kept increasing, as did the purchase offers for cinématographes the Lumières kept receiving. Subsequently, the Lumières very successfully sent cinématographe-operators into the world. Soon film premières were taking place on every continent with the exception of Antarctica. Within a few years, the financial success of the Lumières had inspired many inventors and businessmen as for example Edison - whose work with the kinoscope. Had shown no similar success - to get into the new business as well. A number of new cameras and projectors with the aim to imitate or surpass the cinématographe were invented and film production enterprises were started all over the world. Having shown the potential of the new medium to producers and audiences worldwide, the Lumières started to sell their equipment at the end of 1897 (Barnouw 1996: 6-19).

The work of the Lumières occupies a crucial point in the beginning of film history. The visits of the operators launched the beginning of independent production of film in many countries, as the resident entrepreneurs took an interest in the new business and started to film and work on equipment themselves. The Lumières used factual material and inspired their successors and competitors to use factual material as well. This led to a predominance of films with documentary topics in the following years as well as to many different terms to describe those films (Barnouw 1996: 19).

[...] documentaires, actualités, topical, interest films, educational, expedition film, travel films – or after 1907, travelogues [...]

(Barnouw 1996: 19)

Filmmaker John Grierson coined the term “documentary” when he stated in a review, that the film “Moana” by Robert Flaherty had “documentary value” (Grierson 1926).

2.2 Man Against the Sky: The Flaherty Legacy

In 1920 Canadian explorer and film-maker Robert J. Flaherty travelled to a subarctic post in Huson Bay to record the life of an Inuit husband and father in the documentary film "Nanook of the North" (1922). Although other documentary films had been screened before, "Nanook" was special in many ways. Flaherty single-handedly established a genre which Barnouw (1996: 50) called the "explorer-as-documentarist tradition" and which translates to what is now called 'ethnographic film'. Additionally the high production cost led to "documentary acquiring a financial legitimacy it had not had for years" (Barnouw 1996: 42). As Barnouw (1996: 21f.) states, the output in and importance of documentary film had declined around 1907 due to much innovation in fiction film and a dominant practice of producing factual material mainly as promotion for royal performances. Flaherty's may be seen to have broken this pattern of decline and can be called, as phrased by Patricia Aufderheide (2007: ebook ch.1.3), one of the "touchstones of documentary".

Flaherty discovered the potential of the motion picture in 1913, while being on his third expedition to Canada in his work as prospector and acclaimed explorer for a railroad company. He became fascinated by the harsh life of Inuit families he met on their way and started to film them and the surrounding countryside in the ongoing and the subsequent expedition. Shortly before finishing the editing of his material back home, he accidentally burned the biggest part of it and felt deeply unsatisfied with the material he was able to save from the fire. From 1916 to 1920, Flaherty fought with determination to raise funds for another expedition although his efforts were met with indifference by potential sponsors and his in-laws were unimpressed with his ambitions. It was 1920, when a fur company decided to sponsor him and he went on his way to film "Nanook", forming in his mind a story both fictional and real, of a man and his family surviving in the harshest of environments (Barnouw 1996: 33-42).

As his protagonist, Flaherty chose an acclaimed hunter from the Itivimuit tribe. Because his real name was far too complicated to pronounce for the American audience he renamed him "Nanook", further staging a family around him that is portrayed as the protagonist's own. From the very beginning Flaherty bonded with his subjects – they were constantly involved in the evolution of the film, watched and re-enacted scenes, proposed storylines, helped the filmmaker to survive and his material and devices to stay intact and working (Aufderheide 2007: ebook ch.1.3.1).

After Flaherty's initial struggle for the interest of distribution companies, "Nanook" hit the cinemas in 1922 and became a financial success. Other and earlier approaches to ethnographic filming, for example Edward S. Curtis' "In the Land of the Headhunters" (1914) had not been nearly as successful. Aufderheide claims they were 'melodramatic' and 'unconvincing', as their subjects were often asked to perform for the camera and frequently shown as 'bizarre' animal-like creatures. Flaherty's approach towards his subjects seems to have been decidedly different. The participating people of the Inuit tribe in "Nanook" are portrayed as compassionate, strong and intelligent people. Aufderheide feels, that through his actions during filming and in making "Nanook" and subsequent films like "Moana" (1926) and "Man of Aran" (1934), Flaherty promoted cultural understanding that crossed borders, religion and race (Aufderheide 2007: ebook ch.1.3.1).

While he wanted to portray a real way of life and real people in his film, Flaherty also felt that in order to make an interesting story an audience would understand and enjoy, his film would benefit from fictional elements. According to Barnouw, Flaherty was the first documentarist to successfully use the 'grammar' that had evolved in the fiction film, for the purpose of documentary filming (Barnouw 1996: 39; Cousins & Macdonald 2005: ebook ch.2). Examples of a 'grammar of fiction film' that can be found in "Nanook" are the many camera angles, the close-ups and the suspense created through subtitles. Editing is used to strengthen the mixture of fiction and reality, when for example, the camera moves very slowly to give an impression of here-and-now and the cuts are placed in an unobtrusive way, jumping from interesting scene to interesting scene without giving the impression of doing so (Aufderheide 2007: ebook ch.1.3.1) Furthermore, there are very few scenes in which subjects look directly at the camera or pose for it, as was the main modus operandi for filming foreigners in earlier 'travelogues'. Neither the camera nor Flaherty himself are shown or acknowledged on screen, except for the occasional glance or laughter of subjects directly at the camera (Barnouw 1996: 39f.). Flaherty proved imaginative in showing as little influences from filming as possible on the screen: While the audience sees the Inuit family inside the igloo as they undress and seemingly go to sleep in a closed environment, they are doing it under the naked sky and in the outside cold. Because there was no way for the camera to film without daylight, they had removed the upper half of the igloo for filming (Barnouw 1996: 38). Aufderheide assumes, that Flaherty had watched the fictional film "Birth of a Nation" (1915) by American director D.W. Griffith and suggests a similar structure in

Flaherty's own work. In her words Flaherty „produced high-quality entertainment from compelling raw material“ (Aufderheide 2007: ebook ch.1.3).

Flaherty has been criticized for the way he took control in his film. He improvised and restaged scenes and showed an urge to tell a good story with the material on hand, rather than to represent reality in a completely faithful way. Barsam (1992: 52) raised many points on why the truthfulness of Flaherty's documents may be questioned and rightfully so. Nonetheless it is one of his conclusions that:

„Flaherty realized that filmmaking is not a function of anthropology or even archeology, but an act of the imagination; it is both photographic truth and a cinematic rearrangement of the truth.“

(Barsam 1992: 52)

While it made Flaherty renowned and famous, he was also criticized for his choice of subjects and places. As Barnouw (1996: 45) put it, he had an „urge to capture on film the nature of rapidly vanishing cultures“. Autobiographical notes from Flaherty suggest, that the filmmaker thought, native cultures once touched by 'the white man' were thrown on a path to destruction and with his films he was looking for a way to preserve cultural knowledge. He himself wrote about his motivations, saying:

“What I want to show is the former majesty and character of these people while it is still possible- before the white man has destroyed not only their character but the people as well.“

(The Flaherty Papers: Box 59 in: Barnouw 1996: 45)

Aufderheide (2007: ebook ch.1.3) remarks that „each of these films erased the complexities of social relationships in favor of a narrative of man against nature“. The very subjects he filmed in „Nanook“ had already been surviving on the contact with the 'white man', selling fur to the company that agreed to finance Flaherty's expedition. Flaherty chose to leave out any mention of socio-economic dependences and instead showed the harsh natural environment as the greatest enemy of the Inuit. In „Moana“ Flaherty decided to concentrate on the ancient tradition of tattooing, sidestepping the issues of colonialism and privatization of property. In „Man of Aran“ (1934) he asked the islanders to hunt fish in a manner that was not used by them anymore and he blended out

the causes of the poverty (landlords) and the source of their very survival (fish trade with the mainland) (Aufderheide 2007: ebook ch.1.3).

Along with scholars like Paul Rotha, fellow filmmaker John Grierson expressed that Flaherty failed to acknowledge social and political problems of his own time and society, by keeping his camera on the past traditional life of subjects in other societies.

“A succeeding documentary exponent is in no way obliged to chase off to the ends of the earth in search of old-time simplicity and the ancient dignities of man against the sky. [...] Loving every time but his own, and every life but his own, he avoids coming to grips with the creative job insofar as it concerns society.”

(Grierson 1932 in: Barsam 1976: 22)

While on the one side he praises Flaherty for being a ‘poet’, he says on the other side: „[...] I hope the Neo-Rousseauism implicit in Flaherty’s work dies with his exceptional self“ (Grierson 1932: 22).

Another common criticism against Flaherty was his willingness to put subjects in danger for the benefit of his films in various instances. In “Nanook“ he asked his subjects to stage a walrus hunt with old-fashioned weapons – a life-endangering endeavour that was no longer common for the Inuit people at that day and time. Barnouw (1996: 36) deducted from autobiographical notes of Flaherty, that his subjects were aware of the dangers they put themselves into for the film and were consenting and eager to work with Flaherty as “full collaboration of Eskimos had already become the key to his method“. Winston is one of the scholars that appear to have a big issue with the ethical decisions Flaherty made. He remarked on a quote from Flaherty in which the filmmaker reproached himself for the risks he exposed his subjects to, that he thinks Flaherty should have been shot for his behaviour (Winston 1999: 77).

Nonetheless it has also been suggested for example by George Stoney in his documentary film “How the Myth was Made“ (1979), that Flaherty’s subjects remembered him fondly. In the film Stoney visited the island of Aran many years later to talk to the former participants of “Man of Aran“. Aufderheide (2007: ebook ch.1.3) claimed that ‘generations of Inuit’ perceived Flaherty’s film “Nanook“ as a possibility to learn about their old traditions.

Contemporary films like “The Story of the Weeping Camel” (2003) in which non-actors are acting as family and re-enacting old customs, hint at how Flaherty’s approach still remains an inspiration for filmmakers today (Aufderheide 2007: ebook ch.1.3).

2.3 News-Reels and Revolution: Vertov's Film-Truth

Denis Kaufman, better known by his pseudonym Dziga Vertov, studied medicine and psychology in St. Petersburg at a time when Futurism and its trademark glorification of modern life and industrial progress influenced painters, photographers, poets and other artists all over Europe. Vertov was an eager contributor to the movement who wrote poems and recorded montages of songs. After the Bolshevik Revolution in 1917, he was employed as news-reel editor for the Cinema Committee in Moscow where he edited, organized and subtitled footage from all fronts of the raging civil war. Up until 1920, his material along with others' was distributed to revolutionary fighters via 'agit-trains' and filmshows, as a way to unite and inform people about the status quo of the war (Barnouw 1996: 52f.).

Vertov compiled several longer film-fragments from the footage he was working with. By re-using material and putting it in broader context, for example in "History of the Civil War" (1921), he started moving towards future film activity. Due to Lenin's New Economy Policy, the film theatres in post-war Russia showed a lot of foreign fiction films at the time. Vertov's role as editor had provided him with the opportunity to think about film and art for a 'new Russia' and he started writing theories and producing manifestos about the current state of film in his country. He promoted a Russian cinema that would reflect Soviet actuality without the use of fiction or influence from the theatre (Barnouw 1996: 53f.).

From 1922 to 1925, oftentimes working alongside his wife Yelizavet Svilova and his brother Mikhail Kaufman under the pseudonym of the 'Council of Three', Vertov published his views about film in the journal "Kino-Pravda" (Film-Truth). Under the pseudonym of 'Kinoki' (Cinema-Eyes) Vertov wrote theories about the superiority of the eye of a camera over a human eye: He praised the camera's capability to expose phenomena that are otherwise not perceivable, for example through slow-motion or through showing different angles at the same time.

„I am kino-eye, I am a mechanical eye. I, a machine, show you the world as only I can see it.

Now and forever, I free myself from human immobility, I am in constant motion, I draw near, then away from objects, I crawl under, I climb onto them. I move apace with the muzzle of a galloping horse, I plunge full speed into a crowd, I outstrip running soldiers, I fall on my back, I ascend with an airplane, I plunge and soar together with plunging and soaring bodies. Now I, a camera, fling myself along their resultant, maneuvering in the chaos of

movement, recording movement, starting with movements composed of the most complex combinations.

Freed from the rule of sixteen-seventeen frames per second, free of the limits of time and space, I put together any given points in the universe, no matter where I've recorded them.

My path leads to the creation of a fresh perception of the world. I decipher in a new way a world unknown to you."

(Vertov et al 1923: *Kinoks: A Revolution*/excerpt 4 from: *The Resolution of the Council of Three, April 10, 1923* in: Michelson 1984: 17)

In a whirlwind of filming and editing, the ambitious group around Vertov tried to capture everyday life whenever they could put it on film. Reminiscent of the very first films of the Lumières, they reported on the actualities of daily life, but used extraordinary editing techniques in their work. Within marxist-influenced ideology, Vertov envisioned a world without fiction films 'lying' to people. In the prologue to one of his most famous films, the first subtitles read:

"Attention viewers! [...] This experimental work aims at creating a truly international language of cinema based on its absolute separation from the language of theatre and literature."

(Man with a Movie Camera 1929: min 0:18 – 01:04)

Today "Man with a Movie Camera" is regarded as an avantgarde master-piece with its slow- and fast- motion, extreme close-ups, split screens and many other editing techniques. Vertov's work may be put under the summarizing term of „formalism“ - instead of trying to hide the fact that what is shown is man-made art, he highlighted the artist's role and emphasized the unnaturalness of what is shown. There are a lot of very expressive techniques to do so – and Dziga Vertov's use of formalism in his film work is viewed by some scholars as one of the most impressive ones (Aufderheide: ebook ch.1.3.3).

After Stalin seized power, Vertov's almost views became bothersome and did not fall in line with a cinema that was supposed to represent the present political goals like the Five Year Plan and other doctrine. This signified the beginning fall of his career in Russia as his reputation became troublesome and he was disfavored openly from Moscow. Although while in the Soviet Union the attention shifted to fiction films and the Stalin period put restrictions on all media, Vertov's idea of documentary was spreading like wildfire in western European countries and went on to influence generations of filmmakers. All kinds of artists – sculptors, musicians, writers, photographers and painters –

developed an interest in film. When they joined cine-clubs, experimental films began to circulate as they brought their unique input to the film community (Barnouw 1996: 69-71). Aufderheide (2007: ebook ch.1.3.1) states that “after the Russian revolution, however, Vertov was a formative figure of cinema both in Russia and internationally.”

2.4 A Public Service: Education and Propaganda

John Grierson, who came from a calvinist background in Scotland, was a student of psychology at Glasgow University. In 1924 he was granted a research position for social sciences in the United States, where he interviewed filmmakers, scholars and politicians. Grierson was influenced by the writings of Walter Lippman who argued, that the increasing complexity of society required new means to inform masses of what is going on in politics and economy. Intrigued with the influence the media could have on people, Grierson then concentrated on the study of propaganda, a knowledge he would later combine with his interest for film (Aufderheide 2007: ebook ch.1.3.2; Barnouw 1996: 85).

Moral was at an all-time-low as the United Kingdom was sliding towards what is called the Great Depression of the 1930's. Where art and reality mixed, as was the case in photography and filmmaking, it was increasingly seen as a possibility to achieve reforms of political and social kinds. Public broadcasting by the British Broadcasting Corporation was the first of its kind and its founders had the goal of improving the knowledge of the people (Aufderheide 2007: ebook ch.1.3.2).

Grierson convinced the British government to invest in the support of documentary as a tool of education. The idea was, to communicate state-sanctioned pro-democratic values to a large number of people. In 1927, Grierson was hired by the Empire Marketing Board of Great Britain, where he was able to put his ideas in action. The EMB's raison d'être was to unite the Empire and promote trade during a period of social reforms. When Grierson's first film "Drifters" (1929) premiered at the London Film Society, it marked a distinctive shift in program. After art-for-art-sake's oriented films like "Berlin: Symphony of the City"(1927) now came politically charged films like Eisenstein's "The Battleship Potemkin" (1925), which incidentally was the header-film for "Drifters" (Barnouw 1996: 87).

"Drifters" remained the only film Grierson directed himself, but its grand success launched his career as creative organizer an important man at the EMB for the years to come. The heroes in „Drifters“ were the workers and their interaction with the machines. Not unlike the film movement in Russia, the previously cinematically ignored working class was presented to the world in favorable light and in a revolutionary new way (Aufderheide 2007: ebook ch. 1.3.2; Barnouw 1996: 87-89).

The EMB Film Unit around Grierson grew, as young interested people, most of them with little to no experience in the film business, flocked around the charismatic leader

figure and worked under his direction. Many of them became famous as filmmakers and scholars themselves later on, not the least of them being Basil Wright, Harry Watt, Edgar Anstey and Paul Rotha. Paradoxically, while most of those people identified as pro-labor socialists and worked hard to represent the working class in their films, the EMB's task was ultimately, to keep the working class controlled. Grierson himself advocated the use of propaganda for the education and enrichment of the people (Barnouw 1996: 89-91).

Barnouw (1996: 90) perceived Grierson and his team as "propagandists first, filmmakers second" when he described how cleverly Grierson managed to "inspire and educate" his staff:

"It was part of Grierson's genius that he could build an atmosphere of enthusiasm for necessary, vital propaganda without ever being quite clear about its aim, other than the general idea that it was citizenship education, looking toward a better and richer life."

(Barnouw 1996: 90)

In 1933 Grierson defined the documentary film in a way that is still used and debated today although he unfortunately didn't expand on it:

"Documentary, or the creative treatment of actuality, is a new art with no such background in the story and the stage as the studio product so glibly possesses."

(Grierson 1933: 8)

In contrast to Flaherty, he didn't understand the wish to show foreign cultures, when he could film the poverty and struggles of his own. He saw the potential of Flaherty's "Nanook" to fascinate people and he wanted to use the medium for showing contemporary social and political problems (Aufderheide 2007: ebook ch.1.3.2).

Inspired by the the Russian cinema of the time, Grierson felt that the dramatization of real life would have to have an educating purpose for the society he lived in. Grierson wrote about using unstaged material for interpreting the world in a way it was neither represented by fictional films, nor by what he called Flaherty's 'romantic documentary':

“This sense of social responsibility makes our realist documentary a troubled and difficult art, and particularly in a time like ours. [...] realist documentary, with its streets and cities and slums and markets and exchanges and factories, has given itself the job of making poetry where no poet has gone before [...].”

(Grierson 1932 in Barsam 1976: 25)

The busy atmosphere inspired by Grierson’s enthusiastic personality, inspired a growth of different film units at the EMB. The group around Grierson produced many outstanding films like “Housing Problems“ (1935), “Song of Ceylon“ (1935), “Night Mail“ (1936), “BBC: The Voice of Britain“ (1935) and “They made the Land“ (1938). A film movement built itself around Grierson’s idea of ‘realist documentary’, giving a voice to the working class and being fueled by many speeches and papers by Grierson himself and by scholars like Paul Rotha. (Aufderheide 2007: ebook ch.1.3.2; Barnouw 1996: 99)

Not only Britain, but also the United States were effected by economic depression and social unrest, which set the stage for an americancine-club movement. Together with press and radio, the film industry had mostly produced works of fiction aimed to keep people calm and the political status quo unthreatened. The Workers Films and Photo League united artists from painters to directors, who discussed european films and theorists like Grierson, but produced films about poverty and unrest themselves as well. One of the most important filmmakers of this area was Pare Lorentz (Barnouw 1996: 111-113).

Lorentz was already a well known critic, when he got employed by the government to illuminate agricultural problems nationwide and thereby promote new farm policies. Together with composer Virgil Thomson he created “The Plow that Broke the Plains“ (1936), a moving and controversial film that showed the consequences of a failed system. Political opponents were appalled at what they perceived as propaganda for the “New Deal“-policy. Sensing a chance in the controversy about the film Paramount executive Arthur Mayer agreed to show it in a New York theatre he managed. He advertised it as “The Picture They Dared Us to Show!“ and after full bookings resulted immediately, some 3000 theaters went on to show Lorentz’ film. The following film “Rivers“ (1938) again supported Roosevelt’s New Deal and won several prizes and high recognition (Barnouw 1996: 111-120).

Although U.S. Film Service and its government-sponsored films were eventually brought down by political opponents and Hollywood entrepreneurs took back the reins, the atmosphere in film and news-reel had changed to a more daring, provocative approach. Filmmakers like Ralph Steiner and Willard Van Dyke kept making documentaries about urban crisis, social problems and workers, all the while experimenting with montages, music and unexpected and new ways to engage with their subjects (Barnouw 1996: 121-122).

As documentary films in the US and the UK entered into the political realm in terms of their subject matters and influence on the public, they did so as well in Germany which was at the time under the rule of the Nazi party. After Hitler seized power in 1933, his Minister of Popular Enlightenment and Propaganda Joseph Goebbels was confronted with the difficult task to get all media, including film, under the control of the party. He did so by enforcing strict censorship, putting loyal party members at the top of all media organizations and by outlawing any independent cine club movements. In retrospect, this strategy brought a major artistic decline to the German film industry (Barnouw 1996:100).

Against these odds, former dancer and screen-star Leni Riefenstahl directed documentaries full of impact, power and beauty. She was an admired actress who appeared in many "mountain films" like "The White Hell of Piz Palu" (1929) and later started her career as documentary filmmaker. As an admirer, Hitler himself was interested in employing her as director for his most prestigious projects. As he was thereby sidestepping Goebbels otherwise firm grip on German media, the relationship between Riefenstahl and Goebbels remained strained and sour for many years. The resentment of the minister towards the director showed itself in bureaucratic harassments during the production processes of Riefenstahl's documentaries. Due to the information being withheld by the propaganda ministry, the filmmaker heard about her first assignment only two days before the event she was supposed to document took place: The annual rally of the National Socialist German Worker party. In whirlwind action she nonetheless managed to complete "Victory of Faith" (1933), to the satisfaction of Hitler (Barnouw 1996: 100f.)

Riefenstahl was subsequently chosen to film what was to be the largest event ever staged – the party rally in 1934 Nuremberg. With an audience of more than a million people expected, she was provided with a staff of over hundred people, thirty cameras and every other resources needed to reconstruct the city as the perfect stage. Fire

department trucks, electric elevators, towers and rooftops provided platforms and constructions for camera dollies to film the rally from above and every desired angle. Even the movement of the rally itself was planned in accordance with Riefenstahl's wishes. Her staff, dressed in troop uniforms, was able to ban on screen the precise moments of the rally she wanted them to and Germany's military prowess was shown from every angle. The resulting material was edited by her for months, choreographing images with a soundtrack provided by Herbert Windt (Barnouw 1996: 101-103).

Besides recording the speeches of Party leaders and Hitler himself, Riefenstahl solely trusted in the power of images, sound, and strong subtitles. In her films, the Nazi party was shown as an organized, precise force that was marching into the future with a steady unstoppable pace. Hitler was presented as literally heaven-sent savior of Germany, as she showed him appearing from the clouds in a private jet and being driven through the ecstatic masses as smiling benevolent hero of the people (Barnouw 1996: 103f.)

With all the resources provided to her, Riefenstahl finished "Triumph of the Will" (1935) and thereby produced one of the most famous propaganda films of all times. From an ethical standpoint it needs to be stated that it has on the one hand been used in many countries as part of the respective propaganda against Germany, but on the other it probably caused even more people to rally to Hitler's cause (Barnouw 1996: 105).

Riefenstahl's next project, a documentary about the Olympic Games in Berlin at 1936, resulted in two feature-length films that showed more of the director's ingenuity. Startling examples were her use of a special camera to film athletes diving through air, into water and under water without a break and the implementation of automatically-run cameras to film boat racings. While sound recording worked fine for static events like speeches, the state of technology did not allow proper recording for moving sequences, so the sounds of the athletes were synchronized in the editing process. Like in "Triumph of the Will", the implications of Germany as a force to reckon with, were used in "Olympia" (1938). In a fictional sequence, the burning torch is carried from ancient Greece to modern Germany, putting the arrival of civilization on a level with arrival of the leadership of Hitler. Artfully choreographed sequences of athletes seemingly defying the laws of nature and gravity, exemplify the mixture of reality and poetry that distinguish this remarkable director in a period when art had no good footing in Germany (Barnouw 1996: 105-111).

2.5 New Technologies: Cinéma Vérité and Other Movements

The mid-1950's in Britain showed the rise of a new school of thought among students of literature, theatre and politics and artists. With working- and lower-class backgrounds among them, they protested as „Angry Young Men“ against a state and a government they believed to be rotten to the core through class system and oppression. In the documentary film community, followers were agitated by what was projected in documentaries by filmmakers like Grierson. The counter-movement that resulted called itself „Free Cinema“ and looked to European fiction film movements like the Italian Neorealist for inspiration (McLane 2012: ebook ch.10).

The group collected around the charismatic Lindsay Anderson who like Grierson, was the first to write about artistic goals of the group and who started making films. Examples of those are „Thursday's Children“ (1955) „O Dreamland“ (1953), Karel Reisz's and Tony Richardson's „Momma Don't Allow“ and Lorenza Mazetti's „Together“ (1958). When the latter three were shown together at the British Film Institute, the program included a small manifesto by Mazetti, Anderson, Reisz and Richardson:

“[...] we felt they had an attitude in common. Implicit in this attitude is a belief in freedom, in the importance of people and in the significance of the everyday. As film-makers we believe that no film can be too personal. The image speaks. Sound amplified and comments. Size is irrelevant. Perfection is not an aim. [...]“

(British Film Institute Programme Note in: McLane 2012: ebook ch.10)

In many Free Cinema films, the filmmakers strived to show under-represented groups, for example the working class, by addressing the personal lives of their subjects. Commentary was generally eschewed and the sounds captured are those that could be recorded outside the studio which were scarce because of the lack of portable synchronous sound recording. Free Cinema filmmakers felt socially committed to reject demands of entertainment, convention or money-making and strived for individuality, emotion and poetry without the propagandistic tendencies they criticized in Grierson. McLane says there have only been “a dozen or so altogether“ films which can be attributed to Free Cinema (McLane 2012: ebook ch.10).

Similarly to the Free Cinema Movement in the UK, filmmakers in the US were looking for ways to break with previous traditions in fiction film as well as in documentary film. Twenty-five filmmakers formed a movement towards independent and experimental

films, called “New American Cinema Group“, that in many ways echoed the goals and techniques of Free Cinema in the UK. In “Jazz Dance“ (1954) Roger Tilton and Ricky Leacock captured the excitement of a crowd in a New York dance hall. Lionel Rogosin’s „On the Bowery“ (1957) showed a life distraught by alcoholism (McLane 2012: ebook ch.10).

While Free Cinema in the UK and New American Cinema in the US was taking place, in continental Europe a generation of filmmakers shared the notion, that documentary didn’t have to be socially or politically useful. Instead they expressed their contents and issues in a very personal way, catering to individual taste and mimicking the literary figure of the essay (Cousins & McDonald 2011: ebook ch.8).

It was in the 1960’s when a big revolution of the documentary film genre took place all over Europe and America and the development was rooted in the technical innovations of the times. Called “Cinéma Vérité“ in France, “ Direct Cinema“ in America and Canada, and “ Observational Documentary“ in the UK a whole different type of documentary filming started with the evolution of camera equipment (Aufderheide 2007: ebook ch.1.4).

The Cinéma Vérité movement followed Diza Vertov in the question of film-maker intervention, intervening in the process of filming for example by interviewing their subjects. They furthermore emphasized the process of film-making itself in their work. Their sphere of influence was small, although Macdonalds and Cousins say that its influence can still be seen in contemporary works (Cousins & McDonald 2011: ebook ch.9.1).

The Direct Cinema movement, wanted to record reality without influencing it, striving to be as unobtrusive as possible. The staging of events, the using of lights and the use of commentary were rejected. This is now known as the “fly-on-the-wall“-approach and was immensely popular in the history of documentary filmmaking. Later in time, filmmakers who followed this approach, referred to their own work as „Cinéma Vérité“ – which must not be confused with the French movement (Cousins & McDonald 2011: ebook ch.9.1).

While the old format for a camera lead to big size and scarce mobility, the new 16 mm allowed small size and with it a much better possibility to move the camera along with the shoot. The increased speed of the format furthermore decreased the light necessary to film, so along with easy movement came the possibility to film in natural light. The development in the recording of sound contributed further to a new freedom in filming, when synchronized picture and sound was made possible. All this allowed filmmakers

to film in a more agile and immediate way and enabled them to get closer to their subjects. The new style was remarkably different from the old standard practices that included scripting, staging, lighting and interviewing. Cinéma Vérité was, what Aufderheide called “a fresh voice“ (Aufderheide 2007: ebook ch.1.4)

Putting the technical innovations in use, the subjects of documentary turned from outside scenes and „big pictures“ of society, to individual households, dancefloors and hospitals. Instead of a god-like filmmaker’s commentary, conversations were recorded. Modus operandi was to film everything and later edit a story out of it. Wobbly or grainy images that resulted from the very immediate way of filming, were seen as a proof for authenticity - flawed material became a feature of the aesthetic direction of each of these new styles (Aufderheide 2007: ebook ch.1.4).

Aside from the new technical possibilities, there may be other reasons for the development of topics in Cinéma Vérité. The public’s experiences with the propaganda films made in World War II and the rise of advertising, may have well brought with them uneasy feelings about the role and power of mass media. Cinéma Vérité was only one of many movements in that times that sought to enforce civil rights, stop discrimination and promoted social and political change and where sometimes antimilitary and anticlerical. It seemed that filmmakers no longer felt responsible to the Griersonian role model of education and information for social peace – instead they tried to let viewers judge for themselves what is important and what to think about society (Aufderheide 2007: ebook ch.1.4).

Approaches to achieve this goal, went into different directions. In “Blood of the Beasts“ (1949), filmmaker Franju made a strong moral statement against the customary killing of animals in slaughterhouses. In “Primary“ (1960) the filmteam around Robert Drew went along with the fight over election between John Kennedy and Hubert Humphrey. Allegedly, the final cut managed to provide a feeling of immediacy so strong, that the network refused to put it on air because they felt it resembled unedited material. Brothers and filmmakers Maysles followed a group of bible-sellers from door to door in “Salesman“ (1969) and achieved a very deep and personal portrayal of one of them. Jean Rouch, both a filmmaker and an anthropologist, used the new methods to record personal conversations between people, allowing the participants as well as the filmmakers themselves, to communicate, act and re-act through the course of the film.

The new style was extremely popular but also controversial, particularly because of the tendency of followers to discredit other and older styles of documentary as fake. Critics

of Cinéma Vérité have stated on the other hand, that the spontaneity and involvement that is part of the movement, may have led to a very subjective and in turn obscured perception of facts itself. One of the most famous films of the movement was made by Fred Wiseman, who filmed patients inside a mental institution for “Titicut Follies“ (1967). He showed a harsh picture of an uncaring social system. “Warrendale“ (1967) which was filmed in the same year by Allan King, who was an admirer of Grierson, portrayed another institution in a very humanistic and emphatic approach. Furthermore, the subject of inevitable manipulation of the footage has been raised which, when completely denied, may lead to an even more stealthy manipulation of the audience (Aufderheide 2007: ebook ch.1.4).

According to Macdonald and Cousins (2011: ebook ch.9.1) what is left of Direct Cinema today, is “a style choice“ and what Aufderheide (2007: ebook ch.1.4). calls “a popular umbrella term“ which describes the featuring of a hand-held wobbling camera and grainy pictures to convey authenticity. I feel the most relevant and potentially harmful ‘souvenir‘ from this movement is the belief of that no restaging, editing or any other manipulation has taken place if only the presentation is looking ‘authentic‘. Due to the dominance of Cinéma Vérité up until the late 1970’s and the claims of its advocates on the exclusive truthfulness of its representation, documentary filmmakers who use other styles of filming may well still have difficulties with the trust an audience puts in their representations of ‘truth‘. Yet there are many different ways to represent ‘truth‘ in documentary film. It seems likely that neither insisting on applying the same rules and ethics as for journalism, nor insisting on the ‘artist’s privilege‘ to creativity will lead to satisfaction. Winston describes the same issue in 2000:

“Although its claim on ‘actuality‘ requires that it behave ethically, its unjournalistic parallel desire to be allowed to be ‘creative‘ permits a measure of artistic ‘amorality‘. [...] ‘actual‘ or ‘pure‘ (as it were) fakery is morally uninteresting. [...] What are common and increasingly vexed are the everyday subterfuges inevitably used because in the very nature of the case the camera cannot simply deliver an unmediated reproduction of the truth. Production means mediation.“

(Winston 2000: 132)

3 Representing Reality: Ethics in Documentary Filmmaking

3.1 The Truth about Non-Fiction: Why ethics are central

In the last years of the 20th century the dominance of Cinéma Vérité caused the expectations on what a truthful documentary could and could not be to be dramatically limited in matters of technique and expression. In the 1990's documentary filmmakers increasingly were seen by the public in their roles of 'whistle blowers' who would uncover informations about government, politics and corporations a mainstreamed media would not. In turn, their films and their methods were under more scrutiny than ever in the history of documentary film (Winston 2000: 1-5).

Due to this rising scrutiny, in turn concerns about ethics have grown in the industry and the filmmaker community as well. Since the late 1980s many documentaries that tackle political and economic issues were made. By the late 1990s there was a prominence of political topics. Also the ensuing growth of commercial opportunities in making a documentary intensified the need for filmmakers to explain their ethical practices. With a widening audience for documentaries, controversies and discussions about ethics kept and keep increasing (Aufderheide et al 2009: 2-4).

Therefore I feel it is more important than ever, for filmmakers and audiences alike, to look at the ethical issues that may arise during the production and distribution of a documentary film.

Consider the following imagined example as highlighting only a few of those:

Looking for financial funding for a film about the problem of drug addiction in a british city area, a filmmaker puts the wishes of the producer above her own artistic vision of always filming with a hand-held camera and without commentary. To get the money, she agrees to the traditional voice-over documentary of which the producers think it will make the film accessible to a larger audience. (Is this compromising the potential power or „truth“ of the film in the long run? Based on what reasons is it not deemed fit for a larger audience otherwise? Does this constraint influence the dedication of the filmmaker to her project?)

Wanting to gain insight and film scenes from the lives of drug-addicted people over the course of one year, the filmmaker needs to put hard work into forming a good bond

with her group of subjects. She is dependent on their will to work with her and their cooperation is the basis for the film getting done and the crew getting paid. (What are the boundaries of those relationships and what are they based on? Is it ok for the filmmaker to be giving small amounts of money to her drug-addicted subjects in exchange for their willingness to be filmed? What other problems may arise from dependence on either sides?)

When one of the subjects breaks down crying during an emotional interview in the second month of filming, the filmmaker agrees to cut the scene and omit its interesting background information from the final film. She does so in order to maintain her trustworthy status with the participants. Additionally, via individual agreement with the subjects, some faces shall get blurred and some voices shall be garbled during interviews, because of privacy concerns. (Have possible consequences of the film been discussed with the subjects? Should they have been?)

In order to get an interview with the controversial commander of the local police, the filmmaker hides her purposes from the police employees and poses as making a documentary about law enforcement. She provokes a harsh monologue from the commander - he has no idea he will be starring in a film that talks about the failure of the police to deal with the local drug scene. She justifies the betrayal of this particular subject by considering him to be in a position of power and because she personally thinks of him as a disagreeable jerk. (How much deceit can be justified in the search for truth? What or who determines subjects in front of the camera to be worthy of protection or not? Is it fine for the filmmaker to humiliate a public figure in order to get her point across?)

Towards the end of the shooting, a big secret about one of the main subjects is disclosed by a member of his family who had a drink too much. The filmmaker is aware that the information was given only because of an intoxicated state and that said information is shameful to her subject - on the other hand it contributes to the story excellently and would be important to help the audience understand the subject's motivations. She decides to insist on her right to use the scene, as she has obtained signed releases beforehand to do just that from all participants. She justifies her decision as means of getting to an end, which is telling a truth about the lives of drug addicts to an audience that trusts her not to leave out important puzzle pieces. (What kind of informations were given to the subjects about the purpose of the film they are starring in up front? Are subjects kept „in the “loop“ of things? How can or must the filmmaker colla-

borate with her subjects? What is more important – keeping the trust of her subjects or giving all available and/or necessary information to her audience?)

After filming is done, an independently working editor is employed by the producers. He selects and places the scenes as discussed with the filmmaker. Unfortunately the promise to garble the voice of one drug-addicted mother, given to her by the filmmaker, is not double-checked and the information gets lost in the process. On the night the film is aired, the teacher of the mother's under-age son recognizes her voice and she proceeds to call CPS on the family. The filmmaker hears about this later and feels bad, but is unable to help the situation. (What to do when trust gets broken? Whose fault was the involuntary outing ultimately?)

Shortly after the film is shown on national television, unrelated news gets out that a psychotic drug addict in search for money has murdered a whole family in their home. Some politicians demand harsher punishment for drug-use of any kind. Unintended by the producers, their film that has turned out to show drug addicts as worthy human beings and tends towards criticising the police force and its methods, gets in the cross-fire of politics. In the following weeks more than one million people from the UK comment on the topic as well as the particular subjects and the filmmaker herself on YouTube and other platforms. The mother who lost her child to protective services, appears on the “Dr. Phil”-show. (Is the filmmaker responsible for what follows her film, is put in motion by it, or is interpreted into it? In which way and for how long may she be responsible? Does the production company or anyone else owe remuneration to the film's subjects, now that their life stories have become viral?)

The story above exemplifies how a contemporary discourse on documentary ethics needs to be looked at from different perspectives. There are four main stakeholders in the documentary film business: The filmmakers, the producers, the subjects and the audience. Their needs and wants often vary from and quarrel with each other and the power of their respective influences fluctuates significantly, depending on the working stage of the film. The awareness of the public, the filmmakers and academics about ethical issues in documentary film has reached a very high level today, but this development has been a relatively recent one in the history of film.

Scholarship about documentaries emerged from the field of cultural studies and literature studies. In the context of cultural studies, film production and film reception as part of the formation of culture became a topic of attention. Respectively, the first film professors studied at literature departments and analysed films in very much the same

way as they had learned to analyse other kinds of texts. The close readings of films those academics have produced, provide extensive research in what documentaries are most renowned for: Their claim to truthfulness. Categories which are used by academics who work with documentaries are fluid and continue to be invented anew and the subject is an area of growth with many potential research angles. (Aufderheide 2007: ch.3.1).

3.2 Documentary Studies: Discourse on Ethics in Academia

3.2.1 Pryluck and Winston: On Responsibility Towards Subjects

The standard for serious reflection about ethical questions has been set in the mid-1970's, when scholar and professor Calvin Pryluck explored the ethical dimensions of documentary filmmaking in his essay called "Ultimately we are All Outsiders: The Ethics of Documentary Filming" (1976). He challenged the then current documentary practice of Direct Cinema and thereby raised issues are still relevant to discourse on documentary filming practice today. In the era of Direct Cinema, the development of equipment had made it possible for filmmakers to observe their subjects with hitherto unknown scrutiny. Pryluck stated, that ethical problems before Direct Cinema were "manageable" and "almost containable" (Pryluck 1976 : 21). While it is agreeable upon, that Direct Cinema raised the consciousness concerning ethical issues, from the beginning of filming filmmakers have made ethical choices, for example for restaging unattainable material or even utterly faking the bulk of their 'actualities'. It is to be assumed that rather than being "manageable", ethical problems were simply not deemed worthy of discussion up until the 1970's. Sanders reprimands (Sanders 2010: 535) as well, that Pryluck didn't elaborate on this particular statement. He did however bring up many other very relevant points, especially concerning the responsibility of the filmmaker towards his or her subject. All of those questions have kept reappearing until today.

I feel Pryluck's text is especially valuable concerning the issue of the consent given to filmmakers by their subjects, as the same problems are still relevant for filmmakers and subject today! He asked his readers to consider the validity of consent in any given circumstance and explained how the customary obtaining of consent "is stacked in the filmmaker's favour" (Pryluck 1976: 22). Reasons included, that subjects may lack insight on what is going on, may be intimidated by the situation of being filmed, or may be caught off guard when giving their consent and denying any objections.

People today may be more used to and aware of the implications of being filmed, but when the Maysles brothers published "Salesman" it was only 1969. Albert Maysle is quoted by Pryluck (1976: 22) from an interview he gave in Spring of 1964. As he talked about briefly explaining their business to the people who opened their doors to the bible-selling men and the film team he said:

“Most people at that point would then say they understood, even though perhaps they didn’t... Then when the filming was over...they would say ‘ Tell me once more what this is all about’ and then we would explain and give them a release form which they would sign.”

(Interview from “The Maysles Brothers and ‘Direct Cinema’” (Spring 1964) in: Pryluck 1976: 22)

Pryluck pointed out, that the potential hazards of filming were too difficult to assess for subjects and even for filmmakers who would like to inform them. Even more problematic though, he saw the use of deceit or ‘con games’ of filmmakers who don’t intend to inform their subjects about the true topics or the potential outcomes of their films.

The title of his essay was derived from Pryluck’s assessment that:

“Even renditions of cultures and life styles we think we know something about are filled with pitfalls for the people involved. Ultimately, we are all outsiders in the lives of others. We can take our gear and go home; they have to continue their lives where they are.”

(Pryluck 1976: 23)

He also claimed, that the practice of direct cinema posed a threat to the right to privacy, a topic Winston (1988) elaborated on as well. By being able to get incredibly close to subjects, or as Pryluck phrased it ‘free to peer into every obscure corner’, emotions and situations were disclosed by the camera and banned on screen.

Pryluck pointed out, that very similar ethical problems had already been considered in the fields of medicine and social sciences, most importantly the problem of consent concerning the recognition of unequal power, consent by a third party as was the case with children, prisoners or mental patients and the recognition of contradicting interests.

Drawing from film examples and interviews the author noted, that filmmakers often failed to recognize the complexities of consent. He gave examples of Direct Cinema documentaries which were intended to be sympathetic portrayals and ended up humiliating the subjects in front of the public and their social circle.

Pryluck stated that consent in medicine is tied to the protection of the physical and psychic well-being of the subject and likewise in social sciences, no humiliation, lowered self-esteem or lowered social respect should befall the subject because of their involvement with a treatment or experiment. He strived to get a discussion into motion

that might equip the documentary film community with similar guidelines, a goal which has since been shared by many other scholars.

As a starting point he suggested the practice of collaborating with the subjects and reminded the reader of Flaherty's method to work together extensively with the people he filmed, as I have pointed out in chapter 2.2 of this thesis. Pryluck pointed out, that the presence of respect that is needed for collaboration is often connected with the extent of power the subjects themselves hold. He mentioned how celebrities like John Lennon and Queen Elizabeth had been given veto rights about the documentaries they had featured in, a privilege which Pryluck in my mind rightfully doubted to be granted in equal fashion to people of disproportionate status. Earlier in the text, the author considered the large number of prisoners in medical experiments, prompting his readers to draw similar conclusions to the handling of 'informed consent' with less powerful subjects in documentary film.

In order to support his suggestion of collaborative approach, Pryluck gave several examples of documentary filmmakers before the era of Direct Cinema, who had incorporated collaborative procedures into their work. George Stoney, Jean Rouch and R.D. Laing had, according to Pryluck, benefitted from involving their subjects in the editing process, getting insight from them and generally allowing them to co-decide how they wanted to be presented on screen. Pryluck referred to one example of this pro-collaboration filmmaking, where filmmaker Fernand Dansereau, following the National Film Board of Canada policy, offered an amount of participation and control to the more powerless subjects he was filming, but denied control to more powerful subjects. The example seemed particularly relevant to me, because the idea that those who are most vulnerable need the most protection, has been expressed time and time again by scholars like Winston in the following years.

Pryluck suggested the implementation of an 'emotional guide' (Pryluck 1976: 28) where he proposed that the filmmaker-subject relationship would benefit from being considered in the same way that a filmmaker would consider his or her relationships in a private social context. He also added, that ethical problems are not lightened by the fact, that the audience may not notice all infringements in the final film. Pryluck additionally proposed a disclosing policy for filmmakers about their personal ethical standards in order to produce more discussion, heighten sensitivity and to be able to rationally determine more objective standards for the fields.

The discourse on ethics continued to evolve from the mid-70's and scholars delved into the discussion of possible predicaments in documentary filmmaking, mainly focusing on the issue of filmmaker-subject relationship. Most essential contributions after Pryluck came in the year of 1988 when Gross, Katz and Ruby's book "Image Ethics: The Moral Rights of Subjects in Photography, Film and Television" and Rosenthal's "New Challenges for Documentary" were published. Both anthologies shared a common focus on the complicated ways filmmakers and subjects are dependent on one another and the danger of exploitation and abuse from the side of the filmmakers.

I feel Brian Winston's contribution, "The Tradition of the Victim in Griersonian Documentary" (1988) deserved a closer look as the author followed the same topic as Pryluck, but in my perception was more precise and solution-oriented concerning the subjects' rights than the former. Winston not only spoke against the dominant documentary practice of Direct Cinema but proposed several possible solutions to the ongoing battle of interest between the individual's right to privacy and the public's right to know.

Winston pointed to the increasingly invasive portrayals of powerless people in documentaries, which according to him had become one of the most popular topics for documentary filmmakers since the 1930's. Winston perceived the origin of this trend not only in the development of technology and aesthetics, but also in the synthesisation of the ideas of the Griersonian cinema of social concern and Flaherty's cinema of the individual as centrepiece subject. He researched, how in the films of former colleagues of Grierson like Edgar Anstey, Elton and Rotha, the subjects were still of working class origin, but a decisive change of representation had taken place. The symbolic way in which workers were depicted as heroes by Grierson in films like "Drifters" (1929), had progressed to a very personal depiction of workers as 'poor people' in films like Anstey's and Elton's "Housing Problems" (1935).

What Winston was saying here, is that the rise of Direct Cinema in the early 60's resulted in the same choice of subjects, but filmmakers were even more inclined to get as close as possible to their subjects, especially in moments of pressure and distress. Technology-wise, a holdable, light and sound-synchronous film camera was available and as Winston said:

“No door, especially the door behind which the disadvantaged were to be found, need or could be closed to the filmmakers.”

(Winston 1988: 42)

The dominant aesthetic trend favoured close-ups and together with the choice of subjects, this circumstance encouraged depictions of the “subject as victim”. Filmmakers no longer showed Flaherty’s proud individuals “against the sky”, but instead invoked the pity and interest of the audience by showing under- and low middle class subjects “in the bowels of the earth” (Winston 1988: 42).

In the years to come, documentary filmers followed the ongoing trend towards showing poor or suffering characters as the central subjects of their films. Winston criticized, that the original idea of the documentary was to take part in ameliorating conditions by making them known to the public, but remarked that documentaries had shown little to no effect in changing the reality of the conditions. He summed up his thoughts on this:

“[...] although the majority of television documentaries and news features deal with victims [...], such treatment scarcely diminishes the number of victims left in the world a potential subjects.”

(Winston 1988: 41)

I feel inclined to agree with the author on what he called ‘victim tradition’. “High on Crack Street: Lost Lives in Lowell” (1995) is just one of many documentaries that depicted their subjects in horrible living conditions and in a way that leaves no room for amelioration of any kind. The film showed drug-addicts withering away in an economically city in Massachusetts, of the three protagonist one is today in jail and the other is dead.

In chapter 3 of his article, Winston took a look at the consequences the ‘victim tradition’ brought to the relationship between filmmaker and subject. He deemed a degree of subterfuge and exploitation towards the powerful subjects justifiable, but took issue in the ways filmmakers misrepresent and lie towards more powerless subjects. The role he thought appropriate for documentary filmmakers was one as:

“protector of the powerless and fearless confronter of the powerful.”

(Winston 1988: 44)

Like Pryluck in 1976, he mentioned George Stoney as one of the few filmmakers who tried to work with their subjects and who took an alternative approach to their role as filmmakers, but describe him as exception to the rule.

He mapped out other problems as well: He stated that the meaning of 'legally required consent' was extremely unclear when people had little to no inside to the possible effects of media exposure. The ability to give consent when subjects are minor like in a documentary about child prostitution, or mentally insane like in Wiseman's film "Titicut Follies" (1967), was something he found questionable as well. He brought up the question of whether filmmakers filming a crime were becoming complicit in it or not. He asked his readers to consider the practice of filmmakers paying or otherwise inciting their subjects towards situations that may bring a good climax to the film, but could possibly put the subject in physical or psychological danger. He also warned to think of the possible impacts, when there was a subject desiring media exposure.

Winston wanted filmmakers to ask themselves about the boundaries of the public's right to know and their obligation towards other human beings. By way of example he mentioned the case of a film crew documenting a woman's illness and rush to the hospital, that could have been prevented easily with the provision of money or shelter from the film crew itself. Another important point Winston made, was the longevity of film material. The possibility that it could serve to humiliate and expose subjects many years after the film had been made and their consent to it had been given, is in my opinion definitely sensible to think about in the age of internet.

The author proceeded to explain how laws in UK and US tended heavily towards the right of Freedom of Speech for press and television, while the concept of consent and right to privacy of the individual was according to Winston continuously undermined by public or general interest, which translates to 'the public's right to know'. He cited only a small number of cases, including the banning of "Titicut Follies", where in a turn of tables, the rights of the media had been undermined in favour of the individual's right to consent and privacy. The author declared the the status quo in this legal situation lacking, in the sense that he felt the First Amendment was being handled as addressing a situation of an eighteenth-century society. Winston claimed that the courts were not catching up to the technological advance and the role of the press as special interest group in the 20th century.

Solution-wise he recommended a "duty of care" (Winston 1988: 52) that would address the difference between the media's right of free speech and the individual's

right of free speech. Winston justified this, by pointing out how the traditional laws that condemn libel and theft of images, were - according to him - not fit to confront the issue of filmmakers working with subjects.

"Documentarists, by and large, do not libel and, by and large, do not 'steal' images. Yet they are working with people who, in matters of information, are normally their inferiors – who know less than they do about the ramifications of the filmmaking process. It seems appropriate that an additional 'duty of care' be required of them."

(Winston 1988: 52)

Winston suggested "the right to respect for his private and family life, his home, and his correspondence" (Winston 1988: 53) according to the Universal Declaration of Human Rights as a basis for this additional duty. He acknowledged that a refined consideration of consent would reduce a filmmaker's possibilities to film subjects, but sees no fault in the discontinuation of documentary films that work in the victim tradition.

In order to form a new trend of documentary filmmaking, Winston suggested several changes to media law: Distribution of films need pre-evaluation of whether they are suitable for general audience or whether they are only to be shown to a professional audience. He thereby acknowledged the difference between channels of communication and how an exposure can bring social value on the one channel and social damage on the other. Additionally he suggested that public and private persons should be afforded different degrees of protection, thereby enabling less powerful, ordinary subjects to protect their privacy and preventing more powerful, public subjects to protect themselves from exposure that is indeed in the public interest. He called for extended protection for the ordinary subject in public areas, thereby protecting vulnerable bystanders. Winston said about the exposure of bystanders to the media:

"act of the media [that are] like acts of God in that one can be hit by them, as it were, in almost any circumstances"

(Winston 1988: 54)

He proclaimed, that an assessing of the effects of media exposure in general should be considered, particularly because some acts that are permissible in private could become illegal when shown in public.

He advocated, that the concept of a duty of care had to be carefully balanced to the right of the public to know. He asked his readers to remain in a 20th century mindset and absolutely did not wish to diminish any right of the media to investigate and comment on the powerful.

Brian Winston continued to research the ethical base of documentary filming in his book "Claiming the Real: The Documentary Film Revisited" (1995). In "Lies, Damn Lies and Documentary" from 2000 the author again looked into the ethical issues around documentary filming and the controversies about recreations that became a huge deal for press and audience discussion in the 1990's. Particularly specific about Winston's approach is that he is and has always been very adamant in his writing, that "the problems lie more with the way participants are treated than with responsibilities to the audience" (Winston 2000: 157) and that free speech may in no way be impaired in order to protect the audiences. Although I don't agree with all his views concerning the responsibilities towards the audience, I generally think of Winston's writing as particularly important and powerful. I feel the suggestions he made and makes are not only helpful for documentary practice, but also for media practice and media freedom in general.

3.2.2 Nichols: Documentary Modes

During the 1990's the debate on documentary ethics prospered again, especially because of the work of film scholar Bill Nichols. Through his first book "Representing Reality: Issues and Concepts in Documentary" (1991) he made himself a name as the founder of the contemporary study of documentary film. In it Nichols pursued the distinction of documentary film from fiction film and the importance of form and rhetoric. He criticized the existing works of documentary theory for importing theories into the field of documentary instead of creating new tools to deal with this form of film. By finding terms for distinctive forms of the representation of reality in filmmaking practices, Nichols aimed to make the "essence of what documentary is and does" more explicit and visible. The modes he had worked out in 1991 were four ways of representation in documentary films that as Nichols remarked, roughly followed the chronological order of their appearance in filming practice:

The expression "expository mode" is used for classic documentaries with 'Voice-of-God commentary', as for example in "Nanook of the North". The expression "observational mode" is used, when filmmakers refrain from addressing the camera at all and instead record from a distance what is happening. A typical example would be Direct Cinema documentaries like "Salesman". The expression "interactive mode", which Nichols renamed later into "participatory mode", is used to make the involvement of the filmmaker obvious for example by use of interventions and interviews like the documentary that is analysed in the fourth part of this thesis: "The Most Hated Family in America". Through the expression "reflexive mode", the representation and the conventions of filmmaking are made obvious like in Vertov's "Man With a Movie Camera". Later in his "Introduction to Documentary", Nichols (2010: ebook ch.1) added two further modes: The expression "poetic mode" is used when the emphasis is on the formal organization of the film, like for example in many 'avant-garde' documentaries and in city symphonies like Ruttmann's "Berlin - Symphony of a Metropolis" (1927). The expression "performative mode" is used when the filmmaker's own involvements and expressions towards his or her subjects is emphasised on. A contemporary example of a documentary in performative mode is "Waltz with Bashir" (2008), where director Ari Folman digs into his own memories and life story.

Nichol's modes have been widely used by following academics, as means to further define and classify documentary films. The pervasiveness of them can also be seen by the unquestioned use of them in the chapter "Documentary Types" in the Wikipedia

article for “Documentary Film“. It is important to say that same modes have been under harsh criticism from other scholars for years, on account of oversimplification and the way that most documentary films simply cannot be put in one category or the other. I agree that it doesn’t seem to make sense to restrict all documentaries to a respective model, since I feel the variety in documentary filmmaking makes it impossible to do that in a sensible way. Nonetheless I think Nichols’ modes are particularly important to mention not only because of how widespread the terms have become, but because by aiming to classify documentaries, ethical issues can be identified more easily. Nichols himself addressed this issue in his book “Introduction to Documentary“ where he said:

„Rather than regret the failure of documentary film to comply with any one, single definition, and rather than lament the ability of any one definition to identify all the possible types of documentary, we can accept this fluidity as cause for celebration. [...] This said, distinctions can still be made. New documentaries continue to bear strong resemblances to previous documentaries. [...] Categories and concepts often play catch-up, trying to give coherence to the extraordinary array of works created by human activity.“

(Nichols 2010: ebook edition ch.6)

Additionally, for me the author’s documentary modes have proven to be extremely helpful in a genre that is very hard to define and whose methods and subjects are of such a variety, that it sometimes feels overwhelming trying get to the bottom of things.

Another topic I find especially valuable for this thesis in “Representing Reality“ again, is “Axiographics: Ethical Space in Documentary Film” (Nichols 1991: ch.3), where Nichols connected ethical challenges to the concept of what he called the “camera’s gaze“. He argued that by analysing the style of a documentary film, also the human behind the camera is revealed in matters of subjectivity, perspective and values. While he said that the filmmaker in fiction film represents an imaginary world from the outside, he conceived the documentary filmer to represent a historiographic world of which he or she is part of from the outside. He therefore made the assumption that style becomes closely linked to ethics. Even if the filmmakers act interactively, the concept of the camera’s gaze requires a distance between the camera and the subject which provides ethical, political and ideological perspectives. Nichols has named and described different kinds of gazes which are ‘legitimated’ by different ethical approaches and which then result in different modes of representation and production:

The “accidental gaze“, where something unexpected is recorded is connected to an “ethic of curiosity“. The “helpless gaze“ where the lack of power of the filmmaker to intervene or come closer (for example because of a restricted filming location), is connected to an “ethic of sympathy“ where the filmmaker feels obligated to keep filming. An “ethic of courage“ is connected to the “endangered gaze“, where the filmmaker is at personal risk while filming. This may be evidenced for example by movements of a camera that is held by a struggling cameraman. Similarly, the “interventional gaze“, where the cameraperson is confronted with someone in immediate endangerment and therefore willing to intervene and maybe abandoning filming, is connected to an “ethic of responsibility“. The “humane gaze“, as does the interventional one, emphasizes the human behind the camera, who is this time not able to intervene. In difference to the helpless gaze, the emphasis here is on the emphatic bond between those behind and those in front of the camera. Nichols also described an “ethic of irresponsibility“, where the filming of an act, for example murder, is complicit and supportive.

Because it is often invoked in questions about objectivity, professionalism and general conduct in for example journalism, the field of social sciences and the field of medicine , I find the “clinical“ or “professional gaze“ especially important to documentary ethics. In Nichol’s description:

“[the clinical gaze] operates in compliance with a professional code of ethics that trains its adherents in the art of personal detachment from those with whom they work. [...] The intent is neither intervention nor a humane response but a discipline one inoculated against displays of personal involvement.”

(Nichols 1991: 87)

Nichol’s most recent contribution to the field came in 2001 when “Introduction to Documentary” was published. His work was republished and expanded in 2010 and it is this second edition I refer to in the following text. As Nichols (2010: ebook edition ch.2) put it: "What do we do with people when we make a documentary?" His question encompasses all questions about the various relationships of subjects, filmmakers, producers and audience as well as questions of integrity and honesty in the representation of reality.

Nichols saw the modification of the subject's natural behaviour - caused by self-consciousness, guidance or other factors - as a documentation of the way films alter

the reality they represent. He pondered about the influence of the filming process, by wondering whether dramatic situations in documentaries would have even happened without the camera being there.

He stated, that one of the ways filmmakers address the question of power between them and their subjects, is to obtain a release from them, enabling the filmmakers to use any filmed material that was made in the course of the documentary. But when people play themselves in a documentary, the outcomes and potential downfalls are not always predictable neither by them nor the filmmakers. Unforeseen effects for the subjects may be according to Nichols: Secrets being revealed unintentionally, subjects being judged by their social circle and the presence of cameras prompting a different behaviour. Filmmakers on the other hand may for example run the risk of being exploitative, altering the behaviour of a subject, or having their humanity called in question.

Because real people's lives and reputations are involved in the making of a documentary, it places the filmmakers with lot more ethical questions to consider, than is the case in the fiction-film genre. While actors in a fiction film fill out a professional role as theatrical performers and can be expected to act their role according to the director, people in a documentary usually are social actors and remain cultural participants expected to act as themselves. Nichols stated that while the professional actors' value lies in disguising, performing or transforming, the social actor's value lies in that part of their everyday behaviour, that serves the needs of the documentary. This complicates the definition of "performance" as well as the right anybody, for example the filmmaker, has to that performance. It also prompts the question, how much direction and influence may come from the filmmaker, in order to not threaten the authenticity of the situation.

Nichols looked at Louis Bunuel's "Land without Bread" (1933) and argued, that the film may be the first to have purposefully raised the issue of ethics by deconstructing the concept of "truthful representation" through the commentator's overly harsh and unfair judgement of the people shown. In "No Lies", the audience is deceived to believe that a cameraman misconducts and oversteps the emotional boundaries of the interviewed woman, only to find out at the end that both are actors. In "Man Bites Dog", the documentary film crew apparently starts to help out the criminal they are filming. According to Nichols, all three of those film are capable to incite the audience to keep a critical eye on the representations shown in documentaries.

Nichols saw ethical considerations in documentary as an attempt to minimize harm. He deemed the concept of 'informed consent' as it is used for example in medical experimentation, as useful in documentary, but like Pryluck and Winston he certainly didn't believe it to be the end of ethical challenges. While the risks of participating in a medical study may be made clear to the participants up front, a lot of the risks of participating in a documentary remain unforeseeable and cannot be foretold by the filmmaker. Connected to this, Nichols referred to an extraordinary case of a documentary, where consent was deliberately not asked for in order to make a point. Made in 1965, "Obedience" showed the infamous Milgram-experiment, where unsuspecting participants were tested for their willingness to follow orders from an authority figure. The deception of the participants was very clear in this case, but Nichols reminded his readers, that deceptive practices in documentary filmmaking can go from gaining unlawful access by lies to filming illegal acts. Of course, the answer to a question if something is acceptable or not, will depend on who you ask.

Nichols stated, that there is often tension between the filmmaker's desired outcome and the subjects' desired outcome, the latter wanting to protect their personal rights and the first trying to make the best possible film. He furthermore commented on the power imbalance between filmmaker and subject, where he conceived that those who control the camera have a power that others don't. He stated that filmmakers "usually" place their career and their artistic interest over the interests of a particular group or constituency, but it remained unclear for me whether he means filmmakers place their interests above the institutions they work for or the people they film.

Either way: As might be seen in Aufderheide's study "Honest Truths", Nichols' ponderings, as those before him by various scholars, do no complete justice to the intricate thoughts some filmmakers apparently have on ethical issues.

Nichols also took a look at the filmmakers' very detached kind of filming in "Jesus Camp" (2006), to expand on how ethical behaviour must not be equated with representing specific values or taking specific stands on part of filmmakers. Nichols defined ethical acting in filming as:

"acting in ways that do not withhold respect from subjects or undermine trust from audiences."

(Nichols 2010: ebook edition ch.2)

He further explained how "Jesus Camp" made it possible for the subjects to feel represented accurately as well as for critics and supporters to gather information for their respective viewpoints. The filmmakers stayed detached and neither supported nor ridiculed or commented on the religious views of their subjects, but instead they let the viewers decide what to make of the presented stories.

One of the reasons Nichols stated for working out those concepts, is to draw attention to the closeness between ethics, politics and ideology as discourses. He suggested that a consensus on ethics depends on a consensus of a natural order in the world we live in. He drew the connection to ideology when he stated:

"Ethics can be said to be an ideological mechanism by which those with power propose to regulate their own conduct."

(Nichols 1991: 103)

He therefore assumed that a system of ethics can be challenged and questioned in its appropriateness for everybody and suggested that an alternative to relying on this systems ethics might be in order for documentary film practices.

3.2.3 Sanders: The Need for Empirical Research

More than thirty years after Pryluck proposed an “emotional guide”, more than ten years after Winston advocated a “duty of care” and after many more attempts to define some kind of ethical code and guidance for documentary filmmakers, film scholar Sanders lamented the lack of an ethics of documentary filmmaking in 2010 and stated that:

“the debate on documentary ethics has evolved little over the past three decades”

(Sanders 2010: 529)

This suggests, that although the awareness about the importance of ethical behaviour in the field has heightened and many scholars have contributed to the defining of ethical problems - not in the least by defining and re-defining the documentary film genre itself and the concepts of representation of reality - a general solution is still amiss.

In her own writing, Sanders asked readers to become aware of the difference between “ethics” and “morals”. Furthermore she suggested the collection of empirical data and its relation to ethical theories. She made a point of using the term “documentary filming” instead of “documentary film”. This, what I feel, is a very helpful distinction and serves the focus on the ethical issues during the production phase of a documentary. Sanders pointed out, how a concentration on the final product may result in missing out on important ethical issues that came up during the filming process, but were not visible in the final film and I couldn't agree more on the emphasis of the production process in order to avoid that.

According to Sanders, the common misconception that ethics and morals are essentially the same concept, leads to confusion frequently. In her writing she referred to ethics as:

“a discipline that reflects on human action, on the governing principles that determine people's decisions about the right thing to do”

(Sanders 2010: 531)

On the other hand, Sanders referred to morals as “the accepted norms and values of people, of a community” (Sanders 2010: 531).

This translates to morals being an individual principle that may be shared throughout a common culture or society, while ethics can be understood as rules of conduct in a certain context. If the definition of Sanders is followed, morals in documentary filmmaking may be seen as being about individual judgments, which might for example relate to the cultural background of a filmmaker and makes him or her decide about what they deem right or wrong. Sanders suggested stepping back from the idea of judging good versus bad behaviour in individual cases. When she said that an ethics of documentary filmmaking should be developed, what was suggested was a reflection on the practice of documentary filmmaking in order to find “the principles that inform deliberations and decisions about the right thing to do as a documentary filmmaker” (Sanders 2010: 531).

As seen above, from Pryluck to Nichols scholars have addressed many problems and issues with the main concern being the relationship between filmmaker and subject. The notion of “informed consent” is considered the crucial point in the ethics discourse, but it is generally agreed upon in the field, that it is not possible to provide a subject with all potential risks of taking part in a documentary film and there is no constant, uniform practice to reflect the importance of this issue.

Sanders remarked that still, essentially no principles for filmmakers - whether deontological, teleological or utilitarian in nature - have been provided and she evaluated the solutions to the ethics dilemma which have been proposed so far. She deemed the collaborative approach as suggested by Pryluck, as well as any approach that included sharing the responsibilities between subjects and filmmakers, as ‘unprofessional’. Furthermore she remarked that the same approach could possibly endanger to the freedom and expression of filmmakers as well as leading to the latter neglecting their job.

„Documentary filmmakers should always have the freedom to tell their own stories - and be kept accountable for them.”

(Sanders 2010: 541f.)

The idea of allowing provisional consent at the end of production process, allowing participants to object to scenes or certain materials including themselves, is according to Sanders a good but ‘far-fetched’ solution. Among other potential problems, she felt that filmmakers would be very reluctant to give their subjects so much power, when the film is already in a final stage, a feeling I wholeheartedly agree with. Many filmmakers,

as is documented in field studies like Aufderheide et. al's "Honest Truths" from 2009 which will be the topic of the next chapter, have stated that they have no interest and feel no obligation in sharing control over the film with their subjects, but on the other hand feel very responsible about it themselves.

Likewise Sanders remarked that the continuing demand for explicit standard and rules, as for example by Gross et al. (1988) and Winston (1988, 2000) is not deemed helpful anymore by her, because no one has been able to come up with something generally applicable in the last thirty years of discourse.

The idea of reflexivity – putting the process of the filming into the film itself – is in Sanders' opinion too much of an infringement on the freedom of filmmakers, who would be forced to abandon their own style of aesthetical expression in favour of a prescribed set of expression. I agree because I find it likely, that the same questions will arise from this approach since the process of filming and editing has to be done to a reflexive part of the film as well.

Butchart (2006) is one of the few scholars who has sought to describe the "truth" about documentary by applying a phenomenological analysis. He described how he thought "the real and actual truth about documentary is its visual mode of address" (Butchart 2006: 438). Sanders thought of it as "far-fetched" (Sanders 2010: 542), since again aesthetical choices were to be taken from filmmakers.

Sanders further remarked, that since the main focus in the ethics discourse so far had been one-sided because mainly the attitude of the filmmaker towards the participants had been under close scrutiny, there is less attention on the responsibility of the filmmaker towards the audience and the project. As well, since relationships are reciprocal, also questions concerning the possible misconduct of the subjects towards the filmmakers need to be discussed according to the author.

Sanders had two main points: First, scholars haven't generally used ethical theories to apply them to moral issues, and second, the filmmakers reasoning for their actions during a filming process are usually not included in the judgment of their actions. So she concluded that all hitherto proposed solutions were generic and insufficient.

Therefore Sanders is supportive of empirical research to find out more about the principles that govern the actual behaviour of filmmakers. She proposed looking at everyday practices of filmmakers to find out how they form their opinions on moral issues and ethical principles by collecting empirical data and did so in her 2012 field survey

„The Aggie Will Come First Indeed. A Survey on Documentary Filmmakers Dealing With Participants“. The analysis of that data gave further insight into moral strategies and issues and the contexts they relate to and therefore offered a possibility to extract the principles that underlie the behaviour.

3.2.4 Center for Social Media: Field Studies

After looking through the content of over 10 documentary film festivals, my research has shown that open guidelines on ethical conduct are virtually non-existent. None of the festival sites showed adherence to any specific or non-specific code of conduct for documentary filmmakers, that deals with answers to the ethical responsibilities and difficulties that arise during the production of a documentary film. While ethics is clearly an important issue in the industry, thoughts on it are solely present in workshops, papers, commentaries and blog entries, often linked to festival sites but never in a disclaiming manner or as precondition to the submission of a documentary film.

In an effort to apply empirical research in order to help filmmakers face ethical challenges Patricia Aufderheide and her colleagues from the Center for Social Media at American University made the study “Honest Truths” in September 2009. In collaboration with colleagues Peter Jaszi and Mridu Chandra, Aufderheide conducted a field study among documentary filmmakers in the United States to find out about the perceived ethical challenges in the craft by using empirical research.

Their intention was to demonstrate the need for more discussion on ethics in the field, since there were no specific standards articulated, as Sanders and others have already expanded upon. I agree with Sanders (2010) who believes this study to be an important contribution to the difficult task of understanding how ethical challenges are handled by practitioners in the field. The authors expanded on the ongoing lack of common standards in documentary ethics: According to their expertise, documentary filmmakers are most commonly working as independently contracted freelancers who sell their work to different distributors. Financial needs and wants of the filmmakers lead to them working for a range of distributors: While an independent political documentary may be a project of the heart, a docudrama for cable television may mean solid income for some filmmakers.

Some of the distributing channels developed ethical standards the contracted filmmakers have to adhere to, others haven't. The available standards are journalistic guidelines that don't exactly match with the works of documentarists. Yet, there is no common ground for ethical behaviour for documentary filmmakers. The study clearly showed that the principles “Do no harm”, “Protect the vulnerable” and “Honor the viewer's trust” are widely shared by filmmakers. as shared principles, but on the other hand, the interviews tell how filmmakers are continuously challenged to adapt and consider their

choices, especially with subjects. It became clear, that filmmakers are currently making ethical choices on a case-base and depend on their own judgement.

3.3 Related Field of Research: Journalism

3.3.1 Guidelines

Unlike journalists who are often working for a specific outlet, documentary filmmakers usually work as independently contracted freelancers for a range of distributors from the news or entertainment division. Especially when working for the news division, filmmakers have to submit to differing institutional standards. According to the survey by Aufderheide et al, filmmakers feel “helpfully guided“ if certain codes of conducts are enforced. On the other hand, those codes are not specifically aimed at documentary filmmaking, but at media practice in general and specially journalism and press work.

According to contemporary research, documentary filmmakers have “largely depended on individual judgment, guidance from executives, and occasional conversations at film festivals and on listservs“ concerning standards and ethics in their specific field Aufderheide et al. 2009: 3) It becomes problematic, when the practices filmmakers are supposed to abide by, are derived from and developed by programs for journalism.

In the following paragraphs I will look at the Code of Ethics from the Society of Professional Journalists (updated in September 2014) and the Resolution 1003 from 1993 on the ethics of journalism by the Parliamentary Assembly of the Council of Europe, which are both not mandatory but voluntary and widely circulated guidelines for journalists. Standards of practice by news divisions are largely comparable to these guidelines and both share a lot of common goals formulated by documentary filmmakers.

The Parliamentary Assembly concludes 38 principles they believe should be “applied by the profession throughout Europe“ for practicing ethical sound journalism. The single points are divided into subchapters and I looked at those in order to determine their applicability towards documentary filmmaking.

In the subchapter “News and opinions“ it is stated that the media must “have an ethical responsibility towards citizens and society“ as information and communication “play a very important role in the formation of citizens’ personal attitudes and the development of society and democratic life“. While the classic documentary certainly played a role in the development of film art, it can’t be determined whether it became a formative part of society. From the 1930’s onwards, documentary filmmakers have tackled topics of societal interest, for example through the depiction of poverty. This could represent a rise in the importance of documentary as a medium that provided information and messages about society, but as Winston has said in his 1988 essay, the ameliorating effect

that had been anticipated by the Griersonian movement, did not live up to expectations, thus had no direct impact on the changing of society.

One of the most problematic principle in light of documentary filming is voiced in no. 3 where it says that “a clear distinction must be drawn between news and opinions, making it impossible to confuse them.” The idea that a clearly drawn distinction makes it possible to report news with absolute objectivity, is for example refuted by Nichols who expanded on the influence of the human being behind each camera when he talked about the “gaze of the camera” in “Representing Reality”. The “clear distinction” is blurred in no.4, where the guidelines say that “news headlines and summaries must reflect as closely as possible the substance of the facts and data represented”. While “news” are defined as “information about facts and data”, opinions“ are defined as “necessarily subjective”, “cannot and should not be made subject to the criterion of truthfulness“ and conveying “thoughts, ideas, beliefs or value judgments on the part of media companies, publishers or journalists“.

In no.5 it is specified that opinions must be “expressed honestly and ethically“ without expanding on the definitions of honesty and ethics and that opinions in forms of comments “should not attempt to deny or conceal the reality of the facts or data“.

The second subsection deals with the right to information of the public and the according responsibilities of journalists. In documentary filming, this can be translated to the responsibility towards one’s audience. No.7 expresses the purpose of the media’s work as an “information service“. The aspect of the filmmaker as artist is not part of the equation as is the case with documentary film, instead media work is providing a fundamental right to citizens in democracies who have both the right of information and additionally the right that given information is conveyed truthfully. Within No. 10, the media is recognized as “part of a corporate structure“ and its freedom doesn’t only need protection from the outside, but also needs to be guarded from inside pressures. No. 11 to no.15 are concerned with the people working in the media, such as publishers, proprietors and journalists.

The presence of ideological orientations in individuals is acknowledged and the guidelines draw attention to the dominating importance of truthfulness and ethical behavior over individual orientations and opinions. It is stated that “neither publishers and proprietors nor journalists should consider that they own the news“, so no exploitation of news and opinions in order to boost readership or influence figures should take

place. No. 16 draws attention to the attitude towards an audience and suggests that it is considered “as individuals and not as a mass”.

The next subsection specifically deals with “the function of journalism and its ethical activity”. No. 17 to 18 refer to the extreme power and importance of the media, especially in relation to its effect on public opinion, while No. 19 reminds that despite this power it should not be inferred that the media actually represents public opinion accurately or that it could or should in any way substitute the functions of education or public authority. As “counter-authority”, the legitimacy of the media is connected to its respect for democratic values, as for example the right to truthful, impartial information.

The balance between the respect for privacy and the freedom of expression, a topic that Winston tackled extensively for example in his 1988 article, is said to be documented in a case-law of the European Commission and Court of Human Rights but not further elaborated upon. In No. 23 it is stated that “the right of individuals must be respected” and that the fact that “a person holds a public post does not deprive him of the right to respect for his privacy”. On the other hand it is stated, that there are exceptions in “those cases where private life may have an effect on their public life”, a blurry guideline that speaks of the difficulty of judgment concerning this issue.

Concerning the “end that justifies the means” it is clearly stated in no. 25 that “in the journalist’s profession the end does not justify the means; therefore information must be obtained by legal and ethical means.” While the “legality” is pretty much straightforward, the “ethical means” are again hard to put in perspective since there is no definition on what is considered ethical. Again, reading further, the demand to obtain information by ethical means is somehow softened when it says in no. 29 that “care should be taken to avoid any kind of connivance liable. Journalists are not supposed to exploit their position in order to gain prestige or personal influence.

In the subsection about “situations of conflict and cases of special protection”, the objectivity and neutrality the media is supposed to embrace is changed to the media playing a role in defending democratic values. All discrimination, violence and language of hatred are to be opposed while peace and tolerance as well as respect for human dignity should be promoted. The media’s role in preventing tension, encouraging understanding and protecting especially youthful viewers from exploitation, consumerism, violence and “unsuitable language” is proclaimed from no. 33 to no. 35.

In “ethics and self-regulation in journalism”, the assembly proclaims the responsibility of the media to “submit to firm ethical principles guaranteeing freedom of expression and

the fundamental right of citizens to receive truthful information and honest opinions“. No. 37 speaks of the necessity of “the implementation of these principles“ and the watchdog-function of “self-regulatory bodies or mechanisms“ who shall make resolutions public in order to help citizens to “pass either positive or negative judgment of the journalist’s work“. The mechanisms are to be set in place and analyzed for their usefulness regularly.

In the preamble to their codes of ethics, the organisation Member of the Society of Professional Journalists describe their profession as “public enlightenment“ and judge accordingly that an “ethical journalist acts with integrity“ and that “ethical journalism strives to ensure the free exchange of information that is accurate, fair and thorough“. It is clearly stated by the society, that the Code in question is “not a set of rules, rather a guide that encourages“ and is not legally enforceable.

There are four guidelines for journalists with the application of which they think an ethical journalism can take place:

- Seek Truth And Report It
- Minimize Harm
- Act Independently
- Be Accountable and Transparent

Within each of these guidelines, the COE prescribes the wanted behavior and specifies what a journalist “should“ do. Acting accordingly to the promise to “seek truth“, responsibility for the accuracy of the journalist’s work is her or hers to give. The section contains codes of conduct that are mainly concerned with the relationship between the journalist and his or her subjects. It is therefore well suited to translate to the relationship between the filmmaker and the participants. Context should be provided to avoid misrepresentation or over-simplification of a topic. The motive of sources should be questioned beforehand and anonymity should be reserved to those who “may face anger, retribution or other harm“.

If the news involves criticism or allegations, the journalists should be very motivated to let those at whom criticism is directed, speak and respond. Journalist should “avoid stereotyping“ and “examine the ways their values and experiences may shape their reporting“. “Surreptitious methods of gathering information“ are only sanctioned under the premise that „traditional, open methods will not yield information vital to the public.“ The journalist is held to “holding those with power accountable“ and to “give voice to

the voiceless“, especially in the name of diversity “voices we seldom hear“. Illustrations, re-enactments and commentary should be clearly labeled as such.

According to the second promise to “minimize harm“, it is stated that “ethical journalism treats sources, subjects, colleagues and members of the public as human beings deserving of respect.“ Doing this requires the journalist to balance “public’s need for information against potential harm or discomfort“ as well as balancing “a subject’s right to a fair trial with the public’s right to know“. The COE speaks against “arrogance or undue intrusiveness“ and “lurid curiosity“. Journalists are asked to understand the difference between “legal“ and “ethically justifiable“ and asked to realize how an ordinary private person’s right to control information is greater than the right of a powerful public person to do so.

According to the third guideline to “act independently“, it is made clear that the journalist’s “highest and primary obligation [...] is to serve the public. The COE advises journalists to “avoid conflicts of interest, real or perceived“ and to avoid the damage of their credibility by refraining from anything that might “compromise integrity or impartiality“. Importantly, no payment should be given or accepted – “do not pay for access for news“ – and if any content is sponsored, it should be labeled as such.

With the fourth guideline asking journalists to “be accountable and transparent“, the COE prescribes an ethical journalism that is “taking responsibility for one’s work and explaining one’s decisions to the public“. Corresponding to no. 37 in Resolution 1003, the COE asks journalists to “explain ethical choices and processes to audiences“ and “encourage a civil dialogue with the public about journalistic practices, coverage and news content“. Mistakes should be acknowledged and corrected and unethical conduct in journalism should be exposed.

3.3.2 Case Studies

When educating oneself on documentary ethics, the discourse on journalism ethics offers many additional viewpoints to ponder and it adds new perspectives to questions specific to documentary filmmaking. Since many documentarists see themselves as journalists and aim to work according to journalism ethics, it makes perfect sense to include journalism study into the mix of opinions on ethical conduct. Brian Winston is only one of the many prestigious scholars who don't limit their opinions to documentary film, but tackle the issues of consent, truth, etc. in the media in general.

Two articles that stood out to me, were "The Maiden Tribute and the Naming of Monsters" (Örnebring, 2006) and "Jump Back Jack, Mohammed's here" (Vultee, 2009). Both articles deal through case-studies with the influence of media other than documentary film, namely the critical potential of journalistic campaigns in Newspapers in the UK and the ideological discourse created by the manner of reporting by a powerful News Channel in the US.

In Örnebring's article "The Maiden Tribute", he analyses the 1885 newspaper campaign about under-age prostitution started by the upper middle-class London newspaper Pall Mall Gazette under the lead of editor-in-chief William Thomas Stead. Stead was a representative of the "New Journalism" that emerged in the 1870's and 1880's, using a new sensationalist style where layout, choice of subject matter and typography combined to what is now called typical „popular journalism“. The author goes on to compare this with a contemporary news campaign, the "Naming-and-Shaming" of pedophiles started in 2000 by the newspaper "The News of the World".

Though the article focuses on the way how both campaigns contributed to an "alternative public sphere", the descriptions of the structure of the campaigns, the way they influenced public opinion and politics as well as the public backlash they received for their choices of representation, is very interesting from an ethical standpoint and may help to understand the important role that is given to media and documentary film by scholars.

Both newspaper chose new paths of representing material and thereby influenced their audience in a myriad of ways. The Pall Mall Gazette was among the first few who used interviews to give subjects a platform, who have hitherto been without public voice, for example underworld-agents and madames. Editor-in-chief Stead was sentenced to prison, after he chose to pose as a pimp and actually managed to purchase and sell a girl, thereby proving the point of the campaign to his readership. The way the articles,

mostly written by himself, in the PMG are worded, they are clearly transporting the political message to their readers that the class system in Victorian England is at the core leading to the exploitation of lower classes, exemplified by the numbers of young women who get stuck in the sex-trade for the benefits of higher-class members.

The „News of the World“ approached their readers in a different but similarly enticing way, by hitting home the message that “our” children are endangered by „monsters“. With headlines like “We Must Keep Track Of This Monsters!“, the newspaper was responsible for a public outrage that many cases led to vigilantism towards offenders whose address and name had been published, as well as towards innocents who were falsely attacked.

In “Jump Back Jack, Mohammed’s here“, Vultee examines the role of FOX News in kickstarting widespread public opinion on the Islamic religion and the way their audience felt towards Muslims. Vultee words this as creating „an ideological clearinghouse for a uniquely menacing image of Islam“ and goes on to explain the methods used by Fox journalists to spread news in a way that supports the government and heightens fear and resentment towards criminals, Muslims and non-Christians in their viewers.

Drawing on van Dijk (1988), the author explains how the making of news involves “the thematic structures that connect individual units of meaning, the “unsaid“ suppositions and implications that extend the meaning of text, and the use of persuasive elements that “enhance such news values as credibility and precision.“ As studies by Kull et al. (2003) have shown, the influence of the news produced by Fox over their audience, is frighteningly high. As Vultee says about the study, “Fox viewers were more likely than those of other commercial networks (and far more likely than audiences that relied on print media or public broadcasting) to hold at least one misperception about US justifications for the invasion of Iraq.“

In the subchapter “The Habit of News“, the author explains how editors find and adapt news stories according to their “wow“-factor and how in the face of so many news spreading competitors, stories are amplified, interpreted and “added“ to. He points to the “hidden practices“ in the distribution of news, when he explains how decisions to select, omit and talk about news and making them fit into a story, reveal quite transparently the „agenda“ behind them. Vultee makes a valid point in showing how Fox is an important factor in the justification of “limitless war on Terror“ in the US.

What I find especially valuable for this thesis, is how I feel both Vultee's and Örnebring's show the need for ongoing ethical evaluation in all media practices, not the least being documentary film.

4 Analysis: Louis Theroux's Communication Patterns in the BBC- Documentary "The Most Hated Family in America"

4.1 Introduction

For the documentary film "The Most Hated Family in America" (2007), Louis Theroux reported on the life of members of the Westboro Baptist Church, a small religious cult headed by the now recently deceased pastor Fred Phelps since the 1950's, of which almost all its adherents were born into the family and spanned over four generations. The Phelps are still notorious worldwide for their protests against homosexuality, their picketing of funerals and general hate-mongering.

"The Most Hated Family in America" aired initially on BBC1 on the 26th of April 2007 as the 5th episode of "Louis Theroux's BBC2 Specials". It has been aired repeatedly between 2007 and 2010 in the UK and other countries and a follow-up documentary on the family has been made by Theroux in 2011. The episode was included in a DVD-set of the most popular programmes by the filmmaker and has been watched 303 614 times at a single upload at www.dailymotion.com [last access 30.01.2015] and over 1.150.949 [last access 23.11.2014] at a single upload at www.youtube.com (the video has since been banned for copyright infringement by the BBC Worldwide).

The British journalist and filmmaker who is currently employed at the BBC, had already successfully presented in and produced popular TV series with a lighter tone like "Louis Theroux's Weird Weekends" (1998-2000) and "When Louis Met..." (2000-2002). "Louis Theroux's BBC2 Specials" set itself apart from the filmmaker's previous shows through its feature-length documentaries and more serious tone of presentation. Theroux has been nominated and has won several Awards for "Best Presenter" and continues to be a popular TV personality in the UK today.

For this analysis, I mapped out the way the filmmaker represented the subjects to the audience through a number of communication patterns. I looked at the dialogue and non-verbal communication in the filmmaker's interactions with the subjects and the use of a variety of camera shots and soundtrack as well as the use of voice-over commentary.

The reasons why I chose this particular documentary are several: In all of his documentaries Theroux has been known to seek out individuals or groups that are part of some kind of subculture, in order to present viewers with unusual and interesting worldviews and characters. Many times the reception of particular episodes has been very positive and Theroux's unique style of connecting to his subjects and getting them to communicate with him, has been praised. Together with the subjects being part of a fanatically religious family cult, this suggested a chance to observe interesting communication patterns in the interaction between subjects and filmmaker. Additionally, the participatory mode of representation of the documentary provided a good possibility to observe the impact of the filmmaker's conduct in interaction with and communication about his subjects.

4.2 Mode and Structure

Drawing on Nichols (ebook edition 2010), I classified this documentary as belonging to the 'participatory mode'. In this documentary mode, the story about the subjects is told predominantly through the interactions of the filmmaker with the subjects. In "The Most Hated Family in America" this interaction is mainly taking place through informal interviews or dialogue. Further information about the subjects is given directly by the filmmaker through voice-over commentary and indirectly by the filmmaker's choice of editing techniques, mainly the specific types of camera shots and the use of music. Nichols (2010: ebook edition ch.7) described this type of documentary filmmaking as giving the audience "a distinctive window onto a particular portion of our world".

"Questions grow into interviews or conversations; involvement grows into a pattern of collaboration or confrontation. What happens in front of the camera becomes an index of the nature of the interaction between filmmaker and subject."

(Nichols 2010: ebook edition ch.7)

In order to give structure to the analysis of the interaction that is taking place in this documentary, I divided the roughly 58 minutes of film into 23 sequences. While they differ in length and sometimes there is a minor location change, the actions in one sequence take place in a continuous time frame. I selected a new sequence after each fade-out shot which usually marked a change in time. I also did so, when a new voice-over commentary started, which usually marked a change both in place and time. The time indication of each sequence can be seen in graph 1 on page 63.

I created categories to describe what I perceived as repeated patterns of verbal and non-verbal interaction between the filmmaker and the subjects during interviews. Furthermore I looked at the ways the filmmaker communicated to the audience about the subjects by the use of music, shot types and over-voice commentary. As is visible from graph 2 to graph 5 on page 63f., I applied the categories to each sequence I divided the film into.

Sequence 1	01:40	Sequence 14	26:53
Sequence 2	04:05	Sequence 15	29:26
Sequence 3	04:23	Sequence 16	30:03
Sequence 4	05:52	Sequence 17	32:30
Sequence 5	06:40	Sequence 18	34:54
Sequence 6	08:28	Sequence 19	36:50
Sequence 7	09:57	Sequence 20	42:30
Sequence 8	11:45	Sequence 21	47:28
Sequence 9	12:50	Sequence 22	48:59
Sequence 10	16:40	Sequence 23	52:09
Sequence 11	18:55		
Sequence 12	20:55		
Sequence 13	24:37		

graph no.1

	Sequence 1	Sequence 2	Sequence 3	Sequence 4	Sequence 5	Sequence 6
■ Dialogue (non-verbal positive reaction)	0	0	0	0	0	0
■ Dialogue (non-verbal negative reaction)	1	1	1	1	1	1
■ Dialogue (direct or indirect positive statements)	0	0	0	0	0	0
■ Dialogue (direct negative statements)	1	0	0	1	0	0
■ Dialogue (rhetorical questions)	1	0	1	1	1	1
■ Voice-Over (direct or indirect positive statements)	0	0	0	0	0	0
■ Voice-Over (direct or indirect negative statements)	0	0	0	1	0	0
■ Voice-Over (purely descriptive)	1	1	0	0	0	1
■ Music	1	0	0	0	0	0

graph no.2

	Sequence 7	Sequence 8	Sequence 9	Sequence 10	Sequence 11	Sequence 12
■ Dialogue (non-verbal positive reaction)	1	0	1	0	0	0
■ Dialogue (non-verbal negative reaction)	1	1	1	1	1	1
■ Dialogue (direct or indirect positive statements)	1	0	1	0	0	0
■ Dialogue (direct negative statements)	0	0	0	1	1	0
■ Dialogue (rhetorical questions)	1	0	1	1	0	1
■ Voice-Over (direct or indirect positive statements)	0	1	0	0	0	0
■ Voice-Over (direct or indirect negative statements)	0	0	1	0	0	0
■ Voice-Over (purely descriptive)	1	0	0	1	1	1
■ Music	0	0	1	0	0	0

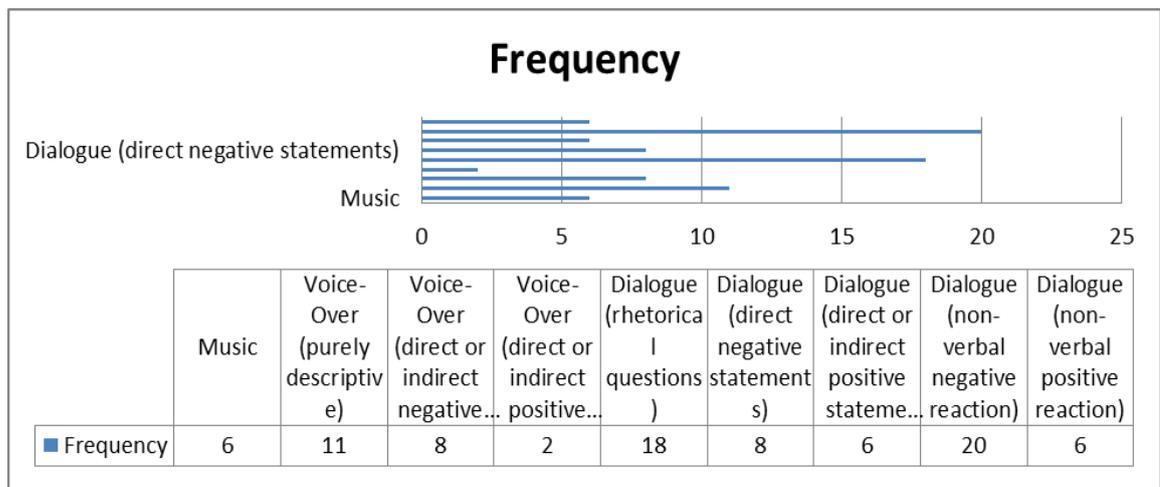
graph no.3

	Sequence 13	Sequence 14	Sequence 15	Sequence 16	Sequence 17	Sequence 18
Dialogue (non-verbal positive reaction)	0	0	0	1	0	1
Dialogue (non-verbal negative reaction)	1	1	0	1	0	1
Dialogue (direct or indirect positive statements)	0	0	0	1	0	1
Dialogue (direct negative statements)	0	1	0	0	0	1
Dialogue (rhetorical questions)	1	1	1	1	0	1
Voice-Over (direct or indirect positive statements)	0	0	0	0	1	0
Voice-Over (direct or indirect negative statements)	1	1	0	1	0	0
Voice-Over (purely descriptive)	0	0	1	0	0	1
Music	0	0	0	1	0	1

graph no.4

	Sequence 19	Sequence 20	Sequence 21	Sequence 22	Sequence 23
Dialogue (non-verbal positive reaction)	1	0	0	0	1
Dialogue (non-verbal negative reaction)	1	1	0	1	1
Dialogue (direct or indirect positive statements or interaction)	1	0	0	0	1
Dialogue (direct negative statements)	0	1	0	1	0
Dialogue (rhetorical questions)	1	1	0	1	1
Voice-Over (direct or indirect positive statements)	0	0	0	0	0
Voice-Over (direct or indirect negative statements)	0	1	1	0	1
Voice-Over (purely descriptive)	1	0	0	1	0
Music	0	1	0	0	1

graph no.5



graph no.6

In the following paragraphs, each category will be briefly explained and described. The chronology is in descending order according to the frequency of their appearance in the sum of all twenty-three sequences as shown in graph 6 on page 64.

Dialogue (non-verbal negative reaction):

What I describe as non-verbal negative reactions of the filmmaker in interactions with the subjects, is the non-verbal show of feelings varying from non-approval, anger and frustration, to pity and sadness. The reactions I take into account are those who are clearly expressed by the filmmaker's body language - for example an exasperated look on his face or the demonstrative crossing of arms in front of the chest - or a respective facial expression that is clearly visible in close camera shots.

Dialogue (rhetorical questions):

The majority of questions Theroux asks the subjects during interviews and informal forms of dialogue, show frequent similarities to each other: They are often asked in an innocent and/or unsure tone of voice, they are often phrased in an overly polite way and they often seem non-offensive and non-confrontational in nature. Theroux ideally wants an answer in almost all cases, but as it can be seen that he also usually makes a point with the question itself, I used the expression "rhetorical" for the naming of this category. I did not create a category for indirect negative statements in a dialogue, since I think perceived these kind of statements were already represented by the category of rhetorical questions.

Voice-Over (purely descriptive):

In a voice-over commentary of this category, Theroux is describing where he is going to go, what he has been invited to join, or who he is going to speak with. He does so objectively, without further informing the audience about his feelings or giving a clue of his thoughts about the people or activities he describes.

Voice-Over (direct or indirect negative statement):

In contrast to the descriptive voice-over, Theroux offers additional subjective thoughts on the actions or people he has been seeing or is going to see.

Dialogue (direct negative statement):

I find this category applicable, when Theroux is speaking directly to the subjects and is voicing a subjective negative opinion that is not phrased in the form of a question.

Dialogue (direct or indirect positive statements or interactions):

A single category for a direct positive statement, into which direct approval or praise by the filmmaker would have fallen, is not applicable since there was no example to be found in the documentary. I therefore included indirect statements and interactions into the category. I do not use the latter synonymously with the non-verbal positive reaction (communication pattern of the next category). What I refer to as positive verbal interactions in dialogue, are the times when the filmmaker obviously enjoys a subject's company during the interview or feels friendly towards his or her and expresses this through his words and/or tone of voice and vocal expressions like friendly laughter.

Dialogue (non-verbal positive reaction):

I use this pattern to describe the positive body language of the filmmaker if it is clearly visible. As with the non-verbal negative reaction, I take into account only those which are clearly expressed by the filmmaker's body language or a respective facial expression that is clearly visible in close camera shots. This pattern usually occurs along with positive verbal interaction with the subject.

Voice-Over (direct or indirect positive statement):

In contrast to the descriptive voice-over, Theroux offers additional subjective thoughts on the actions or people he has been seeing or is going to see.

Examples of all verbal and non-verbal communication patterns from throughout the documentary can be found in chapter 4.3 to chapter 4.5 of this thesis. Explanations and examples of the use of camera and soundtrack as direct communication patterns with the audience, can be found in in chapter 4.6.

4.3 Voice-Over Commentary

As I explained in the chapter on mode and structure, for the analysis of the communication patterns shown by Theroux, I created several categories. The commentary is obviously extra-diegetic in nature, which means it is not part of the real sounds that are filmed but is later added during the editing process. It is therefore not part of the interaction with the subjects, but an important part of the interaction with the audience. I put each voice-over commentary in a sequence into one of three categories:

- Direct or indirect positive statements
- Direct or indirect negative statements
- Descriptive

Out of twenty-three sequences, twenty-one of them – that is roughly 90% - contain some kind of voice-over commentary. Generally each time there is a change of place or time in the documentary, the commentary serves as an orientation for the audience on what has happened and/or is going to happen in the next minutes. Especially in a participatory documentary, the filmmaker – in this case Theroux – is the primary source of any information the audience could or would want to gain. As is the case here, of course the filmmaker can also be the one who does the voice-over commentary. There is a good chance that there will be rapport and trust established between the filmmaker and the audience, because of the way this kind of documentary is built. Here, the audience is figuratively invited to join what looks like a single man on a mission - Theroux - on an adventure to meet and talk to people. I feel it is therefore justifiable to assume, that what is said in the commentary has considerable effect on the audience and their opinions on the subjects.

Out of the twenty-one sequences that contain voice-over commentary, I describe eleven – roughly 50% - as “purely descriptive“. In those, basic information about whereabouts, or facts about the family’s activities or of where Theroux is going to go next, are conveyed to the audience. There is scarcely personal input from Theroux and no judgement is made by him personally about neither subjects nor activities that are described in the voice-over. For example in Sequence 7, the voice-over commentary sounds like this:

“To help her run the ministry, Shirley relies on her two eldest daughters, Megan and Bekah.“

In another example from the descriptive category, what is said in the voice-over commentary in sequence 12 is:

“That evening, Steve had invited me to drop in on a special taping of one of the church’s online sermons. Hinting, that there might be an opportunity to have my first face-to-face with Pastor Phelps.”

Additionally to the eleven sequences from the descriptive category, there are ten more sequences which contain voice-over commentary. Eight of them are in the category of voice-over commentary with direct or indirect negative statements. Looking from graph 2 to graph 5, we can see that in the beginning of the documentary there is a dominance of voice-over commentary that is descriptive in nature.

However, as the documentary progresses, the number of voice-over commentary with direct or indirect statements rises. In graph 2 we see that only one out of six sequences is categorized as containing personal (negative) statements . In graph 3, two out of six sequences do contain personal statements (one negative, one positive). In graph 4, the number has risen to four out of six sequences (three negative, one positive) and in graph 5 there are three out of five sequences (all three negative).

The growing personalization of the voice-over commentary over the course of the documentary, suggests a deliberate intensification of the emotional depth with which the filmmaker wants to communicate with the audience. A filmmaker may be aware of the possibility that an audience that has watched the documentary for a certain time, is already invested in the story and has gotten a feeling of what they think about the subjects. This may make it possible for the audience to accept personal judgement of the filmmaker on the subjects more readily. On the other hand, the rising number of personal statements may be a way for the filmmaker to push emotions and keep the audience interested. As the story is coming to an end, the audience is neither supposed to lose interest in the last minutes, nor forget all about it after they finished watching the documentary.

As an example for the category of “Voice-Over (direct or indirect negative statements)“, we may look for example at sequence 14:

“One of the pickets that afternoon, was outside a hardware-store that sells Swedish vacuum cleaners. Apparently Swedish authorities have imprisoned a local pastor for preaching against homosexuality, which was enough to make the whole nation a target. I’d seen some of the youngest members of the clan, holding placards, and I wondered how much of the ‘message’ they actually understood.”

The personal opinion by the filmmaker is not harshly formulated, but there is certainly more information given than during the descriptive behaviour pattern. The audience is informed that Louis has been thinking about the youngest family members and has wondered and probably worried about them. By the way he voices “message”, it is very clear that he doesn’t approve of it.

After hearing the commentary, the audience may now more readily have the fact on their mind, that small children are involved with the family’s church at all times and that they are indoctrinated by the older members of the church who are taking them along to pickets and putting signs with offensive messages in their hands.

The voice-over commentary with direct or indirect negative statements by the filmmaker is often supported by certain types of camera shots. In this case and sequence, the camera shows several connecting shots between close-ups on signs with offensive messages and close-ups on the small children accompanying the older members of the church. The role of editing techniques in regard to camera shots is more closely explained in chapter 4.6 of this thesis.

The following text is an example for the inclusion of positive statements in the commentary of sequence 17 and therefore belonging to the category of “Voice-Over (direct or indirect positive statements):

“And so my days at the church wore on. As the time passed, I could feel myself being absorbed into the family. As hateful as they could be at the pickets, among themselves the churchmembers had made a life that in many ways was quite appealing. Almost as though their bond with each other had been strenghtend, by the hostility of the outside world. With the girls I began to see a more human side to their personalities. And it was easy to become desensitized to their message and how provocative it really is.”

Seeing seven year-old Elijah getting hit by a drink was a reminder that among the victims of the Phelps were their own children."

In this commentary Theroux makes a point of explaining how members of the Phelps family are also decent and fun to be around in other circumstances. He also voices his thought, that their bonds with each other are possibly strengthened by the "hostility of the outside world", therefore hinting to the audience that the subjects themselves are victims of hostility because of their lifestyle.

Similarly to the last example of a sequence with negative statements, the message of the commentary is supported by the editing technique. During the length of the commentary, Theroux is seen playing with the younger children in the yard and jumping on a trampoline with them. The teenage girls are shown fooling around with each other and giggling and playfully slapping each other. Theroux is seen with the younger members of the family, as they are practicing bowling together and laughing a lot.

There is a longer scene inbetween where the commentary is stopped, where a little boy of the family is the target of a hit-and-run. Passengers of a bypassing car have thrown a plastic cup at his head and he has been crying. The Phelps family is shown as a strong and caring unit, where especially Shirley comforts the boy and is outraged at the cowardness of attacking children. The little boy's father checks his forehead to make sure there is no injury. When the commentary resumes, Theroux reminds the audience that at least the youngest churchmembers are innocent victims themselves.

4.4 Dialogue

Dialogue in form of interview is the most frequent pattern of communication in this documentary and takes place in twenty of twenty-three sequences, which amounts to roughly 87 % of all sequences. The dialogues are the way through which I assume the filmmaker to build trust or rapport with the subjects in order to get them to be in a mindset in which they are likely to want to communicate with the filmmaker further.

I believe the technique Louis Theroux either consciously or unconsciously applies to initiate and further the communication with his subjects, draws from the communication pattern of what is conversationally called “pace and lead“ and is regularly used in hypnosis and sales. The pattern involves the deliberate use of introductory sentences that are easily verifiable for the subject, in order to get to the point in conversation or hypnosis session or sales talk, where a positive suggestion can be applied successfully right after.

In the case of Louis Theroux, it can be seen that many of his introductory sentences - where he asks about the well-being of the subjects during introducing himself or gathering other harmless information - cause many of the subjects to be open for further communication with him. Theroux’s demeanor additionally shows very at-ease and non-threatening body language especially during this introductory phase. In most cases it seems that the subjects don’t unconsciously see him as a threat and therefore allow him to physically stand relatively close to them when he is conducting interviews.

The pattern of introductory harmless statements is in the case of this documentary usually followed by what can be called rhetorical or suggestive questions. They frequently indirectly convey criticism and non-approval of the subjects’ life choices and beliefs. They also frequently contain some kind of loaded information that the filmmaker is looking to have confirmed. Although some questions or statements that are built into the questions are making many of the subjects uncomfortable or embarrassed or angry, the trust that has been built by the filmmaker beforehand through the introductory phase leads to considerable success in the question phase and he gets a lot of further time and answers from the subjects.

I looked at dialogue in form of interviews that took place in a sequence and put it into five categories. In contrast to the last chapter, where the voice-over commentary was either descriptive or had positive statements or had negative statements, the dialogue in a sequence could be put in any of altogether five categories. I talk about the two categories that contain non-verbal communication, in the next chapter of this thesis (ch.

4.5). The remaining three categories with verbal expressions, that I will address in this chapter are:

- Dialogue (Direct or indirect positive statements)
- Dialogue (Rhetorical questions)
- Dialogue (Direct negative statements)

Of these three categories, the one with rhetorical questions is the most frequent, with eighteen out of twenty-three being there in almost 80% of the sequences. With some sequences, I felt the application of the category “Dialogue (Rhetorical question)”, without the additional applications of the other two categories (direct or indirect positive statements/ direct negative statements) to be correct. It is important to note, that although there are no direct negative statements from the filmmaker in this dialogue, his technique of asking rhetorical questions as I have explained in the beginning of this chapter, include what can be perceived as indirect negative statements. An example can be heard in in sequence 15:

(Both are standing beside the car in front of the family home.)

Louis Theroux (LT): So where are we going?

Megan Phelps (MP): We're going to Washburn... that's just, uh, the university...

LT: That's the University you're going to.

MP: [smiles] Yes, yes it is. It's lovely.

LT: [smiles] Good stuff.

MP: [smiles] Totally.

In the car, LT is on the backseat and MP is driving.

LT: Do you want to want to be a lawyer as well then?

MP: Yes I do.

LT: Like so many of your aunts and uncles?

MP: Yeah. I'm the only one in my generation though who wants to be a lawyer.

As I explained in the beginning of this chapter, I feel Theroux applies an interviewing technique in almost all sequences of this documentary that includes introductory sentences that build trust and rapport by being both harmless and truthful.

In this case the verifiable statement he uses is the one about the university. Even though it is likely that Theroux already has the information about where Megan Phelps is going to university, he takes her answer as to where they are going as a possibility to insert a verifiable introductory sentence. She has already told him in her answer that they are going to her university at which point he tells her that that is the university she is going to. Of course it is also possible that Theroux wants to clarify whose university they are going to go to for the sake of the audience. I feel he could have easily done that in the voice-over commentary without ever discussing it with Megan, but I believe there was a reason that he didn't.

By affirming her statement he builds rapport – she smiles at him, reaffirms his statement by saying “yes, yes it is” and even offers more information by saying that it is “lovely”. Theroux smiles at her in return and affirms her description of her university by saying something that is as well positive: “Good stuff!”. This small exchange does little for the audience in terms of information, but does a lot for the relationship between filmmaker and subject as Theroux has shown interest in and appreciation for something that is important and positive for Megan. Therefore Theroux is welcome to resume the interview at which point he starts with questions that, as I explained in the beginning, tend to convey criticism or are otherwise of a loaded nature.

I underlined the part of the interview, where Theroux asks if Megan wants to be a lawyer. What hints at hidden meaning is the end of the question, as he specifically asks if she wants to be a lawyer “as well then”. Megan visibly tenses up as she answers that yes, she does. Then Theroux asks or rather states what has been on his mind all along: “Like so many of your aunts and uncles?” This is a statement rather than a question, since Theroux already knows the answer and the audience also already knows that Megan studies to become a lawyer, as she has affirmed Theroux first question. When the filmmaker makes this statement, he conveys to the subject that (1) he has informed himself thoroughly about the education paths of her family and that (2) being a Phelps and studying law is not a very unique trait. To Megan it might be also clear by now, that Theroux is very aware of the way the Phelps family have encouraged the education of many of their family members in law studies, since the family gets sued very often and needs as much legal backing as they can possibly get in order to keep the religious cult running.

Although there is no direct negative statement from Theroux in any way, Megan is obviously taken a little aback. Very probably because of the friendly atmosphere at the

beginning of the interview, she is reacting friendly as well. It is visible that she is stung a little by the question though, when she explains that she is the only one of her generation that wants to do that. As Megan seems to feel the need to point out her uniqueness to Theroux, she thereby gives both Theroux and the audience a glimpse of her personality which further contributes to the representation of her towards the audience.

Examples of where I put communication patterns in the category of “Dialogue (direct or indirect positive statement)” can usually be found in sequences where there is also a pattern from the category of “Dialogue: rhetorical questions”. The direct positive statements do not stand alone, but are part of the introductory process I explained earlier, which later leads up to questions.

There are a few subjects with whom Theroux doesn’t manage to build rapport as much, or none at all. Subject Steve Drain is a former documentary filmmaker who is one of the most fervent members of the church, which is otherwise entirely made up by members of the family Phelps. Theroux’s pattern of building trust and asking hard questions afterwards, is not working as good with Drain as it does with the others. Reasons may be that Drain is easily triggered to anger, or that as a former documentary filmmaker he knows a lot about interview techniques himself. Another reason that Drain doesn’t seem to be as receptive to Theroux, may be that Theroux himself is much more prone to open criticism and direct negative statements towards Drain than he is with anyone else. He openly says what he thinks of him and his opinions and even tries to argue with him on several occasions.

An example of what I put into the category of “Dialogue (direct negative statement)” is found in Sequence 11:

[Both are walking from the car towards the site of the picketing.]

Louis Theroux (LT): So where are we actually going to now?

Steve Drain (SD): We’re going to a picket here at the Jew Church.

LT: The... what did you say? The “Jew Church“?

SD: Yeah.

LT: Sounds a bit antisemitic to me, when you say “the Jew Church“.

SD: These people hate god and worship the rectum.

LT: The rectum?!

SD: Yeah, the rectum.

LT: That sounds insane when you say that!

SD: It does?

LT: Yeah!

SD: They worship that which they desire, that makes them feel good.

LT: Why do you...

SD: ...it's an expression of the flesh!

LT: ...it's a metaphor?

SD: Yeah of course it is! Adultery and fornication! All manners of sexual perversion go hand in hand Louis! They all go hand in hand! We're talking about about Caiphas' defiance against god almighty! The jews killed Christ! [laughs] And you are trying to say they worship the same god as I worship? They killed Christ, what do you...

[They are now standing and facing each other.]

LT: Newsflash, brainiac, Christ was jewish!

SD: [leans forward aggressively] What I am trying to tell you, brainiac, is Christ was God!

LT: He was living in a jewish area, so of course the jewish people were involved, but a lot of them weren't involved...

SD: ... were "involved"?! What do you mean they were "involved"?! They called for his crucifixion! [starts walking away]

LT: No, the Romans did, not the jews!

It is very obvious that the filmmaker doesn't hold back his opinion towards Drain and he also abandons his standard unobtrusive and friendly demeanor when the two lock heads. However, it is notable that the confrontational style in which the filmmaker conducts this interview, doesn't allow the same kind of trust and confidentiality to build, that Theroux seems to have with other members of the family. Interestingly, this leads to a rather one-sided depiction of this particular subject. While the audience is encouraged to feel a certain amount of empathy for example for the teenage girls, not the same can be said for empathy towards Mr. Drain.

4.5 Non-Verbal Communication

As the graphs show, each clear incident of a non-verbal positive reaction that was recorded by me took place in a sequence that also showed a direct or indirect positive statement during dialogue. Sometimes the positive verbal statements are indirect, like for example in sequence 19, when Theroux is standing among the churchmembers and singing like everybody else. This can be seen as a statement from the filmmaker towards the subjects, that he has respect for the church and sings with them like he were one of the churchmembers. In sequence 19, he conspiratorially turns back to Shirley with a twinkle in his eye and a grin on his lips and asks if she thinks if the elderly pastor Phelps will go “loco“ when Theroux “does something wrong“. Theroux asks no further difficult questions, they laugh together, the atmosphere is playful and the subjects seem to feel very at ease around him.

By far the most frequently occurring category of them all, is the non-verbal negative reaction. There is a scene in the introduction of the documentary prior to what I called sequence 1, where Louis is sitting in the church listening to one of the Phelps' self-composed songs and looking very grim. For the categories I made for non-verbal communications though, I only included those reactions that were taking place in or in direct connection to a dialogue between the filmmakers and the subjects.

The non-verbal negative reactions of the filmmaker in interactions with his subjects that I marked in that category, were for example a crossing of arms in front of the chest, a look of exasperation, a scrunched-up face of disgust, or laughter that was clearly not friendly but stemmed from the situation being so weird for the filmmaker he “couldn't believe“ what he was hearing.

In sequence 10, Steve Drain shows Theroux around in the place where the family produces the signs for their picketings, the most infamous one showing the words “God Hates Fags“. After Theroux goes through a few of the signs and a dialogue starts between him and Steve Drain about the content of the signs, the dismissive body-language of the filmmaker is very obvious. He holds his hands up at one point in exasperation and when he holds up the sign with Princess Diana's picture on it, his face shows signs of upset and anger.

Most of the negative reactions I picked up, came while the filmmaker seems to feel in control of the situation. Theroux's negative non-verbal expressions generally don't exceed a very low level. They express themselves in tight smiles, the slight widening of

eyes or the lift of eyebrows. They take place either to the side - where they are of course still visible to the audience - or are shown directly towards subjects.

There are a few incidents where Theroux shows more clear signs of anger, which are mainly taking place in the dialogues with Steve Drain. As I have explained in chapter 4.4, Drain doesn't seem as susceptible to Theroux's manner of interview as do others. The atmosphere of distrust and headlock between Theroux and Drain is only outweighed by the distaste the elderly pastor and head of the family cult - Fred Phelps - has for the filmmaker. In sequence 12, Theroux spectacularly fails to build rapport with the pastor, who doesn't like him, doesn't want him there and acts utterly dismissive towards him. As this happens, Theroux looks for back-up from Steve Drain, but doesn't get any help there, as is to be expected. Although Theroux tries very hard to stay courteous and at the end of the exchange he thanks the pastor for his time, it is visible how angered he is by the situation.

The non-verbal signs of disagreement, especially those that show ridicule from the filmmaker towards the subjects in the process, are clearly communicated to the audience through the documentary. I feel, the body language and other non-verbal expressions of Theroux are particularly important in this documentary regarding his communication with the audience, since in order to earn the trust of the subjects the filmmaker needs to act very non-confrontational. I think it is safe to assume, that many viewers of this documentary feel offended by the actions and words of the depicted subjects. Additionally to his words, Theroux builds important rapport with the audience through his body language, through which he shows that he as well disagrees with the subjects and is not part of their world.

4.6 Types of camera-shots and music

Additionally to the other patterns of communication I have defined and exemplified in this analysis, I took a look at the way that the messages of these patterns were supported by editing technique. Due to the participatory mode of the documentary, the conduct of the filmmaker in front of the camera and his reactions and actions towards the subjects, are clearly the most important conveyor of information for the audience.

In 6 out of 23 sequences, extra-diegetic music was applied to the sequence, which is indicative of how small the role of music as a tool of communication is in this documentary. When music is used, it can be found at the moment of change of place and/or time. It is used to accompany establishing shots or the act of Theroux driving from one place to another. From a viewer's point, the music might serve to give the documentary a bit of a light touch. Being some kind of country instrumental music, it has an energetic and jolly feel to it and fits well the innocent but curious kind of persona the filmmaker is portraying of himself.

The types of camera shots that were chosen for this documentary, follow a predictable pattern throughout the 23 sequences I looked at. At the beginning of scenes, there is usually an establishing shot which together with the commentary provides the audience with a sense of location and time. When Theroux is moving, for example through a room or towards a subject, the camera usually follows him with a Point-of-View from the camera-man who walks relatively closely behind the filmmaker.

Continuity shots take place as soon as there are many people in a larger room, for example at the church. What I felt was most important in matters of communication patterns, was the prevalence of reaction shots, which took place throughout every interview the filmmaker made and additionally were done in every scene the filmmaker is there as an onlooking spectator. The reaction shots serve primarily to convey the non-verbal reactions, the most of which are negative as I have established in the previous chapters, to the audience.

Especially when Theroux is watching the family, for example in the church at the intro of the documentary prior to sequence 1 and during the pickets in several other sequences, there is always a close-up on the filmmaker to convey his reaction to what is going on before him to the audience. Another example of this pattern can be seen in sequence 17, when a little boy of the family gets attacked by strangers. Accompanied by the commentary, there is a close-up on the pained look on Theroux's face when he looks at the child being comforted.

4.7 Conclusion of Analysis

In the analysis of the documentary “The Most Hated Family in America“, I showed a number of communication patterns the filmmaker engaged in and how they were used to represent the subjects to the audience. In order to determine the role of these patterns in the filmmaker’s communication with the audience directly and with the subjects themselves, I categorized the patterns into those that were indicative of the way the filmmaker spoke to the subjects and thereby represented them to the audience and the way the filmmaker spoke to the audience about the subjects through editing techniques and voice-over commentary.

Through determining the frequency of the patterns throughout the documentary, I deducted the importance of their role as communication device between filmmaker and audience in the documentary as a whole. The dialogue in form of interviews turned out to be the most frequent form of communication with the subjects and what I feel was the most essential form of communication with the audience about the subjects as well. I analysed the method of interviewing that the filmmaker used and in which very frequent patterns became visible in. Through the use of an introductory phase of building trust and a follow-up of very carefully voiced questions, the filmmaker was able to build a good rapport with nearly all of the subjects. He thereby managed to portray the subjects to the audience in a more detailed way than would have been possible otherwise.

I also looked at the role of voice-over commentary as another essential form of communication with the audience and was able to show how the commentary which started out very descriptive, contained increasingly more personal communication from the filmmaker throughout the course of the documentary. I finally looked at the way extra-diegetic music was edited into the documentary and explained how the technique of reaction-shots served to support the communication patterns of the filmmaker.

5 Conclusion

In the first part of my thesis I looked at selected periods in the history of documentary film, that have particular relevance to my focus on ethics. These included the time period of the beginning of film history, where I focused on the work of the brothers Lumière who were among the first to successfully commercialize films of documentary nature. I went on to describe the achievements of the three 'founding fathers' of documentary film and discussed their respective histories, styles and their goals for the documentary film. I devoted one chapter to a particularly influential documentary movement, Cinéma Vérité, in order to contextualise the impact it has had on the study of documentary ethics.

In the second part of my thesis, I reflected on selected works and theories from the field of documentary studies, my main focus being the relevance of ethical issues in the genre of documentary film. Since the thesis was limited in scope and I chose to contribute to the discourse in English language, the scholars whose work I concerned myself with, were predominantly from the UK, Western Europe and North America. Within these limits I identified and examined the works which I think are most relevant to the discourse on documentary ethics. I examined the developments and connections from Pryluck's 1976 article on documentary ethics to Sander's call for empirical research and Aufderheide's field studies on the ethics of documentary filmmakers. I finalised this part of the thesis with a look at a related field of research in order to determine the relevance of journalism ethics to the documentary field.

In the third part of my thesis, I analysed Louis Theroux's communication patterns in the documentary "The Most Hated Family in America". I mapped out where and when communication about the subjects took place and which form it took, I thereby determined the importance of the filmmaker's communication - in regard to his representation of the subjects – towards the audience.

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7 Abstract

This thesis is divided into three parts. In the first part I gave a selected overview on the history of documentary film and information on particularly important contributors to the genre and their works. In part two I discussed the role of ethics in the genre. I collected, compared and reflected on selected works and theories with a focus on documentary ethics of selected renowned scholars from the UK, Western Europe and North America. In the third and final part I analysed the communication patterns shown by filmmaker Louis Theroux in the documentary film “The Most Hated Family in America“. I mapped out where and when communication about the subjects takes place and which form it takes. I thereby strived to determine the importance of the filmmaker’s communication in regard to the representation of the subjects.

German Translation

Zusammenfassung

Die vorliegende Diplomarbeit ist in drei Teile unterteilt. Im ersten Teil findet sich ein ausgesuchter Überblick zu der Geschichte des Dokumentarfilms mit Informationen zu besonders wesentlichen VertreterInnen des Genres und deren Arbeit. Im zweiten Teil wurde die Rolle ethischer Überlegungen die im Genre bestehen diskutiert. Hierfür wurden Werke und Theorien von ausgesuchten TeilnehmerInnen des wissenschaftlichen Diskurses zum Dokumentarfilm kritisch verglichen und reflektiert. In den betreffenden Werken und Theorien besteht ein inhaltlicher Fokus auf Ethik im Dokumentarfilm. Die VerfasserInnen sind größtenteils aus England, West-Europa und Nord-Amerika und ein Großteil der besprochenen Filme sowie der analysierte Dokumentarfilm im dritten Teil der Diplomarbeit sind im Original englisch-sprachig und wurden in englisch-sprachiger Form bearbeitet. Im dritten und finalen Teil der Diplomarbeit findet sich eine Analyse des Dokumentarfilms „Die meistgehasste Familie Amerikas“. In dieser wurden die Kommunikations-Muster des Filmemachers Louis Theroux kritisch betrachtet und in verschiedene Kategorien eingeteilt. Durch die Untersuchung der Häufigkeit der Kommunikationsmuster wurde erörtert, in welchem Umfang die Kommunikation vonseiten des Filmemachers einen Einfluss auf die mediale Darstellung der gefilmten Personen hat.

8 Curriculum Vitae

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2005 – 2015	Theater-, Film- und Medienwissenschaft Nebenfächer: Anglistik, Dt. Philologie (Universität Wien)
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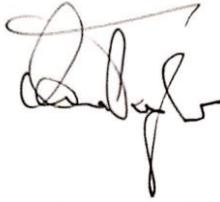
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07/2008 – 10/2008	Praktikantin Verlag (Kaiser&Co Gesmbh)
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Kompetenzen

Sprachen	Deutsch Englisch Französisch
IT	MS Office typo 3
Soziales	Kommunikation Teamfähigkeit
Persönliches	Kreativität Literatur Film

9 Erklärung

Hiermit erkläre ich, dass ich die vorliegende Diplomarbeit selbständig angefertigt habe. Es wurden nur die in der Arbeit ausdrücklich benannten Quellen und Hilfsmittel benutzt. Wörtlich oder sinngemäß übernommenes Gedankengut habe ich als solches kenntlich gemacht.

A handwritten signature in black ink, appearing to read 'Anna Trigler', with a stylized flourish at the end.

Anna Trigler

Wien, 31. Januar 2015