

*“YOU’VE GOT TO BE REALISTIC”:  
THE POLITICAL AND ECONOMIC CHALLENGES OF  
DOCUMENTARY FILMMAKERS IN BOULDER AND DENVER, COLORADO*

*by*

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*“You’ve Got to Be Realistic”: The Political and Economic Challenges of Documentary*

*Filmmakers in Boulder and Denver, Colorado*

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Documentary film is an increasingly popular genre and due to cheap filmmaking technologies, there are more documentary films being produced than ever before. Yet, despite the democratization of production, documentary filmmakers still face a number of challenges when it comes to funding, producing, and distributing their films. Copyright issues are a popular area of focus, but the cost of copyright clearance is not the only difficulty facing filmmakers. This qualitative study of documentary filmmakers explores the particular challenges faced by documentary filmmakers in Boulder and Denver, Colorado and places them in the context of historical figures and films of the documentary genre. The study finds that in addition to issues pertaining to copyright and the First Amendment, documentary filmmakers face a number of challenges in the documentary film marketplace, including fewer opportunities for public funding, less security in finding distribution, and increased competition from and pressure to adopt the visual language of reality television. This study provides a starting point for future research on documentary film communities and the political economic issues that affect them.

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## CHAPTER I INTRODUCTION

Over the past decade, the documentary film genre has been revitalized in the United States. Prior to this sea change, independent documentary film had been a marginal genre, at best – one that, in large part, never gained much attention due to the lack of means of production and distribution.<sup>1</sup> In recent years, films such as Michael Moore’s *Fahrenheit 9/11*, *Sicko*, and *Capitalism: A Love Story*, Morgan Spurlock’s *Supersize Me*, Davis Guggenheim’s *An Inconvenient Truth* and many more have drawn crowds to theaters, as well as spurred debates about social and political issues.<sup>2</sup> Additionally, documentary television programming, such as *Independent Lens* and *POV*, continues to command a sizable audience, and documentary is a popular amateur genre on websites such as YouTube.<sup>3</sup> Indeed, the documentary appears to be experiencing a renaissance. The causes of this are complex, but the democratization of filmmaking and distribution technologies is thought to have played a significant role. This increase in documentary films, produced and distributed democratically, has raised hopes for a more robust, vibrant public sphere.

Yet, despite naïve assumptions that web technologies will enable a more democratic public sphere, and despite the increasing popularity of the documentary genre, filmmakers still face significant political and economic challenges. One commonly reported challenge faced by independent filmmakers concerns the high price of copyright clearance and its impact on what stories can be told.<sup>4</sup> However, it is important to remember that copyright is the product of larger political-economic structures that, to be sure, manifest themselves in other challenges faced by documentary filmmakers. These challenges are an area worthy of more detailed study, one that allows documentary filmmakers themselves to reflect on the nature of the documentary film

landscape, the political and economic challenges they encounter, and the relationship between these challenges and the content of their film. This study will focus on documentary filmmakers in the Boulder-Denver, Colorado region, both to help focus this study and act as a starting point for an ethnographic study of filmmakers in this region of the country. The rest of this introduction will provide an overview of the chapters and content to follow.

### *Arrangement of Thesis*

Immediately following this introduction, Chapter II provides a brief overview of the history of the documentary genre. A full account of the history of the genre would be a prodigious task; indeed, a number of books cited in this chapter have been written already on the subject. The purpose of this chapter is to provide a history of significant figures and films in the genre as well as the political and economic challenges they faced in producing their films. This will undergird the rest of the study by contextualizing the challenges faced by modern documentary filmmakers in relation to the history of documentary film. The first part of this chapter looks at films, people, and developments in the first half of the 20<sup>th</sup>-century; the second briefly examines developments in theatrical documentary and in television documentary after World War II before describing in greater detail the present documentary landscape and new developments pertaining to technology and genre in the 21<sup>st</sup>-century.

Chapter III looks at the political economy of communication, including an overview of the core objectives of the discipline and a discussion of the political economy of documentary film. The latter includes a brief history of the development of public television as well as an examination of the funding and distribution strategies available to documentary filmmakers. This frame is useful in problematizing utopian notions of the democratization of media artifacts by

focusing on the economic mechanisms that influence the media landscape and the political, ideological implications of this system.

Chapter IV describes the purpose of this study, what it hopes to achieve, and why it is important to the field of mass communication studies. It will also describe the methodology of the study, including why the subjects were selected, how the research was conducted, and the advantages and disadvantages of this methodology.

Chapter V presents the results of the interviews with the filmmakers and discusses these findings. This method of combining the results and the discussion is useful in a study such as this – with multiple subjects and a broad focus as a result of a less formal interviewing strategy – for two reasons: first, it reduces redundancy; and second, a discussion of the results as they are presented helps connect the similar experiences of the various filmmakers as well as the various topics they discussed. This chapter is divided into three sections: the first section attempts to discover the social and political motivations of the filmmakers in making their films, which will provide a baseline for discussing the political and economic challenges they face; the second section looks at the challenges faced by the filmmakers pertaining to political and legal structures as well as what I will refer to as “the politics of access”; the third section of this chapter will look at the challenges pertaining to the economics of documentary film production. This section will conclude by briefly tying these things together in the context of the political economy of communication and documentary film production.

Chapter VI concludes the paper by reviewing the paper's findings, their significance, and suggesting further areas for research.

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**NOTES:**

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<sup>1</sup> Calabrese, Andrew, and Barbara Ruth Burke. "American Identities: Nationalism, the Media, and the Public Sphere." *Journal of Communication Inquiry* 16, no. 2 (1992): 52-73.

<sup>2</sup> Nisbet, Matthew C., and Patricia Aufderheide. "Documentary Film: Towards a Research Agenda on Forms, Functions, and Impacts." *Mass Communication and Society* 12 (2009): 450-456

<sup>3</sup> Ibid.

<sup>4</sup> See Aufderheide and Jaszi (2011).

## CHAPTER II

### A BRIEF HISTORY OF THE DOCUMENTARY GENRE

One of the first uses of the term “documentary” comes from John Grierson, a British social critic and pioneer of documentary film in the early- to mid-20th-century. Reviewing Robert Flaherty's *Moana* in 1926, Grierson spoke of the film's “documentary value” in its depiction of the daily life of a Polynesian youth and his family.<sup>1</sup> It is worth noting that Grierson uses the term as an adjective. Shortly afterward, “documentary” shifted from an adjective to a noun used to describe films that exhibit this “documentary value”; even then, what properly constitutes “documentary” is contentious and important debate. Documentaries come in a variety of forms: the travelogue, the political documentary, cinéma vérité, nature documentaries, YouTube videos, and more. These films have various social and political purposes, different aesthetics, and utilize different storytelling techniques in a way that makes it difficult to discern a definition of documentary that is inclusive of all of these subgenres. As a genre, documentary is a porous category, defined by hazy edges and which films occupy the edges and center of this genre, and why, is a matter of contentious debate. It is not my intention in this study to engage in a metaphysical debate about the nature and definition of documentary as a whole, other than to acknowledge that such a discussion is complex and important. Instead, this study will focus on the “committed documentary” subgenre. Thomas Waugh describes commitment as follows: “By ‘commitment’ I mean, firstly, a specific ideological undertaking, a declaration of solidarity with the goal of radical socio-political transformation. Secondly, I mean a specific political positioning: activism, or intervention in the process of change itself.”<sup>2</sup> In this sense, the committed documentary is a film that engages with an ideological position for the purpose of

intervention and social-political transformation. Indeed, the subgenre of the committed documentary is admittedly broad, as well; however, it is an important genre to bring into focus in light of the way that political-economic structures can influence discourses in the public sphere, especially when these discourses are explicitly political. What follows is a discussion of the history of the documentary genre that focuses on filmmakers with explicitly political objectives.

### *Fiction and Non-Fiction*

Fiction and nonfiction forms did not emerge automatically at the advent of the cinema. Many of the earliest films functioned as experiments with the new cinematic instruments. In 1895, at the invention of cinematography, the exact function of the form was contested amongst filmmakers and social critics. Christian Metz, one of the founders of modern critical film theory, writes:

[C]ritics, journalists, and the pioneer cinematographers disagreed considerably among themselves as to the *social function* that they attributed to, or predicted for, the new machine: whether it was a means of preservation or of making archives, whether it was an auxiliary technography for research and teaching in sciences like botany or surgery, whether it was a new form of journalism, or an instrument of sentimental devotion, either private or public, which could perpetuate the living image of the dear departed one, and so on. That, over all these possibilities, the cinema could evolve into a machine for telling stories had never really been considered.<sup>3</sup>

The early films of Thomas Edison, the Lumière brothers, and others demonstrate this uncertainty of function. The Lumières' *L'Arrivée d'un Train en Gare de La Ciotat* (1896), for instance, captures the arrival of a train at a station and the debarking of passengers. Similarly, *La Sortie des Usines Lumière à Lyon* (1895) shows, in forty-six seconds, precisely what its title says: workers leaving the Lumière factory. It would be insufficient to refer to either of these films as fiction or non-fiction; they were, like other films of the late 19<sup>th</sup>-century, empirical observation

of daily life, and at most, experiments with the medium's potential.<sup>4</sup>

It was not long before audiences began to want more, and short fiction films, equipped with lavish sets and costumes, such as Georges Méliès' *A Trip to the Moon* (1902) and Edwin S. Porter's *The Great Train Robbery* (1903), quickly became the order of the day. Indeed, the primary function of cinema since its early history has been entertainment; Metz refers to this merging of cinema and narrativity as "a great... historical and social fact"<sup>5</sup>, the consequence of which, he argues was to displace all other types of cinema from popular consumption: "[A]ll nonnarrative genres – the documentary, the technical film, etc – have become marginal provinces, border regions so to speak, while the *feature-length film of novelistic fiction*, which is simply called a 'film' – the usage is significant – has traced more and more clearly the king's highway of filmic expression."<sup>6</sup> Michael Chanan observes that while this is obviously correct, the shift to supremacy of the fictional narrative not only has the effect of associating "film" with "fictional narrative film" (thus, normalizing this association) but also neglecting documentary film language.<sup>7</sup> The film as a representational space thus shifted emphasis from reality to the illusory and the fantastic, the potential of which was gleefully exploited in the early decades of the cinema.

It should come with little surprise then that when the documentary began to re-emerge as a dominant form of cinematic expression in the 1920s that producers and directors often spoke of it in revolutionary terms. Here was a type of film that, while not new, had the potential to elevate the medium beyond mere entertainment and serve larger social-political purposes. Documentary filmmaker and film critic Paul Rotha, writing at or around one of the earlier apexes of the documentary genre in 1939, describes the revolutionary potential of documentary over narrative fiction, in a passage worth quoting at length:

I look upon cinema as a powerful, if not the most powerful, instrument for social influence to-day; and I regard the documentary method as the first real attempt to use cinema for purposes more important than entertainment. If the reader associates with cinema only a repetition of senseless stories revolving round, for the most part, second- or third-rate actors, then he will completely fail to comprehend the significance of the documentary movement. If he has permitted the story-film, in its function as a provider of universal entertainment, to blind him to cinema's other and wider uses, then the discovery of the existence of documentary as something more influential will probably surprise him.

It is not my aim... to decry or limit the functions of the cinema as entertainment... [b]ut I do ask recognition of the fact that the story-film, with its artificial background of studio and stars, with its subjects dictated by profit-making and personal ambition, is only *one* kind of film; that the technical and cultural achievements of the cinema of the future are more likely to come from the field of documentary and journalistic film than from the studios of entertainment.<sup>8</sup>

Whether it is the case that technical and cultural achievements of cinema have come from the documentary is irrelevant. The point is that Rotha captures the feeling of documentary filmmakers of the time regarding their work: a rebellion against the populism of narrative cinema and an aspiration for their works to serve a higher purpose.<sup>9</sup>

Furthermore, it is important to acknowledge Rotha's emphasis on studios and their principle objectives – “profit-making and personal ambition.” Rotha's critique of the entertainment cinema necessarily recognizes the embeddedness of narrative in modes of capitalist production.<sup>10</sup> Film production, as a costly, industrial process, is dependent on maximum returns on receipts, meaning that film must logically appeal to the largest audience possible.<sup>11</sup> This dependence, Rotha argues, has ultimately limited the social potential of the cinema and instead, has functioned by “reflect[ing] and assist[ing] in the maintenance of the predominating interests in control of the productive forces of [its] particular era.”<sup>12</sup> This made cinema both profitable and ideologically conservative. To put a finer point on it, the cinema at the time of Rotha's writing (and, no doubt, today and into the foreseeable future) has acted in the

interests of private corporations and individuals rather than the public as a whole. Early documentary filmmakers acted on this belief that the cinema might serve a greater purpose while also recognizing that documentary production required an economic model outside of the studio system.

In Pierre Bourdieu's *The Field of Cultural Production*, he argues that cultural fields are structured according to conflicts between different positions within them.<sup>13</sup> Similar to the differences between Classicism and Romanticism, abstract and realism, modernism and postmodernism, and so forth, the field of film incorporates the fictional narrative film and the documentary, both of which operate according to different codes of practice and objectives.<sup>14</sup> Bourdieu, cited in Chanan, writes, "The choice of the moment and sites of battle are left to the initiative of the challengers, who break the silence of the *doxa* and call into question the unproblematic, taken-for-granted world of the dominant groups."<sup>15</sup> Documentary films and filmmakers, while never truly threatening the sustainability of the fiction field, introduced new means of cultural production that challenged the orthodoxy of narrative fiction film. Documentaries were presented as a new aesthetic form in the field of cultural production that aimed to elevate cinema to a higher sociopolitical purpose through a new kind of storytelling. Furthermore, it often attempted to do this outside the purview of the powerful studio systems. As such, the documentary genre staked out an explicitly political role in society that still continues today. The following is a short history of the aesthetic developments, political purpose, and distribution methods of documentary through the 20<sup>th</sup>-century.

### *Early Developments*

Fiction films dominated the early decades of the medium's history. It was not until the

1920s that the documentary genre really began to blossom. Indeed, the 1920s produced many films that are still considered quintessential and aesthetically significant: Flaherty's *Nanook of the North* (1922), Walther Ruttmann's *Berlin: The Symphony of a Great City* (1927), and Dziga Vertov's *Man With a Movie Camera* (1929), just to name a few. The films produced during this decade encompassed a variety of different aesthetics and forms and originated from many countries. Together, they tell the story of the evolution of the documentary genre, its different sociopolitical goals and purposes, aesthetic movements, and experiments in funding and distribution beyond the studio structure.

In addition to bestowing the documentary genre with its name, John Grierson is credited with significant developments of the documentary during the 1930s and 1940s.<sup>16</sup> His story has its origins in a 1924 trip to the United States to study factors that were influencing public opinion.<sup>17</sup> Grierson immediately recognized the advantage cinema and other popular arts had over traditional forms of information dissemination as well as its potential to be a great social force. In particular, Robert Flaherty's *Nanook of the North* was a significant influence on him; yet, despite this and his friendship with Flaherty, Grierson did not share Flaherty's enthusiasm for the naturalist, poetic approach. Like writing, Grierson wrote that film was "capable of many forms and many functions" ranging from art and entertainment to education and propaganda.<sup>18</sup> In the sense that Flaherty's work embodied a more aesthetic, poetic approach to filmmaking, Grierson thought Flaherty's works did a social disservice.<sup>19</sup> In 1939, when Grierson reflected on over a decade of film production, he would write:

The basic force behind [documentary] was social, not aesthetic. It was a desire to make drama from the ordinary; a desire to bring the citizen's mind in from the ends of the earth to the story, his own story, of what was happening under his nose. ... We were interested in *all* instruments which would crystallize sentiments in a muddled world and create a will towards civic participation.<sup>20</sup>

As Barsam says, this attitude towards filmmaking made Grierson not just a sociologist, but also an evangelist.<sup>21</sup> As such, Grierson differs from Flaherty in two key ways.

First, Grierson's films have a more explicitly political character. Rather than emphasizing the poetic or aesthetic potential of the documentary genre and film medium or the filmmaker as artist, Grierson instead focused on the "voice" of the documentary film and "stress[ed] the role of the documentary filmmaker as orator."<sup>22</sup> The objective of Grierson's project was to unleash the rhetorical and persuasive potential of the documentary. Under Grierson, documentary increasingly entered the realm of social policy, depicting sociopolitical problems, and advocating specific policy solutions.<sup>23</sup> *Drifters* (1929), Grierson's first and only film he directed by himself, tells the story of a North Sea herring fishery and its shift from a small operation to larger, more industrial processes.<sup>24</sup> More than just focusing on a single fishing operation, *Drifters* connects these particular challenges to the national fishing industry by focusing on the challenges faced by the workers and in doing so, making a case for labor and the plight of the workers.<sup>25</sup> Commenting on the film, Rotha argued that although its social purpose might not have been realized fully, it nevertheless demonstrated a greater aim than mere observation and documentation.<sup>26</sup>

Second, in order to achieve this sociopolitical project, Grierson had to venture beyond commercial sponsorship. Instead, Grierson petitioned the British government to enter the arena of film sponsorship, much in the way the Soviet government had done previously, in order to "make use of an art form to foster a sense of national identity and shared community commensurate with its own political agenda."<sup>27</sup> Sir Stephen Tallents of the Empire Marketing Board (E.M.B.) had been concerned about world opinion of the Britain and in 1927 Grierson was able to convince him of the potential of the cinema to operate in the national interest.<sup>28</sup> The

government approved and established a film unit under the E.M.B. in 1930 with Grierson in charge. It was here that Grierson directed *Drifters*, as well as produced a number of other films, such as *Voice of the World, O'er Hill and Dale*, and *Cargo from Jamaica*, with the objective of “presenting the lives and problems of the British working class as a vital and important aspect of the contemporary scene.”<sup>29</sup> This was particularly important, as Barsam observes, in a culture that was still oriented around artistic representations of, primarily, the British upper class.<sup>30</sup>

In 1933, when the British government withdrew funding for the E.M.B., it nevertheless recognized the value of continued support of film production and the E.M.B.’s film unit was absorbed into the General Post Office (G.P.O.) under supervision of Grierson and Tallents.<sup>31</sup> At the G.P.O., the film unit prospered, producing a series of films that came to define early British documentary film, including *Housing Problems* (1935) and *Night Mail* (1936), both of which were produced by Grierson and directed by Basil Wright. *Housing Problems* continued in the political vein of Grierson’s work with the E.M.B., focusing on the struggles of those living in slums in the London district of Stepney. *Night Mail* was one of the first major successes of the G.P.O. film unit, depicting the transportation of mail by train from London to Glasgow. While not as politically pointed as *Housing Problems*, *Night Mail* stands out as an exemplary piece of propaganda, valorizing the individuals of those working for the Post Office and by extension, the Office itself and the role of the government in providing services to its citizens.<sup>32</sup> *Night Mail* remains a premiere example of Grierson’s documentary objectives: not just to entertain, which *Night Mail* accomplishes by making the mundane dramatic, but to serve an educational purpose.

One of the major changes in the transition from the E.M.B. to the G.P.O. was the funding of Grierson’s films. Although still largely funded by the British government, many of the G.P.O. films were joint productions between the government and private enterprise.<sup>33</sup> For instance,

Grierson produced *The Song of Ceylon* (1934), directed by Basil Wright, on commission from the Ceylon Tea Propaganda Board. The film, considered a nonfiction classic, focuses on the Singhalese culture, including their spirituality, the role of tea harvesting in their society, and their role in the production of tea for Ceylon.<sup>34</sup> Richard Barsam says that although the intention of *Song of Ceylon* appears commercial, the overall goal of the film is a sociological one.<sup>35</sup> Nevertheless, one cannot overlook the commercial aspect of the film, especially when one considers that the reason it was produced was to create a positive image of Ceylon and its principal export. Similarly, *Housing Problems* was co-produced by the Gas Light and Coke Company. While the film is for most intents and purposes about the sociological problem of slum living, the Gas Light and Coke Company had a commercial interest in the film: the film's advocated goal of slum clearance would benefit the company by increasing gas consumption.<sup>36</sup> In other words, sponsors often got the films that they paid for.<sup>37</sup>

Grierson's documentary work was instrumental in the development of the art and social function of the documentary. After his tenure at the G.P.O., he was appointed as Canada's Film Commissioner and helped to develop interest in documentary film in the United States, Australia, and New Zealand.<sup>38</sup> Upon retiring from his position as Commissioner, he wrote: "I hope I have done something to make of documentary not only an international force but a force for internationalism."<sup>39</sup> Indeed, Grierson is broadly recognized as a pioneer of the documentary genre. Despite this, he is not without criticism from the more radical wing of documentary film production. Bill Nichols, for instance, writes that while Grierson's work contributed a practical approach for documentary to social issues, it was nevertheless a much more conservative endeavor than the Soviet's state propaganda.<sup>40</sup> After all, Grierson saw film as a potential tool for the facilitation of parliamentary democracy and the state as an agent for remedying social

injustices.<sup>41</sup> His avoidance of the more radical and revolutionary potential of cinema and social organization ultimately left unquestioned some of the more systemic issues of society.<sup>42</sup>

Furthermore, this conservatism contributed to what Brian Winston refers to as the “tradition of the victim,” or the use of the “victims” of social problems in an instrumental way while social ills are left ultimately unaddressed.<sup>43</sup> But it is the critique of Arthur Calder-Marshall, cited by Winston, that has the most powerful resonance. In a scathing remark on the G.P.O.’s strange absence of a film depicting the unrest of its own postal workers, he says: “Mr. Grierson is not paid to tell the truth but to make more people use the parcel post. Mr. Grierson may like to talk about social education surplised in self-importance and social benignity. Other people may like hearing him. But even if it sounds like a sermon, a sales talk is a sales talk.”<sup>44</sup>

While these critiques offer an important perspective on Grierson’s work, it is necessary to recognize that for all of his valorization of the potential of cinema, Grierson himself recognized the artistic and ideological limitations of state propaganda as well as those of commercial cinema and sponsorship.<sup>45</sup> When Paul Rotha reportedly asked Grierson to read his manuscript for a new film, which invoked the writings of Karl Marx, Grierson responded, “Why the hell do you have to include Marx in the thing, it’ll only make it more difficult for me with the Treasury.”<sup>46</sup>

Although Grierson was politically liberal, he understood the need to appease sponsors, particularly the British government. The State was willing to provide the funds for the G.P.O.’s projects, but it still took the appropriate precautions, just as Grierson and Tallents took precautions to assure the government that the film unit was not occupied by, in Tallents’ words, “a gang of Bolsheviks.”<sup>47</sup> Consequently, Grierson’s artistic and political decision to focus on a cross-sectional view of British life should be understood as a consequence of the particular limits of his specific sponsorships.<sup>48</sup> Anything overtly political would be, as Harry Watt, co-director of

*Night Mail* said, “a kiss of death.”<sup>49</sup> For documentary that ventures beyond the quotidian and into the realm of the revolutionary, it is necessary to focus on Soviet cinema and their radical contemporaries abroad.

Soviet cinema of the 1920s and 1930s sought to revolutionize the way audiences observe their lives and the world, through radical new filmmaking techniques and narrative styles. After the Russian Revolution, the production of film became the province of the Soviet state. Bill Nichols describes the basic objectives of Soviet state cinema:

Like the Soviet art movement known as Constructivism, Soviet cinema explored how film could serve the revolutionary aspirations of the moment: How could it represent the “new man” of communist society; how could it construct a distinct culture freed from bourgeois tradition; how could it transcend old class divisions in the cities, near-feudal relations in the country, and parochial loyalties in the various republics to foster a sense of community revolving around the *union* of Soviet socialist republics and the leadership of the Communist Party?<sup>50</sup>

Naturally, how these things were done varied from director to director and across genres. Sergei Eisenstein, widely considered an innovator of montage, produced patriotic films such as *Strike* and *Battleship Potemkin* that re-enacted and valorized labor, collectivism, and the history of the new communist state. Dziga Vertov, on the other hand, couched the objectives of the State in documentary, eschewing scripting, staging, acting and reenacting.<sup>51</sup> Vertov’s films attempted to capture reality as it happened and share these realities with citizens across the nation.

Additionally, Vertov was important not just as a filmmaker, but also as a film theorist. He issued manifestos on the politics of perception arguing that the *kinopravda* (literally, “film truth”, which would later be adapted by the French as *cinéma vérité*) approach of direct representation was a more honest and politically revolutionary form of cinema than the pretentious “Kinodrama” of the theater and fiction films: “Kinodrama is an opium for the capitalists. The scenario is a tale thought up for us by literary people. ... Down with the bourgeois tale scenario! Hurrah for life as

it is!”<sup>52</sup> Vertov believed that film had the potential to depict life as it is while also imagining a new society through editing techniques, as demonstrated in one of his manifestos:

I am kino-eye, I create a man more perfect than Adam, I create thousands of different people in accordance with preliminary blue-prints and diagrams of different kinds. ... From one person I take the hands, the strongest and most dexterous, from another I take the legs, the swiftest and most shapely; from a third, the most beautiful and expressive head – and through montage I create a new, perfect man.<sup>53</sup>

This radical potential for cinema is rooted in Vertov’s theory of the camera as an eye. Like the human eye, it captures life as it is; but unlike the human eye, it was capable of seeing and presenting a world beyond it through the power of editing.<sup>54</sup>

This approach became manifest in his newsreel series in 1918-1919, and was perfected in *Kino Glaz* (or *Kino-Eye*; 1924) and his masterpiece *The Man with a Movie Camera* (1929). In one particular scene in *Kino Glaz*, the camera tracks the production of meat backwards through time (“Kino Eye moves time backwards”): first depicting the sale of meats on the street, its return to the beef cooperative, back to slaughterhouse, in a graphic scene where a bull is shown being slaughtered in reverse (subtitled: “We give the bull back his entrails,” “We dress the bull in his skin,” and finally, “The bull comes back to life”) before it returns to the pasture.<sup>55</sup> The scene is particularly effective in demonstrating Vertov’s (and, naturally, the Soviet government’s) vision of society through editing – that society works collectively to produce a good.

*The Man with a Movie Camera* belongs to a subgenre of documentary known as the “city symphony.” Set in Odessa and other cities in the Soviet Union, the film captures the various activities of daily life; the man with the movie camera is even depicted as an embedded member of the city in many iconic scenes, thus demystifying the cinema by demonstrating how it is

produced and exhibited. Like *Kino Glaz*, *Man with a Movie Camera* set out to capture the realities of life in the Soviet Union, but while rejecting the bourgeois filmic traditions of the individual by focusing on members of society as integral parts to the collective and further challenging the tradition modes of cinematic expression.<sup>56</sup> Vertov's documentaries are a testament to the experimental spirit of 1920s Soviet cinema; yet, he still managed to find himself at odds with officials in Moscow. As Stalinism began to gain orthodoxy, the experimental tenor of Soviet film expression slowly vanished.<sup>57</sup> In 1926, his film *A Sixth of the World* drew ire from the Moscow film agency and ultimately cost him his job. He sought funding and security in Ukraine where he produced *A Man with a Movie Camera* as "an angry response to his dismissal."<sup>58</sup>

Also working in the late 1920s, Dutch filmmaker Joris Ivens was working within a similarly radical, though different documentary framework. Unlike Vertov or even Grierson, whose politics operated as an affirmation of their respective governments, Ivens did not collaborate with governments or other institutions, but with "the very people whose misery no government had yet addressed, let alone eliminated," with the intention of political transformation.<sup>59</sup> Naturally, this goal did not leave Ivens confined to the Netherlands; his impulse towards radical film often took him right to the heart of political revolutions. In November 1960, the Cuban film journal *Cine Cubano* wrote, "There is nothing surprising about Ivens' presence in Cuba. ... Wherever there is a country struggling for its freedom, a people trying to liquidate the old structures and forge a sane and healthy future where man can find and reclaim his dignity, Ivens will be present. And as a creator, not a tourist."<sup>60</sup> Ivens' works would most notably take him to Spain, China, and the United States, and following World War II, his political views took him to the Soviet side of the Iron Curtain, where many of his works were

produced; to this day, many remain in obscurity. Nichols notes that despite being a revered figure in China, his 763-minute epic about the Cultural Revolution, *How Yukong Moved the Mountains*, is virtually unknown in the United States and abroad.<sup>61</sup> Indeed, he adds, a not insignificant portion of “work by Ivens [...] remains [...] victim of cold war politics.”<sup>62</sup>

Nevertheless, Ivens works speak for themselves: they are characterized by a poetic aesthetic that valorizes the life of the common man and laborer, and are politically radical. His early films made in the Netherlands, *The Bridge* (1928) and *Rain* (1929), are both “city symphony” style films, poetic expressions of urban modernity that were not uncommon in the documentary field at the time. Yet, his impulse to be a part of and to represent social causes quickly proved to be his calling in film. Ivens knew he wanted to produce a film in the Borinage region of Belgium about the coal miners, who “work[] laboriously by pale, dim lamplight, in a narrow tunnel, his body bent double [...] among threats of ever-recurring dangers.”<sup>63</sup> In June 1932, the mine owners announced a five percent cut in wages, causing Borinage miners to strike and those across Belgian to join them in solidarity.<sup>64</sup> Ivens saw the opportunity here not just for a story, but also for using film to aid and assist a social and political cause. A key piece of the film, called *Misère au Borinage* (1933), involved the staging of a demonstration where an image of Karl Marx, painted as a miner, is paraded through the streets. Though staged, the event wound up turning into a full-blown demonstration. The police became involved and at one point, a worker had to flee Ivens’ camera to safety.<sup>65</sup> This process of blurring the line between subject and filmmaker became key to Ivens’ aesthetics and the politics of his productions. Writing in his autobiography, *The Camera and I*, Ivens described his intention in depicting the Borinage strike: “That is where I went to make my next film, not as a missionary to soften or treat wounds, but as a film maker to reveal the wounds to the rest of the world because I thought that my best way to

help in their healing.”<sup>66</sup> This went far beyond revealing the issue to the larger public: “I wanted the spectators of the film to want to do more than send these workers money. This film required a fighting point of view. It became a weapon, not just an interesting story about something that had happened.”<sup>67</sup> For Ivens, just as with Vertov, film was much more than mere entertainment or even a medium for the exposition of social problems. It was a tool for the production of social change, a tool that could not be un-embedded from the sociopolitical fabric around it.

*Borinage* would ultimately yield a range of opinions. As Ivens wrote in his autobiography, many questioned his intentions with the film, calling him a propagandist and arguing, “as his social concerns go up, his artistic standards go down.”<sup>68</sup> Many contemporaries, however, such as Luis Buñuel and John Grierson, approved of Ivens’ style.<sup>69</sup> Despite this, *Borinage* was never able to secure regular distribution: the film was forbidden release by Belgian and Dutch sensors and was only shown privately at meetings or film clubs.<sup>70</sup> Ivens would later run into a similar problem with his next film, *New Earth* (1932), about the draining of the Zuiderzee in Netherlands for agricultural purposes. The film demonstrated how workers’ hopes for this “New Earth” were dashed when its crops were sold abroad. Presenting the film before a censor board in France, Ivens recalls the following conversation:

‘Mr. Ivens, please consider our predicament if we allow this film to be shown in the suburbs of Paris, in Montrouge or Saint Denis. Many poor people live in those districts. After seeing this film they would get ideas and march on the city hall and ask for bread.’

Afraid that the discussion was getting too political, another of the censors said, ‘We have seen your films, *Rain* and *The Bridge*, and we know your distinction in motion picture art and now you bring us this *New Earth*. We cannot show this film, *c’est trop de réalité*.’<sup>71</sup>

But for Ivens, politics and reality could not be separated from film. The camera (to say nothing of the camera operator) was not a passive medium, and film could not help but “make[] politics out of photography.”<sup>72</sup> Ivens defends his position as committed documentary filmmaker in his

autobiography, writing,

[O]n every hand, in both the United States and England, there were demands for more ‘objectivity.’ I was often asked, why hadn’t we gone to the other side, too, and made an *objective* film? My only answer was that a documentary film maker has to have an opinion on such vital issues as fascism or anti-fascism – he *has* to have feelings about these issues, if his work is to have any dramatic or emotional or art value. And too, there is the very simple fact to consider, that when you are in a war and you get to the other side, you are shot or put into a prison camp – you cannot be on both sides, neither as a soldier nor as a film maker. If anyone wanted that objectivity of ‘both sides of the question,’ he would have to show two films [...].<sup>73</sup>

Indeed, Ivens did not intend in any case to produce two separate films. This is particularly true in the case of the *The Spanish Earth* (1937), a propaganda film about the Spanish Civil War where Ivens was emphatically on the side of the Republican Loyalists (writing in his autobiography, Ivens says, “[I]t was inevitable that I should find myself in Spain, filming a war where ideas of Right and Wrong were clashing in such clear conflict, where fascism was preparing a second world war”<sup>74</sup>). In the film, Ivens focuses on two aspects of the war: the impact Fascist aggression would have on the nation’s agriculture, and a direct depiction of the warfare, with direct political commentary through the commanding narration of Ernest Hemingway. The film has been praised for pioneering the revolutionary film, on par with the works of Sergei Eisenstein, and for its ability to impact direction political action; funds raised by the film were used to buy ambulances and provide aid for the Loyalists.<sup>75</sup>

Nevertheless, Ivens could not shake negative commentary from critics. From a review in the *Motion Picture Herald*, a critic wrote, “The picture is too stark, bitter and brutal to please the general audience. Its partisanship and propagandistic non-objectivity tend to vitiate whatever message it may carry.”<sup>76</sup> Yet, this critique should not be considered apart from the historical context of film criticism of the time; i.e., that film critics at the time were so involved in the

criticism of fiction film that there had not yet been established a popular criterion for the evaluation of nonfiction film.<sup>77</sup> For all the esteem held by contemporary film historians and critics towards the revolutionary films of those like Ivens, they were often censured by critics of the time as propaganda and inartistic. Although the problem of direct censorship is largely an issue of the past, documentary filmmakers still must walk a fine (and falsely dichotomous) line between activism and artistry lest they be faced with the similar criticisms that Ivens faced.

### *Theatrical Documentary After World War II*

The development of documentary film in the United States during the 1940s was complicated by loose organization of major filmmakers, inadequate financing, and significantly, World War II. After the United States entered World War II, many American documentary filmmakers turned their energies toward producing films for the Office of War Information.<sup>78</sup> Most of these films focused on portraying a nationalistic and sympathetic view of American life, stressing small-town America, avoiding larger social problems, and emphasizing American values.<sup>79</sup> The opposite occurred in England, with a number of filmmakers in the G.P.O. producing independently; their filmmaking projects emphasized experimentation, education, and generally, on improving social conditions.<sup>80</sup> Consequently, British documentary production managed to continue unabated throughout the war and during the postwar years. On the other hand, the propaganda techniques of American documentary production of the time became an obstacle in the postwar years as audiences turned away from socially conscious films and toward fiction films.<sup>81</sup> Documentary filmmakers migrated to where they saw the potential for the continued life of documentary – television.

Although the lack of public interest in documentary following World War II impacted the

theatrical success of the genre in the postwar era, the success of television programs such as *CBS Reports* helped drive a revival in theatrical documentary film, as Barsam writes, “by making [audiences] more aware of the world around them, more visually literate, and more conscious of the power of film to interpret the world.”<sup>82</sup> Concert documentaries became increasingly prominent in the late 1960s and the success of filmmakers such as Richard Leacock demonstrated to producers and distributors that theatrical documentary film was worthy of support.<sup>83</sup> Since then, there have been key documentary moments that have helped set the stage for the full-scale revival of the documentary film in the 21<sup>st</sup>-century.

Barbara Kopple’s *Harlan County USA* (1976) channels the spirit of Ivens’ *Misère au Borinage* by focusing on a coal miners’ strike in the eponymous Kentucky county. The film utilizes *cinéma vérité* style, an observational approach characterized by minimal interference by the filmmaker<sup>84</sup>, in order to convey solidarity among and the nobility of the coal miners.<sup>85</sup> Also like Ivens, producing *Harlan County* put Kopple in danger due to her intimate involvement on the picket line with the miners: she was harassed and shot at on an occasion that remains in the film over the course of her involvement.<sup>86</sup> The film was praised by progressives, though some radicals were suspect of the ideology of the minimalist *cinéma vérité*, and won an Academy Award.<sup>87</sup> Like the films of Ivens (and also those of Grierson), *Harlan County USA* demonstrated that the explicitly committed documentary was still important and critically viable.

Also emerging during the 1970s was New Day Films, a documentary filmmaking collective. The group initially formed in 1971 after independent documentary filmmakers could not find distribution for films that focused on feminism.<sup>88</sup> Founding member Amalie Rothschild recalls on the group’s website the circumstances that galvanized the formation and mission of the collective: “We met at the 1971 Flaherty seminar, where some of our films were programmed

[...]. I was in production with *It Happens to Us*. I'd been trying to get distribution for *Woo Who? May Wilson*. I'd take it to non-theatrical distribution companies and they'd say 'It's wonderful, dear, we really like it. But there's no audience...'”<sup>89</sup> Other founding members Julia Reichert and Jim Klein had also self-distributed their film *Growing Up Female* and saw the potential for a film collective to help provide an outlet with independent filmmakers with fewer distribution options; additionally, Reichert saw the potential for films to contribute valuable dialogues, such as those of the feminist movement, to the public sphere.<sup>90</sup> Liane Brandon joined the core group shortly afterward. Brandon's film *Anything You Want to Be* was drawing attention from distributors, but most would only offer two-year contracts because, as Brandon says, “they were sure the women's movement wouldn't last any longer than [two years].” This was despite the fact that Brandon had been an activist in women's groups since 1969: “I knew there was a huge demand, but most distributors didn't, so they offered bad deals, or they wanted to ghettoize the films.”<sup>91</sup> New Day Films offered an alternative distribution outlet for filmmakers such as Rothschild, Reichert, Klein, Brandon, and a number of other filmmakers who had the experience of more traditional distribution outlets being unwilling to take a chance on their material. Since its inception, New Day Films' goal has been “to deliver[] dynamic, provocative storytelling to educational outlets” as well as ensuring access to such films.<sup>92</sup> In the more than forty years they have been active, over one-hundred filmmakers have joined the collective and the films released by the collective have received critical acclaim, including one Academy Award-winner, four Emmy wins, and hundreds of awards at prestigious film festivals.<sup>93</sup> New Day Films has continued to maintain a commitment to independent documentary filmmakers who focus on subject matter that larger, mainstream distribution outlets perceive as riskier.

In 1987, the documentary underwent a significant, popular revival with the release of

Michael Moore's *Roger and Me*, which critically engaged with deindustrialization in the United States and the impact it had on workers by focusing on the closure of a General Motors plant in Flint, Michigan. Moore adopted a comic-satiric tone in the film and used himself as a character that Bill Nichols calls, "a socially conscious nebbish who will do whatever is necessary to get to the bottom of pressing social concerns."<sup>94</sup> The film had an unexpected theatrical success that Brian Winston says resulted in a significant revival for a handful of documentary film.<sup>95</sup> Since then, Michael Moore has been a leading figure in popular, theatrical documentary with films that take on explicitly political content such as gun control in *Bowling for Columbine* (2002), the war in Iraq in *Fahrenheit 9/11* (2004), the shortcomings of the American healthcare system in *Sicko* (2007), and the dangers of unregulated capitalism in *Capitalism: A Love Story* (2009).

The following year, Errol Morris' *The Thin Blue Line* was released to critical acclaim. The film tells the story of Randall Dale Adams, who was sentenced to life in prison for a murder that he did not commit, and builds evidence to make the case that he, in fact, is innocent. While not explicitly focused on the plight of groups or large-scale social injustices, *The Thin Blue Line* nevertheless uses the documentary form as an intervention on behalf of injustice. The film was a box office success and approximately one year after the film's release, Adams was released from jail.<sup>96</sup>

While ostensibly about basketball, *Hoop Dreams* (1994), directed by Steve James, draws attention to the social circumstances of William Gates and Arthur Agee, two African-American teenagers from Chicago vying to become professional basketball players. The film's arc follows Gates and Agee while simultaneously reflecting on issues such as race, class, education, and values in American society. These issues help the film stand out as more than a mere sports drama, though its success in fully exploring these issues is a subject of debate; for instance, in a

review for *Jump Cut*, Murray Sperber argues that for all the film's documentary moments it never evolves beyond a Hollywood genre film about sports and never fully analyzes the political context beyond the lives of Gates and Agee.<sup>97</sup> On the other hand, Roger Ebert in his review of the film commended the film's "heartbreaking story about life in America," a story that transcended its more straightforward subject matter.<sup>98</sup> Despite the divergent reviews and analyses of the film, *Hoop Dreams* was a worldwide box-office success that comfortably made its money back, a degree of success that further signaled to distributors that documentaries were a worthy investment.<sup>99</sup> While the documentary genre in the United States never quite reached critical mass prior to World War II, the intermittent success of films such as *Harlan County USA*, *Roger and Me*, *The Thin Blue Line*, and *Hoop Dreams* demonstrated that the politically committed documentary was still capable of being a force for intervention.

### *Documentary Film and Television After World War II*

During the middle part of the 20<sup>th</sup>-century, television came to the rescue of documentary film. Documentary film, unlike fiction film, had always struggled with finding a mass audience, and television, with its (initial) commitment to public service and educational programming, promised to be a boon for documentary production. The historical compilation series, which began with NBC's *Victory at Sea* (1952-53), as well as the nature documentary, quickly became staples of the medium.<sup>100</sup> However, the most significant strand of documentary in the television era became the long-form news feature; the most prominent was *CBS Reports*, which ran for over three decades from 1959 and whose archive includes "Harvest of Shame" (1960) and "The Selling of the Pentagon" (1971), two of American television's finest documentary moments.<sup>101</sup>

Similar to the Griersonian tradition of advocacy filmmaking, "Harvest of Shame,"

presented by Edward R. Murrow, focused on the poor conditions faced by migrant, agricultural field-workers.<sup>102</sup> The impact of the program was exacerbated by having been aired the day after Thanksgiving in 1960 and depicting the poor conditions of the laborers who gather the Thanksgiving bounty.<sup>103</sup> At the film's conclusion, Murrow issues recommendations for ways to alleviate the plight of the migrant worker and pushes the audience to take action: "The migrants have no lobby. Only an enlightened, aroused, and perhaps angered public opinion can do anything about the migrants."<sup>104</sup> Nevertheless, Murrow warns that solutions of any sort must contend with the powerful agribusiness lobby.<sup>105</sup> This message was powerful enough to result in significant Congressional and governmental efforts to block the film from being exhibited abroad.<sup>106</sup> Even Murrow, who left CBS shortly afterwards to join the Kennedy administration, was persuaded to participate in these efforts, arguing that overseas audiences would not be able to appreciate the context of the film.<sup>107</sup> Murrow would later back down when faced with charges of government censorship.<sup>108</sup>

*The Selling of the Pentagon*, another CBS documentary program, was similarly controversial. The program, produced by Peter Davis and broadcast in primetime, rather than directly attacking the Vietnam War, focused on the ways in which the Department of Defense used its enormous public-relations funds had sold the war, largely by misleading the news media.<sup>109</sup> The film was met with praise and outrage. Critics accused the film of being radical and irresponsible, though as Barnouw writes, none of the criticisms attacked the substance of the film.<sup>110</sup> The subsequent release of the Pentagon Papers and the Watergate hearings seemed to affirm the message of the film: that the United States' political system was shot through with corruption. Interestingly, much of the film's content had actually been discussed extensively in print, with little impact; documentation in the form of film during primetime demonstrated that

the documentary genre was still capable of having a major impact on public discourse.<sup>111</sup> CBS would later rebroadcast the film within a few weeks of its original airdate, owing to its resounding success.<sup>112</sup>

However, television would not live up to its promises to documentary filmmakers. Debates over the constitutionality of compelling private media corporations to provide public interest programming were a staple of debates in the Federal Communications Commission and numerous laws were drawn with the intention of giving private media companies greater latitude while maintaining public service requirements. This already tenuous compromise between the public and cable companies' commercial interest was severed wholly in the deregulation crusades of the 1980s, spearheaded by the Reagan administration. The FCC, under the Reagan-appointed chairman Mark Fowler, eliminated program requirements, such as surveying communities to determine programming preferences, the Fairness Doctrine, and many other regulations under the logic that the market was a more appropriate substitute for government regulations; after all, according to Fowler, the television was nothing than a "toaster with pictures."<sup>113</sup> Providing a diverse range of perspectives to audiences and offering an outlet for independent programming sources (i.e., functioning in the public interest) suddenly took backseat to the corporations fortunate enough to have prominent positions in the market. Furthermore, in 1982, *CBS Reports* aired a program entitled "The Uncounted Enemy: A Vietnam Deception," which alleged that military officers during the Vietnam War, such as General William C. Westmoreland, had withheld intelligence data from President Johnson and the media about the true strength of the enemy.<sup>114</sup> Westmoreland objected and CBS censured George Crile, III, the program's producer, for having violated the network's news standards.<sup>115</sup> This, coupled with programs like the Bill Moyers documentary *People Like Us*, which illustrated the

shortcomings of the Reagan administration's social policies, made documentary film controversial in the eyes of Capitol Hill.<sup>116</sup>

Not unexpectedly, documentaries did not fare well and as Philip S. Balboni noted in the Fall 2001 issue of *Nieman Reports*, documentary had largely vanished from television by the mid-1990s.<sup>117</sup> Although Balboni acknowledges that documentary continued (and continues) to play an integral role in the line-ups of PBS, HBO, The Discovery Channel, and A&E, the absence of the genre from broadcast television networks, such as ABC, CBS, NBC, and Fox, has major implications for civic society since “no single news report on the evening news, no glitzy television newsmagazine piece, and certainly none of today's endless TV talk shows have the depth, substance, detail and emotional strength of a well-executed documentary.”<sup>118</sup> But Balboni's complaint is about more than just the aesthetic deficiencies of television news. His concerns reflect those of Sir William Haley, a juror in the DuPont-Columbia Survey of Broadcast Journalism for 1968-1969, who wrote: “News must not be thought of merely as part of a television program. News—and in this word I include... news documentaries—is the lifeblood of democracy. Without free, full, and uncontaminated information on all things that matter, the people have no sound means of making choices and deciding.”<sup>119</sup>

Like journalism, documentary's history and purpose have been abstractly bound to the maintenance of civic society and democracy. This charge was so important that, as we are so often told, the United States' founding fathers bestowed the nation's press system with the First Amendment right, “Congress shall make no law... abridging the freedom of speech, or of the press.” Yet, as many media critics have accurately observed<sup>120</sup>, the press as a beacon for democracy is an aspiration, not a destiny. In fact, the press system that has emerged under capitalism has been, as McChesney says, “at best a mixed blessing and at worst a complete

failure for democracy.”<sup>121</sup> Thus, also like journalism, prevailing (i.e., commercial) interests have often thwarted documentary’s destiny. Nevertheless, it should be noted that alternatives to the mainstream media have never been completely marginalized – only pushed to periphery to await the next moment of rediscovery and redeployment. So, just as scholars saw television as a means to rescue the documentary, so, too, did others anticipate that computer and digital technologies could offer hope for the genre.<sup>122</sup> As the web became more pervasive and sophisticated in the 21<sup>st</sup>-century, documentary promised to re-emerge.

### *New Developments, New Frontiers*

Over the past decade, documentary film has been revitalized in the United States. The reasons for the newfound success of the genre in the United States are diverse and there is no one “magic bullet,” but there are a few observable developments in the genre that worth exploring at length.

One of the primary drivers of the new, growing documentary culture has been the widespread availability of affordable means of production. A documentary can be produced today with little more than a MiniDV camera, digital voice recording tapes and external microphones, and the proper editing software, most of which is available for considerably modest prices.<sup>123</sup> However, it is important to note that although the cost of production materials have dropped significantly with the proliferation of these technologies, this does not take into consideration the learning curve associated with the technologies as well as costlier budget expenses, such as research, production staff salaries, and rights clearances, to name but a few.<sup>124</sup> Even then, Robert Bahar’s sample expense report totaling over \$350,000<sup>125</sup> and the estimated budget of \$200,000 for Robert Greenwald’s *Outfoxed: Rupert Murdoch’s War on Journalism*<sup>126</sup>,

are fairly modest compared to that of Michael Moore's *Fahrenheit 9/11*<sup>127</sup>, the budget of which totaled approximately \$6 million. Although the challenges of filmmaking are still applicable, the Internet has played a crucial role in lowering the cost of entry into the field of cultural production, particularly for documentary filmmakers.<sup>128</sup>

Still, not every documentary produced can afford the widespread distribution available (and affordable) to filmmakers such as Michael Moore, much less attain the level of success of the Academy Award-winning rabble-rouser. Fortunately, as mentioned above, the success of a documentary is no longer pre-determined by its ability to reach a mainstream audience. The benefits that the Internet offers to documentary producers are twofold: (1) low-budget documentary filmmakers have access to low- or no-cost video distribution options. Towards the other end of the expense spectrum, those with the funds to pay for relatively widespread distribution can utilize on-demand video streaming services to reach audiences. (2) Producers can utilize the social organization facilitated by the Internet to reach new audiences and even mobilize activism. This is often called "the coalition model."

For the producer who is working with a limited budget, the Internet offers opportunities for free or low-cost distribution. There are more than one hundred web sites dedicated to hosting "user-generated videos," the most famous of which is YouTube.<sup>129</sup> Hosting videos on YouTube is as easy as signing up for an account and following YouTube's Terms of Service policies. Alternatively, content creators who want more freedom than provided by video hosting sites can pay ISPs for bandwidth to host videos, albeit for a price.<sup>130</sup>

Documentary producers with less distribution cost restrictions can use streaming services, such as Netflix and iTunes, to reach a significant audience. These streaming services benefit from a concept called "the long tail," a term popularized by Chris Anderson in an issue of *Wired*

magazine.<sup>131</sup> Anderson contrasts the long tail concept from Vilfredo Pareto's economic concept known as the 80-20 rule (or Pareto's Principle), which says that for every amount of total products produced, only 20% will be financially successful.<sup>132</sup> Companies such as Blockbuster and Wal-Mart have historically operated under this principle due to little incentive to provide products that undersell in a finite space that otherwise could be more efficiently utilized by guaranteed sellers.<sup>133</sup>

Online distributors, such as Netflix, are less impacted by the limits of shelf space and other financial externalities. The average Blockbuster, for instance, only carried approximately 3,000 DVDs, which were determined by their place on the "power law" demand curve.<sup>134</sup> At one end of this curve are popular products with high demand, i.e., the products a store is more likely to carry. The curve then quickly tails off as demand goes down, but there are significantly more products at this end, known as "the long tail." Whereas Blockbuster's economic model depends solely on its rental of products at the high-demand end of the curve, one-fifth of the films viewed on Netflix are situated outside of its top 3,000 titles.<sup>135</sup> Since Netflix is not restricted by physical space, it can easily afford to target niche markets, such as documentary, that exist in the long tail.

The obvious significance of this is that documentary fans no longer have to depend on the measly selections offered by the physical videos store; after all, documentaries sell too rarely to justify stocking more than a dozen or so at any time.<sup>136</sup> Consequently, Netflix has become a valuable resource for documentary film fans and, naturally, the documentary film business.

In addition to documentary filmmakers' access to online distribution means, the Internet has facilitated a "coalition model" for documentaries, as studied by David Whiteman<sup>137</sup> and Christian Christensen.<sup>138</sup> This model, as defined by Christensen, refers to "a mutually-beneficial 'feedback loop' between filmmakers, film subjects, grassroots screeners, audiences and political

activists.”<sup>139</sup> The “feedback” process has been facilitated by the Internet due to its abilities to connect activist groups with each other and the filmmakers, promote exhibitions, and generally, create a virtual public sphere wherein citizens can discuss issues of concern in a democratic society.<sup>140</sup> The primary advantage of this, according to Robert Greenwald, as cited by Christensen, is that documentary filmmakers can now “bypass... [the] highly centralized, oligopolistic mainstream film distribution and exhibition system.”<sup>141</sup> Robert Greenwald has been one of the beneficiaries of such a system. Originally a veteran of the Hollywood system, Greenwald has emerged of the past decade as a leader in independent, progressive documentary filmmaking with productions such as *Uncovered: The War on Iraq* (2003), *Outfoxed: Rupert Murdoch's War on Journalism* (2004), and *Wal-Mart: The High Cost of Low Price* (2005). After the success of *Uncovered* and *Outfoxed*, he founded the production company Brave New Films, which produced and distributed his films to online grassroots organizations, such as MoveOn.org, rather than cinema chains.<sup>142</sup> These online grassroots organizations then exhibit the films at house parties and hold follow-up discussions after the film. John Haynes writes that this strategy can be understood in “the context of a tradition of alternative distribution and exhibition that flourished especially in the 1960s and 1970s, emblematised by the work of the Latin American Third Cinema movement, the Newsreel collective in the USA, and the Canadian Film Board's Challenge for Change movement led by George Stoney.”<sup>143</sup> Like these groups, Greenwald's Brave New Films operate according to “guerrilla” distribution and exhibition strategies, though it is distinctive in its use of the web to achieve these goals. Once a production by Brave New Films is completed, Greenwald says that the question then becomes about strategies for immediate distribution: what groups might be interested in the film, which organizations or bloggers to target via the web, and what is the most effective advocacy strategy

are all issues that are explored in the process.<sup>144</sup> Haynes writes, “an ethos of participation permeates the process of distribution,” from the house party exhibitions to social network promotion and that this is highly dependent on the “dense networks of interaction” enabled by the web.<sup>145</sup> Greenwald is convinced that his films and strategies have amounted to real, on-the-ground change – e.g., activists have successfully blocked Wal-Mart from their communities using strategies in *Wal-Mart* – though it is hard to attribute too much to the films themselves. Nevertheless, the coalition model and the distribution strategies of film companies such as Brave New Films demonstrate the potential for alternative distribution and exhibition, as well as the potential for the use of film as a tool for advocacy, in the age of the Internet.

In addition to new distribution opportunities and strategies, the web has been instrumental in the development of new, emergent genres of documentary or “documentary-style” film. With the rise of YouTube and Google Video, and the subsequent acquisition of the former by the latter, there emerged a boom in online video production, often by amateurs. YouTube is clearly the most prominent streaming site today, but a number of imitators have followed, including FourDocs, a UK-based documentary video community.<sup>146</sup> YouTube and sites such as FourDocs have been instrumental in the emergence of a new genre within the greater community guided by length requirements. YouTube caps length for most users at ten minutes, and Four Docs limits users to only four minutes. As a consequence, documentary video on these sites have tended “towards the intimate and the reflective: moments in life, simple themes elaborated, and thumbnail sketches of individuals.”<sup>147</sup> In addition to other more traditional documentary forms, the web saw the emergence of “The Lives of Others”-style of documentary, which often focused on individuals divulging information or intimate details about themselves.<sup>148</sup> Additionally, sites like YouTube have become a site for an emergent genre known as “dirty reality.”<sup>149</sup> These

documentaries offer firsthand documentation of unpleasant events or experiences. For instance, the execution of American journalist Daniel Pearl in Pakistan was captured on film and leaked to the Internet.<sup>150</sup> Additionally, on-the-ground footage from Iran's 2009 Green Revolution offered exclusive access to protests that were censored in Iran and largely absent from mainstream media outlets in the United States. The caught-on-camera death of Neda Agha-Soltan during the protests has become a cultural phenomenon with over one million views on YouTube.<sup>151</sup> The availability of these videos on the web has been significant in telling stories that otherwise might have gone unreported or unnoticed in traditional media outlets.

Unlike traditional media, the Internet benefits from not only the availability of a multitude of creative forms, but also from their intersection, creating enhanced cultural products that utilize text, images, sound, video, and hyperlinks, to name a few. Of course, this is not new, *per se*; newspapers have long relied on the convergence of text and image, the use of voice over the radio gave the information a personal touch as well as one of authority, and with the advent of television, video's presentation of information created a sense of immediacy heretofore unmatched by radio or text. The Internet, however, can be considered the pinnacle of technological convergence, a term used to describe the synergy of multiple media functions in a single device, such as a computer or mobile phone, and with the emerge of a "convergence culture," collective meaning-making is no longer confined to one medium or form.<sup>152</sup>

Consequently, the documentary in the Internet Age is no longer restricted to its traditional visual form and documentary filmmakers are already experimenting with multiple forms to create enhanced productions. Sue Johnson is cofounder of the Web-based documentary production company Picture Projects, which for the past decade has maintained a Web documentary series title *360 Degrees: Perspectives on the U.S. Criminal Justice System*.<sup>153</sup> The

goal of the website has been “to put the [...] growth in the prison population into historical perspective and examine the impact it has had on individuals, families and communities.”<sup>154</sup>

Johnson states that the primary goal of the site has been to “capitalize on the assets of the [Internet],” specifically “its capacity for quick computation, motion graphics, and the integration of audio and video, as well as the opportunity to cross over geographic boundaries.”<sup>155</sup> The interactive website hosts a number of videos, each of which focuses on inmates, children of inmates or members of the prison staff. In addition to the videos, which can be watched in any order, the website offers a number of panoramic photographs that allows the viewer to explore prison cells and a variety of other locations, an interactive, text-based world history of the criminal justice system, and resources the visitor can use to get involved with different issues impacting the criminal justice system.<sup>156</sup> The result is a documentary project anchored by episodic visual narratives that can be enhanced through a variety of supplementary information and forms enabled by the capabilities of online media convergence.

Johnson’s website has shown indications that the Web-based documentary may have a future in the larger documentary culture. *360 Degrees* has been showcased at documentary film festivals, as well as galleries and new media trade shows.<sup>157</sup> Johnson has said that although the nontraditional format has produced difficulties in receiving funding, foundations such as New York State Council on the Arts and the Corporation for Public Broadcasting helped fund the project in its nascent stages.<sup>158</sup> The story of the *360 Degrees* project’s experimentation with the Web-based documentary form is certainly not unique, but it does demonstrate how the Internet has enabled documentary filmmakers to work with new forms that enhance productions beyond the tradition visual scope.

Transmedia production is also being implemented as pedagogical strategy for aspiring

documentary filmmakers. Ingrid Kopp, director of *Shooting People in the US*, an international networking community of documentary filmmakers, writes that despite the tendency to see emerging technologies as disruptive of old forms and economic models, they are creating new and improved ways for filmmakers to engage with their audiences.<sup>159</sup> She describes the Bay Area Video Coalition's Producers Institute for New Media Technologies, a 10-day residency and intensive boot-camp for filmmakers that teaches filmmakers not just how to develop socially relevant documentaries, but to do so in ways that are often outside of their comfort zones – in digital landscapes.<sup>160</sup> Unlike traditional documentary production, the web allows documentary not just to exist on many platforms but also to come become an ongoing process that exists beyond the film medium. This has implications for advocacy and political participation as well as attracting audiences to one's film.

### *Unfulfilled Promises*

Yet, the potential for the web as a boon for documentary film production (and perhaps also a panacea for prior issues affecting documentary) are overstated. After all, the effects of the web on documentary production and culture are observable, and while in some respects documentary production has become easier and more democratic, there are still a number of challenges facing documentary filmmakers.

For instance, although digital video technologies and distribution services such as YouTube have become more affordable and accessible, this does not guarantee a radical new media politics. Nevertheless, this has not stopped some media scholars, such as Douglas Schuler, from asserting that we have entered a new, democratic public sphere: “for the first time in human history, the possibility exists to establish a communication network that spans the globe, is

affordable, and is open to all comers and points of view: in short, a democratic communication infrastructure.”<sup>161</sup> Alexandra Juhasz responds to this in a matter-of-fact way to anyone who is spend any significant amount of time on YouTube (or the web, in general): “[W]hy, then, when I visit this marvelous place, is the stuff I see there so thoroughly unsatisfying?”<sup>162</sup> Indeed, a cursory glance through YouTube’s most popular videos of the day demonstrates precisely how un-radical the medium can be. Juhasz does not deny that YouTube has afforded video production access to a greater portion of the population than ever before, but that “access without theory, history, community, and politics, and access enabled by (post) capitalism, is not yet all we might demand the future of the cinema to be”; needless to say, Juhasz demonstrates that YouTube does not enable a radical new public sphere for documentary precisely because of this lack of theory, history, community, and politics.<sup>163</sup>

Most of this is due to the environment of YouTube itself. Juhasz writes that the site’s architecture, to say nothing of its corporate ownership, forecloses the potential for any meaningful theoretical, political dialogue.<sup>164</sup> YouTube’s comments reflect a less than ideal engagement with the site’s video content<sup>165</sup> and the way a single video is embedded within a sea of other similar but largely unrelated videos precludes the possibility for a coherent politics to emerge from within different corners of the site. In fact, YouTube ends “not with social justice[...], but fragmentation.”<sup>166</sup> Juhasz argues that this is a natural consequence of this isolating structure, one that makes it impossible for two individuals to go down the same video-path together, let alone establish a coherent politics or ethics. Production, consumption, and meaning-making instead become the exclusive purview of the individual, which Juhasz writes “may be continually exciting to postmodern cowboys endlessly anticipating the demise of the self, it has never served well people who are political, people who need to stand strong together

in the name of something that must not be in the here and now.”<sup>167</sup> Although she ends on an optimistic note that such a community might be awaiting radicals on the web, YouTube and other popular sites of online documentary production have left much to be desired.

Similarly, Faye D. Ginsburg has argued that assumptions about the “Digital Age” often come with an unchallenged ethnocentrism. In this framework, technophiles emphasize the liberating potential of new media technologies within the less privileged cultures with little access to digital resources without accounting for the alternative forms of modernity.<sup>168</sup> This actually has the effect of further marginalizing these non-dominant discourses. The important lesson here is that for all the techno-optimism about the web and its democratizing potential, these discourses often smuggle in a more conservative discourse that is positioned against radical or alternative meaning-making frameworks, and imagines away the highly capitalistic structure of the digital space.

One such example of this is the extent to which copyright still has a powerful chilling effect on the content that can be produced on the web. Culture has never existed in a vacuum. In the words of Charles W. Baily Jr., “unconstrained access to past works helps determine the richness of future works.”<sup>169</sup> However, in the 21<sup>st</sup>-century, the public domain is still endangered by the absurd duration of copyrights enabled by so-called Mickey Mouse Laws; furthermore, ordinary citizens that use peer-to-peer (P2P) technologies and mash-up or remix artists are prosecuted under draconian statutory and criminal penalties.<sup>170</sup> Rights clearances, especially for low-budget documentary filmmakers, are often expensive if not impossible to obtain. Filmmaker Jonathan Caouette’s 2004 documentary *Tarnation*, about his dysfunctional family, was produced for only \$218 but ended up costing \$400,000 as a result of rights clearances.<sup>171</sup> While some documentary filmmakers can afford to pay at least *some* of their rights, others have no choice

and are forced to cut important material. Some filmmakers never even attempt to make films that might pose rights clearances that are too many or too expensive.<sup>172</sup> Unless a work that uses copyrighted material is qualified to do so under the Fair Use defense (and even determining this is often expensive and risky), copyright infringement is still considered presumptively illegal.

As mentioned earlier, it is quite easy to sign up for a YouTube account and post videos. However, by doing so, the uploader agrees to follow YouTube's Terms of Service. YouTube enjoys "safe harbor" status from copyright violation, since it could not be responsible for each potential copyright violation due to the sheer volume of uploads per day.<sup>173</sup> Therefore, if a user is found to be in violation of copyright law, even if it could possibly be under fair use guidelines, YouTube will issue a takedown notice. The user must comply or else YouTube or the rightsholder might pursue further legal action. Documentary filmmakers (and, in fact, all users) who utilize YouTube could have their material potentially removed from the site if they do not pay for the proper clearances.

Technological progress has opened up the documentary field in new and exciting ways, but it also poses new challenges, especially for independent filmmakers. Cheaper video cameras and editing equipment has helped open the field for amateur and aspiring filmmakers, and BitTorrent sites, which now occupy thirty-five percent of Internet traffic, has made it easier than ever for web users to obtain digital video.<sup>174</sup> But these developments have their downsides, too. Copyright remains a prominent issue for filmmakers and their audiences, and policy makers have done little to ensure that the copyright law keeps up with technological change. Additionally, the abundance of documentary film has made the business environment "more competitive, clamorous, and harder to negotiate for producers"; for instance, Patricia Aufderheide says, "The expanded opportunities for production... have not been matched by the same level of expansion

in high-value opportunities for exhibition.”<sup>175</sup> Furthermore, despite new opportunities for radical discourses in the public sphere, the architecture of the Internet, particularly of sites like YouTube, has not been particularly conducive for the emergence of a radical new media politics.

Of course, it is perhaps much too romantic to expect that alternative voices, on the web or otherwise, could balance out the messages of the mainstream media. Nevertheless, these voices, such as those of documentary filmmakers, should be encouraged for the sake of democracy and pluralism. In many ways, the web offers new affordances for the emergence of a new politics; but, as I have also shown, new challenges and constraints have also emerged alongside these new affordances. These challenges and constraints for documentary filmmakers are certainly not as extreme as those encountered by Joris Ivens, who was told by a censor that his film *New Earth* could not be released because it was “too realistic,” but for many documentary filmmakers, the limitations they encounter are just as real and may pose significant challenges for free expression and a robust public sphere. Yet, this assertion should not be taken as an article of faith. It is important to understand how documentary filmmakers, *in their own words*, understand the current documentary landscape, its benefits, and its drawbacks. Do the benefits of this new era of filmmaking outweigh the limitations? And to what extent are these limitations the product of larger political, economic, legal, and social frameworks that privilege certain discourses over others? Again, the answers to these questions are, *and should not be*, asserted by scholars; documentary filmmakers must speak for themselves on such matters

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## NOTES

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- <sup>18</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 38.
- <sup>19</sup> Barsam, Richard M. *Nonfiction Film*.
- <sup>20</sup> Barsam, Richard M. *Nonfiction Film*. Pgs. 38-39.
- <sup>21</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 39.
- <sup>22</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 221.
- <sup>23</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 222.
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- <sup>25</sup> Ibid.
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- <sup>27</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 219-220.
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- <sup>29</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 41.
- <sup>30</sup> Ibid.
- <sup>31</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 49.
- <sup>32</sup> Barsam, Richard M. *Nonfiction Film*.
- <sup>33</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 40.
- <sup>34</sup> Barsam, Richard M. *Nonfiction Film*.
- <sup>35</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 55.
- <sup>36</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 213.
- <sup>37</sup> Winston, Brian. "Documentary Film." Pg. 86.
- <sup>38</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 59.
- <sup>39</sup> Ibid.
- <sup>40</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 222.
- <sup>41</sup> Ibid.
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- <sup>43</sup> Winston, Brian. "The Tradition of the Victim in Griersonian Documentary." In *Image*

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<sup>45</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 41.

<sup>46</sup> Chanan, Michael. *The Politics of Documentary*. Pg. 137.

<sup>47</sup> Ibid.

<sup>48</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 41.

<sup>49</sup> Chanan, Michael. *The Politics of Documentary*. Pg. 137.

<sup>50</sup> Nichols, Bill. *Introduction to Documentary*. Pg. 216.

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<sup>52</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 24.

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<sup>71</sup> Ivens, Joris. *The Camera*. Pg. 99.

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<sup>73</sup> Ivens, Joris. *The Camera*. Pgs 136-137.

<sup>74</sup> Ivens, Joris. *The Camera*. Pg. 103.

<sup>75</sup> Barsam, Richard M. *Nonfiction Film*. Pg. 94.

<sup>76</sup> Ivens, Joris. *The Camera*. Pg. 133.

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<sup>78</sup> Barsam, Richard M. *Nonfiction Film*.

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<sup>83</sup> Barsam, Richard M. *Nonfiction Film*.

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<sup>104</sup> Curtin, Michael. *Redeeming the Wasteland*. Pg. 168.

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- <sup>164</sup> Juhasz, Alexandra. "Documentary on YouTube." Pg. 305.
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- <sup>174</sup> Aufderheide, Patricia. "The Changing Documentary Marketplace." *Cineaste* 30, no. 3 (2005): 24-28. Pg. 26.
- <sup>175</sup> Aufderheide, Patricia. "The Changing." Pg. 27.

## CHAPTER III

### THE POLITICAL ECONOMY OF COMMUNICATION AND DOCUMENTARY FILM

Over the past few decades, corporate control and the conglomeration of media outlets has increased significantly. In 1999, Viacom announced its merger with CBS, a merger of size, scope, and cost heretofore unseen in the media industry. The deal would combine the CBS television network, including fifteen TV stations, over 160 radio stations, and Internet sites with Viacom's cable channels, such as MTV, Nickelodeon, and Showtime, nineteen television stations, film and television production outlets (Paramount), publishing houses, theme parks, and more.<sup>1</sup> The deal was priced at a record-setting \$38 billion, twice as large the previous record-setting merger between Disney and Capitol Cities/ABC only four years earlier. Before the deregulatory crusades of the 1980s, such a merger would be unimaginable and would surely violate antitrust laws. The economic implications of such a highly concentrated market are both as concerning as they are complex. Yet, there is another perspective worthy of concern: the public sphere perspective. Media executives often justified these mergers by insisting that conglomeration and integration would benefit consumers and the public interest. However, it is far from clear that media mergers actually serve the public interest. In fact, quite the opposite: centralized ownership raises the possibility of the stifling of diverse and radical forms of expression, which has profound implications for a democratic society.

Needless to say, a highly deregulatory environment may have revitalized these concerns, but they are far from new. The extent to which political, economic, and cultural institutions affect what is contributed to the public sphere is the subject of much debate and theorization in the academic discipline of political economy of communication. This theoretical framework can

be valuable in understanding the contemporary challenges faced by documentary filmmakers. The following is a brief overview of this field and its ongoing concerns.

### *Political Economy of Communication*

While definitions of the political economy of communication vary from the general<sup>2</sup> to the concrete, it can generally be agreed that political economy of communication is concerned with production, distribution, and consumption of media. To the extent that these three things depend on material resources, political economy is also primarily concerned with power. Specifically, political economy is focused on exploring and revealing the connections between things like ownership, corporate structure, capital, and markets, and how these affect politics, culture, and information.<sup>3</sup> Since media in the United States are, first and foremost, businesses, understanding the underlying mechanics of these things is important in explaining “why we get what we get” in terms of media content.<sup>4</sup> To do this, political economy has historically focused on four dimensions: history, social totality, moral philosophy, and praxis.<sup>5</sup>

Classical political economists, such as Adam Smith and David Ricardo, and those with a critical bent, such as Karl Marx, have traditionally focused on the transition from feudalism to capitalism.<sup>6</sup> Underlying this economic transition was a change in social relations. Consequently, political economists were interested in investigating the social effects of the transition to capitalism: class stratification, upheavals in the wake of cyclical crises and how, after these crises, the capitalist system was able to reconstitute itself once again, the accumulation of monopoly power and capital, and the relationship between the private sector and a massive new state apparatus.<sup>7</sup> All of these beseech a critical examination of historical trajectories.

Political economy of communication approaches questions related to the media with this

important mandate in mind – a recognition that current media content and its various sites of production are embedded in material and *historical* trajectories. These trajectories are varied: an increasingly globalized media system, the shift from modernism to postmodernism, and perhaps most importantly for purposes here, the transition into a postindustrial information economy that has been intensified by the rise of web technologies.<sup>8</sup> Furthermore, a nuanced understanding of these developments must also attempt to understand how the transition from “old” to “new,” from one social structure or hierarchy into another, is legitimated.<sup>9</sup>

While there has been a tendency to focus on the disruptions that have occurred in the age of the Internet, including increased, more democratic content production brought on by lower barriers to entry, there is a need to also focus on the continuities between the old and new media regimes. For instance, Robin Mansell argues that there is still strong evidence of scarcity in relation to new media production and consumption; these conditions are reproduced as a result of “various articulations of power,” which “are not inconsequential and [...] contribute to the maintenance of deeply rooted inequalities in today’s so-called ‘information’ or ‘knowledge’ societies.”<sup>10</sup> What, or perhaps where, are these articulations of power? Mansell argues that the new media content becomes commoditized at various points from production to consumption in various and not insignificant ways: the still prevalent use of copyright, controlling access, the promotion of obsolescence, creation and sale of audiences, and, of course, privileging certain types of media over others.<sup>11</sup>

Furthermore, signs of concentration of power on the supply side demand attention. Van Couvering, cited by Mansell, observes that, in 2003, the top ten web properties in the United Kingdom were owned by a handful of major media conglomerates, communication and telecommunication suppliers, online retailers, and software companies.<sup>12</sup> There is similar

consolidation in the United States. The record-setting CBS-Viacom merger (mentioned above) is still very much the rule and not the exception. In fact, the recent merger of NBC-Universal and Comcast (a merger so large and significant that the Justice Department, while not formally censuring it, still imposed fairly strict service requirements) has raised an important discussion about the future of the web environment without a network neutrality policy.<sup>13</sup> Additionally, corporate consolidation still continues to ensure that most of American's media content comes from fewer and fewer very large companies. For example, at the time of writing, Croteau and Hoynes observed that, in the United States, five movie companies regularly account for 75% of box office revenues, five companies distribute 95% of all music carried by record stores, and television still continues to be dominated by four major networks.<sup>14</sup> For all the optimism that the web and easier access to media technologies is a boon for information and democracy, the presence and continuity of the aforementioned "articulations of power" demonstrate that perhaps little has changed on the political economy side.

Also rooted in classical political economy is a concern with holistic analysis as demonstrated by the discipline's focus on *social totality*. As Meehan, Mosco, and Wasko write, this has involved, in practice, a focus on the relationship between commodities, institutions, social relations, and hegemony: commodities, defined as the use of wage labor to produce goods that bring value to the marketplace, have been important in determining how political economists think about audiences and the production of symbolic commodities; institutions focus on the relations between capital, labor, and the state and how these elements impact the production, distribution, and consumption of media; similarly, social relations look at how social elements, now compelled by developments in postmodernism to include things such as race and gender, interact with and are impacted by the construction and consumption of media; and finally,

hegemony is rooted in the writings of Antonio Gramsci and comprises a common-sense, taken-for-granted conception of social reality that looks at the process of social control that operates beyond direct coercion.<sup>15</sup>

As mentioned above, political economy is concerned with issues of power, in material terms, but also in the ideologies that emerge from this materialism. Since media corporations are primarily businesses, their actions and the production of content is guided by adherence to market demands. It is important to recognize that this does not mandate adherence to public service standards or the higher purpose of content designed for the maintenance of civic society, nor does it necessarily mandate the production of, at the other end of the spectrum, “bread-and-circus”-type fare. Indeed, the only standard which media corporations must abide by, as legally obligated for for-profit, publicly-traded corporations, is that which acts in the best interest of their shareholders – to put a finer point on it, media corporations must deliver profit and secure market power.<sup>16</sup> This is accomplished in a variety of ways, outlined exhaustively by Robert McChesney: “Market power is based on the idea of reducing competition, streamlining production, leveraging preexisting advantages, and selling for the maximum price what may be produced for the minimum.”<sup>17</sup> As a consequence, media systems tend to produce fewer and fewer voices over time as competition is diminished in order to maximize profits. Furthermore, as the amount of available voices decrease, diversity gives way to homogenization as competitors attempt to find the least costly way to produce the most saleable stories.<sup>18</sup> This was most evident during the 1990s when, despite earning significant profits, newspapers were laying off journalists in droves.<sup>19</sup>

While capitalism provides the economic base by which media companies operate in the United States, the ideological superstructure reinforces the ethics and values of market

capitalism. Thus, beyond the level of direct coercion that is maintained by the state, the media function as the site that maintains the common-sense, taken-for-granted conception of social reality under capitalism. This level of power, which might be referred to as the power of *influence*, effectively constitutes a dominant ideology that marginalizes alternative viewpoints and presents the needs of corporations (e.g., deregulation, free trade) as beyond question.<sup>20</sup> The effect is twofold: in addition to having greater material resources (and effectively rendering the space of ideas and public discourse a radically unequal one), “corporations can count on their ideas having more influence, and their challengers’ less, because of how those ideas relate to the dominant ideological discourse that media corporations help create.”<sup>21</sup>

In this sense, political economy of media and communications also takes on a *moral philosophical* outlook; it is rooted not merely in politics or economics, but also in a fundamental concern “with basic moral questions of justice, equity, and the public good.”<sup>22</sup> This is found in classical political economy as well; Marx’s critiques exemplified an integrative concern for those adversely affected by the conditions of capitalism, and even Adam Smith argues in *The Theory of Moral Sentiments* for the need of state protection of workers abused by the factory system and for consumers impacted by unregulated bank speculation.<sup>23</sup> In the modern day, moral concerns dealing with the political economy of communication focus on the need for a mindful, watchful, honest, and open press in pursuit of a democratic and just society. Yet, far from the ideal press, the commercial media system in the United States has been, in the words of Robert McChesney, “at best a mixed blessing and at worst a complete failure for democracy.”<sup>24</sup> Instead of serving as a bastion for democracy, McChesney argues that the modern media system “has taken advantage of its power to advance the specific political and economic agendas of media owners and advertisers while depoliticizing or misinforming the citizenry.”<sup>25</sup> This power, which Jeffery

Klaehn refers to as “power-over,” the ability to influence the thoughts and actions of others, must be thought of in contrast with “power-with”: the desire to produce positive social outcomes and affect progress in a just, equitable way.<sup>26</sup> In this way, political economy takes on a moral imperative, one that imagines a world “that provide[s] the necessary resources for all to live a decent life, within cultures that foster individual flourishing alongside a meaningful sense of collective identity” rather than one that narrowly pursues private, selfish interests.<sup>27</sup>

Finally, and building on this moral concern, political economy necessarily involves an element of *praxis*, which Meehan, Mosco, and Wasko define as transcending the boundaries between research and social action.<sup>28</sup> In short, this entails a commitment to questions of value in the context of the social totality and the moral philosophy above. In the political economy frame, observable facts cannot be separated from questions of value. This is in contrast to a positivist separation of fact from value and the Weberian turn, which sees values as influential, but distinguishable from the observable reality that social science attempts to represent.<sup>29</sup> Thus, the goal of such research becomes “a self-reflexive process of questioning and acting upon the object of analysis,” and recognizing that the act of research is itself embedded in the social totality.<sup>30</sup> In the context of research on documentary filmmakers, the researcher must be aware of the moral dimensions of the issues that impact these individuals. This necessarily requires the researcher to inhabit a highly self-reflexive position in the act of research. Additionally, there must be further discussion that illuminates the history and conditions of production pertaining to documentary film and how this relates to the larger political economy of film production.

### *The Political Economy of Documentary Film Production*

Prior to the advent of television, documentary film production had a long and precarious relationship with governments and commercial funders (see Chapter II). Television brought with it the promise of widespread audiences and the issue of spectrum scarcity appeared to guarantee a place and funding for documentary due to most broadcasters' mandate to operate in the interest of the public good. Of course, the devil is in the details, and public funding of media content, such as documentaries, has been a political football for decades.

One of the most important areas for documentary, particularly of the social justice variety, has been public television.<sup>31</sup> Public television started in the United States with an educational mission that would be provided to the public on a noncommercial basis.<sup>32</sup> These networks initially depended on foundational support (e.g., the Ford Foundation), and in 1962, the federal government provided the first direct support to stations for equipment and not operations.<sup>33</sup> In 1967, the Corporation for Public Broadcasting (CPB) was created by the Public Broadcasting Act, which was mandated by Congress "to help develop an educational broadcasting system in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature."<sup>34</sup> Congress allocated \$5 million for the CPB.<sup>35</sup> Shortly afterwards, public broadcasters formed the Public Broadcasting Service (PBS) to pool money for program funding and to deliver programming to stations across the country.<sup>36</sup> Perhaps not unexpectedly, the issue of "objectivity and balance" quickly became a focus for politicians that did not share the mission of CPB. In 1972, President Richard Nixon vetoed legislation that would fund CPB for two years; later, legislation was passed, but at reduced funds and only for one-year.<sup>37</sup>

In 1988, federal appropriations to CPB were raised to \$225 million to account for rising production costs and to create a new service to help independent producers.<sup>38</sup> It took three years before the Independent Television Service (ITVS) was created with an initial appropriation of \$6 million, by “independent producers, the media arts community, and NGOs seeking to foster plurality, diversity, and innovation in public television.”<sup>39</sup> Since then, ITVS has provided over \$100 million in support for more than 700 projects by independent producers.<sup>40</sup>

Despite this success, tough times were ahead. When Republicans gained control of the House in 1994, Speaker of the House Newt Gingrich announced his and other Congressional Republicans’ intentions to phase out CPB funding.<sup>41</sup> Ultimately, the effort failed, but movements to defund public broadcasting have since become a perennial issue.<sup>42</sup> On the other hand, the National Endowment for the Arts and National Endowment for the Humanities, which often target media, have seen their budgets slashed since 1996.<sup>43</sup>

Since its inception, the CPB has seen its federal appropriation grow \$5 million to an estimated \$446 for the 2013 fiscal year.<sup>44</sup> In addition, it has seen its total number of local stations grow from 238 in 1974 to 356 in 1996, covering 99% of the United States and operated under four primary licenses: community, local, state government, and college or university.<sup>45</sup>

Filmmakers have also, in that time, seen the costs of shooting and editing decrease substantially thanks to cheaper camera equipment and the advent of desktop editing software.<sup>46</sup>

Nevertheless, none of this is to suggest that it is easy for documentary filmmakers to produce content for public television. Although public television’s official (i.e., legal) mission is to provide noncommercial, educational program, public television is by no means mandated to air programs that are challenging or controversial. Since taxpayers (represented by legislators), members, and corporations are the primary funders of public television, controversy can cause

legislators to hold hearings (and, as we've seen, threaten to pull the plug on CPB entirely), members to cancel membership, and corporations to be reluctant to underwrite.<sup>47</sup> This has effectively made public television quite conservative in the programming it produces. For instance, when filmmaker Jeff Spitz took *The Return of Navajo Boy*, a film about uranium stored in mines on Navajo Nation and how it has exposed much of that population to radiation, to public television station KEET in Arizona, they rejected it, saying, "Cracking good story for a half hour, but please remember, in our market uranium is not pledgeable" – meaning the story would not gain, and in fact, might *lose* station membership.<sup>48</sup> It was only after the film premiered at the Sundance film festival and the Associated Press covered the story of uranium in Navajo Nation that the station finally aired the film. Despite American public television's commitment to noncommercial, educational programming, its underlying structure, which is vulnerable to hostile legislators, membership fees, and corporate underwriting, often makes it difficult to achieve this objective.

Cable television has become an attractive venue for independent documentary filmmakers. Since the advent of cable, documentary programming has grown dramatically. In 1984, revenues for documentary production on cable totaled \$30 million and by 2002, they had reached nearly \$4 billion.<sup>49</sup> These numbers, however, can be misleading; by 2002, the sector had been renamed "factual-programs" to account for the rise of reality TV programs and docu-soaps.<sup>50</sup> Furthermore, while this outlet is attractive for certain documentary filmmakers, it is more challenging for social justice filmmakers. Networks often have tight budgets and significantly, final cuts, meaning that challenging subjects, such as health, crime, and sex, are often stripped of their social action agendas.<sup>51</sup> Channels like HBO, the holy grail for social justice filmmakers, often buy very few and secondary stations often pay very little for

documentaries, making it unattractive for features that can run as expensive as \$1 million to produce.<sup>52</sup>

Film festivals provide great opportunities for independent documentary filmmakers to find funding, distribution, and most importantly, visibility. There are hundreds of festivals in any given year, many of which are easier to get accepted to despite not functioning as markets.<sup>53</sup> In other words, these provide access to audiences and widespread visibility, but they often do not provide filmmakers with the opportunity to sell their films. Film festivals like Sundance remain the gold standard for documentary filmmakers, especially social justice films aimed at theaters or television, but the competition is high: in 2002, 1,300 films competed for 18 slots, and as barriers to film production have lowered, this number is expected to rise.<sup>54</sup>

The past decade has seen the barriers for entry into documentary film production drop precipitously. Filmmakers can produce films independently for theaters and film festivals, cable television, or public television. Some filmmakers may even elect to produce things exclusively for the web with little promise for financial returns. Yet, despite these outlets and cheaper filmmaking equipment, success is still difficult to find and talk of the democratization of media production is little more than that. Political economic issues still have a significant impact on the production of media content. Consequently, these issues impact the ability for certain types of content to break into the public sphere, which has implications for the health of democracy and civic society. Documentary has historically offered such a locus for social and political intervention, but its efficacy is stifled by a political economy that has historically been suspect of the documentary.

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<sup>1</sup> Croteau, David R., and William D. Hoynes. *The Business of Media: Corporate Media and the Public Interest*. 2<sup>nd</sup> Edition. Thousand Oaks: Sage Publications, Inc., 2005. Pg. 71.

<sup>2</sup> Eileen Meehan, Vincent Mosco, and Janet Wasko cite in “Rethinking Political Economy” that political economy has been defined as being about “survival” – how society organizes to produce what they need to reproduce themselves.

<sup>3</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking Political Economy: Change and Continuity.” *Journal of Communication* 43, no. 4 (1993): 105-116. Pg. 105.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking.” Pg. 107.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Mansell, Robin. “Political Economy, Power and New Media.” *New Media and Society* 6, no. 1 (2003): 74-83. Mansell is referring here to the works of Nicholas Garnham, who stresses the legitimation of power in transitions

<sup>10</sup> Mansell, Robin. “Political Economy.” Pgs. 76-77.

<sup>11</sup> Mansell, Robin. “Political Economy.” Pg. 78.

<sup>12</sup> Mansell, Robin. “Political Economy.”

<sup>13</sup> Lasar, Matthew. “Comcast/NBC Merger: Should FCC Require Net Neutrality?” *Ars Technica*, June 22, 2010. <http://arstechnica.com/tech-policy/2010/06/new-condition-asked-for-comcastnbcu-merger-net-neutrality/>

<sup>14</sup> Croteau, David R., and William D. Hoynes. *The Business of Media*.

<sup>15</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking.” Pg. 107-108.

<sup>16</sup> Klaehn, Jeffrey. “Discourses on Power.” In *The Political Economy of Media and Power*, edited by Jeffrey Klaehn, 9-48. New York: Peter Lang Publishing, Inc., 2010. Pg. 18.

<sup>17</sup> McChesney, Robert W. *The Political Economy of Media: Enduring Issues, Emerging Dilemmas*. New York: Monthly Review Press, 2008. Pg. 70.

<sup>18</sup> Ibid.

<sup>19</sup> McChesney, Robert W. and John Nichols. *The Death and Life of American Journalism: The Media Revolution That Will Begin the World Again*. Philadelphia: Nation Books, 2010.

<sup>20</sup> Klaehn, Jeffrey. “Discourses on Power.” Pgs. 20-21.

<sup>21</sup> Klaehn, Jeffrey. “Discourses on Power.” Pg. 21.

<sup>22</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking.” Pg. 108.

<sup>23</sup> Ibid.

<sup>24</sup> McChesney, Robert W. *The Political Economy*.” Pg. 69.

<sup>25</sup> Ibid.

<sup>26</sup> Klaehn, Jeffrey. “Discourses on Power.” Pgs. 10-11.

<sup>27</sup> Klaehn, Jeffrey. “Discourses on Power.” Pg. 11.

<sup>28</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking.” Pg. 108-109.

<sup>29</sup> Meehan, Eileen R., Vincent Mosco, and Janet Wasko. “Rethinking.” Pg. 109.

<sup>30</sup> Ibid.

<sup>31</sup> Aufderheide, Patricia. “In the Battle for Reality: Social Documentaries in the U.S.” *Center for Social Media*. December 2003.

[http://www.centerforsocialmedia.org/sites/default/files/Battle\\_for\\_Reality3.pdf](http://www.centerforsocialmedia.org/sites/default/files/Battle_for_Reality3.pdf). Pg. 17.

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<sup>32</sup> Larsen, Kathryn. "Digital Democracy: Has New Digital Technology Altered the Availability of Independent Documentaries to PBS Stations?" MA Thesis, Rhode Island College, 2008. Pg. 5.

<sup>33</sup> Ibid.

<sup>34</sup> Kovitz, Roselle, and John Witherspoon. *A History of Public Broadcasting*. Washington, D.C.: Current, 2000. Pg. 20.

<sup>35</sup> Larsen, Kathryn. "Digital Democracy." Pg. 5.

<sup>36</sup> Larsen, Kathryn. "Digital Democracy." Pg. 6.

<sup>37</sup> Ibid.

<sup>38</sup> Larsen, Kathryn. "Digital Democracy." Pg. 7.

<sup>39</sup> "About ITVS." *ITVS*. 2012. <http://itvs.org/about>

<sup>40</sup> Larsen, Kathryn. "Digital Democracy." Pg. 10.

<sup>41</sup> Larsen, Kathryn. "Digital Democracy." Pg. 8.

<sup>42</sup> At the time of this writing, Republican Presidential candidate Mitt Romney declared his intention to defund public broadcasting in a debate with Barack Obama, much to the distress of Big Bird fans online.

<sup>43</sup> Aufderheide, Patricia. "In the Battle." Pg. 24.

<sup>44</sup> "CPB's Appropriations History." *CPB*. 2012.

<http://www.cpb.org/appropriation/history.html>

<sup>45</sup> Larsen, Kathryn. "Digital Democracy." Pg. 9.

<sup>46</sup> Ibid.

<sup>47</sup> Aufderheide, Patricia. "In the Battle." Pg. 18.

<sup>48</sup> Aufderheide, Patricia. "In the Battle." Pg. 20.

<sup>49</sup> Aufderheide, Patricia. "In the Battle." Pg. 16.

<sup>50</sup> Ibid.

<sup>51</sup> Aufderheide, Patricia. "In the Battle." Pgs. 16-17.

<sup>52</sup> Aufderheide, Patricia. "In the Battle."

<sup>53</sup> Aufderheide, Patricia. "In the Battle." Pg. 16.

<sup>54</sup> Ibid.

## CHAPTER IV

### RESEARCH OBJECTIVES AND METHODOLOGY

In his autobiography, Dutch documentary filmmaker Joris Ivens writes about his difficulty distributing *The New Earth* (1932) due to a censor who said that its contents were “too real.”<sup>1</sup> Since then, the documentary genre has evolved beyond a mere niche interest, but the challenges of producing and distributing politically committed material still remain despite the availability of independent production and distribution channels.

One popularly reported challenge faced by independent filmmakers concerns the high price of copyright clearance and its impact on what stories can be told. Yet, it is important to remember that copyright is the product of larger political-economic structures that, to be sure, manifest themselves in other challenges faced by documentary filmmakers. This qualitative study will investigate the challenges faced by the modern independent documentary filmmaker. It will be an ethnographic study of filmmakers in the Boulder-Denver, Colorado region utilizing intensive interviews and a potential participant observation component to describe, in their own words, the various political and economic factors that impact the story they want to tell.

Matthew Nisbet and Patricia Aufderheide argue that social scientists and scholars of media and communication have largely ignored documentary’s forms, functions, and impacts.<sup>2</sup> One dimension of their proposed research agenda is how documentaries affect with civil society and democracy.<sup>3</sup> Nisbet and Aufderheide cite a study by communications scholar Anna Zoellner that examined the selection process for documentary programs that air on major broadcast and cable networks in Germany as well as a study by Naomi Schiller that considers the relationship

between a documentary's legitimacy and its social and political context.<sup>4</sup> However, we should also ask how society and its political and economic structures impact the production of documentaries and how documentary filmmakers perceive these issues.

The cultural benefits of documentaries are a popular area of study, and there is research on the works of Robert Greenwald, who has been able to release politically-charged films with ease through independent and alternative distribution networks enabled by the web and organizations like MoveOn.<sup>5</sup> In ways, alternative distribution has had a democratizing effect on the production of documentaries. Nevertheless, challenges still remain. Scholars such as Patricia Aufderheide and Peter Jaszi have focused on the problems posed by the United States' current copyright system on documentary filmmakers.<sup>6</sup> Additionally, there is a variety of other work that focuses more generally on the challenges faced by documentary filmmakers. For instance, in a 2009 issue of *Inside Film* magazine, Rodney Appleyard interviews several Australian documentary filmmakers about the challenges of securing funding.<sup>7</sup> However, while this is a topic of concern in popular film writing, the challenge of documentary film production tends to focus less on political and economic challenges and more on issues of ethics, aesthetics and genre. Furthermore, there appears to be a scholarly gap in this area of study as well connecting the particular challenges faced by documentary filmmakers to larger political-economy theories of media and culture. This study can fill this gap in knowledge by addressing these issues as well as focusing on members of the documentary film community in the Boulder-Denver, Colorado region.

The primary research questions of this study are as follows: first, what are the social and political objectives of these filmmakers? Responses to this question will establish a foundation for subsequent research questions, serving as a way to connect the contents of the filmmakers'

work to the challenges they face. Second, what significant political<sup>8</sup> and legal issues are of concern to these filmmakers? Third, what challenges do documentary filmmakers face vis-à-vis economics of filmmaking? This question will hopefully address issues related not only to funding and distribution but how trends in the documentary marketplace affect these filmmakers. Finally, how do the political, legal, and economic challenges faced by these filmmakers relate to the content that they produce? These questions emerged when a pilot study conducted with a documentary filmmaker and instructor at the University of Colorado at Boulder yielded important insight into the challenges of modern documentary filmmakers and how these challenges relate both to the content of this individual's films and the political economy of media.

The study consists of intensive and informal conversational interviews with documentary filmmakers in the Boulder-Denver, Colorado region in order to answer these questions. The informal conversational interview is useful because it provides the flexibility to uncover the answers to the research questions in whatever direction appears to be appropriate or relevant.<sup>9</sup> This is useful for this study for two reasons: first, by building rapport personal rapport with the subjects, this approach will also allow for a more thorough exploration of political and economic challenges than a more formal interview or survey; second, there was no intention during the course of the preparation of this study to interview filmmakers that produce films about similar content or through the same distribution channels. Since the filmmakers focus on divergent topics, addressed in different ways, and distribute their films through different channels, conducting a formal question-and-answer interview with the same questions posed to all of the participants did not seem appropriate. Interviews consisted of open-ended questions and in almost all cases lasted between forty-five minutes and two hours in order to gather as much

information as possible.

The study design also included a participant observation element that would allow for the observation of the filmmakers as they produce a film or seek funding or distribution for their film. This portion of the study proved difficult, since most of the subjects were either reluctant to participate or observation would have been too difficult since most of the filming for their projects did not occur locally. In other words, coordination was difficult given the time and resource constraints of the author. Nevertheless, in two cases, observation outside the scope of the interview setting was possible with two of the subjects in the form of lectures on the University of Colorado at Boulder campus. It is necessary to observe that while this provides a limitation on the amount of information that could be collected for the study, this would also be a valuable area for future research.

This study was designed to include between five and seven documentary filmmakers. Six total filmmakers participated in five interviews – two of the filmmakers, Steven Hoggard and Daphna Rubin, work on projects together so they were interviewed together. Since the goal of the study is to develop a thorough understanding of how specific filmmakers are affected by political-economic issues, it is not necessary to include a wide range of filmmakers. This study is more interested in the subjective experiences of individual filmmakers than in extrapolating hypotheses and conclusions about a larger population of documentary filmmakers. That said, the intention of this research was also to capture as diverse a population as possible in this study.

Participants were enrolled via convenience sampling based on recommendations by the study's research committee of documentary filmmakers in the Boulder-Denver, Colorado region. This method is prone to criticism; for instance, data collected through convenience can rarely be used to generalize about larger populations and consequently does not have external validity.<sup>10</sup>

However, since this study is ethnographic in nature, generalizability is not an issue. Instead, the study will focus on the individual experiences of a particular subset of filmmakers. In cases where this method did not suffice in obtaining participants, a directed snowball sample was used with enrolled participants or participants that declined but were willing to offer assistance in contacting other filmmakers in the area. Subjects were required to be an independent filmmaker in the Boulder-Denver, Colorado region (although it was not necessary that the subject matter of their films relate to local issues). This region has been selected primarily due to proximity and convenience, but also because there is little scholarship focusing on filmmakers residing in this region. “Independent” filmmaker was defined as an individual that produces a film outside of a major film studio system. No distinction was made between films produced for television, direct-to-video, or theatrical release. Age was not of particular concern in the study, though the filmmakers were required to have at least one widely distributed film. Although these requirements are fairly loose, an effort was made to include women as well as a person of color. Additionally, informed consent was obtained prior to the interview.

Following completion of the interviews, the interviews were transcribed and analyzed qualitatively. In the initial stages, interviews were coded and categorized liberally using open coding and in vivo coding techniques. Once all interviews are completed, coding was narrowed down to more specific thematic codes in a way that connected them to larger political economy issues.<sup>11</sup>

Film is an important and popular cultural product. As a film genre, documentaries can have important social and political consequences. An understanding of the challenges faced by these independent filmmakers can help develop a greater appreciation of the documentary filmmakers role in society. While the challenge faced by documentary filmmakers is a topic of concern in

popular film writing, it tends to focus on issues of ethics, aesthetics and genre. Furthermore, there appears to be a scholarly gap in this area of study as well connecting the particular challenges faced by documentary filmmakers to larger political-economy theories of media and culture. This study can fill this gap in knowledge by addressing these issues as well as focusing on members of the documentary film community in the Boulder-Denver, Colorado region. Focusing on specific filmmaking communities and the challenges they face could be beneficial for scholars looking to conduct similar studies in different regions as well as a starting point for more generalizable research on documentary film communities.

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#### NOTES:

<sup>1</sup> Ivens, Joris. *The Camera and I*. New York: International Publishers, 1969.

<sup>2</sup> Nisbet, Matthew C., and Patricia Aufderheide. "Documentary Film: Towards a Research Agenda on Forms, Functions, and Impacts." *Mass Communication and Society* 12 (2009): 450-456.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Haynes, John. "Documentary as Social Justice Activism: The Textual and Political Strategies of Robert Greenwald and Brave New Films." *49<sup>th</sup> Parallel* 21 (2007): 1-16. <http://www.49thparallel.bham.ac.uk/back/issue21/Haynes.pdf>

<sup>6</sup> Aufderheide, Patricia and Peter Jaszi. *Reclaiming Fair Use: How to Put Balance Back in Copyright*. Chicago: The University of Chicago Press, 2011.

<sup>7</sup> Appleyard, Rodney. "Fighting the Financial Challenges." *Inside Film*, no. 117 (2009): 23-25. *Film & Television Literature Index*, EBSCOhost (accessed July 25, 2012).

<sup>8</sup> This does not necessarily mean purely governmental politics; it can also refer to issues pertaining to power relationships in general.

<sup>9</sup> Patton, Michael Q. *Qualitative Research and Evaluation Methods*. 3<sup>rd</sup> Edition. Thousand Oaks: Sage Publications, Inc., 2002.

<sup>10</sup> Wimmer, Roger D. and Joseph R. Dominick. *Mass Media Research: An Introduction*. 9<sup>th</sup> Edition. Boston: Wadsworth, 2011.

<sup>11</sup> Lindlof, Thomas R., and Bryan C. Taylor. *Qualitative Communication Research Methods*. 2<sup>nd</sup> Edition. Thousand Oaks: Sage Publications, Inc., 2002.

## CHAPTER V

### RESULTS AND DISCUSSION

One of the principle objectives of this study has been, in addition to identifying funding and distribution challenges faced by the modern documentary filmmaker, connecting these challenges to the political content of their films. This entailed a discussion of the social and political objectives of the documentary filmmakers in this study. This topic elicited responses from the filmmakers that I believe put them in the camp referred to by Thomas Waugh as the “committed” documentary filmmaker. Waugh explains, “By ‘commitment’ I mean, firstly, a specific ideological undertaking, a declaration of solidarity with the goal of radical socio-political transformation. Secondly, I mean a specific political positioning: activism, or intervention in the process of change itself.”<sup>1</sup> The operative word tying together the two clauses of his definition is “intervention:” the filmmaker is committed to the extent that the film operates as such an intervention, and these intervening voices in the public sphere function as an ideological project. This is a key point to make in the context of these filmmakers’ objectives; while not all of the filmmakers in this study agreed that their projects were political, they often displayed a tendency to refer to their films *in terms of intervention*. This process of intervention should be understood explicitly as political in nature.<sup>2</sup>

#### *Social and Political Objectives of Documentary Filmmakers*

Daniel Junge is a documentary filmmaker based in Denver, Colorado. His most recent film, *Saving Face* (2012), co-directed by Sharmeen Obaid Chinoy and distributed by HBO, about acid attacks by men on women in Pakistan, has received critical acclaim and attention after it

won Best Short Subject Documentary at the 2012 Academy Awards. The film follows two women in Pakistan, Zakia and Rukhsana, who were attacked with acid by their husbands, and their attempt to obtain surgery from Dr. Mohammad Jawad, a world-renowned London-based Pakistani plastic surgeon. The film contains extensive interviews with Jawad and these two women, in addition to confrontational interviews with the men believed to be responsible for the attacks. Additionally, the film also follows Pakistani Parliament member Marvi Memon and her attempt to pass legislation that establishes mandatory minimum sentences for men found guilty of these attacks. In short time (the film runs forty minutes), *Saving Face* demonstrates the subjective horror of the victims of these attacks while also showing that this phenomenon is consequence of structural inequalities in Pakistani society that privilege legal status of men over women.<sup>3</sup>

Junge has also received accolades for his film *They Killed Sister Dorothy* (2008), which tells the story of Dorothy Stang, a 73-year old nun of the Sisters of Notre Dame who was brutally murdered in Brazil. Stang had been an activist opposed to the deforestation of the Amazonian rainforest and the main proponent of the PDS, a sustainable development project in Brazil. In the 1970s, the Brazilian government began to permit development of the Amazonian rainforest giving birth to a strong lumber industry. The PDS was introduced in order to temper the effects of rapid deforestation. The people in the town of Anapu, Brazil, where Stang was working as an advocate, were vehemently opposed to the PDS, perceiving it as land stealing. Stang received threats from the locals opposed to the project and was ultimately shot to death in February 2005. The rest of the film follows the effort to bring Stang's murderers to justice.<sup>4</sup>

Other films by Junge have similar social justice components to them: *Iron Ladies of Liberia* tells the story of Liberian President Ellen Johnson Sirleaf and her attempt to lead Liberia

into a prosperous future<sup>5</sup>, and *The Last Campaign of Governor Booth Gardener*, which follows the assisted suicide ballot initiative in Washington state.<sup>6</sup> While these issues do not always affect Junge himself, he believes strongly in the power of film to affect change in society:

I absolutely believe in the issues I represent in my films. I consider myself politically progressive. I believe in the power of film to make change. But my motivation in making film is always story first. [...] I'm attracted to social justice stories because they're the most profound stories in the world. Where else do you have stories with this kind of gravitas? [...] With these kinds of stakes? The emotional drama of social justice where [...] there is injustice, those are the greatest stories in the world. As a filmmaker, I'm drawn to those stories because of the inherent emotional content. And I also sleep better at night, making these films, because I believe in it. I wouldn't say I'm an extraordinarily warmhearted individual, but I do have a profound sense of justice. When I see things that are wrong, I'm always keen to write them, whether that's someone taking my parking space or [...] a nun getting killed because of her views.<sup>7</sup>

In addition to his commitment to social justice issues in his films, Junge also tries to build connections with advocacy organizations that can impact the issues represented in his films. For *Saving Face*, he built a connection with the Acid Survivors Foundation in Pakistan and Acid Survivors Trust International. He also connected with the Institute for Inclusive Security for *Iron Ladies of Liberia*, an organization that helps advocate for women in leadership positions, and the Sisters of Notre Dame for *They Killed Sister Dorothy*.<sup>8</sup>

Despite this, Junge tries not to get too embedded with the advocacy organizations he works with and tries to avoid taking a specifically polemic or ideological stance in his films:

I am the kind of filmmaker who... I want to keep an open mind while I'm filmmaking, but I know I have a pretty strong point of view going into a film. I went into *They Killed Sister Dorothy* thinking it was not a good thing to kill nuns. That that nun did not deserve... did not deserve to die. I'm probably going to keep that viewpoint through the film. I'm probably going to show that the powers that worked towards her demise were wrong. However, I want to be invisible to the audience. I want my point of view to be as invisible as possible to the audience. I want them to come to their conclusions on their own.  
[...]

I do believe that if an audience comes to these conclusions on their own, if they feel like they're being led through a story, and they're coming to their own conclusions as far as the political and social ramifications of the story, then [...] that's going to stick in their craw longer than if I tell them that.<sup>9</sup>

Yet, this is not to suggest equivocation on Junge's part. After all, his explicit decisions to partner with advocacy organizations suggest a clear intention to affect change. He merely believes that the toolset for advocates and filmmakers are different; he is more comfortable producing film and then allying himself with advocates who will use his film as a tool in the pursuit of social action. This method has been of particular success for *Saving Face*, which Junge says has brought money and attention to the issue of acid attacks; activists in Colombia have reached out to Junge for guidance on how to form organizations to combat acid attacks in Colombia.<sup>10</sup> His role in this process can be discerned from this statement: "Documentary film should be either changing people's minds or should be motivating the base. The way to do that is to punch people in the gut and to get them emotionally connected. Information never facilitated action. Emotion facilitates action."<sup>11</sup> For Junge, documentary film functions as the emotional base for direct action, which advocacy organizations can provide more directly.

Abigail Wright, a writer and producer for Miranda Productions and a documentary film instructor at the Boulder Digital Arts, an organization "committed to empowering and encouraging the vast creative and technology community in Colorado,"<sup>12</sup> similarly has a social change mission at the heart of her productions. Wright considers herself an environmentalist, but approaches the subject of environmentalism in a way that is different from, say, Jeff Orlowski<sup>13</sup>:

[It's] a spiritual thing – and so my objective is to help other people become better connected to nature. I think we've become very abstracted from nature. [...] [I]n order to get people back a little closer to nature – which I think would make people a little happier [...] we have to tell stories that will allow people to go back.<sup>14</sup>

This comes across best in *The Shaman's Apprentice* (2001), which she wrote and produced along with Miranda Smith. The film tells the story of Mark J. Plotkin, an ethnobotanist who specializes in the study of herbal medicines used by shaman in tribes of the Amazonian rainforest. Part of Plotkin's motivation for the research he does in the film is a drive to find a cure for diabetes, but he is also motivated by existential concerns for the planet and humanity's destruction of the rainforest. The film also questions the dominance of Western science over natural, shamanic medicines and observes that early Westerner explorers took quinine as a cure for malaria from Amazonian tribes without just compensation.<sup>15</sup>

Another film produced by Wright, *My Father's Garden* (1995), which was broadcast on the Sundance Channel and Link TV, and the winner of the Best Environmental Film category at Telluride, addresses a different subject, yet is approached from the same environmental ethos described above. The film follows Fred Kirschenmann, an organic farmer and prominent figure in the sustainable agricultural movement, who argues that the world is quickly losing the natural resources and knowledge required to grow food in a sustainable way. In addition to Kirschenmann's personal story, the film takes a critical stance toward the use of chemicals in modern agriculture.<sup>16</sup>

Wright's objective in the production of these films was to introduce different voices that might counter the hegemony of Western science:

[T]here's a tidal wave of advertising and misinformation that promotes this [...] worldview, which is 'better living through chemistry:' all these things are good, they're not really wrong, we have regulations in place that will protect us [...] You have politicians that say regulations are bad, but we have regulations to protect us. So there's that information out there that is persuading people on an unconscious level all the time. If we do our documentaries, I think we can slowly introduce another kind of voice in there.

[...]

[O]ur intention is to try to create a better world. We don't want to be too noisy or

overt about it because people will close their ears and their minds.<sup>17</sup>

Similar to the way Daniel Junge attempts with his films to accomplish social justice objectives, Wright is interested in contributing alternative discourses to the national conversation, discourses which challenge the way American culture thinks of science, medicine, and agriculture. Also like Junge, Wright and the rest of Miranda Productions worked closely with various advocacy organizations. For instance, the production of *The Shaman's Apprentice* entailed a close relationship with the Amazon Conservation Team, an organization ran by Mark Plotkin and his wife. After the film was completed, Wright and her team sold the film to Plotkin's organization at cost and they used to the film for various fundraising activities.<sup>18</sup> Additionally, Wright mentioned that *My Father's Garden* had been used by a lot of different organizations and has been screened at community meetings, fairs, and festivals and sent to the Department of Agriculture.<sup>19</sup> She added that despite the film being over fifteen years old, it is still being shown in such venues and that they still receive letters praising the film's message.<sup>20</sup> Additionally, the Miranda Productions website includes links to the various organizational partnerships for each film they have produced.<sup>21</sup>

Jeff Orłowski is unique among the filmmakers studied here because his major documentary film debut, *Chasing Ice*, is still in the process of securing widespread distribution. The film has premiered locally in Boulder, Colorado and a number of film festivals including Sundance, Hot Docs, and South by Southwest. In October 2012, a premiere event was held in New York City; it opens theatrically in New York City in early November before wider release in a handful of cities across the country later in the month.<sup>22</sup> *Chasing Ice* follows James Balog, a photographer from Boulder, Colorado, as he attempts to document the affects of climate change on glaciers in Greenland, Iceland, Alaska, and Montana. Orłowski's film, like Balog's

photographs, attempt to capture the visual evidence that climate change is a real phenomenon. Since 2007, Balog has captured glaciers retreating at a profound pace. The film explicitly eschews science, data, and talking heads in the hope that the visuals may speak for themselves. When asked about his motivations, Balog responded, “I want people to look at the evidence and think whether or not the evidence seems to suggest that there’s such a thing as climate change.”<sup>23</sup> This is rooted in his belief that the issue of climate change has been polluted by politics, saying, “[T]he reason why climate change is sailing in difficult waters in recent years is because the right wing and the skeptics that have a vested interest in maintaining business as usual – they’ve managed to turn it into a subject of ideology and doctrine and belief.”<sup>24</sup>

In producing a film about Balog’s project, Orłowski had similar goals. When asked whether *Chasing Ice* was a political project, he responded emphatically:

No. Very explicitly we intended that not to be the case. Climate change isn’t – *shouldn’t* be a political issue. It’s something that is happening and will affect all future species. The fact that it’s being used as a political football is somewhat a shame. We’re really trying to separate it from any sort of political debate and just acknowledge that this is what’s going on, this is how the climate’s changing, and here are the images, this is what we’ve captured as a team, make your own decisions, make your own assessment of what’s going on.<sup>25</sup>

Nevertheless, Orłowski said that the goal of the film is to “shift perception” around the issue of climate change.<sup>26</sup> In this sense, *Chasing Ice* functions as intervention in a public debate about environmental issues that has stagnated. When pressed as to whether he thought shifting public perception was a political process, he responded, “It might be more accurate to say that it shouldn’t be – it shouldn’t be a partisan issue. However, to solve this issue, it does require influencing politics. To solve it at a significant level involves influencing politics because [...] there’s only so much the general public can do at an immediate level.”<sup>27</sup> Although Orłowski says that the political solutions to ameliorate climate change, incentivizing more climate-conscious

decisions and internalizing externalities, are not a component of the film, *Chasing Ice* nevertheless should be read as an attempt to reframe and readdress the issue in a new way.<sup>28</sup>

Steven Hoggard and Daphna Rubin produce films for National Geographic. At the time of their interview, they had just wrapped up a four-part series on DEA drug interdiction teams and the challenges they face, as well as a series for the Discovery Channel about the marijuana industry and culture in Northern California. In their nearly twenty year career as independent contributors to National Geographic, Hoggard and Rubin have produced a number of films for Geographic's *Inside* series, many of which attracted large viewing audiences. *L.A. Gang Wars* explores, according to Hoggard, "why boys bang," the alternatives for gang-involved youth, and whether these alternatives succeed.<sup>29</sup> Significantly, *Gang Wars* offers the opportunities for gang members to speak for themselves; handheld digital video cameras were even distributed to gang members so that they could document their lives while the crew was not filming.<sup>30</sup> *Inside the State Department* follows Hillary Clinton and her diplomacy efforts across the world, providing insight into the inner-workings of the United States' State Department.<sup>31</sup> Hoggard was embedded with Clinton and her team for more than a year during production. *Inside the Green Berets* is perhaps Hoggard and Rubin's most striking film. It follows a team of Green Berets as it tries to pacify a region in Afghanistan the size of Rhode Island.<sup>32</sup> Unlike their other projects, Hoggard narrates and provides commentary, explaining early in the film how their intention with the film changed quickly when the team he was embedded with came under attack by the Taliban, killing two members of the team and wounding others. The moments up to the attack are shown on film – the footage is dark and grainy. Suddenly, there is a brief flash of light, the camera cuts to black, and there is screaming in the background. Surviving members of the Green Beret team and Hoggard explain the details of what follows in a calm, but distant manner, as if they are reliving

the experience all over again.<sup>33</sup> Here is a representation of war unlike that of many historical fiction films: it is stark and traumatic, stripped of glamour and even action.

Hoggard and Rubin's filmmaking objectives, like many of the filmmakers I spoke to, are to tell unique stories, but their motivations run a little deeper than this:

My objective is to just find good stories and tell them truthfully. Help give voice to people who don't otherwise have a voice. That's the ideal. We don't always get to do that especially because we do so much work in TV. But I think that's the most important thing to me. It's to be able to go tell a story, tell it well, tell it in a way that's engaging so people want to pay attention, and give voice to people or to happenings that wouldn't otherwise have that platform.<sup>34</sup>

This commitment to giving a voice to those without a platform is also connected to their objective to explore stories about "normal people in extreme situations."<sup>35</sup> In these situations, Hoggard says, "the stakes are inherently high," which helps make their stories more dramatic, but Hoggard is also quick to observe that the drama is heightened because what is happening onscreen is real. Rubin adds that this entails "captur[ing] a moment at its most [...] real, when it hits its greatest sense of urgency."<sup>36</sup> This comes across in many of their films, such as *Gang Wars* and *Inside the Green Berets*, but also in *Savage Evidence* about the 1995 Srebrenica massacre during the Bosnian War and the international investigation that attempted to bring the murderers to justice. In all of these situations, Hoggard and Rubin say that their goal is give insight to the lives of their subjects.<sup>37</sup> While Hoggard suggests that point-of-view pieces like the films they make will frequently take a sympathetic perspective to the characters, this is not as offering new perspectives to their audiences. Rubin summarizes:

We feel like if we've pissed some people off or enlightened them in some way, then we've done our job. We don't want the whole audience cheering. You want some people to be angry, you want some people to be enlightened, you want some people to say, "I've never thought about it that way, but I still disagree."<sup>38</sup>

Additionally, and unlike the independent filmmaking ethos of other documentary filmmakers, Hoggard and Rubin also see their mission as journalistic, a consequence of coming up in the documentary culture of Washington D.C.<sup>39</sup> This, coupled with their mission to tell stories about high-stakes situations, also underpin a strong ethical commitment in their filmmaking. Hoggard says:

[The journalistic D.C. culture] is a great way to learn documentary in a way because you have to learn to tell a story in two minutes. If you can do that, you can tell a story in 45 or 50 or an hour.

[...]

I grew up in the era of Watergate and Vietnam, so reporters were making a difference. They brought down a President. They ended a war. It seemed like the most noble (sic) endeavor in the world to me. It's still out there, but you've got to take a stand and that's the hard thing when you're navigating this as a career as a young person. [...] If you want to just get into it to make a living and don't care about the ethics, I recommend against it.<sup>40</sup>

In addition to being a documentary filmmaker, Reece Auguiste is an Assistant Professor in Film Studies at the University of Colorado at Boulder. He is currently producing an historical-documentary film on the life of Benjamin Hooks, a major figure in the Civil Rights movement. The film uses extensive volumes of photographs and archival film footage to show how Hooks' life intersected with major transformative movements in Civil Rights history. Auguiste hopes that the project will eventually air on either PBS or HBO, and at film festivals, but he also expects that it will become part of the educational curriculum at high schools or universities with Civil Rights programs or an interest in additional materials on the Civil Rights movement.<sup>41</sup>

Auguiste is also known as a member of the Black Audio Film Collective (BAFC), a filmmaking collective that produced a number of works in the United Kingdom through the 1980s and 1990s. Produced with the BAFC, Auguiste's signature work is *Twilight City* (1989), a poetic work made in the essay film style about the lives of ethnic minorities in an increasingly

globalized, post-war London. British-Ghanaian filmmaker and theorist Kodwo Eshun describes *Twilight City* as “one of the first films of the contemporary era to analyse London as a global city.”<sup>42</sup> Additionally: “Like all BAFC films, *Twilight City* perceives migrants as quintessential moderns drifting through the metropolitan West, seers aware of violent histories to which the dominant population remains blind. They are figures whose disappointments demand a new kind of narrativity.”<sup>43</sup> Auguiste says that his goals in filmmaking are to remain authentic and “not compromise my interpretation of the material or my vision for the film.”<sup>44</sup> Furthermore, Auguiste sees his works as interventions, particularly those produced in collaboration with the BAFC, reactions to the conditions of media representation of ethnic minorities in the UK in the last decades of the 20<sup>th</sup>-century:

[We] began by wanting to make an intervention in the debate about black representation. Basically what had happened historically since 1949 was that representations of ethnic minorities in Britain [were] to a large extent the work of BBC and ITV. Those networks were constructing representations of black communities and those communities themselves were in many cases voiceless. We felt a need to basically intervene in that debate and to roll back some of the negative and very questionable representations of Britain’s black communities which had been there since 1949 [...]. Partly because of Britain’s own colonial history, you had the arrival of colonial and postcolonial peoples into Britain and establishing their own community structures and their own institutions and getting on with life. But one of the areas that was severely deficient was in the area of media representation of those communities *by* members of those communities themselves.<sup>45</sup>

This, Auguiste says, necessarily required not just new voices, but new experiments with the documentary form:

[P]rior to Black Audio Film Collective, the way documentary films were made by ethnic minorities was basically a duplication of the traditional conventional documentary form. Like a reportage, a journalistic thing. There was no space in that model for existential reflection. There was no space in that model to explore notions of memory and how racial memory works. In terms of narrative form, there was no place for experimental narrative. *Handswell Songs* and *Twilight City*

are experimental narratives, essentially, in terms of the way [they are] structured. So yeah, with BAFC, that's exactly what we did. Because, in a way, you have to find a new voice [...] for the voiceless.<sup>46</sup>

Developing these new voices meant, as Eshun suggested, new narrativities and shedding what Auguiste refers to as “narrative imprisonment.”<sup>47</sup>

In this sense, Auguiste's films and the works of the BAFC were also critical projects, informed by theory and a critical bent which influenced their filmmaking practices:

“With Black Audio, we always had one leg in academia, or one leg in theory and aesthetic [...] and critical issues, and one in production. We've always had that. I think that's what's pretty unique about Black Audio. We're not just making films. We were writing manifestos, we were writing essays, conference papers, we were going to universities and colleges and making presentations. We always had that critical engagement with the form. That critical engagement, or the knowledge that we derived from that critical engagement fed into our filmmaking practices.”<sup>48</sup>

In this context, Auguiste sees documentary film production as a site for both critical social and cultural intervention and reflection. This attitude continues to inform his documentary film production as well as his teaching, which he sees as an opportunity to help aspiring filmmakers that want to break from the usual path and think seriously about what they are doing.

An interventionist approach to documentary filmmaking was a consistent response to what the filmmakers saw as their social and political objectives. While each filmmaker focuses on different subject matter, each saw their films as having the potential to contribute valuable discourses to the public sphere – in many cases, discourses that have largely gone ignored or unaddressed. While not all the filmmakers agreed that this was political, their commitment towards *interventions* places them comfortably in the camp referred to by Thomas Waugh as committed documentary filmmakers.

*Political and Legal Challenges Pertaining to Documentary Film*

In achieving their filmmaking objectives, the filmmakers in this study often cited different political and legal challenges that affect the stories that they or other members of the documentary community can tell. These political and legal challenges are not necessarily limited to government politics; some reflect a balance of power between subjects and filmmaker that limits the sort of content that goes into the film.

Daniel Junge has mostly produced his films for ITVS, a content producer for PBS, and HBO, which he refers to as “the Cadillacs of the independent documentary film industry.”<sup>49</sup> While he says that “in all cases, they have really supported my vision” for his projects, he has heard of filmmakers that have had more difficult experiences with ITVS and HBO.<sup>50</sup> Junge mentions anecdotally that some filmmakers have had their films changed by these organizations and that they disagreed with these changes. While he could not speak to the specific circumstances of these filmmakers, he did comment on how his own films had been changed by these organizations, although they were changes he agreed with:

Shortening *Chiefs*. [...] I wanted it at two hours. They wanted it at 90 [minutes]. That was the right choice. *The Last Campaign of Governor Booth Gardener*: they made a few small editorial suggestions. They also changed the name of the film from *The Last Campaign* to *The Last Campaign of Governor Booth Gardener*, which actually, I don’t know why, I like that title. Small films with big titles. For some reason it just works for me. There’s a specificity to it and an intimacy to it that I really like. That’s all Sheila Evans, the head of HBO. That’s her call.

[...]

*Saving Face*, again, there was just a few specific edits that they suggested. [...] There were a few cavalier lines from Dr. Jawad that I liked because I like his braggadocio and I like his demeanor and I think it helps his character. They thought it didn’t help the tone of the film, and they were right. They were right. Taking the lines out made him more sympathetic to audiences.<sup>51</sup>

However, Junge was not always satisfied with the changes that were made to his films:

I did make two versions of *Iron Ladies*. I made my version and I made another version for [the International Consortium of Broadcasters] that supported the film, and they proscribed some changes that I was not happy with and I think that version of the film is not as strong. But I can live with that, I think that's one isolated incident in my career. I was still a relatively young filmmaker, so I didn't really have the ability to stand up to those changes. It was a good learning experience. I don't think it ruined the film, I just think my version of the film was better.<sup>52</sup>

When asked how *Iron Ladies* was changed, Junge said that the narration, provided by his co-director and Liberian indigene Siatta Scott Johnson, was removed from the version of the film that aired on the BBC, but declined to comment on why this decision was made.<sup>53</sup> Nevertheless, Junge thought having a narrator in the film would be helpful for the viewers, and reaffirmed his disagreement with the decision.<sup>54</sup> This decision to remove Johnson's voice, the voice of an African female, is more problematic than just the loss of clarification for the audience. In the context of a film about Liberian culture and the role of a woman in Liberia's political culture, made in conjunction with an organization that advocates for more women in positions of authority, the removal of an African woman's guiding voice from the film would seem to run contrary to the intended goals of the filmmaker. Furthermore, it reinforces an accusation made by Reece Auguiste about the voiceless-ness of ethnic minorities on the BBC: "[The BBC was] constructing representations of black communities and those communities themselves were in many cases voiceless."<sup>55</sup>

When asked what political or economic issues he saw as the biggest challenge to documentary filmmaking, Junge expressed concerns about copyright:

Copyright is a slippery issue, because on the one hand I absolutely agree that, I absolutely believe in an open media environment where building on the shoulders of all the other artists that have come before us, and I believe in the ability to riff and sample from other artists and the ability to use other pieces of media in our films. To an extent. As long as we're producing an absolutely original piece of content and giving credit to that media maker and using it to accentuate our story,

not just taking advantage of what they've done.

At the same time, I'm on the other side as a content creator who wants to be paid for what I do. I don't want people to have unfettered open access to everything I've made and to be able to cut it willy-nilly as they see fit.

We're in a very gray area right now when it comes to fair usage. I think that in the next ten years, we're going to have a lot better idea of what fair usage – and there's really a fight right now between Silicon Valley and Hollywood that I think that the way that that argument pans out is going to have an impact on documentary filmmakers.<sup>56</sup>

This concern echoes other filmmakers' concerns over the current copyright regime and how it often impedes their ability to produce content.<sup>57</sup> Junge says that he is invested in both sides of the issue – one side that ensures the ability to use existing media to tell stories while the other side represents the artists control and remuneration for their work – but that he ultimately believes that the former is more important because it increases the amount of dialogue in the public sphere.<sup>58</sup> Yet, the ability to use existing media to tell new stories, or to critique that media, is under threat due to pushes by Hollywood and lawmakers for a more expansive copyright regime, exemplified by the Stop Online Privacy Act and the Protect IP Acts in 2012.

Even though both of these acts ultimately failed to pass, documentary filmmakers still regularly face challenges from litigious copyright holders. In these cases, documentary filmmakers often invoke their right to fair use, a core value of free expression under copyright law.<sup>59</sup> What constitutes fair use is shaped, in part, by the practices of the professional communities that employ it.<sup>60</sup> As such, fair use can be a loose practice, but many researchers and professionals, such as the Center for Social Media at American University in Washington D.C., are attempting to better codify it and teach fair use best practices to filmmakers that might need to employ it. Although concerns regarding copyright are common, filmmakers such as Jeff Orlowski are optimistic about the role fair use can play in helping to provide new dialogues in the public sphere:

[F]air use [...] is a very interesting field or subject matter. We used fair use for *Chasing Ice*, a limited amount. We had a very good fair use attorney in New York who reviewed everything. I was very knowledgeable of the rules as to what we could or couldn't do and had that confirmed by a lawyer who was able to write up a document on that. To some degree, we do have a couple of news clips of people talking skeptically about climate change that even in one or two cases we were denied permission to use, [...] but that actually strengthens your argument for fair use because it is telling an important part of a cultural story. The fact that they said no makes a better legal ground for you to use it as fair use because there's no other opportunity to license the footage.<sup>61</sup>

Orlowski declined to reveal who issued the copyright claim, but what is revealing in his statement is the challenges related to fair use. First, not all documentary filmmakers are as knowledgeable about fair use rules, and this will likely continue to be the case until fair use best practices are better codified. Second, and more important, not all documentary filmmakers have the capital necessary to retain a fair use attorney, which can make even the most clear-cut cases of fair use a risky bet. Junge and Orlowski both make the consequences of this clear: a chilling effect on our cultural discourses. Junge demonstrates how this can affect filmmaker in action:

I just came from [shooting for a mixed martial arts fight for his new film *Fight Church*] three nights ago in Florida. I had to make sure that I was getting permission from the establishment. I had to make sure location notices were up entirely all over the place announcing loudly to the audience, 'You are being filmed.' Anyone who is featured on camera – and featured is a slippery term – anyone who is featured, who has a line on camera, I have to get them released saying that they are willing to be in the film and that they understand that they are not being paid. If there is a piece of music playing in that auditorium, I have to be very careful about inquiring with lawyers as to whether or not I can use that piece of music.<sup>62</sup>

Although Junge might have the security and reputation to manage all of these things, other filmmakers with less means or capital might have substantial difficulties or might otherwise have to self-regulate their own films.

The legal, political, and economic issues that affect documentary filmmakers are not

always as explicit as the United States copyright regime; there are also issues that have a more subtle chilling effect on the stories that can be told in the public. Daniel Junge was particularly concerned with one legal issue, which he spoke about passionately:

I'm doing some research on trying to get access to a trial, to the behind-the-scenes at a trial, and what I'm reminded of is filmmakers have no immunity now from having our raw footage – not just the film itself – but our raw footage used in a court of law. I can be subpoenaed for my raw footage. [...] Joe Berlinger [...] did a film called *Crude*. It was at Sundance several years ago. Got shortlisted the same year as *Sister Dorothy*. I think it was Chevron asked, they said, 'You're showing these scenes on camera that make us look bad, but we think that there's stuff in your dailies, in your raw footage that proves our point and makes us look good.' [...] For that case, they said we can get your dailies. And they *did*. They were able to get ahold of his dailies. That's really scary.<sup>63</sup>

Berlinger's lawyers argued that the footage was protected by his privilege as an investigative journalist, but the District Court judge disagreed, saying that Berlinger had not met the burden of showing that releasing the footage would violate confidentiality agreements with the film's subjects; in the end, Berlinger was ordered to turn over more than 600 hours of footage.<sup>64</sup> In a telephone interview with the New York Times, Berlinger's lawyer Maura J. Wogan said, "We're obviously very surprised at the court's lack of sensitivity to the journalist's privilege, which is based on core First Amendment principles. The decision really threatens grave harm to documentary filmmakers and investigative reporters."<sup>65</sup>

But, the question is: are documentary filmmakers journalists? There is little doubt that documentary can perform a journalistic function in society, but this alone does not offer documentary filmmakers the legal and political protections that are afforded to journalists. Daniel Junge, who was nominated for an Emmy for Investigative Journalism for *They Killed Sister Dorothy*, does not consider himself an investigative journalist; nevertheless, he expressed frustration with the fact that documentary filmmakers are not protected in the way that journalists

are: “[W]hy can’t we operate by the rules of journalism? Why can’t I go into a public event and film at a public event – as a journalist – and be able to document what happens there and show it to the public [...]? Why are people expecting us to be journalists but obey the rules of narrative filmmaking? That’s frustrating.”<sup>66</sup> The truth is that as media companies have spent less on investigative journalism, documentary filmmakers have increasingly filled the void without formally assuming the protections (and, it should be added, the formal responsibilities) given to journalists. Orłowski, who argues that most documentary filmmakers only invoke a journalistic duty when it is convenient to them, nevertheless thinks that journalistic protections for documentary filmmakers could impact the stories that can be told:

There are a couple issues that I’m curious about making films about – not that they’re libelous but that they’re borderline opening us up for lawsuits. Not having the protection of the journalistic – not machine, but the system, I guess – not having those full protections does raise concerns about whether or not some of these projects are worth doing.

It’s also that I don’t have the time to jump into it right now, so it’s easier to dismiss. There are other projects that are more interesting to me. Some of these investigative pieces could have great societal value, and could be really important, seminal pieces that are deeply investigative, but... I don’t know.<sup>67</sup>

Although Orłowski dismisses his own interest in this hypothetical film, saying that he does not have the time for it right now, what he is actually demonstrating is the effect legal structures may have on the production of media content. In this case, the challenges posed by a potential lawsuit outweigh the value of contributing something new to the public sphere – a clear demonstration of the chilling effect at work, but also representative of the legal gray zone that documentary filmmakers inhabit.

For many of the filmmakers involved in this study, access is of the utmost importance. In order to tell an effective story, filmmakers must have access to various people and places; without this access, filmmakers cannot properly tell their stories. However, obtaining access can

potentially compromise editorial autonomy, especially when dealing with subjects in positions of power, resulting in what we may call “the politics of access.”

Steven Hoggard and Daphna Rubin work for National Geographic on full commission contracts, meaning that they pitch a story and if National Geographic approves, they give Hoggard and Rubin the funds to make the film.<sup>68</sup> Another component of this deal can often be an output agreement, where National Geographic and Hoggard and Rubin agree to produce so many hours worth of content in addition to what kind of content will be produced.<sup>69</sup> Although this arrangement might appear to give most of the control to National Geographic, Hoggard and Rubin have expressly stated in their contracts that they must maintain editorial autonomy over the films that they produce. Rubin says this clause works both ways: National Geographic exercising editorial control over their productions would be a breach of contract, but if Hoggard and Rubin were to turn over editorial decisions to their subjects, this would also constitute a breach of contract.<sup>70</sup>

Yet, due to the nature of the content they produce, Hoggard and Rubin often find themselves in situations where their subjects have a vested interest in what is shown in their films. For *Inside the State Department*, *Inside the Green Berets*, and their most recent project about the DEA, Hoggard and Rubin had to sign a memorandum of understanding with these organizations in order to obtain access.<sup>71</sup> This memorandum also stipulates that these organizations get a security review prior to the completion of the project. The purpose of this review is to ensure that the film does not inadvertently release classified information or reveal anything else that might compromise national security.<sup>72</sup> Rubin says that it is “a good process,” one that Hoggard adds that they often welcome: “Anyone who’s giving you access to their lives deserves your responsibility. You be respectful of what you are doing to gauge the impact on

them. It's not just everything be damned but the truth."<sup>73</sup> This is an issue to which Hoggard expresses particular sensitivity. During the production of *L.A. Gang Wars*, a gang member shown in the film named Looney chose not to have his face blurred or his voice distorted for interviews. Hoggard says that he took Looney at his word and complied. However, after the airing of the film, Looney was severely beaten by his own gang "for taking credit for things he didn't do."<sup>74</sup> During a visit to a documentary film class at the University of Colorado, Hoggard said that filmmakers must be concerned about their responsibilities in a situation like this, expressing regret about what had happened to Looney.<sup>75</sup> This code of responsibility explains why, in many cases, Hoggard and Rubin welcome review of their films.

Still, Hoggard is also quick to add that the review process can often be "a pain in the ass."<sup>76</sup> This was particularly the case with *Inside the Green Berets*, when Special Operations Command tried to categorize much of the film's content as security-related that, in fact, was not.<sup>77</sup> Rubin says that they wanted to redact most of the film, commenting, "[I]t was unbelievable."<sup>78</sup> Hoggard says that they frequently tried to classify things as secret that in most cases were not and provided an example:

[W]hen we left the base in Afghanistan, I sat next to a translator in a Humvee and the translator is listening to the Taliban watching them leave the base. It's very mountainous so they had scouts posted on the mountaintops with these old walkie-talkies and will say, 'The Green Berets are leaving the base, it's 2:00, they're turning left,' you know. You'll hear all kinds of chatter. [...] They know that the American translators are listening in on their transmissions. [...] It's just this creepy thing because you hear them tracking you everywhere you go because they have scouts. The Green Berets try to say that's classified. We said, of course it's not classified. [...] I found a bunch of reporters that had already reported on it to say that this is open source. It's already been reported on.<sup>79</sup>

Hoggard also added that the process of clarifying what is or is not classified information is always a negotiation process.<sup>80</sup> In some cases, he says, there are legitimate gray areas and that

they can always resort to using their attorneys to clarify things for them<sup>81</sup>, but this instance only illuminates the extent to which access can be problematic.

While access and editorial control has not been as significant of an issue for Daniel Junge, he nevertheless articulates the way access affected the story he was telling. Obtaining access was most significant for Junge in the production of *Iron Ladies of Liberia*, which provides intimate details of Ellen Johnson Sirleaf's presidency in Liberia. Initially, Junge and his co-director Siatta Scott Johnson had a week to gain Sirleaf's trust and film enough material to get broadcasters on board for the rest of the project, which would follow Sirleaf for a year.<sup>82</sup> Junge and Johnson were able to gain Sirleaf's trust, but the result was, as Junge says, "far from unfettered access;" although, he also added that it was likely the best access a filmmaker ever had to a sitting head-of-state ever.<sup>83</sup> Still, Junge was limited in what he could film:

[W]hen the Chinese premiere came, I got literally three or four sentences of their meeting, because I placed myself in the room. I knew if I was outside the room, her security wouldn't let me in. They would never let me in mid-meeting. But if I placed myself in the room for the hand-shaking, which I did, and then placed myself behind the sofa, which I did, I could get the first few minutes, not even minutes, literally like forty-five seconds of them talking before I was escorted out of the room. Obviously, all the important stuff happened while I was out of the room, but I was able to build enough of that story around the Chinese President – not premiere, it's President – coming, and use that forty-five seconds to make it seem like you have that kind of access to his trip.<sup>84</sup>

As a rule, Junge says that he never makes deals with his subjects to let them review his films, but that he did give Sirleaf the opportunity to review *Iron Ladies of Liberia* before releasing it:

I think our verbiage was that we could not show anything that compromised their national security. So she didn't have veto over how she looked in the film, but she had veto over anything that would compromise state security. As a filmmaker, I feel pretty good about making that deal. I'm not going to compromise the security of a nation for editorial control and frankly, that was the only way that the film could get made. In the end, she had no complaints at all about the film. Or certainly none that she dictated in the changes.<sup>85</sup>

Similar to Hoggard and Rubin, Junge sees the ethical component of this kind of review: he does not want to compromise national security for the sake of his films. Nevertheless, we should remain mindful of the political implications of these reviews. The review of Hoggard and Rubin's *Inside the Green Berets* demonstrates how organizations might use their position of review to attempt to censor content that might not pose a security risk. On the other hand, Junge was more comfortable with ceding minor editorial control to Sirleaf, or at least did not describe any conflicts that arose from this arrangement. Still, there is no hard-and-fast rule that documentary filmmakers can follow in these situations; as Hoggard said, it is often a negotiated process. Documentary filmmakers must balance the need to tell a story truthfully and the potential ethical implications of telling the story. Furthermore, when telling stories necessitates a review process, the power asymmetry between a documentary filmmaker and a large political body, be it the armed forces or the leader of the executive branch of a nation, and the way this relationship can directly impact media content must be taken into consideration.

### *Challenges Present in the Current Documentary Film Marketplace*

Documentary film's evolution over the past century can be traced through a variety of periods, from the Romanticist works of Robert Flaherty, to the government-sponsored works of John Grierson, the revolutionary films of the Soviets and other Leftist radicals, and into World War II era and the propaganda film tradition. Since then, documentary film found home on television and back in the commercial cinema, yet opposition to public funding of media content and the absence of a full-fledged commercial explosion of documentary cinema in the theater largely tempered the genre's growth. With the widespread availability of cameras and editing software, and the increased popularity of the genre in the cinema, it would appear that we have

entered the era of the documentary renaissance. However, the marketplace is perhaps less friendly to the genre than it would appear. An examination of documentary filmmakers' thoughts on the current challenges facing themselves and their cohort reveal a television and cinematic culture that is perhaps less promotive to the genre.

One of the challenges most cited by the filmmakers in this study is seen as a direct consequence of lower barriers of entry into the field: total saturation of the documentary marketplace. Abigail Wright draws attention to this challenge when she observes how documentary production has changed since she first entered the field in the early 1990s:

[I]t has changed and it's changing all the time. More outlets now are trying to work out contracts between digital and broadcast and iTunes and all this sort of stuff. [...] [I]t was always hard, and it's become more democratized in a way, as I mentioning, because people have more access to the equipment. That also saturates the field in a way. [...]

On the positive side, you do have more outlets, so our films still have places they can go to make them more available to people. That's kind of the ultimate goal. You go from a place where TV and broadcast might be possible and they put it on TV. Maybe fifteen million people might see it. I'm thinking PBS, or something like that. Then, it gets to a point where the PBS outlets pretty much dry up, and then you get niche markets. So, maybe we're back again to the place where maybe fifteen million people can see it [but not all at once].<sup>86</sup>

Wright was quick to follow up on this point by saying that this might not necessarily mean that a film can reach more people in the current documentary marketplace:

There's [much more] stuff, so people just filter everything because it's too much. It's too overwhelming. You can spend all day just chasing down specific leads. It's a rabbit hole [...] With TV and broadcast, it can be a little more serendipitous. It would be more back before you had 450 channels with nothing on them, [...] but if you only had six or seven, then you might [...] stay watching something for awhile.<sup>87</sup>

As Wright is suggesting here, the explosion of documentary film coupled with increased distribution outlets means that it has become much more difficult for films to reach a large

audience. Furthermore, documentaries not only have to compete with other documentaries on television, but with the content on the other “450 channels.”

Although documentary filmmakers have benefited from more democratic access to film production technologies, the increase in distribution outlets and the rise of niche publics results in a more fragmented audience, making it more difficult for a film to find its audience. Reece Auguiste says that in order for films to rise above the noise, filmmakers need to have a handle on social marketing strategies.<sup>88</sup> In order to do this, particularly on the web, filmmakers have to contend with the political economy of online marketing and promotion:

One of the problems is to get your website on the first click or on the first page, you have to pay for it. You have to pay Google or whoever (sic) to get that kind of ranking. Which is why when you click on like “laptop”, you get the usual suspects on the first page, because [these corporations have] actually bought this space. We know from Internet Studies that very few people go beyond the fourth page of the search. Very few go deeper and deeper and see what’s in there. You have to be very strategic as to how you get it there.<sup>89</sup>

Auguiste says that he is nevertheless optimistic about filmmakers’ ability to use the web to reach their audience, but that this structure still makes things difficult. He also sees this process as having social consequences that can affect how content reaches its audience: “This is the culture of instant gratification. Anything that involves hard work or extra work is put on the back burner.”<sup>90</sup> Without the capital to directly promote their content through web searches, Auguiste says that filmmakers must be able to leverage social media sites such as Facebook, YouTube, or Vimeo in order to be successful.

Abigail Wright offers an example of a filmmaker that is trying to leverage social media to her benefit. Wright is currently working on a documentary cooking series that encourages children to eat healthily.<sup>91</sup> The current plan is that the series will be available through the web and Wright is hoping that social media and its network effects will help promote the project.

Wright has also added that Google is interested in the project, but she is less confident that Google will help make it a profitable endeavor.<sup>92</sup> This is fine, she says, because at some point “you have to recognize that you’re not always going to make your money back,” that documentary filmmaking is inherently a risky endeavor.<sup>93</sup> Wright describes this by way of analogy:

[A] lot of people have still that “if you build it, they will come” mentality. I think that’s a wonderful way to keep you through it, but even in *Field of Dreams*, it didn’t. He only had to destroy a few acres of corn to build that ball field. It’s not like he sold the farm to build the field. So, that’s what I say to people: don’t endanger everything because you think it’s going to pay back, because it probably won’t. You’ve got to be realistic.<sup>94</sup>

This is something that Wright says has changed significantly since the 1970s, when there were more federal funds available to schools and libraries to help them expand into media.<sup>95</sup> Wright says this was great, “the heyday for documentarians,” because it allowed schools to expand their media libraries to include more documentaries and documentary filmmakers to reap the financial gains from selling institutional licenses.<sup>96</sup> This, Wright says, has largely changed as the conversation around using public funds for media has become less successful. Consequently, the production of documentary films has become riskier; this has been further exacerbated by the increased quantity of independent documentaries on the market.

Daniel Junge says the ways in which the increasingly saturated documentary film marketplace has affected directors and producers has gone in both directions. In the following quote, Junge demonstrates the extent to which the democratization of filmmaking technologies has been a double-edged sword:

[W]ith the advent of digital technologies, with the advent of affordable HD cameras [...] and the advent of digital, online, desktop-based editing systems, suddenly documentary filmmakers have the ability to make their own films. They

didn't need to wait for their local branch of PBS, or they didn't need to wait for the funding or production company. They didn't need to wait for the powers-that-be to say yes. I am part of the wave of first filmmakers that came out of that technology. I would not have been able to make *Chiefs* if it were not for that DV technology. And I was able to start *Chiefs*, I got \$20,000 in grant money, and from friends and family, which was enough to buy a used car, camera, and enough peanut butter and jelly for a year to live on the reservation and shoot that first year myself. So we're in a new era where you can get film started on your own, you can even make films on your own, but sometimes that's difficult. So an organization like ITVS that ended up funding *Chiefs*, the way that they fund it is that I approached them for funding on paper and they said no. I went out and shot a whole year on the reservation, came back to them with a cut reel, and with the help of Donna Dewey, a local Academy Award winner – and that's a whole different subject, allying yourself with proven people in the industry – came back to them with Donna on board and a cut reel from the first year, and I got the production grant. I got around \$250,000 and I was able to make the film with that money.<sup>97</sup>

What Junge is demonstrating here is that even though digital technologies have democratized the filmmaking process, funding and distribution is becoming increasingly difficult to secure, especially considering the personal and financial stakes. Furthermore, Junge adds that despite the fact that he is a proven, Academy Award-winning filmmaker, this does not necessarily make it any easier to fund a project:

[W]e're now in a new era where any schmuck like me, anyone in this room, has the ability to get a DV camera, start following someone around, and making a documentary film on their own. Which is great. It's fantastic. It's the reason I'm here. But the flipside to that is everyone in this room has the ability to be my competition. And also, the funding entities, even now that I'm experienced and I have all these accolades, they're still saying 'prove it' first.<sup>98</sup>

To be clear, Junge understands perfectly well why these entities are doing this and is even sympathetic to it. He also sees the widespread availability of technologies as beneficial in giving first-time documentary filmmakers a voice. But it also demonstrates the extent to which being a documentary filmmaker is still a precarious enterprise<sup>99</sup>, especially when one considers just how large the documentary field is:

There's just a glut. I mean, there are so much documentary films right now. [...] [T]here are so many social justice documentary films. [...] [F]or the Human Rights Watch Film Festival last year there were over 2,000 submissions. That means that in any given year, there are at least 2,000 social justice films. I think that's great and it means there are a lot of people tackling a lot of important issues. But it probably means there's not room in the marketplace for 2,000 films. Only the ones that speak to a mainstream audience are going to rise to the surface.<sup>100</sup>

This is the same mechanism in place for film festivals, as well. Film festivals have always been an effective outlet for filmmakers that are looking to make their films rise to the surface, but according to Aufderheide, a lot of film festivals do not afford filmmakers the ability to sell their works and Sundance, the gold standard of film festivals, had 1,300 submissions for 18 slots in 2002.<sup>101</sup> Jeff Orlowski had further thoughts on the current state of the festival circuit:

Film festivals are [...] a complete meritocracy. It's all merit-based. [...] I mean, to some degree if you have relationships with some people and you know people in film festivals, they'll look at your work first. They just know you have a reputation. So, you might go see a movie in a theater because you know someone famous was acting in it that you liked. So, the film festivals really are the way where independent filmmakers can get their work seen and spread and get recognized. It's just an amazing system, it's phenomenal how it works. If you have a really, really good film, it will get shown at film festivals, and people will get attention there. The more film festivals it goes to, the more prestigious the film festival, the more awards it wins, that helps build momentum and energy. It increases the chances and its potential to get seen more and more. So, I'd say that it really is the most successful way for independent filmmakers to break out [...]. But it's really freaking hard. I mean, there are thousands [...] of films that are being submitted. To have yours not only get accepted, but to win awards, the chances are very, very small based on the sheer quantity of films being made. Your stuff really has to rise to the top and be really, really strong to get that level of attention.<sup>102</sup>

Orlowski also added that a lot of the success of his film, *Chasing Ice*, is due to the fact that it premiered at Sundance and won awards at festivals, but even then, it has still been very difficult to get the film in front of audiences.<sup>103</sup> In a way, film festivals can function as a meritocracy on their own terms, but there is still no guarantee that this will contribute to future success or

availability to a wider audience.

Needless to say, success is not always a foregone conclusion for documentary filmmakers. After all, this all assumes that audiences are actively seeking out documentary fare.

Jeff Orlowski is optimistic about the return of audiences to documentary films:

I would also say [...] that one of the advantages is that we live in a society now that is so inundated with reality TV, and *Transformers*, and ridiculous special effects films that are so over the top that [we are] jaded by them. When films are all action and no story and no heart, I think people are craving [...] to some degree, they're craving truth and reality.<sup>104</sup>

Orlowski further adds that, "Reality TV is anything but [truth and reality] at this point,"<sup>105</sup> but filmmakers like Steven Hoggard and Daphna Rubin are more concerned that the effects reality television are having on the documentary film marketplace are not going to change anytime soon. Since the advent of cable television, the documentary genre has seen revenues increase from \$30 million to \$4 billion, but this has only happened because the "documentary" genre has expanded to include reality television and "docusoaps."<sup>106</sup> This conflation between documentary and reality television has made things difficult for Hoggard and Rubin. In particular, Hoggard and Rubin described the challenge of pitching *Savage Evidence*, about the Srebrenica massacre in Bosnia, to National Geographic. Hoggard said they must have pitched the film ten times before National Geographic finally agreed to show it.<sup>107</sup> He also added that the film was a great project, but that it was getting more difficult for commercial nonfiction networks, including National Geographic, to air films like this because of what Rubin refers to as "the flood of reality [television]."<sup>108</sup>

Reality television is often very cheap to produce and very popular, earning high ratings. Hoggard and Rubin describe what distinguishes reality television from documentary:

Steven Hoggard: Yeah, reality TV is not reality. It's made up.

Daphna Rubin: It's a circus act.

Steven Hoggard: It's contrived tension [...] Producers who do this, they'll take people aside and say, 'Can you believe Sam just said that about you? What are going to say back to him?' then take him back into the room. They try to stir the pot [...] so people face a false, contrived emergency. They build the rising and falling tension through artifice and that's what we don't do.<sup>109</sup>

Hoggard says that National Geographic is committed to more than just ratings because of the station's relationship with the National Geographic Society.<sup>110</sup> Since the National Geographic Society has a formal Standards and Practices division, it and its subsidiaries have remained committed to an ethos beyond just mere revenue.<sup>111</sup> However, Hoggard says, National Geographic's "ratings [...] have been hammered for the past four or five years" and a cursory glance at National Geographic's programming line-up indicates that, indeed, they are shifting to more a reality television style of programming.<sup>112</sup> Similarly, Hoggard and Rubin say that stations such as Discovery and the History Channel have largely succeeded by shifting towards more reality television:

Discovery has already gone reality pretty much. They do very few true documentaries anymore. What they call it is "brand cover," honestly. It's the phrase that you hear. It's a little chilling. [...] It's like the smoke and mirrors thing. If you're a network that's been known for nonfiction documentary and you have this brand, you can't just do reality shows about fat guys with beards running around punching things and getting angry. A lot of that is frankly made up these days. From what I hear. We don't do that kind of stuff. But you need to outdo so many of these blue chip specials, so you keep the smoke and mirrors going, and the veneer of credibility.<sup>113</sup>

In other words, many stations have adapted to the growing reality television market by producing more reality television to keep ratings high and producing what Hoggard refers to as "true documentaries" to retain a level of credibility. Hoggard and Rubin feel comfort knowing that they have the flexibility to produce the content they want to as per their contract with National Geographic, but they are still concerned that they might have to adopt some of the tropes of

reality television because “that’s the visual language people understand today.”<sup>114</sup>

Reece Auguste also expressed concern about the growing influences of reality television on the documentary marketplace:

[I]t’s certainly cheaper to make reality TV than making other kinds of documentary films. It’s dirt cheap, and the financial returns are exponentially high [...] [w]hich is to me, epistemologically very dangerous, because what reality television raises is the notion of authenticity. [...] A lot of reality TV is socially and culturally constructed. That blurs the divide between what’s real and what is not real. In a media saturated environment like ours, people who do not have the critical faculty are going to have real problems deciphering the real from the unreal. That kind of blurring is going to create major epistemological confusion. [...] And [reality television creates] not just social but also moral consequences. Which is why I think reality television is fundamentally morally questionable. But as long as those guys are making money, it’s not about morality. It’s about profit.<sup>115</sup>

For Auguste, the concern is not so much that reality television will challenge the position of documentary film, but that it will have profound cultural effects, and that these effects are not driven by a sense of morality, but profit. Auguste connects this to a fundamental difference between the documentary traditions of Europe and the United States. Unlike many documentary films in Europe, Auguste says that films in the United States often do not allow space for reflection and introspection.<sup>116</sup> Without this space for critical exploration of society and culture, this can impact the nature of discourse in the public sphere, creating instead a focus on what Hoggard and Rubin referred to as “circus acts” and contrivances.<sup>117</sup>

In addition to the contrivances of reality television, Auguste is also concerned with the element of “controversy” in modern documentary films in the United States and how this relates to film finance. He argues that the financing of documentary film has grown increasingly difficult due to documentary being an “increasingly crowded field,” but that there is also an impulse to fund films that are more controversial because they can provide increased financial

returns<sup>118</sup>:

I think the topics that often get funded are the ones that are more controversial because I think if people think there's a controversy then they can sell it. If a film is about, let's say, Five Points in Denver, there's no controversy. It's like there has to be an angle to it. I think Michael Moore has been partly responsible for that because all of his films are about controversial topics and provocative topics. It creates a debate, no doubt, but I think it has also somehow created this paradigm where potential funders try to find that controversial element because they can hang the marketing of it around that.<sup>119</sup>

He further argues that one consequence of this is that it becomes increasingly more difficult to finance not only films about controversial topics, but also films that do not use a conventional narrative form.<sup>120</sup> Auguiste continues to say that this is not to take anything away from Michael Moore, he believes that Moore is very good at what he does, but Moore's popularity raises concerns for Auguiste that subjects that are not seen as controversial might have difficulty finding funding.<sup>121</sup>

This is particularly applicable to someone like Auguiste, who has a history of producing experimental documentaries as well as historical documentaries, as well as Abigail Wright. Wright says that the films she has helped produce tend to focus less on politically salient topics and more on issues that might inspire personal or social change:

Sometimes I like to put it in the way that Miranda [Smith] and I are females, so direct political action doesn't tend to work very well. [...] [H]aving a kind of aggressive stance, [...] it doesn't go over very well [...]. We need to use more persuasion for them. The other thing we did notice was that a lot of environmental films [...] made in the [...] late [1980s], early [1990s], most of them got you very angry about a subject. [...] [I]t's so disempowering, because there's nowhere to go with it. Lots of times, that kind of anger and outrage, it traumatizes the body. There's nowhere to go with it. [...]

So, as females, we thought we can have a somewhat softer approach. Try not to blame people outright. [J]ust look at it like there's all of these humans in a big mess, and we all got there together. [...] Our idea is to inspire people so that you can leave them at the end of the film with a sense of hopefulness, that there is a way out of these dilemmas.<sup>122</sup>

Wright concluded the interview by saying that it was important to try ensure the place for different voices in society.<sup>123</sup> Yet, this can be increasingly difficult if, as Auguiste observes, controversy is the order of the day. Consequently, this makes it more difficult for filmmakers like Wright, those that take a “softer approach” to issues in documentaries, to compete in a marketplace that is dictated by the tropes of reality television and formatting stories around controversies.

Despite the fact that cheaper technologies and the advent of the web have made filmmaking equipment more accessible, and marketing and promotion more grassroots, it remains clear from interviews with these filmmakers that there are a number of factors in the documentary marketplace that make it more difficult for documentary filmmakers to find success. To the extent that this democratization of filmmaking can increase the amount of voices and stories in the public sphere, many of the filmmakers in this study are optimistic about the future of documentary film. Despite this, documentary filmmakers face a number of challenges related to the current political economy of the media. In particular, the marketplace has fragmented, making it difficult for films to reach a wide audience. Steven Hoggard sees hope in the fragmentation of the marketplace: “It’s easy to sort of take a negative view that things are always getting worse because of the pressures of reality TV and the fragmentation of the market, but I think if you look [...] there are a lot of small networks out there [...] that are putting out really good work.”<sup>124</sup> Still, his partner, Daphna Rubin, was quick to disagree with this statement:

There are many more outlets for documentary material. Sort of. The problem is, in some ways, the actual tolerance for actual documentary and the places where that can end up has actually shrunk. [...] [T]he actual places where there’s actual documentary work, where people are actually going to fund it and where it will end up being seen by somebody, those are harder to access.<sup>125</sup>

In any case, the influx of content into the documentary film marketplace has helped spur increased competition, but it has also made things more precarious for documentary filmmakers: television outlets are less willing to take chances, success on the festival circuit is increasingly difficult to leverage, and pressure for ratings, increased competition from the reality television realm, and a myopic focus on controversial material have all made things more difficult for filmmakers. In short, for all the optimism about the democratization of filmmaking technologies and the prospects for vibrant new public sphere brought on by the golden age of documentary, filmmakers still must contend with significant factors related to the political economy of the media industries.

First, the interview results demonstrate the challenges of working in the sphere of public television. Filmmakers like Abigail Wright and Daniel Junge described the extent to which finding funding through grants or ITVS has become increasingly difficult. Junge was fortunate enough to find funding for *Chiefs*, his first major project, but only after raising funds with the help of friends and family, and investing his own money in the project. Part of the reason for public television's hesitance to fund documentary, Junge says, is due to the oversaturation of documentary films being produced; funding organizations have reacted to this by hedging their bets and being a little stingier with dispersing funds. This is exacerbated by the fact that budgets for public funding of media, specifically those of the National Endowment for the Arts and the National Endowment for the Humanities, have declined, as well as come under tight scrutiny.<sup>126</sup> The growth of the documentary field and the decline of public funding for media content creates an increasingly precarious environment for documentary filmmakers. The festival circuit can still play an important role in helping films find distribution, but the overabundance of documentary films on the market at any time has made success difficult.

Second, this study's subjects provide evidence that changes in the private television market, particularly the basic cable market, make the production and sale of documentary difficult despite the proliferation of technologies. Premium channels like HBO have given filmmakers like Daniel Junge the opportunity to broadcast his films to audiences, but, in general, HBO buys very few documentaries.<sup>127</sup> Basic cable television is easier, but still problematic due to the nature of a fragmented marketplace that predominantly values the bottom line. As Steven Hoggard and Daphna Rubin demonstrated, the increase in reality television programming, with its low-budget production costs and high ratings, has placed increased pressure on filmmakers and networks. Many networks have already shifted to airing more reality television fare, but there is still pressure even for what Hoggard refers to as "true documentary" filmmakers to adopt the visual language and storytelling strategies of reality television. Additionally, it has made networks less willing to take chances on documentary films, since they are not seen as a sure bet in the way that reality television is.

Finally, and similar to the challenges posed by reality television, filmmakers like Abigail Wright and Reece Auguiste see a trend in the commercial, theatrical documentary market to emphasize controversial topics. As Auguiste suggested, controversial storylines makes it easier to design advertising and marketing strategies. Consequently, some documentary filmmakers interviewed for this study, such as Abigail Wright and Reece Auguiste, are concerned that stories that do not fit in this mold, or films that utilize experimental narratives may be inherently riskier to produce.

In all of these cases, the interview subjects demonstrate the ways in which documentary filmmakers still face very real challenges. These challenges are largely economic in nature, owing to the oversaturation of documentary content in the marketplace and reluctance by

distributors to invest more time and financial resources into documentary due to demand side issues (e.g., audiences want more reality television). Whereas issues such as copyright and censorship can have a very clear impact on the production of certain media content, the political economy of media industries – the quest for who can get the most eyeballs on screens and who can generate the most profit – has ideological implications that can just as insidious as direct censorship of content. In the United States, like other liberal democratic societies, freedom of expression is often upheld as the necessary condition for the proper functioning of the polity; yet, this ideal is often far from reality.<sup>128</sup> In fact, the commercial media system in the United States, coupled with a weak public broadcasting model, does little to ensure democratic dissemination of content. After all, as Justin Lewis says, the imperative of large media corporation is not to encourage public debate, but instead to maximize profitability.<sup>129</sup> This has profound implications on the stories that can be contributed to the public sphere. Documentary filmmakers have the potential to contribute new ideas and new frames of thinking into the public sphere. The social and political objectives of the documentary filmmakers outlined in this study demonstrate this drive to offer works that function as interventions in cultural discourses. However, as this study has also demonstrated, these stories are not always in the interests of the powers-that-be and, significantly, the interests of capital.

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## NOTES

<sup>1</sup> Waugh, Thomas. *Show Us Life*. Lanham: Scarecrow Press, 1995. Pg. xiv.

<sup>2</sup> It is essential for me to explicate that I am using the term “political” not in the context of contemporary partisan politics, but in what Otto van Bismarck referred to as “the art of the possible,” the process of guiding and influencing social and/or institutional relationships.

<sup>3</sup> *Saving Face*. DVD. Directed by Daniel Junge. New York: HBO Films, 2012.

<sup>4</sup> *They Killed Sister Dorothy*. DVD. Directed by Daniel Junge. New York: HBO Films, 2008.

<sup>5</sup> *Iron Ladies of Liberia*. DVD. Directed by Daniel Junge. San Francisco: ITVS, 2008.

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<sup>6</sup> *The Last Campaign of Governor Booth Gardner*. DVD. Directed by Daniel Junge. New York: HBO Films, 2010.

<sup>7</sup> Junge, Daniel. Interview by Author. Tape recording. Denver, CO, September 26, 2012.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> "About Boulder Digital Arts." *Boulder Digital Arts*. 2012.

<http://www.boulderdigitalarts.com/about/>

<sup>13</sup> This distinction will become clearer when I discuss Orłowski later in this section.

<sup>14</sup> Wright, Abigail. Interview by Author. Tape recording. Boulder, CO, September 28, 2012.

<sup>15</sup> *The Shaman's Apprentice*. DVD. Directed by Miranda Smith. Boulder, CO: Miranda Production, Inc., 2001.

<sup>16</sup> *My Father's Garden*. DVD. Directed by Miranda Smith. Boulder, CO: Miranda Productions, Inc., 1995.

<sup>17</sup> Wright, Abigail. Interview by Author.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> "Miranda Production: Environmental Filmmaking at Its Best." *Miranda Productions*. 2012. <http://mirandaproductions.com/index.htm>

<sup>22</sup> Orłowski, Jeff. Interview by Author. Tape recording. Boulder, CO, October 9, 2012.

<sup>23</sup> Collins, Mark. "Chasing Ice: Boulder-based Film Team Travels the World to Document Receding Glaciers." *Boulder Magazine* (Fall 2012): 28-31. Pg. 28.

<sup>24</sup> Collins, Mark. "Chasing Ice." Pg. 29.

<sup>25</sup> Orłowski, Jeff. Interview by Author.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> *Inside: L.A. Gang Wars*. DVD. Directed by Steven Hoggard. Washington, D.C.: National Geographic Channel, 2007.

<sup>30</sup> Some of this footage makes it into the film, providing some of the film's most striking and haunting images and stories.

<sup>31</sup> *Inside the State Department*. DVD. Directed by Steven Hoggard. Washington, D.C.: National Geographic Channel, 2010.

<sup>32</sup> *Inside the Green Berets*. DVD. Directed by Steven Hoggard. Washington, D.C.: National Geographic Channel, 2007.

<sup>33</sup> Ibid.

<sup>34</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author. Tape recording. Boulder, CO, October 19, 2012.

<sup>35</sup> Hoggard, Steven. Lecture, University of Colorado, Boulder, CO, October 22, 2012.

<sup>36</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

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- <sup>39</sup> Hoggard previously worked as a producer for ABC News before going into documentary.
- <sup>40</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author.
- <sup>41</sup> Auguiste, Reece. Interview by Author. Tape Recording. Boulder, CO, October 24, 2012.
- <sup>42</sup> Eshun, Kodwo. "Twilight City: Outline for an Archaeopsychic Geography of New London." *Wasafiri* 19, no. 43 (2004): 7-13. Pg. 7
- <sup>43</sup> Eshun, Kodwo. "Twilight City." Pg. 8.
- <sup>44</sup> Auguiste, Reece. Interview by Author.
- <sup>45</sup> Ibid.
- <sup>46</sup> Ibid.
- <sup>47</sup> Ibid.
- <sup>48</sup> Ibid.
- <sup>49</sup> Junge, Daniel. Interview by Author.
- <sup>50</sup> Ibid.
- <sup>51</sup> Ibid.
- <sup>52</sup> Ibid.
- <sup>53</sup> Ibid.
- <sup>54</sup> Ibid.
- <sup>55</sup> Auguiste, Reece. Interview by Author.
- <sup>56</sup> Junge, Daniel. Interview by Author.
- <sup>57</sup> See, for instance, Aufderheide and Jaszi (2011).
- <sup>58</sup> Daniel Junge, e-mail message to Author, October 29, 2012.
- <sup>59</sup> "Documentary Filmmakers' Statement of Best Practices in Fair Use." *Film History* 19, no. 2 (2007): 146-151. *Film & Television Literature Index*, EBSCOhost (accessed June 22, 2012).
- <sup>60</sup> Ibid.
- <sup>61</sup> Orłowski, Jeff. Interview by Author.
- <sup>62</sup> Junge, Daniel. Interview by Author.
- <sup>63</sup> Ibid.
- <sup>64</sup> Itzkoff, Dave. "Judge Rules That Filmmaker Must Give Footage to Chevron." *New York Times*, May 6, 2010. <http://artsbeat.blogs.nytimes.com/2010/05/06/judge-rules-that-filmmaker-must-give-footage-to-chevron/>
- <sup>65</sup> Ibid.
- <sup>66</sup> Junge, Daniel. Interview by Author.
- <sup>67</sup> Orłowski, Jeff. Interview by Author.
- <sup>68</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author.
- <sup>69</sup> Ibid.
- <sup>70</sup> Ibid.
- <sup>71</sup> Ibid.
- <sup>72</sup> Ibid.
- <sup>73</sup> Ibid.
- <sup>74</sup> Hoggard, Steven. Lecture, University of Colorado.
- <sup>75</sup> Ibid.
- <sup>76</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author.

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77 Ibid.  
78 Ibid.  
79 Ibid.  
80 Ibid.  
81 Ibid.  
82 Junge, Daniel. Interview by Author.  
83 Ibid.  
84 Ibid.  
85 Ibid.  
86 Wright, Abigail. Interview by Author.  
87 Ibid.  
88 Auguiste, Reece. Interview by Author.  
89 Ibid.  
90 Ibid.  
91 Wright, Abigail. Interview by Author.  
92 Ibid.  
93 Ibid.  
94 Ibid.  
95 Ibid.  
96 Ibid.  
97 Junge, Daniel. Interview by Author.  
98 Ibid.

99 Independent filmmakers, in particular, are, as Daphna Rubin says, “only as good as their last project,” and even filmmakers like Rubin and Steven Hoggard, who work on commission for National Geographic and will be officially unemployed in December 2012, must constantly produce and prove themselves for any semblance of security. (Hoggard, Steven, and Daphna Rubin. Interview by Author.)

100 Junge, Daniel. Interview by Author.

101 Aufderheide, Patricia. “In the Battle for Reality: Social Documentaries in the U.S.” *Center for Social Media*. December 2003.

102 Orłowski, Jeff. Interview by Author.

103 Ibid.

104 Ibid.

105 Ibid.

106 Aufderheide, Patricia. “In the Battle.” Pg. 16.

107 Hoggard, Steven, and Daphna Rubin. Interview by Author.

108 Ibid.

109 Ibid.

110 Ibid.

111 Ibid.

112 Ibid.

113 Ibid.

114 Ibid.

115 Auguiste, Reece. Interview by Author.

116 Ibid.

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<sup>117</sup> Hoggard, Steven, and Daphna Rubin. Interview by Author.

<sup>118</sup> When Auguiste refers to controversy here, he is not using the term to refer to films that are politically and socially committed, in the Waugh sense. He is likely using it to mean “provocative.”

<sup>119</sup> Auguiste, Reece. Interview by Author.

<sup>120</sup> Here, Auguiste is particularly referring to the dominance of the Aristotelian three-act structure: “[T]he majority of people, their idea of what narrative is is still the Aristotelian three-act structure. That model is an ideological practice. They are basically practicing an ideology. The ideology that says the Aristotelian three-act structure is the only model for film practices. It becomes harder to make more experimental narrative forms” (Auguiste, Reece. Interview by Author).

<sup>121</sup> Auguiste, Reece. Interview by Author.

<sup>122</sup> Wright, Abigail. Interview by Author.

<sup>123</sup> Ibid.

<sup>124</sup> Hoggard, Steven, and Daphna Rubin.

<sup>125</sup> Ibid.

<sup>126</sup> Aufderheide, Patricia. “In the Battle.”

<sup>127</sup> Ibid.

<sup>128</sup> Klaehn, Jeffrey. “Discourses on Power.” In *The Political Economy of Media and Power*, edited by Jeffrey Klaehn, 9-48. New York: Peter Lang Publishing, Inc., 2010. Pg. 20.

<sup>129</sup> Lewis, Justin. “The Myth of Commercialism: Why a Market Approach to Broadcasting Does Not Work.” In *The Political Economy of Media and Power*, edited by Jeffrey Klaehn, 337-356. New York: Peter Lang Publishing, Inc., 2010.

## CHAPTER VI

### CONCLUSION

This study focused on six documentary filmmakers in the Boulder and Denver region of Colorado in an attempt to determine the challenges facing filmmakers in the present media landscape. Issues such as copyright and the politics of access still remain concerns for documentary filmmakers due to the impact of these on the ideas that can be contributed to the public. However, the results from this study suggest that we should also look beyond explicit political and legal structures to the marketplace, which presents challenges that policy solutions (e.g., copyright reform, fair use, journalistic privilege for documentary filmmakers) might be less successful in addressing. Although affordability and democratization of technologies has made it easier to produce and promote documentary films, funding and distribution still prove to be difficult and the present state of the media marketplace still makes success far from a foregone conclusion. These issues have a foundation in the political economy of media industries, the primary goals of which are first and foremost profit-seeking. Since reality television programming and films that emphasize controversial issues are seen as sure bets, some of the documentary filmmakers addressed in this study see it as increasingly difficult to fund and produce films that do not conform to the status quo. Additionally, as the amount of documentary films grow, and as public television outlets become more cautious with their funding strategies, documentary filmmakers see their funding and distribution opportunities begin to shrink in favor of “safer” fare. Furthermore, while some of the documentary filmmakers addressed in this study are optimistic about the role of the web in helping fund, promote, and distribute their films, the

architecture and political economy of the web has yet to prove itself to documentary filmmakers as a serious alternative.

This study should also serve as a starting point for further ethnographic research of documentary filmmakers and the challenges they face. In particular, while this study focused on how filmmakers perceive the challenges they face, the sample size of the study presents limitations on the generalizability of these responses. A more wide-ranging study of documentary filmmakers, not just in Colorado, but elsewhere in the United States, could provide further insight into the challenges facing the documentary filmmaking community. Furthermore, a more expansive study could potentially explicate solutions to these challenges, whether in the form of improved independent media policies in the United States or otherwise.

Research in this area would further benefit from a focus on individuals on the other side of the table, such as programming directors at stations like PBS or National Geographic, or interviews and observations of individuals at organizations like ITVS. While it is important from a research perspective to understand how filmmakers perceive the challenges that face them, these responses would be further enhanced by an understanding of how and why distribution outlets make the decisions that they do. This could also help identify areas of potential reform that might promote improved funding for documentary filmmakers.

Another potentially fruitful area for research would be to focus on documentary filmmakers that are leveraging digital technologies to promote their projects. The filmmakers that participated in this study are still primarily using fairly “traditional” methods of finding funding, distribution, promotion, and marketing. Furthermore, some of the filmmakers in this study were tentative about the potential for the web as a distribution outlet. However, digital technologies can potentially provide a resource for filmmakers to crowdsource funding and find

distribution, as well as market and promote their film in a way that subverts traditional (and in the case of marketing, more expensive) avenues. This could be a boon for filmmakers lacking the resources to break into the more formal documentary film industry. Further research should be directed at investigating filmmakers that are utilizing digital technologies in these ways, their advantages and disadvantages, and the potential they can provide for filmmakers without the resources to pursue more traditional means of finding funding, distribution, marketing, and promotion.

Additionally, while the public media system in the United States provides challenges for documentary filmmakers, this is not necessarily the case in other countries that have a more generous infrastructure for the funding of media products and subsidizing the livelihood of documentary filmmakers. Consequently, a comparative study of the United States' public broadcasting system and, for instance, the Canadian Film Board – how they fund projects, the degree of difficulty documentary filmmakers have in obtaining funds, and a comparison of the success of films in such systems – would be a beneficial area for further research.

Finally, this study was limited by the difficulty in scheduling more intensive observations of the filmmakers at hand. While it is nonetheless important for documentary filmmakers to express, in their own words, the difficulties they face, it would have been beneficial to observe the filmmakers in action and to possibly observe how these challenges impact their decisions. Such observations might enhance the researcher's understanding of the challenges the filmmakers face, or even reveal issues that the subject might not have reported in the interview sessions.

Documentary film has grown significantly as a genre since the advent of film itself and especially in the last ten years. It has the potential to contribute new discourses to the public

sphere and even shift public perception, as it has in the past but especially at a time when investigative journalism is on the decline. However, despite the potential for documentary, filmmakers still face a number of challenges related to the production, funding, and distribution of content that does not always conform to the political status quo or the narrative expectations of funders, marketers, and the public. When documentaries are withheld, be it for political or economic imperatives, the quality and vibrancy of the public sphere suffers. Solutions to this may be difficult or unclear, but for those who are interested in preserving a robust national discourse, documentary film production should be encouraged and the mechanism that discourage it demand critical examination.

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## APPENDIX A: DANIEL JUNGE INTERVIEW TRANSCRIPTION

Anthony Collebrusco: I'll just start out by saying congratulations on winning the Academy Award.

Daniel Junge: Thank you.

AC: It's very exciting I'm sure.

DJ: No, it's a fantastic experience. One I recommend to all filmmakers.

AC: [laughs] To win an academy award. Well, I guess that's a goal, isn't it?

DJ: Well, it's not *the* goal, but it's a great accolade. It's a huge – it's a great benchmark, a great honor, and a recognition of not only this piece, but hopefully, in some ways – I know it doesn't recognize previous films, but this film was built on the shoulders of the previous films. So in some ways I consider it recognition of the work I've done, but at the same time I have to be aware that this is just one award, there's lots of great filmmakers, and I feel like I was a pretty good filmmaker before this award, too. So I should keep it in context. But this one award really does get a lot of attention.

AC: Yeah, particularly the Oscar. Has it helped lend authority to any of your other works or going forward on newer projects?

DJ: It has. It has. And the question I usually get is, you know, "Boy, I bet your phone is ringing off the hook". It isn't. That doesn't happen so much in our industry. It's not as if the sky opened up and money is raining down. But the projects I'm pursuing have that much more legitimacy. I'm pursuing bigger projects right now. I'm able to get phone calls and meetings more readily than I could before. And again, that's the power of that one award. I mean, before I was an "Oscar-nominated" filmmaker with a previous film and that certainly helped but this... *this* helps greatly.

AC: Do you mind if I ask what projects you're working on now?

DJ: [hesitating] ... Sure...

AC: Without revealing too much if you don't want to.

DJ: I am doing a film in Jamaica on a school for disadvantaged boys that helped give birth to reggae. A lot of reggae legends have come out of this one school. It's a retrospective of the school and a portrait of the current group of boys going through the school.

I'm doing a film called *Fight Church* on the crossover between evangelical Christianity and mixed martial arts, so it's churches that sponsor cage fights, and preachers and pastors that participate in fighting.

I am very close [knocks on the table] to putting together a film on Evel Knievil, which is great.

I'm working with Lego on the official Lego documentary.

And I just started a film on a disabled hip-hop artist here in Denver.

AC: So you're keeping pretty busy.

DJ: I don't recommend that necessarily but I've found that the more balls I throw in the air, the more likely a few of them are to land well. I'm a little crazy right now because of that, but at this point in my career I'm just trying to make hay while the sun shines.

AC: So you're walking on all of these in different capacities?

DJ: All of them I'm directing, I'm director on all of them in some way. I mean, some of them are co-directions. In fact, many of them are co-directions, which is a new approach, one that is not very typical in the documentary industry, but I just won an Academy Award with a co-director. I've done co-direction before and if I can find valuable partners and spread myself a little thinner across a number of stories that's gratifying to me and I love the collaborative process.

AC: What are some of the benefits of the collaborative process?

DJ: Well, for one, just having another cook in the kitchen. Again, it has to be someone who I respect creatively. It spreads the workload. It's two minds on one story, which is great. And in some cases, especially when you're working with disadvantaged communities, working with a filmmaker from that community gives the film added authority. I think it's just a responsible thing to do as a filmmaker. Obviously, I just worked with a Pakistani female director, I worked with a female African director on *Iron Ladies of Liberia*, and umm, I think that that's a responsible way to make films in a disadvantaged communities.

AC: And it helps with access, I imagine, too.

DJ: And it helps with access as well.

AC: Without being too presumptuous about some of your new films, they seem slightly different from some of your older films.

DJ: Yeah. I mean there's definitely still, I'm still doing human rights work. The Jamaican film is very much a social justice film. I think *Fight Church* is definitely a social commentary film, so I don't think it's that radical of a departure. But yes, I am doing two big populist commercial documentaries right now. There are a couple reasons for that. One, I just needed a break from the doom and gloom. I've been making human rights films for over a decade. Two, I'm hoping to be a little closer to home right now with my family. Three, I'm taking advantage of this new success to try to do some bigger films that I wouldn't have been able to do otherwise. I really feel like I need to strike while the iron is hot in that regard.

[quick pause]

I should also say: as a filmmaker, I want to keep reinventing myself. I don't want to just retread old ideas. That's not the right way to put it. I don't want to be ghettoized as a filmmaker. I want to expand my milieu.

AC: It's not then that the interest in social justice film is waning is just that...

DJ: Absolutely. I will... Like I said, I'm making social justice. The wheelchair hip-hop artist – that's social justice film. So I'm still making them, and I will continue to make them, but I want to balance that with some lighter, more populist fare.

AC: Can you tell me a little bit more about your social justice objectives?

DJ: Yeah, I'm pretty honest about this. I don't wake up in the morning and say, "How can I save the world?" I absolutely believe in the issues I represent in my films. I consider myself politically progressive. I believe in the power of film to make change. But my motivation in making film is always story first, is always the caliber of the film first. I'm attracted to social justice stories because they're the most profound stories in the world. Where else do you have stories with this kind of gravitas – well, first of all – with these kinds of stakes? The emotional drama of social justice where people are in, where there is injustice, those are the greatest stories in the world. So as a filmmaker, I'm drawn to those stories because of the inherent emotional content.

And I also sleep better at night, making these films, because I believe in... in... I wouldn't say I'm an extraordinarily warmhearted individual, but I do have a profound sense of justice. When I see things that are wrong, I'm always keen to write them, whether that's someone taking my parking space or umm, or uhh, an institutional, or I should say a nun getting killed because of her views. I think it does speak to who I am as a person, but there is this misconception of a social justice filmmaker that I'm an advocate first and I'm not. I would say – and sorry to go on and on here – but in my mind – there are exceptions to this rule – but I think in general filmmakers don't make very good advocates and I don't think advocates make very good filmmakers. Because they are very distinct skillsets.

AC: Can you expand on that a little bit more?

DJ: Well, because, I think that we filmmakers, once we make the film, these films that have the power to change, then often people look at us and say, "OK. What next? What do I do now?" And as a filmmaker, my jaw usually opens and I'm like, "I don't know. I'm only smart enough to make the film." That's why I'm allying myself now more and more with true advocates who are implementing social change and using my films as a tool. But I don't have the capacity both to make films and also be actively out there making change. Of course my films make change, but I'm just not smart enough to understand policy and grassroots action. And frankly, I also don't have the energy or toolset. They're two different – but also, I'll be honest, sometimes when people care so passionately about an issue, and are, uh, you know, what's the word, they're die-

hard advocates for an issue, they often don't have the capacity to make a really good film about it because they can't see the forest for the trees. They're too embedded in their own perspective to make a film that speaks to a mainstream audience.

AC: So, in that sense, that's why you think it's important then for filmmakers to work with people in policy, people on the ground?

DJ: Absolutely. I think that that work needs to come at the end of the process, because again, if you're doing that in the middle of the process, it can affect your objectivity. Now that's not to say that... well, I think there are instances where you can work with advocacy groups and NGOs who share your perspective and share your goals while filmmaking, but if you're too heavily embedded with those organizations I think it can affect your credibility too. So I think you have to be careful about that.

AC: Can you tell me about some of the relationships you've had with these policy groups or NGOs?

DJ: Well, for instance, umm, *Saving Face*, we were very much working with Acid Survivors Foundation in Pakistan with Acid Survivors Trust International and Islamic Health, the three groups represented in the film. So, obviously the film – this is where I want to be careful because we're being sued right now, which is crazy – let me give another example.

*They Killed Sister Dorothy*, we worked with the sisters of Notre Dame while making the film. Obviously they had a very specific agenda in that story.

With *Iron Ladies of Liberia*, we worked with what was then called, now called Inclusive Security, you can look up what it was called. Swani Hunt's group. It's about women's leadership.

So in all these cases, I at least have alliances with people who are advocates on the ground but I'm trying to keep those alliances at arm's length so that I can try to be objective and have an objective viewpoint.

AC: Ok, ok, can you tell me...

DJ: *Chiefs*, I worked with the tribe, I had tribal elders were on my advisory committee for that film.

AC: Can you explain to me what you mean by objectivity? And what that means to you?

DJ: No, right, I should be careful about how I use that word. There is *no such thing* as true objectivity in documentary. And anyone that tells you otherwise is... is... full of bullshit.

Everyone comes with a perspective. Even if you're the purest of vérité filmmaker, the direction you point your camera or the point you decide to cut a shot is a point of view. Now I know that relativizes the whole argument, but once you accept that there's no such thing as true objectivity

then you can at least work to how much, how objective do I intend to be, how do I intend to try to be in my process, and how objective do I want to *appear* to be to my audience.

I am the kind of filmmaker who – I want to keep an open mind while I'm filmmaking, but I know I have a pretty strong point of view going into a film. I went into *They Killed Sister Dorothy* thinking it was not a good thing to kill nuns. You know, that that nun did not deserve... did not deserve to die. I'm probably going to keep that viewpoint through the film. I'm probably going to show that the powers that worked towards her demise were wrong. However, I want to be invisible to the audience. I want my point of view to be as invisible as possible to the audience. I want them to come to their conclusions on their own.

Personally, I think Michael Moore is a fantastic filmmaker. But he's very much a polemic filmmaker. His point of view is right out there in front. And he's brilliant enough to support his argument in a compelling and very funny way like no one else. Whether you agree with him or not, you have to see how talented he is in that regard.

But I do believe that if an audience comes to these conclusions on their own, if they feel like they're being led through a story, and they're coming to their own conclusions as far as the political and social ramifications of the story, then they're going to – that's going to stick in their craw longer than if I tell them that.

AC: I imagine the answer is pretty similar, but what are the advantages of putting your politics...

[brief interruption]

It's kind of a similar question to what you were just discussing, but what do you think the disadvantages are of putting your politics out there to be seen?

DJ: For one, I think it makes your job harder as a filmmaker in some ways because in some ways there's no sense of discovery on the part of the audience. And I see this all the time and again, it ties in with why I don't think advocates make good filmmakers. If, in the first three minutes of a film, I know what the filmmaker's agenda is and what they intend to say, why would I bother watching the rest of the film? Unless you can continually surprise me. Michael Moore can do that. He can keep me on my toes. He can keep things very funny. And he in some ways he can reach you and take you from a point of anger to absolute you know, incredible anger. So you are on a bit of a journey with him.

Unfortunately, many social justice films, it's like banging a gong from the get-go. I think as a filmmaker you have to take people through a story. Story is paramount to all other concerns in my films. I need to tell a story because that's the only way you're going to get from minute one to minute forty to minute ninety. Depending upon how long your film is.

Also frankly, that's the only way you're going to win awards. Which is not the goal but it helps facilitate getting a larger audience. The only way to do that is through keeping your – In film school, they tell you when you write a screenplay, each scene should be asking a question, which is then answered in the next scene, but then asks another question. That each scene should

increasing the stakes through the film. Unfortunately, when you announce your agenda right up front with a documentary, you've umm...

AC: Give up the game?

DJ: Yeah, you give up the game. The other problem related to this with many social justice and human rights films is often they spend far too much time identifying the problem and naming the problem and not enough time on identifying the roots of the problem, the other side of the argument – because there always is another side – and identifying how to find solutions. Some social justice films, the whole thing is just naming the problem and those are the ones that I just find intolerable. When, you know, at minute forty-five, the problem is being dissected or explained to me the same that it was at minute three.

AC: Can you tell me a little bit about the impact of your films from a social justice perspective? Or the impact that the alliances you've built out of those films have had?

DJ: Sure. I mean, I want to say very clearly, I do not take claim for Ellen Johnson Sirleaf winning the Nobel Peace Prize but I think our film – our film was seen in over fifty countries – and was a clear articulation of the job that she had and the work she was doing – and I think umm, I believe the attention that's been shown both to President Sirleaf and to Liberia has a little bit to do with the impact of that film.

Sister Dorothy: I do not claim that our film put men in jail, but there umm there umm there was a larger discussion of the justice issues and a man was put in jail after the release of our film. And again, I don't take credit for that but I think there was a connection to the impact of our film.

And now Saving Face has the most extensive outreach we've ever had. It's being shown in developing countries around the world. We've had countries like Colombia reach out to us and say, "We have acid attacks in our country. How can we form an organization around this?" The film has absolutely sensitized this issue and is bringing lots of – money to the issue as well.

AC: It seems like access is something I kept thinking about while watching your films and I want to maybe discuss access with each individual film, but maybe starting with *Iron Ladies of Liberia*, were there any problems getting access to a head-of-state, and did that impact the content you were able to film or the story you wanted to tell?

DJ: First of all, let me say that, I talk a lot about story and the other element that's critical to great documentaries is access. I've been very fortunate to get access to, very intimate access, to some very incredible stories. And a lot of my success has been getting on the inside circle, you know, whether that's a murder trial in Brazil or a trial and medical process in Pakistan or probably the best example is the first year of a sitting President in Liberia. We had a very tenuous connection... we had a personal connection to the incoming, the President-elect before her inauguration. We asked for one week of access to her and were granted it by virtue of our relationship with her.

AC: What was that relationship?

DJ: It was through my producer's stepmother, who runs Inclusive Security: Swanee Hunt. So Swanee Hunt was critical to the genesis of that film. However, we only got one week of access and in that one week we had to gain her trust, film enough material to show to PBS, BBC and get broadcasters on board and make sure this was going to be able to come back and demonstrate to her how powerful and important this film would be to get made. To negotiate access for the rest of the year.

It was far from unfettered access. I can say it was probably the best access any filmmaker has ever had to a sitting head-of-state. Period. But still, I was greedy. It wasn't enough for me. I wanted more. For every shot that you see in the film of incredible stuff happening, there were three shots I couldn't shoot of incredible stuff happening.

AC: Can you share with me some examples?

DJ: Sure, well, uh, there are scenes, for instance, there are scenes where all I got was literally with the Chinese premiere, when the Chinese premiere came, I got literally three or four sentences of their meeting, because I placed myself in the room. I knew if I was outside the room, her security wouldn't let me in, they would never let me in mid-meeting. But if I placed myself in the room for the hand-shaking, which I did, and then placed myself behind the sofa, which I did, I could get the first few minutes, not even minutes, literally like 45 seconds of them talking before I was escorted out of the room. Obviously, all the important stuff happened while I was out of the room, but I was able to build enough of that story around the Chinese President – not premiere, it's President – coming, and use that 45 seconds to make it seem like you have that kind of access to his trip. Which we didn't. We were really out of the room for most of it.

AC: Was there anything in post-production that posed a problem? Like, you had something in the film that you were asked to remove from the film?

DJ: Yeah. It's interesting... as a rule, I never have deals with my participants to show the material before the film is released. Except with a few minor exceptions. The biggest exception was with President Sirleaf. She had the ability to review it. And I think our verbiage was that we could not anything that compromised their national security. So that she didn't have veto over how she looked in the film, but she had veto over anything that would compromise state security. As a filmmaker, I feel pretty good about making that deal. I'm not going to compromise the security of a nation for editorial control and frankly, that was the only way that the film could get made.

In the end, she had no complaints at all about the film. Or certainly none that she dictated in the changes. Even though, I think we probably showed her a little too early in the morning on a few of her personal days.

Another good example is when I did *Chiefs*, I didn't have review... I didn't orchestrate any review from the participants in the film, but I did have a tribal elder, I did discuss with the tribe that a tribal elder would be able to review the footage or the film prior to release to make sure we

were not encroaching on any sacred issues. So just like national security in the case of this nation, I wanted to make sure in the case of the tribe that I wasn't, some things they can not have in film. And it's interesting, the only thing in the entire film that he watched and that he had a problem with was one shot at a sweat lodge, in the background his eyes picked out what looked to me like a twig being passed between two people in the background. He said, that has to come out, that's our sacred pipe. Just crazy to me that he would see in the background the sacred pipe when it was so far in the background. Of course, we agreed and we took that shot out.

AC: So you do think – I mean, all these instances seem fairly insignificant, you don't think it affected the story you want to tell in any significant way?

DJ: No, no. And I, umm, I just don't think that it's wise for filmmakers to go into a situation where they're giving their subjects review of the film. Invariably, people have second thoughts. And what I've done – occasionally, I've shown footage a few times of a work while we're in the middle of filmmaking with a participant, and invariably, it changes their behavior for the rest of the film. You cannot help but, once you see yourself on camera, to start editing your behavior. It's just human nature.

AC: Have you ever had negative reactions from participants after the film was released, when they saw the film?

DJ: Yeah, actually, I've had surprisingly few. Maybe I've expected more problems, for instance, some of the Anglo subjects in *Chiefs* that behaved badly, I thought I would hear back from them. I thought I'd hear back from the representatives for the murderers of sister Dorothy or the accused murderers of sister Dorothy, I thought we would hear back from them. Never did. I never heard anything back until the *Last Campaign of Governor Booth Gardener*, where we represent both sides of a debate on death-with-dignity initiative. Granted we show the governor's side much more thoroughly, and I think your sympathy is with the governor because we're with him more. But I don't feel like I gave the other side a short shrift, I feel like we treated them respectfully, but one of the participants on that side, Eileen, who headed the campaign against the initiative, was really deeply offended by our portrayal of her. That hurts to hear that after the film, but there's only so much that I can take that on. Again, I feel like we treated her respectfully, we are always using people's own words, and trying to represent their arguments in the way they present them, and you know, there's only so—if I'm trying to make everyone in the film happy, I'm going to make a lousy film.

AC: Do you feel like this issue with Eileen had an affect later on when you were trying to produce something else?

DJ: No.

AC: So it was more of an isolated incident?

DJ: yeah, no.

AC: You've worked with a number of distribution outlets, can you tell me what it's been like to

work with each of them?

DJ: Well, I've been really fortunate. Really really fortunate. Because most of my films have been done with either ITVS, which again produces content for PBS, or with HBO. Those two really are the Cadillacs of the independent documentary film industry. They're both very filmmaker-friendly. And they've in all cases, those they have really supported my vision. I've heard filmmakers who've had difficult experiences with both of those organizations and have had their films changed, but I've never come out of any of my films with those entities, and I've had some proscribed changes from them and they were all changes that made the film better.

AC: Such as?

DJ: Shortening *Chiefs*. I thought it was, I wanted it at two hours, they wanted it at 90, that was the right choice. *The Last Campaign of Governor Booth Gardner*: they made a few small editorial suggestions. They also changed the name of the film from The Last Campaign to *The Last Campaign of Governor Booth Gardner*, which actually, and I don't know why, I like that title. Small films with big titles for some reason it just works for me. There's a specificity to it and an intimacy to it that I really like. That's all Sheila Evans, the head of HBO, that's her call.

*Saving Face*, again, there was just a few specific edits that they suggested, a few lines, there were a few cavalier lines from Dr. Jawad that I liked because I like his braggadocio and I like his demeanor and I think it helps his character. They thought it didn't help the tone of the film, and they were right. They were right. Taking the lines out made him more sympathetic to audiences.

AC: So they all seem to be things you agreed with.

DJ: I have made a film for the International Consortium of Broadcasters. I did make two versions of *Iron Ladies*. I made my version and I made another version for an ICOB that supported the film, and they proscribed some changes that I was not happy with and I think that version of the film is not as strong. But I can live with that, I think that's one isolated incident in my career. I was still a relatively young filmmaker, so I didn't really have the ability to stand up to those changes. It was a good learning experience. I don't think it ruined the film, I just think my version of the film was better.

AC: How did they change it exactly?

DJ: They took out the narrator. They took out Siatta. Have you seen the film?

AC: Yes.

DJ: So, Siata is my co-director and she's in the film as the narrator. They took her out.

AC: What reason did they give you for this?

DJ: Uhh, I'd rather not talk about it on record.

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DJ: I think that having a narrator like that in a film like that was very helpful.

AC: Yes, it helps give the film a voice and some context.

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AC: Can you tell me about your funding? How do you find funding? What sorts of challenges have you had?

DJ: We're in a new era in documentary where there's a – it's a double-edged sword. There's a good thing about it and there's a difficult thing about it. That is that we're... with the advent of digital technologies, with the advent of affordable HD camera – actually, affordable DV cameras starting ten years ago – with the release of the, what was it, I forget the name of the first, I can follow up with the model number, that first DV camera from Sony that came out in like around 2000 and the advent of digital online, desktop-based editing systems, suddenly documentary filmmakers have the ability to make their own films. They didn't need to wait for their local branch of PBS or they didn't need to wait for the funding or production company. They didn't need to wait for the powers-that-be to say yes. I am part of the wave of first filmmakers that came out of that technology. I would not have been able to make *Chiefs* if it were not for that DV technology. And I was able to start *Chiefs*, I got \$20,000 in grant money, and from friends and family, which was enough to buy a used car, camera, and enough peanut butter and jelly for a year to live on the reservation and shoot that first year myself. So we're in a new era where you can get a film started on your own. You can even make films on your own, but sometimes that's difficult. So, an organization like ITVS that ended up funding *Chiefs*, the way that they fund it is that I approach them for funding on paper and they said no. I went out and shot a whole year on the reservation, came back to them with a cut reel, and with the help of Donna Dewey, a local Academy Award winner – and that's a whole different subject, allying yourself with proven people in the industry – came back to them with Donna on board and a cut reel from the first year, and I got the production grant. I got around \$250,000 and I was able to make the film with that money.

Now I wouldn't have gotten that money if I had not had a reel to show them. ITVS and a lot of other organizations, almost all of them now in the documentary business, have progressed to where you *have* to make a reel. They have to see usually 20 minutes of cut footage. And in a way, that's an answer to: we know you have the ability now as filmmakers to make your own stuff. We're putting the onus on you to show us what the film is. We're not going to fund things on paper anymore.

AC: And that's why they denied you at first, you think?

DJ: Probably.

Because I wasn't proven. But when I came back with that footage, they could see it. And in some ways, you can't fault the funding organizations now to say, "You show us what the film is going to look like." Now, some make you practically go out and shoot your own film and they're only going to do finishing funds. That's unfortunate. But in some ways, you can't – it's easier to understand why they're doing that. They're hedging their bets. So we're now in a new era where any schmuck like me, anyone in this room, has the ability to get a DV camera, start following someone around, and making a documentary film on their own. Which is great. It's fantastic. It's the reason I'm here. But the flipside to that is everyone in this room has the ability to be my competition. And also, the funding entities, even now that I'm experienced and I have all these accolades, they're still saying, "prove it" first. You know, I'm now in competition with first-time filmmakers for those funds because everyone knows that you have to go out and get your film started. And so, my advice to young filmmakers is always, they're always like, "Well, how can I, should I start applying for grants, should I start getting..." – they put these impediments in front of themselves before they start filming and I'm always like, [hits table] start making your film. Who's stopping you from making your film? I bet you know somebody who has a camera that you can borrow. And they say, "I can't shoot." Well, yes you can. Learn how to shoot. I did on my first film. The onus is now on filmmakers.

So, this is a long-winded answer to say that my process on almost all films right now is to go out and start shooting. On all of the projects I mentioned to you, all of them – I was going to say with one exception, Lego, but we still don't have money on that and we're going in two weeks. All of them I've ended up going into my bank account to buy flights and I've ended up going out of pocket to go start shooting. In some rare cases, I've been able to find just a little bit of seed money to go do that development reel. But in all of them, I'm making a development reel, which is proof positive that the film is going to work.

AC: How do you think this process affects the type of stories that you've been able to produce? The relationship between technology and the stories we're able to tell, or even the stories that we might not be able to tell.

DJ: In general, I think it's just, it really has opened up more and more obscure stories that you would never see. There are so many documentary films being made right now and umm, what's a good example? There was a film that was shortlisted for the Oscar when we were – no, I think it was nominated: "In a Dream", which is done by a son on his father and their dysfunctional family relationship but also about his art. A film like that only gets made when someone picks up a camera and starts shooting. There's no way that you'd be able to pitch that film to a broadcaster and have them put money into it. So I think the result is that you get a lot more obscure stories that are really incredible that are uncovered because there's so much of a capacity now for anyone to make documentary film.

AC: What are the disadvantages of this era?

DJ: There's just a glut. I mean, there are so much documentary films right now. To harken back to the social justice aspect, there are so many social justice documentary films. A lot of them are lousy. Because people have the ability to make these films. I'm not dissuading people from making films but it does mean – for the human rights watch film festival last year there were

over 2000 submissions. That means that in any given year, there are at least 2000 social justice films. I think that's great and it means there are a lot of people tackling a lot of important issues. But it probably means there's not room in the marketplace for 2000 films. Only the ones that speak to a mainstream audience are going to rise to the surface.

AC: What sort of political or economic issues do you see as the biggest challenge to documentary?

DJ: [pause] Can you articulate, like what for example?

AC: I mean like legal issues. You read a lot and I have read a lot about copyright, and it's an issue that has been discussed and discussed, but other things like copyright that might impact filmmakers.

DJ: Yeah, definitely. Copyright is a slippery issue, because on the one hand I absolutely agree that, I absolutely believe in an open media environment where building on the shoulders of all the other artists that have come before us, and I believe in the ability to riff and sample from other artists and the ability to use other pieces of media in our films. To an extent. As long as we're producing an absolutely original piece of content and giving credit to that media maker and using it to accentuate our story, not just taking advantage of what they've done.

At the same time, I'm on the other side as a content creator who wants to be paid for what I do. I don't want people to have unfettered open access to everything I've made and to be able to cut it willy-nilly as they see fit.

We're in a very gray area right now when it comes to fair usage. I think that in the next ten years, we're going to have a lot better idea of what fair usage – and there's really a fight right now between Silicon Valley and Hollywood that I think that the way that that argument pans out is going to have an impact on documentary filmmakers.

A big problem that I have is that there have been so many panels at documentary festivals in the last decade, especially in the last five years, acknowledging the role of documentary filmmakers as the new journalists. That as journalism is changing, and in many ways winding down, print journalism especially...

AC: Investigative journalism, too.

DJ: Yeah. Investigative journalism. Documentary filmmakers are filling that gap and we're being recognized as such. I was nominated for an Emmy for long-form investigative journalism for Sister Dorothy. I don't consider myself an investigative journalist. I am now an Emmy nominee for investigative journalism, which is kind of strange.

I wish that the same rules applied to us as journalists to some degree, because we have to get everything released. I mean, I just came from, I shot a fight that a pastor was in two... three nights ago in Florida. I had to make sure that I was getting permission from the establishment, I had to make sure location notices were up entirely all over the place announcing loudly to the

audience, “You are being filmed.” Anyone who is featured on camera – and featured is a slippery term – anyone who is featured, who has a line on camera, I have to get them released saying that they are willing to be in the film and that they understand that they are not being paid. If there is a piece of music playing in that auditorium, I have to be very careful about inquiring with lawyers as to whether or not I can use that piece of music.

All of these are rules that come out of the feature film industry. We’re being treated like feature filmmakers and have to tow the line with those rules. But at the same time, we’re being told, “Oh, you’re the new journalists!” Then why can’t we operate by the rules of journalism? Why can’t I go into a public event and film at a public event – *as a journalist* – and be able to document what happens there and show it to the public if I am a so-called journalist? Why are people expecting us to be journalists but obey the rules of narrative filmmaking? That’s frustrating.

I’ll tell you one thing that’s very scary for me. I’m doing some research on trying to get access to a trial, to the behind-the-scenes at a trial, and what I’m reminded of is filmmakers have no immunity now from having our raw footage – not just the film itself – but our raw footage used in a court of law. I can be subpoenaed for my raw footage. If you look up a case, Joe Berlinger and Bruce Sinofsky did a film called *Crude*. It was at Sundance several years ago. Got shortlisted the same year as *Sister Dorothy*. I think it was Chevron asked, they said, “You’re showing these scenes on camera that make us look bad, but we think that there’s stuff in your dailies, in your raw footage that proves our point and makes us look good.” Their lawyers demanded, because it’s covering a case between some indigenous people in South America versus Chevron and it’s covering that case. For that case, they said we can get your dailies. And they *did*. They were able to get ahold of his dailies. That’s really scary.

AC: That might be one of those areas where it might be nice to have the same rights as journalists.

DJ: Absolutely. But even those rights are now in question. What’s her name from the New York Times went to jail because she refused to give up her sources. I think that some of the first amendment rights now, with the power of large corporations, it’s pretty scary.

AC: I’m reading Paul Rotha, a filmmaker from the 1930s and he wrote that documentary is not just completely new narrative from traditional fiction, but it also needs a completely new system separate from the legal framework of the traditional studio system.

DJ: And we’ve never figured that out.

AC: And he wasn’t writing this in 1939.

DJ: This has been acknowledged readily that we’re in a golden age of documentary where documentary I think, most people in this room have either seen *Man on Wire* or know what *Man on Wire* is. That they would, and they would certainly know who Michael Moore is, they know who Morgan Spurlock is, they probably know the works of Alex Gibney, they’ve probably heard of the *Enron* film or *Taxi to the Dark Side*. Probably haven’t heard of my films. [laughs] Well,

they might have because it's Denver and I won the Oscar. We are living in a really special time where I think documentaries have more currency than ever before. Which is awesome. So I'm not complaining about that.

AC: What does documentary mean to you?

DJ: I can answer that by saying this. I am a documentary *film maker*. When people ask me what I am, I say I am a filmmaker. And if they ask specifically what I do I say that I'm a documentary filmmaker. I don't know why, but personally it rankles me when people call me a documentarian. Because a documentarian to me is someone who simply documents. I think that documentation is really important in our world and society. My father was a historian. I think it's absolutely important. But there's a difference between someone who simply documents for history, somebody who writes a public record in a book, and someone who's giving you, creating a narrative and hopefully a poetic experience with real life, which is what a documentary filmmaker does.

AC: And with a social purpose a lot of the time.

DJ: Sure, with a social purpose, but that is the content. But in terms of the approach, the approach never changes whether I'm doing a film on a social justice issue or for Frontier Airlines, which I've done. The approach is to tell a story and to bring people to an elevated, heightened level of emotional awareness while watching something. I think the onus is on the documentary filmmaker to tell stories and to make great films and films that have the same sort of elements in them as a great Hollywood film. Beautiful cinematography, great sound work, music, editing, pacing, story, story, story, story. I think sometimes, we documentary filmmakers historically have been ghettoized into being information deliverers and being documentarians and I take exception with that.

AC: What can that heightened level of emotional awareness do at the larger social level?

DJ: It motivates you. If you watch a film and you cry or get really pissed off, you come out of that film ready to do something. Either a.) it can change your perception, if you didn't feel a certain way about something or b.) if it's already speaking to your disposition that you are motivated to do something further. Documentary film should be either changing people's minds or should be motivating the base. The way to do that is to punch people in the gut and to get them emotionally connected. Information never facilitated action. Emotion facilitates action.

## APPENDIX B: ABIGAIL WRIGHT INTERVIEW TRANSCRIPTION

AC: What I wanted to start with discussing how long you have been producing documentaries and in what capacity?

AW: Well, since 1990. Umm, there are a lot of partnerships in documentary. So there are a lot of teams – producer and director teams. So Miranda [Smith] and I maintained that team approach. So my role is to be producing and also writing. Then Miranda will do some producing and directing. So she also will handle a lot of the fundraising and things like that, figuring out where to get money. Although, I do end up doing a lot of the writing for it. Those are very common in documentary.

AC: The partnership model?

AW: Yeah, because there's often so much work to do that it's really helpful to spread it out.

AC: And it helps you access different things that you couldn't access before?

AW: Absolutely. Well, it's even on a creative level. So, for instance, Miranda has a very acute sense of vision. So she really watches the images very closely when we're in the editing process. Miranda is the kind of person who can sit here and see a scratch in a table fifty feet away, and I would have to go up to the actual table, like, "Where is it?" She can see that. So she has a really good sense of flaws that might be in the image, things that might want to be fixed... if the color is off.

She also has a very good sense of timing, like where to cut. Believe it or not sometimes if you change a cut by two frames it can make a huge difference in the scene.

So I don't have that acute sense of vision. What I will do in the editing process is do a lot of the sound editing, which means that I will supervise a sound editor doing the actual cutting. But I have a much more acute sense of sound. So that's just one of the ways that we might share some of the creative process and actually kind of double up our stuff. And then, in terms of writing, I tend to – I might go a little far out in some ways, write something that's a little too esoteric, sometimes it might be a little intellectual. Miranda will put herself in the position of an audience member and just go – "I don't understand that. It doesn't make sense." Right? So some of my favorite things that I've written have ended up getting cut. But, so that helps as well.

AC: Can you describe some of these esoteric things? To give me an example?

AW: So, you'll notice in the dream sequences [in *The Shaman's Apprentice*], well, my favorite dream sequence is that I really wanted to explain what I called "the myth of science." So, we tend to look at other people and say, well, they're kind of primitive and they have all these beliefs about how the world is made, and they don't really understand

it. But we have science! [laughs] Like, as if rationality protects us from misunderstanding the world because clearly it doesn't. So, I wrote out a whole myth about the origins of science and it started way back. It talked about belief systems, like Descartes or Gallina, who was the surgeon – not Gallina – the guy that was the surgeon to gladiators and who divided the world into four different things, like the four humors, that kind of thing, and you get up to Galileo and he's talking about the language of the world is mathematics. So it sort of talked about how in science our passion is to really reduce everything in the world into smaller and smaller bits, and in that way we're seeking to understand the nature of the universe. By breaking it up into little tiny parts.

And part of that is that I wanted to explain why we don't understand rainforest medicines because we break them apart, look at each of the chemicals, and go, *these aren't active, they're not working, we can't figure out how this works*. Whereas, in a shamanic reality, they say, well we put all these things together and they work together. And that's how it works. You can't take it apart. It's like dissecting Mozart to try to figure out where the music came from. You know, it's a living thing.

So that's the myth of science and we got all these beautiful graphics for it to really show that thing and to try to understand the universe in its little bits and pieces. We showed it to a few people, and they went, *Huh?* [laughs] And Miranda would keep going, like, *huh? It's really beautiful but, huh?* So it just wasn't connecting to people on that a-ha level that we really want.

AC: So what do you think was lost when that was removed?

AW: I don't think anything was lost, actually. I loved it. I thought it was really beautiful. There was a lot of really lovely poetry in it. We worked hard to create it. But it just didn't quite work. You would need the full four hour version of *The Shaman's Apprentice*.

But that sometimes just happens. When we did *My Father's Garden*, there was a lot of stuff that I really wanted to put in there because the more I read about agriculture, the more outraged I'd become about different things – like chemicals, and I'd say "*but, but, did you know the Rocky Mountain arsenal is like one mile from the end of the runway*" – and this was when it was, the airport was still down at Stapleton – and literally, there were these chemical weapons buried in the ground there, a mile from the runway. One tiny little bad plane crash and the entire western half of the United States would be dead within 20 minutes from one of the most evil chemical poisons known to man.

You know, I'd read this stuff and I'd go – *oh my God...* -- but that never made it into the film. Sometime you can overburden people with too much information. And I sponge it up myself. So it's really good to have counterbalance that way. You can have too much freedom in what you do. So some people do say that if you have restrictions – and documentary is a very restricted form in ways because if you have restrictions you have to be more creative.

AC: Can you expand on that – documentary as a restrictive form? What do you mean by

that?

AW: Restricted in the way that there's only a certain amount of time people will tolerate learning about a certain subject. [laughs] Right?

I've seen some documentaries that are about ninety minutes long. They're usually about a half an hour too long. For instance, they're not lean enough. So, very often that's a limitation. You have only a certain amount of time to really get your message, no matter how complex that message might be, it has to fit within that certain period of time. Then, you can't make information dense, or people can't absorb it. They... they can't. You have to let them rest. So you might have an information heavy period and then you've got to have interludes, like, looking at the sky.

AC: I've noticed those interludes feature prominently both in *The Shaman's Apprentice* and *My Father's Garden*.

AW: Well, part of that, too, is that's something we came to over time over sort of more conventional structures of talking heads and then scenes and then talking heads and then scenes... To me those wouldn't have very long life. There are other stories to be told.

We developed that in *My Father's Garden* because we were almost done with the film and Miranda's sister found all of those films in the attic of their grandmother's house. She had no idea what was in them. She sent them to New York where we were living. She said, here maybe we should get these transferred. Nobody knew that those things existed. Nobody remembered because Miranda's father died when she was a year old – she didn't remember, the little girls didn't remember. We saw the footage and we said, *oh my god*, so we wanted to. Then, we finally got Miranda to agree to use her own story, which she refused to do up until that point. But then she saw the footage. She only had one picture of her father. That's all that existed. And then all of a sudden had all this motion picture stuff.

About two months later, she came out of the cave and said “*Ok ok ok*, we can use it.” So, it became, I thought they worked pretty well because they counterbalanced the information. The story that was happening now, kind of, with something else that was a memory. And it became a very effective tool for us because we never had to say, chemicals will kill people. We never had to say it. We just had to tell our story and imply it.

AC: You're kind of touching on it right now, but can you tell me more about your objectives in producing documentary – social objectives, storytelling...

AW: The objective, as I think I explained last time, is – I'm an environmentalist, that's like a spiritual thing – and so my objective is to help other people become better connected to nature. I think we've become very abstracted from nature. That's present in a lot of our religions, major religions teach us that we're all made in God's image. That means, God is a man – I guess, which doesn't make any sense to me – but most people in

the world believe that humans are not above nature, they're a part of nature. So their gods don't even have faces, they may be mountains or the sun or the rivers. So in order to get people back a little closer to nature – which I think would make people a little happier – that sort of stuff, live in better harmony with ourselves, with the world we're in – we have to tell stories that will allow people to go back.

Something like chemicals, there's a tidal wave of advertising and misinformation that promotes this other worldview, which is "better living through chemistry", all these things are good, they're not really wrong, we have regulations in place that will protect us, you see the logic of that. You have politicians that say regulations are bad, but we have regulations to protect us. So there's that information out there that is persuading people on an unconscious level all the time. So if we do our documentaries, I think we can slowly introduce another kind of voice in there. Because we're not subject to rules of broadcast and advertising. I mean, I wish we could more money for what we do, but... we can tell different stories.

AC: Do you think... Is there a connection between the ability to get more money and the stories that you can do?

AW: Yes and no. Europe, Canada, places like that, they have a long history of subsidizing the arts and different kinds of viewpoints. So, they don't have the same trouble, it's just part of what they do as a culture. We have a different culture in the United States where the arts are not heavily supported or subsidized.

AC: And how do you think that affects the sort of things we can discuss in the public sphere?

AW: It limits it, of course, because diverse voices or other opinions don't get heard. Even if we can get a film made, which is a struggle, and we do it as best as we can at the highest quality we can manage, the distribution outlets for it are quite limited. It's not like NBC will say "*Oh yeah, this is great, we'll show it on Primetime TV*", but it's not going to happen. So yeah, it does limit what we have. I mean, luckily we have, well, it doesn't really matter, the Internet has been a major part of my life but only for the last 15 years, let's say, so I had a lot of years of not having that around. I'm not sure having the diversity of opinions and the access to all kinds of things have really helped public discourse all that much. I mean, you know that, it's like people shouting at each other on Facebook, it's like wow. You're either on this side or that side. Even though you can go find out more details about stuff. I'm not sure people are really interested in facts or being persuaded by facts, but... It's like the classic Democrat problem. Obama wants to show he can work across the aisle by being really tough on immigration. They deported way more people than Obama's administration than during the Bush administration when the Republicans were all screaming about immigration and how it's ruining the country and shit like this... but it doesn't matter that Obama did this. He'll never get credibility with Republicans, because you don't do it. Facts don't matter.

So as I said to you before, when you create stories, you have to also make an effort –

you're not just laying out an argument, you're trying to follow a story that will reach people on a different level that will move them emotionally. Like, *My Father's Garden* we worked really hard to try to do that. So that they're watching a thing about farming, which most people weren't interested in at the time, but you get this woman's story about her family, so it touches people.

AC: Yeah, I remember we talked last time about this, this distinction between direct political action and something like inspiration, can you comment on this a little more.

AW: well, that's what we tend to do. Sometimes I like to put it in the way that Miranda and I are females, so direct political action doesn't tend to work very well. You know, being, having a kind of aggressive stance, or... it doesn't go over very well, especially if we are interviewing people, we're directing people, we're working with people, we need to use more persuasion for them. The other thing we did notice was that a lot of environmental films, one say made in the early 90s, late 80s early 90s, most of them got you very angry about a subject. "*Oh my god, they're destroying the forest. Oh my god, they're poisoning this lake. Oh my god, the fish are dying*". Any of those things at the end of it, we go like, I'm really angry. It's so disempowering, because there's nowhere to go with it. Lots of times, that kind of anger and outrage, it traumatizes the body. There's nowhere to go with it. Right? There's no perceived action that's often there, except I'm going to join Greenpeace or I'm going to join a protest and stuff like that, which are essentially impotent kinds of actions.

So, as females we thought, we can a somewhat softer approach. Try not to blame people outright. Don't want to create anger, just look at it like there's all of these humans in a big mess, and we all got there together, and you know, we all believed that chemicals would solve world food crisis and things like that. Everyone believed it. They wanted that promise. It was a noble thing to do, but it didn't really work very well. Our idea is to inspire people so that you can leave them at the end of the film with a sense of hopefulness, that there is a way out of these dilemmas.

Sometimes it's really hard. We did a film on coral reefs in Florida and there is just no easy answer for those. There is no easy way out. At the end, we're like I don't want to do, just start praying really, and really hoping. It's gotten much worse since then. So that was actually a very difficult film to find that thread of story. How do I change? What do I do really in my daily life to help these creatures? There isn't any answer like that. It's not like, oh I'm going to buy organic milk, right?

AC: So you think there are some types of issues that film might be sort of impotent to solve? Or that documentary might not be able to affect? I guess what I'm trying to say is, try to explain why the film had a lesser effect? Because the issue is too large?

AW: Absolutely, yeah. It's very big. We tried to make it as soft and engaging as possible. But the outcome isn't so great. And then we're also – one of the things we're faced with too is that we're talking about coral reefs and they're very alien to human lives. Most people never see them. They know they exist. They see pretty pictures with the fish. But

they don't even understand that coral is actually a symbiotic organism, which we try to explain very simply. So they are alive, but people don't get it. They'll just walk all over it... If you don't see it, it's not on your radar. So, you see farms, you go shop for food everyday, that's accessible. *The Shaman's Apprentice*: that's accessible because it's tying rainforest survival to future medicine to Indians and what you know about them and things like that. So that's a little more accessible.

AC: Yes, there was the idea that he could find the cure for diabetes, so it had that direct tie. But not so much with *Canary of the Ocean*.

AW: I mean, when the oceans start heating up, *oh my god!* We're talking about the entire support system for the planet is not doing really well. But then it ends up where, look at the debates now on global warming – "*No, that's a democrat conspiracy!*" Or you know, it's become very polarized. But the issue is the survival of the oceans. Even if the air warms up and the ocean was to stay the same temperature, we'd probably be ok for quite awhile. But 25% of the world's population depends on fish to eat. So if the reefs crash then fish populations will immediately crash.

AC: So the idea with this film is to expose these issues to a wider audience without...

AW: There's no solution we can really offer. Umm, at that point, other than watch out. Everything you put in your drain ends up in the ocean eventually. But water is such an immense issue that it's really hard to umm... it's very, very difficult to address.

There have been films now, but they don't really deal with necessarily with reefs. You'll get some nature-type documentary things about reefs, or they'll talk about the Philippines, they were blowing them up using cyanide to capture tropical fish and all kinds of things. Now there's a big thing because Google just did street view but on the Great Barrier Reef, so you can go wander around the Great Barrier Reef off Australia. Which I think is great because it really helps people to just go there and explore. Which if people are acquainted with something, they'll be more interested in it, right? But it's still a terrible abstraction for most people.

AC: To what extent do you think documentary film should or should not be about solutions?

AW: That's a hard one. I think there are social action documentaries and then ours fit into that category. There are plenty of documentaries that don't. There's historical, biographical, all the sports documentaries, surviving on Everest, and stuff like that. They don't necessarily pose a solution to anything.

But in what we do, our intention is to try to create a better world; we don't want to be too noisy or overt about it because people will close their ears and their minds. You want to be a little more like a storyteller.

AC: I want to go back to the gendered aspect of that, which you mentioned earlier. Can

you try to explain that a little more?

AW: That we just have a different approach?

AC: The idea that – you kind of insinuated that you can't really do the direct action, adversarial sort of approach.

AW: Yeah, it doesn't really work. There might be some young chicks in high heels and pushup bras that could get away with a lot of that because they'll get a lot of attention,....

I do know that there are often interview styles. We did a film called *Wilderness: The Last Stand*, which was in Montana and there was a lot of adversarial stuff going on then between loggers and environmentalists. So, lots and lots and lots and lots of that sort of stuff. And I remember Miranda went to Washington and she interviewed the forest chief there. This guy named Dale Robertson. Dale had been interviewed a lot by 60 minutes and various news programs, and I'd seen footage of him and he was quite defensive – defending his position and defending the whole forest service.

So Miranda gets in there and she's just, you know, she has these big eyes and this long, straight brown hair, and he just thought she was the cutest thing, really. And he gave a very, very *soft* interview. And he appeared like he was talking to – I don't know – a slightly slow eleven-year old, or something like that. But it made him really look like an idiot. So when we were editing, I know the editor was, Miranda you really blew this chance. You could have gone in there and really nailed him on these questions. You could have done this really investigative sort of stuff and caught him in this lie. But, first of all, he would never have responded. You would have to be an extremely clever person to catch him out in some sort of lie like that. And the other thing is he kind of made himself look like an idiot. Some of the other people did just by being friendly and open. People will sometimes – if you're nice to them and try to be open, their true selves will reveal themselves.

AC: So there are two different kinds of power at play there. There's the direct, confrontational power and there's another approach.

AW: Yeah, just try to tease stuff out. I'm sure Mr. Robertson and some of the other people we interviewed weren't happy with how they looked but... so what?

AC: It's not your job to make them look nice, necessarily.

AW: Right. Right. And sometimes it could be... by blaming people you don't get very far with them. As soon as you blame somebody, you put them in a position where they have to be defensive. So, that has its place. But it's not really – first of all, my personality doesn't really succeed with that and neither does Miranda's. It is more female. It's a softer approach. We're looking for other stories. Not necessarily the grand, heroic kinds of things like that.

AC: Like the polemic, Michael Moore style.

AW: Oh yeah, and he's really great at it. He's got that whole personality that is very fine-tuned. So, great. He can do it. But that's not what we really want to do.

AC: Of course. Can you tell me more about the partnerships? The one thing I've noticed on your website is that you provide viewers with ways to get involved with different projects related to the films. Can you tell me about the different partnerships you have with non-profits, NGOs, or other advocacy groups? What sort of success has there been with these affecting change?

AW: The best one I can talk about is with TSA, because Mark, we're all really good friends, Mark met Miranda I think in 1989, quite awhile, when he was still working for World Wildlife Fund or one of those. So, that's been a long relationship. Then I met him in 1998 and then we've been good friends since then. He has his organization, the Amazon Conservation Team, and his wife helps him run it. His wife is a conservationist from Costa Rica, called Liliana Madrigal, and she's an amazing person.

So they have this organization that they founded in 1995, and then when we did TSA, we said here's the DVDs – they'll buy them at cost from us, basically – and they use them for fundraising. It's been the most successful kind of outreach for them that they have as an organization. There are other people that have gone and filmed Mark, he was in an IMAX film called *Amazon*, and that was pretty successful. He's done this and that and has appeared on TV, but he's never looked as good as he does in TSA. Again, because we have this long relationship with him. I showed up when I first met Mark and he had his book there – *Tales from the Shaman's Apprentice* – and I read it and I put sticky notes in this thing – there must have been four hundred sticky notes with all these notes. He looked at it and he said “*Oh my god you understand me better than I understand me.*” So that's been really good for them. And we've maintained a close relationship since. I help Liliana write things from time to time when she gets stuck and did fundraising, a short video for them. We even did Mark's, you know, 50<sup>th</sup> birthday video surprise thing so I did a mockumentary on his life, which was really fun.

But that has helped them a lot. Because film stays with people. Film is a really great way to catch them. Mark could send them his book and stuff like that but people don't really read. Isn't it amazing? They just do not read. But they'll happily sit and watch the film on an airplane, something like that, they'll watch the whole thing.

That's been really helpful. *My Father's Garden* has been used a lot by different organizations. They will show it at community meetings, fairs, festivals, that kind of thing. It's still being used by a lot of people for that even though it's an old film. But, we'll get letters from people and they just love it and show it. That's been very, very helpful. Those two films have been much more successful than any of the others.

AC: Do you know of any particular instance where *My Father's Garden* has had a direct effect on agricultural policy of any sort?

AW: On policy? No. We don't really know. Right at the time of producing it, Fred was on the National Organic Standards board and then he after, it was supposed to be done in 1990 or something and didn't finish up until some time quite a bit later. And then his daughter Annie took over his position when he finished out his term. We sent *My Father's Garden* to all the people, to the Department of Ag people and used it there, so it's possible.

AC: You never heard any sort of direct response to it from the Department of Agriculture?

AW: Nah. Nah. Well, Miranda is sort of friends with Al Gore. He appeared in a couple of films, in *Voice of the Amazon*, and we interviewed him for *Wilderness*, and he's always been nice. We always send him those things.

The other direct things – I don't remember.

It's easier now with DVDs but then we had VHS. Each one of those has to be shipped and this and that. But we sent out a lot of them.

But we do hear from people on a grassroots level, which I think is a very important place for that. In terms of policy, it's tough. Although it can... I was telling you about Kirby Dick's film, *The Invisible War*, and they got that out to everybody in the Defense and the Military committees and all that sort of stuff and they're stirring up shit everyone.

AC: I just saw an expose on NBC last night about that issue, too, so it looks like it's starting to come to the forefront.

AW: Oh great... they finally can't shove it under the rug anymore, right? So, I just caught a little bit, there's some woman who's saying they were going to charge her with adultery?

AC: Yeah. I always think it's strange that these things they could charge these women with, I mean, what does it mean anymore to be charged with adultery?

AW: Yeah, because *she* was raped? I mean, my god. So yeah, who knows, in the military that might be an actionable offense.

AC: They didn't mention, or I missed the context, so I felt a little behind.

AW: Well, adultery, I guess it's not a crime anymore, but I guess it's grounds for divorce and all kinds of things. I have no idea, but it's pretty outrageous. So yeah, some things like that [are effective]. I know another woman who made a film on the Afghan war. She went to Afghanistan and interviewed a lot of local people about stuff that's going on there. Put that together. Which is basically just talking to the people there and not just Karzai and those characters there about what Afghans want. She's tried to get that to a lot

of people that that would affect as well, so that's really hard to directly effect policy.

AC: Yeah, and it's hard to say whether anything is a direct effect of a film. There's..

AW: There are so many other things. Sometimes what you are is that you're the tipping point. So everything has been... I'm ignoring, I'm ignoring, I'm ignoring, I'm ignoring, and then all of a sudden you add your voice to that pile and *boom*, the whole thing comes open. Which probably, *The Invisible War*, I'm sure that thing has been building for quite awhile as well.

So it's hard to say. But we can contribute. It's a larger canvas than just your Facebook friends, right? That might not be tiny or negligible. Some people have a lot of people that their feeds go out to. My circle is still fairly small. Most people ignore the stuff I have to say anyway. [laughs] But when you make film, if you make it artfully enough, then you capture people's attention for that fifty-four minutes or whatever it is.

AC: Film can get folks to pay attention to the issue.

AW: Well, you have to seduce them into that, unless the issue is so outrageous. You know, sexual abuse in the military is going to get a lot of attention. Jerry Sandusky and those characters, that'll get people's attention because it's sports, and it's sensational. If you're trying to talk to people about things like water...

AC: Or the reef...

AW: Or topsoil... then you really have to seduce people. I think I was telling you before there was that film called *The Undefeated* about the kids in Mississippi who'd never won a football game. Finally the coach comes in and they didn't win every single game but some kids really had their lives turned around. That film is really about race and poverty in the United States, but they didn't frame it that way. They framed it as a football story, which is great because that will seduce people into actually watching it, then those other messages are in there. They can't be ignored, because it's right there.

AC: So that's a good example of something that can be, like a Trojan Horse, you bring in all these meaningful and important things under the cover of something else.

AW: Yes, exactly. Like in all documentaries, like I said before, I try to say to the students I teach. You really want to find the genre. It's really going to help you figure out what that horse should look like. A love story, right? It could be a war epic. It could be sports, which is a form of war. Winning, losing, dying, surviving, that kind of thing. It could be sci-fi. All different kinds of things. Documentaries tend to bleed over into other genres. But at least if you know it's a love story, then you can follow a certain convention.

There is no story if it's boy meets girl, boy gets girl, they live happily ever after. That's not a story, right? That doesn't quite help. So, exactly. You don't set out to make a film about race and poverty in America. You set out to make a thrilling story about winning

and losing.

AC: Which, of course, is allegorical.

AW: It's this, you know. We are hardwired to understand the world through stories. These narratives run so deep in our unconscious that I don't know if we could survive in a culture that didn't even have stories. I think cultures are all allegorical, but on a different scale. You may have indigenous cultures that use a lot of allegory, so as they talk about disease, as Mark said, they're talking about the body being invaded by an evil spirit. Well, duh. That's a virus, or bacteria, or something like that. But virus or bacteria, we don't really understand those very well, so they're allegories but they're at different places on the scale. They're still stories.

So you have to find the story. So even if you're doing documentary and you're really interested in facts and communicating that, you still have to figure out what your delivery system is.

AC: There's sort of a Nietzschean thing happening here. The idea that there aren't always facts, but that facts are just always out of reach of us and that we use stories, metaphors to try to explain what we consider the truth to be in our society.

AW: Yeah, it's also that, there's a biological basis. We're getting a lot of sensory data from our sensory organs and it's all coming in at different frequencies and different patterns. The brain is this massive pattern-seeking organ. It takes all this data and it tries to organize it into something we can comprehend. That's what a story is.

It isn't even just trying to explain things that are out of our reach; it's simply taking all of this potentially, very fragmentary, evidence and fits it into a pattern. Like I said, I think detective stories or crime shows are a great metaphor for the way we are now because we live very fragmented lives in this modern world. We're not harmonized with nature, we have lots of different roles we play, we have lots of different roles. Many different friends... we're very fragmented. A crime story will put all of those little pieces that don't seem very related to each other, put them into a whole, and then go, *a-ha*, there is justice in the world. Which is a very important story.

AC: I'm thinking about patterns here – the patterns that we use to put together fragmented pieces of information as *genre*, you might agree. And genre, as such is always governed by language. We use language to put these together in certain ways. In ways, genre lets us tell stories, language lets us tell stories, but I can imagine we can also be limited by genre and language, too. Especially if there are certain stories in our culture that we don't know how to talk about properly. Like I mentioned, last time, mental health might be something that we – whenever there are these incidents in culture involving mental health – lone-wolf gunmen, for instance – we don't know how to properly talk about it. So, I'm building this to ask you what you think the limits are of storytelling in society. What sorts of stories do you think we can't talk about? If you think that's the case.

AW: I don't know if that's really the case to tell you the truth. I do agree that there are – we are limited by language in what we can express, and that's well covered territory – thirty-eight names for snow and all that kind of stuff depending on our experience. We don't describe certain things. I have an Indian friend who's a linguistic who will talk at length about the role of young men in Indian culture. He's talking about – somewhere around ten or eleven, up until about fifteen – so what do you do – and they have a word that literally describes that period, which is sort of “young men emerging from mother's house and coming into the world at large” kind of thing. It recognizes that particular kind of awkward place for young men in these indigenous cultures. And I thought, wow, we don't have anything like that, we don't even acknowledge that some sort of initiation needs to take place, or graduate people into this world. Whereas girls are part of the mother's house and there's kind of a seamless flow when they grow up.

So, yes, there are limitations in language, there's limitations in terms of our philosophy. As I said, we come out of that Greek and Roman philosophy, which is that the gods are like us, just bigger and more powerful. That's like, our insides are made of that. We don't even see that there might be a very different way of looking at our place in the world. That informs our stories, to a certain extent.

I think I telling you, in *The Shaman's Apprentice*, I got ahold of a number of these legends which had been written down by Dutch researchers. There are probably three books in the world and I found one that had been translated to English. One of the first ones I read was *The Origins of Dreams* and I'm like, *Oh my god*, this would really work well with our show because Mark has this whole thing about dreams and his dream with the jaguar. But that story was single-spaced, about six pages long, and in incredible detail. And senseless details, as far as we're concerned. So I had to get in there and get it down to fifty words or less to use what we had. But I thought, I wonder what I lost by translating this six-page story into a few little events.

AC: Or even what was lost in the original translation from Dutch to English, and then the original language into Dutch. I imagine a lot can be lost.

AW: Right. Right. Oh, there's a huge amount probably that's lost. You get cultures like that and they are what we would call high-context culture. Who's that like Edward Hall who talks about low-context and high-context? High-context would be, in that culture, they're pretty much homogenous, everybody speaks the same language, and they share everything. So you might say, “the clock on the wall” and a clock on the wall isn't just a clock on the wall, it's also a memory of sitting with a grandmother and cleaning fish for hours and hours and then remembering when you made... You know, it's very evocative. Or you might look at the carpet and think of death, or something like that. Japanese has a very high-context culture. So if you look at their commercials, they tend to have almost no direct information. They don't say, “Buy our car. It's the best car.” They'll just show a car parked over there on a mountaintop and a young couple down there having a picnic or something. That, to the Japanese, will mean “this car will give you incredible freedom, and you'll go with the love of your life and have a wonderful time under the cherry

blossoms” or something like that. Just one image will evoke many stories. So that’s the other problem with translation.

So, in America, we tend to have a low-context culture. Some things are higher context – people understand things like football and the Super Bowl, we have weird things that are very high-context, but because we have people coming from so many different nations, we have to explain a lot of stuff.

AC: So it’s not that it would be impossible to tell certain stories, it’s just that some stories require a lot more translation, more context...

AW: There you go! That was pretty amazing.

AC: Oh, well, thank you.

AW: There you go. Yes, they require a lot of context in order to evoke things. So, in *My Father’s Garden*, to create a kind of context... what we really wanted to say was, “these chemicals are bad, they’ll kill your daddy, and probably kill you, too.” Can’t really say that. Not exactly accurate. But we can evoke that, by evoking memories of an idyllic childhood and little girls playing and a daddy [slaps hands together] boom, suddenly taken away from them. That’s how we can use, without having to explain a whole lot, we can put that whole message into the context of a story. That sort of “Paradise Lost” story. Then people can make their own conclusions from that. Because you can’t just sit there – like I was saying in *The Shaman’s Apprentice*, we didn’t want to have a classic narrator. We didn’t want to have Mark saying, “Well, you know, the destruction of the rainforest is this and it destroys that and it does this and think of all the things that Indians gave to the world” and I said, I don’t want Mark to be that kind of teacher to people. So we had to figure out ways to put all of that information in. So that’s how we created that “Dream of the Rainforest”, so you can see it’s just vanishing and the people are vanishing... It’s a message about death. Or the other one, well, how do Shaman get their information? Well, they get it from the rainforest spirits and the rainforest spirits gave us chocolate!

So, to try to find other ways to explain that context. People don’t know this information and they really need to know it.

AC: Just curious, and I wanted to ask last time and I didn’t get around to it, but what was the decision behind including Susan Sarandon as the narrator?

AW: She actually narrated *Wilderness: The Last Stand* for us. At that time, we were doing that in 1993, and a lot of documentaries, if you wanted to get them broadcast on the air, you had to have some sort of hook to get them to publicize. We would look for celebrity narrators. Linda Hunt did *Voice of the Amazon*, and oh, what a fabulous voice. Now she’s becoming a TV star! So Susan did that and we asked quite a few people and eventually she agreed. She is a committed environmentalist. So when we came to do *The Shaman’s Apprentice*, Susan was actually on Mark’s board for awhile, they were friends. So, it wasn’t very hard, we just contacted her and asked if she could please do this. It

took her like 45 minutes, she's such a professional. So that was really good. She just said "Yeah, I'll do it and I want to do it in this studio that's only two blocks from my home... So I can go there on my skateboard..."

AC: Oh, she skateboards?

AW: Well, she did then! She was living in New York some place and she would just ride over... She might not now, she's probably 65 now. Probably a bad idea.

She's very, very nice. I don't even know if Miranda went to that or if we just did that over the phone. You just patch in and we could listen. It was at a sound studio she liked to use. That was her request, because they knew who she was and they'd make her very comfortable and we would discuss the format, and all this kind of stuff. Yeah, I think we did that over the phone.

When we did the other one for *Wilderness*, both Miranda and I were there and that was at another studio.

Lovely women. So, yeah, that combination: she's a pretty avid environmentalist, and she was on Mark's board.

AC: And there was the hook, too. And that's what I was curious about, if that helped , too.

AW: I think that's become less important nowadays. Documentaries have become a little more common on TV. They've just become more common.

But in the early 90s it was, *oh I love documentaries. I watch the Nature channel all the time and I watch Discovery or whatever*, and those were much more straight-forward documentaries, which aren't quite as interesting...

AC: Yeah, maybe not as committed...

AW: Yeah, they're not social action, *per se*. They're more looking at the natural world and using very cool footage, kind of stuff.

AC: Can you comment on how else producing documentary has changed? For TV or for the web, since you've started.

AW: Well, it has changed and it's changing all the time. More outlets now and trying to work out contracts between digital and broadcast and iTunes and all this sort of stuff. It's become, I don't know, it's, it was always hard, and it's become more democratized in a way, as I mentioning. Because people have more access to the equipment. That also saturates the field in a way. So you don't necessarily have the same skill level. The license fees have really shrunk.

On the positive side, you do have more outlets. So our films still have places they can go to make them more available to people. That's kind of the ultimate goal. So you go from a place where TV/broadcast might be possible and they put it on TV. Maybe 15 million people might see it. I'm thinking PBS, or something like that. Then it gets to a point where the PBS outlets pretty much dry up, and then you get niche markets. So, maybe we're back again to the place where maybe 15 million people can see it. Not all at the same time, so that's changed.

AC: So it can reach more people?

AW: Potentially. But again, there's more and more and more and more stuff. It's the Internet thing. There's more and more and more and more stuff. So people just filter everything because it's too much, it's too overwhelming. You can spend all day just chasing down specific leads... it's a rabbit hole.

AC: And there's a selective exposure problem, I imagine. People seek out information that they want to seek out.

AW: With TV/broadcast, it can be a little more serendipitous. It would be more back before you had 450 channels with nothing on them, kind of thing, but if you only had six or seven, then you might go, *huh really*, and just stay watching something for awhile.

AC: It's different now.

AW: It's quite different now, because you wouldn't just come across it.

AC: You might, but...

AW: There's just so much competition out there. Now, a lot of people are just – they're watching their TV in serial form. So, they'll just download the whole season of *Weeds* and watch them one right after the other, which is a different experience than watching episodic TV.

I don't really know what the future is.

AC: Like you mentioned last time, you're working on that project with Google – the cooking show. You said, you're still unsure about how the funding will work out. There's still interest...

AW: There's interest from Google. They're not going to write us a check, though.

AC: Right. It is a new outlet, and it might get you eyes, but... let's see, I wrote this down somewhere... At some point, you said, you have to recognize that you're not always going to make your money back.

AW: Yeah. Yeah. That's what a lot of people have still that, if you build it, they will

come mentality. I think that's a wonderful way to keep you through it, but even in Field of Dreams, it didn't – he only had to destroy a few acres of corn to build that ball field. It's not like he sold the farm to build the field. So, that's what I say to people: don't endanger everything because you think it's going to pay back, because it probably won't. You've got to be realistic.

AC: Do you think this has been something that's changed significantly since...

AW: Maybe the 1970s. Like I said, in the 1970s, there were a lot of Title IV... title II or Title IV... I know Title IX was women's sports and things like that. It might be that Title II was books... but there was something to do with a lot of federal funds to libraries, like school libraries, things like that so they could expand into media. Because they had that money, they could build up their media libraries. In those days, they were 16mm prints, so each of those, they'd be buying those for maybe \$1500 for an institutional license to use those things.

So, significant, but it was federal money. So they could spend it and there it was. That was great because that allowed schools to really build up their libraries. So that was kind of a heyday for documentarians.

AC: And now, there's even less of that.

AW: Oh, there's *none* of that. Universities can still do it...

AC: Not in the United States, so much. In Canada and the UK, it's different...

AW: Yeah, and I don't know what sort of arrangements they have there. I know in Canada, they have the National Film Board, for instance. They just employ people outright. You're a government employee, which comes with its benefits and downsides, but there's money available. Then, in Europe, I knew some European filmmakers, they just get money to do things. So they could do four or five projects a year. Like, *oh*...

AC: What do you think it is about the United States that makes it that way?

AW: I think the United States has always been a battleground of the public versus the private interest and it's just part of what makes it strong. You know, we don't have that aristocratic tradition of patronage and that kind of thing. We're also a much larger country than a place like France or Germany. So, I don't think it's even been a major part of that public dialogue, saying, "We must produce Mozarts, or we must produce great theater artists or ballerinas." You know, theater is the same way. Theater is subsidized in a lot of countries. As an actor, you can actually live and work and be in theater your whole life, whereas here it's nearly impossible.

AC: It changes the sort of cultural products we can produce here, too.

AW: Well, yes, because... that's become way more important in public debate. You

know, the whole bottom line thing, which I think owes to having way too many MBAs. Nobody was getting business degrees when I was in college. People wanted to, you know, live a life of service in some way – be teachers or some sort of professional or psychiatrist or artists or whatever. Nobody said, “I want to be a businessman,” that just – that wasn’t part of it. And as things went on, there were a lot more attorneys, and part of it is, you know, you get women getting divorced in their 30s, and not getting alimony payments and saying, “I got to support myself” so they go back to law school. So you start seeing a lot more law graduates in the 1980s.

Then you have, in the 1980s, you have Ronald Reagan and a lot of people being very inspired by that and going into business. They don’t know what else to do. They’re MBAs. And with MBAs, it’s all about the bottom line. So that may change again, too. I think society probably goes in cycles.

AC: It’s hard to tell.

AW: But, you know, you’re a student, do you find people talking about how they want to go into a service occupation and money is not important to them?

AC: I mean, very rarely. I might hang out with different people. I hang out with academics. My girlfriend is very involved with environmentalism. She wants to go into public service. Most people, sometimes I do recognize how isolated I am. It’s an insular world I live in. I meet up with people I used to know when I was younger and they work the grind, they’re in business. Few people do service jobs that I know. Or service jobs don’t have that same high-calling that they might once have had.

AW: It’s a pity.

AC: Yeah, and I’m probably even too young to even remember a time like that. I was born near the end of the Reagan years...

AW: That’s the other thing, too! Things were different in the 1960s and 1970s. Reagan changed a lot. I shouldn’t say that he did. It was just those policies that started coming in. Whether that would have happened without him, you know, I can’t say.

I was living in New York in the early 1980s, and after he was, right about after 6 months after he was inaugurated, we started seeing homeless people in the streets. Previous to then, there would always be the weird “bag ladies” as we would call them, and they would live in phone booths and stuff like that. But just very eccentric. You have a city of 7 million people and you see one out of a million people. So you have seven bag ladies, and that’s not so bad. But six months afterwards, all kinds of things happened, and the streets started filling up with homeless people, because there was nowhere for them to go. Because the laws, some of the tax laws started changing, so the old buildings that were full of single-home occupants started to see the owners close them and throw the people out and then develop them for wealthier real estate. Because of the changes in the tax laws and things like that.

You wouldn't know what the world was like without all those people on the street.

AC: Yeah, or umm, the one big thing I've been reading about is an article about the end of financial-syndication during the end of the Reagan years and the effect that had on documentaries and journalistic documentary. You see a drop-off around then, especially after deregulation of television by the FCC.

AW: Oh, yeah, and that was unbelievable.

AC: Yeah, and again, that was before my time, so I can't imagine what the documentary landscape might have been like before that.

These things just change. It's hard to tell whether there will be this return to a public service ethic, you know, where it's *good* to produce documentaries, or it's good to publically fund things like that, for the good of – you know, knowledge for the sake of knowledge, not just the bottom line mentality.

AW: yeah, it's hard. You see the outlines of this in things like the health debate, which has been going on for a long time. Earl Warren tried to get universal health care in California and was defeated. He became a *Democrat* as a consequence and became the most hated man on the Supreme Court...

AC: Before Roberts.

AW: Oh yeah. Right. For other reasons. Harry Truman tried to get universal health care passed and that was defeated. The United States, you get these *big* well-funded interests coming up to fight against these things. That story has been going on and on and on and on, over and over and over again. So, we'll see. Things can change. They can change in a second. If the polls decided to reverse now, [laughs] our lives would be extremely different tomorrow. There's no way we can stop it, people will just have to reorganize their lives after something like that. That isn't even human-caused.

AC: Maybe as a way to conclude, in a world like this that we've been sort of describing, what is the role of documentary and what does documentary have to do to ensure its place in this world?

AW: [long pause] Well, when I first started doing this, I would tell people that I'm doing documentary. They sometimes would say to me, that word is not even in my vocabulary. New York, aside. Now, if I say documentary to almost anybody, they say, "Oh, really?! That's really cool! That's really interesting! What are you doing? What are you working on?" They sort of see it as a glamorous profession. It was not twenty years ago. [pause]

That's changed oddly. As it's become more difficult, as some of those voices of independent journalism tend to get marginalized, even so, documentary has become more attractive to people. I think that's just the way those independent voices survive at this

point. Even as difficult as it is, by at least having some more fairy dust on it, it helps attract younger people in. They'll get more ideas, they'll be inspired, they'll want to express themselves, it's still... not all documentary is social action documentary – certainly documentary is not reality TV – but for the social action kind of things, I don't know, I'm not getting a coherent thought here. I think it will survive because it is still a place where you can express yourself and be creative and try to shape the world that you're in. They're all small contributions, and we're all suffering and things like that, but some people such as myself have a hard time turning their back on that. But I'm not a missionary, so it's kind of my way of going out and trying to contribute to the world. So I think that will help it survive. There are always people who are going to have that sense of wanting to make the world a better place.

AC: Maybe people, on the audience side, will still be interested in those goals.

AW: Hopefully. Hopefully. And I think it does take a lot of skill, as I said. You can't take these straight out documentaries that were made in the 1960s or 1970s with the *voice of God thing*. *March of the Penguins* notwithstanding – if you get Morgan Freeman to narrate your documentary, they will come – we tried to get him actually to narrate *My Father's Garden*. The guy that did that was a scratch track, but we tried to get Morgan Freeman or Paul Newman.

AC: Paul Newman would have been great.

AW: We got really close to Paul Newman, but at a certain point, he just declined. I think he didn't want to step into that river, once you do it for one person they'll be clamoring.

Anyway, I think that the challenge is to get better and better and better at storytelling and ways of enticing people to watch your documentary and really make them good. Because you've got to compete with all of those idiotic shows out there. *Survivor*...

AC: And even some point, you have to compete with someone like Michael Moore.

AW: You don't want to compete with Michael Moore because he's already a master at what he does.

AC: Well, I mean, you need to get people interested in other types of documentary than just the popular Michael Moore type documentary.

AW: He's like one of those flammers, too. You watch *Fahrenheit 9/11* and you get angry and stuff and then you don't have anyplace to go with it other than to complain on your social network.

AC: His go-to answer is always just "more democracy", too.

AW: Absolutely. That's one of the points. You want to have a lot of different voices in society. That's what democracy is about. It's not like Mitt Romney. "I don't care about

the 47%. It's not my job to think about them." But of course it is. Of course it is.

That wasn't as coherent as an answer as I would like to give, but that's a tough question. Nobody knows what the future is. Nobody knew that the Internet would happen.

## APPENDIX C: JEFF ORLOWSKI INTERVIEW TRANSCRIPTION

Anthony Collebrusco: Earlier we were talking about where you were on your way to, you've got a bunch of stuff coming up soon and that's mostly for the premiere, right?

Jeff Orlowski: Yeah, we've got a bunch of stuff going on kind of concurrently right now. We're working on a lot of self-distribution. It's a lot of self-distribution of the film. We're working with a company, Submarine Deluxe, that's helping us execute all of this – doing all of the bookings to get this documentary, *Chasing Ice*, into the theaters, but our team is very intimately involved and it's a lot of work on our behalf to maximize that.

AC: It's been a lot of work to find exhibition?

JO: Well, it's really, really hard just to get independent films out there for the public to see it. Even though we premiered at Sundance and even though we won a bunch of awards at festivals, that helps, but it's still really, really difficult to get the film in front of people, in front of audiences.

AC: Any good leads so far?

JO: Well, we're really trying to maximize the theatrical experience. If we can get it into the theaters and have that be a successful, then it gets more recognition and attention as a result of that. That's kind of the mindset.

AC: So, these coming weeks are going to be pretty hectic?

JO: It's going to be a pretty hectic next couple of weeks. We've got a premiere event on October 17<sup>th</sup> in New York, and then November 9<sup>th</sup>, it opens in New York theatrically and then the next couple weeks, it goes across country to about twenty more cities on the 16<sup>th</sup> and 23<sup>rd</sup> of November. So that whole time it's going to be nonstop and quite a bit of traveling.

AC: So, finding distribution has been a bit difficult. How about the funding side of things?

JO: We do a lot of independent fundraising. I mean, this wasn't created by a big studio. It was a project that was funded by friends and family. Then, we have kind of two rounds: there was a round that helped to make the film, and there was a round to distribute the film. Typically called P&A – prints and advertising – all the money that goes into marketing and promoting the film.

AC: So this was all independently raised?

JO: Yeah.

AC: Can you tell me about the relationship you've had with Paula [who produced *The Cove*]?

JO: Yeah, Paula's the producer on the film. She's a very, very good friend. She's done a bunch

of big projects before working on this. There's another producer on the film whose name is Jerry. Jerry hasn't been as involved on the distribution side of things, and Paula and I have been continuing that. Effectively, we've left the world of making movies and now we're in the world of marketing and distributing movies. It's a phenomenally different skillset to be able to do all of that. Our team has been having to adapt to take on this other challenge of distributing the film.

But Paula got involved in *Chasing Ice* about three years ago, roughly the same time as Jerry, and they were there throughout the whole editing process of the film and additional interviews that we did and helped finalize everything.

AC: How did that impact the story you wanted to tell, having them there through the editing process?

JO: Yeah, I think both of them – really the story was crafted the most in the editing room with our editor and trying to find where the story was. That's kind of the pattern with documentary film. It's really, really hard. You don't go into it knowing what the story is necessarily. You've got an idea about what you want to capture. How you tell the story is completely told in the editing process. So, I spent a lot of time editing myself and then we brought in another editor on board to help me just go through with that and to finalize the edit. We would regularly take copies and versions and screen it for Paula and Jerry, and screen for other friends and other filmmakers, and then we get advice, input, and feedback on “this is working,” “that isn't working,” “try this, try that.” There were lots of times where something wasn't working; you make one tiny little change before or after that and it works for some reason.

AC: Can you give me a good example of something like that?

JO: The end, closing scene of the film is something we cut like fifty times. I don't know how many times we cut it. It's just like we weren't getting the right tone, it wasn't feeling right, sometimes it worked, sometimes it didn't work. It was really, really valuable to have the feedback of our whole team to be able to provide insight into you know – this isn't working for *this* reason. What I've really learned in this process is sometimes you know it's not working but if somebody can't articulate it or if you can't express *why* it's not working, you're kind of in the same position of it not working at all. You need to be able to have some sort of theory as to why it's not working to be able to attempt some solution to get it to work.

That's been an interesting process. Learning how to, on my own behalf, learning how to articulate what is or isn't working and for what reasons, I've learned more about that during the editing process of *Chasing Ice* than pretty much anything else I might say.

AC: You've been discussing *learning* a lot. Can you tell me about your filmmaking history?

JO: I had done short films before this, but nothing of this scale or size. It's by far the biggest project I've ever tried to tackle. It took five years to make it.

AC: Where did that decision come from?

JO: There wasn't really a specific decision for quite awhile. I met the subject, James, and was following him just to shoot video footage, just to document it, in part for his purposes, in part just because we knew that it was something unique and special and we wanted to capture it. It was a year – two years into the project before I had finally gotten the green-light from him. I convinced him to go ahead and start making the movie. It was something where we recognized it as a real opportunity from a story perspective. We have a great story here, we've got this incredible imagery, you know, one of the most important stories that can ever be told, and we had a responsibility to share it and a responsibility to tell it the world. We spent so much time editing the film, in part because we knew as a whole team that it was something that was good but not as good as it could have been. We wanted to make the film as strong as possible so it would have the biggest impact and biggest outreach as possible.

AC: You're already starting to see those effects, too.

JO: Yeah, I mean, we saw it at Sundance. Sundance completely changed our entire mindset around this film and the issue. All the time we spent working on it was really worth it because of the resonance the film had and the momentum it picked up at Sundance.

AC: Can you more in general about this role between film festivals and documentary film production?

JO: Film festivals are one of the most – it's a complete meritocracy. It's all merit-based. It's solely like, if your content is good enough... I mean, to some degree, if you have relationships with some people and you know people in film festivals, they'll look at your work first. They just know you have a reputation. So, you might go see a movie in a theater because you know someone famous was acting in it that you liked. So, the film festivals really are the way where independent filmmakers can get their work seen and spread and get recognized. It's just an amazing system. It's phenomenal how it works. If you have a really, really good film, it will get shown at film festivals, and people will get attention there. The more film festivals it goes to, the more prestigious the film festival, the more awards it wins, that's helps build momentum and energy. It increases the chances and its potential to get seen more and more. So, I'd say that it really is the most successful way for independent filmmakers to break out through the festival circuit.

But it's really freaking hard. There are thousands and thousands and thousands of films that are being submitted. To have yours not only get accepted, but to win awards – the chances are very, very small based on the sheer quantity of films being made. Your stuff really has to rise to the top and be really, really strong to get that level of attention.

AC: Do you get the impression – I mean, you mentioned that reputation is important. Do you get the reputation that having a producer from *The Cove* helped a bit?

JO: I think it helped to some degree. We weren't trying to sell that at the film festivals necessarily. But it was...

[Jeff leaves to get his food]

AC: We were discussing reputation and film festivals.

JO: I don't think it's really... We tried to leverage the reputation of our team for *fundraising*. That was the biggest thing. When you're submitting it to festivals, there's no real artwork you're submitting. You're just giving them a DVD and they're watching the DVD. If you have the names of the team members at the beginning of the film, like opening credits, then maybe somebody is going to notice and recognize – “Hey, I know that name, or this person produced another movie I really liked.” So the value is minimal, but exists. It wasn't really something we were trying to leverage with the film festival. We were really trying to leverage that the most just to fundraise.

Our team – I'm one of the least experienced members of the core team. Both of our producers have Academy nominations or Academy wins, then our composer, our writer, everybody, all these people on the team, I think we have thirteen Oscar nominations or wins on the core team. So, that was really valuable as a selling point just to indicate to people that we know what we're doing, we can make a movie. As a first time filmmaker, how do you fundraise money on something that's so risky when you don't have a reputation for completing a film of that scale? You have to leverage the rest of your team.

AC: It seems like the story is incredibly important at that level, when you show it at film festivals. But I bet the fundraising part can be difficult, especially if it's the first time you're producing something.

JO: Yeah, the fundraising was the hardest part of the whole process of it.

AC: And where did the funds come from?

JO: Friends and family. Almost exclusively.

AC: No grants or anything?

JO: A couple grants. But they were grants that we had access to directly. We actually didn't go through a typical application processes because we didn't think we had the time for it. So the grants were foundations that we knew someone on the board, or we happened to know a friend of a friend who was involved. They were pretty direct relationships.

AC: Are you comfortable telling me what foundations those were?

JO: A couple are anonymous, so I can't. But, if you check out the credits on the website – I just don't want to misspeak by accident – if you check out the credits on the website, it lists all the granting organizations, as well.

AC: What has drawn you to documentary filmmaking and what does documentary mean to you?

JO: Umm, I think as the camera technology has gotten so much better and so much easier to use,

we've seen this incredible rise in the quality of nonfiction filmmaking. I don't really like to define it as documentary versus narrative, because documentaries – there's a stigma against documentaries to some degree. People associate them as being boring, talking head interviews, and PBS, you know, science shows, things like that.

AC: Rabble-rousing seems common, too.

JO: Yeah. It's either like boring content or it's propaganda, or I don't know. But in the literature world, in the world of writing, you have fiction and nonfiction and you can have best-selling nonfiction books and best-selling fiction books, and it's like, these are based completely on truth and these were very liberally fictionalized. I kind of wish that that existed in the film world, too. If you have a film that is based on truth, like, why should it be put into the category of documentaries that has this stigma against it as being intentionally educational and boring? So, I typically don't call *Chasing Ice* a documentary. We refer to it as a film. I know the team on *The Cove* had that mindset. You know, we're making a film. It's an artistic endeavor. It's a story, and first and foremost, we're trying to tell a story. It happens to all be true. That just makes it all the more valuable and meaningful when you know that it's not just based on a true story, it *is* a true story.

I think the mindset when people see great stories that are nonfiction stories, that really convey a message, convey an emotion, that's why we're seeing all these more and more powerful, umm, "documentary" films.

AC: That's been part of the challenge with doing research on this. How do you even begin to define that? It can be so loose. And if you think of someone like Robert Flaherty – people popularly said that he was doing documentary, but he was also doing reenactments. It's not that what was on screen was "true," it was that the story conveyed something meaningful, conveyed some of history, or "truth."

JO: Right, right.

AC: So, it seems like you might position yourself on that side.

JO: I think that in terms of broad strokes, I would say I'm of that mindset. I think part of it though is that it's... you have catch-22 and chicken and egg problems embedded in this. There's so much content, there are so many films out there now, how do you get something to stick? How do you get someone to care about a piece of content or a story or a message? It's hard to get people to just care about an issue. You know, they can intellectualize, if you read something just conveying information is oftentimes more effective just through the written word, if you want to convey a whole bunch of statistics and numbers. But if you, part of the beauty of the medium of film is that it can convey emotions in such a powerful way. You have music and you these... with our own soundtrack here right now [music in restaurant reaches a triumphant climax]... so how do you convey that in a film, and if you're just citing statistics and numbers it's very easy to get bored very quickly. It's sometimes hard to retain. Then, you have to leverage animation to convey that, you have to leverage all sorts of different ways to convey it. Ultimately, I think the most effective films are ones that leverage the medium the most and they're just trying to tell

good stories and they are emotional, visual stories. I think that's when you see films that succeed.

AC: Can you give me a good – I like this idea of leveraging the medium, and I'm hoping you can expand on that a little more. How do you leverage the medium in *Chasing Ice*?

JO: Well, *Chasing Ice*, we had the advantage of following a photographer that was literally trying to create visual imagery of climate change. It had never been done before. How do we see what climate change looks like? It's something you can only recreate visually. So we had a big advantage in that regard. But even, you know, I think some of the distinctions are, you look at films like *The Cove* or *Man on Wire* or *The Imposter*, and they're taking these stories, these true stories that exist, in some cases they're retelling history, in some cases they're documenting it as it's happening, but they're telling these human stories. You can compare that to more scientific stuff with talking heads where – and I don't mean to diss that as a medium, it's very, very valuable for certain things and what it's trying to convey, and they're very factual and very informative and you can learn a lot from documentaries that are conveying a lot of information through interviews. It's just, you know, a lot of that interview content I could read. I could probably read faster and learn more efficiently in a book. If you had that subject matter, maybe whether it's about food or even if it's about climate-related issues, there are a lot of things that can be conveyed on paper as a more effective medium sometimes than watching somebody say those things. So, I think the mindset is “Why should I watch this movie?” as opposed to reading it in a book. The answer to that there needs to be something very visual, you're leveraging the visual medium. In *The Cove* and *Man on Wire*, all those films are showing something visually and you're following people on a journey. You're following them trying to tackle an obstacle or overcome some challenge. You get to *see* that process happen and that's something conveys very well in the visual medium.

AC: Sure. I also think, at least part of the problem with something climate change is that there's been so much dialogue about it in the written word, in the printed word, yet there's still this huge debate about it, right? We've had something like *An Inconvenient Truth*, but it's still talking-heads-style, it seems like what I've seen of your film that you're trying to do something different to achieve this larger understanding of this issue.

JO: Yes, I agree with that. Interesting you should mention that – climate change has been debated quite a bit, I would almost say more on the television circuits than in the printed mediums. The Internet is kind of an exception because people make all sorts of shit up on the Internet and it's easier to find misinformation than it is to find accurate information. In terms of the peer-reviewed journals, it's not debated. But people don't read that because it's so dense and complicated that no one wants to read it. But there are so many television networks that, whether or not they're intentionally doing it, they're confusing the issue. They're bringing on people that are not knowledgeable experts in the field to comment on something that's not their area of expertise in many cases. Maybe it's being confused more because it's happening through that medium, but I don't know, I have thought about that much.

AC: Would you say that this is a political film?

JO: Unh-uh. No. Very explicitly we intended that not to be the case. Climate change isn't – *shouldn't* be a political issue. It's something that is happening and will affect all future species. The fact that it's being used as a political football is somewhat a shame. We're really trying to separate it from any sort of political debate and just acknowledge that this is what's going on, this is how the climate's changing, and here are the images, this is what we've captured as a team, make your own decisions, make your own assessment of what's going on.

AC: A lot of that hinges on what people are seeing on the screen. You do expect the viewer to make a choice one way or the other?

JO: Quite fortunately, we've had, we've seen that many people have been impacted by the film and have shifted their opinion about climate change and recognize the severity and significance of it based on the images. At the end of the film, we show time lapses that reveal multiple years of retreat of these glaciers all around the world. I mean, it's the most comprehensive study from a geographic perspective of studying glaciers in Greenland, Iceland, all over the place. We're showing all of them retreating dramatically, far beyond what the scientists are expecting, in very limited periods of time. It's not just one summer; it's multiple years. You see full annual cycles, you see glaciers retreat so much year after year after year, glaciers where we had to pan the camera multiple times to keep the glacier in the frame. That's the extent of the retreat that we've been capturing. If an observer watches that and sees that and says, "This is still B.S., this isn't happening..." – I don't even know what their response might be. We've had some people respond and say, "Ok, I get it that the climate is changing, but it's not because of humans, it's not human's fault."

AC: Is that something you focus on as part of the film?

JO: It wasn't. Not that I've regretted it, but I've spent thinking about whether I should have incorporated that into the story more. There are a number of instances in the film where scientists and experts are commenting on the fact that this is man-made, it's abnormal, it's happening because of human behavior. People still seem to not hear that. I wasn't trying to make an explicit proof in the film as to why climate change is happening, because that's been done already.

AC: So, you mentioned what you're trying to do is shift the knowledge and understanding of climate change in the broader public?

JO: Yeah, shift perception.

AC: You also that it isn't a political film, but I'm wondering if you *don't* think that that's a political process, not in the sense of partisan politics, but trying to achieve an understanding of our role in society, what our goals should be as it pertains to the planet... that is kind of political and I just want to push you on that.

JO: Yeah, I would agree with your framing of that. Umm, it might be more accurate to say that it shouldn't be – it shouldn't be a partisan issue. However, to solve this issue, it does require influencing politics. To solve it at a significant level involves influencing politics because there are, there's only so much the general public can do at an immediate level. There's more and

more that's being made available to the average consumer to make those changes at the independent level, whether it's installing solar panels on their house or buying an electric car. To some the market is very, very slowly adapting to the needs that our society is facing. But those changes need to happen faster. The market can't keep up with the planet's needs. So, I really do figure that it requires... to address this problem properly requires government influence. It's just incentivizing the right things and dis-incentivizing the things we know are having huge repercussions that aren't being taxed properly – not just taxed properly, we're not paying for them properly. They're all externalities. We don't pay for the cost of the military to protect the oil. We don't pay for the environmental damage. We don't pay for the health consequences when you buy a gallon of gas at the gas station. Because those things get externalized, it's not a free and balanced fair market.

Anyway, off my soapbox.

AC: That's ok. That's certainly the problem we're seeing at the larger level. But the film doesn't talk about that?

JO: The film barely – doesn't talk about that.

Which was a conscious decision. We didn't want the film to be... we didn't want the film to be open up for criticism and debate that something that wasn't our core focus. I think one of the interesting things is that there's been very little pushback and resistance to the film because it's just straight, visual evidence. It's like, the whole point of the film is – take a look at the film, you can't refute what's happening, you can't deny what's happening.

AC: It almost serves like a more poetic function in that way – poetically representing these things we hear pundits talking about day in day out. Can you maybe describe the connection between the type of film that this is and the sort of changed that can be produced?

JO: How so?

AC: Well, like you said, there's a problem of incentives. Markets don't incentivize the right things; governments don't do enough to solve them. But that is like the solution to the climate change thing in a pragmatic way. But I am referring to, in general – not necessarily referring to your intentions – but what a film like this can do to influence change? If you think that's at all possible.

JO: It is possible. It has happened and there's precedent for it happening. Whether it's photographs that have inspired politicians to protect game reserves or create National Parks or, there are all sorts of films that have influenced different behaviors at a political level. It really is a matter of – if the story is compelling enough and shocking enough that it shifts somebody's interpretation of an issue then it can have an impact. Climate change is a tough one because everyone comes into *Chasing Ice* with an opinion of climate change. We're somewhat at a disadvantage because we have to overcome their preexisting and preconceived stances on the issue. If you go to see *The Cove*, as a counterexample, many people don't know about dolphin slaughter. It's such a new subject that you're coming into it with a very, very different base level

of knowledge. The ability for influence, when you don't know much about the subject matter, I think is greater than if you're coming into a film with a really, really strong opinion already.

So, I think the most effective cases of seeing political change around a documentary film or art in general is when it is covering a subject that hasn't been explored much.

AC: It's a little unfortunate that I'm talking to you now *before* your film gets widespread release, because then we could talk about what the widespread reaction to the film has been. But maybe I can ask you to venture a guess as to what kind of effect you think the film will have or what sort of effect you'd like it to have.

JO: Umm, [pause] the other interesting thing that goes hand-in-hand with that is that most film festivals are fairly liberally focused. I haven't even seen or heard of conservative film festivals. Most of the film festivals are happening in the little progressive pockets within, you know, so. We screened in Boulder, Colorado, we screened at Sundance in Park City, Utah, and Austin, Texas and all these cities that are the most liberal places within those states. So, one of our concerns is that we don't want to preach to the choir with the film. The natural audience that's going to come see the film are already people that recognize that climate change is happening and know what's going on. And honestly, a lot of that audience is really tired of climate change as an issue because it keeps getting debated so much. So, the question is how do we get the film seen by people who don't know much about the issue that need to be influenced by the issue and how do you get it across the aisle.

[pause to discuss food]

Anyway, we were talking about wanting to have the film seen by both sides of the aisle, not preaching to the choir, wanting the film to get out there, and we've seen in some cases, I've had some people come up to me afterwards and say, "I was a skeptic about climate change and now I get it and I see what's going on now." That feedback has been really, really impactful and meaningful for our team.

AC: You're hoping to get that sort of reaction?

JO: We hope it continues. The goal wasn't to change opinion necessarily when we were making the film, but now that we see that the film has that capability and potential, we've been shifting more and more to wanting that to be the goal now that we have this film that can accomplish that.

AC: How do you shift in that way at this point?

JO: At this point, it's really just figuring out how to strategize to get it in front of audiences that might be skeptical about climate change.

AC: Obviously, there's going to be a wide-scale distribution in different cities. Any idea about what comes after that?

JO: After that it's television, DVD, and Netflix and all that stuff. But that's further down the line.

AC: Can you reflect on documentary in this age and how things have changed for filmmakers aside from just the technologies being more affordable? What are the challenges facing the modern documentary filmmaker, not just with reaching audiences, but with funding, finding distribution...?

JO: I think funding has always been a challenge and it always will be a challenge. Part of the challenge is that because the equipment is so available now that more and more people are making content. It's just more complicated world to break out into. But, I would also say conversely is that one of the advantages is that we live in a society now that is so inundated with reality TV and *Transformers* and ridiculous special effects films that are so over the top that we kind of are so jaded by them. When films are all action and no story and no heart, I think people are craving to some degree, they're craving truth and reality. Reality TV is anything but that at this point. But, I think that's something that's an advantage for nonfiction filmmakers. If they can tell a compelling story, the fact that it's a true story is all the more impactful. I think there's something about that that has to do with the rise of documentary recently.

AC: And you think it has something to do with just being inundated with special effects and lack of story?

JO: I don't know. I think there might be something in there.

AC: It's also probably technological, too.

JO: I think we're just seeing better and better documentaries. The stories are better, the production is better, the quality is better. It just increases the demand for the films. People want to see them because they're so engaging and entertaining. They're good.

AC: And they're meaningful, too.

JO: When you have a great true story that's about an important issue and important subject, then you've got a winning film. I think some of the weaker films that I've seen recently are films that try to tackle a subject and aren't telling a story. It's kind of putting the cart before the horse. When you having a really, really compelling story, you can tell that story about whatever subject it's about and make that individual speak on the behalf of the entire issue.

AC: Can you give me an example of that? I'm wondering because I have one in mind.

JO: What's yours? I also don't want to speak poorly on behalf of other filmmakers. What's yours?

AC: I'm thinking about Michael Moore's *Capitalism: A Love Story*, just because that is such a tough issue to tackle and such a big issue to tackle. Personally, the film didn't really do much for me. There are good pieces of story, but on whole it's too big.

JO: I did like that film. I think Michael Moore is a bit of an exception; he's using himself as a storytelling technique and the story telling device. So, even if he is trying to tackle an issue explicitly, he himself is that through-line that can convey a beginning, middle, and end. You don't have that as easily, you know, that's why a lot of documentaries depend on narration. We don't have voice-over narration in *Chasing Ice*, because I didn't want it, but because I didn't need it. We had the characters and the interviews that could tell all the parts of the story.

But narration is often used as – I don't want to say crutch, but if you're investigating a subject matter, that is your only option in some cases, about having a through-line, about having some means of telling the beginning, middle, and end of the story.

Sometimes it's done really well.

AC: Do you have any film ideas coming down the line once this settles down?

JO: We've got a couple documentaries that we're starting on right now. Not that we have time for it. I actually had a call this morning with another guy, a producer, pitching me on another project to work on with him, which was pretty exciting. I think the next film I'm going to do is a narrative film, a feature narrative. We'll see how that comes out.

AC: That's interesting that you're going from the nonfiction storytelling to narrative, traditional stories.

JO: I look at film as a medium that can tell stories. Some of them are true stories, some of them are not true stories, some of them are true stories that you need to reenact. So, I think it's one of the most powerful mediums that we have. As an artist and a creative person, it's a really, really powerful medium to play with. I think one of the most fascinating things about it – and I'm coming up from a photographer's background, that was my experience prior to getting into film – as a photographer, you can spend all this time making an image, and then whenever it's in a gallery or it's on the Internet or wherever it is, people just – we are so inundated with images that we just flip by them. You can flip through a slideshow of ten images in about ten seconds on your computer. Like, all that time and energy and effort is going into something that's getting minimal, real intimate depth and connection with. There's something really powerful about film, because they go into a dark room, they share this collected experience, they turn off their phones, and they just sit and they're yours – you control the timing for all of it. Whether it's an hour and a half or it's a three-hour film, like the director is controlling the entire experience for that period of time. That exists in movies and theaters and that's pretty much it. I don't even know what else...

AC: What do you think about from film being this collective experience to being this isolated individual experience, with the advent of things like Netflix and people watching most of their video content on the web and things like YouTube? What's gained? What's lost?

JO: I think it's incredible in terms of what it's done for documentaries getting content out there. You can pretty much find any good documentaries on Netflix. That's how most people watch their documentaries. It's a great medium for that. In part, too, because a lot of documentaries

don't require a big screen or a theater experience. Especially if they're more subject oriented and more investigative or things like that, watching them on your laptop is a perfect medium for that.

We tried to make *Chasing Ice* in a way that was leveraging the theater and I wanted it to be a theatrical experience. I feel like we accomplished that. I hope people see it in the theater. Personally, if I'm going to watch a comedy, I damn well want to see it in the movie theater with a whole bunch of people. There's a social experience that happens with certain types of films. You know, you're not going to see *The Dark Knight Rises* on your iPhone. You know that you want to experience the sound and the IMAX screen. I think there are some films that are still leveraging the theatrical experience well and others that don't require it as much.

AC: It depends on what the subject is?

JO: I think it depends on the subject, the story, the filmmaking.

AC: Do you think there's a loss of that social experience at some level?

JO: Oh, I think so. Yeah. But the die-hard film fanatics are still watching films in the theater all the time.

AC: And even the public, too. The Dark Knight...

JO: If it's something you know you need to see in the theater.

The Christmas Rom-Com that comes out every winter. Like, you don't need to necessarily see that on a big screen. That's something that might be a better experience for you to watch with your family at home on your TV.

I don't know. It's a matter of... Ultimately, filmmakers are artists that are creating material and creating content and putting it out there in the world. The market is driven various ways for people to embrace and to leverage it, not just to engage with it, but to appreciate it. I think if filmmakers are making content that's designed for the theater, it will be seen in the theater.

AC: Do you ever think the market works in ways that exclude certain types of stories? Particularly, more radical documentary filmmakers?

JO: Well, I think the Internet has opened the door for that explicitly. Even if you're a radical on whatever side making content, you have a platform, you have an audience.

AC: Even if you're just preaching to the choir, it's still your audience.

JO: Mmhmm. I think the biggest thing that the Internet has done is that it's given access to their choirs. It's almost – I would say it's a negative to a large degree.

AC: Why do you say that?

JO: [pause] Our society used to turn on the nightly news and there was that one news broadcaster that everyone trusted who was doing fair, independent, unbiased journalism, that was reporting on the truth of what was happening around the world. We've left the world of fair and balanced journalism and we've entered more and more into a society where my Facebook news feed is giving me materials that I want to see. Google is giving me news results for stuff it thinks I'm going to click on. People in different parts of the country can Google the same exact phrase and get different *news* results based on geolocation. We're entering now into a world where people are getting the materials and content that they want. It's just creating increased divisiveness and increased separation between the left and the right, all various sides of the political spectrum, it's just creating... I don't know... more decisiveness. It's problematic. It's the exact opposite of what we need to be doing in terms of bringing people to together and creating shared experiences that we can all resonate with and learn from and come together with.

I don't know. I think about it a lot. It is a tricky issue. How do you get around that, you know?

I actively follow – I'm fairly liberal-minded and I actively follow conservative news blogs and posts. I want to see what they're putting out there, what kind of content and materials they're sharing... [coughs]

AC: This seems like why you're so insistent on getting people together in theaters. It is that communal experience, it does bring people together across ideological lines in a way that can be very unifying.

JO: There's something very primal about it. We are storytelling creatures. We learn from sharing stories. Elders share stories with the younger generation. That's how *homo sapiens* have been transmitting information and knowledge for years and years and years. It's just transferred from sitting around a campfire with a flickering campfire to sitting in a theater collectively watching a flickering light and it's just a different means of telling a story. Equally powerful, equally educational.

AC: And social.

JO: And social.

AC: That's one of the most important aspects of that: the gathering together. In a way, the web can be isolating...

JO: The Internet is very isolating in a weird way. I mean, it gives you access to that choir, you know, and it lets you preach to the choir. I don't know. I'm very curious about how the Internet and Facebook are going to shape our future society.

AC: And how it's going to shape the stories we can tell ourselves or even each other.

JO: And how we relate with one another.

AC: Is there anything else you want to throw out there regarding documentary film?

JO: No... did you want to talk more about Colorado, specifically?

AC: Yeah, sure. And I thought of another thing I want to add, but if you could talk about the documentary film community here...

JO: Well, there's a documentary film community here, but there's also... I constantly feel pressure as to whether I should move to LA or New York. Those are the hubs of filmmaking in this country and in the world.

AC: To back up a little bit, did you grow up here?

JO: I grew up in New York.

AC: How long have you been in Boulder?

JO: About five years, now.

AC: Sorry to interrupt. Debating LA or New York.

JO: I feel like I'm in a fortunate position in that I have my own projects that I want to work on and at least with *Chasing Ice* was lucky enough to acquire the funds to make the film and I didn't need to be in LA or New York for that. I think that directors and producers arguably can have an easier time working on their projects when they're – if they can build the relationships and connections to get the funding. They can do it from anywhere. You can make a film in Idaho or you can make a film in Boulder. Then you have means of it getting out there and getting seen at film festivals. If you're an actor, or a cinematographer, or an editor, then it's a lot harder to do your own projects anywhere in the country. Unless you have a reputation, but that comes through years and years of doing it. If you're really an experienced, top-notch editor, you can pretty much live anywhere and people fly you out for projects. Most of them tend to live in New York and LA. That's where they get the most work, that's where they are maintaining those relationships. For those kinds of positions, you're really dependent on other people's projects. It's more necessary to be in those hubs.

If you're doing your own work, and I think that's really what the increased quality in technology has allowed, people can make their own films about whatever they want, wherever they want to make it. There are films at film festivals this year that were shot entirely on iPhones. I haven't seen any of them yet, but I've heard of a number of them. Ultimately it goes back to the point that it's story that matters the most. If you've got a really, really compelling story, it's going to get seen, it's going to get heard, it's going to get recognized and that's the most important thing.

AC: So, you're trying to decide if you might want to go back to New York or LA, what's driving that decision over just staying?

JO: I love Colorado, I love living here, I love the environment here. But every time I'm in LA, I love that, too. It's a great experience and the weather is great. I think more than anything there's

more art that's being created in LA and New York. Those are hubs for artists. It's a very inspiring environment as an artist I would say.

AC: But it's not necessarily any more difficult to get funding or distribution out there than it might be here?

JO: There's more competition out there, so it might be more difficult. At the same time, there's people more familiar with funding films. It's really, really hard to get people that are going to invest in films.

AC: You mean here?

JO: If they're not familiar with films, it's hard for them to invest in films because it's inherently a risky business.

AC: And location doesn't really change that necessarily.

JO: Right. It doesn't change. It's just that there are more people in LA that are comfortable with investing in films.

AC: Plus there's network effects.

JO: Right.

AC: The one thing I mentioned when we were on our way here was the issue of copyright for filmmakers. Can you comment on that or other political or legal issues affecting filmmakers nowadays? Have you had any sorts of concerns with that?

JO: In terms of our own copyright, or in terms of using other's footage?

AC: Either.

JO: There aren't many issues that are of major note. The biggest thing I would say regarding copyright for documentary filmmakers is fair use, which is a very interesting field or subject matter. We used fair use for *Chasing Ice*, a limited amount. We had a very good fair use attorney in New York who reviewed everything. I was very knowledgeable of the rules as to what we could or couldn't do and had that confirmed by a lawyer who was able to write up a document on that. To some degree, we do have a couple of news clips of people talking skeptically about climate change that even in one or two cases we were denied permission to use. In one case specifically that I can recall, but that actually strengthens your argument for fair use because it is telling an important part of a cultural story. The fact that they said no makes a better legal ground for you to use it as fair use because there's no other opportunity to license the footage.

AC: Who was that that said no?

JO: I would rather not say, just because our producers haven't confirmed that we're

[inaudible]...

But there are a handful of clips that we used fair use and then we licensed a handful of stock footage from news agencies and some archival footage we needed.

But yeah, fair use is probably the most interesting thing regarding copyright for filmmakers.

AC: It's even impacted you for this film.

JO: It's a really, really important thing for documentary filmmakers to know about, to learn about, what they can or can't do, to get legal protection if you want to use that. There are specific guidelines as to what you can or cannot do with that footage. That's a really important thing. There are documents all over the Internet about standards and practices. I would say that's really significant.

AC: What about – are you familiar with the legal distinctions between filmmakers and reporters, for instance?

JO: It's a massively gray zone and there's no real legal distinction between – if you're an accredited journalist working for a large organization, working for the New York Times, you get press passes through those organizations and you're considered a journalist, but you don't even necessarily have to have a real authentic journalism training to be doing that.

Filmmakers kind of walk this line between being artists and also journalists. Especially documentary filmmakers. They try to leverage both to their advantage whenever it suits their purpose. They want to be a journalist to get access to things but they want to be an artist and comment with opinions about things. I feel like most documentary films are opinion pieces in that regard. It is expressing the opinion of the author. I mean, the distinction is that news journalism isn't supposed to be opinion – it's supposed to be straight factual representation of what transpired, as said by whom, etc. And that the opinion page or the op-ed page is where journalists are editorializing and making it opinion.

One of the big problems we have societally is that there are news organizations that espouse opinion as fact and that gets into another one of those really, really gray zones where they're calling themselves a news channel and yet a lot of the content they put out there is not factual or news as opposed to straight-up opinion.

So, the general public is not aware enough and savvy enough to properly interpret what that means and what kind of content it is. That has real journalistic integrity concerns and the questions that it raises because of that confusion that news outlets are creating.

AC: Do you think filmmakers being on that line, in a way, benefits them?

JO: It's certainly convenient that you don't have to adhere to the New York Times' journalism standards. I would hope that most filmmakers are wanting to and aiming to, but it's not done much anymore. I mean, filmmakers typically don't have their stuff fact-checked. They do an

interview, they get someone saying something, and they leave it at that.

We had a bunch of scientists review all the material in *Chasing Ice* and confirm, you know, is this accurate? Is that told properly? We went back in and did a bunch of re-recording audio to improve the quality of some soundbytes because they weren't 100% accurate based on a preliminary interview that we did. We put a lot of time and effort into making sure that the film was absolutely as accurate as we could possibly make it. That is even somewhat disappeared in the world of journalism when they're on such a tight 24-hours-a-day news cycle, journalists are tweaking stuff to get it out there as fast as possible. They live in this world of instantaneous information that things don't get fact-checked like they used to.

AC: Or they're delivering information they received from PR folks that have already spun the story for them.

JO: A lot of news now is just regurgitating press releases. Yeah.

[...]

JO: There are a couple issues that I'm curious about making films about – not that they're libelous but that they're borderline opening us up for lawsuits. Not having the protection of the journalistic – not machine, but the system, I guess – not having those full protections does raise concerns about whether or not some of these projects are worth doing.

It's also that I don't have the time to jump into it right now, so it's easier to dismiss. There are other projects that are more interesting to me. Some of these investigative pieces could have great societal value, and could be really important, seminal pieces that are deeply investigative, but... I don't know.

AC: Can you tell me what that might be?

JO: They are all somewhat in the political space and somehow tie into the environmental space and some of those concerns.

AC: Just knowing that those stories in those political and environmental spaces might be too risky to take on as projects....

JO: I mean, I've had friends bring me story ideas that they were too nervous to do. They've got a family and kids and they don't want to tackle a story about this subject matter. Me, as an unmarried, young filmmaker, it would be more viable for me at this stage in my life to do this difficult and contentious piece. I think it's interesting.

AC: It certainly affects the types of stories we can tell in our culture that there are these risks.

APPENDIX D: STEVEN HOGGARD AND DAPHNA RUBIN  
INTERVIEW TRANSCRIPTION

Anthony Collebrusco: I want to jump in by just talking about what you guys are doing right now and maybe getting you guys to discuss the deluge of deadlines you're facing right now.

Steven Hoggard: Ok, sure. Shall I?

Daphna Rubin: Sure.

SH: We just finished four National Geographic one-hour specials that tackled a variety of stories. One of which was nominated for an Emmy for Best Historical Documentary of the Year. We didn't win, but it was still fun to go to New York. That was neat and inspiring. Bill Moyers was there and anyone who is doing serious documentary in news was there. It was good to see.

So, we just wrapped up those four and we are in the process of wrapping up a four-part series on DEA overseas drug interdiction teams and the challenges they face, the realities they face, the folks they work with, and the bad guys they're chasing. That's also for National Geographic.

DR: And whether they're having an impact. We don't discuss that, but you can tell from watching them.

SH: These are more p.o.v. [point of view] They're for National Geographic so they're not independent – none of these are independent films, they're full commission films.

AC: I was hoping maybe you could explain to me how that arrangement works.

SH: Sure, but let me finish this.

We're working on wrapping up a Discovery series about pot growing and the whole pot culture in Northern California. This is kind of a new thing for us because we haven't worked for Discovery in ten years or so.

DR: They've had a personality change.

SH: They've gone down a different path since we've worked for them when they were doing more genuine documentary. That's about it. We were developing a Nova, but we had to pull out and give it to another producer because we were too busy and we're a small shop.

Now, we're looking toward getting unemployment for a while and we're going to go to Africa and chill out for a while to recharge. We have family there so we take our kids and go hang out in Cape Town and do some stuff in the country. That's kind of where we are right now and why we're so busy. It was supposed to be a traffic jam, but because of production delays, and we were in kind of a fight with DEA regarding the security review of our scripts... that's all now been settled and we kind of took care of that. But unfortunately that means all of these – six, five hours of programming...

DR: Seven.

SH: Well, the two are already done, so it's like five hours of programming, five separate one-hour docs are all delivering right now. So that's why we're a little jammed, so that's what we're up to now.

AC: We'll go back to this relationship you have with National Geographic. Tell me about how that arrangement works.

DR: Well, essentially, so we work on full commission. What that means is that we sell a piece of paper and then they give us the money to make the film. Sometimes we just sell a title. Sometimes we don't sell anything! Our relationship with National Geographic for the last seven years...

SH: No, since 1998...

DR: No, but for the last seven years it's been output agreements, before that it wasn't output agreements.

SH: Yeah it was. Well, no, it was series, but it was still full commission.

DR: It was full commission but it wasn't an output agreement. So what that means is that our relationship evolved with them to the point where they would just say, so, "how many hours? Four? What do you want to do them about? Ok." That was pretty much how the conversation would go. Sometimes they would...

SH: They could be science, natural history... sociology...

DR: And we're in regular contact with their development director to see what they want. You know, say we have these ideas and we noticed that this is what's on air right now, what do you think about this? They come back to us and say we're really looking for, we're really hungry for... fill in the blank. So, that's our job. Take the temperature. Both of us are also consumers of what is going on in the universe that we feed essentially – what sort of stories have traction. But I think for us, also, at the end of the day, we have to be interested in what we're doing. We don't just pitch anything. With National Geographic, it's a very open relationship. That's how it's worked.

SH: We'll pitch stories that get no's and then come back. Like, we did a film about the Srebrenica massacre in Bosnia. We went there with UN teams exhuming mass graves trying to bring the bad guys to justice. We pitched that, I don't know, ten times and got no, no...

DR: It was two years of pitching and trying to really shape the story into something that be digested by a television audience. What we were looking at... That story started with looking at how you dispense justice on an international scale. We're talking about genocide. If you kill ten people, or order the killing of 2,500, how does that... It's a little bit of looking at what happened

in Nuremberg trials, but that also had a lot of political motivation. Anyway, we started with that idea and then it evolved into something that we hung a series around.

SH: It's also that that one story had to be kind of film-friendly. It had to be visual, so following an exhumation team and basically these international police as they tried find the bodies...

DR: It was an international murder investigation.

SH: ...unearth the bodies, put together the evidence as to what happened to these people so they could bring closure to the families that lost loved ones. 9,000 men, boys, children, some women... That was a good project. But not many *commercial* nonfiction networks – *true* nonfiction networks, not phony-baloney nonfiction networks – would green-light that. And it's getting harder and harder for Geographic, frankly, to do that in the landscape.

AC: Why do you think so?

DR: Because of the flood of reality.

SH: Reality is just crushing...

DR: (It's taking over the universe.)

SH: ...folks like Geographic. We worked for a fellow that ran Geographic. He was an old science guy and tried to do a lot of old-school blue chip documentaries and sadly, they just got crushed in the ratings. We always have to worry about ratings to some extent because we're not tracking down money from funders and going to have it screened in a couple of theaters, these are projects that are being fully commissioned by a network to the tune of a million dollars sometimes...

DR: And they have international distribution so they have to be aware.

SH: So the marketplace is obviously changing right now.

AC: And is this probably why you have to go through so many pitches with stories...?

SH: No, we've always had to go through many pitches. I cut my teeth at ABC News in Washington D.C. network with, this dates me but, Koppel and Brinkley and Sam Donaldson and Peter Jennings. That kind of environment is a great way to learn documentary in a way because you have to learn to tell a story in two minutes. If you can do that, you can tell a story in forty-five or fifty or an hour.

But you go to your senior editor and say, how about this story? How about this one? How about this? No, no, no, no, no. Yeah. Go get that story. We were both kind of raised where you just pitch stories and wait until they find traction.

That hasn't really changed that much. What's changed is the nature of the kind of stories they're

looking for. They – when I say they, I mean Geographic, and even PBS to some extent...

DR: And Discovery...

SH: Yeah, Discovery's already gone reality pretty much, but they do very few true documentaries anymore. What they call it is "brand cover" honestly. It's the phrase that you hear. It's a little chilling.

AC: Can you elaborate on that?

SH: Yeah, it's like the smoke and mirrors thing. If you're a network that's been known for nonfiction documentary and you have this brand, you can't just do reality shows about fat guys with beards running around punching things and getting angry. A lot of that is frankly made up these days. From what I hear. We don't do that kind of stuff. But you need to outdo so many of these blue chip specials, so you keep the smoke and mirrors going, and the veneer of credibility.

If you look at History Channel, for example, we haven't done anything for History. In the old days, we would have loved to have done stuff for History, but look at their programming now: there's no history on History channel. If you really look through their line-up, there's really no history.

DR: Steven, we've now turned the conversation. I don't know if he's interested in...

AC: No, no, I am. It's interesting how different channels are defining valuable discourses to contribute to the public sphere.

DR: They're not considering it. They're considering what's going to earn them the most commercial dollars. That's what they're considering.

SH: Some networks – I think Geographic still has that ethos because they're connected to [in unison with DR] The National Geographic Society. They have a true standards and practices division. For example, when you pitch ideas to Geographic – this is the saving grace – when you pitch ideas to Geographic, standards and practices at the National Geographic Society – We moved to Boulder from Washington D.C. after twenty years working there in news and film. When you walk into National Geographic Explorer Hall, you kind of hear the angels sing, it's like... [angel singing noise]. They've been around since...

DR: 1888, as it says.

SH: The Royal Geographic Society funded really historic...

DR: Epic...

SH: ...science quests for over 100 years now. They still do that. But the magazine, as you know, what did we just find out today? *Newsweek* is done, as a magazine, it's going to be a digital thing. Magazines are suffering everywhere. So the Society can't just bank on the magazine. They

still need income. Most of their income was from magazine subscriptions. Now, most of their income is from the National Geographic channel. So they have to figure out, how do we maintain our standards? How do we maintain our brand? But because they're a nonprofit organization, because the National Geographic Society has a say in how the channel selects its programming, the bar can't slide too low.

AC: They're still committed to something.

SH: They're committed to something beyond just *ratings*. Like, I sat at a dinner next to Tim Kelly, the guy that runs the society, and you know, it's a cash cow for them and they can't just walk away from it. Their ratings, frankly, have been hammered for the past four or five years.

DR: Because they were trying to stick to their mission.

SH: Yes. Stick to their mission and do old-school documentary. I mean, not make it boring, make it appealing to younger folks, make it visually move and that sort of thing.

DR: But it's being drowned out by the cacophony of fat guys in beards in boats...

SH: They're getting killed by the reality genre, so they're in a real existential crisis right now trying to figure out how we survive in this universe. Because they can't afford to let all that income go away, but their ratings have slipped from what were 1's, 1.1's, down to 0.3's.

AC: How about folks like yourself? How does that affect you?

DR: We have to... You're only as good as your last project. If we don't perform... Fortunately, our films consistently do better than average. Sometimes knock it out of the park. And sometimes with very little promotion. So, we're steady. We're viewed as their steady earners.

Also, we've been with them a long time and National Geographic has a sense of loyalty.

SH: Because it has this nonprofit ethos. Even though, oddly enough, not many people know this, their business partners are NewsCorp.

DR: Fox.

SH: So, it's very strange relationship.

DR: But Fox, it is a very odd relationship, and we only know what we know from the outside. For a long time the relationship was as such that the legal and financial matters were controlled by Fox. Literally, an executive producer would have on their desk two computers: one that was the Society computer that was the content computer and the other one that was the legal financial computer and they didn't cross over. I don't know how blurry those lines are now. Most of our – They are having a real identity crisis from everything we can tell at this point. But so far, we continue to have a good relationship.

SH: We've been through a lot with them. We've been working for them for almost -- what -- twenty years, sort of, kind of...

AC: So there's security?

DR: No, no

SH: No, there's never security.

DR: We will be unemployed in December and we don't have anything after that. So we don't have security.

AC: Like you also said, you're only as good as your last project.

DR: Yeah.

SH: But they're living in a challenging environment right now and just trying to figure out how we maintain our brand, how do we meet our mission. That little yellow box means something. We can be filming anywhere overseas and people in the most remote places seem to know National Geographic. It means something. I hope they'll find -- they'll *have* to find a way to make it continue to mean something. They can't turn to reality entirely, which gives us great comfort. But they have to maybe steal some of the reality TV techniques. That's the visual language people understand today.

AC: Can you do a little more to define this distinction between reality TV and "true" documentary?

SH: Yeah, reality TV is not reality. It's made up.

DR: It's a circus act.

SH: It's contrived tension and contrived...

DR: So when we work, for example, we just had this series going on in South America and the Dominican Republic for... we were embedded in the DEA and whatever... so our "cast" if you will, for lack of a better word...

SH: No, that's the modern terminology. They're not cast, they're "real DEA agents doing real things."

DR: That's what I'm getting to. In television, reality terms, our "cast" is the DEA agents but the thing is we treat them the way we treat every documentary subject we've ever spent any time with whether it's today or twenty years ago. They're people whose stories you're being granted access to and you're gathering. Yes, you do direct. It's not like it's just observational, anthropological study camera. We actually do direct them. So we say, "Can we go back and revisit that moment?" For example, that Srebrenica film, the lead detective was this Canberra

home side detective, this Australian guy, who had been assigned to the UN, the biggest murder case he'd ever dealt with, and was living in Bosnia. We trotted around with him for like five days, and we did everything from what he was actually doing in that guy, he was literally going out to the site where they were exhuming a mass grave and helping them on the investigation. So, we followed him on that day. It was like, can you meet with that guy again? So that's directing.

SH: Having him in his house in the morning where we could get the imagery.

DR: Yeah, before you leave your house this morning, can you wait until we get there? That way we can actually show you drinking your last bit of coffee before you go.

SH: But the objective is to honestly depict his reality. He would leave his house to go to work in the morning, *obviously*, and we want to be able to visually convey that through those shots.

DR: Yeah. If it was a reality program, we'd say, before you leave your house this morning, we're just going to – you wouldn't tell him this, our other team is going to plant an ambush up the road and we'll have you leave your house and we'll see what happens when you have to go through the ambush. That would be much different. Then, it's a circus act. And that's what happens.

SH: Again. We don't do reality, but we've brushed up against enough folks that do it. It's basically what they call docusoap. It's soap opera with cheap actors. Some of it's real and some of it's not real.

DR: The line gets really blurry.

SH: Producers who do this, they'll take people aside and say, "Can you believe Sam just said that about you? What are going to say back to him?" then take him back into the room. They try to stir the pot. They break boats intentionally, so people face a false, contrived emergency. They build the rising and falling tension through artifice and that's what we don't do. That's why we choose stories – if you look at the films that we've done over the years, combat in Afghanistan, gangs in LA, that's because the stakes are inherently high. So, it's inherently dramatic. But it's real.

DR: But to get to that drama, sometimes you have to – you're not contriving, and this is where the argument comes in with people who do reality and think that they don't – you're not contriving, you're trying to capture a moment at it's most...

SH: Credible.

DR: Yeah, and it's most real, when it hurts its greatest sense of urgency. That's the changing universe. There's sort of what we consider falls into the real camp of documentary.

SH: Someone said to me once, composition is not nearly as important as moments. Capturing a moment on film is what's really important, I think, as a storyteller. Forget filmmaking or whatever. What you're looking to do is capture a moment and hopefully convey nuance and

context. It's not about pretty pictures, as much, though they come into play. But to capture moments in real life, you have to have an incredible staying power. Which is why, with the Emmys, some of the best films are these POVs that PBS picks up, because you have an independent filmmaker that's not getting a full commission and is not on a tight schedule...

DR: Also, doesn't have a budget...

SH: Right! No, no. It's very admirable that they stick with their subjects for maybe four years. But, the flipside is, how many people are going to see that film? Our programs, even on the worst day, are going to be seen by millions of people. All over the world. As a storyteller, to me, that kind of matters. Because we want to have an impact.

AC: And you said that's often higher than most fare on National Geographic?

SH: It depends. Yeah. Oftentimes, we've gotten ratings that really are quite surprising. Usually we don't do these huge specials typically. Although, we did this one following Hillary Clinton around for a year. They've green-lit some films in recent years that are really admirable: whale hunting in Alaska. I love that one because it touched on global warming and it was kind of counter-intuitive Geographic because it was "Kill Willy" [laughs]. You know, our programs, some of them have tanked, some of them haven't rated very well. The Hillary Clinton film didn't rate very well. It's hard to make the State Department exciting.

DR: Well, it would have been more interesting, if... whatever...

SH: [laughs] That's another discussion. Remember this is the public record here. [laughs]

AC: I am interested in some of the elements of Inside the State Department, or any of these films you guys do. So much of it depends on access. It seems like you might be, I'm assuming, putting yourself in these positions where subjects have veto power over content.

SH: That's a great question.

DR: Yeah, the only people who've had... our contract with National Geographic expressly states that we get editorial autonomy.

SH: Not "get". We *must* maintain editorial autonomy, per Geographic's contract with us. We wouldn't want it any other way. Even if we wanted to *cede* editorial autonomy to the subject, we couldn't.

DR: We would be in breach of contract.

Now, this is the thing. Because, you know, when you spend, for example, with the Green Berets. The Green Berets a very colored history and some it ain't so great. But that wasn't the subject of our film. The subject of our film was what's happening with them in Afghanistan. What they were doing in Afghanistan. In this one territory that was controlled by the Taliban.

SH: It was a very focused, narrow point of view of 24 guys stationed in the middle of this remote valley in Afghanistan. On their own. Let's take a slice of life and spend some time with them and see what their lives are like and their challenges. Any point of view film, whether it's from the gangbanger point of view, or the Taliban, which Nat Geo has done, or Green Berets, or the DEA, if it's point of view it's going to be inherently sympathetic to the characters you're covering.

To a point.

DR: To a point! We kind of feel like we've done our jobs if audiences – so sometimes we get audience reaction and sometimes we don't – we'll go on Nat Geo's blog site and that's where we'll see reaction. Sometimes if we actually have a screening, and we don't do that, hardly ever, every now and then we'll screen a film locally and you get audience reaction instantaneously. We feel like if we've pissed some people off or enlightened them in some way, then we've done our job. We don't want the whole audience cheering. You want some people to be angry, you want some people to be enlightened, you want some people to say I've never thought about it that way, but I still disagree.

SH: Or what these guys are up to is heroic, or [in unison with Rubin] what these guys are up to is *ridiculous*.

DR: That's the position we always take. We're not here – we often have to explain, in diplomatic terms, to the people we're covering: we're not here making a puff piece for your PR department. We're not giving you a free pass.

SH: But they approve things hoping it's going to help them, obviously.

DR: They do. They approve it hoping – but if it does, or doesn't, it doesn't make a lick of difference to us. The only time it makes a difference is if we're putting someone's life in jeopardy by putting something on the screen.

SH: Which gets back to his question. To get access to DEA, or to the State Department, or the Green Berets, they all have one thing in common. We sign a memorandum of understanding with those organizations. What that means is there are guidelines. If we were working for ABC News, obviously, we wouldn't do this.

DR: We want more than a day or two the reporter gets. We're there.

SH: I was riding on Hillary Clinton's plane for months it seemed like and we were getting access the New York Times wasn't getting.

DR: And those guys are there all the time.

SH: *But*, we get access with one important stipulation, which we welcome frankly... well, not always welcome, because it's a pain in the ass, but...

DR: It's a good process.

SH: They get a security review. They get what's called, Inadvertent release of classified information and security review. In other words, what they get to do is look at our film and say, you know what, this piece of gear that you're showing, or this technique you're revealing, or this face of this...

DR: That's classified... this driver. There's this driver in the DEA film that was an undercover agent.

SH: Or we film the scene where they meet with a confidential informant, in Colombia, two DEA agents who are looking for Narco-subs, right, cocaine submarines. They let us film this whole scene. You also have to understand, we're with two agents...

DR: Who are *faaar* away from D.C.

SH: They're at the end of the rope. They're on their own in a place with the highest homicide rate in Colombia. In the middle of the sticks. Meeting with a drug informant, who just had – they had one of their informants killed. One of their colleagues just while we were down there filming, basically. So these guys are on their own. There's no public relations guy following us around. "Yeah, sure, film it." You get to be friends with these guys. You get close to them. ... I don't know about friends...

AC: They feel comfortable with you.

SH: They feel comfortable with you, so they let us film this whole thing.

DR: It's like the relationship with the bartender. [laughs]

SH: Right. So, we bring back the scene and obviously we're showing a guy who's meeting with them who works at a cocaine submarine site. If *any feature* of this guy is recognizable – because this program is going to air in Colombia – if his jewelry, if his shirt, certainly if his face or voice are recognized, he is going to be killed and his whole family is going to be killed. That's *our* responsibility. Moreover, in this meeting, they were giving him these devices I can't elaborate on that can't be seen by the general public. The DEA let us film it entirely. So, DEA gets to watch the film and they give us help – we often actually go kind of beyond what they say – as far as protecting the informant's identity, we wanted to show these devices but they said we couldn't. Fair enough. Because they can go back and say: our agents going to be in jeopardy, this man's going to die, our agents lives are going to be in jeopardy. We don't want to do that, obviously. It would be irresponsible.

The same way we interview gangbangng kids that talk about stuff, we have to be cautious and work with folks who work in the community – like in LA, this Father Stan works with gang-involved youth – to make sure we're not putting someone's life in danger who doesn't know any better. Even if they say, show my face, I can say whatever I want to say. We've run into these kinds of situations all the time basically because of the nature of our programs.

DR: All the old guys that show up in Afghanistan film, they're Taliban elders, a lot of them are Taliban sympathetic – they don't know anything else – and they meet with the Green Berets. Of course, here in the United States, the view of the world is “We don't meet with terrorists” – well, what actually happens in the field is much different. So all these elders come. Some of them are truly Taliban sympathetic, some of them are Taliban themselves, and they're trying to have this consensus meeting with the Green Berets because they're complaining about some security thing. So there's like, you know, these are old guys, we're not going to ask—

SH: It was civilians getting killed.

DR: We're not going to ask them to sign a release.

SH: And even if they signed a release it wouldn't matter.

DR: Even if they signed a release, if these guys had been identifiable – I know what you're thinking, it's Afghanistan, it's not like they have a TV in their homes, but there are people who have access to the Internet and there's programs all over the place.

SH: Pakistan.

DR: There are people that live with all kinds of media that could be dangerous. So we have to blur all of these old guys. We have to obscure their identities, because if they are seen meeting with Americans, their lives can be in jeopardy. So it becomes ethical.

SH: Back to your question, so the DEA or U.S. SOCOM – Special Operations Command – in these kinds of situations, they get that kind of review. That is not to say that they don't – because they do every single time, it seems like – they try to categorize things as security-related that aren't at all security-related.

DR: Or they claim things are classified that are not. We push back. We say, well, I'm sorry but here's why it's not classified and here why it's not security-related.

SH: We just went through this with DEA and the Green Beret film, for example...

DR: They wanted to redact the *entire* film.

SH: They wanted to redact maybe 40% of the script.

DR: Oh my god, it was unbelievable, like, black line on the whole thing.

SH: So we went through and we found open source, like things that had already been reported on, and we said, basically, no, no, no, no, no, and you get into this fight with them.

AC: So that's why you meant when you said it was a pain in the ass?

DR: It is but it's an important process. At the end of the day, they might be annoyed by

something, but when you remind them, one, you're in violation of your agreement, we have editorial autonomy, and the other thing is that we're still protecting by the First Amendment, and these are [tough guy voice] *American agencies that pledge allegiance to the Constitution*, so...

SH: Sometimes, in the gang film, there was no agreement at all but this Father Stan who's worked with gang-involved youth for twenty years in Compton. We had to get access to these gang kids who were in this special school. They'd been kicked out of every other school in LA. They'd come there as a last chance to get a high school diploma. They also engage in therapy sessions to talk about violence with Father Stan, who's this amazing guy. I was going and coming from Compton for six months on that one, living in the rectory in South Central on a little twin bed. I got very close to Father Stan. He's a friend, I'd say gladly. He's a *hero* of mine. But we had no agreement with him. We just had an understanding. We don't want to put anyone in danger. We need your guidance throughout. Even in that film, we made an error and somebody got hurt. So, you know, you try to do your best, but it's not a one-way street. When someone gives you access, whether they're big, bad Green Beret, US government, or...

DR: Or high school kids.

SH: Yeah, a nonprofit school in LA and a priest and some kids who are 16. Anyone who's giving you access to their lives deserves your responsibility. You be respectful of what you are doing to gauge the impact on them. It's not just everything be damned but the truth.

AC: So there is this line that you're always walking between the full, unadulterated truth and your ethical guidelines.

SH: Yeah.

DR: Right.

SH: Yeah. And the other elephant in the room: matching sure that it's watchable. That it gets ratings. That people want to watch it.

Now, any filmmaker that's worth his salt wants to tell a good story, so that always, how do you spin a yarn and what narrative conceits, if any, do you take to try to spin that yarn. Not bending the truth, but in constructing your story – what is that? Heisenberg's Principle? By observing something, you're changing it anyway. But we're all slaves to story, but when you're in the commercial television universe, you're *really* a slave to story – to the clicker, to ratings, to a network that's looking to you and saying I just gave you \$1.8 million, this isn't a club.

This isn't a filmmaking club. This is a professional endeavor. You have to make it work.

AC: Why do you do the full commission work over independent work?

SH: [laughs]

DR: Because we actually want to make the films. [laughs]

People who do the independent thing – and there’s several strata of that – we moved to Boulder from D.C., which is one of the biggest *real* documentary, it does not now compete with LA for reality television, I mean there is some reality television coming out of D.C. but it was, if you go back about ten years, D.C. rivaled New York and LA for documentary talent.

SH: It still beats out L.A. for documentary.

DR: That’s true.

SH: L.A. is just chock-full of reality folks.

DR: So if you look at, we came from that universe, where plenty of people make a living doing this kind of work. And there’s plenty of people making a living doing the kind of work that we do and also do their independent film on the side. There’s a very robust community there. So we came here and people thought we were independent filmmakers, truly independent filmmakers, because a lot of the landscape here is independent filmmaking. So they thought we were independently wealthy. [laughs] We’re like... no... we actually make a living...

SH: That’s what we were talking about at the Emmys afterwards with a bunch of folks from HBO. I’ve always considered myself a craftsman, not an artist. We’re working journalist. We’re craftsmen. We make films, we make documentaries. We make TV documentaries. You pitch a story, you get it funded, there’s so many things going on in the world that we’re curious about... Everyone always asks us, what’s the one film you’re dying to make? I have a couple things I would like to make, but I don’t know. I have ADD, I guess. I’m just curious about everything going on out there. You pitch an idea. You get it funded. You get it made. As a journalist, that’s how it goes. D.C. culture is very much a workaday journalist culture. Look, if you can get someone to give you...

DR: You can get somebody to cough up some dough and give you some money to make an independent film then go for it. It’s different. We have tried to get grants and things like that where the money comes from a more independent source, so to speak, for that, Gosh it would be great to tell this story and not be tied down to what a network wants, or because the story doesn’t have any other home. We’ve had those urges over the years. For some of it, we’ve tried to get grants. We’ve written grants and not been lucky. We’ve gotten close but... no money. In other ways, we’ve found a way to tell a story to actually fit into something that we’re doing to actually get someone to buy it on that full commission.

SH: On that rare occasion, the American Cancer Society...

DR: Or sometimes there’s that kind of money. But frankly, it’s a much different – for us – it’s a much different calculus. It’s not something we wouldn’t do. We’d do the independent thing, but this is what our bread and butter has been – being able to sell stories before we have to sink our own money into it.

SH: Yeah, and when you have places like Geographic saying, Look, you can make five films

over the next two years if you want, we're going to give you \$2 million or whatever – I'm making that number up – sounds pretty good to me.

I guess that's kind of the way that we look at it. Frankly, also, we have a good friend of mine – we've done a lot of filming together – he won the cinematography award at Sundance, he was the DP on a lot of our projects, we've been a lot of crazy places together – he worked on an HBO project for years...

AC: An independent project.

SH: Yeah, an independent project, HBO doesn't... Daniel [Junge] is in a rare place. Most of the time, they'll make you come with your film partially made or wholly made and go, umm, no. They buy things.

DR: We'll give you \$10,000 to get to the next step. Which won't really get you...

SH: So, my buddy, they were risking their lives in Liberia. They didn't a wonderful film that won the cinematography award at Sundance – on General Butt Naked – I don't think it ever got on HBO. And they were working on this thing for years and years and went into debt. And I know he was intensely frustrated by it. So, you've got to be super-dedicated and super devoted about one story. I guess we're more journeymen. We like to pitch and get things funded quickly. That's not to say we wouldn't go the independent route, but we haven't done it yet.

AC: What do you think is lost between independent and commission production of stories?

SH: I think in making an independent film there's more autonomy, you're not as beholden to ratings. If it's meant for the theater then obviously you don't construct a film for TV like you would for a theater because no one is going to get up and walk out of the theater. But in the TV world you have to be aware of the all mighty clicker, right? So you have to construct it way differently certainly at the top. It would be lovely to luxuriate in that. But the downside is in some instances, they become kind of ego projects where...

DR: I don't know. It really depends on what it is.

SH: But if you're getting into a theater and 100 people see it, I don't know.

DR: But the nature of the storytelling is definitely different, but it's not like there's a universe of difference between... if you were to tell, and if you take any of our stories and try to tell them for an independent audience, but there are probably some things that we would change about them if it didn't have to end up on a network on television. But that is to say, when we're talking to Daniel, what he does is exactly what we do. It's just you know, in the edit room it's shaped somewhat differently and he doesn't have the constraint of a clock.

But they way that he goes about doing what he does is pretty much the same way that we go about doing what we do.

SH: And I have to say, the content wouldn't probably be radically different, but the presentation is different oftentimes. Our films feel more like independent films when they're in rough cut stage basically. Then we have to gloss them up and make them zippy.

DR: Ratchet down the brakes and all that.

SH: Tighten them up for a clock and start thinking about those ratings issues to get people paying attention in and out of commercials for example or at the top of the show.

In rougher format, especially when things run a little bit longer, basically the content isn't really all that different and the flow feels the same as some independent films. Mind you, it depends on what kind of television documentary you're talking about. POVs are mostly all independent films that are purchased for PBS, but PBS, we've done stuff for PBS but I know that they're becoming more and more pressured by ratings as well and trying to change stylistically in a way to appeal to younger viewers as the internet takes over TV.

[chat]

AC: I want to talk about one thing really quickly. Some of your films you've made for Nat Geo I've watched on the web – what do you think about presenting your stories over the web?

DR: It has no bearing on us whatsoever. We don't produce for the web. It's just what they do with it. Whenever we get it to the network, they do whatever they do with it.

SH: There's always going to be the need for content – there will be long-form content need and short-form content need and promotional need. The platform on which it airs hasn't... I've gone from the transition from no cable TV to cable TV, cable TV now to the Internet. The process and what we do hasn't really changed to be honest with you.

DR: But we're not making anything specifically for the web.

SH: Certainly becoming savvy about that technology as a way to promote your film and get the word out. The digital revolution has had way more of an impact on us in a way – it's fragmented markets so it's impacted the business of how these things are funded in a macro sense. But the other way that digital has impacted us is that we couldn't be here in Boulder if it wasn't for FTPs and working remotely with editors and stuff.

DR: That's the working part of it.

SH: It's more from that perspective.

AC: That certainly matters.

What do you think is the greatest challenge facing documentary filmmakers today?

DR: I think the biggest challenge for us is the landscape on the one hand has exploded.

Technologies have become much more accessible. You used to have to take out a loan to buy a camera and you don't have to do that anymore. There are many more outlets for documentary material. Sort of. The problem is, in some ways, the actual tolerance for actual documentary and the places where that can end up has actually shrunk.

So, while there's a lot more media that falls into the documentary style or kind of documentary or sort of reality realm, the actual places where there's actual documentary work, where people are actually going to fund and where it will end up being seen by somebody, those are harder to access.

SH: I don't know if I agree with that.

DR: I think so.

AC: Explain.

SH: It's easy to sort of take a negative view that things are always getting worse because of the pressures of reality TV and the fragmentation of the market, but I think if you look there are a lot of low-profile, you know, there's Current TV...

DR: That's true.

SH: ...There are a lot of small networks out there...

DR: Smithsonian channel.

SH: ... that are putting out really good work. If you look at the documentaries we saw at the Emmys – and a lot of them are independent films that made it onto...

DR: But those universes... History is no longer an outlet. Bravo. A&E. None of those an outlet anymore.

SH: No, but things change. Current TV has popped up. On the Internet you can find other venues.

DR: There's also international – it used to be that filmmakers didn't really cross the water. You kind of stayed.

SH: I think things are changing. I think the democratization of documentary filmmaking with regard to technology be cheaper, everyone can do it, obviously, there's a downside. Because if everyone can do that, it's not specialized anymore.

DR: But there's also a lot of crap out there.

SH: But if everyone can do it, it's a wonderful thing, because it democratizes it, it brings all these wonderful stories to light. But also like what the blogosphere has done to journalism. A lot

of people are out there saying they're journalists when they're really not. And a lot of people are out there saying they're documentarians when they're not. A lot of young people aren't even raised in an environment [in unison with Rubin] *to know the difference*. We find that a lot with young people who come to work with us. They think, they have this mushy idea of what documentary is and they bring these reality TV ethics and understanding to it. That's one of the downsides to the fall of these larger institutions, like Geographics and ABCs where a lot of documentarians used to come up through the ranks. You would really get a firm grounding in what was ethical and what was not. That's not necessarily the case anymore.

How's it's impacting the TV world, which we dwell in a lot obviously, is that it's fragmenting markets. There's increased pressure for ratings, and there's increased pressure to steal the visual techniques of reality TV, which I'm not particularly fond of, and budgets are fragmenting, so you're not getting these blue chip documentaries of old where you get \$400-500,000 to work on a film forever. That doesn't happen so much anymore because they just don't – everyone is suffering from this reduction in viewership. That means fewer ad sales, that means they don't have as much money.

DR: There's also sort of a lack of – everybody thinks because there's this proliferation of media and because you can put things on FTP sites and drives and ship them – it used to be that you had to wait on processing time for film – so it used to be there was two weeks between the field and editing so you could screen your rushes and you would all sit down and screen them together. Gone is the day. There's this sort of thinking that you can edit a documentary film in however long it takes to get the media... And no, you still need the thinking time. You still need the time. There's this whole faster, faster, faster notion to the whole thing.

AC: Do more with less.

DR&SH: *Yes*.

DR: In less time. Quickly.

SH: With less money. It's easy to take a negative view, but there's more opportunity out there. There's more good material and there's more crap. There's more of everything.

DR: Yeah, more of everything. That's true.

SH: I do fear that the networks that are really delivering content to people, look at the television networks, I go back to ABC, NBC, CBS. They still – I don't know, I'm making this up – they used to reach 20 million people a night. That would be a bad night. Now there still reaching, 10? I don't even know. Now, all of those networks used to have in-house documentary filmmaking units. They don't have them anymore.

DR: Well, CNN just launched one.

SH: Well, CNN is... You know, the folks that used to reach lots of people with really high-end documentaries – the Discovery's, the History's, the networks – they, because corporate culture is

what it is, they don't see it as a luxury they can afford anymore.

You do have your Current TVs and a lot of other places – and independents – who are creating great documentaries out there, but they're hard to find. They're hiding.

AC: And there might be some speaking-to-the-choir going on, too, with all this fragmentation. There are all these great new opportunities, but it's still fragmented and you're not reaching the large audiences.

SH: That's exactly right.

DR: You really have to look to find the good stuff in all the crap that's out there.

SH: That's a great point. It's a double-edged sword. There's some good and there's some bad. If you look at Murrow's, remember that classic *Harvest of Shame*, that reached the entire country. The entire country was moved by that film to think about migrant labor. That doesn't really happen anymore. You're right. You're not going to have conservatives watching...

DR: Yeah it does! That's not true!

SH: It's rare.

DR: No, because the entire country is moved by things but in a much different way. Like the entire country was moved by the attack on the Benghazi embassy, and it was originally believed to be caused by that video.

SH: But that wasn't a documentary, that was... it was mostly the pundits' fear shedding more heat than light on everything.

DR: But I thought you were talking about the entire country being moved by media.

SH: Yeah, but I think it's true that Current TV is going to preach to its choir. There aren't many places that reach a broader spectrum of the population.

AC: The web. *Maybe*. Even it is still super fragmented.

SH: Super fragmented. Sure. So people are just living in the little niche where they feel comfortable. Fox can do what they do... although it is instructive that Fox TV had zero Emmy nominations.

DR: [laughs] Yeah, they were *not* represented.

SH: But like Bill Moyers said, the best days are ahead. It's just changing. The platforms are changing. The means of delivery are changing. It's going to become easier to do this for a living and there's going to be a lot more crap because of that. There's going to be a lot more gems and a lot more filmmakers rising up.

[chat, Rubin leaves for a meeting]

AC: Anything else to add on the challenges or benefits of making documentary?

SH: No, it's a great way to make a living. We need good people out there doing it.

AC: It's still a good way to make a living despite the challenges?

SH: It's a wonderful thing to do. We need to encourage people that the future is going to be better than the past. Folks who really want to do this for the right reasons, not because they want a lot of money, not because they want to experience the glamour of filmmaking or documentary, but because they want to tell a story and tell it responsibly. I think that's an important function to serve.

AC: It's a journalistic function, which we tend to hold in high esteem.

SH: I grew up in the era of Watergate and Vietnam, so reporters were making a difference. They brought down a President. They ended a war. It seemed like the most noble endeavor in the world to me. It's still out there, but you've got to take a stand and that's the hard thing when you're navigating this as a career as a young person. I see so many people go down an easy route where they become an associate producer at Home and Garden TV or whatever. They get stuck there. They'll never leave. Someone at PBS, Nova, or National Geographic isn't going to hire somebody who's been in reality TV. If you want to just get into it to make a living and don't care about the ethics, I recommend against it. If it's just about making money, then there are easier ways to make money [laughs].

AC: Do you consider yourself radical in that way? That you're trying to push yourself to do something more than just reality or whatever.

SH: I think there's probably more people than ever because this reality thing is kind of a new thing. This whole reality industry is employing so many people. There's a lot more opportunity now, so a lot more people can make a living making TV than ever before. There's always been people willing to do schlock. There's always been people who stand by their convictions who want to stand for something and engage in a purpose-driven career. I don't know if that's changed. There's just more of both.

But yeah, I've gotten to view the pyramids at sunrise, film at Lenin's tomb, see what it's like to be in combat in Afghanistan. I've met so many amazing people over the years. I've been all over the planet doing this. I've slept on Arctic sea ice. I can't imagine what would be a more adventurous way to make a living.

AC: One final thing, can you articulate your objectives as a filmmaker?

SH: My objective is to just find good stories and tell them truthfully. Help give voice to people who don't otherwise have a voice. That's the ideal. We don't always get to do that especially

because we do so much work in TV. But I think that's the most important thing to me. It's to be able to go tell a story, tell it well, tell it in a way that's engaging so people want to pay attention, and give voice to people or to happenings that wouldn't otherwise have that platform. We've had a lot of opportunities to do that. Not always. A lot of times we're not doing films or programs... some of them you'll see or make like TV programs than documentary films. So, we don't always get that chance, but we get it a lot and that's when you really feel like, wow, what I do really counts and matters. When you get feedback from a widow of somebody who was killed when you were out in Afghanistan, or gang kids rethinking their lives, or families of whale hunters whose father has passed away, it makes you feel like what you're doing matters.

AC: What did you mean when you said we don't get to do that a lot when you do so much work in TV?

SH: Because we're not – if we were making independent films and tracking down money, I don't know what or how many films we would make. What do you think? One every couple of years? One every three or four years? Which is wonderful. But we make a lot of films that are accurate and truthful... for example, this DEA thing. We're giving insight to these guys doing these missions overseas in the DEA. It's not a Frontline, so it's not a newswipe. It's not evaluating whether the drug war over there is winning or losing, although we go there and folks can draw their own conclusions after they see these DEA guys. That doesn't give me the same level of satisfaction as covering a unit downrange in Afghanistan that's involved in a deadly incident, or profiling a New Orleans high school post-Katrina over a long period of time, or some of these other stories that are kind of near and dear to my heart. Some of them have more social impact than others. Those are the ones that kind of really capture your heart in a way. Not all the work we do – especially if we're profiling, for example, I'll go back to the DEA – that's not a group that needs a voice. That's a group that's already powerful.

You could say the same about Hillary Clinton, but that was a different thing. How many people know the inner workings of the State Department? She's a powerful person but that was rewarding project to be involved in just because not many people get to see the guts of the State Department and how it works. A lot of those films, they might not move viewers like some of these other more dramatic pieces, but that program has ended up in museums and schools all over the country. That's rewarding too, just maybe not as emotionally.

We did films on the Mississippi River and the engineering along the River pre-Katrina, and that ended up in school all over the country. We did a thing about a friendly fire incident in Iraq and that's being used – we're not supposed to do that but we never say anything – that's being used in training Apache helicopter pilots to try to get them to not have another incident where they're killing their own people.

[...]

To get all the feedback we got after Afghanistan, people saying I never understood the plight of these guys, what can I do to help? For the widows and the families of the victims, we had this document that showed what these guys were doing. For other folks that said, this is just ridiculous, how could these 24 guys pacify the place the size of Rhode Island, all of that

feedback made me feel like we were contributing to the national conversation. What could be more important than a piece on war in a democracy? That was a really important one I think. It's not like we went there not knowing that bad things could happen. We checked the casualty reports every week before we were sent over there.

AC: You said they wanted a large portion of that project redacted, was that related to that attack?

SH: They had very great misgivings about what happens, even before we went over there, there was a remote possibility – we knew it was possible because we asked to go to the hottest place they could send us – what happens if we kill somebody or if one of our guys gets killed on tape? You have no control. If you let us in, what we see is what we see.

With the DEA, the same thing kind of just happened with a program that's going to air in a couple weeks. Some of the DEA, I should say, focused on drug mules from the drug mule perspective where we got access through a New York Times correspondent in Colombia to mules actually preparing to go out. It's not entirely from the cops' point of view. In one of the episodes, it ends with this scene where the DEA captured a cocaine go-fast boat off the coast of the Dominican Republic. Then, as they take down this boat and capture 1.5 tons of cocaine in this historically large capture as far as how much cocaine they got, suddenly they realized that someone's making they realize that someone's watching them and warning them about what they are up to. The next thing they realize is that it's one of their own people. One of the Dominican cops with them that's obviously working for the other side and is calling them. So they end up taking all the cell phones from all the cops that are with. They have automatic weapons. This is a dangerous nighttime thing. DEA didn't want us to show all that stuff. But obviously... it wasn't a newsworthy piece but this corruption confronts us in real time. It became the ending bit of the show, where you get a real feel for how fucked up the whole drug war is and how steep the incline is that they face.

AC: How do you exercise your rights in that sort of situation?

SH: You say no! With the Green Beret thing, too, they tried to categorize a lot of stuff as security-related and we said no. My cameramen were [evacuated] to a medical center in Germany. We didn't get blown up in fucking Afghanistan to have them tell us what we could or couldn't say. We came back and said no. It never got to this point, but they backed off. They're not going to sue National Geographic. As long as National Geographic stands by us, then you're good. We haven't worked on that kind of story for Discovery – I don't think I would want to bet – I would not do a story like that for some of these other networks that don't have the standards and practices that Geo has. They tried to redact a lot of it and we pushed back on everything. Including security-related stuff. We said, look, it's not a secret. You say it's a secret.

AC: How exactly do they define that even?

SH: They try to define things as a secret. Some of it is very legitimate and we can – we're journalists, we've covered this story for months, or with Green Berets and special forces we've covered those stories for years – we also have military consultants working for us. We can say this is legitimate gripe but this is not. In some places there will be legitimate gray areas. We have

attorneys, they have attorneys, if it ever came to that, they would get in a pissing match and decide.

AC: So it's not necessarily explicitly defined.

SH: It's always a negotiation process, but often times when we've dug our feet in the sand, I don't think there's anywhere where they've insisted otherwise. I'll give you an example: in the Afghan thing. They said, when we left the base in Afghanistan, I sat next to a translator in a Humvee and the translator is listening to the Taliban watching them leave the base. It's very mountainous so they had scouts posted on the mountaintops with these old walkie-talkies and will say, The Green Berets are leaving the base, it's 2:00, they're turning left, you know. You'll hear all kinds of chatter. "I have to go get a chicken" that kind of thing. They know that the American translators are listening in on their transmissions. Sometimes they even talk to each other. "Go fuck yourself." The other guy says, "You're an asshole." Because sometimes they know each other. It's just this creepy thing because you hear them tracking you everywhere you go because they have scouts. The Green Berets try to say that's classified. We said, of course it's not classified. It's been widely...

AC: How do they justify that?

SH: Well, they're rightfully paranoid. People are in harm's way. They're being blown up and killed *everyday*. They have a right to be paranoid by it, but we said no. it's not classified. I went in and I found a bunch of reporters that had already reported on it to say that this is open source. It's already been reported on. You can't call this classified. Everyone knows about it. I think in some instances you can even find press releases by the Green Berets that talk about it. They had to relent.

There was another thing. There was the ambush and one of the Humvees was blown up in the night time. Incinerated. Two guys died. We were trapped... That Humvee that had been blown up happened to be... one of the guys that had gotten killed was an NSA employee embedded with the team. They had specialized equipment on the truck that had capabilities that they said were classified and that we couldn't talk about. In this case, the technology was a locator technology that could help them find Taliban through electronic means. Their exact locations. If you went on the Internet and looked really, really hard, you could find references to this thing. But generally speaking, it was not reported on and they said you could not talk about it. Legitimately, we said ok, because it would easy enough for the Taliban to look this up and say this is how they're tracking us. Let's try a different method so they can't track us. That was not only fair. We want them to review this stuff. I don't want to review something and have them say, look, what you did just got ten Americans killed. That wouldn't be good. We don't want to reveal national secrets. If they're legitimate secrets keeping American servicemen safe... No real reporter would openly report on that. It happens all the time when people say please don't release this information and reporters say ok.

## APPENDIX E: REECE AUGUISTE INTERVIEW TRANSCRIPTION

Anthony Collebrusco: I speak with Steve [Hoggard] and we were talking about you and he said you were currently working on a project. Can you tell me a little about what you're working on right now?

Reece Auguiste: It's been a long, long project. It's a historical-documentary film on Benjamin Hooks of the Civil Rights movement. Benjamin Hooks was one of the pioneers of the Civil Rights movement dating back to the 1940s. He's from Memphis, Tennessee. The film's an attempt both to explore the historical development of the Civil Rights movement but to really look at the way his life intersected with some of the major transformative moments in American social and civil rights history. That's what the film is about.

It really covers a huge arc from the 1940s – actually, it goes even further back than that to the early part of the 20<sup>th</sup>-century all the way up to his passing a few years back. So it's basically a documentary that uses extensive volumes of archival film footage as well as photographs, because a historical project you have to rely on archival materials to help you construct a narrative and a form.

AC: You've been able to find those materials fairly easily?

RA: Yeah. It's been a project for a very, very long time. I have identified all the footage we wanted as well as photographs, music, and things like that. We had a 60-minute cut and now we're re-editing it into a much longer piece.

AC: What are you producing it for?

RA: We are actually trying to basically get some kind of television outlet. PBS, HBO might be interested in it at this point. Obviously, taking it to the festival circuit and eventually it will hopefully be part of the education curriculum at colleges and universities and high schools, particularly departments that have a civil rights program or might be interested in questions of civil rights.

AC: Can you speak to the mechanics of educational buying of media and documentaries?

RA: Well, basically, what it is, if you were to sell your work to an institution, the license agreement has to be in terms of education-only viewing. In other words, a college cannot have a public viewing of the film because that would be a violation of the agreement. It has to be understood that – the film can be used in the context of fair use.

AC: Is this governed by legislation?

RA: Only in terms of copyright law. Audiovisual materials that can be used within institutions can be exhibited within an educational institution as long as you're not asking people to pay to come watch, because once you begin to do that it falls into the commercial realm and that's a

violation of fair use.

AC: How are the prospects for distribution?

RA: We're still exploring.

AC: What are your objectives, either socially or politically, as a documentary filmmaker?

RA: My objectives? I don't really have a clearly defined objective in terms of what I do. In terms of the documentary film, I fall more within the essay film tradition. My objective on any particular project is that I remain authentic, that I do not compromise my interpretation of the material or my vision for the film. My immediate objectives are always, in terms of the construction of the film, and returning a degree of authenticity in what I do. I don't necessarily make my films for a particular audience. I do not believe necessarily that there is an audience out there for a film; I think that's a bit of a misnomer. Which is why of course Hollywood has screen tests and they come out in malls and find an audience for their work. I don't have that. I don't do that. My whole approach is that if the film is good enough then it will find its audience or the audience will find it. I must also admit with the advent of social media and the Internet that has kind of leveled the playing field somewhat, whereas back in the 80s or 90s, it was very difficult to find distribution for your work. You went to a distribution company and they would do what they want with it or you would try to find ways to distribute it yourself. That kind of traditional distribution model has been surpassed by social media where you can actually promote and market your work on Vimeo, YouTube, you can put up a website. There are all these things you can do which previous documentarians could not have done because the technologies were not there for them to do it.

In many ways, it's more exciting now to be a documentary filmmaker, or a filmmaker period. One, the technology of production is much more accessible. It's cheaper. The workflow is easier than it was before. You don't have to basically cut your negs and send it to a lab and that kind of stuff. Also the distribution for it is much – you have greater latitude in terms of distribution. If you have the work up in social media site, then basically your potential audience is the global community. It's not just Boulder or Colorado or whatever. You travel national boundaries.

AC: You're optimistic about the web's ability to reach large groups as opposed to the web being fragmenting and you only reach a niche public?

RA: Yeah, yeah. I believe that [in the web]. One of the problems is to get your website on the first click or on the first page, you have to pay for it. You have to pay Google or whoever to get that kind of ranking. Which is why when you click on like laptop, you get the usual suspects on the first page because this corporation has actually bought this space. We know from Internet Studies that very few people go beyond the fourth page of the search. Very few go deeper and deeper and see what's in there. You have to be very strategic as to how you get it there.

AC: People trust that Google will get them what they want very quickly and efficiently.

RA: Exactly. It's just the way I think people naturally respond to Internet searches. This is the

culture of instant gratification. Anything that involves hard work or extra work is put on the back burner. You want it [snaps fingers] immediately.

AC: What is the strategy for the documentary filmmaker then without paying tons of money?

RA: You could probably look at not just establishing website but Facebook does quite a bit. Vimeo. Most importantly, more filmmakers need to have a handle on Internet marketing strategies, which is very different from traditional forms of marketing. I think social media has given filmmakers more leverage in terms of marketing their work online.

AC: And by themselves, too!

RA: And by themselves. Yes. You don't have to pay for it. I've received e-mails from people who are trying to get their films into educational institutions and just asking, is this a film you would show to a class? Is this a film that would fit into your department's program?

Actually, I'm seeing more and more of that than in previous years. Filmmakers actually go online and they research and find the film programs and how best to get their films directly to that program as opposed to going through a distribution company.

AC: So, it's direct rather than having to deal with intermediaries. Do you plan to use this strategy for the Hooks film?

RA: Eventually, we probably will. Now, we're just exploring possible pathways we can take. This is a film with a very strong pedagogic component to it, in terms of American social and political history, civil rights history, the role of the individual in social movements and that kind of thing.

AC: Can you tell me about your work with the Black Audio Film Collective? What were you as director of those films trying to accomplish, and can you comment on how documentary production has changed since then?

RA: I will take the last one first. What happened in the 1980s was the emergence of Channel Four television and was funded by independent film producers who pushed for a fourth channel in the UK to counterbalance the hegemony of the BBC and ITV networks. One of the interesting things about that particular network was that it had the center of its *raison d'être* be a minority remit. Meaning that channel four would support the work of minority voices, gays, lesbians, disabled, ethnic minorities, women, those kinds of voices that had been marginalized by the BBC and the other networks. That's the first thing. Then you also had in terms of fiction film, they had a department called Film on Four. They would basically finance independent narrative films as well as acquire independent narrative films from filmmakers in Britain, but elsewhere in Europe, Asia, Africa, and so on. Channel Four was also trying to lend its financial support to struggling filmmakers on the margin of dominant cinema.

Black Audio was established partly in that spirit, but also we had to establish relationships with the British Film Institute and the Greater London Council (the GLC) and we just began by

wanting to make an intervention in the debate about black representation. Basically what had happened historically since 1949 was that representations of ethnic minorities in Britain was to a large extent the work of BBC and ITV. Those networks were constructing representations of black communities and those communities themselves were in many cases voiceless. We felt a need to basically intervene in that debate and to roll back some of the negative and very questionable representations of Britain's black communities which had been there since 1949, but even between the war years. Partly because of Britain's own colonial history, you had the arrival of colonial and postcolonial peoples into Britain and establishing their own community structures and their own institutions and getting on with life. But one of the areas that was severely deficient was in the area of media representation of those communities *by* members of those communities themselves. We've had a history of some black filmmakers like Horace Ove, who's been there since 1968 making films, others like Menelik Shabaz also making films. We had individual filmmakers but we worked in collectives. We believe in this notion of working in the collective in terms of what it would enable us to do. We had to actually acquire funding from the BFI as well as from Channel Four television to make those films.

AC: And working in the collective made that easier?

RA: Yeah. I think it made it easier because I think there's strength in numbers. Also, at the time there was a push to establish film workshops in the UK. They were like regional film workshops. There were workshops in London, several workshops. There was a whole bunch of film workshops that were all making films for Channel Four Television. The idea was you get a contract, you submit your film to Channel Four, if they like your idea they finance it.

The good thing about it is you were able to make your films and then Channel Four would guarantee you a screening of it on Channel Four television. Then, they did not claim copyright to the work. The work is yours and you can do whatever you want to do with it.

AC: That's good.

RA: Exactly. It was a really good model. But we did more than make films, we also participated in conferences, established conferences, we had filmmaking workshops, we also had extensive screening of films from different parts of the world – South America, Africa, Asia, Black America. We did all of those things as part of our objective of education.

AC: So it was kind of an academic project, almost? Pedagogical?

RA: Pedagogical would be the appropriate word.

AC: You mentioned that the project was designed as an intervention. Was that intervention difficult?

RA: yes, it was difficult. Because first of all, they just saw us as a bunch of ragged, newly minted graduates who wanted to make films. To a certain extent, I think, we were not taken seriously. We were only taken seriously after we made our first film *Handswell Songs*, which was set around the 1983/84 riots in Birmingham in the UK. Race riots. When that film was made and

went on to win the BFI's Gracenote Award, which is most prestigious award for documentary film in the UK. Only then we were taken seriously. We were taken seriously partly because the film provoked debate in the British press between Salman Rushdie and Stuart Hall about the merits of the film. There was an ideological and aesthetic debate that occurred around the issues addressed by *Handswell Songs*. It was not a traditional documentary film. It was an essay film. Historically, a number of people would not associate black filmmakers with essay film form – they would associate it with filmmakers like Chris Marker and others, and they had to realize that we'd also, ourselves, watched Chris Marker's work, and so did Chris Marker. What do you expect when you send kids to college, right?

AC: You watch Chris Marker films.

RA: Yeah, you watch Chris Marker films. You study Althusser, structuralism, semiotics, and Christian Metz. When you come out and you've had that philosophical grounding, what else can you do? [laughs]

AC: So it was a bit of a change in the documentary form?

RA: Definitely. It ushered in a whole new approach to documentary filmmaking by the children of immigrants. By ethnic minorities, most definitely. Really, that's what Black Audio did for a number of years.

AC: I have those quote about *Twilight City* by Kodwo Eshun...

RA: Yes, Kodwo Eshun. An old friend.

AC: "*Twilight City*" and a number of other BAFC films "perceive migrants as quintessential moderns drifting through the Metropolitan West, seers aware of violent histories to which the dominant population remains blind. They are figures whose disappointments demand a new kind of narrativity." So, this seems to guide this larger project, would you say?

RA: Yeah, definitely. Absolutely.

AC: And that's what the discussions that came out of these films revolved around?

RA: Pretty much so. Because, prior to Black Audio Film Collective, the way documentary films were made by ethnic minorities was basically a duplication of the traditional conventional documentary form. Like a reportage, a journalistic thing. There was no space in that model for existential reflection. There was no space in that model to explore notions of memory and how racial memory works. In terms of narrative form, there was no place for experimental narrative. *Handswell Songs* and *Twilight City* are experimental narratives, essentially, in terms of the way it's structured. So yeah, with BAFC, that's exactly what we did. Because in a way you have to find a new voice, right? For the voiceless.

AC: New narrativities. You don't want to adopt the language of the dominant forms.

RA: Exactly. It's imprisoning. It's a form of imprisonment. I call it narrative imprisonment. I'd rather have a more fluid, non-didactic approach to the form. Because it allows me a degree of elasticity in terms of what I can do with it. For example, *Twilight City*, I used some of the photographs of Fani-Kayode, who was a Nigerian photographer, very much influenced by the works of Mapplethorpe. I took some of the photographs and I reconstituted them. I took the photographs and I established live action in the studio based on the photographs. That had never been done before. As opposed to just taking the photograph and shooting it and putting it in the film. I had the photograph, but I never really showed the photograph, I just showed the live action based on the photograph as a tableau vivante.

AC: Do you think these attempts to use new narrativities influence the projects you're working on?

RA: Yeah, definitely. Because the Hooks project, it's kind of like – the voice-over narrative is totally fictional. It's a young woman writing a letter to her mother in the Caribbean. It's a total fiction piece which kind of like has some connection to historical events that were happening at the time, basically the restructuring of London under Margaret Thatcher, what was happening to communities and all these kinds of things. But with this particular film of Ben Hooks, it has elements of the poetics but it also has elements of more historic data, which was actually encountered throughout his career. But I tried to walk that fine line.

AC: Can you comment on the distinction between public media in the UK and America?

RA: The American system is vastly different. I think the BBC and Channel Four and the London Arts Council and all these kinds of institutions; they are more interested in taking risks. I think they're more interested in experimental narrative forms. In the United States, what I think has happened is... there's definitely a resurgence in documentary film and that might have to do with the fact that Michael Moore was so successful with his films as well as... the director of the *Thin Blue Line*... those two have been very successful. We've had other successful documentaries. I think in the United States, the dominant form is still *cinéma vérité*, the kind of film that Michael Moore does, and the guy that made the film on gluttony...

AC: Spurlock.

RA: Spurlock. I think that is the dominant form in the United States. Most of the documentaries I see from the United States has that kind of form to it – semi-journalistic in some ways. I think in the UK and in Europe we have more of an experimental, critical approach than we do here. Just the notion of actually placing yourself at the center of the narrative like Moore does all the time, that is a little bit rarer in Europe. I think it's becoming more of a thing because of the influences, but I think it hasn't always been that way.

AC: Because there has been less experimentation with form, that's probably why we see less interest in challenging content.

RA: Yeah, exactly. Because if you look at the history of British documentary, talking about coming out of Grierson, Flaherty and that tradition of documentary filmmaking – Joris Ivens, out

of Holland – those documentary filmmakers are the model most European documentary filmmakers look to, less so than the Michael Moore model. In the American system, I think the approach a number of documentary filmmakers take in the United States does not really allow much space for reflection and introspection. It doesn't give you space to explore things like memory, those kinds of things. It's more of an immediate first-person narrative, which has a so-called journalistic edge. I'm thinking that's probably because of what television has become. Also, documentary filmmakers are having now to compete with reality television.

AC: That's a big one that Steven was discussing.

RA: You have to have this battle. Because it's certainly cheaper to make reality TV than making other kinds of documentary films. It's dirt cheap, and the financial returns are exponentially high.

AC: I was reading this thing last night about how cable documentaries in the United States have gone from \$30 million to \$4 billion in revenue, but they expanded "documentary" to include reality television and docusoaps.

RA: Which is to me, epistemologically very dangerous, because what reality television raises is the notion of authenticity, right? And epistemology that is authentic. A lot of reality TV is socially and culturally constructed. That blurs the divide between what's real and what is not real. In a media saturated environment like ours, people who do not have the critical faculty are going to have real problems deciphering the real from the unreal. That kind of blurring is going to create major epistemological confusion. You just don't know anymore.

AC: That's going to have significant social consequences.

RA: Absolutely. And not just social, but also moral consequences. Which is why I think reality television is fundamentally morally questionable. But as long as those guys are making money, it's not about morality. It's about profit.

AC: One last thing I want you to comment on is, of the interviews I've done so far, you're the first person who works in academia that also does filmmaking. Can you comment on the relationship between the production of documentary film and being in academia?

RA: With Black Audio, we always had one leg in academia or one leg in theory and aesthetic issues, and critical issues, and one in production. We've always had that. I think that's what's pretty unique about BA. We're not just making films. We were writing manifestos, we were writing essays, conference papers, we were going to universities and colleges and making presentations. We always had that critical engagement with the form. That critical engagement, or the knowledge that we derived from that critical engagement fed into our filmmaking practices. That's not unusual. I think it's a bit unusual for a lot of people, but Chris Marker, Goddard, Truffaut, Fassbender... all these filmmakers were critically and philosophically engaged with what was happening in their era, and that fed into their filmmaking practice. That model we found very useful. So we became that. Making that transition from working in the film collective, working outside of academia, and now working in academia but making films wasn't

much of a leap for me. In fact, working in academia has even sharpened my own thinking about the work because I'm reading – which I love doing – tons of texts, doing tons of research. I watch films. I teach films. I hold seminars. I get feedback from students. Also, it gives me the opportunity to hopefully find potential filmmakers who might be interested in doing something different than going the usual path. They might want to think seriously about what they're doing. It hasn't been much of a stretch because I've always done that, but now I'm doing it in a different context, maybe in a more consistent, structured way than I did before.

AC: And it probably gives you a little bit of security to work on projects.

RA: Absolutely. I know a lot of folks who are filmmakers, like Charles Burnett, for example. He's made several narrative films [...] but recently he took a position as a professor at Cal Arts. He's a seminal independent filmmaker but I think in having someone like Charles Burnett at Cal Arts is a huge plus for Cal Arts, because he can hopefully shape the next generation and the filmmaking practices of some students and he can go off and make interesting films.

It's not really that unusual, you know.

AC: What do you think the most significant challenges are for documentary filmmakers?

RA: I would say funding. Distribution. Despite all the utopian opportunities presented to us by social media, I still think distribution is a big thing. Definitely film finance, because it's an increasingly crowded field. I think the topics that often get funded are the ones that are more controversial because I think if people think there's a controversy then they can sell it. If a film is about let's say 5 points in Denver, there's no controversy. It's like there has to be an angle to it. I think Michael Moore has been partly responsible for that because all of his films are about controversial topics and provocative topics. It creates a debate, no doubt, but I think it has also somehow created this paradigm where potential funders try to find that controversial element because they can hang the marketing of it around that. He does healthcare for example – *Sicko* – which is just politics. *Bowling for Columbine*, same thing. I'm not taking anything away from Michael Moore. What he does, he does it very good. There's no doubt that he's good at what he's doing. But I'm just slightly concerned that subjects that are not seen as controversial might not get funded. Especially historical subjects might not get funded.

AC: Or the topics that we don't have the paradigms in place to talk about appropriately.

RA: I would say that it still comes down to funding. There was at one point a notion that it's easier to finance documentary films than it is to finance narrative films. Because it's documentary. But I think in fact it's just as hard. Maybe even harder. But having said that I recognize the field for documentary films has widened somewhat. There are more people making documentary film and they want to be documentary filmmakers as opposed to narrative filmmakers. It's really hard in the United States to make experimental narrative films. It's just really, really hard. Like, for example, I don't see the United States producing the equivalent of a Belattar. I don't see the US producing an equivalent of an Antonioni. I don't see it. That is because the majority of people, their idea of what narrative is is still the Aristotelian three-act

structure. That model is an ideological practice. They are basically practicing an ideology. The ideology that says the Aristotelian three-act structure is the only model for film practices.

It becomes harder to make more experimental narrative forms.