

Beyond the Frame:  
A Study in  
Observational Documentary  
Ethics

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## **Abstract**

Ethical questions are central to documentary studies. It has long been acknowledged that documentary practices have an ethical dimension for filmmakers, audiences and documentary participants. An ever-expanding body of literature academic, professional and popular speaks of a wide concern to understand and address the ethical issues raised by documentary filmmaking.

Documentary ethics is a complex discourse, crossed by multiple and incommensurable obligations, rights and principles. The participant's right to privacy, audiences' right to know and the documentary filmmaker's need to tell a compelling story collide as filmmakers are called to 'weigh up' competing interests. Questions continue to be raised about the possibility of informed consent in documentary practice, appropriate levels of disclosure and the power relationship between filmmaker and participant.

Despite the complexity of documentary ethics, this thesis argues that some questions fall beyond current boundaries. Specifically, the experience and meaning of documentary participation have not yet been considered. This research seeks to bring a fresh perspective to questions of ethics in documentary practice through empirical study of the practices and meanings of documentary production. In taking as its object of study documentary practice itself, this study seeks out the voice of the documentary participant, a voice that has too often been a central absence in debate in the ethics of documentary.

## Abstract

In taking documentary practice as a starting point, this research highlights the limits of current theorising in the ethics of documentary. Bill Nichols' critical contribution to developing a unique theory of ethics in documentary is both acknowledged and critically assessed in this study, which points to the limitations of the documentary text as ethical signifier. The thesis proposes that by considering the documentary text in conjunction with narratives of participation the ethical implications of documentary can be more fully considered.

Focusing on the experience of observational documentary from the perspective of participant and filmmaker, this research shifts the ethical terrain in subtle but significant ways. Attention is drawn to the complex relationship between filmmaker and participant, power relationships, trust and meaning. Ethics is reconceptualized; the search for a generalised ethical framework for guiding decision-making is abandoned in favour of a process of engagement and understanding. The research presented here seeks to demonstrate the significance of understanding documentary practice, the experiences of participants, filmmakers and audiences, as a foundation for ethical thinking in documentary studies and as a way of reinvigorating the discourse of documentary ethics.

## **A Note on Terminology**

While French terms are widely used in the study of documentary, there is little consensus on their usage or presentation. Where French terms have been used here, spelling and presentation are as presented in the Oxford English Dictionary. French terms have been italicised and the French accents retained. Hyphenation is consistent with that presented in the OED.

## **Certification**

*I certify that the substance of this thesis has not already been submitted for any degree and is not currently being submitted for any other degree or qualification.*

*I certify that any help received in preparing this thesis, and all sources used, have been acknowledged in this thesis.*



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Katherine Nash

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## **Introduction**

### **Self-Reflections of an Observational Documentary Maker**

What do we do with people when we make a documentary? This question, posed by Bill Nichols (2001, p. 5), goes to the heart of documentary ethics and constitutes, in broad terms, the subject matter of this thesis. For Nichols, the impact of the documentary making process on those who are filmed is the central question with which documentary ethics must grapple. In ethical terms, the consequences of documentary participation constitute a foundation on which the obligations of the documentary maker can be constructed. If ethical documentary making minimises harm to the documentary participant, answering Nichols' question in the fullest sense possible seems to be a valuable starting point for ethical practice.

Nichols' question raises some interesting possibilities as to how the experiences of the documentary participant might be conceptualised. In the first instance, it locates ethics squarely in documentary practice. It begins not with abstract discussion about 'the good' as it relates to documentary, but with a practical question 'what do we do'? As a question it invites us to engage deeply with documentary making as a practice that involves *doing* something with others. Nichols' use of the word 'with' in the question rather than 'to' draws attention to the possibility that documentary is not exclusively something done by documentary makers to participants, but may be an essentially collaborative process.

Taking inspiration from Nichols' question, the thesis will explore ethics from the perspective of documentary practice. It will take the encounter between the documentary maker and the world, and the transformation of that encounter into the documentary text, as a process that is suffused with decisions that have an ethical dimension by virtue of their impact on those who participate and who are thereby transformed into documentary subjects. In particular it will focus on the documentary relationship, the relationship between the filmmaker(s) and the social subjects who participate in the making of a documentary film. Such a study will necessarily take an empirical approach. Within both philosophical and applied ethics, the importance of empirical research has been acknowledged, and we have witnessed an empirical turn in ethics (Levy 2009). For documentary ethics, the empirical turn promises to be particularly significant, not least because it clears a space for the voice of the documentary participant. What do we do with people when we make a documentary? This research challenges assumptions about the ethics of documentary filmmaking by putting that question to documentary participants and filmmakers.

Before beginning to elaborate on how the Nichols' question is to be addressed in this work, it will be of some benefit to consider my personal motivation for undertaking this study. Two illustrations will serve to demonstrate the contribution this thesis seeks to make. The first comes from my own experience as a documentary filmmaker and my relationships with those I filmed. The second illustration is in the form of a reading of Dennis O'Rourke's *The Good Woman of Bangkok* (1992). My reading of this documentary is not entirely original but when placed within the context of an ethical discourse focused on the experience of the documentary participant and the relationship between participant and filmmaker, this documentary draws attention to

unanswered ethical questions. Both of the illustrations offered here suggest the importance of questioning the documentary text as a site of ethical analysis and point to the significant impact that documentary involvement can have on the lives of documentary participants.

Different modes of documentary are likely to affect participants in different ways. This point was made by Nichols (1991), who argued that questions of ethics in documentary cannot be separated from questions of representation. The documentary maker's mode of engagement with the world and with participants will have significant bearing on questions of ethics. This observation has rarely been heeded in writing on the ethics of documentary that gloss over documentary's diversity when it comes to matters of ethics. This oversight is something that this thesis addresses directly. Observational documentary, the precise meaning of which will be explored in Chapter Two, represents a valuable site for investigation since the intense and long-term relationship between the documentary-maker and participants is likely to have a distinct ethical dimension. The methods to be applied here may be usefully applied to other documentary modes, but that is a task for another time.

### **The relation of filmmaker and participant: questions emerging in practice**

In the late 1990s, observational documentary was an important mode of documentary production in Australia (Leahy 1996). The term was used loosely within the television industry to refer to any kind of long-term documentary project that followed events as they unfolded. Like direct cinema with which it is related there was a focus on situations of crisis or challenge and a belief that such situations were revealing. There

was little of philosophical or ideological commitment to non intervention on the part of the filmmaker but any documentary reflexivity was, at least as far as Australian television was concerned, some years away. The observational documentary created an illusion of events simply unfolding with only the occasional question from behind the camera calling attention to the documentary maker.

During this period, I began work as a documentary trainee at the Australian Broadcasting Corporation (ABC). My first documentary would be observational and I was to work as a camera operator/producer. In many respects this was an exciting time for documentary making in Australia. The availability of broadcast quality mini digital video cameras and non-linear editing had some documentary makers talking about a digital video revolution (Zubrycki 1997). Although it is important to guard against the tendency to technological determinism in relation to documentary, it is also important to acknowledge the impact of new technology on the documentary community. There is little doubt that the arrival of mini digital cameras fuelled expectations that a new kind of documentary making was about to be widely available.

Mini digital cameras also played a role in the renaissance of observational documentary during this period. It was of course only one of a number of factors that contributed to the interest in observational documentary. Leahy (1996) lists several factors such as the Australian Film Commission's (AFC) 'Guerrilla docs' initiative that supported documentaries requiring little scripting and relatively low budgets. Whilst not explicitly targeting observational documentary, this initiative tended to support production of these documentaries at the expense of the more heavily scripted

essay films. In addition, Leahy refers to the appointment of Australian documentary maker Mike Rubbo as head of documentaries at the ABC. Rubbo returned to Australia from Canada where he had carved a successful niche as a producer of observational documentary with a performative dimension.

As documentary makers sought to explore the possibilities of observational documentary within the context of Australian television, new observational styles emerged. It was a time of serious boundary blurring; the personal essay documentary melded with *vérité*-inspired styles and video-diaries to create hybrid observational forms meeting the perceived needs of the television audience. *Sylvania Waters* (Kate Woods & Brian Hill 1992) demonstrated the ratings potential of docu-soap and left many documentary makers wondering how to make their work more dramatic and less sober.

In the late 1990s, I co-produced *Two Tribes* (ABC Television 1998) with producer Tim Clark. This was an observational documentary that would follow the progress of a mentoring program set up by an Australian bank as part of its corporate citizenship program. From the bank's point of view, the project was about keeping high-flying bankers in touch with the very different socio-economic reality of disadvantaged youth in inner city Sydney. In documentary terms the premise was simple enough: this would be a meeting of two cultures separated by only a few streets and yet a world apart. What would the kids make of the bankers and what would the corporate high-fliers make of a bunch of disadvantaged kids? Clark and I spent six months filming in the bank's trading rooms and the classrooms of Cleveland Street High School in Sydney, then a further three months shaping a one-hour documentary.

Working with a relatively large group of participants, I became aware that individuals varied considerably in their response to the camera. While some were enthusiastic and sought out opportunities to perform, others seemed uncomfortable and reluctant to become involved. Working with children, particularly when they faced problems as significant as homelessness and family dysfunction, raised its own set of practical issues. From among this diverse group of individuals, Clark and I quickly identified those individuals whose personality and performativity marked them out as potential documentary subjects. Although I had worked in the media for a number of years, I was struck by the distinct mode of engagement demanded by observational filming.

I became particularly conscious of the importance of the strength of relationships with participants. Holding a camera, even a mini-DV camera, pointing it at someone and filming while they attempted to interact with a complete stranger in an artificial environment was very different to the standard interview process with which I was familiar. My job involved convincing and cajoling participants as well as training them to involve me whenever anything happened. The significance and intensity of the relationships with documentary participants caused me to worry about both the appropriateness of my access to the lives of these individuals and the possible loss of that access.

I often wondered why the participants allowed me to intrude into their lives and how they felt about our relationship. The normal boundaries between individuals dissolved. I filmed participants in their offices, school, homes and communities. I asked them personal questions, interrogating them on their experience of the mentoring program. Like an obsessed social experimenter, I was watching intently,



waiting for something that would point to issues of class and privilege that would give the documentary its broader relevance.

My relationship with one of the students, in particular, raised numerous issues. She clearly valued my attention and that of the camera. For many reasons this was hardly surprising; she was fourteen and struggling to get by in a challenging family situation. My camera and I became her confidantes as she worked through a range of problems. I listened, unsure of my role. At the same time I experienced a kind of filmmaker's excitement at gaining access to the most intimate details of my subject's life. Her confessions became, for me, evidence of social disadvantage that would be central to the film's argument, thereby justifying my uncomfortable task.

As filming progressed, I began to feel uncertain about whether this kind of material should ever find its way onto national television and about whether appearing in a television documentary might do this particular young woman more harm than good. On one occasion I received a phone call from her telling me that she had run away from home and asking me to meet her to talk about it. In the midst of the upheavals and difficulties she had not turned to her family, teachers or friends; she had turned to a documentary maker. I was confronted by the degree to which an artificial relationship based on the making of a documentary had become so fundamental in this girl's life.

Although I had found the observational documentary relationship confronting, I also found it tremendously appealing. Runaways aside, my experience of filming this project did not present any other apparently significant ethical dilemmas. I became

increasingly conscious, however, of the multiple ways in which the observational documentary maker enters the lives of documentary participants. The documentary relationship, the relationship between documentary maker and those whose stories they tell, began to intrigue me. I started watching classic observational documentaries from what I imagined was the perspective of the participant. What kind of relationship brought the documentary into existence? What might that relationship look like if only one had the power to peer beyond the edges of the frame? For example, what kind of relationship did the quintessential 1960s Canadian couple, Billy and Antoinette Edwards, have with director Allan King (*A Married Couple* 1969)? And why did fallen American society belles, Edith and Edie Beale, decide to open their lives to Albert and David Maysles (*Grey Gardens* 1975)?

From my own experience I knew that this relationship could not be understood entirely on the basis of the documentary text itself. In *Two Tribes* there are few traces of my existence let alone evidence of the relationships that I developed with participants. The episode with the student who ran away from home is not in the film, neither are scenes that I shot with her family. The decision to omit much of this material stemmed from an intention to produce a simple narrative that did not confuse audiences with multiple filmmakers and complex events. As a documentary text, *Two Tribes* does not provide many clues about the experience of the documentary participants. To answer Nichols' question it would be necessary to find another way of exploring the participant's experience.

In addition to drawing attention to the limits of the documentary text, my experience highlighted problems with traditional concepts in documentary ethics such as

informed consent, the right to privacy and the public's right to know. Parents had given consent for their children to participate but had little idea about the possible impacts of the documentary on them or their families. In spite of the valuable debate that could be had about privilege and lack of it within the space of a few city streets, I remained unconvinced about any public right to know what was going on in the lives of these people. In place of rights, principles and consent I found myself focusing on issues of trust, power and meaning. Thinking about the ways in which the boundaries between participant and filmmaker are negotiated anew on each occasion, I began to consider the role that power and trust might play in that negotiation. As filming drew to a close I also began to consider what it would mean for the participants when we packed our cameras and left and whether this experience in itself constitutes a harm of documentary participation.

Where the consequences of documentary participation have been considered in the literature, they have been conceived of in fairly narrow terms. In general attention has been paid to experiences of regret and charges of misrepresentation such as represented by the participants in *Sylvania Waters* (Winston 2000, p. 142) or instances in which participants experienced significant and obviously negative consequences. My own experience drew attention to the many small ways in which documentary impacts on participants. As a result I began to focus on the richness and complexity of the ethical dimension in documentary. It is this attitude of attentiveness to ethical detail that informs this study.

This thesis aims to demonstrate the value of approaching documentary ethics empirically, incorporating the views of documentary scholars as well as the voices of

both filmmakers and participants. The term empirical is used to distinguish the approach taken here from those who seek to discuss documentary ethics from the perspective of the documentary text. This research makes no positivist assumptions, nor does it set out to test any hypothesis or generate theory. It is empirical in spirit because it takes as its starting point engagement with individuals who have participated in documentary production.

In terms of ethics, this study does not seek to formulate guidelines for ethical practice. As I will discuss in Chapter One, formulating an ethical framework that is specific to the needs of particular forms of documentary engagement is an important task that will contribute in a number of ways to supporting ethical documentary practice. My task here, however, is different in that it aims to foster ethical documentary practice by encouraging sensitive engagement between filmmaker and participant based on understanding the experiences of the other. The concept of sensitive engagement will be developed in subsequent chapters with reference to the philosophical ethics of Iris Murdoch and others. In brief, however, sensitive engagement requires of the filmmaker that they attempt to perceive each participant in their particularity, and see the relationship that they develop as an important site of ethical documentary practice. This research will have succeeded in realising its aim if filmmakers and participants feel that it provides insight into the experiences of documentary filmmaking.

**Dennis O'Rourke's *The Good Woman of Bangkok* as a clue.**

Few documentary films have sparked as much heated ethical debate as Dennis O'Rourke's *The Good Woman of Bangkok* (1992). Much of that debate focused on the

nature of the relationship between the filmmaker and the participant. For some, the filmmaker's exploitation of the participant constituted a moral failing of the most significant order (Martin 1997; Winston 2000). Others (Williams 1997) saw in the film a morality to which documentary ought to aspire, the ethics of honesty. From the perspective of this study, what is most interesting about this documentary and viewers reactions to it, is that it acknowledges the filmmaker's active relationship with the participant whilst revealing relatively little of that relationship on screen. O'Rourke refuses to play the fly-on-the-wall but is intent on retaining his filmmaking power.

Viewing *Good Woman* from the perspective of documentary ethics, it is possible to read the film as a comment on the ethics of doing observational documentary work. Ansara (1997) and Williams (1997) similarly view the work one which deals with the subject of the relationship between participant and filmmaker. My reading takes this relationship as depicted by O'Rourke as the starting point for thinking about the ethics of documentary. O'Rourke draws attention to the complexity of the filmmaker-participant relationship while denying the audience the traditional justifications of the documentary maker. I present here a brief reading of *The Good Woman of Bangkok* in order to explore further the kinds of issues and questions that have motivated this study. The analysis does not resolve all the issues raised in response to the film, but emphasises those aspects of *Good Woman* that resonate with my experience of documentary production.

*Good Woman* is a complex film that invites numerous, sometimes contradictory, interpretations. In an opening text, the documentary takes an ambiguous autobiographical stance as it speaks about 'The filmmaker', 43 years old and

divorced, who ‘wanted to understand how love could be so profound and so banal’. The filmmaker then takes us to the bars of Bangkok where we witness his unfolding relationship with a Thai prostitute known as Aoi. On one level, *Good Woman* tells Aoi’s story. An interview with Aoi’s aunt provides details of Aoi’s family life; her drunken father, the husband who left her, and the son she must care for. On another level, the film addresses the relationship between ‘prostitute’ and ‘filmmaker’. The filmmaker is exploring Aoi’s life, focusing on her experience of prostitution, before finally attempting to buy her salvation with a conditional offer of a rice farm. But Aoi refuses to accept the filmmaker’s conditions, and the audience is left to question both the filmmaker’s relationship with Aoi and the extent to which he really understands her situation.

For many viewers *Good Woman* offers a confronting account of the relationship between the filmmaker and the prostitute. On a very basic level, it is a documentary about a prostitute, a woman, Asian and disabled, struggling to support her family and free herself from debt. Put in these terms it is hard to imagine a more disempowered documentary participant than Aoi. As Ansara (1997, p. 22) argues, Aoi ‘both as film subject and as love object/prostitute, is thus positioned to express most profoundly many levels of objectification and exploitation’. In contrast, the filmmaker exercises his power over his own representation by choosing to absent himself physically from the frame. The viewer learns very little about the filmmaker beyond his early reference to his age and failed marriage. He takes what he wants from Aoi, makes his attempt to save her from prostitution, and then leaves, free to resume his life elsewhere. The power imbalance at the heart of *Good Woman* generated considerable controversy. Jayamanne (1997, p. 27) notes that for many the film was a ‘textbook

confirmation of a cultural imperialist, postcolonial dynamic'. Such an imbalance of power in the relationship renders the film ethically problematic.

*Good Woman* places questions of power at the heart of the relationship between participant and filmmaker, presenting a classic image of fundamental inequality. In one scene Aoi sits in a restaurant eating. Addressing the filmmaker, she says that she does not wish to be filmed and that it is not relevant to the film. One contributor to a discussion on the *Coming Out Show* (ABC Radio National 14<sup>th</sup> March 1992) read this as evidence of the way in which O'Rourke had treated Aoi throughout the filming:

I think the fact that she actually said to him at one point in the documentary that she didn't want to be videoed, that she just wanted to eat and to be left alone and the fact that he ignored that is really, probably quite representative of how he treated her throughout the whole thing because he just basically ignored what she wanted and just did his own thing ... but as far as I'm concerned I'm pretty sick of having white men make movies, documentaries, about people from Asia, people from the third world so to speak ...

Similarly, the documentary contains a scene in which Aoi lies, apparently naked, on a bed at the Rose Hotel. The camera pans along the length of her body, which is partially exposed beneath towel and sheets. Aoi apparently becomes aware of the camera's presence and turns away. She then attempts to cover herself further with the sheet in order to block the camera's objectifying gaze.

O'Rourke represents the filmmaker as focused very much on his own needs, making his living and furthering his career by making a film at the expense of Aoi and other Thai prostitutes. The women, in contrast, apparently fail to gain anything as a result of their participation. Another contributor to the *Coming Out Show* discussion (ABC Radio National 14<sup>th</sup> March 1992) makes this criticism, explicitly arguing that O'Rourke has an obligation to act responsibly since he will benefit from the film:

I think he's being irresponsible actually because he has a certain amount of power, he can come out with a film like this ... It has probably boosted his ego, it has probably furthered his career in film, who knows? It has boosted him and that's all, so where is the responsibility, where is his responsibility as a filmmaker?

Arguably, O'Rourke allows such views a space within the documentary text by including scenes in which Aoi questions and criticises the filmmaker. She says for example: 'I think everything you do and say to me is to manipulate me for your film. My friends tell me that'. The inequality of power in *Good Woman* is total and confronting. As Jayamanne (1997) and Hamilton (1997) note, Aoi attempts to exert power when she can, but in the end fails in the face of the power of the filmmaker.

The filmmaker, on the other hand, seems to manipulate Aoi. For many viewers, his offer of a rice farm, on the condition that Aoi stop prostituting herself, demonstrates both his ignorance and his desire to influence the situation that he is purporting to document. Brian Winston (2000) criticises *Good Woman* and O'Rourke because the offer of a rice farm represents a form of coercion. Aoi could not in reality have



refused O'Rourke's offer, given her economic circumstances. This situation, for Winston, undermines any claim that Aoi consented to her participation. How could she have done otherwise? Presenting the 'gift' of the rice farm in this way, O'Rourke has challenged the audience to acknowledge both the existence and importance of that aspect of the documentary relationship.

However, it is because the exchange is conducted on the filmmaker's terms that it is problematic. O'Rourke presents us with 'the filmmaker' in the guise of an archetypal white exploiter/saviour and, in doing so, challenges the audience to acknowledge the thorny exchange at the heart of the documentary relationship:

I bought a rice farm for Aoi and I left Bangkok. One year later I went back but she was not there. I found her working in Bangkok in a sleazy massage parlour called The Happy House. I asked her why and she said 'it's my fate' (O'Rourke, *The Good Woman of Bangkok*).

The filmmaker's offer of a rice farm serves to emphasise issues that arise from the different position of filmmaker and participant. It calls consent into question since it is undermined by virtue of the filmmaker's irresistible offer (Winston 2000, p. 146).

Existing alongside the many feminist and other criticisms of *Good Woman* are numerous attempts to defend the film as, amongst other things, a critique of documentary filmmaking. Martha Ansara (1997) argues that O'Rourke's work represents a significant and powerful reflection on the nature of documentary practice. She makes the point (1997, p. 23) that 'we all project our personal dilemmas upon our

choice and treatment of subject, but rarely do we acknowledge this in our work'. Powers (1997, p. 108) similarly reads *Good Woman* as an 'attack on his [O'Rourke's] *bête noire*, the "theological position" (his words) of the documentary maker, in which the filmmaker becomes a heroic guru who reveals the Truth, often about the world's victims'. O'Rourke's own description of the work as a 'documentary fiction' facilitates a reading of the film as a purposely constructed statement. He himself (cited in Hamilton 1997, p. 65) says of the scene in which Aoi is filmed on the bed at the Rose Hotel that:

Sadly, it seems necessary to alert the reviewer to the fact that this scene, like all the other scenes involving Aoi, is the result of a collaboration – I directed Aoi to perform these actions. I cannot remember exactly, but it is either take number three, number four, or number five which is used in the film.

Similarly, O'Rourke distinguishes between the rice farm offer as depicted in the documentary and his claim that the rice farm was in fact offered before filming started, with no conditions and in the presence of a NGO worker representing Thai sex workers (Williams 1997, p. 85). Ansara and others call attention to the fictive dimension of the film, arguing that there is a clear distinction between O'Rourke and 'the filmmaker'. Hamilton (1997) notes that for Thai audiences the film was predominantly read as a fiction via linguistic cues unavailable to the English speaking audience. One advantage of such a perspective is that it encourages reflection on documentary practice. It draws attention to the text not as evidence of the relationship

between O'Rourke and Yaowalak Chonchanakun (known as Aoi in the film) but as a documentary fiction that speaks about the act of documentary making.

Of course, O'Rourke's claim that the work is, in reality, a fiction does not absolve him from criticism on ethical grounds. A film that requires the participation of others must be mindful of the effects of that participation even if it is partially a fiction. Ansara's (1997) claim that *Good Woman* specifically addresses the ethics of documentary production likewise does not render questions about the ethics of this particular film's production invalid. It is possible to imagine a situation in which a powerful film about documentary ethics is the result of an unethical relationship between filmmaker and participant. Ansara's reading of *Good Woman* cautions against making ethical conclusions on the basis of the text alone. If questions about O'Rourke's behaviour are bracketed, it is possible to read the film, as Ansara suggests, as a statement about documentary ethics and the relationship between filmmaker and participant.

When we read the film as a statement about the fundamental documentary relationship, that relationship between the filmmaker and participant, what do we confront? As I have already suggested, power is constantly in play in *Good Woman*. In the opening text O'Rourke introduces the filmmaker telling the story of how he came to meet Aoi:

He seemed to be no different to the 5000 other men who crowded the bars every night. It was three in the morning when she finished dancing and sat with him. She said her name was Aoi. That meant sugar cane or sweet.

The pimp came over and said ‘only 500 Baht or \$20. Keep her until the afternoon. Do anything you like, OK? He paid and was her customer. She became the subject of his film (O’Rourke, *The Good Woman of Bangkok*).

Prostitution becomes not just the subject matter of the documentary but an exchange that provides a metaphor for the relationship between filmmaker and participant. What is the nature of this exchange? The filmmaker/client ‘pays’ and then ‘Do anything you like OK?’. The view that the documentary relationship involves an exchange has currency amongst filmmakers. Mike Rubbo (cited in Burton, 1999, p. 194) says of the documentary relationship that ‘it’s an exchange of valuables, meaning they get something and you get something’. Similarly, Tom Zubrycki (1999, p. 187) refers to a notion of exchange as a way of making sense of the act of documenting the struggle of another. It is a fair exchange, according to Zubrycki, if the filmmaker and participant both stand to gain something from the documentary encounter.

What made *Good Woman* is confronting for many was that the terms of the exchange between O’Rourke and Aoi were perceived as suspect (Burton 1999). One may wonder why Aoi, or any documentary participant for that matter, would agree to this kind of complicated relationship. Jayamanne (1997, pp. 27-8) argues that O’Rourke effectively draws attention to the impossibility of giving reasons for documentary participation. She refers to Aoi’s conversation with her aunt in which she says ‘I go along with him and don’t quite know why’. Her comments suggest that the decision to participate in a documentary does not take the form of a cost-benefit analysis as is generally assumed in discussions of informed consent. What, in the end, is in it for

Aoi? This is a question that is central to *Good Woman* and one that the film addresses on many levels.

O'Rourke seems intent on highlighting the problems associated with exchange and drawing attention to the power imbalance inherent in the documentary relationship. He also suggests that the documentary relationship involves a fundamental struggle for control over representation. *Good Woman* clearly includes scenes in which the filmmaker is free to do what he wants, such as the 'bed' and 'eating' scenes mentioned earlier. It is also the case, however, that Aoi is shown resisting the power of the filmmaker. *Good Woman* presents us with a complex relationship in which the wishes of the subject and those of the filmmaker must be negotiated within the context of the documentary project. Concepts like consent, a cornerstone of documentary ethics, are called into question as Aoi's obvious refusal of consent in the café results in the filmmaker continuing his filmmaking in spite of her wishes. To include this scene is to shatter any hope that a notion even as problematic as informed consent could serve to underpin the documentary project. The audience, like the filmmaker, is forced to face the documentary's intrusion into the lives of those it films.

On other occasions, Aoi apparently finds ways to prevent O'Rourke from achieving his filmmaking ends. In the case of the scene in which she is filmed on the hotel bed, what we see is not her naked body but her resistance. Just as the client objectifies the body of the prostitute, the subject, her body and her world become an object for the documentary maker. At the same time Aoi turns away from the camera and begins to cover herself with the sheet. Unlike the scene in the café in which she expresses a

desire for the filming to stop, here she uses the sheets to physically prevent the filmmaker from satisfying his desire to film her naked body. In choosing to focus on Aoi's naked body, foregrounding the gaze of the camera, O'Rourke depicts documentary making as a kind of violation. Aoi's only recourse is to seek out ways in which to control the filmmaker's gaze.

*Good Woman* not only denies its audience the comfort of an unambiguously equal relationship between filmmaker and participant, it also challenges the view that the documentary relationship can be justified in terms of the ameliorating effects of documentary representation. Any faith that documentary can be a tool for social amelioration is challenged within the text by the filmmaker's offer of the rice farm, together with Aoi's refusal and her return to the bars of Bangkok. Perhaps the documentary maker, like the drunken sex-tourists of Patpong Road, can offer only feeble justifications in defence of their exploitation of women like Aoi.

*Good Woman* does not provide the comfort of an obvious greater good. The film is made more disturbing because the filmmaker is an invisible presence. The filmmaker might be prepared to implicate himself through references to having paid for and slept with Aoi, but this 'fact' appears as text. The filmmaker is free to set the boundaries for any declarations of guilt and, in this case, to conceal any physical trace of guilt. Viewed from the perspective of the documentary text, O'Rourke himself remains safe, anonymous, invisible, the objective documentary observer. As Martin (1997, p. 19) observes: 'The Western middle class (that is, the filmmaker) is only there to orchestrate affairs, to pass judgment from a superior position, to intervene when things run out of control'. In the context of the film's focus on questions of power, the

filmmaker's absence serves as a trace of his multiple advantage. The filmmaker remains invisible, but Aoi is stripped naked both physically and emotionally. Again, at the heart of the documentary relationship, O'Rourke presents the viewer with a confronting inequality.

While *Good Woman* deals with issues, such as power and consent that have featured in the documentary ethics literature, it further raises the possibility of an emotional dimension to documentary ethics. Reading the documentary as a work on the subject of documentary ethics, it makes a claim for the ethical significance of the emotional connection, or lack of connection, between filmmaker and participant. The theme of love is introduced in the opening text as a key subject of the documentary. The filmmaker 'wanted to understand how love could be so profound and so banal'. In spite of the emphasis placed on love in the film's opening, it is not directly addressed until the end of the film when Aoi claims that she is unlovable because she is bad. Because love is both central and absent in *Good Woman* it is possible to interpret its meaning in diverse ways.

Viewing *Good Woman* as a statement about the role of emotion in documentary making draws attention to the importance of the filmmaker's knowledge of the participant. O'Rourke (cited in Souter, 1997, p. 118) says of *Good Woman* that:

Passionate and revealing films like *Good Woman* can't be made by walking up to a Thai working girl and saying 'Hi, I am a good guy. You're a prostitute. So you can tell me all about your life, the most intimate details, in the most passionate way, but otherwise leave me out'.

In terms of the metaphor of the prostitute-client relationship there is an immediate intimacy that transcends the bounds of everyday relationships. ‘My film’, says O’Rourke, ‘is about the kind of love that can be created between prostitute and customer, a love that starts from a position of fake sexual intimacy’ (cited in Powers 1997, p. 108). The documentary relationship, O’Rourke seems to be suggesting, begins with an artificial intimacy before developing into a loving relationship through which the filmmaker comes to know the participant. O’Rourke (n.d.), for example, says of his relationship with Aoi:

Not only did I get to know Aoi very well, a normal thing to happen when one makes a documentary about a person (and it is always implied) – but she got to know me very well. It was confused, compromised and difficult, but there was love – a melding – which was at the heart of the project ... We were exposed to each other, dependent on each other, in deep conflict. And this made us, for a time, equals in each other’s eyes.

*Good Woman* insinuates a central role for love in filmmaking. It is possible to glean from O’Rourke’s film and his comments about the role of love in *Good Woman* two potential roles for love: an epistemic role and an ethical role. Documentary has traditionally assumed a rational stance *vis-à-vis* the participant as a foundation for both knowledge and ethics. O’Rourke, however, seems to propose a central place for emotion in securing documentary knowledge. While emotion has traditionally been opposed to knowledge, Jagger charts a philosophical tradition according to which emotion has been accorded an epistemic role and the situatedness of the researcher/filmmaker is foundational:



Observation is not simply a passive process of absorbing impressions or recording stimuli; instead it is an activity of selection and interpretation. What is selected and how it is interpreted are influenced by emotional attitudes (Jagger 1997, p. 392).

Similarly, ethics and particularly professional ethics has traditionally emphasised the importance of detachment, distance and rational thought. Ethical judgement involves the application of reason within contexts that are generally universalizable. Kant's categorical imperative, particularly in its first formulation, epitomises the detachment of traditional applied ethics. Kant (1993, p. 14) states that ethical action can be defined by the extent to which the agent can will that their maxim become universal law. Similarly, Rawls' (1971) veil of ignorance is a thought experiment in which the individual is taken outside of all social and familial relationships. Moral psychologists and those writing from a feminist or postmodern perspective have called for a reconsideration of the value of emotion in moral theory. Writing in 1970, Iris Murdoch lamented that love had been 'theorized away' from understandings of morality. Recognising the individual as connected in important ways to particular others and that emotions such as love play a role in individual moral judgements, it seems that O'Rourke may have something to teach us about the importance of emotion to ethical decision making.

*Good Woman* reminds us that it is through emotional connections that some documentaries are able to make knowledge claims. Of course, an emotional dimension does not of itself constitute ethical practice. After all, as O'Rourke suggests in *Good Woman*, love can still be blind to the wishes of the other and

misguided about the other's needs. *Good Woman* draws attention to the relationship between documentary-maker and participant as something that distinguishes documentary making from other media practices. It is this relationship, the relationship between the filmmaker and those represented in documentary that I am calling here the documentary relationship, which has so far been absent from attempts to develop an ethic that is sensitive to the particular needs of documentary filmmakers. If we are to accord this relationship a role in documentary ethics, it will be necessary to address this relationship in its particularity. A universal abstract approach will not suffice for a practice that depends upon the relationship between one particular individual and another. This is the lesson to be gleaned from O'Rourke's documentary.

If we are to answer Nichols' question, what do we do with people when we make a documentary, we must begin by exploring what it means to participate in documentary. This is not a question that can be answered in the abstract; rather it is a question that requires engagement with the particulars of specific documentary relationships. Further, as I have already suggested, it is a question that will refer in some way to the mode of documentary production since this will impact on the relationship between participant and filmmaker. For those modes that involve a close and intimate relationship between participant and filmmaker, as does the observational, this relationship provides an important starting point for understanding what we do with those who participate in documentary filmmaking.

*Good Woman* ultimately offers a somewhat pessimistic view of the relationship between filmmaker and participant. Although issues raised by the documentary, such

as inequality and exploitation, demand serious consideration I do not want to accept the film's conclusions at face value. An important message in *Good Woman*, as I read it, is that the relationship between filmmaker and participant is complex and involves shifting power relations, ongoing negotiation and the need for emotional connection. *Good Woman* calls into question some of the key foundations of documentary ethics such as the notion of informed consent and the belief that documentary can be justified in terms of a greater good. In short, O'Rourke's film allows us to start again, rethinking documentary practice and developing new ways of understanding its ethical dimension.

Finally, *Good Woman* reminds us that the documentary text does not present the ethics of its own creation in a straightforward manner. So much exists beyond the frame of the documentary text that can impact on a viewer's interpretation of events. *Good Woman* therefore prompts us to find an alternative vantage point. If we are to understand what documentary participation means and how it is experienced, we need to speak to those who participate. To understand the ethics of documentary it is necessary to begin by studying documentary practice.

### **Situating this study**

This thesis is a response to my own experience of observational documentary production and to questions raised by O'Rourke's *The Good Woman of Bangkok*. It explores documentary through empirical study of the practice of filmmaking. *Good Woman* challenges many assumptions about what the relationship between documentary maker and participant is, and what it can or should be. The thesis will

demonstrate the value of re-viewing documentary ethics from the perspective of documentary practice. It begins by considering how the ethical dimension of documentary has been constituted to date. How has our thinking about documentary ethics been limited by discursive constraints? After considering some of the potential limits of the current discourse, the thesis proposes an alternative method for ethical study of documentary. It opens up the idea of documentary as lived experience by presenting a series of case studies. If the goal of documentary ethics is to minimise the negative impacts of documentary participation, the thesis seeks to ground this concern in an understanding of what participation means, from the subjects' own perspective.

I have referred here to this study's indebtedness to my professional experience, but it is important also to acknowledge the ethical and intellectual environments that have influenced my thinking. In recent years attempts to ground ethics in human nature, reason and other abstract concepts has been criticised (Benhabib 1992). In place of attempts to define right or good conduct, philosophers have sought ways in which to understand ethical complexity. Viewed from this perspective, documentary ethics does not aim to prescribe filmmaking behaviour, nor does it aim to judge the actions of individuals. Ultimately, I will argue that ethical documentary making can be conceptualised as the filmmaker's sensitive engagement with the documentary participant, by which I mean a form of moral perception (Murdoch 1970). This study contributes to sensitive engagement by examining and reflecting on the experience of documentary participation. Rich accounts provide filmmakers with a resource to draw on when reflecting on their own filmmaking practice but will not satisfy those whose desire is to regulate documentary filmmaking.

As a work in documentary studies, the thesis seeks also to contribute to theory and criticism by exploring potential new ways of approaching documentary. It embraces the interdisciplinary orientation of work in this field as well as a desire to combine analysis of documentary texts with an exploration of the institutional and cultural contexts in which they are produced. The relationship between filmmaker and participant has been described as a key to documentary ethics (Winston 2000, p.155) yet it has not been systematically studied. Although filmmakers are often interviewed about the processes of documentary production (Levin 1971; Rosenthal 1980; Stubbs 2002), the voice of the participant has been almost entirely absent from the discourse of documentary studies. That is why this study involves a narrative based approach to the empirical study of documentary practice. Interviews with filmmakers and participants are analysed in an attempt to understand their experience within the context of filmmaking practice.

To understand how the ethical dimension of documentary has been constituted within documentary studies, this thesis begins by offering a reading of the documentary ethics literature. Questions of ethics in documentary production have featured in academic and popular writing in recent years, paralleling the resurgence of interest in documentary more generally. Chapter One surveys the work of documentary scholars together with reflections by documentary filmmakers in order to identify central themes and concerns. It argues that a quasi-legalistic approach has dominated documentary ethics with a focus on rights, codes of ethics and filmmakers' competing obligations. This orientation excludes many of the questions raised by my own experience of observational documentary production and the questions raised by the

above reading of *Good Woman*. Additionally, in analysing the documentary ethics literature, a central absence is revealed, the voice of the participant.

Chapter Two takes up the challenge of thinking differently about documentary ethics in relation to the observational documentary mode. What has been said of observational documentary production? What can be learnt from the documentary literature about the relationship between filmmaker and participant? As attention is focused on the relationship between participant and filmmaker, the ethical ground shifts and new questions and spaces of exploration open up. Questions of consent give way to considerations of trust. Journalistic distance is challenged by an exploration of the significance of emotional dimensions. The themes that emerge here provide the foundation for the empirical study of documentary ethics to be undertaken in the subsequent chapters.

Chapter Three then sets out an empirical method for the study of observational documentary practice. It outlines a method of narrative analysis by drawing on established methods in the human sciences and media studies. One aim of this chapter is to explore a narrative method of investigation suited to the particular needs of documentary scholarship. Nichols' (1991) concept of axiographics is incorporated into a method of experiential narrative analysis in order to speak of the distinctive ethical dimensions of observational documentary production.

The thesis then goes on to present the findings of three case studies. In any study of documentary, the choice of texts is significant. The documentaries considered here have been selected with a view to demonstrating the way in which documentary ethics

might be influenced by different power relationships. Chapter Four explores Tom Zubrycki's *Molly and Mobarak* (2003). Dealing with the subject of refugees and issues of race and disadvantage, this film was chosen for its potential to shed light on power within the documentary. Furthermore, Molly Rule appeared to be a reluctant participant. She had spoken about her discomfort with the process and her difficulty in coming to terms with the film (Robinson 2003). While I wished to avoid obvious cases of participant regret, Molly's ambiguous feelings seemed worthy of further study.

Chapter Five is a study of *Facing the Music* (Connolly & Anderson 2001), an observational documentary that takes as its central character, Professor Anne Boyd, Head of the Music Department (at the time of filming) at one of Australia's most prestigious universities. In choosing to focus on such an empowered participant, Connolly and Anderson create the conditions for examining an alternative power relationship in the observational documentary mode. Chapter Six presents a study of Vanessa Gorman's *Losing Layla* (2001). This documentary provides an opportunity to explore the experience of documentary production in the increasingly popular first-person/video diary mode.

These texts have not been chosen because they generated ethical debate. The case studies presented here do not focus on known tensions between filmmaker and participant. They are representative works in that they, like the majority of documentaries, were produced and exhibited without ethical controversy. Where high tensions are the focus of documentary ethics it becomes difficult to see beyond conflicting interests. My aim here is to try and capture the quotidian experience of

documentary participation rather than to address specific accusations of unethical conduct. The films analysed here were chosen with a mind to exploring the nature and meaning of documentary production in different contexts without the added complexity that comes with disagreement.

The aim of the case studies is to provide both insights into the experience of documentary production and demonstrate the potential contribution that empirical study can make to an understanding of documentary. The ethical domain is conceived of broadly here, with filmmakers and participants encouraged to speak about the experience of documentary participation and the meaning of that participation from their own perspective. Theory and concepts gleaned from the documentary literature provide clues to guide discussion, but the participants' narratives are privileged in terms of providing an alternative perspective on documentary ethics. The implications of this research are drawn out, in Chapter Seven, through a comparative analysis of the three case studies. It will be argued that both theory and practice of documentary stand to gain from empirical study of documentary production. That chapter will explore the ways in which narrative study of documentary production can contribute to documentary theory generally and the possible implications of this study for documentary practice.

The research presented here is broad in scope and necessarily interdisciplinary. Its challenge is to find ways in which documentary ethics might be re-thought, its issues explored and practices questioned. In taking up this challenge the thesis makes use of ideas and literature from a wide range of discourses, aiming for a creative synthesis rather than an exhaustive study of each. The aim is to excite the reader to re-think



assumptions about documentary and documentary ethics and to suggest a new approach to the study of documentary. It is also to present filmmakers with the participant's perspective on the experience of participation. To grapple with Nichols' question, seeking to understand 'what do we do with people when we make a documentary film?' (Nichols 2001, p. 5). If the research presented here provides documentary filmmakers with some insight into the participant's experience, then it will have made a contribution toward more reflective and hopefully more ethical documentary practice.

## **Chapter One**

### **Surveying the Ethical Landscape: A Study of the Documentary Ethics Literature**

A number of scholars have identified a growing interest in questions of ethics as they relate to documentary making, with some prepared to speak of a current crisis in documentary ethics (Aufderheide, Jaszi & Chandra 2009; Ellis 2008; Ellis 2005; Stocks 2001). For the most part, this concern has centred on the trend towards entertainment as a primary function of documentary and the implications of this trend on documentary's apparent obligation to truth (Pearce & McLaughlin 2008). A principal concern of this work is the risk that documentary may lose credibility with its audience if the principle of honesty is undermined in the race to entertain. Also relevant are changing methods of production that provide filmmakers with less certainty while demanding that they do a lot more with impoverished resources (Aufderheide *et al* 2009).

Documentary is simultaneously a practice, a cultural artefact and something on this evening's television. Consequently, ethical debate about documentary regularly crosses discursive boundaries, borrowing concepts from a range of disciplines. Therefore, engaging with documentary ethics requires a consideration of the many and varied strands of discussion. While the work of documentary scholars such as Brian Winston and Bill Nichols dominates this discussion, any attempt to gain an

adequate overview of the issues in documentary ethics will require engagement with multiple discursive domains. In this chapter, the voice of documentary theory melds with the voices of documentary filmmakers, ethicists and philosophers, tracing the contours of this unique ethical discourse. The chapter provides a foundation for re-imagining documentary ethics by exploring how ethics has already been constituted in the documentary literature. It considers what questions have been asked about the ethics of documentary, what themes and issues have emerged and, finally, what spaces are opened up for thinking differently about the ethics of documentary.

This chapter does not provide an exhaustive summary of the field of documentary ethics. Rather, its aim is to investigate the key arguments and ideas to be found in the documentary ethics literature. A key argument of the chapter is that documentary ethics has largely focused on issues that threaten to undermine documentary as a legitimate practice. The current so-called documentary crisis is a pertinent example since what is principally at stake is the relationship between documentary makers and their audiences. My aim is not to criticise the focus on professionalism within documentary ethics but rather to suggest that this discursive focus has shaped documentary ethics in significant ways. In particular, in focusing on the needs of documentary as a profession, documentary ethics has failed to see that one of the most unique features of documentary practice is the documentary relationship and that this is best approached not through an attempt to formulate an ethical framework for documentary but through the concept of sensitive engagement.

The chapter begins by exploring what is meant when we speak of documentary ethics. In this discussion, a dominant theoretical strand is described and an alternative

approach suggested. The chapter goes on to demonstrate why current approaches to documentary ethics will inevitably result in the kind of stalemate we currently face and, therefore, why a different approach to documentary ethics is critical now. In particular, it is suggested that current approaches to documentary ethics are inadequate because they fail to provide a space for the voice of the documentary participant. Finally, this chapter argues that documentary ethics must take up the challenge of theorising in respect of the relationship between filmmaker and participant. The concept of sensitive engagement as an ethical theory is introduced and an argument put for the value of empirical research.

### **What is documentary ethics?**

When documentarians speak about the ethics of documentary making, they acknowledge three, often conflicting, sets of obligations: obligations to participants, obligations to their audience and obligations to their own artistic vision and the practicalities of documentary production (Aufderheide *et al* 2009). As with the ethics of journalism, with which documentary ethics has a close relationship, the framing of ethical discussion in terms of the obligations of the practitioner reflects the application of ideas of social responsibility to professional practice (Richards 2005, p. 8). In the case of both journalism and documentary making, the power vested in the professional – in terms of both their access to the mass media and their ability to disregard otherwise observed norms in certain cases – is conditional on the professional's acceptance of an obligation to society.

An important goal for any professional ethic is that of maintaining the status of the profession. Documentary ethics is therefore concerned to ensure that the practice of documentary makers is such that it meets public expectations and does not undermine the perceived value of documentary. Recent documentary ‘scandals’ surrounding faked footage and the rise of documentary entertainment raise important issues because they undermine the documentary maker’s claims to professional privilege (Ellis 2005; Winston 2000). A consequence of this professional focus in documentary ethics more generally is that it has focused on the judgements and obligations of filmmakers. This concern has fuelled the desire for an ethical framework or code of ethics that is capable of regulating or directing the actions of documentary makers.

Since the focus of documentary ethics has been on what the documentary maker *does*, which is to say their judgements in the context of filmmaking practice, documentary ethicists have turned either to the documentary text itself or to interviews with filmmakers as a source of ethical evidence. Filmmakers’ judgements are to be scrutinised either by exploring their descriptions of documentary making practice or by close viewing of the documentary text (Berry *et al* 1997; Borden 2008; Nichols 1991). Those writing on the ethics of documentary have then sought to prescribe or proscribe specific filmmaking practices with reference to the perceived values and goals of documentary. One of the reasons that documentary ethics has been so fractured as a discourse, this chapter suggests, is that there is significant disagreement on what constitutes the end or goal of documentary making.

Specifying a goal for documentary turns, in part, on a sense of what is distinctive about documentary as a form of media production. The discourse of documentary

ethics is, therefore, pulled in different directions; on the one hand there is a concern with the links between documentary ethics and the ethics of media and journalism, and on the other hand there is an interest in understanding documentary as a distinctive media practice. Winston (2005), for instance, argues that documentary making, whilst associated with both art and journalism, raises questions around modification of the image that mark out documentary as a distinct ethical domain. Aibel (1988) acknowledges that documentary has similarities between with photography, journalism and social science, but argues that it ultimately differs from each of these endeavours in ethically significant ways.

There are, clearly, multiple ways in which this complex ethical terrain may be approached. For this study, documentary ethics begins with the relationship between documentary maker and participant that, it will be argued, is an important site of ethical difference. The approach advocated here remains focused on improving documentary practice; however, it does so not by scrutinising the decisions of filmmakers with a view to formulating ethical principles but by drawing attention to the particularity of the documentary relationship. The documentary maker and the participant are approached in all the specificity of their relationship, which is explored within the contexts of documentary making. By this means, a focus on what is uniquely ethical in documentary is maintained with the hope of fostering sensitive engagement in documentary practice.

The notion of sensitive engagement is central to the ethic presented in this thesis. Following Borden (2008, p. 3), it is acknowledged that the documentary tradition fosters in filmmakers a particular shared concept of the good of documentary, or as

she puts it ‘a certain way of living a good life – a life lived as documentary filmmakers’. Documentary making within the context of the documentary tradition can be viewed as a practice in the sense intended by MacIntyre (1985, p. 187), that is a socially established and co-operative human activity oriented toward the achievement of specific goals. The virtues required of documentary makers are those that are oriented toward achieving the goods internal to documentary as a practice, which is to say those goods that reflect internally agreed standards of excellence.

Ethical practice is the cultivation of those virtues required in the practice of documentary. There are, therefore, virtues specific to the documentary relationship, since success in documentary practice depends to such a large extent on the cultivation of relationships with documentary participants. This will, of course, vary to some extent with the kind of documentary being made, because the nature of the relationship may vary between documentary modes. Nevertheless, applying MacIntyre’s account of the virtues to documentary practice allows us to understand ethics in documentary as the possession of those virtues that are required for successful documentary practice, including those that foster strong relationships between filmmaker and participant.

The concept of sensitive engagement, proposed as central to the ethics of the documentary relationship, means that engagement based on an understanding of the situation and interests of the participant ought to be considered a virtue that is necessary for successful documentary-making practice in those modes of documentary, such as the observational, that depend upon a strong relationship between participant and filmmaker. One filmmaker interviewed by Aufderheide *et al*

(2009, p. 9) draws a direct link between the documentary relationship and successful documentary practice by suggesting that: 'It's your reputation, if you abuse this, then you won't get access to people for the next project'. Here the filmmaker links conduct *vis-à-vis* the participant with the ability to continue working within the documentary tradition. Winston (1995, p. 240) makes a direct claim for sensitivity in the documentary relationship as necessary to ethical filmmaking when he suggests that the 'attitude and sensitivity of the film-maker to the subject and the relationship they establish is the clue to ethical filmmaking'. In Winston's claim we have evidence of the ways in which the virtue of sensitive engagement is maintained within the community of documentary practitioners.

The sensitivity required for successful documentary filmmaking could be theorised in many different ways. Continuing to think of sensitive engagement as a virtue that enables excellent documentary making to occur, it is possible to begin the task of uncovering its key features. It should be noted at the outset, however, that even though such engagement constitutes a virtue in the context of documentary practice, it is one that may be taught and sustained implicitly rather than explicitly within the documentary community. A full account of sensitive engagement will emerge only with sustained empirical study of the ways in which documentary makers actually cultivate and sustain successful relationships in the course of their documentary practice. In examining the virtue of sensitive engagement, ethical documentary practice is likely to be further sustained within the community of practice.

The nature of documentary practice is such that it seeks to uncover truth, in the way appropriate to its subject. Ellis (2008, p. 59) says of documentary practitioners that



they 'are concerned about the truth of what they portray ... Documentary is guided by believes about describing something as faithfully and as truthfully as you can, whether it's the truth of the situation, a process or a person'. Ellis' point is that for the documentary maker, all effort is in the service of revealing truth. In terms of the relationship with the participant, revealing truth of the kind that Ellis describes, suggests that the kind of sensitive engagement required can usefully be understood in terms of what Iris Murdoch has called 'loving attention' or concerned responsiveness to the other particular, situated, individual. The moral agent should seek to understand and promote the good of the other (Blum 1994, p. 13). Applying this ideal to documentary, it could be said that sensitive engagement involves a genuine attempt on the part of the filmmaker to understand the participant and their needs in relation to the documentary project or, to put it slightly differently, how their interests can be met in terms of their documentary participation. Murdoch's loving attention would also imply that the filmmaker avoid confusing their own needs with those of the participant.

It is a very different form of ethical engagement between participant and filmmaker to that traditionally advocated in the documentary ethics literature, which as we shall see is informed consent. Nevertheless it could reasonably be suggested that it is in fact what successful filmmakers routinely do to a greater or lesser extent. Importantly, ethics as presented here shares with traditional applied ethics a normative inclination. MacIntyre (1981, p. 187) argues that communities of practice play an important role in both teaching and sustaining virtues. Murdoch argues similarly that ethics should have something to say about what constitutes ethical conduct in order to improve our moral perception (Blum 1994, p. 140).

As a result of the empirical studies of the documentary relationship that follow, it is possible, indeed likely, that the concepts that have traditionally dominated documentary ethics, such as consent and truth, may be less significant than other concepts, trust for instance, that as yet play only a minor role in the discourse. This is a result of the important shift in focus that has been made, away from an impartial ethic to one in which the rich particulars of individuals in relationship serve as a foundation. It is a significant shift but one which, it will be suggested below, has particular advantages for understanding ethical documentary practice.

### **The tensions of documentary ethics**

If there is one good reason to explore alternative ways of approaching the ethics of documentary, it is this: documentary ethics is increasingly paralysed by the seemingly incommensurable principles governing ethical practice. Beginning with a view of the various goods that documentary seeks to pursue, social amelioration, increased knowledge or understanding, a number of filmmaking obligations have been formulated which, routinely come into conflict. Most often, questions are posed about which obligations might outweigh which. Winston (1995, p. 230), for instance, focuses on three questions: What evidence is there that documentaries have consequences for participants? Can the public's right to know compensate for such consequences? Can public information and private costs be balanced by altering the terms of the relationship between filmmaker and participant? In tracing the major discursive strands in documentary ethics as it currently stands, my aim is to explore these key tensions while demonstrating the importance of finding a new way forward.

The documentary maker's artistic identity has a long history that serves as a foundation for an obligation to artistic honesty. Winston's (1995) work, *Claiming the Real: The Documentary Film Revisited*, traces themes in the history of the Griersonian documentary, noting the various influences on documentary at both the theoretical and practical levels. His study offers numerous insights into the development of the Griersonian tradition, pointing in particular to the importance placed on the artistic potential of representing the world. For Grierson, documentary represented a powerful tool of social amelioration, but critical to its success was its ability to transcend the shapeless reproduction of the newsreel. As Winston (1995, p. 24) notes, the documentary maker was 'creative and thus artistic, artistic and thus, to a certain extent, absolved from the every-day norms of moral and ethical behaviour'. This ethical absolution, Winston notes, extended to the filmmaker's relationship with documentary participants. The filmmaker, as artist, need not consider the impact of their work beyond its value as artistic statement.

Although the extent of Grierson's influence on documentary in Australia has recently been questioned (Williams 2008), the Griersonian view of the filmmaker as artist nevertheless has credibility within the documentary ethics literature. Ruby (2005, p. 214) for example, makes the claim that, as artists, documentary filmmakers have a principal ethical obligation to remain 'true to their personal visions of the world – to make artistically competent statements'. Similarly, Nichols (2001, p. 11) argues that the filmmaker has an obligation to their artistic vision that, in practical terms constitutes an obligation to make a compelling film.

While the filmmaker's obligations to their artistic vision might also in some way constitute an obligation to their audience, particularly when viewed as an obligation to produce a compelling film, they have most often been constituted in terms of the journalistic goals of truth telling and free speech. It is here that the ethical dimension of documentary melds with the political, calling attention to issues of power, perspective and representation. Documentary is the depiction of a shared reality that gives it the potential to make powerful contributions in the public sphere. To consider the impact of documentary representation is to draw attention to the consequences of documentary images, and to the power relationships at play in documentary production. This raises the questions of who is depicting whom and with what effect, and what are the impacts of documentary's claims to know and speak for the politically and economically disadvantaged other.

Throughout documentary history, the rhetorical power of representing the real has been a motivation for documentary practice. What is at stake in the study of documentary's political dimension is an understanding of the 'status, meaning, interpretation, and perhaps even control of history and its narratives' (Rabinowitz 1994, p.7). Since documentary, like all media, has cultural power, documentary representation has an ethical dimension. It is necessary to distinguish here between the consequences of documentary participation considered at the level of the group and for the individual participant. The focus here is on the former, with the consequences for the individual documentary participant addressed in detail below. To focus on the political impact of documentary shifts the ethical ground in subtle but significant ways. Questions of theory and ethics collide as attention is paid to the truth claims of documentary and their use as a weapon of the powerful. Truth claims raise

ethical questions as documentary communicates meanings that are all too frequently confused with truth (Trinh T. Minh-ha 1993). Documentary has the potential to privilege ways of seeing and knowing. It can presume to speak for the other and represent their interests. Often, however, it does so by interpreting, representing and mediating those interests. The discursive power of documentary therefore raises ethical questions.

How then have filmmakers grappled with the ethical dilemma of representing the other? In some contexts filmmakers have recognised the problematic ethics of representing the other, particularly when it comes to disadvantage. One solution has been to seek a position within the group, thereby claiming the status of an insider. Dennis O'Rourke says of his relationships with participants in *Cunnamulla* (2000) for example, that 'our relationship is clearly one of intimacy and that's the all-important tone for the whole film, that I'm on the inside' (O'Rourke cited in Ansara 2001 p. 32). If O'Rourke is on the 'inside', then *Cunnamulla* can be seen as a film in which filmmaker and participant collaborate in the telling of a story. He ceases to be an outsider addressing his audience about an exotic other. Instead he speaks from the inside as a member of the community. Documentary is reconstituted as an act of speaking of one's own community. Such rhetorical shifts play an important role in justifying, both epistemologically and ethically, the act of representing the other. Gross, Katz and Ruby (1988, p. 16) similarly draw on a concept of the filmmaker as insider to mitigate concerns around documentary representation. Of course, O'Rourke's claim is not of itself proof that the documentary achieves this altered perspective. However, his comment demonstrates a filmmaking concern with the

ethics and politics of representation and sensitivity to the ethical problems raised by the filmmaker's 'outsider' status.

For all the ethical significance of documentary representation and the integrity of artistic vision, it has been the documentary maker's obligation to truth that has dominated recent thinking about documentary ethics. The relationship between documentary and journalism has arguably contributed to a blurring of the boundaries between the two forms. Like journalists, documentary filmmakers are seen as making truth claims within the public sphere and, like journalism, documentary is seen as a means by which citizens can engage with, and reflect critically on, public life (Iverson 2003). With television becoming the principle medium for documentary distribution in many countries (Williamson 2007), the boundaries between television journalism and documentary have been broken down for many filmmakers and audiences (Winston 2000). Arguably, a significant impact of television in terms of the documentary audience has been to suggest a similar purpose for both documentary and journalism.

Documentary and journalism have become so indistinguishable that, in terms of ethics, '[d]ocumentary ethics means, in effect, the ethics of journalism' (Winston 2000, p. 117). Consistent with a view of the role of documentary as part of the fourth estate, documentary's obligation to the audience is an obligation to truthful and objective reportage. The documentary maker, like the journalist, claims a right to speak freely for the public benefit and in return takes on the journalist's obligations. When audiences and critics responded with incredulity to the revelations of fakery in a television documentary, Ellis (2005) saw evidence of the extent to which the role

and methods of documentary are thought to be identical to those of television journalism. When revealed, reconstructions, dramatisation and other forms of creative treatment that featured heavily in early documentary film, have the potential to outrage audiences who have come to think of documentary as synonymous with objective reporting.

In ethical argument, the fourth estate ideal of journalism is often deployed in defence of questionable filmmaking behaviour. When O'Rourke said of his documentary *Cunnamulla* (1999) that, 'my job is to reveal the truth' (*7:30 Report*, ABC Television, 22/1/2001), he was appealing to a general belief in the value of public knowledge as justification for questionable documentary filmmaking behaviour. Winston (2000, pp. 149-156) illustrates the pervasiveness of the public right to know as a justification for questionable practices that are increasingly becoming standard documentary practice. At its most extreme, as with investigative journalism, the public right to know can serve to justify for significant deception, hidden cameras and other covert techniques.

Demonstrating the historical link between observational documentary, for instance, and journalism, Allen and Gomery (cited in Hall 1998, p. 225) describe direct cinema as the people's watchdog:

The press is viewed as a sort of social watchdog, calling to the attention of citizens and their governments tears and holes in the social fabric that required mending ... The very style of *cinéma-vérité* documentary made it the perfect form for an 'enquiring and critical press'.

For Allen and Gomery, the aesthetic of direct cinema, its use of handheld cameras and natural light as well as the filmmakers apparent distance from the subject matter of the film, heightened perceptions of the truth of the direct cinema image. In addition, the rhetoric of direct cinema filmmakers suggested that documentary could be a powerful agent for social change since the public, once aware of injustice, would be motivated to act so as to eliminate it. Similar thinking underpins contemporary documentary organisations such as Robert Greenwald's Brave New Films ([www.bravenewfilms.org](http://www.bravenewfilms.org)) and can be found periodically in the history of documentary. Documentary's Griersonian heritage with its focus on documentary as a tool of social improvement (Winston 1995) provides a similar justification often deployed in ethical discourse. The effect is to foreground role of documentary as public protector while validating the activities of documentary filmmakers since they, like the press, ensure social stability.

Claims about the value of free speech and the role of documentary as the peoples' watchdog are not only rhetorical. Such concepts and arguments further serve to influence the way in which documentary filmmakers interact with their subjects. Consider the following extract of an interview with filmmaker Jill Godmilow about the making of her documentary, *Antonia: A Portrait of the Woman* (1974). The eponymous Antonia tells the story of orchestral conductor Antonia Brico and her struggle to overcome sexist attitudes within the realm of symphonic music. Godmilow (cited in Rosenthal 1980, p. 366) describes how she went about capturing Antonia's frustration:



Q: Did you find any point of struggle between things that you realized you needed for the film and a sense of privacy that had to be maintained for Antonia? You mentioned her playing the pop songs. Was there anything else like that?

A: Yes, the big kitchen scene where she blows up had to be provoked.

Q: That is where she starts talking about her problems of being a woman conductor.

A: She gets very, very angry.

Q: How did you provoke that?

A: I had Judy [Collins] ask a very stupid question to which she already knew the answer, and to which I knew Antonia knew she knew the answer. Antonia refused to bite for the first few times and Judy kept asking her, 'But Antonia, you have this wonderful community orchestra and you have your marvellous studio and you have these wonderful students and you were a pioneer. Really now Antonia, what more do you want?' And she looked at Judy with disbelief the first few times and finally she stood up at the table and I signalled the camera man, 'Let's go.' And she's staring down at Judy and she just hammered away ... I considered the issue very seriously before I provoked her like that. I knew it was going to take her 'out there' and it did. She was very shook up when she finished and she was angry at us for having done it.

In Godmilow's description of her documentary-making practice, it is possible to see how her belief in documentary's social benefit, the greater good of public knowledge, serves to embolden her and justifies a problematic confrontation of Antonia.

Godmilow demonstrates that she was aware of the provocation as having the potential to cause Antonia harm: 'I considered the issue very seriously before I provoked her like that'. Godmilow was motivated by a desire to communicate the extent of Antonia's frustration. Implicit in her description is a belief that Antonia's pain and distress are justified because they are necessary in order to produce the greater good of public knowledge and social amelioration. Documentary ethics is, ultimately, captured in the judgements that filmmakers make about how to interact with others. The idea that documentary has a fourth estate role in the public sphere plays the role of an ethical justification that excuses behaviour that, in other contexts, might be considered problematic.

Another way in which these ideas impact on filmmaking practice is via institutional and professional codes of conduct and practice. Such codes do not address the specifics of practice nor do they address documentary filmmakers directly as a profession. Nevertheless, codes of ethics demonstrate how filmmaking practice is influenced by a view of documentary as journalism. Winston (2000) criticises institutional codes of ethics for being imprecise and not taking sufficient account of the unique techniques and goals of documentary production. A survey of Australian broadcaster codes of ethics and practice supports Winston's concern that codes effectively bundle documentary and various other kinds of programs into an amorphous category called 'factual entertainment', applying concepts derived from journalism ethics to the different practice of documentary production. The Australian Broadcasting Corporation (ABC) *Code of Practice* (2008, sections 5.2 and 5.3), for example, emphasises the importance of impartial reporting and accuracy in the production of factual programming. Such codes of practice arguably reveal the extent

to which the ethics of documentary and the ethics of journalism have converged in this institutional context.

To raise questions about the extent to which documentary and journalistic ethics are aligned is to invite theoretical questions about the nature and purpose of documentary. What is the role of documentary in the public sphere? Or alternatively what *ought* that role be? At present, journalists and, to an even greater extent, documentary makers are being called upon to conflate their ideals of documentary in the service of the public good with a conception of the media as entertainment. The boundary between information and entertainment is becoming increasingly blurry. In the case of documentary, a similar drive is evident. Corner (2000a) points to the emergence of a diversionary project that focuses on the entertainment value of factual programming. Bruzzi (2006) similarly charts a lineage from observational documentary to the current docu-entertainment forms of reality TV and the docu-soap, a journey marked by a shift to entertainment as a key value. There has been little consideration of the ethical challenges of documentary's increasingly entertainment oriented goals and whether the entertainment focus of journalism and documentary undermines the kind of greater good arguments often deployed in ethical discourse.

For all the similarity between documentary and journalism, documentary scholars have been keen to highlight the differences between the two media forms and point to the ethical significance that flows from these differences. Winston (2000) argues that the longevity of documentary makes an ethical difference. The very fact that documentary texts are archived, repeated and shown in institutional contexts meaningfully alters the consequences of participation for both the individual and

presumably the group. As well as considering the longevity of the documentary, Winston suggests (1995, p. 232) that the relationship between filmmaker and participant in documentary ought to be central to documentary ethics. He points to the different nature of this relationship in the documentary context. Journalistic detachment provides an important model or ideal guiding the relationship between journalist and subject. While Winston acknowledges that little is really known about the nature of the filmmaker-participant relationship, he argues that it is nevertheless not bound by the same ideal of professional detachment.

Since the 1960s, the filmmaker's obligations to participants have been an important part of documentary ethics discourse. Significantly for documentary ethics, the emergence of observational documentary with its lightweight equipment and focus on crisis situations (Mamber 1974) coincided with a broader social move towards greater concern with individual rights. Ruby (2005) points to the influence of *cinéma-vérité* and direct cinema on documentary ethics, noting that the ethical problem of justifying the filmmaker's intrusion into the lives of participants took on added significance once cameras were small enough to film life on the run. Winston (2000, p. 159) states that, until recently, he was of the view that documentary makers ought to adopt a duty of care towards participants. A duty of care, he suggests, is an appropriate filmmaking response to the exploitative potential of direct cinema with its profound inequality in power relations between participant and filmmaker. While he goes on to state that his views have changed and he now feels that it is the free speech of the filmmaker that is in need of protection, his earlier view nevertheless demonstrates the extent to which direct cinema and *cinéma-vérité* brought questions of the filmmaker's treatment of documentary participants to the fore.

In one of the earliest articles dealing with ethical questions in documentary, Pryluck (1976, reproduced in Rosenthal & Corner 2005) catalogues what he believes are documentary's routine invasions of participants' privacy particularly in observational filmmaking. Pryluck's argument (2005, p. 194) is motivated, in significant part, by the impact of direct cinema. He argues that 'the ethical problem of the relationship of filmmakers to the people in their films became more amorphous' with the emergence of observational filmmaking practices. Contemporaneously, Fell (1979, p. 311) noted the impact of direct cinema's apparent intrusions on the documentary audience, claiming that 'spectators are becoming genuinely concerned with the ethics of camera intrusion'. Others were concerned less by the camera's physical freedom and more by the places it was choosing to go. Winston (1995, p. 231) makes the point that much observational documentary was concerned with satisfying audience voyeuristic demands for freakish material, only thinly justified by claims of social relevance.

As noted above, the consequentialist nature of documentary ethics has defined ethics as the minimisation of harms suffered by participants. Rosenthal (1980, pp. 245-6) makes the claim that: '[t]he essence of the question is how filmmakers should treat people in films so as to avoid exploiting them and causing them unnecessary suffering'. Kay Donovan's (2008, p. 71) experience of filming with young people in Sydney's West led her to state that ethical practice calls for consideration of 'both the demands of production and also the longer term ones of how the recording, editing and distribution of this film might affect their lives'. The principal procedure invoked as a guarantor of minimal harm in documentary filmmaking is, increasingly, informed consent.

Informed consent has become a litmus test in negotiations between filmmaker and participant (Nichols 2001, p.10). Dismissing concerns over invasion of privacy in *cinéma-vérité*, Stephen Mamber (1974, p. 105) concludes: ‘Provided that those being filmed give their consent, where is the immorality?’. In a similar vein, Katz and Katz (1988, p. 127) argue that when ‘disclosure seems voluntary (no matter how extreme), the subject’s judgement, not the filmmaker’s ethics is in question’. For some, informed consent effectively ends ethical debate, since it constitutes the discharge of the filmmaker’s ethical responsibility. Having given informed consent the participant accepts full responsibility for their performance. Winston (2000, p.138) makes the point that, in practical terms, the consent defence serves to justify much of the bargaining and negotiation around participation that is involved in documentary production. Informed consent becomes a sign that what has transpired in the process of documentary making is ethical.

However, the nature and limits of informed consent have been more thoroughly considered in other contexts. The concept of informed consent plays a central role in many social interactions and serves as a moral foundation for numerous practices (O’Neill 2002). Historically, applied ethicists turned to informed consent as an antidote to the disillusionment with, and scepticism of, authority. It became the dominant model for relationships between the professional and client (Shultz 1987). As an ethical concept informed consent is viewed as a practical reflection of the need to respect the autonomy of the individual, particularly the right to choose actions without coercion (Faden, Beauchamp & King 1986). Representing an autonomous and implicitly rational decision, the granting of informed consent must be based on full knowledge of all relevant facts pertaining to the decision including knowledge of

all potential risks and benefits that are likely to flow from it. The need to respect the autonomy of the individual also requires that it be given voluntarily, free from any form of constraint or coercion. Finally, the decision to consent must be made by an individual deemed to be capable of rational, and thus autonomous, action.

An obvious appeal of informed consent is its apparent role in protecting the interests of participant, given that their relationship with the filmmaker is presumed to involve a significant power imbalance. The problem of power, and especially the imbalance of power between participant and filmmaker, is an important theme in the documentary ethics literature and is considered in more detail below. Firstly, however, I point to the significance of informed consent as a mechanism that has appeal for its ability to allow documentary to transcend power imbalance. Critical to the definition of informed consent is the fact that it is voluntary and free of coercion. Ideally, in obtaining informed consent, the filmmaker is providing evidence of non-exploitation in the filmmaking process.

For all that informed consent has come to play a central role in the ethics of documentary production, it has also been heavily criticised. Winston (2000, p. 126) for example, interrogates the notion of informed consent as it applies to media work generally and documentary in particular. With reference to the Nuremberg Protocols on the use of human subjects in scientific experiments, he argues that informed consent, while reasonable, would have chilling effects if applied to documentary because of its incompatibility with investigative work. He focuses on the Stirling Media Research Institute's report into media consent, *The Consenting Adults Report* (2000) in his critique of informed consent. The Stirling Media Research Institute

defines informed consent in terms of the participants' knowledge and understanding of a program's format, aims and objectives, their contribution to a program and the likely consequences of participation. Winston argues that to define informed consent in such terms is to ignore the realities of documentary production. It does not account for different levels of participant understanding, investigative requirements or the filmmaker's right to free speech. A key concern for Winston and others (Gross *et al* 1988; Gilbert 2005; Nichols 2001) is the incompatibility of informed consent with the journalistic role of documentary.

Benson and Anderson's (2002) study of the legal argument surrounding Fredrick Wiseman's documentary *Titicut Follies* (Fredrick Wiseman 1967) provides an example of the way in which participants who are in positions of relative power can use informed consent requirements to thwart investigative documentary production. Having initially secured the support of authorities to make a documentary at the Massachusetts Correctional Institution, Bridgewater, Fredrick Wiseman found himself engaged in a protracted legal battle with the Commonwealth of Massachusetts over the film's distribution. The result, as Benson and Anderson note, is that *Follies* is unique in being the only American film restricted for reasons other than obscenity or national security. Legal argument centred on whether informed consent was, or could have been, obtained from patients in Bridgewater's psychiatric facility. Arguing that Wiseman had not obtained informed consent from those featured in the film, the state succeeded in restricting the film's distribution. For Benson and Anderson (2002, p. 10), however, the real lesson to be gleaned from Wiseman's encounter with the Massachusetts authorities is that informed consent can be used to stifle criticism:



In documentaries dedicated to social reform, consent negotiations with persons in power are particularly problematic, since full disclosure of intent could easily result in withdrawal of support.

The documentary filmmaker Roger Graef (cited in Rosenthal 1980, p. 176), whose work has focused on organisations and individuals in power, acknowledges the difficulty of obtaining consent from those in power. He notes that for the first *Decision* series, which took audiences inside decision-making processes in British companies, hundreds of companies refused to participate. Such experiences add weight to Winston's and other writers' concerns about the impact of informed consent on investigative documentary.

As well as concerns over the compatibility of informed consent with documentary's investigative function, the literature features numerous concerns about the practical realities of obtaining informed consent from participants. Pryluck (2005, p. 197) argues, that even:

[W]ith the best intentions in the world, filmmakers can only guess how the scenes they use will affect the lives of the people they have photographed; even a seemingly innocuous image may have meaning for the people involved that is obscure to the filmmaker.

Similarly, Gross *et al* (1988) note that filmmakers, like other social researchers cannot possibly know at the outset where a particular documentary will take them or how it will come together as a completed film. Any attempt to predict the consequences of a

participant's involvement in documentary is therefore likely to be inadequate and misleading. Using her research of talk show production, Grindstaff (2003) argues that for media genres involving unpredictability any notion of consent based on full disclosure is meaningless. Documentary, like the game shows studied by Grindstaff, can be highly changeable. There is, therefore, an inherent tension between that volatility and a requirement that participants be informed of all potential risks. Indeed, there is room for uncertainty as to what requirements would satisfy the term 'full disclosure' in the context of documentary, and whether full disclosure is ever possible given the realities of documentary filmmaking.

A further issue with informed consent relates to the timing of a consent request. When should participants be asked to consent to their participation – during filming, following filming, or after seeing the finished film? Winston (2000, p.144) draws attention to the importance of the timing of consent, arguing that consent gained before filming is, in reality, prior consent. He makes the point that even after filming a gap still exists between the proposed film and the documentary as completed text. There are parallels between Winston's prior argument and critiques of consent in medical ethics. In the medical domain, O'Neill (2002) has argued that consent is never a rational decision, as is generally assumed, but always a propositional attitude. In the medical domain, she points out that consent is always consent to a particular description of a procedure, its risks and benefits, rather than consent to the procedure as it will, ultimately, be experienced by the patient. There is no God's-eye view when it comes to obtaining consent and, of course, no way in which to predict the future. In terms of documentary this implies that full disclosure of risks attached to participation

in a project is not possible. Consent must be considered always consent to a particular presentation of a future production.

If consent is at best a response to a documentary proposal, it is easier to explain what is happening in those instances where the relationship between filmmaker and participant begins to break down. Gross *et al* note (1988, p. xiii), referring to Anderson and Benson's (1988) study of *Titicut Follies*, that consent often begins in an atmosphere of good will only to degenerate as the filmmaking project continues. Anderson and Benson's account of the breakdown of relations between Wiseman and key authorities at Bridgewater highlights the fact that participants may consent to a documentary at an early stage, such as during filming, only to object when presented with the finished film.

Similarly, Winston (2000) points to several stories of participants who came to regret their participation in a documentary only at the point when the documentary was screened. In some instances regret flowed not from the participant's viewing of the documentary, but from their realisation of how others viewed the film. O'Neill's claim, that consent is at best a propositional attitude, is especially relevant to documentary filmmaking where participants usually have no experience of filmmaking practice and little to draw on that would help them understand what might be involved. Given the filmmaker's tendency to understate the inconvenience of participation and their inability to predict documentary consequences, informed consent is problematic.

There are also considerable practical issues associated with securing the meaningful consent of a participant. Indeed, documentary practice may preclude it. For example, in observational documentary, a tendency to shoot now and decide later can make it difficult to identify individuals and seek consent (Anderson & Benson 2002). Pryluck (2005) claims that the filmmaker, with all his or her equipment and institutional backing, is effectively so intimidating to most participants that any consent obtained is rendered meaningless. Furthermore, Winston raises the issue of payments to participants, claiming that a financial incentive undermines informed consent. He asks (2000, p. 146) whether Flaherty's offer of five pounds to the fishermen of Aran and Dennis O'Rourke's offer of a rice farm to a Thai prostitute were offers too good to refuse. Documentary maker Nick Broomfield (cited in Stubbs 2002, p. 114) refers to the fact that he pays participants in a variety of ways. Given that documentary participants are often socially and economically disadvantaged, how are we to understand their consent in this context? The sums of money may not be vast, but any payment may be viewed, as Winston suggests, as an inducement to participate and therefore as a barrier to informed consent.

From the perspective of documentary practice, the methods used for obtaining informed consent also raise issues. Release forms have become a standard feature of documentary participation and serve as the mechanism for demonstrating the participant's informed consent. In some instances, the relationship between filmmaker and participant has been legally viewed as contractual (Winston 2000, p. 78). In these cases release forms can be seen as embodying the terms of the contract. As a contract the release form becomes both a symbol, and in some instances legal evidence, of a participant's informed consent. It may have become a ubiquitous part of

contemporary documentary practice, but it is nevertheless problematic as a mechanism for either obtaining or demonstrating informed consent.

In reality, release forms serve multiple functions. One key function is to protect the filmmaker and broadcaster against defamation, while ensuring a clean slate in terms of copyright and use of the participant's image. Brenton and Cohen (2003, p. 137) make a similar claim in relation to release forms used in reality TV. They suggest that producers are quick to get signed release forms because of their need to secure rights and protect their intellectual property. The release form registers the consent of the documentary participant while setting out terms for the use of their image. In practical terms, release forms grant the filmmaker complete control over material collected for the documentary, even where that material is not yet acquired, making it a questionable record of a participant's consent. In exploring contractual arrangements between subject and photographer/filmmaker in the United States, Viera (1988, p. 138) highlights several ways in which subjects are disadvantaged by this contractual arrangement:

Typically, a person who consents to being photographed or filmed signs a release granting the image-fixer the rights to any and all uses of the image in perpetuity, in any medium now known or ever developed ... The release works as a waiver of privacy rights. The photographer is the owner of the negative and, hence, the particular concrete image.

Viera argues that release forms are unfair because the subject is denied the opportunity to benefit financially from their image. Similarly the participant may have

little or no control over the political and social contexts in which the image is used. So while in theory the release form addresses the needs of both, in practice the requirements of the documentary producer arguably preclude use of the release form as a mechanism for demonstrating the participant's informed consent.

### **Rights and frameworks?**

I began exploring documentary ethics by suggesting that it has traditionally been framed in terms of filmmaking obligations that often turn out to be incommensurable. So far I have elaborated on some established ideas of the filmmaker's obligations, as artist, in a journalistic role, and in relation to those who participate in their films. However, obligations can also be expressed within a discourse of rights. In considering the nature and role of rights claims in documentary ethics, it is important to bear in mind the various contexts in which they are invoked. Rights, as deployed in documentary ethics, are not absolute. They are *prima facie* rights, which hold until they come into conflict with other rights. In documentary, the right of the filmmaker, as either journalist or artist, frequently conflicts with the participant's right to privacy. I will consider this clash of rights in order to shed light on the kind of discursive stalemate that can arise when considering the ethics of documentary.

Winston (2000) has explored the various ways in which rights have been deployed in relation to documentary ethics. His study takes the legal relationships governing the production of documentary as a framework for the exploration of the ethical issues. Although Winston (2000, p. 158) concludes, ultimately, that legal considerations cannot police the relationship between participant and filmmaker, his legal framework

essentially constitutes the terms of debate and, in so doing, precludes alternative approaches to the documentary relationship.

Gross *et al* (1988, p. 5) similarly look to the legal concepts governing filmmaking practice as a framework for ethical discussion. The right to privacy is, they argue, legally complex but can nevertheless be seen to cover four different categories: intrusion into private space; the revelation of true but embarrassing information; the presentation of information in a false light; and a failure to gain informed consent. The legal resolution of competing rights claims will, ultimately, reflect the specific legal context in which a judgement is made. And yet Both Winston and Gross *et al* draw parallels between legal rights and the moral rights that, they argue, are relevant to documentary practice. Although both claim that questions of ethics are not reducible to questions of law, the legal domain is used as a framework within which ethical questions are considered.

Conflicting rights further govern documentary practice as they are incorporated into institutional codes of ethics and conduct. The Special Broadcasting Service (SBS) *Code of Practice* (2008, Section 1.9), for instance, puts the filmmaker's obligations to the public and to individuals in the following terms:

The rights of individuals to privacy should be respected in all SBS programs. However, in order to provide information to the public which relates to a person's performance of public duties or about other matters of public interest, intrusions upon privacy may, in some circumstances, be justified.

Here the public right to know is at odds with the individual's right to privacy. Documentary makers coming under the jurisdiction of the SBS code would find themselves confronted with the kind of ethical complexity described by Winston and Gross *et al.* In the context of a documentary production, the documentary filmmaker must weigh up whether or not it is 'justified' to intrude upon the privacy of another.

Faced with conflicting rights claims, Gross *et al.* (1988, p. 14) acknowledge that an impasse is reached. They conclude that a focus on rights cannot provide us with a 'recipe for determining the answers to the questions posed in such conflicts'. Winston (1995, p. 225) also concludes that a key challenge in documentary ethics is to develop an ethical framework that is capable of adjudicating between conflicting rights claims. Devising a satisfactory ethical framework is frequently a goal of those working in applied professional ethics. In the field of bioethics, to give one example, the four principles of autonomy, beneficence, non-maleficence and justice have been influential for more than twenty years (McCarthy 2003).

The advantages of an ethical framework such as that founded within bioethics are not insignificant. Ethical principles identify practices that are questionable or unacceptable, and help to formalise what makes them problematic. They clarify complex situations, foster dialogue about ethical issues and provide a degree of consistency through broad consensus. Significantly, principles and ethical frameworks provide some guidance in the face of apparently incommensurate obligations (Beauchamp & DeGrazia 2004). Given the success of moral frameworks in areas such as bioethics and in applied ethics generally, it is not surprising that those writing about documentary ethics should conceive of their task in terms of



constructing a similar framework. Donovan (2008, pp. 27-33) notes the attempt by Australian documentary makers and academics to devise a Code of Practice and a Charter of Independence for documentary filmmakers. At the 2005 Australian International Documentary Conference (AIDC) an ethical framework was proposed as a way in which to help deal with the ethical uncertainties of documentary production. Donovan states that a draft code was subsequently produced and circulated to documentary makers. Donovan argues in favour of a documentary Code of Practice, contending that it is a way of resolving the ethical dilemmas inherent in documentary practice.

Winston (2000, p.158) suggests that insofar as is possible the relationship between participant and filmmaker ought to be governed by law. Since much of what transpires between the two lies beyond the scope of law, professional codes become critical. Although, following Merrill, Winston points to the importance of flexibility in the application of ethical principles, he ultimately argues that filmmakers undertake a form of 'ethical risk assessment'. This entails answering a collection of questions, which are, ultimately, grounded in legal concerns. While Winston does not state the form he thinks a documentary code of ethics should take, his approach, founded on legal concepts, suggests a desire for a framework that is capable of guiding the actions of filmmakers.

The search for a code of ethics capable of governing the relationship between participant and filmmaker reflects a desire to prescribe or proscribe particular forms of relationship. A code of ethics provides a set of prescriptions concerning what professionals ought to do or not do as well as the sanctions that will accompany non-

compliance (Lichenberg 1996, p. 14). Implied in Winston's call for a legal or code-based approach to the relationship between participant and filmmaker is the assumption that the relationship can and ought to be governed by a set of fundamental rules or principles. It is the use of an ethical framework as a moral foundation and the assumption that right behaviour can be rationally deduced from such a framework that I describe here as the legalistic approach to documentary ethics.

There can be little doubt given the explosion of professional ethical codes in recent years that ethical frameworks, particularly in the form of codes of ethics, plays an important role for professions. As a statement of professional values or goals, a code of ethics will no doubt be a welcome achievement for documentary practitioners. There is some evidence that, where ethical codes exist, documentary makers find them useful as a tool for working through issues (Aufderheide *et al* 2009). And yet there are reasons for being cautious about the advantages of a code of ethics within the context of documentary. In recent years the search for moral frameworks and universalisable ethical principles has come under significant criticism (Clouser & Gert 1990; McCarthy 2003; Davis 1995). Lumby and Probyn (2003) argue that it is time for media ethicists to question their faith in abstract codes of ethics to govern practitioners' behaviour. They argue, against the impartialist tendencies of media ethics, that decisions are made not by perfectly rational beings occupying an ideal position but by real people balancing self-interest and other pragmatic decisions. Neither codes nor frameworks, it is argued, can govern practitioner behaviour or dissolve the tensions of documentary ethics.

### **Documentary practice: issues of power**

Postmodernism has had a significant impact on both philosophical and applied ethics. The search for rationally secured principles that might be universally and impartially applied has given way to a concern with difference and the particulars of ethical situations. The tensions of documentary ethics can be seen to arise, in part, because documentary ethics, in spite of its focus on the particular text or filmmaker, has continued to take the particular as a starting point in the search for abstract ethical principles. Within some schools of philosophical and applied ethics such universalising has given way to a concern with understanding the particular. Since the ethics advocated here is founded on the engagement of a particular filmmaker or filmmakers and their participants, it is important to consider how this changed approach impacts on documentary ethics at the level of theory. This section considers specifically the concept of the individual, whether filmmaker or participant, and notions of power within documentary ethics. These two concepts are of particular importance to the discipline and are challenged in important ways by current thinking in philosophical and applied ethics. While some feminist scholars have acknowledged the implications of postmodernism for documentary ethics, still more is to be done.

Although documentary ethics has traditionally taken as its focus documentary filmmaking as a particular activity, it has nevertheless continued to conceive, for the most part, of the documentary maker and the participant in the abstract. Both filmmaker and participant are imagined to be independent, making choices between mutually exclusive options, with only minimal acknowledgement of the organisational realities of documentary practice, although rarely the specific realities

faced by a particular production. In reality, the documentary maker is never a free agent choosing between opposing courses of action. To draw attention to documentary practice empirically is to acknowledge that documentary filmmakers are situated individuals enmeshed in complex relationships of power. Indeed, journalism ethics has been similarly criticised in recent years for its presumption of an ethical ideal state in which the radically free journalist is guided solely by ethical principles (Jacquette 2007). Within journalism ethics, empirical studies have highlighted the importance of the workplace culture in journalists' decision-making (Tanner, Philips, Smyth & Tapsall 2005; Richards 2003). Documentary filmmakers, like the journalists, are particular individuals whose ethical decisions must be understood in relation to their particular personalities, relationships with colleagues, employers, funding bodies and documentary participants.

Similarly moral philosophers have called into question the nature and role of reason and the idealised moral agent as a foundation for ethical practice (Benhabib 1992). In place of the rational, autonomous, genderless and identity-less individual is the gendered, specific, culturally and socially situated individual. While descriptions of documentary practice play a role in documentary ethics, there has to date been little in the way of systematic exploration of documentary practice in terms of its ethical dimension. Lumby (2006) has noted that media ethics on the whole has failed to heed the insights of Marxist, feminist and poststructural ethics, often dismissing them as a prelude to radical moral relativism. Whatever the justification, the analytic, principle-focused approach that has, arguably, dominated thinking about documentary ethics leaves little scope for considering the messy reality of ethics in documentary practice.

From this perspective, the issues surrounding informed consent become additionally problematic. Within discussions of informed consent the individual imagined is rational, autonomous and not constrained by their relationships with others. This individual is calculating, seeking to maximise good and minimise harm. The concept of informed consent, therefore, presumes that the individual can and ought to act autonomously. Increasingly, this view is considered to be problematic. Caputo (1993) and MacIntyre (1981) remind us that the individual is not free but exists within the context of communities of multiple obligation that inevitably shape ethical practice. The concept of individual autonomy has been challenged as a gendered notion and freedom of choice questioned as a practical reality (Benhabib 2004). Feminist scholars have criticised the idealised moral agent for its failure to account for the ways in which gender shapes moral decision-making (Walker 2007).

It should be noted here that such concepts have, from time to time, found their way into discussions of documentary ethics. David Blackall (2004) demonstrates in relation to his documentary *Delinquent Angel* (2001) that informed consent is best conceptualised as an ongoing dialogue between filmmaker and participant. He bases his analysis of informed consent on his personal experience of documentary production and the particular relationship he developed with artist John Perceval. Investigations such as Blackall's are valuable to documentary ethics for a number of reasons. The first is that they propose an alternative method for the exploration of ethical questions within documentary. In his research, documentary production is re-imagined as a kind of ethical action research in which reflection on documentary practice becomes part of doing ethics. He also notes the importance of understanding

consent within the context of the particular relationship between filmmaker and participant, rather than as an abstract, logical or universal principle.

When the particular features of documentary practice have been the starting point for ethical reflection, power has emerged as a central theme. Power in the relationship between filmmaker and participant is a theme in Blackall's research for example. For the most part, power in the context of documentary production has been viewed as something that the filmmaker possesses and the participant lacks. Winston (2000), while focusing on the filmmaker's power over the participant, gives passing mention of an instance in which the participant seems to have sought to manipulate the filmmaker. Without wishing either to discount the importance of power imbalance in the documentary relationship or suggest that ethical questions do not flow from this imbalance, there are some clues in the documentary literature and filmmaking practice that point to the value of a more complex account of power in documentary. Empirically, Aufderheide *et al* (2009) have found that documentary filmmakers behave differently to participants whom they perceive as having greater power than them in relation to the documentary.

Nichols (1991) takes the documentary text to reflect in significant ways the relationship, the kind of attitude that the filmmaker had towards the documentary participants. Key here is the kind of power relationship that brought the documentary into existence. In the text the presence or absence of the filmmaker, the positioning of the camera and any interaction with participants bears an indexical connection to the filmmaker participant relationship. The documentary image is read as evidence of the

filmmaker's political and ethical stance. This constitutes, for Nichols, an ethical approach he terms axiographics. Nichols (1991, p. 79) argues that:

[the filmmaker's] presence in, or absence from, the frame serves as an index to their own relationship (their respect or contempt, their humility or arrogance, their disinterestedness or tendentiousness, their pride or prejudice) to the people and problems, situations and events they film.

Understanding documentary ethics begins, for Nichols, with a close reading of the documentary text for the purpose of interrogating the filmmaker's ethical stance in relation to the documentary subject.

Nichols categorises several different documentary gazes. The relationship between filmmaker and participant can be accidental, in that the filmmaker might stumble on a situation. It might be helpless, with the filmmaker unable to intervene in unfolding events. In this case the documentary itself reflects the filmmaker's powerlessness and their own physical risk. As the distance between filmmaker and participant recedes, the gaze might become humane, demonstrating a subjective response to the filmic subject, or interventional, as the filmmaker abandons documentary distance to act. Alternatively, the documentary filmmaker can take up the clinical gaze, most reminiscent of television journalism, in which professional detachment from events and participants is maintained. The closeness of the relationship between filmmaker and participant can be read axiographically in, for instance, the framing and composition of the image, as in the use of close-ups and the participant's willingness to be filmed during intimate moments.

Nichols' taxonomy draws attention to the different kinds of relationship that are possible between filmmaker and participant. He goes on to suggest that the various documentary modes raise diverse ethical questions precisely because they involve different kinds of documentary relationship. The expository documentary, Nichols argues, is characterised by direct address and the central presence-as-absence of the filmmaker. In terms of ethics, there is a close relationship with the ethics of journalism. The problems of representation and truth are foregrounded while questions of the filmmaker's relationship to events are suppressed. For Nichols, the filmmaker's authority to speak and represent the other, while remaining absent, victimises the participant by placing them in a *mise en scène* that they cannot control or using them to further an argument that is not their own. The observational documentary similarly excludes the filmmaker from the frame but suggests their presence in the scene. For Nichols, the questions raised by this form of filmmaking relate to the filmmaker's treatment of the participant.

Implicit in Nichols' discussion of the documentary filmmaker's gaze are questions about the nature of power relationships within documentary production. For Nichols, the filmmaker's power over the participant, in representing another, intruding on their privacy, while excluding himself or herself as authorial presence, constitutes an ethical issue. Winston (2000) similarly argues that while the filmmaker remains in a controlling position, informed consent is undermined and, therefore, documentary cannot be considered ethical. Ethical documentary requires that the power relationship between filmmaker and participant be redefined and, wherever possible, eliminated.



Issues around power have also featured in the work of feminist documentary makers and scholars. Waldman and Walker (1999) explore notions of solidarity between filmmaker and participant in ethnographic filmmaking and suggested that collaboration might be a way in which to re-imagine power relations. Katz and Katz (1988) raise questions about the way in which family filmmaking, a significant documentary strand since the 1970s, is rendered ethically problematic as a result of the complex power relationships between family members. Power is therefore constituted in various sites as a problem in documentary ethics. It has become a way of conceptualising the filmmaker's control over the participant and their ability to exploit the participant for his or her own ends.

Filmmakers concerned with power in documentary have explored various collaborative production methods. In the late 1970s, the Borroloola people of the Northern Territory approached filmmakers Carolyn Strachan and Alessandro Cavadini. The community wanted to enlist the couple's help in making a film that would be collaborative and which would '*express not just observe*' Aboriginal culture (MacBean 1983, p. 39). The result was the documentary, *Two Laws* (1981). Over two hours long, *Two Laws* tells the story of the Borroloola community in its own terms thereby empowering the community. Initiated by the Borroloola people as part of the community's broader political strategy, the documentary was an important experiment in collective filmmaking (Winston 1995). Filmmakers Strachan and Cavadini spent many months immersed in the life and culture of the community so as to understand their filmmaking goals. Unlike conventional documentary productions, *Two Laws* foregrounds filmmaking practices and process and in so doing provides a significant insight into filmmaker participant negotiation. All aspects of the

production were discussed collectively, from what and how to film to lens choice and camera position (MacBean 1983; Eaton 1983).<sup>1</sup>

The literature contains references to other documentaries that have sought to challenge the filmmaker's power over the documentary participant. Dansereau sought to give ordinary citizens some control over the final project in the documentary *Saint-Jerome* (Pryluck 2005). Similarly, in making *How the Myth Was Made* (1978), George Stoney is said to have, at times, abandoned the role of documentary director altogether to allow participants to tell their own story. Phillip Donnellan involved participants extensively in the production of *A Moment to Talk*, although this needed to be kept secret to avoid charges of editorial abdication (Winston 1999). Aufderheide *et al* (2009) similarly reveal that filmmakers very often involve participants in the production of documentary but are generally unable to formalise this process. As these examples suggest, the importance of authorship in documentary likely discourages discussion about collaborative practice.

On the other hand, collaboration is central to the concept of the committed documentary. This form of documentary engagement centres on the idea that films can be made both with and for the participant. The committed documentary can be seen as a way of reconceptualizing the documentary project, drawing on the power of film to overcome a participant's cultural invisibility (Frankham 2004). As with collaboration generally, the committed documentary reconfigures the traditional concept of the relationship between documentary maker and subject by conceiving of

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<sup>1</sup> Nichols (1991) refers to textual inclusion of the negotiation between filmmaker and participation as metaobservation and notes its use in a number of documentary texts interpreting it as a characteristic of participatory documentary.

the documentary project as a shared project to which documentary maker and subjects contribute.

Although collaboration offers one way in which to address concerns over power in the context of documentary, it remains to a large extent incompatible with both institutional demands and the views of documentary as either artistic statement or independent journalism. As noted above, collaborative relationships between filmmaker and participant often lead to accusations of directorial abdication. Winston (1995, p. 239) has written about the documentary series, *A Moment to Talk* produced between 1982 and 1984. He reports that the series had to be made in virtual secrecy to avoid concerns over the series' collaborative approach. On a much smaller scale, D.A. Pennebaker (cited in Cunningham 2005, p. 111) speaks about a situation in which he changed a documentary to prevent a participant losing their job: 'Yes, we made a change, and when PBS found we'd made a change, they had a fit'. Given the problems raised by assuming a collaborative relationship with participants, little is known about the extent to which filmmakers have attempted to work collaboratively and the extent to which this is seen as a solution to issues of power in the documentary relationship.

Questions about power in the documentary relationship have a bearing on ethical debate. There are reasons to believe that power in the context of documentary is more complex than has been suggested to date. The filmmaker Tom Zubrycki (Zubrycki, T 2008, pers. comm., 18 April), for example, describes the documentary relationship as one involving significant commitment on both sides. The documentary filmmaker makes a substantial investment, both financial and artistic, in the relationship with

participants. The effect of this is that the participant's withdrawal from the documentary project can result in a devastating professional and economic loss for the filmmaker. Although the filmmaker is undoubtedly able to exercise a degree of power over the participant, the latter also has power over the filmmaker in some instances.

What is not known is how the participant experiences power in the documentary relationship. Power constitutes a problem within documentary ethics since it is most often imagined as the filmmaker's power *over* the participant. This is what Nichols is suggesting (1991, p. 91) when he argues that the victim position in documentary consists of being placed in a *mise en scène* that is not one's own. If documentary participants feel that they are being placed in a context that they cannot control, then Nichols' point is a good one. However, since the documentary ethics literature has not focused on the experience of the participant we know almost nothing about their needs and motives. Nichols assumes that the documentary participant is disempowered by a lack of control over their image. There are two ways in which Nichols' claim might be interpreted. If he is interpreted as suggesting that the participant is disempowered within the context of the documentary text, by virtue of being represented by another, axiographics seems justified. But it is a different matter to extrapolate from a textual analysis that the particular participant felt a certain way, namely disempowered, as a result of their experience of documentary participation.

While documentary filmmakers, scholars and journalists have debated documentary ethics the voice of the documentary participant has been rendered, largely, silent. When we do hear from participants it is most likely to be within the context of a story of regret about their experience of documentary participation. The 'star' of *Sylvania*

*Waters* (Kate Woods & Brian Hill 1992), Noeline Donaher, wrote a book about her experience. *The Sylvania Waters Diary* (1993) paints a picture of documentary deception and a callous disregard for the interests and feelings of her family. While regret stories are a part of the documentary ethics landscape, they are undoubtedly a poor foundation for understanding the participant's experience. Most participants do not write books, file lawsuits or talk about their treatment at the hands of documentary-makers. What other experiences do documentary participants have? How do they come to feel about their decision to participate? And what do they think are the ethically significant issues raised by documentary practice? Without considering documentary from the experience of the participant, these questions remain unanswerable.

### **The value of approaching documentary ethics empirically**

Within documentary studies, the documentary text is the primary site of ethical analysis. Nichols' (1991) axiographics demonstrates the importance of the text as ethical evidence. However, for all that an axiographic analysis of the documentary text may provide some clues as the documentary maker's ethics, there is reason to believe that it provides only a partial viewpoint. Hampe (1997, p. 85) argues that 'there is usually no evidence within a documentary to prove whatever a critic may think reflects an ethical problem'. Describing a film he produced on parenting, Hampe points out that honesty and ethics do not always coincide in documentary production. It is possible, as Hampe demonstrates with reference to a hypothetical option that could have been taken in one of his own productions, to make an honest film that is nevertheless unethical. A documentary's ethics often turn on the nature of

the deal struck between participant and filmmaker, something that is rarely included in the film itself. It would be possible, Hampe argues to produce an honest but nevertheless, in his view, unethical depiction of his participant, without giving the audience any reason to doubt his filmmaking ethics.

Since the filmmaker has been the focus of attention in documentary ethics, the literature contains numerous assumptions about the participant and their experience. Pryluck (2005, p. 24), for instance, argues that ‘scientific experiments and direct cinema depend for their success on subjects who have little or nothing to gain from participation’. It may seem that the participant has little to gain, particularly from the perspective of the documentary text, but Pryluck’s claim is an empirical one that could be explored by asking participants to explain why they chose to involve themselves in a documentary project. Some documentary filmmakers have referred to the participant’s desire for documentary exposure. Hampe notes, for instance (1997, p. 80), that the first question most often heard by a documentary producer is not ‘How will you use the footage?’ but ‘When will this be on TV?’. Similarly, Albury (2003) reminds us, that sometimes people want to share their most intimate moments with others. In reality, little is known about the complex motivations of documentary participants. It is an empirical question that can be addressed by speaking to participants about their decision to be involved.

Similarly, questions in the documentary literature about the appropriateness of informed consent may be usefully explored through empirical study. Many of the challenges raised by filmmakers to informed consent within documentary relate to practical aspects of gaining the participant’s consent. Some of the kinds of questions

that might be addressed from an empirical perspective include: When and in what context are participants in observational documentary asked to consent to their participation? How do filmmaker and participant negotiate access, and how do filmmakers and participants feel about these documentary negotiations?

In like terms, power in the context of documentary making might be better understood through empirical research. Filmmakers have suggested that power relationship in documentary is not in fact one-way (Aufderheide *et al*, 2009). Tom Zubrycki's (Zubrycki, T 2008, pers. comm., 18 April) claim that documentary involves significant commitment on both sides is relevant here. Arguably, little is known about power in the context of documentary production, just as there is little to say about the participant's motives for documentary participation. If abstract accounts focusing on the relative strength of documentary maker's obligations have stalled the documentary ethics conversation, empirical study of the experiences of both filmmakers and participants represents one way in which to revitalise the discourse.

The most significant argument for the empirical study of the documentary relationship is, however, an ethical one. If, as has been proposed here, sensitive engagement on the part of the documentary maker is taken to be a virtue within the context of documentary production, empirical research offers an important way in which to sustain this virtue within the community. Sensitive engagement requires that the filmmaker seek to understand the participant's needs in relation to the documentary project and to seek to meet those needs. In order to achieve this, the documentary community needs to attend to the voice of the participant. Empirical research, by

creating a space for this voice to enter into the conversation, represents an important way in which the virtue of sensitive engagement can be fostered in practice.

### **In conclusion**

This chapter has argued for an alternative way of thinking about the ethics of documentary. Beginning with the documentary community, conceptualised as a community of practitioners, it has been suggested, following MacIntyre (1981), that a virtue for documentary makers in relation to the participant is sensitive engagement since such an attitude brings about the goal of successful documentary making. Sensitive engagement is here conceptualised, borrowing from Murdoch (1970) as a kind of loving attention, the filmmaker's concern to promote the good of the documentary participant. Such a shift in perspective is seen as one way in which documentary ethics might avoid the paralysis that has resulted from focusing on the obligations of the documentary filmmaker in the abstract. Attention is called to the particular contexts in which documentary filmmaking is practised, the relationships that supports it and the community that preserves it.



## **Chapter Two**

### **The Case of the Observational Documentary**

Nichols (1991) has argued that different kinds of documentary raise different kinds of ethical questions. It has already been suggested here that this idea has generally been glossed over by those who write on the ethics of documentary. It is a point that holds true even in the context of this study where ethics has been defined as the filmmaker's sensitive engagement with the participant, their desire to ensure that documentary participation is oriented toward what is good for the participant. Although such a conception suggests a collapse of Nichols' distinction, since ethical practice is defined without reference to the filmmaker's mode of engagement with the participant, the nature of the participant's commitment to the documentary project can be seen to relate to documentary mode in a way that is ethically relevant.

Nichols' claim is instinctively plausible. Being interviewed once for an expository documentary seems likely to be qualitatively different from the extended surveillance typical of some forms of observational filming. For a participant who has invested time and energy in a documentary project, it is important to recognise the significance of their goals in relation to the documentary project. It may also be relevant to examine the nature of the relationship between the participant and filmmaker, the documentary relationship. If the goal of ethics is to grasp what is in the participant's

interests as far as the documentary project is concerned, it may be critical to examine this relationship, what it means to the participant, how significant it may have become over the course of the documentary production and how it might change once the film is completed. It is often assumed that the participant stands to gain nothing from their participation (Pryluck 2005, p.24). While the filmmaker's gains from documentary production are obvious, it is important to question the assumption that the participant gains nothing at all. Observational documentary in particular involves a lengthy commitment on the part of the participant as well as a high degree of openness to the filmmaker. Ethical practice demands that we challenge assumptions about the participant and their goals in order to better understand their needs and motivations.

Since different modes of documentary filmmaking raise distinct ethical challenges it will be valuable to confine this study to only one mode. The concept of mode and observational documentary will be explored in depth in this chapter as a foundation for the case studies that follow. It is important however, even in the absence of terminological precision, to explain this study's focus on observational documentary. As has already been indicated, observational documentary requires a particular commitment from the documentary participant. It thrusts participant and filmmaker together in a communal endeavour requiring significant negotiation. It is not insignificant that, as this chapter will show, the emergence of observational documentary is associated with the beginnings of sustained ethical reflection by filmmakers. As smaller and smaller cameras delve into the homes, lives and psyches of individuals, the ethical complexity of observational documentary increases. Although the methods employed here are relevant to all modes of documentary, the observational mode promises to be a rich and complex field with which to start.

In order to clear a site for investigation, this chapter begins by considering observational modes in their diversity and hybridity. To understand what may be ethically relevant, and perhaps ethically distinct, about observational practice, it is necessary to specify how it is to be conceptualised at least for the purposes of this study. Consistent with the empirical aims of this research, an account of observational documentary at the level of practice is investigated. After describing the observational documentary, the chapter considers the kinds of questions that have been asked of observational documentary and the additional questions that might be addressed through empirical study. It argues that the relationship between filmmaker and participant, the ‘documentary relationship’, is central to understanding the ethics of observational documentary. In response to the importance of this relationship, the chapter considers the documentary literature in order to investigate what we already know about the relationship and its ethics. Armed with an understanding of observational documentary, its ethical dimension and clues about the documentary relationship, we will be prepared to interrogate observational documentary practice from the perspective of participant and filmmaker.

### **What is observational documentary?**

In light of contemporary documentary’s hybridity, it may seem unwise to be returning to categories or descriptors like ‘observational’. Yet I propose that speaking of the observational in relation to documentary continues to have currency and that it describes an approach to documentary production that continues to be relevant to television. As a first step in understanding observational documentary ethics, I consider what this mode is in the current context and what features constitute its

practice. From this perspective, the ethical dimension of observational documentary making can be considered.

In 1984, the Australian documentary maker Mike Rubbo, then at the Canadian Film Board, returned temporarily to Australia to present a weekend seminar at the Australian Film Television and Radio school (AFTRS). At about the same time, the Australian Documentary Fellowship Scheme was seeking to support innovative documentary in Australia. For some within the documentary community, innovation was understood to imply a revival of the observational mode (Hughes 1989). By the mid 1990s, Rubbo had returned to Australia to head up the ABC's Documentary Unit. Speaking of Rubbo's arrival at the ABC, the documentary filmmaker Catherine Marciniak has said that 'Mike Rubbo had just returned to Australia and, all of a sudden, observational filmmaking became fashionable' (Sunderland 2003, p. 87). Leahy (1996) similarly describes renewed interest in observational documentary. She mentions the 'guerrilla docs' initiative of the Australian Film Corporation, (AFC), noting that its focus on less scripted, low budget documentary favoured the observational mode. At the same time, a new generation of digital cameras became available offering broadcast quality images and sound in a small and, importantly, a cheap unit. The observational mode has therefore been significant historically in Australia in recent times.

Before considering observational documentary in the Australian context in more detail, it is relevant to ask more generally how we are to conceptualise observational documentary. Nichols' documentary modes are not just a way of conceptualising or analysing documentary; they constitute something of an ethical taxonomy. For

Nichols, documentary ethics is tied to the filmmaker's mode of engagement with the world. Given his interest in founding documentary ethics on a notion of documentary practice and because his concept of the documentary mode has been so influential, I begin the task of describing observational documentary by considering his modal taxonomy of documentary. While, ultimately, I will question the extent to which Nichols is justified in his belief that the documentary text accurately reflects the relationship between documentary-maker and participant, his account of observational documentary continues to be influential.

For Nichols, documentary modes are a way of making sense of the various strategies of documentary representation. He argues (1991, p. 32) that 'modes of representation are basic ways of organizing texts in relation to certain recurrent features or conventions'. Modes are not pure constructs of theory and criticism, although the analysis of documentary serves to identify and describe them. Nichols' taxonomy suggests an evolution in filmmaking strategies, with new modes emerging as filmmakers search for innovative ways of representing their world. New modes attract filmmakers, and presumably audiences, because of their ability to offer a 'fresh, new perspective on reality' (1991, p. 33). Nichols has been criticised for suggesting that documentary can be approached as a distinct set of filmmaking strategies and that documentary can be understood in terms of a 'family tree' evolutionary structure (Bruzzi 2006). Although Nichols argues against this interpretation of his work (1991, p. 33), his historical focus and use of documentary exemplars arguably encourages such a reading. Bruzzi (2006, pp. 3-5) acknowledges Nichols' claims about the co-existence of modes, but argues that his claims are undermined because the various modes are associated with different historical periods. While Bruzzi is critical of

Nichols' modes, she acknowledges the extent to which they have become a cornerstone of documentary theory. There is reason, then, to consider Nichols' account of the observational mode further.

The observational mode is understood by Nichols as a reaction against the moralising stance of the expository documentary. Unlike the expository documentary-maker, who sought to fix meaning through the use of devices like the 'voice-of-God' narration, the observational documentary maker sought to cede control over what happened in the pro-filmic space. Whereas the expository mode is characterised by documentary ordering of the world, a central feature of the observational mode is the filmmaker's detachment from the events depicted. At the textual level, the observational documentary mode is marked by its privileging of events as they happen. The invisibility of the filmmaker, reliance on indirect address, continuity editing and a preference for the long take create an illusion of reflecting direct and unmediated access to reality.

In the purest form of observation, Nichols (1991, p. 39) states, 'voice-over commentary, music external to the observed scene, intertitles, re-enactments, and even interviews are completely eschewed'. Aesthetically and technically, the observational documentary is characterised by visual signs of the film's relationship to the real, with shaky camera work, changeable focus and grainy images all serving as an indexical link to the reality it reflects. A sense of exhaustive and telling observation emerges through the inclusion of scenes designed to give a sense of lived time. The filmmaker remains invisible and rarely audible. Even the participant's look to camera is interpreted as a challenge to the observational documentary's ideological

commitment to non-interference. According to Nichols, the observational mode is marked by the filmmaker's attempt to create a living illusion of the absence of the cinematic mechanism.

Nichols distinguishes the observational mode from its documentary cousin, *cinéma-vérité*. A significant consequence of Nichols' documentary taxonomy is that it clarifies, at a theoretical level, a distinction between the American direct cinema movement and the French-Canadian tradition of *cinéma-vérité*. Although the latter differed in key respects from direct cinema, it similarly privileged the present tense recording of social actors. Both documentary modes employed the same technology and sought to create an illusion of having captured reality.

Recent scholarship has questioned the apparent gulf separating observational documentary and *cinéma-vérité*. The film historian Richard Barsam (cited in Beattie 2004, p. 83) has stated that:

Both *cinéma-vérité* and direct cinema are similar in that they are committed to ... the advantages produced by the use of lightweight equipment; to a close relationship between shooting and editing; and to producing a cinema that simultaneously brought the filmmaker and the audience closer to the subject.

Beattie (2004, p. 85) argues that technology alone cannot explain the ways in which observational styles developed differently in France and the United States. He suggests that there were other factors, supervening necessities, which determined how

observational documentary developed in the two countries. In the United States, the demands of television news reporting fostered a style consistent with journalistic requirements. In France, the impact of ethnographic research supported a more interactive form of observation. Beattie argues that both schools shared an interest in documentary's ability to capture the truth, although they had different views on how this could be achieved.

Nichols provides a new nomenclature referring to the observational and interactive modes, homing in on what he sees as constituting the difference between the two approaches. This difference lies, for Nichols, in the filmmaker's stance *vis-à-vis* the documentary participant. For him, the filmmaker-participant relationship is where the meaningful distinction between observational and interactive modes of production lies. Even his taxonomic nomenclature reflects this different kind of documentary engagement. Observation suggests distance and detachment, while the interactive mode draws attention to the relationship between filmmaker and participant. The observational mode, according to Nichols, is characterised by strict non-intervention in the pro-filmic event. He claims (1991, p. 39) that the observational documentary will 'cede control over the events that occur in front of the camera more than any other mode'. Believing the documentary text to reflect the context of its creation, Nichols takes the filmmaker's physical and auditory absence from the observational documentary as evidence of a detached relationship between filmmaker and participant. He therefore proposes that the non-intervention of the filmmaker allows observational documentary participants the maximum freedom to represent themselves.



Nichols' account of the interactive mode, in contrast, stresses the relationship between filmmaker and the pro-filmic event. The documentary text may encompass the physical body of the filmmaker or their off-screen exchanges with participants. The text opens a window into the relationship between filmmaker and participant. The filmmaker may become 'mentor, participant, prosecutor or provocateur in relation to the social actors recruited to the film' (2001, p. 44). The comments and responses of participants are often featured, including their responses to the documentary process and film. The interactive text, unlike the observational one, does not seek to mask the filmmaking apparatus. Nichols (1991, p. 56) writes: '[t]he text whatever else, addresses the ethics and politics of the encounter. This is the encounter between one who wields a movie camera and one who does not'. Providing audience access to the filmmaking relationship is a central feature of the interactive mode.

Is Nichols justified in drawing such a straightforward link between the documentary text and the relationship between filmmaker and participant? While this is a question that must ultimately be answered by considering the documentary text alongside empirical research, as suggested in Chapter One, there is reason to doubt the adequacy of the documentary text as the sole source of ethical evidence. My own experience of documentary production suggests that significant engagement between documentary maker and participant may leave no textual trace. In seeking to describe the historical emergence of documentary modes, Nichols was arguably influenced by his own concept of modes and their development, seeing them as a response to the limitations of earlier modes. He may also have been influenced by the claims of direct cinema practitioners themselves, who were often fervent advocates for their production method.

In her analysis of D.A. Pennebaker's documentary *Don't Look Back* (1967), Jeanne Hall (1998) proposes that observational documentary offered a new form of engagement with the world. The absence of the filmmaker from the documentary frame is conventionally interpreted as evidence of both non-intervention in the pro-filmic event and the lack of a filmmaking agenda. Hall (1998, p. 225), quoting D.A. Pennebaker, illustrates the connection between the filmmaker's apparent non-intervention and a non-didactic approach to documentary making:

It's possible to go into a situation and simply film what you see there, what happens there, what goes on, and let everybody decide whether it tells them about any of these things ... But you don't have to label them, you don't have to have the narration to instruct so you can be sure and understand that it's good for you to learn. You don't need any of that shit.

Hall also quotes (p. 223) John L. Wasserman's description of Pennebaker's filming technique: 'Pennebaker lugs his 16-mm camera into any available cubby-hole, lurks still until he blends into the background, waits for a moment of *vérité*, then rolls'. According to this account, the observational documentary maker does not impose an interpretation on the world, but lies in wait, ready to pounce on truth when it emerges. The oft-repeated claim that participants simply forgot that they were being filmed can similarly be read as part of the direct cinema movement's claim to have developed a method of filmmaking capable of capturing the truth of a situation. Graham (1964, p. 34) offers an example:

They [the American direct cinema school] can follow their subjects almost anywhere, and because of their unobtrusiveness (they need no artificial lighting) people soon forget the presence of the camera and attain surprising naturalness.

Underlying such epistemic claims is an assumed distinction between the performative subject and the true subject. The performative self is presumed to be a kind of façade behind which the true self is hidden. Through unobtrusive and sustained surveillance, the observational filmmaker is able to get beyond the performative to reveal the true individual. Gross (2003, p. 98) points to the Freudian assumptions underlying this account while noting that they continue to be an important aspect of media production:

In an age increasingly imbued with Freudian convictions about the importance of unconscious forces lurking out of sight, the truth about personality is to be discovered beneath the surface, behind the façade, and sexual secrets are assumed to be the most revealing.

Direct cinema filmmakers similarly argued that filming moments of crisis caused participants to forget the camera and therefore allowed the true individual to be revealed (Mamber 1974, p.133). Whether through sustained observation or a focus on crisis, the methods of the observational documentary maker were proposed as ways of getting to the truth of the performative subject.

Sustained, unobtrusive observation made possible by portable cameras and synchronised sound equipment, together with the filmmaker's ideological commitment to non-interference, were central to the direct cinema project. MacDougall (1998 p. 127) describes the commitment of direct cinema to non-interference as having 'an almost religious asceticism', proposing that because of its epistemic significance it became something of a filmmaking creed. But to what extent can it be seen as a reflection of filmmaking practice? Numerous scholars (Saunders 2007; Beattie 2004; Hall 1991) have challenged the idea that direct cinema filmmakers achieved anything like the observational purity in practice that they were publicly claiming or that their films suggested. Saunders (2007) notes that the demands of television quickly saw hybrid forms of observational documentary that were influenced by its style but were uncommitted to its ambitious principles. Such remarks suggest caution in assuming a link between the filmmaker's non-intervention at the level of the text and claims about his or her relationship with participants beyond the text.

Nichols' description of the observational mode provides an important framework for understanding the observational documentary text. Filmmakers working in hybrid styles of observational documentary have adopted many of the features that he identifies. I have suggested here, however, that the filmmaker's representation, or non-representation, of the documentary relationship ought not be taken uncritically as evidence of his or her ethics. Although the way in which Nichols links the documentary text to ethics is open to question, his analysis of the observational mode nevertheless provides a starting point for considering the characteristics of the observational documentary text.

Nichols does not view documentary modes as distinct or incommensurable approaches to documentary production. He has argued (2001, p. 100) that documentary modes are not fixed but fluid, with individual texts taking up different modes in a unique communicative strategy. This is particularly the case for television. Jeffrey Rouff (1988) offers a reading of *An American Family* (1973), a 12-part series broadcast on the television network PBS. The series adhered to many of the textual characteristics of the observational mode including, basic lighting, continuity editing – including eye line matches and point-of-view shots. It is in other respects, however, a reflexive film, drawing attention to the filmmaking apparatus and employing both first and third person voice-over. Rouff (1998, p. 298) argues that the style of the producer Craig Gilbert, ‘falls in between the pronounced reflexivity of ethnographic filmmaker Jean Rouch and the mostly transparent approach of Fredrick Wiseman’. In the television context, the hybridity of Nichols’ modes is apparent; nevertheless, the observational mode remains significant.

In an increasingly global documentary marketplace, the success of *An American Family* fuelled modal hybridity. The docu-soap, observational documentary combined with the dramatic structure of soap opera, clearly demonstrates television’s hybridisation of documentary modes. In Australia, *Sylvania Waters* (Brian Hill & Kate Woods 1992) demonstrated for another generation that intimate observation within the context of the family home could be a ratings winner. Andrejevic (2004) argues that as well as, eventually, spawning a new kind of observational television, *An American Family*, had a significant impact on a range of reality TV forms. He proposes that *An American Family* was influential because it demonstrated that the

comprehensive monitoring of people lives could be packaged into compelling TV. The MTV generation, according to Andrejevic, preserved many of the textual features of the traditional observational documentary, such as the lack of third-person narration and reference to the presence of the filmmaker. Corner (1996) likewise argues that in taking up observational forms of documentary, television has generally been concerned to conceal the filmmaking process, thereby creating an illusion of access to the real. Television therefore has taken up key textual features of the observational mode as described by Nichols, including the absence of the filmmaker and a sense of exhaustive surveillance of the documentary participant.

Stella Bruzzi (2006) similarly makes a strong case for the ongoing significance of the observational documentary as a mode of television documentary production and consumption. The observational documentary, she argues, has not disappeared in the current reality-saturated media scape, but has been transformed by the emerging interactive and reflexive modes of non-fiction that have begun to dominate factual entertainment slots on television. Quoting observational documentary filmmaker Roger Graef, Bruzzi (2006, p. 123) argues that docu-soaps are a direct heir to observational documentary because they involve ‘filming events as they happen, without lights, staging or interviews’ and ‘editing in chronological order’. The key commitment of observational documentary is to minimise intervention in the pro-filmic event, filming action rather than dictating it. In spite of Bruzzi’s rejection of Nichols’ taxonomic approach to documentary study, there are clear links to his analysis of observational documentary in her description of the ‘new’ observational forms. She argues that there is something essentially and recognisably observational even in hybrid forms like docu-soaps, video diaries and reality TV.

Corner (1997) identifies both *cinéma-vérité* and direct cinema as antecedents of contemporary observational television. Reality TV may seek to provoke events by setting up challenges and situations likely to provide a narrative structure, but having done so the filmmaker retreats to film events as they unfold. For both Bruzzi and Corner, the surveillance cameras of the *Big Brother* house are a logical extension of the observational ideals of the direct cinema filmmakers. Plantinga (1997) similarly understands observational documentary in terms of a filmmaking commitment to observing action with minimal intervention. He speaks (1997, p. 25) of observational documentary as privileging the photographic and aural recording of the subject without apparent filmic intervention, arguing that ‘observational films make “showing that” more central than other kinds of non-fiction’. Such notions are echoed in Beattie’s (2008, p. 5) notion of documentary display. The documentary image, Beattie argues, cannot be reduced to its role as visual evidence. The image, privileged in observational documentary, can play a number of roles: evocative, effective or poetic. The pleasure of looking is acknowledged alongside documentary’s epistemic functions.

What unites these various accounts of the modern observational hybrid with Nichols’ observational mode is a focus on key textual features, most notably the absence of an active filmmaking presence and the appearance of exhaustive monitoring of the documentary participant. The hybrid observational documentary text maintains the illusion of unmediated access to the world, suggesting that the filmmaker is little more than a fly-on-the-wall, albeit a fly wielding a camera. Unlike Nichols, however, Bruzzi (2006) is quick to acknowledge the gap between the documentary text and the relationship between filmmaker and participant. The observational documentary

maker creates an illusion of the documentary maker's absence, an illusion that may, in reality, be highly contrived. Nevertheless, with the documentary text the primary site of documentary study, textual features such as those identified by Bruzzi, Nichols and others constitute a definition of observational documentary.

Because the purpose of this study is to explore documentary ethics empirically, an account of observational documentary based in filmmaking practice constitutes an advantage. The ethnographic filmmaker David MacDougall (1969) has sought to define ethnographic filmmaking, not at the level of the text itself, but in terms of the filmmaker's intention in making the film. Ethnographic film 'may be regarded as any film which seeks to reveal one society to another' (MacDougall 1969, p. 136). MacDougall's aim in defining ethnographic film in terms of the filmmaker's intention was to include films whose textual characteristics did not mark them as obviously ethnographic. In the case of increasingly hybrid observational forms, a focus on the filmmaker's intention helps to draw attention on the practice of documentary filmmaking.

To approach observational documentary as, drawing on Bruzzi and Nichols' accounts, a filmmaking commitment to the act of showing and to sustained observation, allows for the inclusion of those texts that involve similar production methods even though they may employ different textual characteristics. Beattie (2005, pp.22 - 3) similarly speaks of the observational as a mode that privileges a scopic regime over patterns of exposition. Observational documentaries make truth claims; they tell by exploiting the representational potential of the visual register. They produce knowledge that is



subjective, affective, sensitive and visceral. The result is a documentary mode that in many cases seeks to satisfy audience desires.

There are several advantages for conceptualising observational documentary in terms of the filmmaker's intention. At a very basic level, focusing on the intention of the filmmaker draws attention to the particular demands of observational filmmaking. To seek to show his or her subject through sustained observation, the documentary filmmaker must engage participants in a long-term process of observation in a range of contexts. The filmmaker must attempt to find events or situations that illustrate the points he or she wishes to make. The participant must be, in the view of the filmmaker, suitably performative. He or she must be prepared to appear to go about their usual tasks, appearing natural, and yet with a view to the performative need of the documentary. The filmmaker Albert Maysles (cited in Zuber 2007, p. 17) illustrates this when he says of 'casting' the documentary *Salesman* (1968) that 'there are all kinds of salesmen ... but none of them had that greatness that we were looking for'. Greatness within the context of a documentary project such as *Salesman* depends on the extent to which the participant is able to play his part convincingly while meeting the needs of the filmmaker.

Bruzzi argues (2006, p. 187) that 'performance – the enactment of the documentary specifically for the cameras – will always be at the heart of the non-fiction process'. Since the observational mode is understood here as the filmmaker's commitment to showing or sustained observation, performance must be understood as the ongoing enactment of the self within the context of the filmmaker's documentary project. The act of self-performance under the filmmaking gaze, and within the context of a

documentary project, raises potential harms for participants. What does the participant experience when asked to perform himself or herself in their own environment and in front of family, friends or colleagues? Is the participant's performance constrained by the filmmaking agenda of the documentary maker and if so what is the impact of this on the participant? Focusing on these questions in relation to the filmmaker's intention in observational filmmaking draws attention to the ethical dimension of performance.

If observational documentary reflects the documentary maker's commitment to exhaustive observation, the documentary maker and participant are likely to find themselves engaged in a relationship for relatively long periods of time. Although the time frame for observational documentary production may vary considerably, it is generally a longer-term relationship than other modes of documentary engagement. Observational documentary is likely to be characterised by the kinds of enlarged shooting ratios that became acceptable in the 1960s (Vaughan 1999, p. 14). The relationship between documentary maker and participant in observational filming is also likely to be collaborative to some extent since the documentary maker needs the participant to cooperate in 'showing' the story. The documentary maker's need to make their point through showing and observation requires that they get to know the participant intimately. What is going on in their life? How has the participant interpreted events? What is the significance of an event? How does the documentary maker negotiate their access to the world of the participant? With time and intimacy the relationship is likely to change and develop, a fact that is likely to bear ethical significance.

As the filmmaker seeks to gain access to the life of the participant, trust is likely to become a significant factor in the relationship. Sustained observation and the need to show rather than tell, often in relation to intimate subject matter, are likely to make trust significant. Although observational documentary has always had an inclination towards the private realm and subjective experience, this has arguably become an important feature of contemporary documentary. Corner (1997, p. 19) identifies a 'relatively new exploration of the subjective world in documentary, a concern with taking the viewer on inner journeys'. Only three years later, Dovey's (2000) study of camcorder texts within the context of broadcast television points to the importance of the domestic setting, indexical surveillance and the relentless self-exposure of participants. Aslama and Pantti (2006, p. 167) have demonstrated the significance and epistemic power of emotional talk in contemporary factual television. The monologue provides direct access to the 'truth' of the subject, while tears and other indexical traces of emotion provide evidence of veracity. The filmmaker's goal is to show, with showing increasingly conceptualised in terms of gaining access to intimate and emotional content.

Finally, to focus on the filmmaker's intention invites empirical investigation of the relationship between documentary maker and participant. Unlike Nichols' account of the observational mode, nothing is assumed in advance about this relationship beyond the documentary text. A philosophy of radical non-intervention, such as that espoused by direct cinema filmmakers, is consistent with the filmmaking goal of showing and observation, but docu-soaps that involve considerable intervention might be similarly observational. What is significant is the documentary maker's aim in interacting with

the participant. Since nothing is presumed in relation to the documentary relationship and production method, empirical research is invited.

In this brief sketch of the observational documentary, we have seen that for most scholars observational documentary is understood, at the level of the text, in terms of the filmmaker's non-intervention in the pro-filmic event. In examining this idea, I have suggested that it is problematic to assume that non-intervention at the level of the text necessarily reflects the nature of the relationship between documentary maker and participant. While not wishing to discount the value of the documentary text, I have suggested that observational documentary can be understood as reflecting a filmmaking commitment to showing that results in long-term engagement with the documentary participant. Having conceptualised observational documentary in this way, I now consider in more detail the kinds of ethical questions that potentially emerge in the context of observational documentary practice.

### **Re-viewing the ethics of observational documentary**

The ethical practice of observational documentary filmmaking must begin with a consideration of the needs of the documentary participant and the filmmaker's sensitivity to those needs in the context of documentary practice; this is the goal of the empirical studies to follow. In order to facilitate such a study it is important to consider what can be gleaned from theoretical approaches to observational documentary and documentary ethics that may inform empirical study. Two issues will be explored here in more depth. The first is the nature of the relationship between participant and filmmaker in the observational mode, while the second is the nature of

self-performance in the context of observational documentary. It is suggested that in both instances a theoretical approach serves to inform subsequent empirical study.

I began my examination of the observational mode by considering Nichols' (1991) claim that different modes of documentary engagement raise distinct ethical questions. Nichols reads the absence of the filmmaker in the documentary text as evidence of a distant relationship with the participant. The interactive documentary, in contrast, makes space for the documentary relationship in the text that Nichols interprets as a closer documentary relationship. With these differences in the proximity of the relationship between filmmaker and participant come questions about the filmmaker's obligation to intervene on behalf of the participant. When, Nichols asks (1991, p.49), and in what circumstances, does the filmmaker have an obligation to abandon his or her distanced stance in order to intervene in a situation? As the relationship is foregrounded, Nichols' questions shift to focus on the negotiation between participant and filmmaker. He inquires as to the nature of the deal struck between the two. How do participants and the filmmaker negotiate the limits of participation?

If it is acknowledged that observational documentary, whether textually observational or interactive, is likely to involve the kind of close relationship that Nichols imagines is typical of the interactive documentary, then the kinds of questions that he asks of the interactive documentary might also usefully be asked of observational documentary. Nichols links the absence of the filmmaker in the documentary text with the exploitation of the participant. Yet there is no reason to presume that the negotiation between documentary maker and participant over the goals of the

documentary are substantially different in those texts where the documentary maker's presence is effaced. In the case of the interactive text, Nichols considers the goals of the participants by drawing attention to the potential conflict between the goals of the filmmaker and those of the participant. The questions that he asks of both the observational and interactive modes might equally be asked in relation to observational documentary as constituted here.

One way in which to consider the relationship between filmmaker and participant in the observational context is to look at the way in which the filmmaker's obligations to participants are thought to change by virtue of a pre-existing relationship. Katz and Katz (1988) argue that where there is a pre-existing relationship between filmmaker and participant, as is the case in the context of family documentary, it is ethically significant. They contend (1988, p. 124) that in families 'love, guilt, fear of loss of love, a sense of favours owed, a desire to help and to be helpful add to the usual confusion of motives which contributes to consent amongst strangers'. They talk about the importance of obligation, love and intimacy, arguing that in autobiographical filmmaking the relationship between filmmaker and participant places particular strain on notions of informed consent.

Katz and Katz's argument serves to highlight the extent to which documentary, including observational documentary, is presumed to result from the interaction between two strangers. To allow that the relationship between observational documentary filmmaker and participant might be or become an intimate relationship, rather than one between strangers, marks an important ethical shift. If the relationship

between filmmaker and participant is intimate or loving, how are we to understand the ethics of that relationship?

If the documentary relationship has the potential to be an intimate one, trust is likely to play a significant role in observational filmmaking. While trust is generally perceived as a feature of healthy relationships, Baier (1997) points out that it is not always ethical since it can persist in situations where both parties suspect that the other would harm them should the opportunity arise. There is no necessary link between ethical documentary practice as defined here and trust, since it is possible to imagine a trusting relationship in which the filmmaker was concerned with his or her own goals rather than a concern for the good of the participant. It is important therefore to consider the nature of trust in the documentary relationship. Why do participants and documentary makers choose to trust each other? What limits are placed on trust in this context and how are boundaries negotiated? Exploring trust ethically involves considering the consequences that it may have in the context of the relationship between documentary maker and participant.

Observational documentary depends, as indicated earlier, on the performance of the participant and documentary maker. Bruzzi (2006) argues that documentary is essentially performative, emerging from the interaction between filmmaker and participant. For Bruzzi, questions of truth give way to an exploration of the filmmaker's performance and its meaning in the context of the documentary text. The truth of the observational documentary is, therefore, the truth that emerges as participant, filmmaker, camera and audience (both present and imagined) engage in documentary performance. But while Bruzzi considers the performance of the

documentary maker, she does not address that of the participant. The performance of the participant is, effectively, co-created since the participant and documentary maker together construct a representation of the participant's character. In other words, both the participant and the filmmaker are engaged in the participant's transformation into a documentary subject.

Observational documentary participation can be interpreted, for the participant, as an invitation to perform and, through performing, to contribute to a projection of the self. This phenomenon has been noted in the social sciences. Catherine Reisman (2008) has described a research project in which teenage girls were encouraged to keep a video diary. Riesmann notes that while the material recorded by the girls initially appeared to be unaffected by their relationship with the researcher it gradually became obvious that the girls were continuing to perform themselves with reference to the imagined interpretive gaze of the researcher. Reisman concludes that autobiographical occasions constitute invitations to speak the self with reference to an imagined audience. They are, in other words, instances of staging subjectivity. Each participant in an observational documentary is called on to perform himself or herself under the imagined interpretive gaze of both filmmaker and future audience. An ethical question therefore emerges: How is the filmmaker to understand this experience in order to appreciate the good of the participant with reference to self-performance?

Observational documentary calls on the participant to perform within the context of a filmmaking agenda. The filmmaker's commitment to showing motivates him or her to represent the participant not just in terms of their perspective on a particular issue but



also in terms of their beliefs and values. The documentary maker Tom Zubrycki (cited in Robinson, 2003 p. 64) views the act of representing the participant in an observational documentary as a distinctive form of representation. Observational documentary, he argues, is distinct because: 'You are representing people not only in terms of where they were, what they did, but also how they felt and what they believed in'. The result, for Zubrycki, is to give observational documentary representation an additional ethical weight.

From this brief consideration of documentary theory, a number of potential issues have emerged that inform this study. The first relates to the participant's performance within observational documentary. In de-stigmatising performance in documentary, Bruzzi has extended documentary's ethical domain. Performance is central but also, potentially, constrained by the needs of the documentary project and the filmmaker. In performing themselves, participants engage in a process of collaborative self-creation. Because it takes place within the context of the documentary project, the participant's performance is potentially oriented towards the gaze and goals of the filmmaker. Ethical documentary making demands that the participant's experience, the nature of any constraints whether from the production process itself or from the filmmaker, be considered in relation to the goals of the participant.

Second, documentary theory provides insight into the significance of the filmmaker participant relationship. If observational documentary shares some characteristics with family filmmaking, that is if it cannot be understood as filmmaking between strangers, it will be important to consider questions about the filmmaker's intervention in the life of the participant and the nature of the negotiations between

the two, as Nichols suggests. Ethical filmmaking will require a consideration of the goals and needs of the participant in relation to the documentary relationship, irrespective of the presence or absence of the filmmaker from the documentary frame.

### **Exploring observational documentary practice: A survey of the literature**

Within the documentary studies literature, there are numerous accounts by documentary filmmakers of the experience of observational filmmaking and the relationship between filmmaker and participant. Alongside documentary theory, these accounts of filmmaking practice constitute an important foundation for the case studies to follow. A number of works deal explicitly with the filmmaker's experience of documentary production (Aufderheide *et al* 2009; Rosenthal 1980; Stubbs 2002; Cunningham 2005). Interviews with filmmakers have also been used specifically to explore questions of ethics (Aufderheide *et al* 2009). Significantly for this study, many filmmakers speak about the documentary relationship not only as an intimate relationship but also as an emotionally intense experience. Power is considered indirectly, with filmmakers reflecting on the financial inequality that is often a feature of the documentary relationship. The experiences and issues discussed by filmmakers provide clues that will inform my empirical study of documentary ethics.

Even though various interviews with documentary makers are available, relatively little is said about the documentary relationship. Winston (1995, p. 46) refers to Paul Rotha's account of filming in the village of East Shotton. Rotha refers to his relationship with participants, speaking about buying beer and paying the rent of some

of the people he filmed. Winston notes that this is one of the few references to the relationship between filmmaker and participants:

This is not only a rare mention of the people documentarists film outside the immediate context of that filming; it is in fact one of the few references of any kind to a film-maker's relationship to such people that I can find.

While Winston acknowledges the potential for a close relationship between participant and filmmaker, he reads the absence of the relationship in the documentary text as evidence of the Griersonian filmmaker's dispassionate and journalistic distance. The relative lack of reflection on the documentary maker's relationship with participants should not be surprising. For Rotha, journalistic and artistic independence was central to his understanding of documentary, with the distant journalist a shield from the sufferings of real people (Winston 1995, pp. 46-7). Today's documentary makers, although more willing to discuss their relationships with participants, may similarly be constrained by notions of documentary's proper role or a sense of professional distance. Nevertheless, interviews with documentary makers provide a useful starting point.

It is not just documentary that entails close, often ethically challenging relationships. Journalists, like documentary makers, sometimes find themselves in long-term collaborative relationships with sources that can become ethically complex. In 1979 the journalist Joe McGinnis was offered 'behind-the-scenes' access to the murder trial of Californian physician Jeffrey MacDonald (Malcolm 1990). MacDonald was accused of murdering his pregnant wife and two daughters in February 1970. Like the

observational documentary maker, the journalist-writer may spend months, sometimes years, submerged in the life of their subject. The journalist shares, therefore, the documentary maker's commitment to sustained observation. McGinnis developed a close relationship with MacDonald that involved extensive social interaction and, following MacDonald's conviction for murder, regular correspondence over four years.

In spite of what appeared to be a close relationship, McGinnis' book *Fatal Vision* unambiguously proclaims MacDonald's guilt. To make the betrayal complete, McGinnis portrays MacDonald as a drug addicted sociopath and pathological narcissist. Fellow journalist Janet Malcolm (1990) explores the story, including MacDonald's subsequent libel suit against McGinnis, providing insight into the relationship between journalist and source. Malcolm examines the correspondence between the two men and brings to light a close and apparently intimate relationship, a relationship MacDonald believes, will result in a book proclaiming his innocence. Malcolm (1990, p. 59) writes that 'the metaphor of the love affair applies to both sides of the journalist-subject equation, and the journalist is no less susceptible than the subject to its pleasures and excitements'.

For Malcolm, the mutual infatuation between journalist and participant is critical to the journalist's ability to transform the subject into a literary character. It is the infatuation of the journalist that drives the project of examining another's life in painstaking detail, and it is the infatuation of the subject that drives the subject to constant revelation. The journalist is hyper-attentive in order to keep the subject speaking and in return the subject is constantly offering up his or her life to keep the

journalist listening. On the other hand, the journalist focuses on being attentive to the subject and the subject experiences a kind of reverential attention that is supportive.

Although MacDonald's libel suit resulted in a hung jury, Malcolm notes that there was substantial sympathy for his position. She reports (1990, p. 6) that one jury member was so outraged that she wanted to award 'millions and millions of dollars to set an example for all authors to show they can't tell an untruth'. What disturbed people about the story was the idea that McGinnis could have feigned an intimate relationship in order to maintain access to MacDonald. Knowing that the two men had a close relationship, many found the eventual betrayal profoundly disturbing.

The documentary maker D.A Pennebaker (cited in Cunningham 2005, p. 106), implicitly acknowledging that the documentary relationship is one of mutual infatuation, makes the point that he could only make a documentary in the context of a friendship. In a hypothetical example that bears an uncanny similarity to the McGinnis-MacDonald story, Pennebaker says:

For me, the thing that would pop into your head if you film somebody for a long period of time and then totally trash them is, what kind of a fucking person are you? It would be like watching your betrayal of somebody – it would be watching you lie or something.

Perhaps freed from an extreme journalistic obligation to 'truth', the observational documentary maker has been more comfortable in choosing subjects with whom they can empathise. Winston (1995, p. 155) observes that both Ricky Leacock and D.A

Pennebaker tended to choose only subjects for whom they had sympathy. For many filmmakers, the empathy between filmmaker and participant has been described as a kind of love. David Maysles (cited in Stubbs 2002, pp. 5-6) refers to the epistemic importance of love in the documentary relationship:

In true love, you're not trying to do somebody in. In true love, you're not trying to make the person look any different – better or worse – right? In true love, you fully accept the person exactly as they are.

Maysles describes documentary as fulfilling a basic need for the participant, 'the need to be recorded exactly for what we are'. Documentary hinges on the filmmaker's ability to empathise with the participant, where the process of empathising is understood as coming to understand the other. The love between participant and filmmaker allows the filmmaker to represent the other honestly.

For many filmmakers, the relationship with participants is a process of actively seeking a close relationship, even a kind of love. The filmmaker Mike Rubbo (Rubbo, M 2008, pers. comm., 11 March) refers to the relationship in terms of seduction. Another filmmaker, Martha Ansara (2001, p. 30), similarly suggests that documentary making involves an active willing to love:

It's as if you make yourself fall in love with each person, in a way, each time and you're completely convinced of it and yet you have a distance. It's too weird and people don't understand it.

The documentary filmmaker Tom Zubrycki (Zubrycki, T 2008, pers. comm., 12 May) paints a picture of the developing relationship between filmmaker and participant that emphasises the active seeking of a relationship:

You're focusing on being attentive; you're focusing on being interested, of understanding of responding of being empathetic. And you really are searching for a very strong connection and ways in which to build a connection that is largely artificial and making it as strong as you can and finding ways of making it stronger through finding things that might be in common with the person that you're working with and relying on those but also making yourself to be an interesting person for the other.

David MacDougall (1998) has written from a phenomenological perspective about the relationship between filmmaker and participant. He writes (MacDougall 1998, p. 30) of the unique relationship in which the filmmaker is part of the subject, and the subject part of the filmmaker:

To speak of the film subject at all is to speak of this shared space, willed with such intensity into the camera. Film, filmmaker and subject are drawn together in a fusion of form from which they are destined to be forced apart.

In similar terms, the cameraman John Marshall has described his camera work on Fredrick Wiseman's *Titicut Follies* (1967) not as something actively 'directed' by

Wiseman, but as an emotional, personal contact he had with the people he photographed (Benson & Anderson 1989, p. 22).

Bruce Sinofsky (cited in Stubbs 2002, p. 163) speaks about his ongoing friendship with documentary participants, acknowledging that making an observational documentary necessitates that the filmmaker become involved in the personal lives of participants. Susan Froemke (cited in Stubbs 2002, pp. 30-31) describes observational documentary production as a kind of 'living with' the participant, claiming that this physical intimacy inevitably leads to a kind of communicative intimacy. Liz Garbus (cited in Stubbs 2002, p. 115) refers to the closeness of the documentary relationship and the tendency for participants to become dependent in many ways on that relationship. She speaks of her relationship with Megan, who featured in the documentary *Waxter Girls*, acknowledging Megan's current attempt to stay out of trouble: 'Things were getting very stressful her and she wanted to come up, and she called saying she wanted to come and stay with me for a couple of weeks. And I really don't know what to do about that'. Garbus' interview gives some insight into the ongoing relationship between filmmaker and participant, particularly in situations where the participant is faced with financial and other disadvantages that contribute to a feeling of dependence on the filmmaker.

Often the intimacy of the documentary relationship, together with the socio-economic gulf between the filmmaker and participant, can lead to concerns about setting appropriate boundaries. This can become particularly problematic when it comes to financial assistance. Susan Froemke (cited in Stubbs 2002, p. 33) tells a story about driving groceries to LaLee while making *LaLee's Kin*. She notes the personal impact



of witnessing the family's poverty: 'seeing the kids hungry and not having enough food to eat really affected me and Albert [Maysles] tremendously, more than anything that we'd ever filmed before'. Although Froemke and Maysles bought groceries for the family, their filmmaking agenda set limits on their intervention. Speaking of a decision not to give the family money for school supplies, Froemke (cited in Stubbs 2002, p. 32) says:

[W]e would not have had a scene – nor would we have had the truth. You can never, I don't care what it is, you cannot get involved at that point. I've never been in a situation where someone's about to be killed or anything like that – then you might get involved. If you get involved, first of all, you're not going to make a very powerful film, because you're not going to see the reality of what it is really like to be really poor and illiterate and desperate.

Bob Connolly (2005, p.114), writing about his experience of filming *Black Harvest* in the New Guinea highlands, provides deep insight into issues surrounding payment and financial inequality. While recognising that giving money to the highlanders reflected Connolly and Anderson's power in the relationship, and that direct payments could oblige participants to perform, the couple nevertheless recognised that you cannot live with people and have a relationship when you have money and they do not. Connolly describes the couple's financial arrangements:

The *Joe Leahy's Neighbours* budget records (and those of *Black Harvest* would prove no different) list payments and gifts to the Ganiga amounting

to many thousands of Kina: brideprice contributions, compensation payments, bus fares, chloroquine tablets for malaria sufferers, school books for children, funeral gifts, hospital fees, a pig for a ceremonial feast to mark an anniversary, treatment for scabies, a chicken for someone's *mumu*.

While there has been little systematic study of the financial exchanges going on within observational documentary production, from the documentary maker's perspective financial inequality between filmmaker and participant is significant and can undermine the equality of relationship needed in observational filmmaking. One solution, as Connolly's list indicates, is to find ways in which payments can be made to participants.

Observational documentary makers often speak about the importance of trust in documentary making and the means by which they earn the trust of participants. They frequently refer to the need to spend long periods of time with participants, usually prior to filming, in order to establish a trusting relationship. Helen Whitney (cited in Rosenthal 1980, pp. 196-7) talks about the many months she spent with street kids in preparation for filming *Youth Terror*. She notes the importance of making herself vulnerable during that time, by going alone to meet with street kids. Barbara Kopple and Hart Perry (cited in Rosenthal 1980, p. 306) similarly refer to both the long period of time required to establish trust and the importance of the filmmaker's vulnerability. They recount their experience of winning the trust of a Kentucky community when filming *Harlan County* (1976). Turning up on the picket line after her car had been destroyed, Kopple found that people 'really opened up to us'. The filmmakers' story

points to the significance of mutual vulnerability and demonstrating core values in developing a relationship of trust with participants.

A different approach to earning the participant's trust is demonstrated by Roger Graef. Graef is best known for three series focusing on British institutions, produced between 1972 and 1976 (Rosenthal 1980, p. 171). His approach was very formalised and strategic, involving the development of a set of rules and a way of working that were particularly successful at gaining access to business, institutional and government. Graef (cited in Rosenthal 1980, p. 175) says of the rules that: 'They were based on asking, if I were a businessman or a diplomat or a politician, and didn't trust journalists, what conditions would *I* require in order to trust *them*?'. While Graef's rules were clearly a pragmatic response to the issue of gaining access to institutions, they also demonstrate the importance of trust in observational documentary. In imaginatively viewing the documentary relationship from the perspective of the participant, Graef was able to successfully predict what organisations required in order to trust him as an observational documentary maker.

Graef's rules represent an attempt to give the documentary participant, in this case an organisation or institution, control over their documentary participation. The rules set boundaries and provide the participant with certainty as to the limits of documentary representation. While most observational documentary negotiation is not likely to be as formal as that developed by Graef, there is evidence that many documentary makers view observational documentary as a collaboration with the participant. Viewing observational documentary as a collaborative process has consequences for considering the ethics of power. Although some filmmakers, such as Joe Berlinger

(cited in Stubbs 2002, p. 145), speak about the importance of tight authorial control, most filmmakers acknowledge the importance of working collaboratively with participants. Tom Zubrycki (Zubrycki, T 2008, pers. comm., 12 May), like many other observational filmmakers, describes a kind of access anxiety:

It's actually very stressful because you're not absolutely sure that that person has allowed you into their lives completely because there's always that possibility that they could ring up and say that's it. It's been a great few months but I think that I've reached the end of the road for whatever reason, but touch wood that hasn't happened yet ... And then you're worried about what they're thinking about you and you're wondering whether you should call them, talk to them, any little thing could be a signal that something's wrong.

In some cases, participants are conscious of the power they hold over the filmmaker. One of the inmates in Wiseman's *Titicut Follies*, Vladimir, is reported to have refused to consent to the use of his image until the filmmakers had arranged for his transfer out of Bridgewater. The participant was aware that his reproduction on celluloid was something of value to the filmmakers and that it was a commodity to be negotiated (Benson & Anderson 2002, p. 24). Winston (2000) gives a more recent example, mentioning a small number of cases in which reality TV participants have sought to manipulate the documentary maker to their own ends. Interviews with documentary makers therefore suggest that power may circulate in the observational documentary relationship.

Considering what has been said and written to date about the documentary relationship, it seems qualitatively distinct from the kind of distant relationship of strangers that is frequently suggested in the documentary ethics literature. The reading offered here suggests that documentary makers frequently find themselves confronted by the need to set boundaries in their relationship with the participant. Documentary makers tell us that trust must be earned and that power can ebb and flow in their relationship with participants. While these ideas resonate with documentary makers and point to issues that may be relevant, they present documentary from the perspective of the maker.

Unsurprisingly, numerous questions remain unanswered by documentary makers. To what extent does the participant feel that the documentary relationship is a close or intimate relationship? Would they speak of it as love or empathy? And if so, how are we to understand the potential consequences of this relationship? Does the relationship continue or does it change once filming stops? In terms of power, does the participant feel that power is distributed within the documentary relationship or do they feel powerless? Do they feel that the relationship is collaborative and do they feel that they have sufficient voice? For all that we can gain some perspective on the documentary relationship by considering interviews with documentary filmmakers, considerable gaps in our understanding of documentary ethics remain.

### **Concluding comments**

In this chapter, I have cleared ground for the empirical study of observational documentary by characterising it at the level of practice. Nichols' (1991) account of

the observational mode constitutes an important foundation; however, I have cautioned here against assuming an indexical link between the documentary text and the ethics of the documentary's creation. I have suggested that a range of documentary texts might be produced through an observational approach. Nevertheless, Nichols' argument about the link between ethics and form is sound.

Observational documentary is constituted here as a filmmaking attitude that privileges showing over telling and involves sustained filmic surveillance of participants. The documentary text may combine observational material with other documentary modes. Understanding observational documentary in this way makes its definition a matter to be determined empirically rather than decided at the level of the documentary text. While the documentary maker's observational attitude is likely to lead to minimal intervention in the pro-filmic event, a range of filmmaking strategies may be used to facilitate sustained surveillance.

In this chapter, I have explored the ethics of observational filmmaking, arguing that the mode of production does influence the kinds of ethical issues faced by documentary makers and participants. In the case of observational documentary, the length of the relationship between documentary maker and participant, the intimacy of that relationship and the kind of trust involved in gaining access to the life and performance of another are likely to raise distinct ethical issues. Where filmmakers have spoken about observational filming, concepts like love and intimacy have particular currency. There is talk of collaboration and trust, inequality and compassion. These ideas have currency and serve here as clues that will guide the empirical exploration of observational documentary ethics. The voice of the

participant will be heard alongside that of the documentary maker so that the experience, meanings and consequences of observational documentary production may be re-considered.

## **Chapter Three**

### **A Method for the Empirical Study of Observational Documentary**

Having argued in Chapter One for an empirical approach to documentary ethics and, in Chapter Two, for the importance of the relationship between documentary maker and participant in observational documentary, I now elaborate on how empirical research can shed light on meaning of documentary participation as an experience so as to inform ethical practice. The previous chapters have argued that in order to develop an empirical method for conceptualising the experience of documentary participation, it is necessary to step beyond the documentary text, which tells only part of the story, and make space for the voice of the participant. This chapter explores narrative research methods used in the social sciences and medical ethics and considers how they help to meet the needs of observational documentary study. It develops an approach that focuses on the lived experience of filmmaker and participant, while recognising that that this experience is intertwined with the creation and reception of the documentary text.

In this study, observational documentary practice itself becomes the object of investigation, with practice understood as including the production, editing, distribution and screenings of the documentary text. Given the potential significance of the documentary relationship in observational documentary, this study focuses on



the encounter between documentary maker and participant within the context of documentary production. Ethical documentary practice defined as sensitive engagement requires a knowledge of the good for an individual participant. While this requires that the individual filmmaker engage sensitively with each participant it is also the case that the stories of others may unearth generalities of experience that may foster ethical practice. Empirical study of the participant's experience constitutes, therefore, an important starting point.

To date, the study of documentary has focused on understanding documentary in terms of its form and function (Nichols 1991; Corner 2000b), a tradition of documentary filmmaking (Winston 1995; Williams 2008), a body of filmmaking practice (Grant & Sloniowski 1998) or, more recently, from the perspective of the audience (Austin 2007; Hill 2008). Where documentary practice has been the object of study, the filmmaker's experience (Rothwell 2008; Rosenthal 1980; Stubbs 2002; Rabiger 2004), and the institutional contexts of production (Kilborn & Izod 1997; Bruzzi 2006; FitzSimons 2002) and reception (Kilborn & Izod 1997; Eitzen 1995) have predominated. David MacDougall's (1998) phenomenologically inspired reflection on documentary practice could be considered a form of empirical study of documentary ethics, although it focuses on the experience of the filmmaker and does not include the participant's voice. Research involving documentary participants has been scarce. Perhaps the most systematic involvement of the participant has been in Bruzzi's (2007) study of the British Broadcasting Corporation's *Seven-Up* series. In this research Bruzzi makes use of interviews conducted with some participants in the documentary series.

Since the aim of this thesis is to explore the experiences associated with observational documentary production, a research methodology that focuses attention on the meaning that documentary participation for individuals, privileging the research subject's point of view, is called for. Qualitative research methods provide such a focus and have increasingly been used in media studies research (Jensen 2002; Bertrand & Hughes 2005). Of particular significance for this study is the contribution that qualitative methods have made in highlighting the flow of meanings through the creation and consumption of media texts (Jensen & Jankowski 1991). Such research points to the significance of meaning making within the media industries in terms of its impacts on media messages and media producers.

The choice of research method is critical to any study since it the method employed profoundly affects how reality will speak through the research. Qualitative research can be conducted from the perspective of numerous idioms with each having particular strengths and providing a distinctive view of the world (Gubrium & Holstein 1997, p. 100). The starting point for any elaboration of method is a consideration of the nature of the investigation being undertaken and the kind of understanding it seeks to generate. This study might be described in broad terms as post-positivist since no sharp distinction is drawn between fact and interpretation (Stivers 1993). The focus is on the way in which research participants make sense of the experience of documentary production, its ongoing significance and the way in which it is remembered rather than 'what happened' in an objective sense.

A case study based approach to research suggests itself since it offers a way of exploring complex situations from a variety of perspectives. Case study research

focuses on a single setting and aims to understand the complex dynamics at play (Eisenhardt 2002, p. 8). Case studies have been recognised as particularly suited to producing the kind of ‘thick description’ (Geertz 1973) that is required to grasp meaning within distinct contexts. In spite of its focus on small numbers of situations, case study research has its own discipline and can have significant discursive impact (Maxwell 2002). Small sample sizes may preclude identification of general conclusions about documentary participation, but since that is not the goal here case study methods are particularly suitable.

For a case study approach, exploring the experiences of a relatively small number of observational documentary makers and participants, a narrative-focused research method has been chosen. A strength of this method is its emphasis on the ways in which individuals render situations meaningful through the construction of narrative (Smith 2007). Although not previously used in a documentary context, narrative research methods have been used to study the construction of texts within specific media genres, particularly news (Mills 1987; Bird & Dardenne 1988).

Before outlining the method to be used in the study of observational documentary participation, it is pertinent to acknowledge the significance of narrative methods in the medical humanities as a source of inspiration for this study. While some documentary scholars point to the influence of medical ethics, particularly in terms of informed consent and the search for an ethical framework (Winston 2000; Donovan 2008), this study has been inspired by critiques of principle-based approaches and the new perspectives offered by the ‘empirical’ turn in bioethics.

In recent years, the principle-based approach to medical ethics has come under intense criticism and has struggled to adapt to the challenges posed by empirical and contextual modes of ethical engagement (Williams 1985; Nelson 2004; Kleinmann 1999). The principle-based approach to medical ethics has been criticised for failing to take into account much of what makes the medical encounter meaningful. Callahan (cited in Belkin 2004, p. 374) describes the emergence of two discourses of medical ethics, one focused on rights, autonomy and the rules protecting them, and the other on meanings, experience and suffering in the medical context. Stocker (cited in Nelson 2004, p. 163) criticises ethical frameworks because their impersonal stance prevents them from capturing what is morally significant about such interpersonal relationships as friendship, love and community. So significant is the attack on moral frameworks in medical ethics that many are prepared to question the extent to which any moral foundation is possible (Pellegrino 2004, p. 184).

In response to such challenges, a ‘new bioethics’ (Kleinmann 1999, p. 69) has emerged. This new discourse is characterised by a variety of perspectives that seek to explore the multiple dimensions of medical care. A significant feature of the new bioethics has been a turn toward empirical research as a foundation for ethical discussion. Empirical research is seen to provide much needed context to ethical debate, situating it in the concrete reality of the encounter between patient and physician. One effect of this methodological shift has been to make space for the voice of the patient, which reveals that ‘what bioethicists like to talk about often is not what the people they are talking about want to talk about’ (Belkin 2004, p. 373). In its search for an ethical framework, medical ethics had failed to understand the patient’s perspective. New approaches have sought to change redress this imbalance.

Amongst the different approaches taken in response to the limitations of ethical principlism is the personal narrative approach. For those working with personal narratives, the stories of patients provide a starting point for investigating the illness experience within the context of the patient's life. Often this is seen as integral to the therapeutic goal of good health care. Brody (cited in Nelson 2004, p. 172) argues that 'if physicians are most effectively to understand the meaning an illness has for the patient so as to be able to alter it positively, they must be attuned to the role that the illness plays in the unfolding story of the patient's life'. For others, such as Frank (1997), the patient's story is seen as an act of resistance to medical authority. In telling their own story of illness and its meaning, the patient privileges their own experience over the clinical reality of disease. On another level, attention to the concrete particularity of the individual patient's experience is seen as the only reliable foundation for a more general ethic of healthcare (Solomon 2005).

There are a number of lessons to be gleaned from recent work in the study of illness narratives. The first thing is that common assumptions about others, their concerns and experiences, are potentially mistaken. When patients were asked about their experiences and concerns, autonomy and informed consent were eclipsed by discussions about care and trust (O'Neill 2002). Empirical research made important contributions to many longstanding debates in medical ethics, since what was at stake were issues that could be resolved by speaking with patients (Solomon 2005). While it would be wrong to suggest that ethical dilemmas ceased to plague medical practitioners and ethicists alike, new insight and new questions offered new ethical possibilities. This study is motivated by the hope that a similar discursive renewal is possible within documentary ethics. Given the absence of the participant's voice and

the lack of systematic study of documentary practice in terms of ethics, an empirical turn, focused on the study of participant and filmmaker narratives, promises to be similarly fruitful in documentary ethics. The value of narrative, as will be demonstrated here, is in its ability to provide insight into the experience of the other (Czarina 2004). As with other forms of interpretive research, narrative research aims to produce ‘thick descriptions’ that explore ways in which individuals render events meaningful (Geertz cited in Deacon *et al* 1999, p. 216).

The narratives of observational documentary makers and participants will constitute our object of study, but what are these narratives, where will they come from and how will they be interpreted? Before we can begin the task of studying narratives, numerous methodological questions must be addressed. Besides having become a method for undertaking empirical work in medical ethics, the creation, collection and analysis of narratives is an established research strategy a range of disciplines (Reisman 1993; Alasuutari 1995). Given the diverse uses to which narrative study has been put, it is not surprising that a range of research methodologies have developed that involve the telling and analysis of stories. In order to use narrative methods to study the experiences of documentary filmmakers and participants, a narrative research method is sought that takes account of the distinctive context of documentary production.

### **Experiential narrative research**

There is no single definition of narrative, nor any single method of narrative analysis (Reisman 2008; Squire 2008). Smith (2007, p. 392) argues that ‘narrative inquiry

might ... be best considered an umbrella term for a mosaic of research efforts, with diverse theoretical musings, methods, empirical groundings, and/or significance all revolving around an interest in narrative'. How should narratives be identified? What gives narrative its unity and what marks its boundaries? Questions such as these are the subject of ongoing debate among those using narrative research methods. Characteristic of narrative research however, is an inventiveness that has seen methods adapted to meet the needs of circumstance (Smith 2007, p. 396). In that vein, a method for the narrative study of documentary experience is proposed.

There is much discussion within the narrative research literature about what constitutes a narrative. While the concept of chronology, cause and effect and plot have been central to traditional attempts to define narrative, recent work has focused on understanding the different ways in which individuals render experience meaningful. Georgakopoulou (2006) has drawn attention to 'small stories', the ways in which individuals talk about experience in ways that escape traditional narrative classification. Such non-traditional narrative, she suggests, is important in many communicative contexts and significant in terms of understanding how speakers convey meaning. Work such as this draws attention to the importance of being open to narrative in a variety of forms even within a single conversation.

Since narrative research has been concerned with the way in which speakers organise stories about experience and the way in which events are related, it has tended to focus on the structure of narrative. Labov's structural work in particular has been influential (Reisman 2002, p. 231) although it should be noted that it has frequently been used in conjunction with a poststructuralist approach to narrative analysis in

which attention is focused on what is absent in conjunction with narrative structures. Within narrative research, the mixing of methods is of little consequence (Smith 2007, p. 396). Labov's five narrative clauses are used to draw attention to the function of statements. An abstract or introductory statement is generally followed by an orienting section that answers typical what, where and when questions. A complicating action disrupts the initial equilibrium setting off a narrative chain. Evaluative statements seek to convince the listener of the significance of the narrative and its message.

Researchers seeking to explore the meaning of events have argued against a purely structural approach to the identification and analysis of narratives. Reisman (1993) argues that a chronological definition of narrative is most applicable in situations in which the event, with a clearly defined beginning, middle and end, is the focus of study. Where the aim is to grasp subjective experience, and a process that has generated particular feelings and meanings, a chronological definition of narrative can be problematic. Reisman has found that narratives of experience tend to produce clauses that, while meaningful in the context of the narrative, do not fit within a chronological structure. She indicates that narratives of experience may move backward and forward in time, evaluating material and drawing links between events in the present and historical contexts. To understand narratives of experience only in chronological or structural terms is to miss the way in which various themes circulate through experiential narrative. Reisman's work suggests that to define narrative in terms of chronology, or to analyse narratives exclusively at this level, may preclude a full exploration of the meaning of documentary participation as experience.



A result of the increasing interest in using narrative methods to explore individual experience in the social sciences has been the development of narrative methods better suited to the study of subjective experience. Squire (2008, p. 41) outlines a research method that she calls experiential narrative research, describing it as a research method that ‘rests on a phenomenological assumption that experience can, through stories, become part of consciousness’. The method also includes a hermeneutic approach to analysing stories, aiming at full understanding rather than, as in Labov’s case, structural analysis. Squire argues that there are four assumptions underlying an experiential approach to narrative study: that speaking of experience in the form of narrative is definitively human; that narrative re-presents experience; that narratives reconstitute experience as well as expressing it; and that narratives display transformation or change. The experiential approach advocated by Squire assumes that the way narrative is constructed, the events included, their order and evaluation, provide insight into the experience of the narrator.

Some narrative scholars have attempted to incorporate the focus on experience within an account that continues to privilege a structural focus. Gubrium and Holstein (1997, p. 147) argue that narrative is best conceived of as ‘accounts that offer some scheme, either implicitly or explicitly, for organising and understanding the relation of objects and events described’. Understanding narrative in this way makes space for the kinds of ‘small stories’ identified by Georgakopoulou and the experiential perspective advocated by Squire while drawing attention to the ways in which individuals link events and experiences. The stories in question are generally autobiographical accounts of past experience (Reisman 2002, p. 218), and it is in the ordering of events

and the juxtaposition of ideas that individuals render meaningful their past. This definition of narrative will be used in the context of this study.

Consistent with Squire's (2008) concept of experiential narrative research, this project has sought to incorporate a range of materials that speak of the experience of observational documentary participation. Squire argues that researchers who seek to understand experience ought to draw on a number of different sources including various records of relevant aspects of the lives of both researcher and research participant. This is significant for the narrative study of documentary production since it allows the documentary text itself to inform the analysis of participant narratives. This presentation of research will make use of close readings of the documentary text as a further contribution to understanding the narrative of documentary experience. Consideration of further documents, published interviews, media reports and in one case a book, Vanessa Gorman's *Layla's Story: A Memoir of Sex, Love, Loss and Longing* (2005), also complements and builds on the analysis of the narratives of observational documentary participation.

There are several possible ways in which the documentary text may be incorporated into an experiential narrative analysis of observational documentary. Chapter Two argued that Nichols' (1991) concept of axiographics was problematic as an ethical method to the extent that the documentary text is presumed to offer a transparent window onto the documentary relationship. In particular, in relation to observational documentary, the absence of the filmmaker from the documentary text is not necessarily evidence of a distant relationship beyond the bounds of the documentary frame. As noted above, the crux of Nichols' argument is that there exists an indexical

bond between the documentary image and the ethics of its making. In his words, '[t]he image provides evidence not only on behalf of an argument but also gives evidence of the politics and ethics of its maker' (Nichols 1991, p.77). The relationship between filmmaker and participant, however, exceeds its axiographic trace in the text – a key argument of this thesis. Nevertheless, Nichols' concept is relevant since it provides a way in which to incorporate the documentary text into an empirical study of documentary experience. The documentary text invites a hermeneutic response that seeks to integrate the image into an understanding of the ethics of production. Within the context of a broader approach, Nichols' axiographic reading of the text draws attention to the relationship between filmmaker and participant, allowing for the integration of textual analysis with narrative study. Since documentary production is, ultimately, oriented toward the production of the documentary text, the inclusion of the text and methods of textual analysis within narrative study is warranted.

Rather than taking up the specific taxonomy of the documentary gaze proposed by Nichols, an axiographic reading of the documentary text is used in order to draw attention to possible ways in which to think about the relationship between filmmaker and participant. As I have argued, the documentary text must be interpreted carefully and ultimately incorporated into the narrative of either the participant or filmmaker. In this way the axiographic reading can be confirmed or contested by research participants. If we are cautious of the filmmaker's claims to provide unmediated access to the real world in his or her films, then we should be equally cautious of any claim that a documentary text provides unmediated access to the documentary relationship. Nichols' claims must be tempered by an acknowledgement that the documentary text provides but one view of that relationship. Having said that, and

following Nichols, I propose that the physical proximity of the filmmaker and participant, the intimacy of the events filmed, glances and greetings exchanged and the sense to which the participant displays confidence in the filmmaker's presence have the potential to add another dimension to the narrative analysis of documentary participation. In focusing on experience, there is a two-way interpretive flow in which the analysis of the documentary text and the analysis of narrative work together as an exploration of lived experience.

Since narrative study in the context of this research incorporates a range of materials, it is worth addressing an additional issue in narrative theory, that of coherence. How will different kinds of materials be combined in this research to produce a coherent overall account of the relations of filmmaker and participant? I discuss methods of analysis in more detail in the following sections, but note here that, as an experientially focused research project, this study takes a thematic approach to integrating material from diverse sources. Interview material will provide a framework for analysis, with key themes marking points of departure for the exploration of other sources. Interviews with filmmakers and participants will form the primary basis for narrative and data from them will be supplemented by analysis of the documentary text and other thematic relevant sources.

### **Collection, transcription and analysis of narratives**

Having identified an experiential approach as the most appropriate narrative approach for the study of observational documentary experience, and having specified how narratives are to be defined in the context of this study, I now focus on practical issues

that emerge in the collection, transcription and analysis of narrative material. Although interviewing remains the dominant form of data collection in qualitative research (Squire 2008; Enosh & Buchbinder 2005), there has been significant theoretical attention paid to the issues confronting interviewers, the relationship between interviewer and interviewee, issues arising from the representation of the interviewee, the ethics of interviewing and the impact of power relationships in interviewing (van Erk 2009). Of particular significance to this research are criticisms of positivist assumptions about the interview as a process for objective data collection and recognition of the active role of both interviewer and interviewee in the construction of meaning.

Qualitative interviewing is generally regarded as an extension of the exchange typical of ordinary conversation (Rubin & Rubin 2005, p. 12). Turn taking and other such conventions are honoured although, in the case of the research interview the interviewer is concerned with the process of guiding conversation, encouraging the interviewee to expand on ideas and themes of interest. Reisman (2008) draws attention to the ways in which the interview process itself functions to frame and delimit the elements and meanings of the narratives created. Interview conversation is purposeful and oriented toward the research goals of the interviewer, although the interviewee may have strong views about that research goal and may fight for control of the research agenda (van Erk 2009).

Although research interviews are most often interpreted in terms of their content, narrative researchers have drawn attention to the indexical features of the research interview, its context dependence particularly in terms of the relationship between

interviewer and interviewee (Enosh & Buchbinder 2005). Interviewing is increasingly viewed as an active process in which the product, the narrative, is jointly constructed by the interviewer and interviewee. Both parties, it is further contended, are located in local and political contexts (Fontana & Frey 2005). Interactions are only partially defined by the questions asked, since they are also dependent on interplays of personality, expectations on the part of both researcher and subject, and broader contexts.

The play of power relationships in the relationship between interviewer and interviewee has constituted a particular problem. Power inequalities flowing from the positional power of the interviewer have been acknowledged (Mishler 1986; Rubin & Rubin 2005), while the discursive power of both interviewer and interviewee has been considered. Enosh and Buchbinder (2005) describe a paradox of power in the interview relationship that sees both interviewer and interviewee as simultaneously empowered and submissive. Such work calls for a consideration of the contexts in which interviews are conducted in order to consider the potential impacts of power relationships.

Such a call for reflexivity should not be read as suggesting that power is a problem that can be overcome merely through the use of reflexive research methodologies. Following Mishler (1986), the interview is conceptualised here as a process through which narrative emerges as a result of the interaction between interviewer and interviewee. Furthermore, both parties in the interview exchange can be seen to be inevitably active in the processes of meaning-making, constructing the meaning of events through their interactive exchange (Holstein & Gubrium 1995). The narrative

emerging from interviews is therefore conceived of as co-created, since it emerges from the actions of both interviewer and interviewee. Such an admission need not constitute a fatal blow for narrative research as a method for studying documentary participation since the goal of the research is not to discover, definitively, ‘what happened’ in the course of documentary production, but to explore the meanings that documentary participation continues to have for those who have participated. The goal of the interview is to provide a space in which the participant and documentary maker can explore their experience of documentary participation and in so doing render that experience meaningful through conversation.

Given the importance of the relationship between researcher and research participants in creating the interview narrative, it is relevant to note that I am known as a documentary filmmaker, to several of the interviewees spoken to in the course of the research for this thesis. This is significant since, as Reisman (2008) notes, a narrative is always a story told for a particular audience. In the interviews that I conducted with filmmakers, for instance, a shared understanding of the observational documentary-making process served to facilitate interaction. Similarly, I knew one of the participants, Anne Boyd, from my own work as a documentary maker, a fact that is relevant to understanding the contexts in which this narrative was created. In addition, it is important point to the impact of my understanding of the documentary relationship stemming from both my own experience and from my research in documentary studies. My theoretical interest in issues such as power relationships, consent and negotiation, as well as my own experience of the intensity of the documentary relationship, undoubtedly influenced the way in which, as interviewer, I both introduced topics for discussion and responded to comments by interviewees.

The interpretive process begins during the interview (Reisman 2008; Rubin & Rubin 2005) with the researcher's interests, experience and agenda playing a role in the construction of narrative. The influence of theory and context on narrative research need not undermine the value of narrative work, but it demands recognition nevertheless.

Adopting a concept of the interview as a discursive and interactive process has a significant impact both on the kinds of questions asked and the level of interaction between interviewer and interviewee. Since the intention of this research is to focus attention on the experience of observational documentary participation, what has been described as a semi-structured approach to interviewing was taken. Open-ended questions such as 'tell me about...' or 'can you describe...' were used in preference to closed questions focusing on specific events. The aim was to encourage the interviewee to reflect on and describe a situation in detail. The advantage of such an approach for experiential narrative research is that it gives the interviewee the space to provide detailed accounts of the experience, yielding narratives rich in descriptive content (Reisman 2008).

Several interview strategies were employed to establish an interview 'climate' that would support narrative exploration of the documentary experience. The research interview was reconceptualised in terms of an exchange in which the standard research question was replaced with conversation ideas. In terms of the documentary relationship, the conversation ideas included in these interviews included: the experience of negotiation within the project; ways in which power was experienced; and trust and the nature of the relationship post-documentary. Other conversational



themes included: performance and the experience of seeing oneself as a character in a documentary; consent and the release form; and the consequences of participation. Where questions were planned, attention was given to the way in which the question could invite narrative construction on the part of the interviewee. In each case, interviewees were asked to begin by reflecting on how they had become involved in the documentary project. This constitutes an invitation to the interviewee to tell the story of his or her participation. Reisman (2008) notes that reconceptualising the interview as a conversation necessitates observing everyday conversational ‘rules’ like turn taking. The effect of this is to give the interviewee greater control over the direction of the interview.

Interviews collected as part of this research project were audio recorded for later transcription. Given the conversational nature of the interview process, audio recording provided one way in which the complexity of interviewer-interviewee interaction might be adequately captured. Mishler (1986) talks about the danger of assuming that interview questions as outlined *prior to* a particular interview event are a straightforward representation of the question *as asked* in the particular interview situation. Mishler’s comments become all the more significant in this context where the aim of the interview is to approximate, as far as possible a conversation between two people. Audio recording becomes a way in which subtle exchanges comments and evaluative statements can be captured. To speak of the advantages of audio recording in this context is not to presume that the recorded interview represents the interview as it happened in any kind of straightforward or total way. As with any form of recording, there is much that exceeds the bounds of the recordable: the relative positions of speakers, the talk that precedes and follows the taping, and body

language, are all significant features of the interview encounter that remain absent from this research.

Having transcribed the audio record of an interview, one must resist the temptation to view the transcription as a physical reflection of ‘what happened’ in the course of the interview (Mishler 1986). Narrative scholars have drawn attention to the way in which the process of transcription itself makes a contribution to the construction of narrative. Lindsay and O’Connell (1986) specify several in which transcription transforms spoken language into a written form. Transcription emerges not as a simple process by which raw research data is produced, but as an interpretive act dependent on the understanding of the transcribing individual. Similarly, Reisman (2008) notes the importance of transcription as a process that renders the ‘messy talk’ of the interview exchange into a narrative form suitable for analysis.

The conversational exchanges typical of semi-structured interviews are necessarily messy and there are no ‘rules’ for transcription. Audio recording may serve to capture the complex interaction between interviewer and interviewee, thus preserving some additional layers of meaning, but in transcription decisions must be made about how to translate this complexity into a textual form. Decisions must be made about when and how to register vocal characteristics such as emphasis, intonation and pauses. In the research for this study, attention has been paid to capturing the interaction between interviewee and interviewer through the translation process. References to interruptions, questions, comments and suggestions were retained, drawing attention to the presence of the interviewer and the ways in which the interview was directed. However, given the need to analyse interview material in the case study chapters,

there was some minimal editing for clarity and meaning, such as the removal of ums and ahs.

Having produced a narrative from the co-constituted interview process, a method of narrative analysis is employed. There is not a single method for the analysis of narrative. It is more correctly considered as a broad family of approaches to the analysis of texts (Reisman 2008). Narrative can be studied in terms of its themes, structure, as performance or as discourse, with each method bringing a different perspective to narrative understanding. Not only are there multiple methods of narrative analysis but, increasingly, narrative researchers are discovering the advantages of combining analytic approaches. Reisman (2008, p. 90) points to the work of Catherine Robichaux as a demonstration of the value of combining both thematic and structural analysis. Robichaux's dual approach to narrative analysis offers particular benefits for the analysis of documentary participation, as it allows for the integration of narratives of experience with analysis of other materials. Squire (2008, p. 50) similarly suggests the advantages of combining thematic and structural approaches in terms of approaching experience, arguing that 'experience-centred narrative analysis is distinguished by its attention to the sequencing and progression of themes within interviews, their transformation and resolution'.

The method developed in this study combines thematic and structural approaches to the analysis of narrative material. It considers both the way in which the narrative is structured, both what is included and in what sequence. Structural analysis highlights the way in which the narrator creates meaning through the ordering of events in a narrative. In this study, Labov's concepts of equilibrium, disruption and resolution

provide a starting point for considering the way in which the narrative is structured. In addition, evaluative clauses are considered since they call on the listener to adopt the narrator's particular understanding of events. Thematic analysis, on the other hand, draws attention to recurring ideas and descriptions. It also allows for the study of issues emerging from the documentary literature such as power, love and betrayal within the narratives of individual documentary participants. In the context of the research presented here, thematic analysis has been used to draw attention to the way in which the interviewees use language. Although language is not often a central focus of either thematic or structural analysis (Reisman 2008), thematic analysis can be used to draw attention to word choice.

It is important to make two points in relation to the method of analysis employed here. The first is that in spite of the focus on the structure of narratives, the orientation of this research is not primarily structuralist. That is to say that it does not seek to uncover in the narratives studied any kind of universal narrative structure. The focus on structure is intended to draw attention to the meaning communicated through narrative patterning, to focus attention on the way in which interviewees employ narrative as a rhetorical device in order to communicate their experience (Reisman 2002). A second point to be made is that use of the term analysis is not meant to imply that an authoritative reading of collected narratives is either possible or desirable. The analytic process seeks to explore and integrate narrative material rather than provide a definitive interpretation. Squire (2008) notes that many researchers have abandoned the goal of providing a single interpretation of any given narrative. Interpretation is conceived of as providing multiple narrative 'truths'. This is not, of course, to say that 'anything goes' in reading and interpreting these narratives, but

rather to draw attention to the possibility of alternative readings. Reisman (2008) draws attention to the fact that interviewees often disagree with the way in which their narrative has been analysed. This has ethical implications that will be taken up further in relation to the research presented here.

### **The purpose and limits of experiential narrative research**

To acknowledge the role of the researcher in narrative construction is not to undermine the value of narrative study any more than acknowledging the impact of the documentary filmmaker in constructing a view of the world renders their representation valueless. Nonetheless, in using narrative methods to study documentary we should be mindful of their nature and limits. Referring to the work of the Personal Narratives Group, Patterson (2008) notes that narratives do not provide us with transparent access to ‘the past’, nor do they provide evidence that can be tested or proven. What narrative study provides is one view of the subject’s experience, from his or her perspective, and a sense of the way in which the narrator would like events to be understood as opposed to an objective account of what happened. Since the goal of this study is to contribute to documentary ethics by exploring the participant and filmmaker’s experience of observational documentary making, it poses no problem that personal narrative study does not provide independently verifiable evidence. Nevertheless, epistemological questions are important in relation to narrative research.

Hardwig (1997) points out that narratives are, in the end, stories retold for a particular audience in a particular context, prone to distortions, misunderstandings and even

deceptions. Privileging narrative at the epistemic level purely because it is a form of autobiographical expression, she suggests, is to misunderstand both its limits and potentials. Reisman (2008), too, notes that there can be no guarantee of a true account emerging from this kind of study. Narratives, it must be acknowledged, are always told for a particular purpose and, for many working with narrative, bracketing questions of truth opens a space for multiple and competing interpretations of a single event or experience. Since a definitive account of experience always eludes the researcher, the task of interpretation is ongoing (Squire 2008).

It is tempting to draw parallels between experiential narrative research and observational documentary production. Research narratives, like observational documentary texts, emerge from the interactions between filmmaker/researcher and participant/subject. In both cases, claims to unmediated access to a reality ‘out there’ must be bracketed. Epistemic uncertainty, however, need not be grounds for abandoning the narrative process anymore than it necessitates abandoning observational documentary. However, like the observational documentary maker, the narrative researcher must acknowledge the role he or she plays in constructing the objects they then observe.

The epistemological questions raised by narrative research may not represent problems so much as inevitable tensions attached to understanding experience. The documentary filmmaker, like the narrative researcher, seeks to capture, explore or explain individual experience. Such notions can be explored by considering philosophical parallels. According to Husserl, different objects in the world are appropriately known in different ways; the objective world is properly known through

perception. The human world and the experience of others can only be grasped via empathy (Woodruff Smith 1995). Although a thorough reading of Husserl's philosophy and its consequences for either narrative research or documentary study is beyond the scope of this thesis, it is worth acknowledging the philosophical attention that has been directed toward understanding epistemology in relation to different knowledge realms. Since narrative research and observational documentary production take as their subject (albeit in distinct ways) the experience of the other, Husserl's concept of empathy represents one way in which to conceptualise the epistemology of both documentary and narrative research.

Narrative research is conceptualised here as an empathetic process resulting in the co-creation of narratives of experience. Telling stories remains an important process of meaning making. Patterson (2008, p. 30) makes the point that the 'narrator's experience of the event, their perspective on what happened, determines how the story is told and which events are selected for inclusion'. Story telling is also a way of speaking that leaves space for the expression of distinct and sometimes conflicting ideas. Similarly, Squire (2008) argues that narrative research brings to light the multiple and often contradictory layers of meaning, demonstrating the ways in which individuals make sense of complex experience. The purpose of the narrative research undertaken here is not to produce a single answer about documentary experience, or a universalisable account of observational documentary participation. The value of narrative research in the context of observational documentary study lies in its ability to open up a space for reflection, contradiction and exploration.

### **The ethical dimension of this study**

The research presented here, like observational documentary production itself, has a central ethical dimension. Like a documentary filmmaker, I am asking research participants to speak about an aspect of their lives and its significance for them. Sometimes this means talking about emotional and intimate things, with the inherent risk of opening up old wounds. Paul Gready (2008) talks about the way in which narrative researchers frame the stories of those who participate in research, noting that this has the potential to challenge the participants in various, unpredictable ways. I have already noted Reisman's (2008) claim that research participants do not always share the researcher's interpretation of their narrative. Gready examines the ethical dimension of narrative research, noting that there are implications when the stories of others are analysed. What is it that we do to someone when we 'interpret' his or her story? Such ethical concerns parallel in many respects the ethical dimension of observational documentary participation that this thesis seeks to explore.

This research was conducted with the approval of the Human Research Ethics Committee (HE08/036). In order to ensure that research participants were empowered through the research process, particularly noting Gready's comments about the significance of narrative interpretation, participants in this research project were conceived of as co-researchers. In other words research participants were invited to take an active role in the construction, and to some extent the interpretation of their narratives. After participants were interviewed, they were provided with a transcript of the interview and invited to add, correct or delete material. The aim of this editing process was to ensure that the transcripts that were ultimately analysed represented,



from the participants' perspective, a complete and correct account of their experience insofar as this is possible. Research transcripts have not been included in this study since raw transcripts are open to multiple interpretations, some of which may cause offence. For this reason, it has been important to involve participants in the evaluation of their narratives.

Inviting participants to comment on the analysis addresses Gready's concerns about the imposition of an interpretation on a narrative, giving subjects a direct voice in this study. In practical terms, this involved sending draft analysis to participants and inviting them to make comments on the analysis presented. The comments and reflections of participants were then able to be incorporated into the narrative analysis. Squire (2008) notes that, although many narrative researchers involve participants in the construction phase of narrative research, there has been a tendency not to include them in the interpretive dimension of such research. There is no consensus on the issue of discussing research analysis with participants, although there is a sense of the importance of achieving interpretive responsibility (Squire 2008). It was felt here that the best way of ensuring interpretive responsibility was giving participants the opportunity to view and comment on my analysis and interpretation of their narrative. The comments of research participants have been incorporated into the analysis wherever they were available.

### **Case study and the selection of documentary texts**

As signalled earlier, the following chapters explore the experience of documentary participation by focusing on three recent Australian observational documentaries. The

use of case studies is well established as a research methodology in media studies, particularly in qualitative research (Jensen 2002). Case studies are used not as a means of uncovering universal truths about documentary participation but as a way of beginning to understand the experiences of particular filmmakers and participants in specific contexts. The case study approach is consistent with narrative research that tends to work with small numbers of interviewees and focuses on capturing experience in detail (Squire 2008). The case studies presented here are designed to demonstrate the potential contribution that narrative study can make to the understanding of documentary participation, as an alternative perspective on the contexts of media production. It should be noted, however, that they represent tentative first steps in the use of narrative methods to explore documentary participation, rather than a comprehensive or exhaustive study.

In choosing observational documentaries for study, attention was given to the potential contribution each film might make to issues raised here in relation to documentary ethics. In focusing on Australian documentaries, the intention was not only to facilitate access to filmmakers and participants, but also to contribute in an empirical way to building up a picture of the contemporary Australian documentary landscape, something which continues to be significantly under-theorised (FitzSimons, Laughren & Williamson 2000). Although the focus of this research is on the experience of observational documentary participation, interviews with contemporary Australian filmmakers contribute to an understanding of independent documentary production in this country and the issues facing independent producers of audiovisual content.

Tom Zubrycki's 2003 documentary *Molly and Mobarak* was chosen for study initially because of comments attributed to Molly Rule. Robinson (2003) reported that Molly found the whole process of making the film and its after effects overwhelming. In the documentary text itself, Molly although present, is unusually silent. Reading the text axiographically becomes problematic since Molly's silence, while significant, reveals little about its cause and implications. I was interested to explore Molly's experience of documentary participation in part because it seemed to be particularly complex and ambivalent. As I note below, I chose not to explore the experience of participants who had expressed dissatisfaction with the documentary process. The comments attributed to Molly did not suggest that she felt betrayed by the documentary process, just that it had challenged her in some key respects. I was attracted to this aspect of her story.

*Molly and Mobarak* focuses on some intensely emotional and intimate moments. Like other observational documentaries, the film was produced within the context of an intense relationship between filmmaker and key participants, including a period where Zubrycki found himself living with Molly and her mother Lyn. The documentary is set predominantly in the Rule house, inhabiting the domestic and intimate space of the family, and for this reason it represented a good chance to explore the impact of intimate observational experience. Finally, *Molly and Mobarak* involved documentary participants who were neither particularly empowered nor disempowered in relation to the documentary maker, thus avoiding the ethical issues inherent in the so-called victim tradition in documentary (Winston 1988).

*Facing the Music* (Connolly-Anderson 2001) provides an opportunity to consider power relationships in a very different context. It focuses on the plight of the Music

Department of Sydney University and its then head, Anne Boyd, in the midst of economic and managerial turmoil. Connolly and Anderson adopt a relatively strict, almost direct cinema approach to observational documentary making that Connolly refers to as an active passivity (Connolly, B 2008, pers. comm., April 22). In addition, Connolly and Anderson chose, in those films made after *Black Harvest* (1992), to focus on subjects in their own socio-economic milieu. The effect of this is to place the filmmakers and participants in a very different form of power relationship to that suggested by Winston's (1988) account of the victim tradition prevalent in documentary making. Similarly, Connolly and Anderson chose to film participants only within their professional context, eschewing the current tendency to focus on intimate content. The central character in *Facing the Music* is a university professor, an empowered subject filmed in her work context. It is for these reasons that this documentary presented itself as a useful and contrasting context in which to explore power relationships in the observational documentary relationship.

Finally, Vanessa Gorman's *Losing Layla* (2001) provides an opportunity to explore observational documentary in the unique context of first-person filmmaking. Inspired by the digital camera 'revolution', the documentary is an intimate video diary style production following Gorman's battle to become pregnant, the journey through pregnancy and the trauma of losing her baby daughter. In making this documentary, Gorman, an experienced television producer, occupied the position of both filmmaker and subject. Interestingly, Gorman acknowledges some of the difficulties of first-person observational filmmaking in a reflexive moment within the documentary itself. Her partner, Michael, wants her to turn off the camera while Vanessa reflects in voice-over about the strange way in which their relationship had evolved to

accommodate the documentary. The difficulties alluded to in the film are rendered meaningful through analysis of Gorman's narrative voiced in interview and her book *Layla's Story: A Memoir of Sex, Love, Loss and Longing* (Gorman 2005).

Each of the films presented here addresses different questions relating to observational documentary production. In *Molly and Mobarak*, the participant's distinct experience of documentary production emerges. The gap between the filmmaker's experience and that of the participant is highlighted. Trust emerges as a significant theme while consent is rendered problematic. In *Facing the Music*, the play of power relations in documentary production is foregrounded. The relationship between the participant and filmmaker not only influences events in front of the camera but also becomes a significant aspect of the participant's experience. Finally *Losing Layla* explores the tension between filmmaker and participant in the context of autobiographical observational filmmaking. The split between filmmaker and participant, where both are the same individual, creates feelings of self-fracture.

There are of course many other films that might have been included in this study. In the introduction to the thesis, it was noted that this research would not focus on controversial films. I have sought here to explore documentary ethics and the documentary relationship by using documentaries that raise no obvious ethical difficulties. In other words, the documentaries presented here have been chosen, in part at least, because they appear to be ethically straightforward. In instances of ethical dispute, all parties are focused on convincing others of the rightness of their position. Amidst the conflict, analysis of narrative material is complicated.

Because so little is known about the experience of observational documentary participation beyond the stories of regret that occur occasionally in the literature, I wanted to focus here on those participants who did not begin with any particular agenda in relation to their experience. I felt that it would only be possible to achieve this by focusing on documentaries in which the experience of participants was not controversial. The advantage this offers is that we might be able to consider the kinds of issues raised by observational documentary participation in the absence of particularly problematic issues.

### **Methodological possibilities**

This chapter has presented a method for the empirical study of observational documentary practice. While this method draws on established research methods in the social sciences, it constitutes a new method for the study of documentary. It also constitutes a new approach to documentary ethics. Although the methodology presented here is consistent with research methods used in related fields, I have been keen to develop a method of enquiry that addresses the specific interests and discursive needs of documentary study. In particular, I have proposed that narrative be considered broadly to allow for the inclusion of the documentary text. While urging caution with respect to the documentary text as ethical evidence, I have nevertheless argued, following Nichols (1991), that the documentary provides a clue to the ethics that produced it. Thematic and structural analysis of filmmaker and participant interviews, together with an axiographic reading of the documentary text, forms the basis of the empirical research method to be used here. This method represents a starting point for the narrative study of documentary participation. While

it is anticipated that experiential narrative research method will make a valuable contribution to ethical discourse in documentary, further work will no doubt be required in order to fully realise the potential of such a method to this field.

## Chapter Four

### Stealing Moments: *Molly and Mobarak*

Australian documentary filmmaker Tom Zubrycki's documentary career spans over twenty-five years, making him one of Australia's most significant non-fiction filmmakers. From *Waterloo* (1981), a documentary following the battle to save an inner Sydney suburb, to his most recent film, *Temple of Dreams* (2007), the story of a Muslim youth centre in Sydney's west, Zubrycki's approach has been one of seeking out the human story behind the headline. Although his overall approach to filmmaking has remained constant, his documentary style changed markedly in the 1990s. Following two relatively controversial documentaries dealing with the union movement, *Friends and Enemies* (1987) and *Amongst Equals* (1988), he began to explore an alternative way of tackling significant political issues. *Homelands* (1993) and *Billal* (1996) mark a key change in his filmmaking style. Zubrycki describes his method of working since *Homelands* as characterised by a focus on individuals at times of personal crisis or during rites of passage (Armstrong 2004, p. 99). His documentaries remain committed to addressing issues of political significance, but it is through emotional identification with individual characters that political issues are addressed. Zubrycki (cited in Runcie, n.d.) says, for example, that:



For me it's also very important for the audience to make an emotional connection with my films, that's why all my documentaries revolve around personal stories.

*Molly and Mobarak* (2003) also exhibits this individual and emotional approach to observational filmmaking. Picking up the issue of asylum seekers at the point where news reportage leaves off, the documentary follows a group of Afghan asylum seekers as they begin a difficult and uncertain life in the Australian community. The film contributes to the refugee debate by facilitating audience identification with a small number of key characters. Twenty-two year old refugee, Mobarak Tahiri's impossible love for schoolteacher Molly Rule becomes a metaphor for the ambiguity of the relationship between the refugee and his new, perhaps temporary, home. Describing *Molly and Mobarak*, Zubrycki, (cited in Robinson 2003, p. 65), says:

it tells a universal story, a story of unrequited love, which anyone can relate to, but at the same time, by having an audience connect with that simple story, it engages at a deeper level with issues that affect asylum seekers and their efforts to assimilate into Australian society.

Like Zubrycki's other documentaries made since adopting a more intimate and emotional approach, *Molly and Mobarak* focuses on a small number of key characters and, at the level of the text, suggests a close relationship between participants and filmmaker. While working on *Molly and Mobarak*, Zubrycki spent time living with Molly Rule and her mother Lyn. Although the documentary gives a sense of the filmmaker's intimate access to the lives of these women, Molly Rule's performance in

the documentary suggests a degree of ambivalence on her part. She allows the filming to continue but remains at a distance. She is interviewed only once in the film and in a speech given at the documentary's screening at the Melbourne Film Festival, she described her participation as something that she continued to feel overwhelmed by (Robinson 2003), as noted above. Reviews of *Molly and Mobarak* were critical of Molly's apparent lack of sympathy for Mobarak (Shembri 2004).

Although instigated by an interest in Molly's experience, the research for this study ultimately was unable to address this aspect of the production process. For various reasons, she could not take part in this research. Similarly, Mobarak Tahiri was unable to be contacted for this study. My research is therefore based around interviews conducted with Lyn Rule (Molly's mother) and Tom Zubrycki. The absence of Molly and Mobarak's voices impacts on the kinds of issues raised here, while pointing to one of the inherent difficulties of researching the participant experience. Nevertheless, Lyn's story raises important questions from a participant's point of view and addresses several issues in documentary ethics.

The case study will begin with a reading of the documentary text. Elements such as location, camera positioning, shot duration and editing provide a starting point for considering the experience of documentary participation. Structural and thematic analysis of transcribed interviews is then conducted. Both Lyn Rule and Tom Zubrycki were involved in the production and analysis of interview material. They were invited to comment on, or alter, interview transcripts and to comment on the final analysis. Accuracy is understood in terms of the extent to which the interviewee

felt that the interview transcript and subsequent analysis reflected his or her experience.

***Molly and Mobarak: A textual reading***

*Molly and Mobarak* begins by situating itself within the context of Australia's struggle with issues surrounding immigration, particularly the arrival of asylum seekers by boat. Footage from surveillance aircraft, news broadcasts and a speech by the Australian Prime Minister serve to anchor the documentary in this broader social context. Consistent with Zubrycki's individual focus, the documentary then shifts to introduce the personal story behind the headline. The town of Young in Western NSW is in need of workers and has become home to a small community of Afghan refugees. Frequent shots of cars and trucks on the main road speak of a sense of transience in the community and perhaps in the lives of the refugee population. After only a few establishing shots, we are introduced to Mobarak Tahiri and the personal story begins.

Zubrycki also introduces himself as a character in these opening scenes. The audience is gradually introduced to the various people that Zubrycki has 'met' during his time in the town. Zubrycki draws attention to his developing relationships with Molly and Mobarak by including his interaction with each of the characters. As Molly arrives to help Mobarak learn to drive, Zubrycki films from Molly's perspective. Moments of interaction between filmmaker and participants point to the novelty of Zubrycki's presence. Mobarak acknowledges the filmmaker. Molly introduces him, 'This is Tom', to which Mobarak replies 'I know about him'. Both Molly and Mobarak are

turned towards the camera/filmmaker and point in that direction. When the characters directly acknowledge the presence of the filmmaker, the documentary relationship is foregrounded.

As Molly and Mobarak drive off, Lyn Rule is introduced through an interview. She is portrayed even in these opening scenes as the archetypal mother. She says ‘I think as a mother I have to be very careful ... I did the mother talk and he [Mobarak] handled it’. Lyn occupies the domestic space of the home, particularly the kitchen. At the level of the text, the home is portrayed as a space that reflects her maternal character. A photograph provides the opportunity for Zubrycki to communicate, in voiceover, that Lyn has four children, ‘two of whom have left home’. When Mobarak arrives at the home after dark, Lyn’s chiding is intercut with shots of her own son, suggesting an emerging maternal relationship to Mobarak. Her words to Mobarak further reflect the maternal aspect of character: ‘Does your mother get upset with you? Like me? Just like my son’.

Zubrycki positions himself physically with Lyn so that the audience experiences the growing relationship between Molly and Mobarak from the position of the mother, watching the relationship from the sidelines. In one scene, Lyn questions Mobarak about his family and life in Afghanistan. The camera is close to Lyn, revealing Mobarak from her perspective. The spatial proximity between Lyn and the filmmaker is redoubled by the relation of sound and image, as Zubrycki’s narration fills in the detail of Mobarak’s story. Mobarak’s discussion with Lyn serves as a point of confirmation. When Mobarak gets his driver’s licence, the audience is made aware of the relationship between him and Zubrycki. Zubrycki congratulates Mobarak from

behind the camera and Mobarak glances to camera in acknowledgement. As Molly and Mobarak leave, the camera remains with Lyn as she comments on the developing relationship.

The growing relationship between Molly and Mobarak is initially paralleled by the town's apparent enthusiasm for the Afghani men. The Rule house becomes a focal point not only for the emerging relationship between Molly and Mobarak but also the relationship between the refugees and the town. Whether it is a group of Afghani men having lunch or Molly teaching Mobarak to read on the couch, there is an intimacy that emerges within the composition of the domestic space of the Rule household. Images emphasise moments of physical intimacy such as Molly and Mobarak holding hands or Lyn stroking Mobarak's hair. Set against the intimacy of the home, however, is the underlying racist tension in the broader community.

In spite of the eagerness with which Lyn and Molly open their home and their lives to Mobarak, there is to be no simple happy ending. Zubrycki reveals Molly's ultimate rejection of Mobarak. In narration, he indicates that he 'senses' a change in the relationship between Molly and Mobarak. In Chapter Two, I suggested that in order to capture what is most significant about observational documentary from the perspective of those involved in its production, the mode should be defined in terms of the filmmaker's intention. Narration, traditionally eschewed by observational filmmakers, serves in this documentary to create a sense of intimate observation. There is no voice-of-God certainty in the narration, which is demonstrated in the choice of words: 'I *sensed* that something had changed'. The narration rather draws

attention to the intimate relationship between those involved in creating the documentary.

An emotional scene in the kitchen follows, which will be discussed in some detail below, in which Lyn tells Mobarak that he ‘mustn’t even think’ that he can be Molly’s boyfriend. A dejected Mobarak sits by the roadside while Molly says goodbye to friends and prepares to leave town. In her only interview in the documentary, Molly curtly responds to questions, speaking about a boyfriend in another town while admitting that ‘things get complicated the more time you spend with someone’. The series of rejections culminates with Lyn and Molly leading Mobarak out of the house on the eve of Molly’s departure. Mobarak, too, soon leaves the town.

The departures of Molly and Mobarak are to be only temporary. With Molly’s return from overseas and Mobarak’s return from Adelaide, the documentary begins a complex exploration of change. Zubrycki’s camera shifts perspective and is more frequently exploring Mobarak’s world as he grapples with the idea that ‘I change everything’. Textually, there is a change following Mobarak’s return, with the story increasingly told from his perspective. Change is a central theme. Mobarak speaks to Lyn about no longer doing Ramadan and he is interviewed by Zubrycki over a beer at a local club. And yet in spite of Mobarak’s newly acquired blonde hair and Lyn’s insistence that he is ‘too much like an Australian boy’, the documentary continues to foreground his alienation from Australian society.

Through a textual analysis of *Molly and Mobarak*, it is possible to begin our task of understanding the experience of the participants. The documentary features numerous highly emotional scenes that depict participants at times of emotional vulnerability. In addition, the text points to the filmmaker's physical access to the home and community as well as his relationships with participants. The documentary provides a viewpoint on the experiences of those involved, but one that will ultimately be contested in the light of narrative research.

### **An axiographic reading: Key scenes and the documentary relationship**

*Molly and Mobarak* is full of small traces of the relationship between filmmaker and subjects. In glances, greetings and the positioning of the camera, it is possible to read the documentary relationship. Previous chapters have pointed to some of the issues inherent in reading the ethics of the documentary text. Interpreting a relationship captured on tape is inherently difficult because of the polysemic nature of the image and the fragmentary nature of documentary representation. How are we to read a glance? What does the positioning of the camera really tell us? The answers to such questions lie, ultimately, beyond the documentary text itself. The goal of the axiographic reading presented here is to complement the experiential narrative research that follows. Although reading the documentary text for traces of the relationship between filmmaker and participant is difficult, it nevertheless makes a valuable contribution to understanding the experience of documentary participation. Since the empirical research presented here focuses on the experience of Lyn Rule and Tom Zubrycki, my reading of the documentary text deals specifically with their relationship.

The degree of access that Zubrycki has to the Rule household displays Lyn Rule's comfort with both him and the filming process. Similarly, Zubrycki's tendency to film from a position physically close to Lyn, particularly during the early part of the documentary, speaks of a degree of mutual comfort. A close viewing of the documentary, however, provides evidence of Rule's continual awareness of the camera. Throughout the documentary, Rule glances towards the camera. Her glances are very brief and subtle, suggesting that she understands the significance of her look to camera and the need to preserve an illusion of its absence. Her glances to camera become particularly noticeable during emotionally intense and overtly performative scenes.

Care must be taken when interpreting Rule's glances to camera. The participant's glance to camera may have very different meanings. Beattie (2005, p. 29), recounts Pennebaker's description of a scene in his 1967 film *Don't Look Back* in which Bob Dylan glances to camera. 'Dylan starts a song and then looks directly at the camera, annoyed, it seems, that Pennebaker is at that moment still filming when, for once, Dylan would prefer he wasn't'. Renov (2004, p. 175), writing about *An American Family* (1971), raises an alternative way of interpreting the participant's look to camera:

In several scenes with Lance or Grant, the two most active 'performers' among the five Loud siblings, a conspiratorial glance is exchanged with the camera as a kind of confirmation of its role as witness.



How, then, are we to understand Rule's glances to camera? Are they evidence of discomfort or a sign of a conspiratorial relationship with Zubrycki? The fact that they occur at moments of tension suggests that they relate to her emotional display. Their significance in both the filmed events and the relations with the filmmaker can be traced in the organisation of images and sounds, while we shall see that ultimately the meaning of Rule's glances to camera must be understood in relation to her overall narrative.

Although Lyn Rule glances to camera throughout the film, there is one scene in which she glances to camera frequently, drawing attention to its significance. It is a highly emotional scene, in which Rule speaks to Mobarak about the impossibility of a relationship with Molly. The scene consists of four shots that Zubrycki (Barry, n.d.) notes were taken from more than an hour of footage. In the first shot, Zubrycki is situated across the table from Rule and Mobarak. The camera occupies a space at the table, thereby entering also into the emotional space. In the second shot, there is much greater distance. Zubrycki appears to have stepped away from the table. In this more distant shot, there is obvious evidence of Rule's engagement with Mobarak. She strokes his hand and touches his hair as they talk. In the third shot, we return to the position of being across the table from Rule and Mobarak. The camera focuses on Mobarak as he speaks about his loving relationship with Molly but also with the whole family, 'just like Afghani family'. The particularly intense engagement between Lyn and Mobarak, including her very affectionate gestures toward him, suggest that she is unaware that Zubrycki has commenced filming.

In the next shot, the camera returns to its position across the table from Lyn and Mobarak. There is a jump cut advancing the conversation to a moment when Rule, framed in mid-shot is visibly upset. Crying, she reaches for a tissue. Because the jump cut marks a discontinuity in the temporal or spatial relations between shots, the exact context for Rule's emotion remains unknown, but the shot nevertheless demonstrates the emotional impact of the situation on Lyn. She appears to hide her face behind her hands accompanied by sobbing sounds. At this point, Rule makes direct eye contact with the camera. The fleeting glance is suggestive of a deliberate and meaningful moment of communication between Rule and Zubrycki. Rule's glance demonstrates her awareness of Zubrycki's presence, indicating its significance for her. What are her feelings about being filmed in such an emotional state? Although a definitive reading of Rule's glance and subsequent glances during this scene cannot be guaranteed with reference to the text, the documentary itself alerts us to the significance of Zubrycki's presence at this emotional time.

Before turning to an analysis of Rule and Zubrycki's interviews, it is interesting to note that the scene described above was also significant for Zubrycki. He has referred to this scene in a number of articles, describing it as both a narrative turning point and a significant moment in his developing relationship with Rule. To quote Zubrycki (Runcie, n.d.):

The turning point came when Lyn allowed me to film the sequence where she basically lays down the ground rules to Mobarak about his contact with Molly, and tells him the sad, awful truth that Molly is not for him ...  
If you look closely at the scene with her and Mobarak over the kitchen

table you notice that she sometimes looks across at the camera. You can read her mind: ‘should I tell him to go or allow him to stay?’ It was uncomfortable for her. It was uncomfortable for me.

In an interview with Barry (n.d), Zubrycki refers to the same scene:

You can see in the sequence where Lyn’s giving me sideways glances – as if she’s thinking ‘should I allow him to film this or not? Is this too private and too personal? I ended up spending an hour filming a very fraught conversation. At the end I believe I crossed a certain threshold in terms of what was possible.

In my interview with Zubrycki, he similarly described the glances within the context of the documentary project and his goals as filmmaker. He also referred to the significance of the scene in terms of his relationship with Rule and his ability to film subsequent emotional moments. However, it is ultimately his perspective of the scene in relation to the film that drives his interpretation of Rule’s glances to camera. To quote Zubrycki:

She allowed me to continue and there are reasons for that, I think she realised the relationship between Mobarak and Molly was at the core of the film and that this encounter over the kitchen table was one way in which issues in that relationship could be resolved, so that her words to Mobarak would be quite important to be reflected in the film. So she was

already looking at the film as a story and a story unfolding and electing whether to ... include herself or exclude herself from it.<sup>2</sup>

For Zubrycki, the meaning of Rule's glances to camera relate to his experience as filmmaker. It is also relevant to note that Zubrycki interprets Rule's glances as a form of consent giving. He believes that in her glances to camera she is giving him permission to film then and in the future. While the glances to camera are equally significant for Rule, their meaning is very different and depends on understanding her experience of the documentary relationship.

### **Lyn Rule's story: Power and powerlessness**

In order to fully appreciate the meaning of Lyn Rule's glances to camera during the kitchen conversation with Mobarak discussed above, it is necessary to look at her account of the filming process as an entire narrative. A number of key themes traverse Rule's narrative about the making of *Molly and Mobarak*. Of particular significance for understanding her glances to camera are the themes of control and lack of control. I shall discuss each of these themes in the contexts in which they emerge in Rule's narrative established in my interview with her. With these themes and their meanings elaborated I then return to consider her account of what she calls the 'kitchen mopping up' scene.

In analysing a transcript of my interview with Rule, I became aware of what appeared to be a central tension in her narrative. In the first instance I noticed the many ways in

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<sup>2</sup> Unless otherwise indicated, interview quotations from Zubrycki are transcribed from an interview with the author, 18<sup>th</sup> April 2008, Sydney.

which she stressed her control and agency in the documentary relationship. Often, when describing the filmmaking process, she used very direct language emphasising active agency on her part. Even in terms of her developing relationship with Zubrycki, Rule's statements suggest her active control of the situation. In describing how she got to know Zubrycki, she says:

He was just at things you know. Because there are a lot of refugees there and part of the Amnesty thing was social nights and social gatherings, he'd be there. And I'm very chatty so I wouldn't just ignore him, I'd talk to him and make him talk back to me and he'd then have to answer my questions and tell me about himself and so that's how it was and I actually made an effort to get to know him.<sup>3</sup>

In her narrative, Rule is active in seeking out the relationship with Zubrycki, forcing him to engage with her and making an effort to establish the relationship. Similarly, when she considers her decision to participate in the documentary, she speaks about a conversation she had with Molly and describes it in the following terms: 'Molly and I had spoken about it and said that if we were going to go ahead with it, I had said that I can control that [the filming] that's nothing, if it's going to do some good'. Interestingly, her description of this conversation with Molly suggests that even prior to filming, she perceived the documentary as something that might require 'controlling' in some way but also that she felt herself capable of managing the situation.

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<sup>3</sup> Unless otherwise indicated, interview quotations from Lyn Rule are transcribed from an interview with the author 17<sup>th</sup> April 2008, Sydney.

The theme of control emerges again when Rule speaks about the documentary's focus on emotional moments. She described her emotional vulnerability as having a controlled dimension.

Interviewer: So you're saying that you were aware of him being there even when you're emotional and upset, you're aware of him and you're thinking well I can't lose this completely because there's someone with a camera who is going to be taking this away?

Rule: Yes ... and that was a good thing because it was such an emotional time. Molly was going through an incredible emotional relationship problems with her boyfriend in Lismore and I was being a mother in that and trying to say do this and do that and then she's going through all this emotional stuff with Mobarak, so in a way I was pulling the strings trying to keep Molly from being too dragged into the Mobarak thing because she was being torn apart by a relationship that was breaking up. So the fact that Tom was filming ... was quite secondary to this other emotional thing that was going on. It was the great love of her life and it was falling apart, dah dah dah. And so I can't remember what the question was.

Interviewer: We were talking about having Tom stop you from going overboard.

Rule: Yeah, I just felt that I was probably more in control of it because I had made a conscious effort and Molly and I had spoken about it and said

that if we were going to go ahead with it, I had said that I can control that [the filming], that's nothing, if it's going to do some good. So that really was the, so him being there and filming could be quite annoying.

Rule describes the filming relationship as one in which she and Molly were able to control what and when filming took place. The filming was experienced as 'annoying', necessitating the use of various mechanisms of control, a facet of Lyn's experience that I shall return to below, but not as something that she felt was in any way beyond her control. Rule often described Zubrycki as 'tenacious' when it came to filming, noting that a simple request to stop would not always result in him putting down the camera, although it sometimes did. Nevertheless Lyn and Molly felt that they understood how to control what and when Zubrycki filmed.

Rule: I think I had more control over what he filmed actually

Interviewer: Can you describe that?

Rule: 'When Thomas would come out with his camera he'd have it or have it hidden behind the door. He'd always have it hidden in a sneaky little spot where he could pick it up and start filming ... and he filmed the most ridiculous things. Like walking up the back yard to look at the crow or something and he'd be filming you. And I was just aware that there was someone there. The one where he's got me crying when Mobarak and I are there sitting at the table blowing our noses crying, yeah ... that was probably where I'd just forgotten that he was there. He could have got lots

of moments like that but he just didn't. Once he'd start to get things and we didn't want him to we had little ways of stopping him. Because there are moments of privacy that you just ... when you've just had enough and you think ... you're not going to get this whatever you do. You're not going to get it so go away.

Interviewer: Did you say that?

Rule: Yep. Or Molly would put the music on straight away, or I would start swearing or threaten to take my clothes off ... was a good one. He'd stop filming then. So we had ways of stopping him filming so we had some control really.

While the documentary literature may emphasise the participant's lack of power, Rule's account points to the importance, for her, of having control over the situation. In her narrative, she emphasises her control over the relationship with Zubrycki.

Punctuating Rule's narrative of control, however, are descriptions of moments during which control was lost. On three occasions in Rule's narrative, the loss of control becomes particularly apparent. Her use of evaluative phrases in relation to Zubrycki signal her lack of control. The first instance of loss of control occurs almost immediately and centres on the beginning of her relationship with Zubrycki and her participation in the documentary. The second instance coincides with Molly's return to Australia. The final story depicting a loss of control Rule describes as the 'kitchen mopping up scene', in which she and Mobarak talk emotionally around the kitchen



table. Each of these stories can be considered in terms of structure, drawing attention to meaningful moments of transition. I shall look at each occasion in turn.

I began my interview with Lyn Rule by asking her to tell me about how the documentary project had begun. She responded with a highly coherent account that introduced the themes of control and lack of control. This, the opening of her narrative, effectively serves as a frame that can aid the interpretation of subsequent narrative elements. Rule herself uses this narrative to evaluate her experience returning to it when invited to reflect on the consequences of her participation in *Molly and Mobarak*. The orienting section of the narrative is long and detailed. Rule recounts her attempt to organise a ‘poetry in the pub’ event as part of her involvement with the local Amnesty group. She describes in detail the groups resistance to her idea stating that; ‘Everyone thought it was a lame thing and it wasn’t going to happen’. Rule presents herself as on the fringes of the Amnesty group and sets the success of the poetry in the pub event against her sense of alienation from the group.

Rule: We were having 80 odd people and charging \$5 so it had become very successful very quickly and lots of people came.

Very suddenly, however, this orienting part of the narrative comes to a halt with the abrupt statement: ‘And then one night I got there and I looked over and there was this guy with a camera and it was my gig and I didn’t know who he was’. Zubrycki’s unannounced arrival interrupts Rule’s account of the poetry in the pub event. For her, a project that has been successful in terms of her relationship with the Amnesty group

is fractured by the arrival of Zubrycki and his camera. Looking at Rule's use of evaluating phrases, it becomes clear that Zubrycki's arrival caused a change in the dynamic of the situation.

Rule: It does, it did, compromise I think, relationships within the Amnesty group and within the audience to have someone filming the whole thing the whole time, different things that were on.

It is possible to interpret Lyn's statement here both as referring to the initial situation, in which Zubrycki turned up at the poetry event, and in more general terms to her ongoing relationship with members of the Amnesty group. Clearly, Zubrycki's presence in the town and his filmmaking attention cuts across relationships within the arrival in the town constitutes a moment of disruption. In Lyn's narrative it is abrupt, unexpected and significantly, beyond her control. Many of her statements reflect her sense of powerlessness in relation to Zubrycki's arrival: 'you know you just don't know what'; 'I didn't know who he was'. While she felt successful and in control of the poetry event – 'this was my gig' - Zubrycki's arrival was beyond her control. The resolution of this disruption in the narrative is ambiguous. Rule says that 'it probably came up at a meeting, I don't remember but it got smoothed over', suggesting an inadequate resolution with tensions perhaps persisting in some way.

From the perspective of Rule's narrative, the implications of Zubrycki's presence in the town and her involvement in the documentary were felt in terms of relationships within the Amnesty group. Tensions between Rule and the group were exaggerated by the documentary project. Many within the group believed that the documentary would

be about the group's work and that it should include a number of characters. Zubrycki spent many months in Young filming a large number of Amnesty events. One consequence was an expectation that the documentary was going to give an overview of the group's work. When the documentary was shown, there was considerable anger about its focus on Lyn and Molly. Lyn describes the group's reaction to seeing the finished film.

Rule: So also when he showed it to Molly and I, a week or so later he showed it to the Amnesty people and the wheels came off then. People were saying to Molly that it was scripted. And she was teaching at some little town out of Young and someone said to her that it was scripted. So she said 'oh yeah who told you that?' 'Oh it was one of the Amnesty people had said that Molly and I and Thomas, I don't know who had written a script and that we had just learnt the script and done the whole script'. So then that sort of thing started to happen.

Interviewer: So how did that make you feel?

Rule: Well it was very hurtful because it wasn't our choice that Tom was going to make the film just about us. I was very hurt and Molly who had only just come home and was, she was just going along with me because I was doing voluntary tutoring and going along to the Amnesty meetings and she just threw her lot in with me. It wasn't her Amnesty group it was my Amnesty group. She was, so she wasn't as hurt as I was, I was very hurt that people didn't want to, the large majority I would say, except for

the person who helped me do the poetry in the pub, that was all that was left. I wasn't told when the meetings were going to be on, invited to any functions that were happening. I was just ostracised. Then when it was shown at the film festival, they, a couple that were in the film made it known to Tom that they were very upset with the whole thing. That they were upset with him, with the way it had turned out, it wasn't what they'd expected so they were really annoyed, really annoyed with him, very annoyed and couldn't even look at me, couldn't speak to me. They must have felt that I'd betrayed them. That's what happened.

Interviewer: Is that an ongoing problem for you?

Rule: Yeah, yeah, yeah. So that was interesting.

Returning to the idea that, for Rule, documentary participation included moments during which she was unable to control Zubrycki's camera, I became aware of the number of times she describes him as a 'determined' or 'tenacious' filmmaker. She makes the comment at one point, for instance, that 'you can't shake him off if he decides to be there'. Given the importance of control as a theme in Rule's narrative, Zubrycki's tenaciousness constitutes a challenge to her sense of control.

The second story in which Rule points to her loss of control over the documentary project centres on Molly's return to Australia from an overseas trip. The airport narrative begins with an orienting section in which she describes a disagreement between her and Zubrycki. The disagreement was not directly related to the

documentary project but had resulted in a break in their communication. Rule claims that she had deliberately not given Zubrycki details of Molly's return flight to Australia. The equilibrium is disrupted when Zubrycki arrives unexpectedly at the airport ready to film Molly's return. As Rule describes events she uses numerous evaluative phrases, attributing to him feelings of discomfort and guilt.

Rule: He was incredibly uncomfortable. Because I hadn't told him, he knew that I didn't want him to be there. I'd ripped into him and then he turns up. He hadn't contacted me and then he suddenly turns up in Sydney rolling the camera.

Interviewer: So how did it feel when he turned up at the airport?

Rule: Oh I was pissed off, really pissed off. He was incredibly sheepish.

Interviewer: That must have been an interesting situation because by the time you sit down at the [coffee] table he's clearly in your face

Rule: Yeah – apart from swearing at him. He's very, what's the word, you can't shake him off if he decides to be there, that's just it. And yeah I looked up and he was there and then later I asked him how he found out and he said 'I rang up and found out when she was coming in' so then he follows us when we have a coffee and I still haven't spoken to him. He's just filming us like, oh God ...

Even as Rule is describing this experience as something that was beyond her control, she continues to draw attention to her control over the situation: ‘We didn’t really give him anything’. The evaluative phrases, however, are particularly interesting. She describes Zubrycki as ‘incredibly sheepish’, noting also that ‘he was incredibly uncomfortable’. In attributing these feelings to Zubrycki, she implies that there was a shared sense that filming at the airport was inappropriate, a kind of documentary ‘theft’. In analysing Rule’s narrative, I became aware that she regularly describes moments in which she does not have control over the filming situation as ones that are associated with negative feelings, usually guilt, on Zubrycki’s part.

The play of control and lack of control in Rule’s narrative is complex. Consistent with feeling in control of her documentary participation, she acknowledges her active role not just in consenting to her participation but also in giving Zubrycki access to her home. In spite of her active role in the documentary process, she continues to feel a sense of intrusion, as exemplified in the following comment.

Rule: You can’t be intrusive without their [the participant’s] permission and then they’ll hate you and you’ll feel bad about yourself. And he [Zubrycki] must feel bad, I’m sure he feels bad.

It is important to stress that Rule and Zubrycki have a close and ongoing relationship and that her narrative of participation is not a story of documentary regret. Even her evaluative phrases and her attribution of guilt to Zubrycki should not be interpreted as a condemnation of him. While describing her loss of control, Rule is conscious of the fact that Zubrycki, as filmmaker, must intrude on the lives of those who are filmed.

Rule is actually very sympathetic to his need to intrude on the lives of participants, saying at one point that ‘I think he’s naughty, but that’s because he’s a filmmaker’. In spite of this, Zubrycki’s intrusions are described in Rule’s narrative as crossing some kind of complex moral boundary, thus accounting for her attribution of guilt.

Rule’s final story pointing to the significance of moments where control is lost is the previously discussed ‘kitchen mopping up scene’ that involves her glances to camera. I have previously noted that, for Zubrycki, Rule’s glances to camera in the kitchen scene are understood as a form of consent giving that reflects her growing awareness of her significance in terms of the emerging documentary project. For Rule, their meaning turns on the play of control and lack of control and a concept of documentary betrayal. She interprets the glances to camera as a physical trace of a stolen moment. Referring to the glances, she notes that Zubrycki has kept them in the film, which she feels ‘must really annoy him’.

The following is Rule’s description of the scene where she speaks to Mobarak about the impossibility of a relationship with Molly.

Rule: I think Tom just came upon it and filmed it and I think I didn’t want to break what I had with Mobarak. And I think that’s very strange isn’t it. Because you do have this relationship happening, deep emotional feelings and to break it I would have had to deal with Tom and he probably knew that, he probably knew that to break that, so he probably takes advantage of those situations as a filmmaker, I’m sure he does. He’d be full of guilt.

And once Mobarak came and I remember thinking ‘oh shit there’s Tom with the bloody camera again’ and when you get to that stage of deep emotional feelings you can’t just say ‘put that camera away’ because you don’t want to break what you have with that person. I guess that’s probably why.

Here Rule provides an account of the scene as one that Zubrycki ‘came upon’. Zubrycki stayed in Rule’s for short periods during the filming period, giving him access to the relationship between Molly and Mobarak. In her narrative, Rule emphasises her role in encouraging Zubrycki to stay in her home, noting his initial reluctance. Having encouraged him to stay in the house, she acknowledges that, by doing so, she has provided him with the opportunity to steal moments such as the conversation with Mobarak. For Rule, the glances to camera signal the filmmaker’s intrusion into the conversation and the threat that such an intrusion may break the emotional bond between her and Mobarak. On becoming aware of Zubrycki’s presence, she suggests that she could have interrupted the conversation, but she chooses, again emphasising her agency, not to break the intimate connection with Mobarak. From her perspective, Zubrycki ‘takes advantage’ of the situation to steal the scene.

As with her description of the airport scene where Zubrycki’s betrayal is associated with ‘sheepishness’, here Rule follows up her account with evaluative phrases that focus on Zubrycki’s feelings of guilt.



Rule: ... he probably knew that to break that, so he probably takes advantage of those situations as a filmmaker, I'm sure he does. He'd be full of guilt.

Interviewer: Do you think so?

Rule: Oh yes, he's racked with guilt, yes as a human being. I think he is.

Rule goes on to describe documentary making, as she experienced it, as a process that involves very public betrayal. 'He can't hide his betrayal, can he? He had to show his betrayal.' Her references to guilt and betrayal here are consistent with her tendency, noted earlier, to associate stolen moments with negative feelings on Zubrycki's part. Understanding Rule's experience of the kitchen scene requires an appreciation of the complex plays of power beyond the documentary frame. The documentary relationship is only partially within her control. The power relationship between her and Zubrycki thus emerge as a central element of Rule's experience. To some extent, the relationship here could be described as a form of contest between participant and filmmaker (Hughes, P 2008, pers. comm., 15 September). Rule recognises Zubrycki's need to steal moments and in doing so betray those who participate in his documentaries. She suggests recognition of this fact: 'I think he's naughty but that's because he's a filmmaker'. She, on the other hand, seeks to control the filmmaking process so that it meets her needs.

In each of the three stories considered above, Rule depicts her experience and her relationship with the filmmaker as something she seeks to control but which is,

ultimately, uncontrollable at times. Structural analysis highlights key moments of transition in the stories. Zubrycki's arrival at the poetry evening disrupts the equilibrium between Rule and the Amnesty group. Similarly, his arrival with camera in the kitchen disrupts the emotional moment with Mobarak. It is Rule's use of evaluative phrases, however, that draws attention to the tension between control and lack of control.

### **Exploring key issues: Consent and trust**

In the course of my interview with Rule, I asked her to reflect on several key issues circulating in documentary ethics. Given the importance of informed consent in the literature on documentary ethics, this was a subject I explored with both Rule and Zubrycki. While consent emerges as a problematic issue for both of them, their narratives provide insight into the nature of trust in the observational documentary relationship.

Trust is central to the relationship between Rule and Zubrycki. In Rule's narrative, we find clues as to how a trusting relationship was established during the course of filming. Mutual vulnerability, shared values and veto rights were all significant factors. In my interview with Zubrycki, he spoke about the importance of granting participants a right of veto in observational filmmaking, something echoed by the other filmmakers interviewed in the course of this research. This practice, which may be central to gaining the trust required for the development of the observational documentary relationship, is problematic in terms of the institutional contexts of documentary production. Whether a filmmaker is independent and subject to the

control of completion guarantors and funding bodies, or employed within a broadcast institution seeking to remain independent and objective, a right of veto is likely to be contrary to institutional policy. When it comes to consent, both Rule and Zubrycki highlight the fact that requiring participants to sign release forms cuts across the trusting relationship between filmmaker and participant.

Informed consent, understood as consent based on full disclosure of all relevant facts and risks, was not obtained from Lyn Rule in relation to her participation in *Molly and Mobarak*. She did sign a release form but did so with little knowledge of how the film would develop and, therefore, what the consequences of her participation might have been. What emerges is a description of consent from the perspective of the documentary participant. Aspects of the interview narratives of both Rule and Zubrycki highlight the limits of informed consent and issues arising from current industry practices.

Rule tells two stories that are relevant to a consideration of informed consent. The first relates to her experience of being presented with a release form while the second relates to Zubrycki's screening of the finished documentary to Lyn and Molly. Although Rule's experience of being presented with the release form was largely negative, her account of giving consent to the film in its final form can be seen as an example of meaningful informed consent to observational documentary participation. Here it is relevant that Zubrycki has stated that he generally presents participants with release forms about twenty-five percent of the way into the filming process once basic trust has been established (Zubrycki, T 2008, pers. comm., 18 April). Rule's narrative about the signing of the release form is a story in two parts as a result of a questioning

reference back to her initial description of events. I include both narrative fragments in order to consider them together.

Interviewer: Tell me about the whole negotiation around your participation generally. When did he ask you?

Rule: I can't remember. I can just remember his car being out the front of my place and he dragged out a form and said 'you'll have to sign this form' and we'd already done one at the theatre company because of this other thing that had been on and so there was that thing happening too, there were two documentaries being made about my life so it was like everywhere I go I'm being filmed ...

The discussion returns to consent forms later in the interview.

Interviewer: Going back to the contract for a moment, there's the car out the front and he says 'you have to sign this?'

Rule: Yeah and I'd had another example of a documentary being made about me by someone from the film school a few years ago and the same thing had happened. They got to the stage where they wanted to sign the contract and I refused to sign it. So I was a bit aware of the contract and what it entitled him to and what it didn't entitle me to and it is, it doesn't make you feel good because you're giving away all your rights really, you don't have any rights. All of that is then his, oh well it was really SBS's. I

think that must have been when we signed the contract when he got the SBS funding, yep.

Rule points to her experience with release forms and with being filmed in both versions of the story. She indicates that she understands the release form as handing all the power to the filmmaker, evaluating this with the phrase ‘it doesn’t make you feel good really’. At the same time she recognises the extent to which the release form represents her power to refuse – having refused to sign a release form on a previous occasion. It is interesting to note the way in which power plays out in this narrative. Rule recognises the release form as something that empowers her, but only in one moment. She has the power to sign, or not sign, in this instant. Once the form is signed, however, the relations of power are subtly shifted.

Peter Hughes (Hughes, P 2008, pers. comm., 15 September) suggests that Rule’s sense of agency is effectively constrained at this point in her narrative by her awareness of Zubrycki’s obligations to SBS. In view of her tendency to associate moments where she lacks control with negative feelings on Zubrycki’s part, it is significant that she describes him as quite terse in this narrative: ‘I can just remember his car being out the front of my place and he dragged out a form and said “you’ll have to sign this form”’. The abruptness of the event in Rule’s account is unusual. Clearly the process of signing the release form was unexpected, perhaps an aggressive event that sat uneasily in understanding of the relationship with Zubrycki.

Linking the release form to funding of the documentary by SBS, Rule focuses attention on the broadcaster’s desire for control over her image. The guilt attached to

this documentary ‘theft’ is therefore shared between Zubrycki and SBS. Lyn describes the process of consenting as a kind of handing over of valuables. While she is ‘giving away’ her rights, she notices that both Zubrycki and SBS are standing to gain. She says: ‘All of that is then his, oh well, it was really SBS’s’. The release form not only disempowers Rule in a legal sense; it constitutes a forced relinquishing of control to Zubrycki and the broadcaster. Her use of language is again significant, ‘you’ll *have to* sign’. Again it is possible to make sense of this narrative in terms of control and lack of control, the latter being associated with a negative depiction of Zubrycki at this time.

Like Rule, Zubrycki experiences the giving of release forms as an uncomfortable process that cuts across the developing relationship between participant and filmmaker. For him, the release form replaces the trust relationship with a relationship based on a legal contract.

Interviewer: How do you feel giving them out [the release forms] what does that feel like?

Zubrycki: Oh, it’s almost like you’re enslaving them or that they might feel enslaved by it. It’s a terrifying thought. You have to step outside the relationship that you’ve been cultivating, one of trust to one of direct dealing with people.

It's really difficult because the fine print implies that they give away all control of their image and the way it's been manipulated by you the filmmaker.

Seeing the release form as a forced intrusion by others into the documentary relationship makes sense of the way in which Rule speaks of the release form in her narrative. The signing of the release form cuts across the relationship of trust between filmmaker and participant, reducing an intimate and trusting relationship to a contractual arrangement. Signing the release form appears as an abrupt and negative event that was, in many respects, at odds with her overall experience of documentary participation.

When Rule signed the release form covering her participation in *Molly and Mobarak*, she did not know that the documentary would focus on the relationship between Molly and Mobarak. Her consent was not informed, in the strict sense, since she had insufficient information from which to consider the potential consequences of participation. In her interview she explains that, even when Zubrycki had finished shooting, she expected the documentary to tell a more general story about the experiences of refugees in Young and the work of the Amnesty group.

Rule: So by January he'd finished filming, he had hours and hours of filming. Mobarak had left and people were starting to leave Young at that stage, trying to get their visas and moving to Sydney because it was easier, lawyers were here. And then he rang and said I've been down the coast, I've edited the film I want to show it to you. And I was like 'yeah that's

great, we'll see this film about the Amnesty group in Young, still not thinking anything more. He said I'll come up I want you and Molly. And I said 'that's great, I'll invite ... and he said 'no don't invite anyone else, just you and Molly'. I didn't even think then, I didn't have a clue.

And he sat us down and he very nervously, sat there. And then the title came up *Molly and Mobarak*. Molly and I were just, in shock really and then the film rolls with the setting of Young and then it becomes Mobarak's story and then 'I met Lyn and Molly' ... and so I think we watched it without saying anything and then at the end of it ... at the end of it, he was very uncomfortable because he knew what he'd done but he said that his editor had said all along ... Ray had said nothing else is going to work this is the one. And he [Tom] said 'if you don't want it, I won't do it'. That was Tom. And so I said 'OK really?' we'll think about it and get back to you. So Molly and I agonised about what it meant and how she looked and what it was going to mean and what people would think of her. Because there was nothing about me, I was just this distant, just this person in the house really, it was all about Molly.

In this narrative, it becomes clear that for Rule it is only when she has the opportunity to veto the final film that consent is meaningfully given. In giving consent, Rule remains active, as indicated when she refers to the fact that she requested that specific shots be removed from the documentary. Reading this as a narrative, an orienting section can be identified in which Rule describes how she and the town had moved on from the experience of documentary participation. Zubrycki's phone call and his



suggestion of a screening represent the complicating action in the narrative. As with the stories considered earlier, Rule attributes negative feelings to Zubrycki. She has spoken elsewhere (Robinson 2003) about the fact that she asked Zubrycki not to focus on the relationship between Molly and Mobarak. She sees Zubrycki's 'sheepishness' as reflecting an awareness of this transgression. Although, having signed release forms, Molly and Lyn are relatively powerless in relation to the documentary. Zubrycki's offer of a right of veto returns to the participants a degree of active agency in the documentary relationship. In debating whether to allow the film to proceed, Lyn and Molly consider the documentary's meanings and potential consequences. Their deliberations and decision to allow Zubrycki to continue with the film represent the point at which informed consent was meaningfully given by the two women. The release form, in contrast, represented just another part of her collaboration in the filmmaking process and was not linked, for Lyn Rule, to giving her consent for the final documentary. Rule does feel that she gave informed consent to her participation in *Molly and Mobarak*. However, it was the right of veto, not the release form that constitutes the giving of informed consent.

For Zubrycki, giving participants a right of veto is central to his concept of ethical observational documentary making. He argues that observational documentary raises distinct ethical issues because it involves representing people, not just in terms of what they said, but also in terms of what they believed and how they felt (Robinson 2003, p. 65). This extra dimension in observational representation requires that participants be given more control over their appearance in the film. He acknowledges that in offering participants a right of veto he is at odds with industry

practice. This constitutes a filmmaking tension for him that has an impact on his relationship with participants.

Zubrycki: You know that our relationship cuts across the absolutes that are on the form and you know you'll be given the chance to view the film at fine cut, that's the most important thing and often people sign for that. Although it doesn't say that on the form but you can factor that into the form. I managed to do that with releases I had with Lyn and Molly and subsequent films, that you make an undertaking to show it to the participants. But of course it doesn't say anywhere that they've got veto rights because if it does, it contravenes the form because the form is a form that entitles me to ... yeah ... to make the film anyway I like, subject to funding body or broadcaster approval.

Zubrycki's discomfort with the release form is evident in the slight hesitation before admitting that the release effectively gives him complete control over the film. The right of veto is important to him because it provides one way of reducing the inequality introduced by the release form.

Zubrycki has explored options for altering the release form to include giving participants a right to view a fine cut of the film, but acknowledges that it would be impossible to get funding for a documentary where participants were guaranteed a formal right of veto (Zubrycki, T 2008, pers. comm., 14 April). For documentary investors and broadcasters the release form constitutes an important protection. The participant's consent is significant because it offers some legal protection from

defamation and copyright claims. In light of the ethical significance of veto rights for both filmmaker and participant, further discussion of the release form and its role in terms of informed consent is warranted.

### **Observational documentary trust**

Trust is central to the relationship between Rule and Zubrycki and was an important theme in both of their narratives. Since little is known about trust in the context of documentary, I was keen to explore the nature and meaning of trust for Rule and Zubrycki. Rule defines documentary trust in two slightly different ways. On one occasion, she defines documentary trust as the knowledge that the filmmaker will not betray you with the knowledge that they have of you. On another occasion she describes trust as the knowledge that the filmmaker holds the participant's beliefs and feelings as sacred. As well as offering two possible definitions of documentary trust, Rule's narrative also points to the way in which trust emerges over time in the observational documentary and relies on growing interdependence between filmmaker and participant. Central to her account of observational documentary trust is the concept of observational documentary as a collaboration depending on shared values and beliefs. Zubrycki's narrative develops an alternative account in which the desire to engage the other results in a kind of performance of trust.

In the research interview, as Rule speaks about the poetry night and Zubrycki's abrupt arrival in the town she quickly changes direction to reflect on his values. This shift leads Rule to re-evaluate Zubrycki's presence. She changes her narrative focus away from his arrival as a source of annoyance to view it in terms of her own goals. Rule

speaks about the importance of viewing Zubrycki's earlier films and her sense that they shared political and moral views.

Rule: It did compromise, I think, relationships within the Amnesty group and within the audience to have someone filming the whole thing the whole time, different things that were on. But then once I'd seen his other films and I realised that there was a chance this was going, that this was going to become a film and it wasn't just some guy who didn't know what he was doing, it was clear that Tom knew what he was doing and there was a chance, a high probability that there was going to be a film made and that if it was going to be of any value to migrants, because at the time we had the children overboard and there was so much negativity and I thought that if this was going to be a positive thing for Australians to see immigrants as human beings and to give some humanity to this face of the demon which is how the government was portraying them at the time. I thought that it was a good thing.

Rule frequently refers to her desire to contribute in a positive way to the asylum seeker debate as a motivation for her participation in *Molly and Mobarak*. In the section of narrative above, seeing Zubrycki's films represents a structural turning point. Seeing the earlier films represented, for Rule, a demonstration of Zubrycki's beliefs and values. It also served as evidence of his ability to produce the kind of documentary that might contribute positively to public debate. These two elements, Zubrycki's values and his competence, are central to her change of attitude. Having seen his other films, she re-evaluates the situation, viewing Zubrycki as someone who

shared her values and could collaborate on ‘something positive’. Rule becomes aware not only that she and Zubrycki share key values, but that they might collaborate to make a film that might make a difference.

In another anecdote, Rule explains how Zubrycki came to be staying with her when he was in Young. Again this story links trust to shared values and helps to explain the growing relationship between filmmaker and participant. It begins with an account of the difficulties Zubrycki encountered while staying with another family. In telling the story, Lyn Rule emphasises her active role in trying to persuade him to come and stay with her. Zubrycki’s initial refusal and his sense of duty are seen to reflect values that she herself shares. She presents shared values as a justification for placing trust. Rule describes the situation at the house where Zubrycki was staying: ‘It was very damp place and he was getting very sick and old nurse Rule said ‘oh you can’t, come and stay I’ve got a bedroom’.

Zubrycki’s initial response, as described by Rule, was to talk about the duty he owed to the family he was currently staying with. This sense of duty leads him to stay with that family, in spite of considerable hardship, until they needed him to move on to make room for an overseas visitor. It is only once any sense of obligation to his first host has gone that he takes up Rule’s offer. For Rule, Zubrycki’s sense of duty and his determination to endure an uncomfortable environment because of this sense of duty stands as evidence of his values.

Rule: So that’s probably as much why I trusted him. He didn’t run into my house saying I’d love to be there at the first instance, he didn’t. Even

though I'd offered and said 'Oh, Tom you can't do that, you can't be in that house with the rising damp and you're in bed at 9 o'clock and eating potatoes. You can't do that.' He didn't race out then, he stayed there and stayed there out of duty to those people.

To put this in the context of Rule's definition of trust, as involving the filmmaker's respect for participants' beliefs and values, it is possible to read her narrative here as providing reasons for believing that Zubrycki shared relevant beliefs and values and could therefore be trusted in the context of the observational documentary relationship.

A further ingredient in the trust relationship between Rule and Zubrycki was a growing interdependence beyond the documentary project. It was particularly significant to Rule that Zubrycki had introduced her to his family. In recounting her experience of meeting his parents, Rule speaks about the importance of this family 'knowledge'. Trust emerges in this narrative as a consequence of the blending of live stories that occurs beyond the documentary frame.

Interviewer: Was there a single moment when you felt that trust?

Rule: Maybe when I met his parents and his Dad, yeah, when he probably invited me into his life and trusted me with his family. His Dad, his aging parents, that's probably. That's a big thing ... It's taking that next step into someone's life isn't it? And his parents coming to Young and us having a

weekend, it was cherry festival and I'm taking them out and being all ...

Yeah so I'd say that was it, meeting his parents was probably the ...<sup>4</sup>

In Rule's narrative, it is possible to get a sense of the resilience of trust in her relationship with Zubrycki. It may be recalled, for example, that the themes of control and lack of control flow through her narrative. She attributes negative feelings to Zubrycki in response to challenges to her autonomy. For her, he acts in ways that fail to take her wishes into account. He is a 'naughty' filmmaker who 'must feel guilty' for his filmmaking trespasses. Her story demonstrates the extent to which the relationship between participant and filmmaker is characterised by divergent goals as well as shared values (Hughes, P 2008, pers. comm., 15 September). If placing trust is assumed to be a rational process in which the participant seeks evidence of the trustworthiness of the filmmaker, such incidents ought to serve as evidence *not* to trust. The very fact that Rule is able to incorporate Zubrycki's filmmaking 'betrayals' into what is effectively a positive story of documentary participation, interpreting them as 'naughty' but necessary filmmaking acts, points to the importance of shared values and beliefs as a foundation for the observational documentary relationship at least in this particular context.

Just as there were differences between Rule and Zubrycki in terms of their interpretation of the glance to camera, there are significant differences in their understanding of trust in the documentary relationship. While Rule's concept of trust reflects the risk she takes, the risk of betrayal, Zubrycki's description of trust reflects the vulnerability of the filmmaker, the potential loss of access to the participant.

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<sup>4</sup> Ellipses represent instances in which Rule's response trailed off, rather than material omitted.

When he responds to a question about the nature of documentary trust, this difference becomes apparent.

Interviewer: I'm interested in what you think documentary trust is; how would you describe it?

Zubrycki: Oh, getting their trust is really getting a person's co-operation. It's them understanding that you're not going to exploit them in any way by being selective, overly selective about what they're presenting to you of themselves. If they feel like they can manage their own image and if they feel that you can be a kind of conduit or attentive to their need to come across in a particular way and then they become cooperative and that's the basis upon which trust can be built.

Trust is a response to risk and uncertainty. As Zubrycki elaborated on his experience of observational filmmaking, a sense of anxiety about the relationship with the participant emerged. For him, observational filmmaking is stressful because the relationship with the participant is perceived to be fragile. The reality with which the observational filmmaker lives is the possibility that access might be withdrawn at any time. The fact that observational documentary access is not granted once, but is essentially granted anew in each interaction between participant and filmmaker, thus becomes a source of anxiety.

Zubrycki: It's actually very stressful because you're not absolutely sure that that person has allowed you into their lives completely, because there's



always that possibility that they could ring up and say that's it. It's been a great few months but I think that I've reached the end of the road for whatever reason, but touch wood that hasn't happened yet.

For Zubrycki, the importance of trust and the need to establish a trusting relationship with the participant leads to a form of filmmaking performance. As a filmmaker, he is conscious of wanting to engage the participant, being attentive and making the relationship 'as strong as you can', as noted previously. His description of observational filmmaking points to the importance of actively establishing a relationship of trust.

Interviewer: What does observational filming feel like?

Zubrycki: That's not an easy question. What does it feel like? You feel like you reach right down and get some inner strength. It's almost also like you become somebody else as well, a different persona. Perhaps it's your own self but exaggerated it's kind of a performance of some kind, but it's really deciding that you're aspiring to forge a relationship and also get some information ... so you are projecting a self that is a bit possibly different to the self you might project to family members or to your friends.

Zubrycki describes himself as, in a sense, having three personalities while filming. He is conscious of performing himself, as filmmaker, within the context of production, as well as performing himself away from the camera. Performing himself away from the camera, he remains focused on establishing trust in the documentary relationship. The

final persona he speaks about is himself away from the documentary participant. From the filmmaker's perspective, the documentary relationship is experienced as particularly intense, as a performance directed at gaining the participant's trust. The nature of documentary performance includes a performance of the filmmaker-self as one who can be trusted (Hughes, P 2008, pers. comm., 12 September). Just as Rule's understanding of trust related to her vulnerability to the filmmaker's betrayal, Zubrycki's vulnerability lies in the loss of the participant's co-operation.

### **Reflections on the ethical dimension of *Molly and Mobarak***

In exploring one of the documentary relationships behind *Molly and Mobarak*, we have been presented with a complex story in which the themes of control, lack of control and power circulate. Consent and trust turn out to be interdependent, with trust emerging as an important foundation for observational practice. This case study highlights the limitation of axiographics. Documentary ethics cannot be considered at the level of the text alone, since so much of consequence fails to be represented in the frame. An axiographic reading can, however, support empirical study to provide a richer picture.

For Rule, control over the documentary and her role in it was important. Had she been unable to exercise her power in the relationship, it is difficult to imagine that the film could have been made. There is a contest between filmmaker and participant; their goals differ and this brings them into conflict. Zubrycki needs to steal moments to meet his obligations as filmmaker and this challenges Rule. Sometimes her attempts to prevent the theft are successful. Zubrycki reported that there were conversations

that he would have liked to include in the film but which she refused to allow him to film. Similarly, Rule refers to shots and scenes that she refused to have filmed or included in the documentary. Power was central to their experience, but cannot be exclusively understood as control in this context. The image of power that emerges from this analysis of the documentary relationship is one in which the filmmaker and participant act on each other. The freedom or autonomy of both filmmaker and participant renders power central to the meaning of observational documentary participation.

Rule's and Zubrycki's stories point to the significance and the value of trust in observational filmmaking. The challenges posed by the different goals of filmmaker and participant are overcome by trust in the relationship. For both Rule and Zubrycki, trust is a response to the inherent vulnerability invited in observational filmmaking. For the filmmaker, establishing trust is central to the documentary project. His or her filmmaking performance aims at communicating their trustworthiness to the participant. For the participant, trust is essential to overcome the risk entailed in giving the filmmaker access, that of betrayal. Interaction away from the documentary project was critical to building trust. Rule spoke of the importance of meeting Zubrycki's family, seeing his films and interacting with him over time. These aspects of the relationship fostered a trust that could withstand the pressures of documentary filmmaking. Zubrycki's narrative provides glimpses of the way in which the filmmaker consciously seeks to foster a trusting relationship through performance.

In terms of documentary practice, this study draws attention to the problems surrounding the institutional release form and the ethical significance, for both

filmmaker and participant, of a right of veto. In the case of *Molly and Mobarak*, it was the process of showing participants the final documentary and giving them a sense of control over the final documentary that constituted meaningful informed consent. I should note that, in addition to Lyn and Molly, Mobarak was given a similar opportunity to veto the film. This analysis also highlights the inevitable tendency for both filmmaker and participant to interpret unfolding events through their own frameworks. Rule's and Zubrycki's conflicting interpretations of the glances to camera provide a fascinating demonstration of this, and yet it is likely that these contested interpretations of events are a central feature of the documentary relationship.

Analysing narrative, like any interpretive endeavour, is accompanied by feelings of risk and uncertainty. To what extent will those whose stories we tell recognise themselves in the telling? For Lyn Rule (Rule, L 2008, pers. comm., 24 October), the opportunity to gain an external perspective on her participation in *Molly and Mobarak* was welcomed because it provided a chance to reflect on her experience. She concurred with my analyses of the 'glance' scene and the impact of the consent form and described the distinction between control and lack of control as interesting. There were points, however, at which Rule questioned the analysis represented here. She felt, in particular, that her experience with the Amnesty group was at least as much a result of class differences as her participation in the documentary. On the question of trust, Rule added the following:

Trust was something I still have in Tom ... basic good honest trust in his intent and where it resides ... his agenda is to make a film and the

filmmaker persona is a part of him and the part that is least to be trusted ...

but Tom the person I believe is intrinsically good ... and that remains so.

Rule and Zubrycki describe each other as friends and spoke in their respective interviews about infrequent but welcome contact. The intensity of the relationship during the filming of *Molly and Mobarak* has been replaced by occasional visits and phone calls.

Zubrycki responded positively to my invitation to explore the observational documentary relationship. His openness to exploring his own practice demonstrates a significant commitment to documentary ethics in itself. In commenting on my analysis of his and Rule's narratives, Zubrycki made the point that his recollections of key events differ significantly from those given by Rule. Of the airport scene, he says that 'I recall her [Lyn] giving me the information without trying to be evasive in any way'. He has different memories, too, of showing the completed film to Rule and Molly. Overall, however, he felt that the analysis captured the process of observational filmmaking. Thus Zubrycki, like Rule found the account of informed consent in the research presented here provided a valuable perspective on current practice.

Rule's reference to negative feelings, particularly guilt, were confronting for Zubrycki. In response he says: 'I admit to a certain discomfort and a recognition that at times I was dangerously close to crossing the line to being intrusive, rather than standing back and simply observing' (Zubrycki, T 2008, pers. comm., 2 November).

He argues, however, that in observational filmmaking it is virtually impossible not to become emotionally caught up in what is happening in front of the camera.

A central discovery of this research has been the extent to which the positions of filmmaker and participant are reflected in very different perspectives on filmmaking and the documentary relationship. Even though Rule and Zubrycki shared a desire to make a film that would humanise the asylum seeker issue, the different roles of filmmaker and participant brought them, perhaps inevitably, into a situation of conflict in which each attempted to act on the other to achieve their goals. Rule's attribution of guilt need not reflect unethical or improper conduct on Zubrycki's part. Rather, it is a reflection of the chasm that separates the needs of the participant from those of the filmmaker. Yet, in the midst of these tensions, this research also demonstrates how trust and mutual respect can overcome differences leaving both filmmaker and participant with positive feelings about their experience.

## Chapter Five

### Friendship, Filmmaking and Power in a War Zone:

#### *Facing the Music*

During an independent filmmaking partnership spanning more than 20 years, Bob Connolly and Robin Anderson produced five critically acclaimed documentaries for both television and cinema release. Connolly and Anderson's first three films, *First Contact* (1983), *Joe Leahy's Neighbours* (1989) and *Black Harvest* (1992), focused on culture clashes in the Papua New Guinea highlands. Their choice of subject matter and observational approach have led many to label their work anthropological (Barnouw 1993). MacBean (1994) describes their New Guinea films as documentaries about 'Otherness' and about the way in which perceptions and misconceptions surrounding the Other change over time. Connolly and Anderson's approach to observational filmmaking, guided by a commitment to observation without preconception and with minimal intervention, similarly reflects an anthropological consciousness and in the context of this study has the potential to contribute significantly to understanding the experience of documentary participation. While their final two documentaries, *Rats in the Ranks* (1996) and *Facing the Music* (2001), were shot in Australia, continuity is maintained in terms of a commitment to the observation of human behaviour.

Connolly and Anderson's approach to observational filming can be defined not only stylistically, in terms of the minimisation of narration and other filmic devices, but to a broader style of film making that Connolly (Baird 2001, p. 106) has described by the already cited term as 'active passivity':

We never interfere. We never get people to do things again. We basically don't interview people. It's sort of an active passivity ... It's a process that takes months and months and it's essentially getting to the stage where people will act reasonably normally in your presence.

Connolly's description of the couple's filmmaking practice echoes many of the ideological and philosophical arguments of the direct cinema movement (Mamber 1974). Particularly significant in terms of the experience of documentary participation is an almost total absence of formal interviews. To suggest that Connolly and Anderson developed a relatively non-interventionist filming strategy is not to imply that their films necessarily resemble documentaries of the direct cinema moment at the textual level in every respect. There is no universal ban on narration, or music, for example, and their films contain occasional references to the presence of the filmmakers. *Facing the Music*, in particular, makes significant use of music to comment on events and create a mood. But in insisting on a relatively non-interventionist style of observational filming, their work offers an opportunity to explore the experience of participation in this context.

Also significant in terms of understanding the experience of documentary participation is the evidence of Connolly and Anderson's commitment to filmmaking



at their own socio-economic level. After returning to work in Australia they sought to document the working lives of those in positions of relative power; this involved working with participants who shared their socio-economic status. While there is a documentary tradition of seeking to observe the rich and powerful and while family films, for example, have focused on the middle class, the observational documentary camera is all too often trained on those with the least power to resist. Given the nature of observational documentary, with the imposition and risk of participation, this is perhaps understandable. What we do know is that in the current documentary climate, the filmmaker's fascination with the social victim has hardly abated (Winston 2000). Connolly (cited in Brown 2001, p. 112) makes the point:

A lot of documentary-makers focus on people in victim situations, poor people, homeless people. There's very little filmmaking being done at the socio-economic level that we inhabit – the stories of our lives need to be told. More light needs to be shone on business and government, politics, media and academia.

Given the significance of power both in terms of documentary ethics and documentary theory, the work of Connolly and Anderson is particularly noteworthy. If, as was suggested in the previous case study, power relations are fundamental to the experience of participation in observational documentary, the fact that Connolly and Anderson worked with socially empowered participants constitutes an important point of difference. In *Facing the Music*, with its central character a university professor, we have the unique opportunity to explore documentary production from a very different perspective and potentially in terms of differing power relationships.

Connolly describes the couple's last two films as dealing with professionals in the context of their work. Taking this approach has implications in terms of what is filmed and where filming is likely to take place. In *Facing the Music*, for example, there is no attempt to add to the audience's understanding of Boyd as an individual through an exploration of her life outside of the University. The documentary contains only one sequence shot in Boyd's home, but the home is shown as a place of work rather than a domestic or intimate setting. Boyd is alone, her attention devoted to her composition. For the filmmakers, keeping their observational documentary making at the level of the professional is a response to the ethical dimension of observational filmmaking work. Connolly says of the decision to remain within the public sphere that:

I don't ever fool myself that what I'm doing, the collateral damage, if there is any, is OK because of a higher cause. I don't think that. That is making it a bit more difficult for me to continue with this form. I feel reasonably OK because I'm seeing people in a work situation rather than a personal situation. I don't think that observational documentaries should be made inside the bedroom or the house, I think that's the job for fiction where there's no damage and you can go into as much emotional and intellectual depth as your imagination is capable of<sup>5</sup>.

In exploring Boyd's experience of observational documentary participation in *Facing the Music*, it is possible to test Connolly's hypothesis. Is there a difference between participating in filmmaking at the professional level and the personal? And if so, how

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<sup>5</sup> Unless otherwise indicated, interview quotations from Bob Connolly are transcribed from an interview with the author 22<sup>nd</sup> April 2008, Sydney.

can we begin to understand that difference? Does the meaning of participation change with the changing context, and to what extent does this give rise to a meaningful ethical distinction?

Like the archetypal direct cinema documentary, Connolly and Anderson's films are character focused and structured around episodes of crisis. Since Connolly and Anderson are interested in exploring characters in their films (Baird 2001), crisis becomes a mechanism for revealing individuality and the mettle of individuals under stress. However, unlike their earlier films, *Facing the Music* achieves a different balance between character revealed through crisis and character revealed through an exploration of change. As a consequence of the importance of change in the film, Panichi (2001) has argued that *Facing the Music* is more character driven than *Rats in the Ranks* and, consequently, a more complex documentary.

A technical factor facilitating the shift from a crisis driven structure to a film focusing on character development is, arguably, the use of digital video. *Facing the Music* is unique in the context of Connolly and Anderson's work because it is the only work to have been shot on digital video. Beginning with their second documentary, *Joe Leahy's Neighbours*, Connolly and Anderson operated as a camera and sound recording team. Prior to *Facing the Music*, however, they worked exclusively with 16mm film. Connolly (quoted in Brown 2001, p. 110) reflects on the difference that tape makes to observational documentary practice:

With *Facing the Music* we had 160 hours – that's about three times more than we've ever shot. It was just outrageous. I reckon the ratio is one roll

of film (10 minutes) to one roll of tape (1 hour). After you shoot on film for a while you just get a sixth sense about when you are coming up to something; you start shooting before the key words are spoken. With video that sense is dulled – you just shoot everything. In this film I missed more material than I've missed in any of the other films; video undermines your sense of urgency. I have to confess on one occasion I actually nodded off – that's how bad it was. It's inevitable. You get fatigued. On the other hand, video is like a dredge net. You get a lot of stuff you wouldn't catch otherwise – no question – because you just keep shooting.

In terms of understanding the experience of observational documentary participation, the distinction between film and video takes on an ethical dimension. Working with video, the filmmaker's senses are 'dulled' and the filmmaker becomes 'fatigued', while the participant is subject to the intense observational scrutiny made possible by the reduced costs of shooting video. One ten-minute roll of film becomes one hour of videotape as the documentary maker's video dredge net captures all in its reach. Digital video allows the filmmaker to keep shooting in a bid for exhaustive observation. In the case of *Facing the Music* for example, the shift to digital video allowed the filmmakers the freedom to film every lecture in Boyd's series of lectures on the history of Western music. From the perspective of the documentary text, this material plays a number of roles. It demonstrates Boyd's passion for music and teaching while also passing comment on the unfolding political situation. From the participant's perspective, the switch to digital video is likely to be significant. The fact that Boyd's lectures were recorded has significance for Boyd that will be explored in this chapter. *Facing the Music* therefore provides an opportunity to

consider the way in which the change to digital video, with its increased shooting ratio, impacts on the experience of participation for both filmmakers and participants.

In studying *Facing the Music*, interviews were conducted with Anne Boyd and filmmaker, Bob Connolly. Boyd's interview provides a detailed exploration of her experience as participant and forms the basis of the analysis presented here. While my interview with Connolly provided some useful background material, limited time meant that it was often less relevant to understanding the documentary relationship. To place my interviews with Connolly and Boyd in further perspective, I should note that I first met both Connolly and Boyd while producing a radio documentary about Boyd's musical work. I also assisted in the recording the music for *Facing the Music*. Material collected in interviews therefore reflects my own pre-existing relationship with participants.

### ***Facing the Music: A textual analysis***

As *Facing the Music* begins, the audience is presented with a montage of shots featuring landmarks in the academic year: beginnings as hopeful students audition for their place at university, and endings as a graduation is celebrated. As beginning and ending are juxtaposed, we are reminded that what we are about to see is a small part of an ongoing cycle. Punctuating the opening sequence is a series of titles that serve to relate these rituals of academic life to the broader social and political context. Three title 'cards' are used:

In Australia, Universities have traditionally been a public responsibility.

But in recent years government funding has steadily declined.

This has affected different people in different ways.

These cards serve to anchor the film to some extent; it is a film about a University Music Department experiencing declining public support, in particular, declining government funding. While providing important background information, the cards refuse to position the film in relation to the arguments for and against cuts to tertiary funding. The ambiguity of the opening cards reflects Connolly and Anderson's commitment to filmmaking without preconceptions. While ultimately there is a very strong political message running through the film, it is nevertheless interesting to note the extent to which the filmmakers sought to avoid overt political comment.

Throughout *Facing the Music*, the musical world is contrasted with the gritty realities of the political and economic world. The musical world, peaceful and beautiful, is set against the chaos and uncertainty of the world of university politics. Inhabiting the musical realm are the department's students who appear to be uninvolved in, and perhaps oblivious to, the turmoil engulfing their department. Boyd, and her colleague Winsome Evans also, at times, are located in the musical realm. Boyd occasionally manages to snatch a moment in which to compose, while Evans is depicted in performance. Even as the political drama commences and the first of many picket lines is in force outside, the musical world is brought into being inside the music school.

In their offices, the two women are surrounded by music, Evans with her harp and Boyd immersed in a Beethoven string quartet. Boyd comments to camera that ‘it’s not clear to me what it’s all about really’, thereby dismissing the rowdy world of the picket and retreating into the world of music where both her enthusiasm and knowledge are manifest. Throughout the documentary, Boyd and Evans struggle to relate to the political world and retreat further into the musical realm. Boyd’s failed attempts at fundraising on behalf of the department are further evidence that she, like Evans and the music students, more fully belongs in the world of music. In a humorous moment, Evans admits that she is unable to use a computer. Both women attempt to negotiate between the musical world and the world of politics and administration, but the film leaves little doubt about where they more properly belong.

*Facing the Music* sets up a number of oppositions around which meaning is organised. In addition to the contrast between the ethereal world of music and the everyday world of university politics already noted, there is the opposition between masculine and feminine. In effect the film draws a distinction between the male members of staff, Allan Marratt and Nicholas Routley and the female staff, Boyd and Winsome Evans. From the film’s portrayal, Marratt and Routley exist almost exclusively in the world of university politics. They do not, in spite of being musicians, seem to inhabit the world of music but remain caught up in the political wrangling within the school and the University. Marratt and Routley argue for a departmental commitment to sustainable teaching loads while Boyd and Evans agree to take on more in an attempt to cut costs. The former play their role as a ‘supporting cast of villains’ (Panichi 2001, p. 120) who talk about falling student numbers and

budget cuts as though it were the least of their worries. Good and evil, male and female, artist and politician, *Facing the Music* makes use of these oppositions. Such textual features have the potential to be relevant to the experiences of those who are portrayed in the documentary.

As well as depicting her as a musician, the documentary focuses on Boyd the teacher. Though her series of lectures on the history of Western music, we are introduced to Boyd as both composer and teacher. She makes the point in her first lecture that the Western artist is, by his or her nature, subversive. This statement links her role as a composer and artist to the path that she will travel, from strike-breaker to activist, in the documentary. Although I have commented on the filmmakers' desire to present a film without an obvious agenda, it is also the case that *Facing the Music* is not neutral in regards to the issues it addresses. The film is rightly read as a polemic against cuts to tertiary funding, but it is through the juxtaposition of scenes and the use of music that the documentary comments on events. In one of her lectures on the history of Western music, Boyd introduces the musical concept of the tritone, the 'devil in music'. Her musical demonstration of the devil's tone provides an aural transition to the following scene, an Arts Faculty meeting. The out of tune sound carries over into the opening of the meeting serving as a comment on the state of the Arts Faculty and its budget. The audience is encouraged to see connections between scenes, with music often providing an additional layer of comment.

*Facing the Music* initially develops its narrative around Boyd's transition from union sceptic to the picket line. From her early comment, 'it's not clear to me what it's all about really', to her stirring war cry, 'It's war and we've got to win it', Boyd's



growing activism is accompanied by her increasing confidence. On the picket line, Boyd delights in convincing motorists to turn away. As lecturer, she appears to comment on her newly found political courage. She lectures on Beethoven's *Eroica* Symphony, referring to the 'heroic' key of E major and striding across the room in her own heroic fashion. Again, the juxtaposition of scenes suggests that Boyd herself identifies with Beethoven, particularly his ideas about the important role of the artist in society. Boyd writes to the Chancellor about the death of the University and says, prophetically, that 'I believe the flashpoint is near'. The film's climax is indeed near and comes in the form of Boyd's rebuke by powers within the University. Again with the use of titles, the documentary makers tell us that:

Professor Boyd's public criticism eventually provoked a response from University authorities.

At a senior staff seminar Boyd was rebuked in front of her colleagues.

Boyd's growing confidence has collapsed, just as her attempts to get financial support for the department have failed. For all her newly acquired political enthusiasm, she remains ill suited to the realities of life in the political world. In her office, a clearly upset Boyd fills in the details of her failure directly to camera. Here the documentary combines generic conventions. Boyd speaks without apparent prompting from the filmmakers. Part confession, the monologue nevertheless retains the feel of a documentary interview, a technique generally avoided by Connolly and Anderson. Intense intimacy is evident in Boyd's speech to camera. The camera gets in close and she looks almost directly at the lens, creating a feeling of raw emotion and connection

with the audience. In many respects, the rebuke appears to have been mild, yet she reports breaking down and offering to resign. A series of subsequent scenes serve to illustrate her fragile emotional state, culminating in her cutting criticism of a composition student's work.

The arrangement of sequences, often linked by a musical performance, creates a larger filmic unit in which meaning is amplified through the comparison of scenes. One such series commences as Boyd is confronted with the financial state of the department. As she attempts to come to terms with the consequences of her position, which includes not being able to tune the pianos, a piano student's recital symbolises the point of connection of the world of politics and the world of music. The series finishes with Boyd's clumsy attempts to keep the curriculum together through sponsorship. The music bookends the series, drawing attention to the connections between student recitals, requests for money and staff disagreement. In this series of scenes Boyd's discomfort with administration and politics is made manifest. Her phone call to seek sponsorship is particularly uncomfortable. This is in part a result of the fact that it is the culmination of this series of scenes that point to Boyd's difficulties as an administrator.

In contrast to Boyd's discomfort in the world of politics and administration, a similar series of sequences follows the creation of her latest composition. The work is completed and performed; it is received warmly, demonstrating Boyd's musical success. Back in the political world, Boyd seems overwhelmingly resigned to a fifty per-cent cut in the school's budget. Evans and Boyd commit to ever increasing workloads because, as Evans says, 'it's my life'. The artist, no longer heroic or

important, remains to carry on in the face of increasingly scarce resources. With the film's last titles, a sense of the impact of the year is brought into perspective:

Boyd later resigned as Head due to stress. She continues to teach in the department.

Winsome Evans took extended leave after surviving a heart attack.

In seeking to understand the experience of Boyd's participation in *Facing the Music*, it is important to consider the film's orientation in relation to the events it depicts. The film makes a strong statement against cuts to university funding. Through its use of music, the intercutting of Boyd's lectures on the significance of the artist with faculty meetings, and pervasive binary oppositions, the film makes its case for the value of the university and the value of music. While Connolly and Anderson's aspiration was to approach filmmaking without preconceptions, *Facing the Music* takes a stance in relation to the issue of university funding. In analysing Boyd's narrative of documentary participation, it became clear that understanding her experience of participation turns in large part on placing the film in the context of a broader political discourse.

Also central to understanding Boyd's experience is her relationship with the filmmakers. Viewing the film axiographically it is possible to identify moments that point to the close relationship between Boyd, Connolly and Anderson. Throughout the documentary, Boyd addresses the camera directly. As she writes seeking a sponsor for the department, she glances up to the filmmakers, seemingly seeking their advice and

approval. When confronted with the closed door of the Vice-Chancellor, Boyd shares her frustrations with the filmmakers who follow, by her side. She speaks of her shock and the meaning of events to some extent with the filmmakers in spite of their silence. Axiographically, the film demonstrates a close relationship between participant and filmmakers in the form of an implied dialogue.

Similarly, Boyd's relationship with the filmmakers is evident during emotionally intense scenes. Following Boyd's rebuke at a senior staff meeting, a series of sequences creates a sense of a growing personal crisis. The juxtaposition of scenes gives a sense of mounting crisis in which the emotional impact on Boyd is emphasised. Beginning with her tear-filled reflections on the staff meeting, the film moves to a departmental meeting that ends in argument before returning to her office for further emotional reflection on events. Axiographically, this series of scenes points to Boyd's comfort in her relationship with the filmmakers. A stream of consciousness narrative extends over several minutes. Boyd avoids looking to camera for the most part, but when she does finally look up at the end of her account, her eyes shift from Connolly to Anderson, including both filmmakers in the conversation and apparently seeking assurance and support. To view these conversations as interviews is to miss the importance of the pre-existing relationship between the filmmakers and Boyd and the extent to which a close bond facilitated moments of direct address to camera.

To make sense of these traces of the documentary relationship, it is necessary to go beyond the documentary text itself. In her narrative, Boyd speaks about her relationship with Connolly and Anderson, a relationship that pre-dated the

documentary. My analysis of Boyd's interview narrative will begin by considering her relationship with Connolly and Anderson and the impact of that relationship on Boyd's documentary experience. I will then consider the way in which the film's political message has particular significance for Boyd.

### **Friendship and trust**

When invited to explain how her participation in *Facing the Music* had begun, Boyd situates the film within the context of her friendship with Connolly and Anderson. Orienting statements such as 'I hadn't heard from them for a while' and 'they used to be close neighbours and good friends when I lived in Glebe, but then I moved up north, distance intervened and I didn't see so much of them', draw attention to the longevity and significance of the relationship. The narrative is complicated by a phone call from Connolly and Anderson, who are looking for a new documentary subject. For Boyd, this contact is viewed as an opportunity to re-establish her friendship with good friends. Having met up with Connolly and Anderson again, Boyd then seeks out the relationship when confronted with cuts to her students' music lessons. Boyd seeks out Anderson because, she needed to 'pour my heart out' to someone. 'Again' says Boyd, 'I wasn't thinking documentary' but seeking out the friendship. The theme of friendship runs centrally throughout Boyd's narrative. The following excerpts give some indication of the various contexts in which friendship features in Boyd's narrative.

I wouldn't say they ever became furniture; they were always friends engaged in the process of the academic year but there was no question of

me being self-conscious, that disappeared after about the first two weeks I think.

They were just in there every day and it was very nice. It was a very nice year. I loved it. It was lovely having them round.

There was never a question of it being an uncomfortable experience. It was always a pleasant experience to have them there. It was partly to do with the meshing of personality I think and partly because there was this trust as friends<sup>6</sup>.

When invited to reflect on the nature of the trust she felt in the documentary relationship, Boyd responds by telling a story that puts documentary trust within the context of her friendship with Connolly and Anderson. In doing so she describes the relationship as based on an emotional connection that, she notes, she does not make easily.

Interviewer: There's a lot of trust there. How would you describe that trust?

Boyd: There was complete trust. I would probably describe myself as a little bit naïve and ingenuous but I'm a very trusting person. I choose my friends carefully and I don't make friends easily. I mean I talk to anybody but to take the next step into friendship is something I don't do very often.

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<sup>6</sup> Unless otherwise indicated, interview quotations from Anne Boyd are transcribed from an interview with the author 22<sup>nd</sup> April 2008, Sydney.

Robin had rescued our cat, and that made us bonded for life. One day Robin had hopped over the fence, this is a long time before when they were neighbours, a long time before they were making the film. And this nasty man up the road decided to put our cat in a cage because it had pooped on his pot plants. And our cat was a very vocal cat and Robin knew that there was this threat. Anyway she was walking down and she heard the cat at the top of his voice and she knew what had happened. So straight away she hopped over the fence and let him out. After that, hey, they're friends for life. You've got to trust people who would do something like that for you. So, yeah, there was just complete trust between us.

This story serves to explain and justify the 'complete' trust that Boyd placed in Connolly and Anderson. In saving the cat from the 'nasty man up the road' Robin demonstrates her trustworthiness in two ways: she demonstrates a willingness to act *for* Boyd, and she establishes a range of shared values. The implication in Boyd's last statement is that Anderson's willingness to act for her, in freeing the cat, is a good indication that she would act for Boyd within the context of the documentary relationship. 'You've got to trust people who would do something like that for you'. As suggested by Jones (1996), trust is explained, in this documentary relationship, as an emotional response to an episode of shared history. Boyd's story justifies her trust in terms that are fundamentally emotional.

Like the relationship between Rule and Zubrycki discussed in the previous case study, trust depends on the establishment of a relationship that exceeds the documentary

project. In the case of Rule and Zubrycki, meeting each other's families allowed the relationship to develop. In the case of Boyd, Connolly and Anderson, the relationship preceded the documentary project. Boyd's narrative points to the importance of the pre-existing relationship in providing a foundation of trust. The story of the cat rescue also points to the importance of shared values, again a feature that was fundamental to trust in the relationship between Rule and Zubrycki. In rescuing Boyd's cat, Anderson demonstrated that she shared key values and that she was prepared to act on Boyd's behalf. Trust, the filmmakers' role as advocates, and the fact that they shared key values, are central to Boyd's experience and something to which she returns throughout her narrative.

Viewing *Facing the Music* in the context of Boyd's description of her relationship with Connolly and Anderson prompts a subtle re-visioning of the documentary text. An axiographic reading of the documentary supported by Boyd's narrative highlights the closeness and significance of the documentary relationship and is fundamental to understanding Boyd's experience of documentary participation. On the first day of lectures, as the University is in the grip of a strike, Boyd defies the picket line and goes into her office where she listens to an early Beethoven string quartet. As the strike rages outside, Boyd is clearly gripped by the music. Suddenly she looks up and begins to talk to camera. 'It's almost inconceivable that they can play so well at this point', she says. She talks passionately and there is an intimacy in the exchange. How are we to understand her apparent desire to explain the music here? One might assume that her comment is in response to a question by the filmmaker. Turning to Boyd's interview narrative, a different story emerges.



Interviewer: Sounds like a very lovely experience.

Boyd: Yes it was. They insisted on things like, there was no financial contract either other than that they insisted that they would buy meals and things like that and they were very hospitable. They did all sorts of little things that were lovely. Bob came along once with a beautiful box of Beethoven quartets. I think it even gets in the film. That just appeared magically one day. And there were little things like that that were just there.

The CD is a gift from a friend who shares Boyd's passion for music. Boyd spoke about Connolly's growing interest in music and the fact that the film allowed him to indulge his interest in music:

Bob loves music so he was particularly excited about the way I would prepare lectures and he would come and filming while I was highlighting bits of a Beethoven score and that sort of thing. And none of that's in the film because I think it's probably Bob indulging his interest.

The timing of the gift is also significant; with the strike causing tension for Boyd, the CD provides a few moments of joy and relief. The film contains traces of the way in which friendship with Connolly and Anderson provided support for Boyd during difficult times. Boyd's direct address to camera and her passionate discussion of the music are traces of her relationship with friends who share her passion and who have provided comfort at a difficult time.

**The participant's experience: 'They were always on my side'**

In Boyd's narrative, friendship and the documentary project are situated within the broader context of a work environment that was experienced as fundamentally hostile. The documentary project, which involved the constant presence of two close friends, represented a pleasant respite from hostilities within the department and University. When asked to describe her expectations of the filming process, Boyd responded by pointing out that 'apart from anything else, it was going to be nice to have two very good friends with me at a time when there was obviously going to be a difficult year ahead of us for all sorts of reasons'. Here she links her friendship with Connolly and Anderson to the broader political context and speculates on how that friendship might change the current dynamic. An important theme in her narrative is power. In particular, she speaks about the way in which the presence of Connolly and Anderson altered the power relationships around her. She displays an awareness of the film's potential to alter the political situation.

As with the other participants interviewed in the course of this research, I asked Boyd to reflect on the commencement of the documentary project. This was particularly significant in the case of *Facing the Music* because the documentary relationship developed out of a pre-existing friendship. In response to a prompting question to describe how she had become involved in the documentary project, Boyd provided a narrative account that covers a range of events and gives a sense of how she viewed the possibility of a documentary. Initially, Connolly and Anderson had expressed an interest in documenting the creation of one of Boyd's musical works, the cantata

*Dreams for the Earth*. In her narrative, Boyd expresses some enthusiasm for the idea of a documentary featuring her musical work:

I thought wow, yes, this is terrific and I would have loved the outage of the piece which would have been very good for it ... I thought there would be lots of drama for sure in putting it together, so I was very pleased with that idea.

In discussing the possible *Dreams for the Earth* project, Boyd draws a connection between the possible documentary and the profile of her new work. She also reveals an understanding of the need for documentary to include a level of drama and suggests a willingness to provide dramatic material. When this original project does not eventuate, Boyd provides an evaluative context, describing herself as ‘a bit disappointed’.

With a documentary about *Dreams for the Earth* off the agenda, Boyd mentions Connolly and Anderson’s interest in keeping abreast of developments at the University. Before a new equilibrium is established, she introduces a further complicating event. The University cancels students’ instrumental lessons. The response seems to be completely unexpected:

‘Oh’ said Robin ‘Oh, how wonderful’, which is not at all what I expected. I wasn’t phoning up for her to say how wonderful I thought she’d say how terrible. She said ‘Look, I’ve just got to go and talk to Bob, but that could be really interesting for us.

Boyd suggests that she was still very excited about the possibility of a documentary based in her department, although she recalls feeling less certain about how the film might come together:

I honestly didn't think it would be anything like *Rats in the Ranks*. I didn't know how they would get it, I thought that what was happening around us was apart from the crisis of the students instrumental lessons which of course disappeared as soon as the Dean realised a documentary film was being made, magically our students instrumental lessons were restored. Which was great from my point of view but terrible from the filmmakers' point of view.

Although Boyd was less certain about the documentary's narrative and dramatic content, she displays an awareness of the extent to which the project gave her a voice within the institution. The restored music lessons offered evidence of the extent to which the film might alter Boyd's financial and political situation. The documentary represented a chance for Boyd to reach a wider public and potentially to influence decision makers within the University. In short, for Boyd, the documentary process represented a shift in the power balance.

As a consequence of Boyd's experience of altered power relations, she began to seek out opportunities to speak directly to camera about government or university policy. Both Boyd and Connolly referred to this in their interviews.

Connolly: Like Annie for the first three months, she just went on and on and on about the Liberal Government and how it's terrible and how it's starving the University. And that never interested me very much. That was the least interesting thing to me. It's not for me to say whether the University was getting enough money or not getting enough money. What it was for me to say was 'here is this creative artist who is caught in these two situations and the sparks that are created by that are very interesting to look at and might move people emotionally'.

Boyd's outbursts to camera about the political situation were clearly at odds with Connolly and Anderson's filmmaking philosophy that privileged character over issues. What they demonstrate, however, is the extent to which Boyd had become aware of the documentary-making process as an opportunity to communicate with, and potentially convince, powerful audiences of the seriousness of her situation. She makes this point explicitly when speaking about her tendency to speak to camera early in the documentary filming process.

Boyd: And of course I couldn't behave naturally at first because I was playing for the camera a bit. And I think there were times when suddenly the situation changed and there was something of a political kind involved. And I remember thinking 'I know I can make this point through the camera'. And Bob would usually turn the camera off. I think he sensed after a while when I was doing that and he would just be uninterested or turn the camera off.

Boyd's reference to Connolly, who would 'usually turn the camera off' is a reminder that in observational filmmaking the participant and filmmaker actively define, albeit in different ways, the subject matter and boundaries of the documentary performance. At another point in her narrative, Boyd refers to an additional way in which participants might have come to learn what the filmmakers were looking for:

I remember that whenever anybody in the department dissolved into tears in front of the camera we usually got a case of wine or something of the sort as a 'hope this is going to make you feel better'.

It may be recalled here that, in her narrative about *Molly and Mobarak*, Lyn Rule gives an example of the participant setting limits on the documentary performance, by rendering recording impossible. In Boyd's narrative, we have evidence of the way in which the observational documentary participant can become aware of the filmmaker's agenda and what constitutes an appropriate type of performance. Through action and resistance, the filmmaker and participant become aware of what is and what is not within the scope of the documentary project.

*Facing the Music* was made within an environment where power relationships were significant both in terms of the University and within the Music Department itself. It is perhaps not surprising then that Boyd experienced the documentary making process as to some extent bound up in those complex power relationships. Panichi (2001, p. 120) notes the power structures in which *Facing the Music* was both made and viewed, making the point that all of the characters in the documentary are 'playing their best hand.' He suggests that the film provides a good demonstration of the ways

in which observational documentary participants use the filmmaking process as a way of making political points. For Panichi, Boyd's emotion demonstrates very effectively the dire state of her department. He poses the question: 'If this is a glimpse of unadulterated, real life, why do the on-camera participants spend so much time putting forward their points of view and bemoaning the shabby treatment they have received?' He notes the way the students 'play up' to the cameras and even that Winsome Evans manages to couple her 'tracky-dacks' with an Amnesty International T-shirt. The performances we see in *Facing the Music* are, for Panichi, closely linked to the political goals of participants. If we add to such observations the real demonstration of the power of the documentary within the context of University politics, and the way in which Boyd experienced the presence of the camera as an opportunity to communicate with a broader audience, Panichi's observations gain additional currency.

While there is little doubt that participants were aware of the documentary's role in the public debate over university funding, Boyd's interview narrative reveals an additional dimension. It points to the fact that the presence of the filmmakers and the camera was experienced on two distinct levels. In the first instance the documentary represented a way in which to speak on the issue of university funding, but in addition the presence of the crew impacted on Boyd in terms of the micro-political, the relationships between her and her colleagues. In terms of Boyd's narrative, it was the documentary's ability to alter local power relations that emerged as a particularly significant feature of her participation.

During the shooting of *Facing the Music*, as referred to in her interview narrative, Boyd's experience of documentary participation is largely framed in terms of two opposing relationships. She speaks about her relationships with colleagues as essentially hostile, while her relationship with the filmmakers is described as a close friendship. The latter are described as 'allies' and at one stage during her narrative she spontaneously describes feeling that the filmmakers were 'always on my side'. Boyd becomes animated when introducing this idea, and it is explored further through subsequent questioning. She introduces the concept in the following way.

Boyd: Oh, oh [animated] ... one thing I will say is that they were always on my side. Yes now that was interesting, that probably did affect the way I behaved. Because I don't know that it's not terribly good for one – although my psychiatrist was always on my side when I had that breakdown, she's always on my side and I really liked that, I really enjoyed that. They were really on my side and that was really nice but at the end of the day I sometimes wondered whether they should have been on my side quite as much, maybe a little bit of criticism could have been in order.

Boyd goes on to describe Connolly and Anderson's enthusiasm about her teaching, describing it as particularly encouraging. She also notes the effect of having two close allies on her relationships within the department. She describes the sense of support she felt:



Well when someone was abusive or unpleasant they'd say 'oh wasn't he a bastard' - or when I walked out of a meeting 'cos I'd had a row with Winsome they'd say 'don't you think you should go back?' But then film me saying 'no' – but there was no sense of blame just support.

Boyd also suggests that the presence of the camera and the fact that her interactions with colleagues were recorded gave her a sense of confidence.

Interviewer: You never got sick of the process or wanted it to be over?

Boyd: No, I was sad when they left. I wanted them to come back. The worst part of the film was that the filming had to finish. I'd like them to have been with me for the rest of my life. I had to go back to my lonely self when they left. And put up with the antics of my colleagues without it being documented.

Because the 'antics' of her colleagues were documented, Boyd felt that she had a safeguard from the excesses of political turmoil.

When asked to reflect on the impact of the documentary filming process, Boyd talks about the ways in which the documentary affected the relationships within the Music Department. Her narrative returns frequently to the issue of gender divisions within the department. A significant consequence of the documentary for Boyd was the exaggeration of the 'gender split' that she experiences within her workplace. She also highlights the extent to which the split became more significant after the filming and

to some extent as a result of the documentary. When asked to speak about the impact of the documentary, she returns to the fracturing of the department along gender lines.

Interviewer: did it change the dynamics with your colleagues at all?

Boyd: Yes, it changed the dynamics and that was something I hadn't quite anticipated. I don't regret the way it changed the dynamics but there were schisms in the department of which I was aware but I do think that they were more exaggerated ... The impact I think it highlighted of the division between my senior male colleagues and myself, all of whom we're all peers, but the division along gender lines, you can see that happening, became even more intense. When the chips were down the politics of that became very uncomfortable, unpleasant, there was backstabbing going on all over the place. But that's not in the film, you can see the beginning of it but it's not in the film itself.

Interviewer: Do you think the film contributed to it? Did they blame you?

Boyd: Yes I think the film did contribute to it when it came out. I think the men were quite upset that they weren't portrayed as heroes. And I think that took a bit of getting over. I think that Allan thinks that he was portrayed as a wimp, which he probably is; but I don't think, well no man with their male pride likes to be portrayed that way. And I think Nicholas comes across as a bit of a narcissist and I think that the pair of them were shown to not be prepared to shoulder the burden that Winsome and I were.

*Facing the Music* documents power relationships within the Music Department of Sydney University while at the same time becoming an integral feature of those power relationships. Panichi (2001) notes that, like *Rats in the Ranks*, *Facing the Music* makes use of a ‘supporting cast of villains’. Many of the villains in *Facing the Music*, however, remain unseen. Given that Boyd experienced the presence of Connolly and Anderson and the camera as empowering, it is likely that others within the department felt threatened by the documentary. It is possible, therefore, to interpret the absences of key characters as a form of resistance against the documentary. Boyd notes that some of the male members of staff refused to be involved in the documentary project.

Interviewer: What do you think the students made of it?

Boyd: That’s a good question. I think there were as many different reactions as there were students. Some of them played to it, some of them enjoyed it, and some didn’t. And some of my colleagues didn’t like it either. A couple of my male colleagues who shall remain nameless but it is pretty obvious in the film. And actually Allan Marett actually asked them to turn the camera off a few times. Oh, I had one other very difficult male colleague who shall remain nameless who doesn’t appear in the film and he objected.

It is perhaps unsurprising, given Boyd’s close association with Connolly and Anderson, that many of Boyd’s male colleagues sought to distance themselves from

the documentary and its potential consequences<sup>7</sup>. For those disempowered by the production of an observational documentary, refusal to participate may be the only viable way of resisting the power of the documentary.

In this analysis of the participant's narrative, I have suggested that the filmmakers and the documentary-making process served to significantly alter power relationships between Boyd and her colleagues in the making of *Facing the Music*. The documentary altered power relations on a variety of levels. It gave Boyd and her colleagues a platform from which to speak, albeit within the filmmaker's limits, about cuts to tertiary funding. On another level, it provided the Music Department with some protection from university administrators as demonstrated by the restoration of the students' music lessons. Taking our analysis to the micro level it becomes clear that, while Boyd is privileged and supported by the presence of the camera, others feel threatened. I have charted Boyd's attempts to harness the power of the documentary and her (male) colleagues' attempts to resist the power associated with the documentary project. Such plays of power are central to Boyd's experience of documentary participation.

In spite of the political situation, Boyd views her participation in the documentary as intensely positive and pleasant. In constructing a narrative around the events that followed the filming of *Facing the Music*, she emphasises the positive outcomes of the documentary. Her positive experiences of documentary participation are contrasted with her negative descriptions of the situation that eventuated once filming had finished. Within the terms of her narrative, the theme of the documentary as

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<sup>7</sup> Bob Connolly similarly referred to some male members of staff asking that things not be filmed (Connolly, B 2008, pers. comm., 22 April)

protection is particularly strong. During the filming, Boyd felt that the University placed little pressure on her and her Department. Post-filming, things changed drastically and Boyd's narrative suggests, although it is not explicitly stated, that she felt punished by her colleagues and the University for her participation in the documentary. Even in the interview, nearly ten years after the film was completed, Boyd emphasises the role of the documentary in providing her with protection.

Boyd: I think it probably gave me a bit of protection. I think the university might have shot me off to an early retirement by now if it could have. I think the film perhaps even now gives me a little bit of insurance a little bit of money in the bank.

Boyd's narrative abounds in extreme evaluative statements. The events that followed the filming were 'horrific' and 'as bad as it gets'. The end was 'dramatic' 'sudden' and 'unethical' and resulted in Boyd experiencing a breakdown. The University, free from the protective and documenting gaze of the camera, is free to retaliate.

Boyd: the politics were horrific; the way in which it was done was unethically as I've ever known a university to behave. Oh no I've actually seen it just as bad just recently at this institution. But it was pretty bad and I don't think they could have filmed that.

In resolving her narrative, Boyd points to the significance of the documentary in assuring the continued existence of the Music Department. The documentary was released at a time when, according to her, there was a renewed push to dismantle the

Department. The success and popularity of the documentary helped to ensure the survival of the Department.

Boyd: The film came out at the same time that we were resisting and then the wonderful outcome of the donation, a huge donation from a private benefactor which made it possible for us to employ three new young staff, kept us as a department in the University. We're still there in a sense, although we're part of the Conservatorium we still have a real presence and as a group of colleagues we're different and we're still a coherent academic unit.

For Boyd, the documentary that protected her from the hostile relationships with colleagues and the university administration during the filming period, continued to protect her Department following its release. She still feels that the documentary affords her a degree of power and protection within the University. In terms of understand her experience of participation in *Facing the Music*, it is important to consider the range of ways in which Boyd felt empowered by her participation both at the time of production and into the future.

### **Truth and the power of documentary**

Ethical filmmaking, for Boyd, is making an honest film. An ethical documentary is one that gives a truthful account of events. For her, *Facing the Music* is an honest documentary. She says of the work that, 'there's nothing untruthful in that film'. Interrogating what Boyd means by truth and ethics in documentary reveals the extent

to which she evaluates the film in relation to her encounter with institutional and public discourse about tertiary education and funding. For Boyd, the meaning of the film and the film's truth claims is understood in political terms. Her sense that the filmmakers were 'on her side' is extended to the documentary text itself. The text, in garnering support for her cause, was similarly 'on her side'. Truth, power and ethics coalesce as Boyd speaks about the film and its consequences.

In choosing to focus on the work of Connolly and Anderson, I was motivated by the possibility of gaining insight into the play of power within the documentary relationship. As indicated earlier, Connolly argues (Connolly, B 2008, pers. comm., 22 April) that choosing professional characters and avoiding their private lives is one way in which observational documentary can be rendered less ethically problematic. Anne Boyd, composer, University Professor and Head of her Department, is the antithesis of Brian Winston's (1988) documentary victim, and so the question arises of whether her power makes any ethically relevant difference to her experience of documentary participation. Boyd's focus on truth as central to her concept of ethical documentary shows one way in which this difference plays out significantly. For her, documentary participation becomes positive, meaningful and, ultimately, ethical in terms of her position within the University and her contribution to public discourse.

In terms of her interview narrative, Boyd makes sense of her involvement in the documentary and the way she is portrayed in the film almost exclusively in terms of public discourse. Like Lyn Rule, she accepts her role in the documentary because of a belief in the issues that the film addresses. However, unlike Rule, she seems to experience a sense of distance between herself and the character in the documentary.

Early in her narrative, in response to a question about how she felt seeing herself on a movie screen, Boyd makes the point that she was initially, shocked, ‘a bit confronted, almost frightened and taken aback’, but then goes on to talk about how she was able to distance herself almost immediately. She makes sense of her discomfort at seeing herself on screen by focusing on her role as a symbol of the impact of the political process. The character we see on the screen both is and is not Boyd herself:

Of course I cringed when I saw myself tearing up that student’s work and made her cry and I cringed when I saw that and I thought ‘gee that’s bad teaching ... oh boy, why on earth?’ But I didn’t object to it because it happened. I kept feeling that there’s a bigger story than the individuals involved in this story being told here. Something about what’s happening to humanity at this point in time and I’m simply a representative of what’s impacting on a lot of people. The whole force of economic rationalism, it hasn’t really subsided yet ... So I felt that when the film, as I say, after the initial shock of thinking ‘Oh, that’s me on that screen’ and being a bit confronted, almost frightened and taken aback. I was then able to distance myself almost immediately. And things that seemed a bit embarrassing were just me behaving as I did, reacting as I did in the circumstances in which I was situated. It could have been anybody. I sort of distanced myself and that character could have been anybody I knew in almost any department at the university, not just my own, but almost any university round the world at that time.



The scene to which Boyd refers at the opening of this narrative is particularly significant because it criticises something that is central to her identity, her ability as a teacher. However, she finds meaning even in this scene, confronting and embarrassing as it is, by placing it in its broader public and political context. For Boyd, the documentary addresses questions that are critical for universities generally, for other disciplines and ultimately for all of society. As with my analysis of *Molly and Mobarak*, the filmmakers and participant can be seen to have had goals that differ in subtle but significant ways. While Connolly and Anderson sought to make a film that explored character, Boyd's interest was in a film that contributed to public discourse. In the case of *Facing the Music* the separate goals of participant and filmmakers did not lead to conflict during the filming process. Nevertheless, Boyd's goal in participating was political and the documentary is made meaningful in terms of her understanding of the film's political success.

Where Boyd does see the film as representative of her as an individual, she acknowledges the contribution of the depiction of a complex character to the film's truth.

Boyd: [It is important] that within the editing process it doesn't just bring out the good things, I think it needs to show a mix of good and bad, the truth of the human situation. No character should be seen as all black or white because that's not how people are. I think to that extent I think this film is very truthful. That's very rare, it's very rare in any human discourse that the truth is told.

In terms of Boyd's narrative and the meaning of participation, however, it is the bigger picture that prevails. For her, the significance of the documentary itself and her participation is inextricably bound to her sense of the importance of the documentary in terms of the public discourse around the University. The documentary was indeed seen by many as a polemic against cuts to tertiary education and cuts to the arts (Baird 2001). Given the political importance of the documentary for Boyd, questions of truth are enmeshed with questions of power. What is important, for her, is that the documentary spoke on an issue that was central to her identity and in so doing provided her with a way to directly contribute to public discourse.

### **Concluding comments**

That film was made nearly ten years ago, but its presence has had a big impact on my life. There's no doubt that the circumstances of my life have probably been different because of the film. (Anne Boyd, pers. comm., 22<sup>nd</sup> April 2008)

It can be hard to grasp the magnitude of observational documentary participation as an event in an individual's life. For Anne Boyd, the course of her life has been changed by her participation in *Facing the Music*, in ways that this research has only begun to explore. One of the consequences she spoke about in her interview was the existence of the film as a memento of her life. Boyd pointed to the significance of the having a representation of her life to give to her daughter:

I think it's really nice for my daughter actually to have a representation of her mum. She says, 'you're an old trouper mum' which is really kind of nice. And I don't have any kind of documentation of my own mother of that sort and I think I would have liked to have had that ... It's there if she wants to show her children 'this is what your grandmother was like. She was a bit of an old fool at times'. But that's alright, that's what I was like.

I noted earlier the importance, for Boyd, of feeling that both the filmmakers and the documentary text itself were on her side. Boyd's comfort with her characterisation in the documentary reflects the extent to which the text reflects her values and beliefs.

Boyd spoke also about being recognised by people in the street after the documentary's release. Often people wanted to know what had happened to the Music Department after the completion of the film. For Boyd, this was another positive consequence of her participation. In exploring how she made sense of her participation, I noted earlier a tendency to distance herself from the character 'Anne Boyd' and to see the story as representative of the general struggle against economic rationalism. In speaking of the effects of the film, Boyd not only notes that the film travelled far and wide and that people recognised her in the street, she also notes the extent to which others saw the film as representing their experience:

And certainly after the film came out and I talked to colleagues after the film, I got a lot of that sort of response. People would say 'gee this happened to me' and it was people in law, people in hospitals, people in all sorts of bureaucracies that related to the story the film was telling.

Both Lyn Rule and Anne Boyd shared values and goals with the filmmakers. Similarly, both had goals that differed to some extent from those of the filmmaker. In both cases the documentary relationship is a kind of negotiated collaboration. Both participants had a sense that their participation in the documentary had the potential to achieve some good; however, in terms of trust there are differences between their experiences. Boyd's pre-existing relationship with the filmmakers, as well as her sense of their shared values, are significant in her narrative of trust. Unlike Rule, she was not asked to sign a consent form during production, but was asked to consent after seeing the completed documentary. Her experience of being asked to consent is therefore quite different to Rule's.

Also significant for Boyd is her identity as an artist and her understanding of documentary as art. This emerged when she spoke about giving her consent to the completed film. Early in her narrative, Boyd spoke of her initial discomfort when filming began. She began by speaking about feeling intimidated but then changed perspective, suggesting that being filmed by Connolly and Anderson was like having Rembrandt paint her portrait. She again refers to the filmmaker as artist in terms of giving her consent. Boyd was offered a degree of editorial control, like Rule. But unlike the latter, she did not ask for any changes, on the grounds that the filmmakers should be free to use whatever they had in their camera that was useful to the telling of the story:

And if the film was useful, anything that he had in his camera was useful to the telling of the story that he felt that he needed to tell through that material then that was fine as far as I was concerned.

On one level at least, Boyd's experience of participation in the film might be understood as a shared commitment to the creation of an artwork.

Power is central to understanding Boyd's experience of participation in *Facing the Music*, but as might be expected given the different power structures of the documentary relationship, power plays a very distinct role in her narrative. Her narrative hints at her own consciousness, and that of others caught up in the documentary project, of the significance of the documentary. In relation to people from Winsome Evans in her Amnesty T-shirt to those who chose not to appear in the documentary, both Boyd's narrative and the documentary itself speak of an awareness of the documentary and its political significance. Boyd's experience is dominated by her sense that the documentary was empowering both during the filming and in the long term. In her narrative she suggests that she feels that she was represented fairly as a character, that the film sent a good message about the state of tertiary education and that she has and continues to benefit from the documentary.

When I interviewed Bob Connolly for this research, he referred to feeling torn, as a filmmaker, between empathy for participants and a desire to capture moments of crisis. In filming *Facing the Music*, this sense of conflict between duty to the film and duty to participants was heightened by Boyd's emotional vulnerability and the

intensity of the political situation. Connolly gives a sense of how this felt from the filmmaker's perspective.

Connolly: I mean at one point in the Music Department in a departmental meeting, I couldn't film. It's the first time I've ever *ever* turned the camera off. I just didn't want to be a party to what was being said and the level of emotion and anger that was there. And I knew that I wouldn't have wanted to use it ...

Speaking to Connolly, I became aware of the extent to which he and Anderson were conscious of Boyd's emotional fragility and had adopted a duty of care as filmmakers. While Connolly and Anderson were interested in exploring Boyd's vulnerability, there was a clear sense that this could be achieved only up to a point. To quote Connolly:

I remember saying to Robin, because we were in her office every day. And she's an emotionally fragile woman and things got very messy. And I remember the two of us discussing how what we needed to do to tell the truth was to give just enough of a demonstration of her emotional fragility to make the point and if you stepped an inch over that you would be doing her in the eye essentially, doing her a disservice.

For Connolly, observational documentary filmmaking remains ethically complex. He speaks about the filmmaker's duty of care to participants as being protective, allowing

the sense of empathy to temper the filmmaker's excitement at capturing revealing moments and overall, about being responsible in representing participants.

In spite of Connolly's sensitivity, however, this research points to the numerous ways in which the filmmaker impacts on the reality facing participants. Boyd's interview provides insight, for example, into the way the filmmaker and the participant negotiate boundaries around the project. Turning off the camera and providing participants with bottles of wine served to instruct participants as to what was and was not wanted in terms of performance. Furthermore, the film affected relationships within the Music Department. While Boyd gained confidence from the support of allies, others clearly felt disempowered by their presence. The result was to magnify fractures in the relationships between participants.

## **Chapter Six**

### **An Uncomfortable Journey:**

#### *Losing Layla*

Towards the end, we wanted to put some of Layla's ashes into the sea and we decided to kayak out and do it off Byron Bay. By then Cathy and Geoff were EP of the film and they were saying 'we need some good closing sequence'. So there we were, hiring a boat and taking her ashes out. It was partly what we wanted to do but we probably would have just walked to the edge of the ocean and done it, so it was a partly staged stunt for the camera.

And we sort of threw some flowers overboard. The boat that they were filming from had a little outboard motor with it and when it turned around the flowers all got caught up in the outboard motor and it shredded them. And then they got a report that there was a baby whale in the bay and they went shooting off in some direction to go and film that and we were kind of left, shaking in the wake with these shredded flowers. That, to me summed up the experience: flowers shredded in the outboard motor of the camera boat (Gorman, pers.comm., 26<sup>th</sup> August 2008).



Vanessa Gorman told this story as a way of summing up what it felt like to live through the roller-coaster experience of producing a first-person video diary about the birth and death of her daughter, Layla. Even in this short narrative fragment, Gorman provides insight into the impact of documentary making on her experience and expression of grief. The image of Gorman and her partner, Michael Shaw, bobbing in the wake of the documentary's desire for closure becomes a way of beginning to understand the experience of creating a documentary about such an intense and personal experience. First-person filmmaking, with its focus on the self and the family, continues to appeal to filmmakers (Katz 2003, p. 327). It is important, therefore, to ask questions about the experience of self-filming, occupying the dual space of participant and filmmaker. Gorman's documentary *Losing Layla* (2001) has been included in this study in order to shed light on the ethics and experience of first-person filmmaking. What emerges from her narrative is a view of first-person filmmaking as a process of self-challenge and meaning making.

*Losing Layla*, like many documentaries, began as one thing and ended up becoming something quite different. It contains traces of many influences including feminist documentary, television current affairs, video diary and observational documentary. *Losing Layla* began life as a video diary style exploration of Gorman's relationship with partner Michael Shaw and their negotiations about having a baby. With the death of the couple's daughter, Layla, the documentary was transformed in both intensity and intent. Questions of grief and mourning are explored as Gorman and Shaw seek to make sense of Layla's life and death. *Losing Layla* offers an opportunity to explore autobiographical filmmaking as lived experience and in so doing reconsider its ethical dimension. Exploring Gorman's experience reveals the ways in which women's

experience of participation in the autobiographical filmmaking project is touched by vague yet significant notions of appropriate filmic and maternal behaviour.

***Losing Layla*: Video diary, autobiographical documentary and observational documentary**

*Losing Layla* is a hybrid work that draws on numerous traditions of documentary filmmaking. In making the decision to document her journey through pregnancy and motherhood, Vanessa Gorman was tapping into a growing documentary tradition in which the world is represented through acts of self-inscription. Taking an historical perspective, Renov (1999, pp. 84 – 89) traces a shift in responses to subjectivity in documentary. Initially something to be overcome, perhaps by a philosophy of non-intervention in the case of observational filming, the subjective has been re-valued. Renov suggests that by the 1990s filmmakers from diverse backgrounds were producing documentaries in which self-inscription had become central to the task of representing the historical world. A more personal approach to documentary has emerged with filmmakers celebrating their connections to their work.

One outcome of this growing tradition of self-representation in documentary has been the growth of an Australian tradition of independent feminist documentary. Feminist filmmakers have developed a documentary language that permits the exploration and construction of identities (Seaman 2003). Within this feminist filmmaking tradition, confession and self-performance have played a significant role in the feminist filmmaker's exploration of the personal as political (Seaman 2003; Aufderheide

1997). It is possible to trace the impact of this tradition on Gorman's work in her choice of subject and style of visual representation.

Gorman sought to document an aspect of her life that, she felt, touched upon a culturally significant truth that was being played out in the lives of many women. In speaking of her initial choice of subject matter, she makes the link between her own personal experience and the broader social context:

And then I was basically, the only personal struggle that I could think that to me was interesting, if I was going to film myself and those close to me was that struggle to get pregnant with a, what do you call it, a non-committal man. I was in this relationship, I wanted to have a baby and he kept saying not yet, not yet. To me, a lot of my girlfriends were having that struggle, as well. A lot of women were going through that same thing. So I thought it would be interesting to look at the dynamics of that whole struggle to get pregnant. Then I thought that it would be about how having a baby changes your relationships. I was going to film the birth and then a year or two afterwards to look at how it changes your life and how it changes your relationship. That was originally why I started filming.<sup>8</sup>

Gorman's decision to focus on the reproductive plight of herself and her peers through autobiographical documentary therefore links her project to the tradition of feminist first-person filmmaking. Gorman initially saw the film as an opportunity to demonstrate to reluctant men that fatherhood was nothing to be feared. In filmmaking

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<sup>8</sup> Unless otherwise indicated, interview quotations from Gorman are transcribed from an interview with the author 26<sup>th</sup> August 2008, Mullumbimby NSW.

terms, the video diary offered an opportunity to explore a form of documentary production that was both intimate and, increasingly, acceptable as a documentary style suitable for television broadcast.

It is primarily in its setting and content that *Losing Layla* shows affinities with the video diary tradition. The documentary is firmly located within the domestic sphere, inhabiting the private spaces of bedroom, bathroom and kitchen. Its focus is similarly domestic, taking as its subject matter relationships, desire and the task of reproduction. Aufderheide (1997) suggests that a key characteristic of the video diary is its presentation of an individual's experience without argument. The video diary asks the audience to acknowledge the reality of the filmmaker's experience, while leaving viewers to do the work of putting the documentary into its broader context. As a video diary, *Losing Layla* asks its audience to bear witness to the realities of Gorman's experience, recognise her reality and make space for it within the framework of their own worldview.

Dovey (2000, p. 76) has written of the voyeuristic shock of relentless self-exposure characteristic of the video diary. *Losing Layla* provides a good demonstration of the extent to which the notion of self-exposure and shock are integral elements of the video diary form. Although Gorman, a producer on the ABC Current Affairs program *Australian Story*, eschews many of the low production values characteristic of early video diary work, such as shaky camera work and grainy images, *Losing Layla* nevertheless demonstrates her awareness of the importance of intimacy and performance in the video diary form. As the film commences, Gorman's self-exposure is sexual in orientation. Introducing the relationship between herself and

partner, Michael, Gorman includes a sex scene, together with narration that speaks of ‘a wild and unconventional love’. The camera extensively explores the domestic space, capturing intimate and sometimes tense discussions between Gorman and Shaw. This is a view of the relationship that appears to be from the inside.

In contrast to the early intimacy of the partners, and intensifying the ‘shock’ of personal exposure mentioned above, is the documentary’s visually confronting portrayal of death and grief. The visual presence of Layla’s body, particularly in combination with the physical signs of Gorman and Shaw’s trauma, is both powerful and explicit (Hampel, n.d.). In the relatively conservative context of television broadcast, Gorman effectively harnesses the video diary form’s conventions of voyeurism and shock to command recognition of the tragedy of losing a child.

As with many documentaries in the video diary style, Gorman’s work takes the form of a journey of discovery. The video diary form often takes as a point of departure a crisis, be it medical or familial (Aufderheide 1997, p. 17). Gorman’s initial journey towards motherhood within the context of her relationship with Shaw is transformed into a journey of grief and recovery following the crisis of unexpected death. As well as pointing to the film’s connection to the video diary, the use of crisis and the subsequent journey as an organising principle links *Losing Layla* to the observational documentary mode.

Gorman’s experience in television production allowed her to combine the video diary mode, with its need for intimacy and self-disclosure, with an understanding of the aesthetic and discursive preferences of a public broadcast audience. She makes use of

formal, well-composed interview settings that include attention to lighting, with objects of visual interest such as candles and lamps positioned in the background. In examining the growing acceptance of the video diary as a television documentary form, Dovey (2000, p. 17) argues that, in the public broadcasting context, there has been an effective shift from Reith's 'educate, inform and entertain' to 'inform, titillate, gross out and fascinate'. Without wishing to imply that *Losing Layla* exemplifies the shift to either titillating or grossing out, it does demonstrate a growing acceptance of the video diary format within an Australian public sector broadcast context.

Given the focus of this study on observational documentary, it might be argued that the inclusion of a video diary is to some extent incompatible with the overall thesis. To what extent can the experience of participation in a video diary be compared to the experience of participation in observational documentary? At the textual level, *Losing Layla* might best be considered a hybrid form of documentary incorporating formal interviews, observational sequences and video diary material. Despite the distinctiveness of the relationship between filmmaker and participant in the context of autobiographical documentary, there are similarities that warrant an exploration of this documentary form. As with observational documentary, the video diary is characterised by filming events unfolding over time. Questions of power, consent and representation are raised by both observational documentary and video diary production. Similarly, the relationship between participant and filmmaker is central to the production process. Like the observational documentary, the video diary involves long periods of filming, a close relationship between the filmmaker and participants, negotiation and performance. Questions of trust, consent and power have the potential

to parallel those raised in observational documentary. In spite of the distinctiveness of the video diary, its ethical similarity with observational documentary justifies its inclusion in this study.

### **The ethics of filming family**

The video diary is set apart from observational documentary, however, by the nature of the relationship between filmmaker and participant. Unlike observational documentary makers, the makers of video diaries often choose to turn the camera on their family as part of their filmic self-exploration. Early in *Losing Layla*, Gorman includes a scene in which the experience of filming within the context of a family relationship is explored. While Shaw and Gorman work on renovating their home, Gorman's voice over points to the presence of the camera and some of the issues that emerged in her experience of video diary recording. In this voiceover, she makes the point that:

For the last four years our relationship had become a threesome, Michael, me and the camera. I wanted to record how my need for a baby might affect our relationship. Michael was patient with me most of the time.

Michael's gestures suggest a degree of discomfort with the filming process and from behind the camera we hear Gorman's voice saying 'It's annoying isn't it?' to which Michael responds, gesturing toward the camera: 'Well it's just that it's on all the time. I'm just trying to relax and work and there's a camera on me'. Gorman responds by pointing out that the camera has not been on all the time, 'it's just on occasionally', to

which Michael replies, ‘well is it done, can you turn it off now?’. Gorman then jokingly comments that he [Michael] has ‘gone on strike’.

Gorman’s inclusion of this scene points to the realities of participation in autobiographical documentary, inviting the audience to imagine the couple’s life within the context of the documentary project. The scene points to the intrusion of the camera into the relationship, its physical impact and the significance of its presence even when it is on a locked off shot, a technique Gorman used frequently in the early stages of filming. The scene depicts the kind of negotiation between Gorman and Shaw that was undoubtedly repeated numerous times over the three years that Gorman was working on her documentary project. Shaw’s complaints, ‘I’m just trying to relax and work and there’s a camera on me’, and Gorman’s uncomfortable attempts at justification, ‘it’s just on occasionally’, highlight the extent to which the camera and its presence have a significance for the filmmaker that is different for the family member. For the filmmaker, the demands of their creative work lead to their intrusion into the lives of others.

For many documentary makers, the act of filming the ‘other’ is accompanied by feelings of discomfort associated with ethical uncertainty. For Gorman, like filmmaker Michelle Citron (1999), autobiographical filmmaking was imagined as an opportunity to escape the problematic relationship with the documentary participant. Gorman explains her decision to explore autobiographical filmmaking with references to honest representation:



As a filmmaker, sometimes you feel like you are prying into other people's lives and you're recording things that are uncomfortable or traumatic. Particularly on a program like *Australian Story*, which is a program that I had worked on for a few years before I made this film. And you're capturing other people's grief and you keep the camera rolling while they start to cry and there's something often uncomfortable about that and it did, it felt to me like I could expose myself more honestly, like it was more ethical to expose myself than it was to expose others.

Of course, in practice the retreat to autobiography rarely provides the ethical release the filmmaker seeks. In this case, Gorman confronted the ethical dimension of first person filming in the journey of her partner, Michael.

The literature offers some clues about the experience of autobiographical, video diary production, particularly the experience of filming family. Katz (2003) explores the ethical consequences of this type of filmmaking, arguing that they are distinct because there is a pre-existing emotional involvement between filmmaker and participant. This instant rapport results, according to Katz, in the filmmaker having access to intimate details of the participant's story, details that the participant would be unlikely to reveal in any other context. Katz offers several examples of autobiographical documentaries in which the filmmaker appears both to have manipulated the participant and been prepared to disregard ethical concerns because of their close relationship. Based on his reading of several autobiographical documentary texts, he argues that the filmmaker often exerts undue influence on the family member, making

participant refusal unlikely. Informed consent is therefore undermined, according to Katz, by the nature of the relationship between filmmaker and participant.

Katz and Katz (1988) come to similar conclusions, arguing that the ability of the family member turned filmmaker to gain access to the life of other family members justifies a greater duty of care toward participants. They identify several documentaries in which family members suggest that their participation in the film is motivated by a desire to support the filmmaker in their creative project. The implication is that the family member is motivated by a familial link to the filmmaker and that he or she would not have participated in other circumstances. When the documentary participant seems to have lost control or to have disclosed too much, Katz and Katz suggest that audiences rightly question the filmmaker's ethics.

When *Losing Layla* was broadcast, it was criticised for what was perceived to be an inappropriate focus on both Layla's death and Gorman and Shaw's grief. As if echoing the concerns of Katz and Katz, Hampel (n.d.) poses a series of questions:

Very early in the wake of the news of the child's death, the Australian Broadcasting Corporation (ABC) and the Australian Film Finance Corporation agreed to fund the documentary. What would have been very interesting is to have been privy to those negotiations with board members and commissioning editors. Would the cameras have kept rolling if the ABC had not commissioned the project? What discussions about privacy and solitude in mourning took place? To what extent is the subject of the film, Layla's death, exposed on television simply because Vanessa and

Michael agreed to keep the cameras on after the death? There is also no mention of Vanessa's experience as a filmmaker, and how this would help or hinder the expression of her grief.

I consider Gorman's relationship to her own grief in more detail below, but Hampel's questions in light of the arguments of Katz and Katz raise the possibility that Shaw was effectively coerced to participate because of the significance of his relationship with Gorman.

In many respects, Gorman's account of making *Losing Layla* supports Katz and Katz's argument that filmmaking within the context of family or close relationships raises particular ethical issues as a consequence of a pre-existing relationship. Returning to the documentary text and Gorman's negotiations with Shaw over the presence of the camera, we get a sense of the latter's support for Gorman's project. Shaw expresses a desire for the camera to be switched off so that he can relax, and yet at the same time he displays a mindfulness of the importance of Gorman's project: 'Is it done? Can you switch it off?'. Shaw does not demand that the camera be switched off; instead he expresses his annoyance while according some degree the importance of the documentary project and allowing it to continue. Gorman's book *Layla's Story* (2005, p. 122) provides some further glimpses of the documentary relationship that emphasise Shaw's support for her project:

I filmed on and off over the next few years, often annoying him in the process. Because no matter how small, a camera changes the dynamic of

what is happening in a room. Mostly, even when he felt exposed or irritated, Michael was supportive.

Given the importance of the relationship between participant and filmmaker and their bargaining around the documentary, I invited Gorman to speak about the way in which she and Shaw negotiated during the project. Initially, she describes Shaw as being in ‘awe’ of her work in television and ‘supportive’ of her creative project. When asked to reflect on how she raised the subject of a video diary with Shaw, for example, her response was:

He was a bit in awe that I was a filmmaker because he hadn’t known anyone who had done that before. He was quite fascinated by what I did in life because I was working in television; I was working at the ABC at that time.

Shaw’s fascination with Gorman’s work and his desire to support her in her creative projects tends to support Katz and Katz’s argument. The participant in autobiographical filmmaking is effectively compelled to participate by their relationship with the filmmaker. In her interview narrative, Gorman frequently reflects on the discomfort of filming for both her and Shaw. In particular, she is conscious of the distress to which Shaw is subject. Tied up with feelings of anxiety and discomfort, however, is her sense of feeling compelled to continue with the project.

Gorman: The whole thing challenged me. There were a number of times where I felt, ‘Oh, I wish I hadn’t started this’. And it was onerous; it was onerous to do it. The situation was already complicated. Michael was having regrets and he was freaking out a bit about the fact that we were having this baby. And I was complicating matters by shoving a camera into the whole situation. So there were times when I kind of gulped back on my reluctance and sort of had to force the issue. And I was putting a camera into situations that were already uncomfortable. Like with him and me. There’s a scene where we’re at the kitchen table and we’re writing a list. And you can see his, his annoyance and his distress. And you can see his distress and it was onerous sometimes to record that, to put a camera into an already distressful situation.

Interviewer: And you kept going

Gorman: And I kept going, I kept going ... I had to capture the distress because I thought I would capture a man falling in love with his child. That’s the film that I thought I was making. ... And that was the thought that kept me going. I wanted to do it for women everywhere – to hold out that hope.

Gorman’s desire to keep going depends, therefore, on the film’s rhetorical potential. Her desire to demonstrate to ‘reluctant’ men that fatherhood was not something to be feared drives her to both provoke and record emotional situations. Shaw’s distress thus serves an intended rhetorical function as a point of identification with an

audience of reluctant fathers. Gorman's belief that she needed to 'force the issue' reflects a strong conviction that Shaw's transformation and its filmic force justified her intrusion into his discomfort. Gorman's desire for a child and her desire to help other women in her position provide a powerful motive for her documentary exploration of his distress.

Although this motive was important in her commitment to filming the tension between her and Shaw, Gorman also pointed to the importance of collaboration in making the documentary. For her, ethical first-person filmmaking demands extensive collaboration with family members throughout both the filming and editing stages of production. Like Tom Zubrycki and Bob Connolly, she sees the participant's right of veto as central to ethical filmmaking. While acknowledging the additional ethical dimension of filming family, Gorman describes her filmmaking as characterised by extensive collaboration. In discussing questions around ethical practice in first-person documentary that I put to her, she highlights the realities of complex power relationships including a right of veto and extensive collaboration as the means by which these power relationships can be addressed.

Interviewer: How did that [sense of family members having feelings of obligation to the film because of the relationship] play out for you?

Gorman: It played out for me mostly in Michael's journey; he watched every cut of the film and he had his say. I gave him editing rights and the same with the book, I gave him editing rights and the right of veto and exclusion and inclusion and I think that you need to do that when you're

exposing someone close to you I think that's a sort of bottom line of – you can't be completely ruthless as a filmmaker and sometimes the truth might get a bit lost or sometimes the integrity of the thing you're making might be a little bit compromised, but I think that that's the ethical bottom line that you have to tread. It's like you're taking the native soul and you're going to expose them for your own use and I think that if you're going to do that you've got to give them that right.

For Gorman, the right of veto extended much further than it did in the case of the other documentaries presented here. Her understanding of veto was not limited to giving Shaw the right to ask for material to be taken out of the film but extended to giving him a right to ensure that the documentary encompassed his perspective on events. She spoke, for instance, about having re-recorded an interview with Shaw that was important to him because it offered an opportunity to present his distinct paternal experience of infant death. Gorman was concerned to ensure that Shaw felt represented in the documentary in order to address the ethical issues raised by first-person/family filmmaking.

Interviewer: Do you think that's a problem in autobiographical filmmaking, that sense of obligation?

Gorman: I think it can be a problem. And I think that sometimes family members get corralled into being in something that they don't necessarily want to be involved in and being exposed in a way that they don't necessarily want to be exposed ... You're taking their heart and soul and

exposing them and I think that the price you should pay for that is that they have some editorial control over the finished product

Gorman's decision to involve Shaw in the creative process of documentary making reflects her search for an ethical approach to family filmmaking.

### **'This little video diary thing': The ethics of self-filming**

In addition to the filmmaker participant relationship, video diary production poses an additional set of ethical issues that have yet to be fully explored. When I asked Gorman to reflect on how she had begun the video diary project that eventually developed into *Losing Layla*, she responded with the statement that 'documentaries often start off as one thing and end up being something different'. She was almost certainly referring to the documentary's subject matter but it is also possible to read the statement as reflecting a difference between her initially tentative attitude to the project and the seriousness with which she would ultimately approach the documentary task. When she describes the beginning of the project, her narrative is dominated by themes of exploration, experimentation and play. The video diary project is linked to her desire to justify purchasing a camera, learning how to film and experimenting with what promised to be an exciting new kind of filmmaking. The relationship between Gorman and her partner, Shaw, emerges in her narrative as a safe space in which technical and performative exploration was possible. Gorman describes this early filming:



And it was very speculative and it was just him and me and the camera. So it was very intimate and really I think in those early days I was really playing around with it, you know setting it up on a tripod and filming our conversations or just having a bit of fun with it ... it was really just my little bit on the side from my real work.

The notion of the video diary project as her 'bit on the side' suggests not only the non-professional nature of the project but also a personal attachment to the project.

In the earliest stages of filming, however, Gorman describes the project as characterised by a casual attitude. Consistent with her notion of the project as 'speculative', she describes having little clear sense of what the project might involve or become. She also describes her production methods as characterised by a 'set and forget' approach to filming that privileged quantity and intimacy over any desire to achieve technical perfection:

I didn't do a big technical thing, I would just set it and forget and I wouldn't be running around changing angles. I would just set a shot and often in the final thing we'd be out of that shot and so that was actually fine, just him and me.

Without having a clear sense of what the video diary would become, Gorman's narrative highlights her assumptions about the video diary form as it would likely play out in her project. She describes the documentary as a 'video diary domestic' stating that intimacy and drama would be central requirements:

I knew also that it was a domestic drama, that it was a video diary domestic. So it was just in the bedroom, in the bathroom, in the kitchen, the pregnancy support group, the doctor's surgery, that kind of thing.

Gorman offers two potential narrative structures around which she initially thought that her video diary might have been structured. The first was to focus on the impact of having a baby on the relationship, while the second would chart Shaw's transformation from sceptic to doting father. These possible narrative structures provide both a justification for her filming and suggest events and locations for filming. Significantly for Gorman, as the stress of filming increases, her sense of having a documentary goal serves to drive her filmmaking activity.

Gorman's pregnancy represents a significant turning point in both the documentary text and her experience of participation as suggested by her interview narrative. Within the text itself, Gorman compares her pregnancy to dropping an atomic bomb in a cold war. In her narrative, she describes significant changes in her relationship with Shaw, noting that for both of them the documentary project is transformed by the pregnancy. Together with physical emotional and other changes, Gorman undergoes an important change in her experience of documentary filmmaking. On a very simple level, while her narrative account of filming before pregnancy is characterised by notions of informality, privacy and experimentation, once she becomes pregnant she begins to experience the video diary project as serious, embarrassing and frequently onerous:

But it didn't get serious until I was pregnant and then he [Shaw] probably was a bit 'Oh boy, now it's getting a bit more serious'. Before that it was just a little bit of fun.

As the video diary becomes serious, two related issues emerge for Gorman. The first is that she is compelled to involve others in the project, while the second is a change in the dynamic of her relationship with Shaw. As the filming process becomes simultaneously more public and performative for Gorman, themes of embarrassment, narcissism and discomfort begin to emerge in her narrative descriptions of documentary filming. Accompanying the seriousness of both the film project and the pregnancy, she acknowledges Shaw's growing anxiety. Her narrative also points to her own growing anxiety around the documentary task ahead. In this growing anxiety, the ethical dimensions of self-filming begin to emerge.

How are we to understand the ethical dimension of self-filming and self-representation? What does it feel like to create an autobiographical video diary? How can we begin to think about the complexity of performing oneself in this context? These are complex questions that do not fit neatly within the bounds of the documentary ethics literature. They are questions that focus attention to the filmmaker's relationship to herself without speaking necessarily of obligation. Complex as they are, such questions are nevertheless central to Gorman's experience of first-person filmmaking and for that reason are explored here.

While it may be tempting to point to Gorman's control over the camera as assuring her control over her filmic representation, this control also needs to be understood as

part of a broader process in which entering into an autobiographical project prescribes specific kinds of self-representation. In his analysis of the autobiographical documentary, Beattie (2004, pp. 105-6) reminds us that the self is not a hidden truth waiting to be revealed by the autobiographical filmmaker, but an imaginary singularity. Identity is fluid and is constantly constructed in reference to multiple others. Beattie argues, with reference to Eakin, that in representing the identity of the filmmaker autobiographical texts contribute to the construction of that identity. For Beattie, the constitution of identity is, therefore, a central goal of the autobiographical project.

In constructing the self through autobiographical representation, however, the filmmaker is constrained in significant ways. To represent oneself in documentary is to represent oneself, to some degree, within the boundaries and conventions of the autobiographical documentary form. Participating in an act of filmic self-exposure and self-inscription has the potential to become a challenging experience. The process of documentary self-creation stands in relation to an extra-filmic experience of self. To the extent that the performance of self and the experience of self are at odds, there is the potential for the filmmaking act and the eventual filmic representation of self to present a particular challenge for the filmmaker.

*Losing Layla* is a video diary whose central themes are desire, loss and grief. Renov (2004, p. 121) notes that death is a frequent catalyst for autobiographical video exploration. He argues, quoting Lacan, that:

The one unbearable dimension of possible human experience is not the experience of one's own death, which no one has, but the experience of the death of another ... that work of mourning is also profoundly an instance of self-inscription.

Extrapolating from Renov's claim, a video diary like *Losing Layla* functions as a work of mourning that is also a work of self-inscription. Renov argues that the self constructed through such a process tends to be a conditional one, figured against a ground of irreparable loss (2004, p. 120). From this perspective, making sense of Gorman's experience of producing *Losing Layla* requires some way of addressing the documentary experience within the context of the filmic and extra-filmic process of meaning making, to contemplate what it feels like to perform and, in performing, inscribe oneself in the face of the unbearable.

Gorman's narrative frequently returns to the themes of discomfort and reluctance. Her pregnancy marks a change in her experience of self-filming, with the involvement of others leading to complex feelings. In her interview narrative, Gorman suggests that the act of filming was in many respects defined by feelings of discomfort whenever it became a public act:

But when I came to film, well when I did get pregnant I started filming my check ups with a doctor that I didn't know up in Brisbane. It was intensely uncomfortable. I sort of knew that I wanted to make this film but it was embarrassing sometimes. I found a nice woman doctor and went to see her first and said 'look I'm making this little video diary thing, I don't know

what it's going to turn into but would you mind if I filmed my check ups' and it's completely bizarre going in there as a patient and setting up a camera and filming yourself being checked up. I didn't take a camera person in there. So I would say, embarrassing and uncomfortable often.

The theme of shame permeates Gorman's narrative. In describing the act of self-filming, she expresses discomfort with the very idea of filming herself, describing feelings of narcissism and self-consciousness. In her book *Layla's Story*, Gorman (2005, p. 122) writes of the experience of filming herself:

Little by little we came to ignore the camera's presence, or at least to integrate it into our reality. It was often an uneasy process as I lugged it into my doctor's office and set it up to record my check-ups, feeling narcissistic and self-conscious after a lifetime of being behind the camera.

There is, therefore, a tension in Gorman's narrative. On the one hand, she feels driven by her aspiration to tell a personal story and, in doing so, expose herself. In her interview narrative, the desire to produce a video diary precedes her choice of subject, suggesting that the desire to be in front of the camera is a real feature of her experience. On the other hand, she also speaks of the shame and self-consciousness of filming herself.

This tension is not unique to Gorman's narrative but can be traced in numerous writings on autobiographical documentary. Renov traces one history of the politics of autobiographical filmmaking. An objective documentary stance, he suggests, was

ultimately replaced by fragmented views of personal experience. According to Renov 'the clarion call to unified and collective action came to be drowned out by the murmur of human differences' (Renov, 2004, p. 177). For documentary, this shift represents a shift from direct cinema, with its aversion to self-reference, to the video diary with its constant self-reference and self-performance. Renov (1999, p. 88) argues that 'subjectivity is no longer constructed as 'something shameful'; it is the filter through which the Real enters discourse as well as a kind of experiential compass guiding the work toward its goal as embodied knowledge'. Nevertheless, while the subjective has been re-valued in documentary, vestiges of shame cling to the act of speaking of the self.

Central to the re-valuing of subjective documentary has been the feminist movement (Renov 2004; Citron 1999). In reclaiming the personal as political, feminist autobiographical documentary 'risks exposing that which the culture wants silenced' (Citron 1999, p. 273). While the political dimension of feminist autobiography has been central to the re-valuation of public self-exploration, the female autobiographical filmmaker can still find herself criticised for her narcissism (Smith & Watson 2002). The filmmaker Michelle Citron (1999, p. 273) argues that the meaning of the autobiographical act continues to be tied to gender:

I suspect that power still follows the male: on the issue of self-disclosure, the female is criticised for her narcissism, while the male is lauded for his courageous vulnerability.

Charges of narcissism are also implied in much discussion of the pleasures of autobiographical media. First-person video storytelling is often assumed to appeal to the public's interest in sensationalism and emotional exhibitionism, presenting audiences with glimpses of the normally forbidden (Dovey 2000, p. 67). Notions of appropriate behaviour in documentary self-representation must therefore be considered in relation to gender. To what extent is the female filmmaker condemned for her emotional exhibitionism or narcissism as a result of cultural norms prescribing appropriate feminine behaviour? Any differences in the reception of female and male autobiographical documentary must be interpreted against their broader cultural backdrop.

In Gorman's interview narrative, it is possible to find traces of both responses to female self-representation. On the one hand she clearly sees the exploration of women's subjective experience as a valuable political voice, while on the other hand she expresses mixed feelings about self-representation. Gorman's early expressions of doubt about the project, 'I don't know what it's going to turn into', 'this little video diary thing', suggest doubt about engaging in an autobiographical project. In her narrative, the theme of shame is associated with the public display of moments that are normally hidden. Gorman (2005, p. 128) writes for instance:

I had asked a friend, filmmaker Cathy Henkel, to film the birth. Part of me was appalled that I was letting myself be filmed in this most private, primal, out of control state.



The female body, sex, childbirth and death, women's 'unspeakable differences', are made visible in Gorman's film, and this act of making visible the invisible is associated, for her, with expressions of shame. There is a tension in her narrative between understanding the filmic representation of her pregnant body as a celebration of the body beautiful and the vestigial notion that the pregnant body is somehow primal, out of control and should therefore remain concealed.

The act of speaking of women's difference, of exploring issues that are easier left unexplored, has a complex ethical dimension. Gorman's mixed feelings about self exposure and her sense of feeling compelled to continue to demonstrate one way in which the autobiographical filmmaker can be held captive by the autobiographical impulse, compelled to travel into increasingly uncomfortable territory. Quoting Jean Rouch, Renov (2004, p. 178) argues that in autobiographical filmmaking, like *cinéma-vérité*, the camera 'becomes a kind of psychoanalytic stimulant which lets people do things they wouldn't otherwise do'. Gorman's narrative demonstrates that this pushing into the self has an ethical dimension and that there are sometimes painful consequences of taking up the task of autobiographical documentary.

The autobiographical documentary takes the filmmaker deep within herself. Citron (1999, p. 273) has argued that: 'The autobiographical work is intimately bound to the filmmaker's psyche, a site where guilt and projection lurk'. Gorman's narrative demonstrates that feelings of shame can accompany self-disclosure and self-exhibition. Shame is a complex emotion. Manion (2003, p. 22) argues that while it is generally considered to be a morally valuable emotion because of its role in upholding individual and social values, shame is also gendered. She traces links between shame

and the feminine, arguing that there is a cultural dimension to women's experience of shame. Gorman's experience of shame, as presented in her narrative, similarly suggests the significance of gender. Cultural links to shame are paralleled by cultural links between the feminine and narcissism. Women stand accused for inappropriate interest in the self and body, their stories still risk being seen as not 'worthy' material for a documentary. Frequently labelled 'confessional', autobiographical films by women are dismissed 'as being inappropriate for public display, at best self-indulgent, at worst narcissistic' (Citron 1999, p. 272). Gorman's mixed feelings both about self-performance and filmic self-representation may be viewed as an act of self-censorship in the face of discourses of appropriate femininity.

### **Psychopath and observer: Filming the self in the face of the unimaginable**

So far I have focused on Gorman's narrative about the situation prior to Layla's death. Obviously, the death of her daughter profoundly altered Gorman's filmmaking experience. While Gorman's narrative at first draws on notions of appropriate femininity, following Layla's death it shifts subtly to accommodate maternal norms. When invited to reflect on the experience of filming herself, Gorman introduced in her narrative the concept of what she refers to as a split between herself as subject and herself as filmmaker:

That's a really interesting split and I think that as subject/filmmaker you change the experience because one part of your brain is as subject and the other part of your brain is thinking 'Oh, am I out of shot now, will she be in shot, what's the sound doing?', so as a subject you are split into two. So

it's quite, it's sometimes a difficult and uncomfortable place to be. Especially with what happened with the film later, it got more and more uncomfortable.

The split that Gorman experiences as both filmmaker and subject became particularly problematic in the period following Layla's death. It becomes apparent in the narrative that the split between herself as filmmaker and as subject became both more significant for Gorman when she began to record her own grief. In her book *Layla's Story* (2005) Gorman uses two terms to describe this sense of internal split: the psychopath, although Gorman often switches to the term sociopath, and the observer. In her interview, Gorman explores her use of the term psychopath as a descriptive term that seeks to capture the experience of being both filmmaker and subject during such a traumatic period:

And as I said in the book, and I'm incredibly shamefaced and embarrassed to admit it, but about four days in at the hospital at one point I just set up the camera in a corner of the room and just put it on and filmed, just captured different things that happened.

And that was, that was just the weirdest ... it's that same thing, that split between intensely grieving mother and a sociopathic part of your brain.

And I think a lot of artists and writers have this sociopathic ... and that might be too harsh a word, but I think I said that a kind of word might be the observer. Where you participate in life but there's a part of you that is

always observing. I think that that's true of the artist or the writer or the photographer or the filmmaker, those engaged in the recording and interpreting of life, that there is often a part of life that is an observer. But it feels, in a situation like that, 'who is that psychopath in my brain that can still do this at a time like this?'

Writing about the split between grieving mother and observer Gorman (2005, p. 176) describes the observer as emotionless, implying a contrast with the highly emotional maternal:

Over the next few days, there was another observer, watching my demise without emotion. This sociopath – or to be kinder to myself, what Eastern mystics call the witness – whispered to me that the documentary had taken a 'dramatic' turn.

In the depths of shock and anguish, I set up my digicam in hospital once or twice and let it roll. I feel ashamed to admit this. It felt bizarre to record not another's darkest hour, but my own – as though I kept filming while the napalmed Vietnamese girl ran down the road, except I was both photographer and napalmed girl. Witness to my own demise.

In attempting to make sense of Gorman's feelings of being split in two and the discomfort of filming her own grief, I became aware of the extent to which, in her narrative, she constructs two opposing characters, the filmmaker and the grieving mother. In Gorman's narrative, the act of filming is associated with being

unemotional, taking a detached or non-participatory stance or simply not feeling anything. The filmmaker therefore stands in stark opposition to the grieving mother. Gorman speaks about her ability to keep filming as a need, almost a compulsion, while suggesting that to do so was in some respects a perverse activity. In her narrative, the fact of filming her own suffering becomes evidence of the psychopath's amorality. Gorman is confronted by her ability to continue filming in the days following Layla's death. Feelings of shame emerge from the gulf separating the observer from the 'appropriate' maternal response in the face of ultimate loss.

In response to Gorman's description of filming immediately after Layla's death, I asked her to describe the experience. Conscious of the literature around family filming, I asked her to reflect on the response of others to the presence of the camera. Although her response suggested that family and friends were, predominantly, comfortable with the filming, one line, 'I'm sure some of them probably thought it was odd', prompted me to explore the situation further. In speaking with Gorman, I got the sense that filming in the hospital was challenging on a number of levels and that exploring her perception of the reactions of others might reveal some of the complex ways in which filming challenged Gorman herself:

So they all seemed fine ... and if they weren't they didn't tell me. Yeah, everybody seemed fine about it. And Michael's family as well seemed fine about it. And I'm sure some of them probably thought it was odd..

Interviewer: What makes you say that?

Gorman: Well, it's an odd thing to do. It was a very odd experience the whole thing. The fact that she had died and we were still there, with the camera and probably, I probably didn't address that enough in the film.

Interviewer: But you were saying that you thought that some members of the extended family might have felt uncomfortable. Was there anything that gave you that sense?

Gorman: No. I just remember that when Michael's family came in, I think the camera might have been set up in the corner of the room on a tripod. And I think in the footage I saw one of them kind of glancing at it [laughs] you know askance probably. But look I'm imagining that they probably thought or might have thought that it was a little strange, but nobody said anything to me directly.

This small narrative points to Gorman's sensitivity about her decision to keep filming after Layla had died. Imagining herself from the perspective of family members, Gorman is conscious that they may not have understood, or may have been critical of her decision to continue filming.

Gorman's sensation of feeling torn between grieving mother and psychopath continued beyond the filming stage. As her interview narrative shifts to describe the post-production stage, its emphasis changes from surprise at the extent of her detached self, 'who is that psychopath in my brain that can still do this at a time like this?', to fear that the detached observer may come to dominate. Gorman frequently

expresses a sense of fear that the post-production process with its call for ‘cool detachment’ might somehow win over the grieving mother, erasing the authentic experience of maternal loss. She says of the post-production process:

And I was really worried that I was going to become immune to what had happened and immune to seeing my daughter’s body on the screen; I was going to get sick of it. That I was going to see it so many times that it was going to become commonplace and lose all sacredness to me. But it didn’t. I think we had a tight edit schedule and we just had to get it done. And I do remember crying in the final sound mix, I remember watching it through and crying and I felt glad that I could still feel something watching it.

The vision and sound mixes were spectacularly schizophrenic experiences. Sitting there looking at a frame of my daughter’s dead body on screen, my heart thumped sickeningly, but the witness carried on the discussion about cropping the shot or upping a sound effect.

Shame, death and the maternal are key themes in Gorman’s narrative. Feelings of shame accompany her role as detached and sometimes exploitative filmmaker. Shame accompanies the act of showing that which should not be seen, and also the possibility that she might profit from Layla’s death. In her book, Gorman (2005, p. 226) writes of feelings of shame at her ‘base’ motives: ‘she [Layla] spoke up inside me, telling me it was alright for the project to meet all my needs, that it could provide everything I longed for, no matter how base those motives seemed’. Again traversing Gorman’s

book is the tension between ‘appropriate’ maternal behaviour and the behaviour of the filmmaker/observer/ psychopath. She writes (2005, p. 177):

Only six weeks after losing Layla, I found myself standing on a rainy street in Byron, handing a courier the proposal package and crying bitter tears. Only six weeks old and I was sending my baby into the arms of strangers who would talk about above and below-the-line costs when they talked of her existence. I imagined a time when the film would be delivered to the offices of some magazine and someone would shout, ‘who wants to review the dead baby film?’

When Gorman writes here of sending her six week old baby ‘into the arms of strangers’ she again calls attention to her experience of a split between filmmaker and mother. From the perspective of mother, she views the actions of the filmmaker as detached, uncaring and self-serving. The filmmaker/observer/psychopath inhabits the media world full of strangers with their callous disregard for the sufferings of others. In seeking to produce a documentary about her experience Gorman undergoes the double shame, the shame of showing herself and the body of her dead child, and the shame of making a film to address her own needs. Ultimately, for Gorman making *Losing Layla* was not a simple matter of turning on the camera but a complex emotional journey in which shame is central.

The media are often accused of displaying an indecent fixation on death and a hunger to display the corpse as signifier of the ultimate end (Fishman 2003, p. 54). In spite of assumptions about the media’s fixation on death, numerous studies point to the



media's reluctance to include images of the corpse (Fishman 2003; Silcock, Schwalbe & Keith 2008) Fishman's study (2003, p. 57) of photojournalists attitudes to images of the corpse point to an understanding of the corpse image as a source of 'shock and pain'. Fishman found that within the news media a range of proscriptions function to shape representations of death. Although technically able to produce corpse photographs using telephoto lenses, photojournalists tended to use a variety of techniques to conceal or displace the corpse. Fishman concludes that among photojournalists, there was a strong sense that the corpse represented a kind of 'indecent spectacle'.

Vaughan (1986, p. 118) writes of documentary makers reluctance to show horrific images and the desire to 'tone it down a bit', and speculates that perhaps some things are made more difficult to watch by being visually represented because they demand that the audience conceptualise the world in a certain way:

The horror of a documentary can lie in our being required to conceptualise (or – if there were such a word – *perceptualise*) the world in a certain way and being, at least for the duration of the film, powerless to intervene in it.

Extrapolating from Vaughan's argument, it is possible to see how the corpse, particularly the corpse of the infant, becomes even more horrific when represented visually in documentary because it demands that the audience both visually and conceptually acknowledge the reality of infant mortality, something increasingly beyond the experience of the Western audience.

Gorman herself expressed concerns that images of Layla's body might be too confronting for the documentary audience. Far from concealing Layla's body, or seeking to depict the body at a distance, she allows it to remain central. Close up shots force the audience to engage with the body as both symbol of both life and death. In a culture used to denying the reality of death and rendering the dead body absent, Gorman depicts Layla's body as an object of love, something to be bathed, caressed and carried. Layla's body provides images that challenge by being beautiful and yet signifying the unimaginable. Images of Layla's body carry multiple meanings and Gorman's decision to depict the body reflect her understanding of Layla's purpose, a point I will return to, as well as feelings of maternal pride.

Just as *Losing Layla* confronts assumptions about death and its representations, it also challenges notions of maternity. The media are not only concerned to establish an appropriate response in the face of death, but have also traded in constructions and descriptions of appropriate maternity. Goc (2007) traces the way in which the media has constructed maternity as a polarised discourse. She argues that the media has idealised the maternal and in so doing has created a discourse that positions the mother as either Madonna or Medea. In stark contrast to the eternally caring Madonna, the monstrous mother is characterised by a heartlessness that results in the most horrendous and cruel behaviour directed toward the child. In a media environment in which such values circulate, Gorman's experience as filmmaker and mother begins to take on an extra dimension. If the ideal mother is perfectly caring, then the mother who experiences feelings of detachment suggests the Medea. If the ideal mother is always protecting, then the mother who sends her child into the arms of strangers stands in opposition. In order to appreciate Gorman's feelings of shame

associated with her motivation for making the documentary, these broader discourses around motherhood and appropriate feminine/maternal behaviour become relevant.

### **Autobiographical documentary and meaning making**

Gorman's feelings of shame, both the shame associated with showing and that associated with her internal 'sociopathic' observer, remain to be contextualised in terms of her experience of autobiographical documentary as meaning making. Renov (2004, p. 128) writes of the focus on death in first person media that the film or tape often functions 'as a work of mourning both for the artist and for a community of others who share the experience of loss'. Gorman's narrative of documentary experience in relation to *Losing Layla* demonstrates that filmic self-expression in the face of grief can be more than an act of mourning; it can emerge as a process that renders the death meaningful.

Gorman's initial desire to continue filming after Layla's death is grounded in a memorial desire, the desire to 'make memories' and preserve a trace of her daughter's physical existence. Within her narrative, however, the filmmaking act stands out as a way in which Layla's death is rendered meaningful:

But I felt later that it was in one sense pre-ordained. That it was supposed to be, that Layla had a purpose, that she always had a purpose and that she came through me for a reason and it was to do with, this was it, and I didn't discover that till later. But when I look back I think, 'OK that's why I had this compulsion, there was something that was meant to be

happening here, it was ordained in some way.’ But that’s getting too Mullumbimby and esoteric for now.

Although dismissing her feelings of being compelled to continue with the documentary project as ‘esoteric’, Gorman links them with a sense that ‘Layla had a purpose’. Public response to the documentary becomes, in Gorman’s interview narrative, evidence of the good resulting from Layla’s death and from her documentary drive. In the context of this narrative, Layla’s death gains meaning through broadcast. The impact of the film contributes to Gorman’s ability to make sense of and come to terms with what has happened. Hample’s (n.d.) questions about the impact of ‘keeping the cameras on after the death’ in terms of Vanessa’s experience and expression of grief are usefully addressed, in the long-term at least, by Gorman’s narrative, which centres on the documentary project as a meaningful expression.

### **Concluding comments**

Gorman, like Lyn Rule, found the experience of reflecting on her experience of documentary participation valuable. In response to the analysis presented here, Gorman said: ‘It was interesting seeing my own ‘shame’ and discomfort reflected back to me’ (Gorman, V 2008, pers. comm., 5 December). She went on to suggest that Australia’s culture further adds to feelings of shame in self-filming. The so-called ‘tall poppy’ syndrome potentially leaves filmmakers uncertain about the act of putting themselves forward in such a public way.

In addressing questions of ethics in first person filmmaking, documentary scholars have primarily considered the extent to which the familial relationship impacts on the family member's ability to consent to their participation. Studying Vanessa Gorman's documentary and her narrative, a more complex ethical dimension is opened up. In terms of her documentary relationship with Shaw, there is evidence that the familial relationship was a motivating factor. Although initially motivated by the thought that filming herself offered a release from the ethical complexity of documentary, Gorman became aware of a need to protect Shaw. Gorman and Shaw's relationship cut both ways in the making of *Losing Layla*, serving as a foundation for Shaw's participation and also for Gorman's desire to give meaningful voice to his experience. Gorman's concern to give him control over his documentary 'self' emerges from her understanding of the ethics of first-person filmmaking. Of course, this two-way concern cannot be guaranteed, but it should stand as a caution against assumptions of participant exploitation at the hands of their filmmaking relatives. Gorman's narrative also draws attention to the important ethical dimension of the experience of documenting one's self. Her story provides insight into the impact of broader cultural domains in the context of autobiographical filming.

The ethical questions raised by self-filming highlight the ways in which self-inscription is mediated by a cultural industry, the extent to which some spaces are made available for self-inscription while others are foreclosed and the degree to which audience reactions to autobiographical filmmaking are influenced by broader media culture. Although these questions may initially seem distant from the questions of documentary ethics, they are at the heart of Gorman's experience of documentary participation. Gorman's narrative demonstrates the importance of considering issues

around the impact of self-filming and questions of harm. If the goal of documentary ethics is to understand and minimise harm, then exploring the ethical dimension of self-inscription within the context of autobiographical filmmaking is central.

## **Chapter Seven**

### **Re-Viewing the Ethics of Observational Documentary**

In the contested exchange of glances, in the comfort of dear friends and in the awkwardness of filming oneself, what is ethics? The narratives emerging from this research have not been tales of regret; they have not been stories of harms suffered or damage done. They have been fundamentally positive stories of meaningful engagement in the process of observational documentary making. The narratives presented here draw our attention to the collaborative nature of observational filmmaking and the interdependence of filmmaker and participant. On a very basic level, this study points to the ethical sensitivity of documentary makers and cautions against pessimism in documentary ethics. It has been an exercise in thinking differently about the ethics of documentary. The challenge of such research is to make sense of disparate visions in order to consider the question ‘what, in the end, is ethics?’ This final chapter offers further reflection on the material presented in the previous three chapters in order to explore commonalities, which is not to suggest universalities, in the three documentaries studied. Its aim is to construct an ethic of documentary that can take the contested glance, not as evidence of unethical practice, but as ethically significant.

The case studies demonstrate the kind of contribution that qualitative empirical research can make to the discourse of documentary ethics. The documentary text, so

often the benchmark against which the documentary maker's ethics are judged, offers only a partial glimpse of the complex relationship that produced it. Nichols' (1991) axiographic theory is challenged by the contextual detail revealed through empirical research. While acknowledging a significant debt to Nichols' work, the thesis makes a crucial break with his approach by looking simultaneously at and beyond the documentary text. At the level of the text, Lyn Rule's glances to camera are ambiguous, and Connolly and Anderson's prior relationship with Anne Boyd is invisible, as are Gorman's feelings of shame. In this chapter, I will further consider the role empirical research might play in documentary ethics.

### **The documentary relationship**

Documentary's ethical domain is altered by the filmmaker's mode of engagement with the world and with participants (Nichols 1991, p. 89). In the case of those documentaries involving long periods of filmic surveillance, sometimes during difficult times, the relationship between participant and filmmaker can be particularly significant. As noted earlier, Brian Winston (1995, p. 46) has commented on the lack of research into the relationship between filmmaker and participant in spite of its importance to understanding documentary ethics. The case studies presented here begin to fill in the gap identified by Winston. The longevity of the documentary relationship is evident, with participants and filmmakers speaking in terms of ongoing friendship. Lyn Rule spoke in her interview about her relationship with Zubrycki, his wife and his son. She also referred to Zubrycki's ongoing relationship with Molly and with her son, Tom:



I have an ongoing relationship; Molly does too. If he's in Melbourne he'll contact her and they'll see each other. And he rings me; he always does the Christmas ring. He's a bit of a sentimentalist I think; he's very sentimental about his 'subjects'.

Affection and familial interdependence characterise the ongoing relationship between Rule and Zubrycki. Similarly, Anne Boyd describes an on-going relationship with filmmaker Bob Connolly. Her narrative is grounded in her prior relationship with the filmmakers, whom she describes as friends and neighbours. A shared past, including a shared act of kindness, prompts Boyd to reflect on the significance of her friendship with Connolly and Anderson. For her the filmmakers were friends, allies and confidants. Although the relationship has changed with the passing of time, the participants and filmmakers interviewed for this study continue to describe themselves using terms of friendship.

One feature of the documentary relationship that has become evident in the examples studied is its intensity during the filming period. Zubrycki, in particular, refers to the pressure filmmakers feel to establish a rapport with potential participants. As noted in Chapter Two, in the research interview he identifies the need to be attentive and empathetic while working to make oneself 'interesting for the other' and speaks of a need to make what is an 'artificial connection' as strong as possible in order to establish the kind of co-operative relationship needed for observational documentary. The intensity of the documentary relationship is driven by the filmmaker's need to ensure access to the unfolding narrative. Yet the filmmaker's agenda is mitigated by his or her orientation towards the participant's needs. Winston (2000, p. 141) asks the

question, ‘is it possible for a participant to be more exploitative of the film-maker than he or she is of them?’, suggesting that in such cases the consent defence is invalidated. This research points not to mutual exploitation but to the correlation of various interests and needs. Lyn Rule was motivated by her political agenda, as well as her position on the periphery of the Amnesty community. Boyd speaks about the importance of the way in which the documentary process affected her politically. Zubrycki notes the significance of the participant’s agenda:

You do want something from the relationship so you’re trying to convince the other person to be involved. The other person may be interested for a whole range of other reasons. Maybe it’s to help promote a particular issue that might be relevant to them or maybe it’s to do with their family. So they have an interest in the process and I think that’s the secret ... one of the reasons may be that they’re simply curious and they like you and they want to have something in their life that’s a little bit different.

The intensity of the documentary relationship reflects a realisation on the part of both filmmaker and participant that there is much to be gained on both sides by pursuing the relationship.

Given that the documentary relationship is oriented towards meeting the needs of both filmmakers and participants, a positive experience of participation is likely to reflect the satisfaction of those needs for both parties. The case studies presented here tend to support this argument. Lyn Rule felt that *Molly and Mobarak* made a positive

contribution to the refugee debate and Anne Boyd viewed participation as a source of professional support and validation. Although Vanessa Gorman struggled with the idea of making a documentary to meet her 'base' personal needs, it was nevertheless an important motivation. This study therefore suggests that focusing on the needs of both filmmaker and participant, and being oriented toward meeting those needs, is likely to lead to a positive experience of documentary participation.

This study also points, however, to the complications that arise as both filmmaker and participant attempt to meet their individual needs. In spite of general agreement about the goals of documentary production, the interests of filmmaker and participant sometimes come into conflict; the documentary relationship can also be contested. Zubrycki, for example, spoke in his interview about his interest in capturing conversations between Molly and Lyn Rule. Lyn Rule, however, focused her narrative around moments of resistance and her rejection of Zubrycki's filmmaking agenda. She was determined, for instance, to prevent Zubrycki from filming her conversations with Molly. Anne Boyd's narrative points to the way in which the filmmaker makes the participant aware of their filmmaking agenda; political speeches might result in the camera being switched off while an emotional outburst might lead to the gift of a bottle of wine. Filmmakers and participants are engaged in ongoing boundary setting and negotiation over access.

The intensity of the documentary relationship during the filming phase, as explored here, gives way to a more distant friendship once filming finishes. Although the filmmakers and participants interviewed for this research described themselves as friends, they do not have ongoing or regular contact. The participants interviewed

expressed regret at the lack of ongoing contact. In Rule's narrative, the end of filming marks a return to normal life, although it is a life that is marked by absence, with Zubrycki and many of the refugees leaving town. Zubrycki also acknowledges the end of the intense relationship characteristic of the filming stage:

They're [the participants are] often surprised when the thing is over and you've reverted back again to you ordinary everyday persona and things are a little bit different and there isn't that passion and attention that they get all the time. You feel bad because you haven't seen them you haven't called them up as much as they would have liked.

The end of the production period is accompanied by a change in the intensity of the relationship that can be experienced as a loss for the participant. Anne Boyd described the end of the filming period as 'sad' and the return to normal as going 'back to my lonely self'. The narratives presented here speak of the documentary relationship as motivated by a vision for the documentary project and characterised by intensity, ongoing negotiation about the project, and finally, an end point at which the relationship changes significantly.

The documentary relationship, particularly in the context of observational filmmaking, is one with few parallels. The main characteristics of the relationship identified in this study, the intense relationship involving shared yet contested goals, suggest the importance of trust. Similarly, the ongoing negotiations that surround documentary participation draw attention to the way in which power circulates in the documentary relationship. Trust and power are important themes in the narratives of

participation created in the course of this research. These themes will now be explored further with the aim of drawing connections within the case studies and between the case studies and other literature.

### **Trust and observational documentary**

Observational documentary is authentic only where a trusting relationship exists between filmmaker and participant. Despite the importance of such a relationship to documentary production, particularly in observational modes, little is known about the nature of documentary trust. Similarly, trust has been under-theorised in media studies (Bakir & Barlow 2007). The case studies presented here offer an opportunity to explore trust in this unique context. Is trust in the documentary relationship like that placed in a close friend? How does it compare to the trust placed in institutions? When documentary trust is compared to other forms of trusting relationship, points of similarity and difference emerge.

Trust is an important part of modern life. Individuals routinely place trust in institutions, strangers and enemies as well as family and friends. To trust someone is to trust them *with* something (Baier 1997). We must trust others because we need their help in order to create and protect those things that we value. We must also trust others to know how best to care for the things with which they have been *en-trusted* (Baier 1997). When a participant is engaged in the process of observational documentary, he or she must trust the filmmaker with some of their most cherished goods including reputation, personal knowledge and image. Because trust involves entrusting such valuables it is closely linked to vulnerability. The documentary

participant, in trusting the filmmaker, becomes vulnerable and risks the loss of these core goods.

Like friendship, documentary trust can involve mutual, often intimate, disclosure. The documentary maker's desire to know the participant and gain access to intimate moments, together with the participant's interest in the documentary project, create the conditions for self-revelation. Although much writing on trust in modern societies focuses on depersonalised trust, Giddens (1992) has argued that personal trust, the kind existing between individuals, has not been eroded by modern social structures, but remains significant. He distinguishes personal trust from trust in institutions by noting that the former must be actively built by engaging in relationships that involve the mutual opening out of the self to others. The present study points to observational documentary trust as characterised by a mutual opening of the self to the other. Trust is built over time and depends upon shared values and a shared sense of the good that the documentary project seeks to achieve.

Lyn Rule's narrative provides an account of her developing trust in Zubrycki. Trust was not immediately given but built gradually over several months, and Rule refers to a period in which she had 'a quasi-trusting relationship with Tom'. Central to her narrative about trust are interactions with Zubrycki away from the documentary project. These interactions serve to demonstrate Zubrycki's values and to create situations in which he becomes vulnerable. Particularly significant for Rule was coming to know his parents, which she describes in terms of an exchange of valuables occurring when, as noted in Chapter Four, he 'invited me into his life and trusted me with his family'. Rule experiences her relationship with Zubrycki's parents as

something that she has been entrusted with. Her knowledge of his family renders him vulnerable in the context of the relationship. Her description of placing trust is therefore consistent with Giddens' (1992) description of personal trust in that it is characterised by a mutual opening up of the self to the other. Zubrycki similarly emphasises the two-way nature of documentary trust:

It's almost like it's a process of seduction in some ways ... it's got to be reciprocated if you don't get any feeling from that person then it's hard to build that relationship and keep it alive and going for a period of time which is what you want to do.

If placing trust in another is to *en-trust* them with something of value, central to it is the assumption that the one trusted will display goodwill towards the one trusting (Baier 1997, p.608). Misztal (1996, p. 22), for instance, describes trust as each party's belief that they can rely on the other to consider their needs, interests and preferences. Lyn Rule described documentary trust in similar terms.

Interviewer: What is trust? What do you think it is? Because this documentary subject relationship is odd.

Rule: It's probably to do with knowing that that person that you have the relationship with, will not knowingly betray you with the knowledge they have of you. You know when people have knowledge of you and they can turn it around and use it against you.

I noted in Chapter Four that trust in the relationship between Rule and Zubrycki reflected the different ways in which each was vulnerable in the documentary relationship. In this description of trust, Rule identifies knowledge of herself as the good with which she has entrusted Zubrycki. Even though Zubrycki defines trust in terms of cooperation – ‘getting their trust is really getting a person’s co-operation’ – he nevertheless displays an awareness of the extent to which the participant trusts him with something cherished. The participant’s cooperation depends on a sense that the filmmaker is sensitive to his or her need to ‘come across in a particular way’. Again the good entrusted to the filmmaker is knowledge of the participant, expressed here as control over the participant’s image.

In trusting Zubrycki with knowledge of herself, Rule makes herself vulnerable to the possibility that he will ‘betray’ her with that knowledge. Betrayal in the context of Rule’s narrative can be understood, drawing on Misztal’s (1996) description of trust, as a failure to consider the participant’s needs, interests and preferences. As noted in Chapter Four, Rule had a second way of understanding documentary trust based on shared values.

Rule: You know when people have knowledge of you and they can turn it around and use it against you.

Interviewer: So you’re allowing them to know you in this very risky way of knowing you?



Rule: Yeah and knowing that that trust is there, that that person will hold your beliefs and feelings as sacred really. And I had that with Tom. I do trust him. I think he's naughty and but that's because he's a filmmaker.

Lyn Rule links both descriptions of trust in her narrative, suggesting that for her there is a connection between not betraying the participant and respecting his or her beliefs and wishes. In linking these two ideas, Rule is defining trust as a belief that the filmmaker will not betray her and then defining betrayal as a failure to take into consideration the participant's views and wishes. Her understanding of trust points to the significance of goodwill, namely the filmmaker's goodwill toward the participant and the need for the participant to feel that his or her beliefs and values are respected.

Like Rule, Boyd speaks about trusting the filmmakers with intimate knowledge. She frequently refers to the trust she placed in Connolly and Anderson. When asked to elaborate on her understanding of trust, Boyd responded with the following:

Occasionally I would go home at night and think 'gee, I hope that doesn't go in the film' because I would have had some dreadful explosion or said something really stupid or embarrassing and I would think 'no, they won't put that in it was too silly' and there was just a sense of trust.

In allowing Connolly and Anderson to record every conceivable dispute and slip, Boyd trusted the filmmakers with her reputation. Acknowledging the extent of the trust she placed in him, Connolly spoke in terms of owing a duty of care to her.

Interviewer: So when you talk about your escalating duty of care, what does that mean to you?

Connolly: I think it's to do with being protective. In the case of Annie, I remember saying to Robin, because we were in her office every day. And she's an emotionally fragile woman and things got very messy. And I remember the two of us discussing how what we needed to do to tell the truth was to give just enough of a demonstration of her emotional fragility to make the point and if you stepped an inch over that you would be doing her in the eye essentially, doing her a disservice, she would look bad.

While conscious of his role as filmmaker, Connolly demonstrates a concern to present Boyd in a way that is consistent with her values.

Anne Boyd's narrative about the rescue of her cat from the 'nasty man up the road' is given as a justification for placing trust in Connolly and Anderson. I suggested in Chapter Five that this story provides two explanations for placing trust in the filmmakers. The story demonstrates Anderson's willingness to act on Boyd's behalf, even where that involves some personal risk. It also points to the importance of shared values. Jones (1999) argues that personal trust is best understood as an attitude of optimism on the part of the one trusting that the goodwill and competence of the other will guide their actions. Jones also points to the importance of emotion in placing trust, suggesting that trust is an affective attitude. Boyd's story highlights the emotional dimension of trust. Her cat rescue story demonstrates her optimism in relation to the documentary relationship. She is confident that the filmmakers will

take risks to ensure that her image is 'rescued' should the need arise and that the filmmakers will continue to act on her behalf, taking her wishes and values into consideration. The story of the cat is therefore significant because it highlights the emotional aspect of documentary trust.

In addition to highlighting the emotional side of documentary trust, Boyd's cat rescue story demonstrates the importance of shared values as a foundation for trust. In analysing Boyd's narrative, I suggested that the rescue of the cat stands as evidence both of Connolly and Anderson's willingness to act for Boyd and their shared values. In studying both *Facing the Music* and *Molly and Mobarak*, it has become clear that the participants have goals in participating in the documentary project and that these goals align, for the most part, with the goals of the filmmaker. To the extent that goals do not align, as in Rule's 'stolen' moments or Boyd's manifestos to camera, the relationship between participant and filmmaker becomes contested. Nevertheless, this study points to the importance of negotiation as a way in which filmmaker and participant preserve common ground, making documentary production possible.

I have argued that documentary trust is best understood as the participant's optimism that the filmmaker will be guided by sensitivity to the participant's values, beliefs and wishes in relation to the good with which they have been entrusted. When we turn to Gorman's experience of first-person filmmaking, another dimension of documentary trust is revealed. In Chapter Six, I suggested that, for Gorman, filming within the context of her relationship with Shaw was qualitatively distinct from filming outside of that relationship. Considering this difference from the perspective of trust provides a degree of explanation. Although Gorman controls the camera, and therefore does

not trust another in the same way as do Boyd and Rule, engaging in documentary self-inscription nonetheless requires trusting various others.

In order to understand the nature of trust in first-person filmmaking, it is valuable to consider the role of trust in early development. Misztal (1996) argues that trust is essential for the development of self-identity because it provides the security, stability and safety required for self-development. Trust may be similarly necessary for first-person filmmaking in that it creates a suitably safe space for self-exploration and self-inscription. Gorman's description of filming within the context of her relationship with Shaw draws attention to the comfort and safety she felt:

So it was very intimate and really I think in those early days I was really playing around with it, you know setting it up on a tripod and filming our conversations or just having a bit of fun with it.

In contrast to the safety of filming within the context of her relationship with Shaw, Gorman's narrative suggests a degree of uncertainty about the extent to which others understood or were supportive of her project. In describing the reaction of Michael's family to her camera, she says: 'I think they [Michael's family] were quite supportive of it. I don't know how they felt about it in the days after Layla's death when they were there'. Gorman's narrative suggests that she experienced a degree of uncertainty when her filming involved people outside of the relationship.

I suggested in Chapter Six that Gorman's feelings of shame reflect cultural norms that discourage self-performance, particularly that of women. One way to appreciate this

phenomenon is to consider the role of trust in first-person filmmaking. In order to engage in this form of documentary it is necessary to involve others, both family members and strangers. Including others requires entrusting them with the documentary project, trusting that they will react positively to the performance of self required in the context of first-person filmmaking. Given that, as argued in Chapter Six, there is a degree of uncertainty about the first-person documentary, particularly when it comes to women's filmic self-exploration (Citron 1999), Gorman could not be sure how others might react to her project. In terms of trust, while the relationship with Shaw provided grounds for placing trust and therefore constituted a safe site for documentary self-inscription, outside of that relationship Gorman could not be sure of others' reactions to her work. From the perspective of trust, this uncertainty reflects the absence of a space conducive to self-exploration. The result, as demonstrated in Gorman's narrative, is that there is a degree of stress attached to self-performance. Trust is therefore fundamental to first-person filmmaking because it helps to create a safe space in which the participant can engage in the process of self-inscription.

Zubrycki's description of trust, too, suggests an awareness of the need to create a space that feels safe for the observational documentary participant. In Chapter Two, it was suggested observational documentary is inherently performative since it involves a staged subjectivity, a process of inscribing the self in relation to the interpretive gaze of filmmaker and audience. Trust creates the secure context in which this process of self-performance can occur. In Zubrycki's narrative trust must be created as part of securing the participant's cooperation:

Getting their trust is really getting a person's co-operation ... That idea of managing how their image comes across and whether they feel that you can be a kind of conduit or attentive to their need to come across in a particular way and then they become cooperative.

Zubrycki is conscious of the need to be attentive, engaging the participant and working actively towards a strong relationship as a foundation for documentary production. Filmmaking has a performative dimension in that it is oriented toward demonstrating to the participant the trustworthiness of the filmmaker. Trustworthiness in turn is essential because, as an activity of self-performance, observational documentary demands a safe space for self-exploration.

This study has just begun to explore trust in the context of documentary making. Although several ideas about trust in observational documentary have been offered here, additional research is warranted. I have suggested that trust in observational documentary is an attitude of optimism, a belief that the filmmaker will protect the good with which he or she has been entrusted. The goods entrusted to the filmmaker are intimate knowledge of the participant, their reputation and image. The filmmaker betrays the participant where he or she does not respect the participant's beliefs, wishes and values. To avoid betraying the participant, the filmmaker must aim to understand the participant's motives and goals in relation to the documentary in order to understand his or her needs in the documentary relationship.

### **Trust and power**

The role of trust in the documentary relationship is one perspective from which to consider documentary participation, but another relates to the association between trust and power. The case studies demonstrate this connection, showing that both are relevant to questions of ethics. Trust is a feature of interpersonal relationships precisely because power is, too. It is a response to the agency of the other and to his or her power (Seligman 1997). In short, we trust because we recognise that the other is beyond our control and is capable of destroying those goods that we cherish. A prerequisite for trust is, therefore, individual power. The prominence of trust in the narratives of participants interviewed for this study suggests that power relations in observational documentary are both complex and significant.

Where power has previously been considered in the context of documentary ethics, it has most often been seen as something exercised by the filmmaker over the participant, a form of coercion that undermines informed consent rendering documentary ethically problematic. So, for instance, Winston (2000, p. 142) suggests that the goal of the ethical filmmaker ought to be to equalise power between participant and filmmaker. Underlying this claim is the assumption that power in the documentary relationship resides predominantly with the filmmaker and impacts on the participant. While the case studies presented here confirm the importance of power in the documentary relationship, they challenge such a uni-directional view of power relations. In presenting a complex picture of power in the documentary relationship, we can begin to see the links between trust, power and questions of ethics in a more subtle way.

Lyn Rule's interview narrative shows that it was important for her to feel that she had some control over the documentary process. In speaking about her experience, she notes the various ways in which she was able to influence Zubrycki. She told of instigating the relationship and 'forcing' him to engage with her, the techniques she used to prevent filming and her requests for material to be removed from the documentary. Throughout her narrative, Rule emphasised her control over Zubrycki. In describing her ongoing relationship with him and his family, she says:

His wife says I'm just another her ... She just bosses him round and I just boss him round and we'll have these conversations where she'll say well that's good, he'll feel comfortable if you just tell him what to do, so yeah so the relationship hasn't changed.

In describing her relationship with Zubrycki thus, Rule points to the importance of her sense of agency in the documentary relationship. What is important is not whether this is an accurate view of how Rule did in fact behave but rather the extent to which it was important that she felt empowered in the relationship.

Although control over her participation in the documentary was important to Rule, she nevertheless experienced filmmaking as a challenge to her power. Chapter Four provided an analysis of Rule's interview which suggested that, at times, she experienced the documentary project as a challenge to her autonomy. Wherever she is unable to control Zubrycki, his camera or the documentary, she attributes feelings of guilt to him. Again it should be emphasised that what is important here is not the



detail but the fact that the documentary relationship did, at times, challenge Rule's autonomy. When taken in the context of her narrative as a whole, her comments about guilt do not constitute an accusation. Her relationship with Zubrycki was contested in the sense that it involved ongoing negotiations, actions and moments of resistance. For Rule and Zubrycki, documentary filmmaking emerges as a process in which each pursued their goals in a contested relationship with the other.

In the case of *Facing the Music*, we saw the way in which documentary filmmaking takes place within the context of pre-existing power relationships. The effect is to alter the relationships between individuals, empowering some at the expense of others. For Anne Boyd, the presence of the filmmakers altered the power relationships around her in ways that strengthened her voice. At the micro level her narrative provides insight into the ways in which those disempowered by the documentary tried to resist, most often through their physical absence. In both her own and Connolly's accounts of her political statements to camera, we have evidence of the way in which the filmmaker makes the participant aware of what is and what is not acceptable behaviour in the context of the particular documentary film.

Panichi (2001) sees in *Facing the Music* various participants seeking to use the documentary to engage in political debate. Boyd had several motivations for her participation, but chief amongst them was her desire to speak out about cuts to tertiary education funding. Connolly, (cited in Baird 2001, p. 102) on the other hand, says he was interested in producing a complex story about Boyd the character:

We're interested in people, and we're interested in what happens to them.

We're interested in complicated people, faced with complex situations, and how they respond.

Although Connolly and Anderson were supportive of Boyd's position and therefore shared key values, their filmmaking objectives were subtly different. Boyd and Connolly's stories about turning off the camera illustrate how their divergent goals played out in the context of documentary practice. The documentary relationship is contested, with the filmmaker and participant involved in ongoing negotiation driven by different visions of the documentary and its purpose.

When the participant and filmmaker are family, the documentary relationship has the potential to become increasingly problematic. Vanessa Gorman's narrative suggests that filmmaking within the context of close relationships is complicated. Gorman argues that participants are less able to negotiate with the filmmaker to whom they feel bound:

There's collateral damage to these types of documentary and often family members feel powerless to resist and powerless to desist and they get caught up in it a little bit against their will and maybe get portrayed in ways that they don't really feel comfortable with.

Shaw was 'in awe' of Gorman's work and supportive of her filmmaking project. And yet participation in the documentary was clearly challenging, with his frustration evident in several scenes. Nevertheless, Shaw continues to collaborate with Gorman

on the project. Unlike Boyd and Rule, he does not share the filmmaker's goal, for while she is interested in documenting his conversion to parenthood as a way of convincing other reluctant men, he is motivated by a very different goal, his desire to support her. Filmmaking within the context of family relationships is complicated by divergent aims, the filmmaker's greater access to the participant and distinct power relationships.

In addition to the power relationship between filmmaker and participant, Gorman's narrative points the way in which cultural norms impact on the filmmaker's self-representation. It was argued in Chapter Six that Gorman's experience of first-person filmmaking is best understood in relation to a broader cultural context where norms of femininity and the maternal circulate. The spectre of narcissism hung over Gorman's experience of self-representation, while a sense of appropriate maternal behaviour was contrary to her sense of herself as both filmmaker and mother. The prevalence of the theme of shame in Gorman's narrative demonstrates the extent to which the experience of the autobiographical filmmaker is subject to broader discursive influences. In terms of understanding the consequences of autobiographical documentary making, the impact of other norms and discourses becomes relevant.

In each of the documentaries considered here, power circulates throughout the documentary relationship. The filmmaker has the power to represent, to give the participant a voice or constrain that voice in light of his or her documentary vision. The participant has the power to resist and, ultimately, to refuse. Zubrycki's anxiety that access may be denied illustrates the participant's power. In the current climate, with documentary funding difficult to secure, the observational documentary

filmmaker's investment in the relationship with the participant is substantial. For the filmmaker, there is much at stake in developing and maintaining the relationship with the participant. At the same time, however, Zubrycki acknowledges that over time there develops 'a certain obligation that they [participants] feel to you ... it's what you're relying on'. The documentary relationship is therefore characterised by an ebb and flow of power.

In selecting texts for this research, issues of power were relevant. Given Connolly and Anderson's commitment to documenting the experiences of those with relative power, I expected to see significant differences between Boyd and Rule. However, this was not the case. What emerged was a much more complex view of power in the documentary relationship. Helpful for understanding this flow of power within a relationship is Foucault's (1983, p. 220) suggestion that power is not a force used by one to control the other but rather a way of understanding the impact of the individual's actions on others. Foucault argues that power is best conceived of as:

[A] total structure of actions brought to bear upon possible actions; it incites, it induces, it seduces, it makes easier or more difficult; in the extreme it constrains or forbids absolutely, it is nevertheless always a way of acting upon an acting subject or acting subjects by virtue of their acting or being capable of acting.

Power relationships flow from the freedoms of individuals to act and, in acting, to influence the actions of others. Foucault's account also serves to draw attention to the connection between power and trust in filmmaking. Because both the participant and

filmmaker are free to act on the other both are vulnerable. Since both are susceptible to the actions of the other, trust is a key feature of the documentary relationship. In Chapter Four, it was suggested that the way in which trust is conceptualised by the participant and filmmaker reflects their own feelings of vulnerability in the documentary process. For Zubrycki, for example, trust is understood in terms of the subject's participation, while for Rule it is understood in terms of betrayal and personal values. Foucault's account of power allows us to see the links between power and trust, suggesting that observational documentary is only possible where trust can overcome vulnerability.

### **Consent**

Having drawn out the implications of this research in terms of our understanding of trust and power in the observational documentary relationship, I deal now with questions of consent. What do participants and filmmakers have to say about consent and its possibility in the context of observational documentary? To what extent is informed consent realistic in this documentary mode? In answering these questions, this study adds to the scepticism surrounding the role that the idea of informed consent, as traditionally defined, plays in the documentary ethics literature. This is not to say that meaningful consent was not obtained in these cases. Clearly, each case study points to the significance of the participant's consent. In practical terms, however, meaningful consent and informed consent need not align.

What is at stake here is not the possibility of consent, but the notion of informed consent presumed in documentary ethics. Informed consent is routinely deemed to be

a touchstone of ethical practice in documentary. According to this view, it is founded on full knowledge of all relevant facts, including likely risks and benefits. Informed consent is considered to be a rational decision that must be given voluntarily (Faden *et al* 1986). As noted in Chapter One, informed consent occupies a central but problematic place in documentary ethics, having been widely criticised by scholars and filmmakers alike (Winston 2000, p. 126; Pryluck 2005, pp. 195-6; Gross *et al* 1988; Gilbert 1981; Nichols 2001, p. 11). If informed consent is understood in a strict sense, it was not obtained in any of the films studied. Observational documentary practice, as explored here, is not compatible with the demand for full knowledge of potential risks and benefits demanded by theories of informed consent. In considering how filmmakers actually obtain meaningful consent from participants, this study points to the significance of the right of veto as an element of the consent process.

When Lyn Rule signed a consent form covering her participation in the documentary that would become *Molly and Mobarak*, she thought she was consenting to appear in a documentary about the Young branch of Amnesty. She would be, she reasoned, a bit player in a much larger story. Even when Zubrycki had finished shooting and left Young, she claims to have had no inkling that the film would focus so heavily on her and her family. In spite of not knowing what the documentary would be about and, therefore, how it was likely to impact on her and her family, Rule signed a release form giving Zubrycki rights over the material he had collected. In analysing Rule's narrative, I considered the way in which the release form cut across the relationship of trust between her and Zubrycki. For both of them, signing the release form was an uncomfortable moment that challenged their view of the documentary project. I suggested in Chapter Four that the release form reflects a need to protect the financial

investors in documentary rather than documentary participants. Rule's and Zubrycki's narratives both make it clear that the release form is experienced as something that protects the financial interests of organizations at the expense of documentary participants and filmmakers. Consent in observational filmmaking is not something given once but the outcome of ongoing negotiation between participant and filmmaker. To quote Zubrycki:

Consent is kind of a reciprocal process, something that you work out over a period of time, rules that you evolve. It's not something that you tick off boxes.

For both Lyn Rule and Anne Boyd, meaningful consent was given on seeing the completed documentary. Significantly, they each spoke not only about being asked to consent to the final film, but of being offered a right of veto at that time. Zubrycki argues that the right of veto is important in the context of observational documentary. He sees observational documentary as a distinct form of documentary engagement because 'you are representing people not only in terms of where they were, what they did, but also how they felt and what they believed in' (cited in Robinson 2003, p. 64). Zubrycki feels that giving participants a right of veto helps to address questions of power and is, therefore, important for ethical practice. In similar terms, as seen in Chapter Six, Vanessa Gorman talked about the significance of giving participants a right of veto in the context of family filmmaking, as a necessary ethical consideration in representing someone close, even if it might alter the intended work.

For the filmmakers interviewed in the course of this study, the right of veto is an important feature of ethical documentary making. They acknowledge, however, that giving participants a right of veto is inconsistent with the needs of broadcasters and funding bodies. In the narratives presented here, the right of veto plays a number of ethical roles. Giving participants a right of veto serves to give the participant a degree of ownership and control over the project, acknowledging observational documentary's collaborative dimension. Furthermore, the right of veto contributes to establishing trust between filmmaker and participant. Zubrycki's narrative draws attention to the conscious way in which the observational filmmaker presents himself or herself as worthy of trust. In addition, the right of veto recognises the participant's power and the filmmaker's vulnerability within the documentary relationship. The right of veto, therefore, can be interpreted as playing an important role in fostering the trust between filmmaker and participant that makes observational documentary possible.

In spite of the importance of the right of veto, this study should not be interpreted as insisting that it take the place of informed consent as an ethical foundation for documentary practice. Giving participants a right of veto reflects the individual filmmaker's approach to developing relationships within observational work. The right of veto is not something that can be readily codified but, rather, reflects an attitude of sensitivity on the part of the filmmaker. There is little doubt that it has the potential to be an important method for establishing a trusting documentary relationship a 'way of acting upon an acting subject', to put it in Foucauldian terms. It also recognises the collaborative dimension of the kind of observational documentary considered here.



This study has demonstrated that observational documentary depends upon the establishment of a close, albeit contested, relationship between filmmaker and participant. In presenting a release form to a participant, the observational documentary filmmaker introduces a legal framework into what may otherwise be an intense collaborative friendship. As the contributors to this study suggest, giving the release form is often an uncomfortable break in the documentary relationship. Returning to consider trust in the documentary relationship, this rupture can be explained.

Beyond documentary, informed consent has come to provide a foundation for the distant relationships seen, from some disciplinary perspectives, as increasingly characteristic of the modern society. Informed consent replaces trust by legally constraining the freedom of each party to the contract. There can be no uncertainty about the actions of the other, it would appear, since they have been fully spelled out in the context of giving consent. O'Neill (2002) provides an account of the way in which informed consent has come to replace trust as a foundation for medical practice. The growth of informed consent in the medical environment, O'Neill argues, reflects changes in the way medicine is practised, particularly an increasing dependence on teams of medical practitioners with whom there is no close relationship. In this view, one consequence of the dominance of informed consent in medicine is that trust has been eroded. Now, as has been demonstrated above, the relationship between filmmaker and participant in observational documentary is one of intimates in which trust is central. It has been shown here that the release form intrudes on this relationship. Considering O'Neill's argument, then, we might

conclude that informed consent cuts across the documentary relationship because it undermines the trust between filmmaker and participant. Given its importance in observational documentary and the close relationship between filmmaker and participants, trust is arguably a more appropriate foundation than informed consent for understanding the ethical dimensions of this relationship.

### **Ethical documentary practice**

Stories are central not only to documentary but moral life. From fairy tales designed to teach children right from wrong, to the stories we tell every day in order to explain and justify actions or perspectives, it is through telling stories that we bring the moral world to life. Stories can make us sensitive to different ways in which ethics might be conceived and stories have the capacity to capture the complexity, mystery and beauty of human life, things that can escape the legalistic, analytic style that has dominated professional ethics (Nussbaum 1990). In this study, the stories of documentary participants and filmmakers have brought to life the practice of observational documentary making, highlighting its central ethical dimension, understood as a filmmaking attitude of sensitivity. In considering how ethics has been altered by this engagement with documentary praxis, a review of the relationship between ethics and empirical research is offered.

In Chapter One, I reviewed the documentary ethics literature, suggesting that ethical discussion is often left floundering in the face of incommensurable ethical obligations. The response of documentary scholars such as Brian Winston (1995, p. 225) has been to call for a documentary framework that will help to clarify

documentary ethics by spelling out a set of core principles that ought to be upheld by documentary filmmakers. For Winston, ethical principles are needed in documentary as a way of preventing the filmmaker's exploitation of the powerless and manipulation of the filmmaker by the powerful. Although Winston, following Merrill, argues for a situationist ethics that recognises the need for moral principles to be applied flexibly, his legalistic approach tends to suggest a desire for moral guidance (2000, p. 127). This study suggests that, while valuable, ethical frameworks constitute only one approach to documentary ethics. A code of ethics or framework is necessarily abstract and in its formulation much of the rich detail of ethical engagement is likely to be lost.

Like other applied ethics discourses, documentary ethics asks questions that have a theoretical or philosophical dimension as well as an empirical one. To pose a question about how the filmmaker ought to weigh up his responsibility as artist against the participant's right to privacy is to simultaneously engage with philosophical questions about the role and good of documentary as well as empirical questions about the participant's desire to be left alone. Winston's call for an ethical framework would undoubtedly make a valuable contribution towards addressing the philosophical dimension. It would provide a way of systematically considering the core values and goals of documentary filmmaking. If core principles can be articulated, rules derived from them might usefully guide documentary practice. The power of an ethical framework lies in its ability to simplify the messy particulars of moral life, providing one way in which to work through competing obligations. Of course, it is worth noting that an ethical framework cannot eliminate ethical dilemmas; sometimes principles do little more than allow us to see clearly that we are confronted with a

dilemma. Nevertheless, the kind of ethical framework Winston is proposing would help to systematise documentary ethics by allowing for comparisons between cases and some kind of consistent approach to ethical issues raised by documentary filmmaking.

This research demonstrates, nonetheless, that there are alternative approaches to engaging with ethic that celebrate the messiness of ethical life. Although we may be able, ultimately, to find a means of weighing up documentary's competing obligations, we will be none the wiser when it comes to understanding what documentary participation means to those involved. Nor will we have come to better understand the nature of sensitive engagement in the documentary context. In spite of having a long established ethical framework, medical ethicists have been turning to empirical research to provide a rich contextual understanding of the moral dimension of medical practice (McCarthy 2003). It is only through engagement with the particulars of documentary practice that the nature of sensitive engagement in documentary can be explicated.

As noted in Chapter Three, patients' narratives have become an increasingly important source of information within medical ethics (McCarthy 2003; Charon 1994). They draw attention to the significance of the individual's experience of illness in determining the ethical issues relating to illness and health care (Josselson 1994; Widdershoven & Smits 1996). The stories of patients are important because it is through their telling that a space is opened in which doubt, anxiety, hope and feelings can be expressed (Josselson 1996). Narrative thus becomes not only a way in which to grasp the particularities of a given situation but also a way in which those involved

are able to make sense of events as experienced. As Kleinman (1988, p. 49) points out, the meaning of illness is made manifest in the stories that patients tell about illness: ‘we each order our experiences of illness – what it means to us and to significant others – as personal narratives’. Narratives have made an important contribution to our understanding of the illness experience, the needs of patients and the ethical dimension of health care.

By developing a method to establish narratives of experience in its own field of concern, this study commences the task of understanding the experience and meaning of observational documentary filmmaking. An important role of empirical study in documentary ethics is to clear a discursive space for the voice of the participant. As long as documentary ethics remains at the level of frameworks, principles and rules, there is little scope for systematically including this voice and the experience it represents. This study has sought to demonstrate the value of the participant perspective as well as a method by which it might be incorporated in ethical discourse around documentary. In particular, it has shed light on trust and power in the relationship between filmmaker and participant, while calling into question current practices of obtaining consent.

Sensitive engagement is at the heart of ethical documentary practice, as conceived here. This research has demonstrated that participants do in fact have clear goals in relation to documentary participation and that observational filmmaking is best considered as a collaboration between filmmaker and participant. It is possible to read the narratives presented here as examples of sensitive documentary making practice. In her relationship with partner Michael Shaw, Gorman expresses a desire to ensure

that the documentary reflect his particular experience of infant death. Zubrycki is aware of the political dynamics within the town of Young and is mindful both of Lyn's political goals and her situation within the community. Connolly similarly shows an awareness of Boyd's political situation and a recognition that in representing her vulnerability he needed to tread carefully. In each case, the filmmaker demonstrates sensitive engagement with respect to the participant by recognising the participant's needs and grasping the good for the participant in the particular context (Murdoch 1970).

Although the filmmakers displayed sensitive engagement in various respects, this did not preclude a level of contest in the relationship. This research reveals how both parties are apt to interpret events in terms of their own experience and interests which, as was demonstrated in the case of Lyn Rule's glances to camera, can lead to misunderstandings. Power circulates throughout the documentary relationship, with both participant and filmmaker seeking ways in which to achieve their goals for the project. This study also draws attention to the way in which the participant experiences observational documentary performance within the context of discursive norms. This study has suggested that observational documentary performance, specifically in relation to autobiographical documentary, involves a process of self-inscription. The space made available for this performative act is, however, culturally defined. Vanessa Gorman's narrative demonstrates the ethical dimension of this constraint by revealing the anxiety that can flow from fears about the relationship between the self constituted in documentary and cultural norms.

Of significance to this research is the extent to which the filmmakers did not feel that they understood the experience of the participant. Connolly (pers. comm., 22<sup>nd</sup> April 2008) made the point, for instance, that he did not know what Boyd had got out of her participation in the documentary. Given the significance of the participant's goal in terms of trust and sensitive engagement, this study recommends open conversation between filmmakers and participants about this issue as a foundation for ethical practice. Such conversations are likely to build sensitivity and trust, prevent misunderstandings and provide a starting point in discussions about consent.

In terms of the processes for obtaining informed consent as currently practised, these case studies have raised questions about the ethics of the release form, highlighting its impact on the relationship of trust for both filmmaker and participant. In precluding a right of veto, the release form similarly cuts across the relationship of trust. Both filmmakers and participants point to the ethical significance of the right of veto in observational filming. The research in these case studies thus suggests that the release form itself and the lack of a right of veto are experienced as harms from the perspective of those involved in observational documentary production. The right of veto emerges as a feature of trust in the relationship between filmmaker and participant. It reflects one way in which the filmmaker's sensitivity to the experience of the other helps to create a milieu of trust. Veto rights are not, however, the only way in which a trusting relationship could be established in observational documentary and for that reason this study does not point to such a process as a procedure capable of guaranteeing ethical filmmaking.

Some of the other consequences of observational documentary participation were less surprising. The observational documentary project enters the life of the participant and in so doing impacts on the relationships that surround the individual. It enters into pre-existing power structures, sometimes to the detriment of the participant. Lyn Rule continues to feel excluded from her local community and Anne Boyd feels that rifts between her and her male colleagues may have been worsened as a result of the film. The participants and filmmakers did not predict these consequences and, significantly, there are no support structures available to help participants deal with the fall out from their participation. Lyn Rule expressed gratitude for being offered the chance, through the research interview collaboration, to work through some of the issues surrounding her participation in *Molly and Mobarak*. To speak of the consequences of documentary participation need not imply that they can or should be avoided in documentary practice. It should be borne in mind that all the participants interviewed in the course of their research viewed documentary participation positively.

What then should we do with the information gleaned from empirical study of documentary? How can it coexist with the search for ethical frameworks and generalities? I propose three ways in which empirical study might make a valuable contribution to documentary ethics: clarifying issues, ‘testing’ ethical frameworks and, finally, fostering sensitive documentary practice. Empirical research provides a way in which to explore and clarify ethical issues by giving an insight into documentary practice. It allows us to better understand the causes of ethical disputes and whether they are due to a misunderstanding or perhaps a difference in values. Even where questions relate to the ethics of image manipulation, empirical research might usefully explore audience expectations of documentary and the nature of



concern. Such research may shed light on concerns that were not predicted, such as the issues surrounding the release form, or alternatively suggest that a problem is not as significant as first thought. The research for this study, for instance, demonstrates that the power imbalance in observational documentary making is not as substantial as might be assumed on the basis of the literature.

Empirical research also provides a means of testing potential ethical frameworks to ensure their compatibility with documentary practice. If ethical theory is to make a contribution to ethical documentary practice, there must be a dialogue between the two. Studies such as this provide important empirical knowledge against which potential ethical frameworks can be tested. This allows for theory to be adjusted in light of evidence and practice adjusted in light of theory until a satisfactory equilibrium is achieved.

Finally, empirical research of the kind presented here makes an important contribution to ethical documentary practice by sensitising filmmakers to the realities of moral decision-making (Nussbaum 1990). As Winston (1995, p. 240) argues: ‘The attitude and sensitivity of the film-maker to the subject and the relationship they establish is the clue to ethical filmmaking’. In the research for this study filmmakers have had the opportunity to hear the voices of those whose lives they have documented. Other filmmakers can similarly begin to engage with the experience of the documentary participant. Empirical study provides a way of engaging with the messy complexity of documentary as lived experience. In presenting documentary as lived experience, empirical study holds out the promise of helping filmmakers

achieve the ethical sensitivity that Winston advocates and better understand what it is we do with people when we make a documentary.

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‘What do we do with people when we make a documentary?’ This thesis has taken up Nichols’ (2001, p. 5) challenge and considered documentary participation as a starting point for considering ethics in observational documentary. How does our thinking about documentary change when we explore what both participants and filmmakers have to say? What we have gained are stories that challenge institutional practices, undermine ethical certainties and raise many new issues. In engaging with Nichols’ question we have formed, arguably, a much more complex and contested image of documentary production. At the same time, we have also seen that filmmakers and participants are enthusiastic about reflecting on documentary practice and have acknowledged the value of thinking differently about documentary ethics.

The thesis has explored the way in which documentary ethics has been constituted to date. As seen in Chapter One, debate about documentary ethics has been constrained by the very terms in which it has been cast. In the participant-filmmaker relationship a legalistic discourse has emerged around debates over informed consent and rights. The contractual agreement at the heart of informed consent replaces trust by prescribing rights and obligations within a professional relationship (O’Neill 2002). To focus on informed consent as a foundation for documentary ethics is to assume that the relationship between documentary maker and participant is the kind of relationship that can be regulated by a contractual agreement. Assumptions about the documentary relationship are, therefore, implicit in the act of seeking the participant’s

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informed consent. In addition to consent, the idea of conflicting rights has been central to documentary ethics. A central dilemma for the documentary filmmaker in this respect is deciding when a participant's right to privacy outweighs the public right to know. The documentary maker must eventually consider for himself or herself when the good to be achieved through documentary justifies their intrusion into the life of the participant.

One solution to the indeterminacy and confusion of competing rights and goods would be to specify an ethical framework that would assist documentary makers by providing guidance in practical decision-making. For both theorists and documentary makers (Winston 2000; Donovan 2008), codes of ethics and other ethical frameworks have been viewed as a solution to the complexity of documentary practice. Should a framework for documentary ethics be produced and be accepted by the documentary community, it would no doubt make an important contribution to ethical theory and practical decision making. However, I have argued here that any ethical framework would also constrain ethical discourse. The power of ethical frameworks and principles lies in their abstract focus; they draw attention to documentary making in general terms, defining ethical practice in relation to an imagined relationship between filmmaker and participant.

Together with the abstracting tendencies of legalistic discourse, documentary ethics has frequently taken the documentary text as a dominant source of ethical evidence. Whether through an axiographic (Nichols 1991) reading of the documentary or on the basis of some perceived ethical issue, the documentary text becomes the foundation for understanding the documentary maker's stance in relation to the participant. On

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one level, textual analysis particularises ethical discussion, providing a space in which the reality of a specific documentary and the relationships between the individual filmmaker and participant can enter documentary discourse. On another level, the influence of the text as a site of ethical analysis privileges some voices, namely the voices of the documentary maker, critic and scholar, while effectively silencing the voice of the participant.

The participant's silence has had a significant impact on the discourse of documentary ethics. As Chapter Two revealed, some voices have filled the void, speculating about the experience of the participant. It is, therefore, possible to find numerous assumptions about them and their experience. Nichols (1991, p. 91), for instance, assumes that the participant will feel disempowered in situations where they are placed within a *mise en scène* not of their making. It is often assumed that the participant lacks an agenda in terms of their participation and that intimate revelation is indicative of exploitation. Similarly, power is often imagined as something that the documentary maker exercises over the participant. Without the voice of the participant, there is no way of exploring these assumptions.

This study points to the limits of the documentary text as evidence of the filmmaker's relationship to the participant. I have argued that the documentary text can provide, at best, a partial account of the filmmaker's stance *vis-à-vis* his or her subject. Different modes of production give rise to distinct forms of engagement between the documentary maker and participant (Nichols 1991). Different documentary modes are also characterised by distinct textual conventions. Filmmaking conventions such as

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creating a sense of the invisibility of the documentary making process continue to render the axiographic project problematic.

If the documentary ethicist cannot simply turn to the documentary text in order to ground ethical discussion, where should she begin? In this study the narratives of filmmakers and participants play this role. The task for the study has been an empirical in that it has involved a direct engagement with documentary practice in the form of interviews with filmmakers and participants. Turning to observational documentary as exemplar, the connection between documentary practice and ethics was explored.

Following Nichols (1991), a connection was drawn between the mode of production and ethics. The documentary maker's choice of representational mode was shown to be relevant to their mode of engagement with the participant, although not in the way assumed by Nichols. In particular, this research has demonstrated that documentaries that avoid reference to the documentary relationship nevertheless may involve a significant, intimate and ethically relevant relationship between documentary maker and participant. While acknowledging a significant debt to Nichols' work, this thesis makes a crucial break its approach by looking not only *at* the documentary text, but also *beyond* it. By assuming nothing in advance about the relationship between filmmaker and participant a space is cleared for an exploration of the ethics of the observational encounter.

The documentary maker's observational attitude, defined as the privileging of showing over telling, is likely to have a significant impact on the participant's

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experience. The long time-frame involved in observational documentary making, necessitated by the documentary maker's commitment to showing, means that the documentary relationship is likely to become significant. This relationship can be expected to involve ongoing negotiation in which trust is liable to be central. As the documentary maker seeks to show the story of the participant through sustained audio-visual recording, the participant is called upon to perform. The performative dimension of observational documentary has the potential to be, for both participant and documentary maker, an act of self-creation. It can also raise ethically significant questions. Although the documentary literature contains clues about the observational documentary relationship, we have seen that in the absence of the participant's voice definitive conclusions are precluded.

In Chapter Three, an empirical method for the study of observational documentary participation was outlined. I noted this study's indebtedness to recent developments in medical ethics, in particular the personal narrative approach. The transformation of medical ethics by the stories of patients offered the possibility that documentary ethics might be similarly altered. An experiential narrative method suited to the needs of documentary study has been proposed. This method is well suited to an exploration of documentary practice, since it seeks to explore the meanings that experience have for individuals. The research method proposed here is collaborative in that it involves the research participant in both the collection and analysis of narratives. The aim of this research method is to produce a narrative that the research participant feels is expressive of their experience.

## Conclusion

The case studies presented in this thesis demonstrate the contribution of empirical study to ethical discourse. The relationship between filmmaker and participant has been shown to be both close and contested. Questions have been raised about the possibility of informed consent in observational documentary, and the importance of the right of veto for both filmmakers and participants has been demonstrated. Release forms have been shown to be problematic and power has been revealed as complex and shifting. Many new ethical questions have emerged, while the study also contributes to established debate.

This study casts further doubt on informed consent as an ethical foundation for documentary. This is particularly the case where the release form is the only mechanism by which informed consent can be given. Given the unpredictability of observational documentary, prior consent is ethically problematic. It suggests that consent is most meaningfully given only once the film is complete. To the traditional debate, this study adds that a right of veto is an important aspect of consent for both filmmakers and participants. Should filmmakers be able to offer a right of veto more openly to participants? Given the importance of trust, which as we have seen involves entrusting the other with core goods, is there a value in encouraging filmmakers and participants to become aware of their needs and expectations in relation to the documentary project? Such questions have been raised by this study as a direct result of its engagement with the experiences of filmmakers and participants.

In terms of understanding the observational documentary relationship, this study has demonstrated that it is a close relationship characterised by interdependence. The documentary maker is aware of the need to foster a strong and trusting relationship



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with the participant and works to emphasise their trustworthiness. The filmmaker clearly makes a significant investment in the relationship, but participants have their own reasons for choosing to participate. The participant's goals may be related to the documentary itself, as was the case for Lyn Rule and Vanessa Gorman, or they may relate to the impact of the documentary making process in other ways, as was the case for Anne Boyd. Rather than viewing the documentary participant as coopted by the documentary maker's agenda, this research suggests that the participant is likely to retain a sense of the value of their participation and actively seek to ensure that the documentary project meets his or her needs. This study reveals that the documentary relationship is contested, with the participant and filmmaker both seeking to influence the project.

Lyn Rule's glances to camera and her use of tactics such as putting on music or threatening to take off her clothes are ways in which she attempts to influence the direction of the documentary. The documentary maker, on the other hand, attempts to 'train' the participant to give a good performance. Connolly and Anderson's 'gifts' of bottles of wine for emotional outbursts and their lack of interest in Boyd's political agenda set boundaries for the documentary project. Power circulates in the documentary relationship as the participant and filmmaker negotiate the boundaries.

Observational documentary depends upon the establishment of a trusting relationship between the documentary maker and participant. Both participant and documentary maker share a belief in the value of the documentary project, but they rely on each other to bring the project to fruition. Trust is the foundation of this joint project. This study reveals a difference between trust as experienced by the documentary maker

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and trust as experienced by the documentary participant. To trust another is to make oneself vulnerable. I have proposed that the documentary filmmaker and participant have different views of trust because documentary participation renders them vulnerable in different ways. The documentary maker fears loss of access to the participant, while the participant fears betrayal. For the participant, it is important to feel that their values are respected, or better still shared, by the documentary maker. Shared values and shared filmmaking goals provide a foundation for the collaborative relationship required in observational documentary making.

Ethics has been understood in this study, following Winston (1995, p. 240), in terms of a sensitive engagement between filmmaker and participant. To view ethics from the perspective of sensitive engagement is to call into question attempts to construct an ethical framework and point instead to the importance of understanding the experience and meaning of documentary participation. This study helps filmmakers to engage sensitively with documentary participants by providing a space in which the participant's voice can be heard. Including the voice of the participant in ethical discourse constitutes a significant shift in thinking and changes our perspective on documentary ethics in important ways. In offering participants an opportunity to reflect on their experience, and by providing documentary makers with the chance to hear the voice of the documentary participant, this research seeks to foster the kind of engagement needed for ethical documentary practice.

In order for the filmmaker to engage sensitively with participants it is important to participate in conversation about their needs and goals. In talking to filmmakers in the course of this research, I became aware that in spite of the importance of ethics to

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documentary makers they do not often speak about their relationships with participants. The filmmakers who took part in this study pointed to the value of reflecting on the ethics of documentary making. This study suggests, therefore, that there is a value in collecting and sharing stories such as these and of providing a forum in which filmmakers and participants can come together to share their experiences. Such a process promises to foster the kind of constructive engagement that Winston advocates.

In addition to facilitating a dialogue between filmmakers and participants this research points to the importance of establishing effective communication between filmmaker and participant throughout the documentary production process. If filmmakers and participants are able to speak about their needs in relation to the project, to discuss boundaries and develop ways of negotiating effectively during documentary production, this is likely to aid sensitive engagement.

This study also draws attention to the ethical dimension of documentary performance. In performing the self the observational documentary participant is asked to engage in an act of filmic self-inscription. This may be constrained by the immediate or imagined audience or, as was the case for Vanessa Gorman, cultural norms. As an act of self-inscription, observational documentary performance depends on the establishment of trusting relationships between those involved. Given the importance of shared goals, this study points to the importance of establishing an effective dialogue between filmmaker and participant.

## Conclusion

Studying documentary practice empirically has helped to unpack what is required to achieve sensitive engagement. This study presents a model for empirical study within the documentary context. A further question that can be asked of this research is the extent to which experiential narrative research may prove a useful method for the study of other filmmaking, including investigative documentary or perhaps newer documentary forms. This study tends to support Nichols' (1991) claim that different documentary modes raise different ethical questions. It remains to be seen, therefore, how its empirical approach to documentary ethics may contribute to work on other modes of production.

This study has not only been limited by its focus on observational documentary practice. The three documentaries studied here have revealed much but have also precluded consideration of some important issues. This research has not touched on the experience of Indigenous participants and filmmakers and issues of racial difference between filmmaker and participant, or the extent to which the filmmaking relationship, and relations of power and trust, are altered by these significant social and cultural differences. This research demonstrates the value of paying attention to the particular in ethical discourse; it cautions against assuming universality of ethical experience. Given the relatively narrow focus both in terms of the kind of text studied and the kinds of documentary relationship featured, it would be erroneous to take the conclusions offered here as statements of universal fact. What we have discovered here, rather, is that there are many documentary relationships and many different experiences of documentary participation. Since there are as many different documentary relationships as there are filmmakers and participants, there is also substantial scope for further exploration of documentary practice and its meaning.

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Exploring participant and filmmaker narratives from different kinds of documentary production emerges as a potentially fruitful new avenue of enquiry.

This study has focused on only one of the three ethical relationships that have been central to documentary ethics, the relationship between filmmaker and participant. The filmmaker's relationship with the audience and audience expectations of documentary in terms of ethics might also be studied empirically. Austin's (2007) study of documentary audiences sheds new light on the expectations of the documentary audience. To consider the audience in relation to questions of documentary ethics may be similarly valuable.

In addition, this study suggests that empirical study of documentary practice may also make an important contribution to documentary theory. Although it has not been a topic for consideration here, this research draws attention to the ways in which the practical task of production is itself a crucial feature in understanding the filmmaker's depiction of events in documentary. In the films studied, that depiction was determined to some extent by the circumstances in which the documentary was produced. Because of the largely 'cottage industry' nature of much documentary production, it has been difficult to study the production methods of documentary makers. This research provides glimpses of the way in which experiential narrative research could make an important contribution to understanding documentary production.

Ultimately, this study points the value of exploring meaning in the context of documentary production. It is the meaning of documentary participation for both

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documentary maker and participant that is foundational to the sensitive engagement necessary for ethical practice. It is through consideration of the meaning of documentary participation that we begin to understand what it is that we do in fact ask of those people who involve themselves in documentary production. Without consulting the participant, our understanding of the potential and real harms involved in documentary participation will inevitably miss the mark. This study has taken the first steps to enable the voice of the participant to find a place within documentary discourse.

## References

- Aibel, R 1988, 'Ethics and Professionalism in Documentary Film-making' in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and Television*, eds L Gross, J Katz, & L Ruby, Oxford University Press, Oxford & New York, pp. 108-119.
- Alasuutari, P 1995, *Researching Culture: Qualitative Method and Cultural Studies*, SAGE publications, London.
- Albury, K 2003, 'The Ethics of Porn on the Net', in *Remote Control: New Media, New Ethics*, eds L Probyn & C Lumby, Cambridge University Press, Cambridge UK.
- Anderson, C & Benson, T 1988, 'Direct Cinema and the Myth of Informed Consent', in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and Television*, eds L Gross, J Katz, & L Ruby, Oxford University Press, Oxford & New York, pp. 58-90.
- Andrejevic, M 2004, *Reality TV: The Work of Being Watched*, Rowman & Littlefield Publishers, New York, Toronto, & Oxford.

## References

- Andrews, M, Squire, C & Tamboukou, M 2008, *Doing Narrative Research*, SAGE Publications, Los Angeles, London, New Delhi & Singapore.
- Ansara, M 2001, 'On the Poetry of Madness: An Encounter with Dennis O'Rourke', *Metro Magazine: Media and Education Magazine*, no. 126, pp. 26-33.
- Ansara, M 1997, 'A Mans World', in *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp 21-25.
- Armstrong, P 2004, 'Tom Zubrycki: On Filmmaking, History and Other Obsessions', *Metro Magazine: Media and Education Magazine*, vol. 144, pp. 96-100.
- Aslama, M & Pantti, M 2006, 'Talking alone: Reality TV, Emotions and Authenticity', *European Journal of Cultural Studies*, vol. 9, no. 2, pp. 167-184.
- Aufderheide, P, Jaszi, P & Chandra, M 2009, 'Honest Truths: Documentary Filmmakers on Ethical Challenges in Their Work', Center for Social Media, American University, viewed 25th September 2009, [http://www.centerforsocialmedia.org/resources/publications/honest\\_truths\\_documentary\\_filmmakers\\_on\\_ethical\\_challenges\\_in\\_their\\_work/](http://www.centerforsocialmedia.org/resources/publications/honest_truths_documentary_filmmakers_on_ethical_challenges_in_their_work/)
- Aufderheide, P 1997, 'Public Intimacy: The Development of First-Person Documentary', *Afterimage*, vol. 25, no.1, July-August, pp. 16-19.



## References

- Austin, T 2007, *Watching the World: Screen Documentary and Audiences*, Manchester University Press, Manchester & New York.
- Baier, A 1997 'Trust and Antitrust', in *Feminist Social Thought: A Reader*, ed D Meyers, Routledge, New York & London, pp. 604-630.
- Baird, S 2001, 'When the Music Stops ... Facing the Music', *Metro Magazine: Media and Education Magazine*, nos 129/130, pp. 102-106.
- Bakir, V & Barlow, D 2007, *Communication in the Age of Suspicion: Trust and the Media*, Palgrave MacMillan, New York.
- Barnouw, E 1993, *Documentary: A History of the Non-Fiction Film*, 2<sup>nd</sup> edition, Oxford University Press, Oxford & New York.
- Barry, B n.d., 'Molly and Mobarak: An Article for IF Magazine', viewed 20<sup>th</sup> October 2008, [http://www.tomzubrycki.com/resources\\_molly.html](http://www.tomzubrycki.com/resources_molly.html).
- Beattie, K 2008, *Documentary Display: Re-Viewing Nonfiction Film and Video*, Wallflower Press, London & New York.
- Beattie, K 2005, 'It's not only Rock and Roll: Rockumentary, Direct Cinema and Performative Display', *Australasian Journal of American Studies*, viewed 7<sup>th</sup> April 2009, [www.anzasa.arts.usyd.edu.au/a.j.a.s/Articles/2\\_05/Beattie.pdf](http://www.anzasa.arts.usyd.edu.au/a.j.a.s/Articles/2_05/Beattie.pdf).

## References

- Beattie, K 2004, *Documentary Screens: Nonfiction Film and Television*, Palgrave Macmillan, New York.
- Beauchamp, T & DeGrazia D 2004, 'Principles and Principlism', in *Handbook of Bioethics: Taking Stock of the Field from a Philosophical Perspective*, ed G Khushf, Kluwer Academic Publishers, Dordrecht, Boston & London, pp. 55-75.
- Belkin, G 2004, 'Moving Beyond Bioethics: History and the Search for Medical Humanism', *Perspectives in Biology and Medicine*, vol. 47, no. 3, pp. 372-385.
- Benhabib, S 2004, *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics*, Polity Press, Cambridge UK.
- Benson, T & Anderson, C 2002, *Reality Fictions: The Films of Frederick Wiseman*, 2<sup>nd</sup> edition, Southern Illinois University Press, Carbondale & Edwardsville.
- Berry, C, Hamilton, A & Jayamanne, L 1997, *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, Power Publications, Sydney.
- Bertrand, I & Hughes, P 2005, *Media Research Methods: Audiences, Institutions, Texts*, Palgrave MacMillan, New York.

## References

- Bird, E & Dardenne, R 1988, 'Myth, Chronicle and Story: Exploring the Narrative Qualities of News', in *Media, Myths and Narratives: Television and the Press*, ed J Carey, SAGE Publications, Thousand Oaks, CA & London, pp. 67-86.
- Blackall, D 2004, 'John Perceval - *An Ethical Representation of a Delinquent Angel*', PhD Thesis, University of Wollongong, unpublished.
- Blum, L 1994, *Moral Perception and Particularity*, Cambridge University Press, New York.
- Borden, S 2008, 'Documentary Tradition and the Ethics of Michael Moore's Sicko', paper presented to the Media Ethics Division of the Association for Education in Journalism and Mass Communication, viewed 25<sup>th</sup> April 2009, [http://www.allacademic.com/meta/p272177\\_index.htm](http://www.allacademic.com/meta/p272177_index.htm)
- Brenton, S & Cohen, R 2003, *Shooting People: Adventures in Reality TV*, Verso, New York & London.
- Brown, J 2001, 'Facing Bob: An Interview with Bob Connolly', *Metro Magazine: Media & Education Magazine*, nos 129/130, pp. 108-112.
- Bruzzi, S 2007, *Seven Up*, British Film Institute Publishing, London.
- Bruzzi, S 2006, *New Documentary: A Critical Introduction*, 2<sup>nd</sup> edition, Routledge, New York.

## References

- Burton, G 1999, 'The Man behind the Picture: An Interview with Mike Rubbo', in *Second Take: Australian Film-Makers Talk*, eds R Caputo & G Burton, Allen and Unwin, Sydney, pp. 193-215.
- Caputo, J 1993, *Against Ethics: Contributions to a Poetics of Obligation with Constant Reference to Deconstruction*, Indiana University Press, Bloomington & Indianapolis.
- Charon, R 1994, 'Narrative Contributions to Medical Ethics: Recognition, Formulation, Interpretation and Validation in the Practice of the Ethicist', in *A Matter of Principles? Ferment in U.S. Bioethics*, eds E DuBose, & R Hamel, Trinity Press International, Valley Forge Pennsylvania.
- Citron, M 1999, 'Fleeing from Documentary: Autobiographical Film/Video and the "Ethics of Responsibility"', in *Feminism and Documentary*, eds D Waldman & J Walker, University of Minnesota Press, Minneapolis & London.
- Clouser, K & Gert, B 1990, 'A Critique of Principlism', *Journal of Medical Philosophy*, vol. 15, pp. 219-36.
- Connolly, B 2005, *Making Black Harvest*, Australian Broadcasting Corporation Books, Sydney.
- Corner, J 2002, 'Performing the Real', *Television and New Media*, vol. 3, no. 3, pp. 255-269.

## References

- Corner, J 2000a, 'Documentary in a Post-Documentary Culture? A Note on Forms and Their Functions', Loughborough University, viewed 29 August 2008  
[http://www.lboro.ac.uk/research/changing\\_media/John%20Corner%20paper.htm](http://www.lboro.ac.uk/research/changing_media/John%20Corner%20paper.htm).
- Corner, J 2000b, 'What Can We Say about 'Documentary?''', *Media, Culture and Society*, vol. 22, pp. 681-688.
- Corner, J 1997, 'Re-styling the Real: British Television Documentary in the 1990s', *Continuum*, vol. 11, no. 1, pp. 9-22.
- Corner, J 1996, *The Art of Record: A Critical Introduction to Documentary*, Manchester University Press, Manchester & New York.
- Cunningham, M 2005, *The Art of the Documentary: Ten Conversations with Leading Directors, Cinematographers, Editors and Producers*, New Riders, Berkeley CA.
- Czarniawska, B 2004, 'The Uses of Narrative in Social Science Research', in *A Handbook of Data Analysis*, eds M Hardy & A Bryman, SAGE publications, London, Thousand Oaks & New Delhi, pp. 649-667.
- Davis, R 1995, 'The Principlism Debate: A Critical Overview', *Journal of Medical Philosophy*, vol. 17, pp. 511-39.

## References

- Deacon, D, Pickering, M, Golding, P & Murdock, G 1999, *Researching Communication: A Practical Guide to Methods in Media and Cultural Analysis*, Hodder Arnold, London.
- Donaher, N 1993, *The Sylvania Waters Diary: Noeline's Own Story*, Bookman Press, Melbourne.
- Donovan, K 2008, 'Tagged: A Case Study in Documentary Ethics', PhD Thesis, University of Technology Sydney, viewed 3 March 2009, Australian Digital Theses Project, <http://hdl.handle.net/2100/778>.
- Dovey, J 2004, 'Camcorder Cults' in *The Television Studies Reader*, eds Hill, A & Allen, R.C., Routledge, London, pp. 557-569.
- Dovey, J 2000, *Freakshow: First Person Media and Factual Television*, Pluto Press, London.
- Eaton, M 1983, 'Another Angle on Anthropological Film: Mick Eaton Reviews *Two Laws*', *Screen*, vol. 24, pp. 5-59.
- Eisenhardt, K 2002, 'Building Theories from Case Study Research', in *The Qualitative Researcher's Companion*, eds M Huberman & M Miles, Sage Publications, Thousand Oaks, London & New Delhi, pp. 5 – 37.

## References

- Eitzn, D 1995, 'When Is a Documentary?: Documentary as a Mode of Reception', *Cinema Journal*, vol. 35, no. 1, pp. 81-102.
- Ellis, J 2007, 'Dancing to Different Tunes: Ethical Difference in Approaches to Factual Filmmaking', in *Truth or Dare: Art and Documentary*, eds G Pearce & C McLaughlin, Intellect Books, Bristol.
- Ellis, J 2005, 'Documentary and Truth on Television: The Crisis of 1999', in *New Challenges for Documentary*, 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 342-363.
- Enosh, G & Buchbinder, E 2005, 'The Interactive Construction of Narrative Styles in Sensitive Interviews', *Qualitative Inquiry*, vol. 11, no. 4, pp. 588-617.
- Faden, R, Beauchamp, T & King, N 1986, *A History and Theory of Informed Consent*, Oxford University Press USA, New York.
- Fell J 1979, *A History of Film*, Thomson Learning, London.
- Fishman, J 2003, 'News Norms and Emotions: Pictures of Pain and Metaphors of Distress', in *Image Ethics in the Digital Age*, eds L Gross, J Katz & J Ruby, University of Minnesota Press, Minneapolis & London, pp. 53-71.

## References

- FitzSimons, T 2002, 'Accords, Slates, Slots, Strands and Series: Television Takes on Independent Documentary', *Metro Magazine: Media and Education Magazine*, no. 129, pp. 172-183.
- FitzSimons, T, Laughren, P & Williamson, D 2000, 'Towards a Contemporary History of Australian Documentary', *Metro Magazine: Media and Education Magazine*, no. 123, pp 62-72.
- Fontana, A & Frey, J 2005, 'The Interview: From Neutral stance to Political Involvement', in *The Sage Handbook of Qualitative Research 3<sup>rd</sup> Edition*, eds N K Denzin & Y Lincoln, Sage Publications, Thousand Oaks CA.
- Foucault, M 1983, 'The Subject and Power' in *Beyond Structuralism and Hermeneutics*, eds H Dreyfus & P Rabinow, University of Chicago Press, Chicago, pp. 208-226.
- Frank, A 1997, *The Wounded Storyteller: Body, Illness and Ethics*, University of Chicago Press, Chicago & London.
- Frankham, B 2004, 'Making a Difference: Diverse Uses of Committed Documentary', *Australian International Documentary Conference*, viewed 24th September 2008, <http://2005.aidc.com.au/2004/PDFs/AIDC-2004/academic-papers/frankham.pdf>.
- Geertz, C 1973, *The Interpretation of Cultures*, Basic Books, New York.



## References

Georgakopoulou, A 2006, 'Thinking Big with Small Stories in Narrative and Identity Analysis', *Narrative Inquiry*, vol. 16, no. 1, pp. 122-130.

Giddens, A 1992, *The Transformation of Intimacy*, Polity Press, Oxford.

Gilbert, C 2005, 'Reflections on *An American Family*', in *New Challenges for Documentary*, 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 307-327.

Goc, N 2007, 'Monstrous Mothers and the Media', in *Monsters and the Monstrous: Myths and Metaphors of Enduring Evil*, ed N Scott, Rodopi, Amsterdam & New York, pp. 149-165.

Gorman, V 2005, *Layla's Story: A Memoir of Sex, Love, Loss and Longing*, Viking Penguin books, Camberwell Victoria.

Graham, P 1964, 'Cinema Verite in France', *Film Quarterly*, vol. 17 no. 4, pp. 30-36.

Grant, B & Sloniowski, J 1998, *Documenting the Documentary: Close Readings of Documentary Film and Video*, Wayne State University Press, Detroit.

Greedy, P 2008, 'The Public Life of Narratives: Ethics, Politics, Methods', in *Doing Narrative Research*, eds M Andrews, C Squire & M Tamboukou, SAGE Publications, Los Angeles, London, New Delhi & Singapore, pp. 137-151.

## References

- Grindstaff, L 2003, 'Daytime Talk Shows', in *Image Ethics in the Digital Age*, eds L Gross, J Katz, & J Ruby, University of Minnesota Press, Minneapolis & London, pp. 115-143.
- Gross, L 2003, 'Privacy and Spectacle' in *Image Ethics in the Digital Age*, eds L Gross, J Katz, & J Ruby, University of Minnesota Press, Minneapolis & London, pp. 95-115.
- Gross, L, Katz, J, & Ruby, J 2003, *Image Ethics in the Digital Age*, University of Minnesota Press, Minneapolis and London.
- Gross, L, Katz, J, & Ruby, J 1988, 'Introduction: A Moral Pause' in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and Television*, eds L Gross, J Katz & J Ruby, Oxford University Press, Oxford & New York, pp. 3-33.
- Gubrium, J & Holstein J 1997, *The New Language of Qualitative Method*, Oxford University Press, New York & Oxford.
- Gubrium, J & Holstein, J 1995, *The Active Interview*, Sage Publications, Thousand Oaks CA.
- Hall, J 1991, 'Realism as a Style in Cinema Verite: A Critical Analysis of *Primary*', *Cinema Journal*, vol. 30, no. 4, pp. 24-50.

## References

- Hall, J 1998, 'Don't you Ever Just Watch?: American Cinema Verite and *Don't Look Back*' in *Documenting the Documentary: Close Readings of Documentary Film and Video*, eds K Grant & J Sloniowski, Wayne State University Press, Detroit, pp. 223-238.
- Hamilton, A 1997, 'Mistaken Identities: Art, Truth and Dare in *The Good Woman of Bangkok*', in *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp. 57-67.
- Hampe, B 1997, *Making Documentary Films and Reality Videos: A Practical Guide to Planning, Filming, and Editing Documentaries of Real Events*, Henry Holt and Company, New York.
- Hampel, K n.d., '*Losing Layla* (Vanessa Gorman, 2001), *Senses of Cinema*, viewed 3<sup>rd</sup> November 2008, <http://www.sensesofcinema.com/contents/01/13/layla.html>.
- Hardwig, J 1997, 'Autobiography, Biography and Narrative Ethics', in *Stories and Their Limits: Narrative Approaches to Bioethics*, ed H Nelson, Routledge, New York & London, pp. 50-65.
- Hight, C 2001, 'Debating Reality TV' *Continuum: Journal of Media and Cultural Studies*, vol. 15 no. 3, pp. 389-395.

## References

- Hill, A 2008, 'Documentary Modes of Engagement', in *Rethinking Documentary: New Perspectives New Practices*, eds T Ausin & W de Jong, McGraw Hill Open University Press, pp. 217-232.
- Holstein, J & Gubrium J 1995, *The Active Interview*, Sage Publications, Thousand Oaks, CA.
- Hughes, P 1989 'Innovation or Audience: The Choice for Documentary?: An Examination of the Australian Documentary Fellowship Scheme 1984-1989' Latrobe University, viewed 7<sup>th</sup> August 2008, <http://www.latrobe.edu.au/screeningthepast/firstrelease/fir998/PHfr4.html>.
- Iverson, D 2003, 'Arguing about Ethics' in *Remote Control: New Media, New Ethics*, eds E Probyn & C Lumby, University of Cambridge Press, Cambridge UK, pp. 25-42.
- Jacquette, D 2007, *Journalistic Ethics: Moral Responsibility in the Media*, Pearson Publishers, New Jersey.
- Jaggar, A 1997, 'Love and Knowledge: Emotion in Feminist Epistemology', in *Feminist Social Thought: A Reader*, ed D Meyers, Routledge, New York & London, pp. 384-406.
- Jayamanne, L 1997, 'Reception, Genre and the Knowing Critic: Dennis O'Rourke's *The Good Woman of Bangkok*', in *The Filmmaker and the Prostitute: Dennis*

## References

- O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp. 25-35.
- Jensen, K 2002, *A Handbook of Media and Communication Research: Qualitative and Quantitative Methodologies*, Routledge, London & New York.
- Jensen, K, & Jankowski, N 1991, *A Handbook of Qualitative Methodologies for Mass Communication Research*, Routledge, London & New York.
- Jones, A 1999, 'Narrative in Medical Ethics', *British Medical Journal*, vol. 318, pp. 253-256.
- Jones, K 1996, 'Trust as an Affective Attitude', *Ethics*, vol. 107, no. 1, pp. 4-25.
- Josselson, R 1996, *Ethics and Process in The Narrative Study of Lives*, SAGE Publications, California.
- Kant, I 1993, *Grounding for the Metaphysics of Morals on a Supposed Right to Lie because of Philanthropic Concerns*, trans. J. Ellington, Hackett, Indianapolis & Cambridge.
- Katz, J 2003, 'Family Film: Implications for Consent', in *Image Ethics in the Digital Age*, eds L Gross, J Katz & J Ruby, University of Minnesota Press, Minneapolis & London, pp. 327-342.

## References

- Katz, J & Katz J 1988, 'Ethics and the Perception of Ethics in Autobiographical Film', in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and Television*, eds L Gross, J Katz & J Ruby, Oxford University Press, New York & Oxford, pp. 119-134.
- Kilborn, R & Izod, J 1997, *An Introduction to Television Documentary: Confronting Reality*, Manchester University Press, Manchester.
- Kleinmann, A 1999, 'Moral Experience and Ethical Reflection: Can Ethnography Reconcile Them? A Quandary for 'The New Bioethics'', *Daedalus*, Fall 1999, vol. 128, no. 4, pp. 69-94.
- Kleinmann, A 1988, *The Illness Narratives: Suffering, Healing and the Human Condition*, Basic Books, New York.
- Leahy, G & Gibson, S 2003, 'Repression and Expression: The Filmmaker's Voice in Australian Documentary', *Metro Magazine: Media and Education Magazine*, no. 135, pp. 90-95.
- Leahy, G 1996, 'Fidelity, Faith and Openness: Rescuing the Observational Documentary', *Media International Australia*, no. 82 pp. 40-47.
- Levin, G 1971, *Documentary Explorations: Fifteen Interviews with Film-Makers*, Doubleday & Co., New York.

## References

- Levy, N 2009, 'Empirically Informed Moral Theory: A Sketch of the Landscape', *Ethical Theory and Moral Practice*, vol. 12, pp. 3-8.
- Lichenberg, J 1996, 'What are codes of Ethics for?', in *Codes of Ethics and the Professions*, eds M Coady & S Bloch, Melbourne University Press, pp. 13-28.
- Lindsay, J & O'Connell, D 1995, 'How Do Transcribers Deal with Audio Recordings of Spoken Discourse', *Journal of Psycholinguistic Research*, vol. 24, no. 2, pp. 101-115.
- Lumby C & Probyn, E 2003, *Remote Control: New Media New Ethics*, Cambridge University Press, Cambridge.
- MacBean, J 1983, 'Two Laws from Australia, One White, One Black', *Film Quarterly*, vol. 36, no. 3, pp. 30-43.
- MacDougall, D 1998 *Transcultural Cinema*, Princeton University Press, Princeton, New Jersey.
- MacDougall, D 1969, 'Prospects of the Ethnographic Film', in *Movies and Methods: An Anthology*, vol. 1, ed B Nichols, University of California Press, Berkeley, Los Angeles & London, pp. 135-150.
- MacIntyre, A 1981, *After Virtue: A Study in Moral Theory*, Duckworth, London.

## References

- Malcolm, J 1990, *The Journalist and the Murderer*, Papermac, London.
- Mamber, S 1974, *Cinema Verite in America*, The MIT Press, Cambridge  
Massachusetts & London.
- Manion, J 2003, 'Girls Blush, Sometimes: Gender, Moral Agency and the Problem of  
Shame', *Hypatia*, vol. 18, no. 3, pp. 21-41.
- Martin, F 1997, 'The Coming Out Show: China Dolls, Bar Girls and Dragon Ladies',  
in *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of  
Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications,  
Sydney, pp. 97-103.
- Martin, J 1997, 'Missionary Positions', in *The Filmmaker and the Prostitute: Dennis  
O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L  
Jayamanne, Power Publications, Sydney, pp. 17-21.
- Maxwell, J 2002, 'Understanding and Validity in Qualitative Research', in *The  
Qualitative Researcher's Companion*, eds M Huberman & M Miles, Sage  
Publications, Thousand Oaks, London & New Delhi, pp. 37-65.
- McCarthy, J 2003, 'Principlism or Narrative Ethics: Must we Choose Between  
Them?', *Medical Humanities*, vol. 29, no. 2, pp. 65-79.



## References

- Mishler, E 1986, *Research Interviewing: Context and Narrative*, Harvard University Press, Cambridge MA.
- Misztal, B 1996, *Trust in Modern Societies*, Polity Press, Oxford & Cambridge MA.
- Murdoch, I 1970, *The Sovereignty of Good*, Routledge & Kegan Paul, London.
- Nelson, H 2004, 'Four Narrative Approaches to Bioethics', in *Handbook of Bioethics: Taking Stock of the Field from a Philosophical Perspective*, ed G Khushf, Kluwer Academic Publishers, Dordrecht, Boston & London, pp. 163-183.
- Nelson, H 1997, *Stories and their Limits: Narrative Approaches to Bioethics*, Routledge, New York & London.
- Nichols, B 2001, *Introduction to Documentary*, Indiana University Press, Bloomington & Indianapolis.
- Nichols, B 1994, *Blurred Boundaries: Questions of Meaning in Contemporary Culture*, Indiana University Press, Bloomington.
- Nichols, B 1991, *Representing Reality: Issues and Concepts in Documentary*, Indiana University Press, Bloomington & Indianapolis.
- Nichols, B 1983, 'The Voice of Documentary', *Film Quarterly*, vol. 36, no. 3, Spring, pp. 17-30.

## References

Nussbaum, M 1990, *Love's Knowledge: Essays on Philosophy and Literature*, Oxford University Press, New York.

O'Neill, O 2002, *Autonomy and Trust in Bioethics*, Cambridge University Press, Cambridge UK.

O'Rourke, D n.d., 'Documenting a life, Documentary Fictions: Bibliography, Truth and Moral Lies', National Library of Australia, viewed 7<sup>th</sup> August 2008, <http://www.nla.gov.au/events/doclife/orourke.html>.

Panichi, J 2001, 'Fly-on-the-wall or Foot-in-the-door?: Documentaries and Journalistic Ethics', *Metro Magazine: Media and Education Magazine*, nos 129/130, pp. 114-121.

Patterson, W 2008, 'Narratives of Events: Labovian Narrative Analysis and Its Limitations', in *Doing Narrative Research*, eds M Andrews, C Squire & M Tamboukou, SAGE Publications, Los Angeles, London, New Delhi & Singapore, pp. 22-41.

Pearce, G & McLaughlin, C 2008, *Truth or Dare: Art and Documentary*, Intellect Books, Bristol.

Peligrino, E 2004, 'Philosophy of Medicine and Medical Ethics: A Phenomenological Perspective', in *Handbook of Bioethics: Taking Stock of the Field from a*

## References

- Philosophical Perspective*, ed G Khushf, Kluwer Academic Publishers, Dordrecht, Boston & London, pp. 183-205.
- Plantinga, C 1997, *Rhetoric and Representation in Nonfiction Film*, Cambridge University Press, Cambridge UK.
- Powers, J 1997 'An Unreliable memoir' In *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp. 103-117.
- Pryluck, C 2005, 'Ultimately We Are all Outsiders: The Ethics of Documentary Filming', in *New Challenges for Documentary*, 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 194-209.
- Rabiger, M 2004, *Directing the Documentary* 4<sup>th</sup> edition, Focal Press, Oxford.
- Rabinowitz, P 1994, *They Must be Represented: Gender and the Rhetoric of History in American Political Documentaries*, Verso, London & New York.
- Rawls, J 1971, *A Theory of Justice*, Belknap Press, Massachusetts.
- Reisman, C 2008, *Narrative Methods for the Human Sciences*, SAGE Publications, Los Angeles, London, New Delhi & Singapore.

## References

- Reisman, C 2002, 'Narrative Analysis', in *The Qualitative Researcher's Companion*, eds M Huberman & M Miles, Sage Publications, Thousand Oaks, London & New Delhi, pp. 217-271.
- Reisman, C 1993, 'Narrative Analysis' *Qualitative Research Methods*, vol. 30, pp. 1-24.
- Renov, M 2004, *The Subject of Documentary*, University of Minnesota Press, Minnesota.
- Renov, M 1999, 'New Subjectivities: Documentary and Self-Representation in the post-verite Age', in *Feminism and Documentary*, eds D Waldman & J Walker, University of Minnesota Press, Minneapolis & London, pp. 84-95.
- Renov, M 1993, *Theorizing Documentary*, Routledge, New York & London.
- Richards, I 2005, *Quagmires and Quandaries: Exploring journalism ethics*, University of New South Wales Press, Sydney.
- Richards, I 2003, 'Trust ME, I'm a Journalist': Ethics and Journalism Education', *MediaEducator*, no. 14, December, pp. 140-146.
- Robinson, J 2003, 'Molly and Mobarak: A Subversive Act' *Australian Screen Education*, no. 33, pp. 64-66.

## References

- Rosenthal, A 1980, *The Documentary Conscience: A Casebook in Film Making*, University of California Press, California & London.
- Rosenthal, A & Corner, J 2005, *New Challenges for Documentary* 2<sup>nd</sup> edition, Manchester University Press, Manchester & New York.
- Rothwell, J 2008, 'Filmmakers and their Subjects', in *Rethinking Documentary: New Perspectives New Practices*, eds T Ausin & W de Jong, McGraw Hill Open University Press, pp. 152-157.
- Rouff, J 1998, 'A Bastard Union of Several Forms: Style and Narrative', in *An American Family*', in *Documenting the Documentary: Close Readings of Documentary Film and Video*, eds B Grant & J Sloniowski, Wayne State University Press, Detroit, pp. 286-302.
- Rubbo, M n.d., Interviews with Observational Filmmakers Ricky Leacock and Roger Graef, unpublished.
- Rubin, H & Rubin, I 2005, *Qualitative Interviewing: The Art of Hearing Data*, 2<sup>nd</sup> edition, Sage Publications, Thousand Oaks, London, New Delhi.
- Ruby, J 2005, "The Ethics of Image Making; or, 'They're Going to Put Me in the Movies. They're Gong to Make a Big Star Out of Me....'", in *New Challenges for Documentary*, 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 209-220.

## References

- Runcie, S n.d., 'In Conversation with Tom Zubrycki, Writer/Director/Producer *Molly and Mobarak*', Screen Australia, viewed 20 October 2008, [http://www.afc.gov.au/newsandevents/afcnews/converse/zubrycki/newspage\\_72.aspx](http://www.afc.gov.au/newsandevents/afcnews/converse/zubrycki/newspage_72.aspx).
- Saunders, D 2007, *Direct Cinema: Observational Documentary and the Politics of the Sixties*, Wallflower Press, London & New York.
- Seaman, M 2003, 'The Self in the Mirror: Feminism and Australian Documentary Filmmaking', in *Women Vision: Women and the Moving Image in Australia*, ed L French, Damned Publishing, Melbourne, pp. 360-369.
- Seligman, A 1997, *The Problem of Trust*, Princeton University Press, Princeton New Jersey.
- Shembri, J 2004, 'Review: *Molly and Mobarak*', *The Age*, 2<sup>nd</sup> May 2008, <http://www.theage.com.au/articles/2004/02/05/1075853991255.html>.
- Silcock, B, Schwalbe, C & Keith, S 2008, 'Secret Casualties: Images of Injury and Death in the Iraq War across Media Platforms', *Journal of Mass Media Ethics*, vol. 23, no. 1, pp. 36-50.
- Smith, B 2007, 'The State of the Art in Narrative Inquiry: Some Reflections', *Narrative Inquiry*, vol. 17, no. 2, pp. 391 – 398.

## References

- Solomon, M 2005, 'Realizing Bioethics' Goals in Practice: Ten Ways 'Is' Can Help 'Ought', *The Hastings Centre Report*, vol. 35, no. 4, July-August, pp. 40-48.
- Souter, F 1997, 'The Bad Man of Bangkok', in *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp. 117-125.
- Squire, C 2008, 'Experience-Centred and Culturally-Oriented Approaches to Narrative', in *Doing Narrative Research*, eds M Andrews, C Squire & M Tamboukou, SAGE Publications, Los Angeles, London, New Delhi & Singapore, pp. 41-64.
- Stivers, C 1993, 'Reflections on the Role of Personal Narrative in Social Science', *Signs: Journal of Women in Culture and Society*, vol. 18, no. 2, pp. 408-425.
- Stocks, I 2001, 'The Troubles of Dennis O'Rourke', *Senses of Cinema*, no. 13, viewed 17<sup>th</sup> April 2009, <http://archive.sensesofcinema.com/contents/01/13/orourke.html>
- Stubbs, L 2002, *Documentary Filmmakers Speak*, Allworth Press, New York.
- Sunderland, K 2002, 'A Slice of Catherine Marciniak's Documenting Life', *Metro Magazine: Media and Education Magazine*, no. 135, December pp. 86-88.

## References

- Tanner, S, Philips, G, Smyth, C & Tapsall, S 2005, *Journalism Ethics at Work*, Pearson, Sydney.
- Thorn, B 1980, 'You Still Takin' Notes?': Fieldwork and Problems of Informed Consent', *Social Problems*, vol. 27, no. 3, pp. 38-55.
- Tobias, M 1998, *The Search for Reality: The Art of Documentary Filmmaking*, Michael Wiese, Michigan.
- Trinh T Minh-ha 1993, 'The Totalizing Quest of Meaning', in *Theorizing Documentary*, ed M Renov, Routledge, New York & London, pp. 90-108.
- Urban, A n.d., 'Bob Connolly, *Rats in the Ranks*', *Urban Cinefile*, viewed 24<sup>th</sup> October 2008,  
<http://www.urbancinefile.com.au/home/view.asp?a=11633&s=Interviews>.
- Van Erk, A 2009, 'The Shaping Effects of the Conversational Interview: An Examination Using Bakhtin's Theory of Genre', *Qualitative Inquiry*, vol. 17, no. 7, pp. 1265 – 1286.
- Vaughan, D 1999, *For Documentary: Twelve Essays*, University of California Press, Berkeley, Los Angeles & London.



## References

- Viera, J 1988 'Images as Property', in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and Television*, eds L Gross, J Katz & J Ruby, Oxford University Press, Oxford & New York, pp. 135-163.
- Waldman, D & Walker J, 1999, *Feminism and Documentary*, University of Minnesota Press, Minneapolis & London.
- Walker, M 2007, *Moral Understandings: A Feminist Study in Ethics*, 2<sup>nd</sup> edition, Oxford University Press, USA.
- Widdershoven, G & Smits, M 1996, 'Ethics and Narratives', in *Ethics and Process in The Narrative Study of Lives*, ed R Josselson, SAGE Publications, California, pp. 275-287.
- Williams, B 1985, *Ethics and the Limits of Philosophy*, Harvard University Press, Cambridge, Massachusetts.
- Williams, D 2008, *Australian Post-War Documentary Film: An Arc of Mirrors*, University of Chicago Press, Chicago.
- Williams, L 2005, 'Mirrors without Memories: Truth, History and the New Documentary', in *New Challenges for Documentary* 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 59-79.

## References

- Williams, L 1997, 'The Ethics of Documentary Intervention: Dennis O'Rourke's *The Good Woman of Bangkok*', in *The Filmmaker and the Prostitute: Dennis O'Rourke's The Good Woman of Bangkok*, eds C Berry, A Hamilton & L Jayamanne, Power Publications, Sydney, pp.79-95.
- Williamson, D 2007 'Mapping the Documentary Field: Independent Filmmaking and Television in Australia' *International Journal of Humanities*, vol. 5, no. 9, pp. 217-224, viewed 20 October 2008, <http://ijh.cgpublisher.com/product/pub.26/prod.1195>.
- Winston, B 2005, 'Ethics', in *New Challenges for Documentary* 2<sup>nd</sup> edition, eds A Rosenthal & J Corner, Manchester University Press, Manchester & New York, pp. 181-194.
- Winston, B 2000, *Lies, Damn Lies and Documentaries*, British Film Institute Publishing, London.
- Winston, B 1999, 'Documentary: How the Myth was Deconstructed', *Wide Angle*, vol. 21, no. 2, pp. 71-86.
- Winston, B 1995, *Claiming the Real: The Documentary Film Revisited*, British Film Institute Publishing, London.
- Winston, B 1988, 'The Tradition of the Victim in Griersonian Documentary', in *Image Ethics: The Moral Rights of Subjects in Photographs, Film and*

## References

*Television*, eds L Gross, J Katz & J Ruby, Oxford University Press, New York & Oxford pp. 34-58.

Woodruff-Smith, D 1995, 'Mind and Body', in *The Cambridge Companion to Husserl*, eds B Smith & D Woodruff-Smith, Cambridge University Press, Cambridge.

Zuber, S 2007 'The Force of Reality in Direct Cinema: An Interview with Albert Maysles', *Post Script*, vol. 26, no. 3, pp. 16-21.

Zubrycki, T 1999 'Documentary: A Personal View', in *Second Take: Australian Film-Makers Talk*, eds R Caputo & G Burton, Allen and Unwin, Sydney, pp. 178-193.

Zubrycki, T 1997, 'From Video to Film and Back Again', Australian Film Commission, viewed 20<sup>th</sup> August 2008, [www.afc.gov.au/archive/afcnewspdf/184.pdf](http://www.afc.gov.au/archive/afcnewspdf/184.pdf).

## Filmography

Anderson, R & Connolly, B, dirs 1996, *Rats in the Ranks*, Arundel Productions, Sydney.

Anderson, R & Connolly B, dirs 2001, *Facing the Music*, Arundel Productions, Sydney.

Belvaux, R , dir 1992, *Man Bites Dog: It happened in your neighbourhood*, Siren Visual Entertainment.

Block, M, dir 1974, *No Lies*, Sage Publications, Direct Cinema Ltd, Santa Monica, California.

Botko, H, & Gurland, A, dirs, 2004, *Mail Order Wife*, Cherry Road Films, Santa Monica, California.

Clark, T & Glover, K, dirs, 1998, *Two Tribes*, Australian Broadcasting Corporation, Sydney.

Godmilow, J & Collins, J, dirs, 1974, *Antonia: A Portrait of the Woman*, Direct Cinema Ltd, Santa Monica, California

## Filmography

Gorman, V, 2001, *Losing Layla*, Hatchling Productions, Clunes NSW.

Hill, B & Woods, K, dirs, 1992, *Sylvania Waters*, British Broadcasting Corporation & Australian Broadcasting Corporation.

King, A, dir, 1969, *A Married Couple*, Alan Kind Associates, Toronto.

Maysles, A, & Maysles, D, dirs, 1976, *Grey Gardens*, Maysles Films Inc., New York.

O'Rourke, D, dir, 2000, *Cunnamulla*, Film Australia in association with CameraWork Inc, Cairns.

O'Rourke, D, dir, 1991, *The Good Woman of Bangkok*, CameraWork Inc, Cairns.

Pennebaker, D.A, 1967, *Don't Look Back*, Leacock-Pennebaker Inc.

Raymond, A & Raymond, S, dirs, 1973, *An American Family*, Video Verite, New York.

Stoney, G & Brown, J, dirs, 1978, *How the Myth was Made: A Study of Robert Flaherty's Man of Aran*,

Strachan, C, & Cavadomo, A & The Borrooloola Tribal Council, 1981, *Two Laws*, Reddirtfilms, Black Rock, Victoria.

## Filmography

Wiseman, F, 1967, *Titicut Follies*, Zipporah Films Inc, Cambridge Massachusetts.

Zubrycki, T, dir, 2007, *Temple of Dreams*, SBSi, Sydney.

Zubrycki, T, dir, 2003, *Molly and Mobarak*, JOTZ Productions, Sydney.

Zubrycki, T, dir, 1996, *Billal*, JOTZ Productions, Sydney.

Zubrycki, T, dir, 1993, *Homelands: View from the Edge*, JOTZ Productions, Sydney.

Zubrycki, T, dir, 1988, *Amongst Equals*, Ronin Films, Canberra.

Zubrycki, T, dir, 1987, *Friends and Enemies*, Ronin Films, Canberra.

## **Catalogue of Interviews and Correspondence**

Boyd, A, Interview with the Author, 22<sup>nd</sup> April 2008, Sydney NSW.

Email Correspondence, 22<sup>nd</sup> July 2009.

Connolly, B Interview with the Author, 22<sup>nd</sup> April 2008, Glebe NSW.

Email Correspondence 4<sup>th</sup> June 2009.

Gorman, V, Interview with the Author, 26<sup>th</sup> August 2008, Mullumbimby NSW.

Email Correspondence 14<sup>th</sup> June 2009.

Rule, L, Interview with the Author, 17<sup>th</sup> April 2008, Sydney NSW.

Email Correspondence 24<sup>th</sup> October 2008.

Zubrycki, T, Interview with the Author, 18<sup>th</sup> April 2008, Sydney NSW.

Email Correspondence 14<sup>th</sup> April 2008, 2<sup>nd</sup> November 2008.

## Ethics Committee Approval (HE08/036)



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#### HUMAN RESEARCH ETHICS COMMITTEE

**MEMORANDUM TO:** A/Prof D Williamson & Ms K Nash  
School of Arts

This is to advise you that the Human Research Ethics Committee has approved the following:

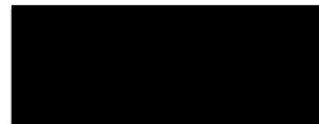
**PROJECT TITLE:** The unblinking eye: A phenomenological investigation of observational documentary.  
**COMMENCEMENT DATE:** 01/04/2008  
**COMMITTEE APPROVAL No.:** HE08/036  
**APPROVAL VALID TO:** 01/04/2009  
**COMMENTS:** Nil. Conditions met in full.

The Human Research Ethics Committee may grant approval for up to a maximum of three years. For approval periods greater than 12 months, researchers are required to submit an application for renewal at each twelve-month period. All researchers are required to submit a Final Report at the completion of their project. The Progress/Final Report Form is available at the following web address: <http://www.une.edu.au/research-services/forms/hrecfinalreport.doc>

The *NHMRC National Statement on Ethical Conduct in Research Involving Humans* requires that researchers must report immediately to the Human Research Ethics Committee anything that might affect ethical acceptance of the protocol. This includes adverse reactions of participants, proposed changes in the protocol, and any other unforeseen events that might affect the continued ethical acceptability of the project.

In issuing this approval number, it is required that all data and consent forms are stored in a secure location for a minimum period of five years. These documents may be required for compliance audit processes during that time. If the location at which data and documentation are retained is changed within that five year period, the Research Ethics Officer should be advised of the new location.

19/03/2008



Jo-Ann Sozou  
Secretary



