



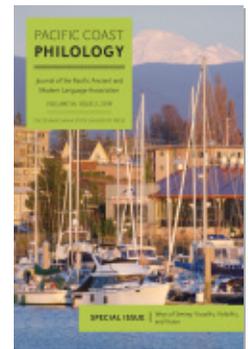
PROJECT MUSE®

"For America to Rise It's a Matter of Black Lives / And We Gonna Free Them, So We Can Free Us": 13th and Social Justice Documentaries in the Age of "Fake News"

Dawn Dietrich

Pacific Coast Philology, Volume 54, Issue 2, 2019, pp. 220-251 (Article)

Published by Penn State University Press



➔ For additional information about this article

<https://muse.jhu.edu/article/739732>

“For America to Rise It’s a Matter of Black Lives / And We Gonna Free Them, So We Can Free Us”



13th and Social Justice Documentaries in the Age of “Fake News”

DAWN DIETRICH

WESTERN WASHINGTON UNIVERSITY

Abstract: Given that documentary methodologies are situated within a digital media ecology today, this article considers the ramifications of social justice films that purport to establish emancipatory truth claims in an era of “fake news.” In addition to treating documentary filmmaking as a methodology, rather than a discrete film genre, this article demonstrates the ways in which participatory media culture is reshaping what gets defined as “truth” and how it is achieved. Looking specifically at racial justice themes in Ava DuVernay’s *13th*, this article observes how documentary rhetorics are part of a larger media ecology that includes Twitter, Facebook, YouTube, and Instagram. Perhaps a defining feature of our cultural moment—at the same time that there is great suspicion regarding the relationship of images to “truth,” there is also a great need and desire to establish non-racist narratives to counter the hegemonic historiography that passes for the “real” in U.S. culture. This article demonstrates how social justice documentarians are stepping up to the challenge.

Keywords: documentary, U.S. racism, digital culture

In the past, representational storytelling [in documentary films] was often seen as a necessary evil, to be employed sparingly in order to stay as close to the coveted truth as possible. It is increasingly clear, however, that these forms can do more than substitute what reality is unable to provide; they can take a story far beyond its original scope in meaning, impact, and even truthfulness.

—Sheila Bernard, *Documentary Storytelling*

Pacific Coast Philology, Vol. 54, No. 2, 2019

Copyright © 2019 The Pennsylvania State University, University Park, PA

doi: 10.5325/pacicoasphil.54.2.0220

Ways of Seeing (In)Justice

Ava DuVernay poses a provocative question near the end of her documentary *13th* (2016), a film about the U.S. Amendment that purported to “free slaves” and the subsequent segregation and incarceration of blacks that followed, by featuring the views of two activists who debate the value of seeing cellphone images of police violence directed against black individuals. The first, Corey Greene, Founder of the nonprofit How Our Lives Link Altogether, argues that blacks don’t need to see pictures to know what’s going on. In fact, he says, there is trouble in *just* showing black bodies as dead bodies. The second, Gina Clayton, director of the Essie Justice Group, argues that such images need to be seen, as long as the families are okay with it. Civil rights activist Van Jones supports Clayton’s view, adding “People need to be shocked into movement. They need to pay attention.”

The topic of the relationship of social justice filmmaking to contemporary technologies and media, such as cellphone footage, is just one of many fraught topics that gets taken up in *13th*, but one that impacts the entire narrative construction of the documentary. The film consciously explores black history, as it is remediated through various forms of technology from photographs (particularly photographs taken by white people of lynchings



Fig. 1 | Ava DuVernay incorporates graphic and animated images into her documentary *13th*. Graphic courtesy of Netflix.

and cross burnings) to television to social media. Van Jones, for example, explains Mamie Till's decision in 1955 to allow the media to produce images of her son Emmet Till's open casket, after he was murdered by white supremacists; and recalls how Martin Luther King Jr. made use of TV images to show the United States what desegregation violence looked like, with dogs attacking black urban children and adults being fire-hosed. In many ways, the early use of television functioned similarly to the way Facebook or Twitter does today: it was the primary medium in which Americans accessed information and images.

Without stating it outright, Jones implies that there was a sense in the early twentieth century that optical technologies could record the effects of violence and display them to a public in a way that would provide incontrovertible evidence of racism. With time, however, such confidence in the transparency of images and the "truth" they revealed would be challenged by the prolonged civil rights fight in the South, and resurrected again, during, the televised trial of Rodney King, a victim of police brutality in Los Angeles in 1991. King, a black man, was pulled over for drunk driving and speeding. When he hesitated to get out of the car, as ordered, he was violently beaten and kicked by three white police officers with batons, as a fourth supervisor stood by and watched. Though a bystander captured most of the beating on video, the indexical (or photographic) evidence was not seen as convincing enough to convict the officers of "unreasonable force" when the case went to trial. All three officers ended up being acquitted.

Yet, 90 percent of Los Angeles residents who saw the video felt that it unequivocally confirmed the use of unreasonable force, and Los Angeles mayor Tom Bradley stated publicly, "Today, the jury told the world that what we all saw with our own eyes was not a crime." In a trial in which the video was broken down frame by frame, and yet no jurisprudential agreement could be reached, there was the sense that *even if video showed exactly what happened in a given moment, it could never be determined to be "real" or "true," based on the images alone*. The video, no matter how unambiguous, could be misconstrued or intentionally obfuscated by those who had the power to "read the images." For a black victim in a racist context, this was like having the ability "to expose the truth" taken away from you.

All told, the King trial constituted the first broad discussion of the role of video evidence in documenting police violence. And, ultimately, because of the perceived failure of the medium to reveal truth transparently, faith in indexical images waned in subsequent decades, exponentially so as digital technologies became prevalent. Adding to this crisis of representation was the larger back-drop of stereotyped images of black Americans in television and film. Racist

images were so pervasive in the media that black actors were routinely reduced to stock character types with simplistic, menacing, or demeaning roles, such as rapists, white sidekicks, servants, thieves, or drug dealers. Looking back over black cinematic history, it is difficult to see the mass media as anything other than a vehicle for disseminating racist narratives and images.¹ In *13th*, DuVernay dramatizes this relationship between media images and social reality by critiquing a number of film clips from commercial cinema—from *Birth of a Nation* (dir. D. W. Griffiths, 1915) to *12 Years a Slave* (dir. Steve McQueen, 2013)—highlighting the ubiquity of racist images in U.S. culture.

Because of the fraught relationship between black lives and the white media industry that has historically portrayed them, I will take up the problem of representing “the real” in a contemporary context—that of social justice documentaries, or films defined by their attention to the distribution of wealth, opportunities, and privileges in a society. I am choosing to focus on feature-length documentaries rather than “interactive documentaries” to demonstrate how traditional film form is responding to a digital media ecology in equally “interactive” ways.² As these films attempt to inform, educate, and move spectators to political action, they must grapple with how best to represent emancipatory and/or oppositional narratives in a contemporary media context in which *the fallibility of the image appears to be the only given*. Further, the challenge for all documentary practice today is exacerbated by an increasingly fragmented and partisan public sphere where there is a general distrust of the media and media producers amidst the proliferation of “fake news.”

Within this cultural context, it doesn't seem obvious why any director would want to produce social justice films within the documentary mode, and a number of questions get raised: how is contemporary documentary practice impacted by a digital media ecology, in which media compete with, remediate, and mimic other media? How effective are social justice documentaries today, given the strength of hegemonic narratives within the dominant culture? Is it possible to mitigate the contingencies inherent in digital images and production? Is there a likelihood that documentaries can effect material change in the larger world? Why the popularity of *this particular medium in this cultural moment*? I will address the use of indexical images and the construction of truth claims in contemporary documentary, by focusing on four vital components of Ava DuVernay's innovative work with *13th*: documentary as situated within a digital media ecology; documentary practice as a “methodology” rather than a genre; the role of stylized narration and storytelling in the construction of “truth;” and the importance of the larger community, or public, in establishing “truth claims.”

From Cell Phones to Black Lives Matter: Documentary Film within a Digital Media Ecology

In *13th*, Ava DuVernay doesn't shy away from acknowledging the instability and contingency of truth claims made with recorded video and film; it's already clear to her that any "language" is political and can be co-opted, distorted, and refuted by opponents. In fact, she deconstructs pairs of binary concepts all the way through the film: free and imprisoned, lawful and unlawful, equal and unequal, convict and lawful citizen, black and white. She demonstrates, handily, that neutrality and transparency have always been myths. Instead, the filmmaker develops new methods for achieving bold truth claims about the black experience in the United States, while consistently drawing viewers' attention to the paradoxes in both language and image use.

To accomplish this, DuVernay dramatizes the confluence of optical recording technologies and economies of "documented truth." By acknowledging the role of cellphone cameras, in capturing the killings of unarmed black men by police, for example, she makes the difficult choice of showing images of authentic death within the context of her film. Similarly, DuVernay poured through hundreds of archival records detailing decades of violence against blacks, determining which photographs and videos to use, how much to show, and when to refrain from showing. In curating the archives, DuVernay also wrestled with how and what the photographs and video and film clips signified. With the cell phone footage, specifically, independent video, recorded by family members or friends of shooting victims Oscar Grant, Eric Garner, Tamir Rice, and Freddie Gray, among many others, was embedded into *13th* with dramatic results. The video clips capture images of fatal confrontations with police, and they privilege non-auteurial focalization; that is, DuVernay is not the "author" of the video content. The videos are shocking to see, even if viewers are already familiar with them. Rendered in color, with full audio, they feature unarmed black men crying for help, pleading for air, and displaying massive gunshot wounds. The visceral evidence is very difficult to witness; and to compound the injustice, we now know that nearly every victim was shot by police officers who were later exonerated. Before being embedded into *13th*, the video clips had circulated online and had been used as evidence against police brutality. As a group, they constitute a genre that has dominated digital forums and Twitter platforms as well as provided the impetus for street protests and the rise of #BlackLivesMatter.³ In other words, the images are recognizable to a wide swath of the public. When DuVernay embeds the videos into her film, she both quotes the images that circulated online and creates a unique argument about the historical trajectory of U.S. racism in the context of her larger film. In fact, much of the power of her

film comes from seeing 150 years of continuous black oppression compressed in the course of one hundred-minute film. DuVernay opens a space centered within national public discourse, by referencing indexical images tied to an event (death) that can never truly be captured by recording technologies; and yet, which resonates with finality.

Within the discourse of the film, DuVernay demonstrates that these indexical images and the medium of the cellphone camera itself constitute a type of testimony, one that in this case documents a grievous wrong. At odds with poststructuralist theories of the image, which advance the idea that indexical images are unable to capture the real, because they remain images, at a remove from the referents they represent, DuVernay asks us to see the “truth” of black deaths, as captured on video. The rhetorical use of these images functions similarly to earlier recorded civil rights violence, but because audiences have seen the videos before, in this case they are used less to provide information or establish a “fact” than to demonstrate the repetitive nature of the fatal confrontations, the serial orientation of police shootings of unarmed black men. Rather than approach the film as a historian might, by focusing on primary sources, texts, artifacts, and established interpretations, DuVernay shows the spectator spontaneous and raw video footage filmed under traumatic circumstances. She seeks to establish and represent the material and embodied response to ongoing trauma within the black community; and she asks viewers to identify with black suffering and outrage.

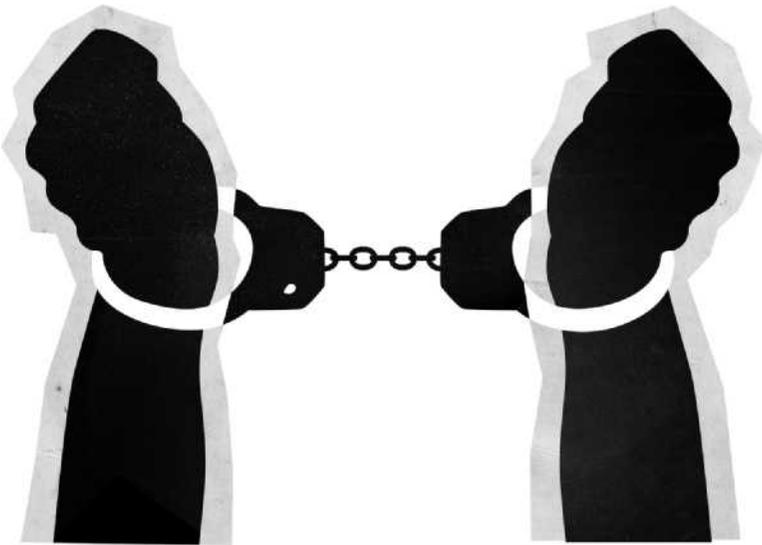


Fig. 2 | DuVernay demonstrates how slavery, police brutality, and mass incarceration are linked in *13th*. Graphic courtesy of Netflix.

In short, *13th* initiates a new set of *discursive and material practices*; discursive, in that film itself is recognized as a critical discourse methodology that is multi-modal, narrative-based, and a producer of social discourse; and material, in that the focus of DuVernay's work is always on subjectivity and subject formation, on physical bodies and their relationship to space. The contextualization of this approach within a digital environment is changing the impact of social justice work.

By situating textual and visual evidence in a broader context, such as DuVernay does with the hundred-minute film she compiles, she creates a "thick history" in which to understand the black deaths that she shows in *13th*. The film's power comes from creating a compelling narrative where spectators are asked to identify, intimately, with the black experience in America. For white people, this may involve re-imagining their relationship to U.S. culture and history and acknowledging their own complicity in systems of oppression. Yet, the film is also very moving on a human level, from the point of view of individuals' stories and impassioned calls for change from civil rights activists. In this case, eliciting forms of empathy through audience identification has less to do with "proving" an "objective" historical account and more to do with letting spectators see and hear from impacted communities, in their own voices, and through their own stories. It also means finding a way for conversations around race to be able to happen in real time, in digital venues as well as in-person activist and non-profit organizations.

Carolyn Nielsen, author of "Moment or Movement? U.S. News Coverage of Racial Issues in a Digital Era," elaborates on how emerging online-only platforms of new sources and social media applications are breaking geographic barriers and introducing "non-elites" into the discussion of events. She writes,

The breaking of geographic barriers is important because it allowed for events that were once only local stories to be viewed in the context of other "local" stories. For example, the death of an unarmed African American man in one city may now be viewed in the context of another similar incident. ("Moment or Movement?"¹⁸)

Nielsen goes on to analyze the ways in which journalism is changing within a digital environment, especially as related to events around racialized violence. She observes that newer digital methods utilize technology to access conversations about race; value popular inclusion in sourcing; foster civil deliberation above disseminating facts, and draw on the audience to build consensus in thinking about events ("Moment or Movement?"³). Such consensus leads to greater possibilities for action, collaboration, and cultural intervention. DuVernay, though working in documentary film, similarly, exploits digital connectivity, privileges civil dialogue and education, and includes a broad range of voices—offering the potential for grassroots consensus to emerge from online and in-person communities brought together by shared

commitments. This leads to the possibility of creating platforms for political action. Documentary output is but one mode of expression in DuVernay's larger, activist identity, but it is a powerful one. I'm not suggesting that social justice documentaries magically create consensus among disparate communities, but rather that new discursive practices, as expressed through digital platforms, have been shown to powerfully shape national conversations.

Because DuVernay's film work is intricately bound up with a digital media ecology, I am employing scholar Kris Fallon's observation that contemporary documentary is better understood as a *digital methodology* rather than a *discrete film genre* today. Though I will continue to use the term "film" or "documentary" to signify DuVernay's cinematic work, I want to consider that documentary film now exceeds its function as a discrete text embedded within a discrete genre. For example, acknowledging the ways in which contemporary documentary is born into a media-rich environment, Fallon claims that documentaries (traditional and interactive) may be in a unique position to document political dissent and impact the social mobilization of activists. He argues that "blogs, social networks, and mobile technologies [have] become the connective tissue of political dissent and social mobilization" and that documentary films' early impulse of organizing information and making it visible to a public, is *also an apt description of what the Internet does on a larger order* ("Where Truth Lies," abstract). Thinking about documentary film as one form of output within a digital ecology changes the way we understand film as a mode and a practice. Fallon continues,

Indeed, a corporation like Google expresses this boldly in their mission statement, which proclaims that they want to "organize the world's information." While a website is not simply another form of documentary film, the same impulse to inform, educate, and persuade that gave rise to documentary film in previous periods shapes a great deal of the work being done in online environments. Moreover, documentary's long traditions of participant/independent media production, archival exploration, and social discourse/action all find correlates in interactive environments which seek to enable user generated content, tagging, and social networking. ("Where Truth Lies," 6)

Research looking at Twitter's "discursive mediality," for example, focuses on the constitution of "affective publics" through the use of hashtags. Zizi Papacharissi, author of *Affective Publics and Structures of Storytelling: Sentiments, Events, and Mediality*, writes, "They [hashtags] serve as framing devices that allow crowds to be rendered into publics; networked publics that want to tell their story collaboratively and on their own terms. These networked publics come together and/or disband through bonds of sentiment, and I describe them as affective, convening across networks that are discursively rendered out of mediated iterations" (2). I contend that social justice documentaries similarly

constitute a kind of affective public that arises from their attempt to organize and activate through mediated iterations.

13th provides a powerful model of how such a “digital methodology” might perform in the service of social justice aims. Its digital relations situate the film in a larger system of possibilities, similar to that of new journalism, for accessing research and engaging in conversations about race. Returning to the example of the cell phone footage, we see these factors at work in the film’s relationship to on-line discourse as well as direct action, specifically through the formation of Black Lives Matter, the group most responsible for protesting white supremacy and trying to end violence against black people. When DuVernay was asked explicitly about the relationship of the Black Lives Matter movement to *13th*, she replied:

The final act of our picture is all about Black Lives Matter, not as some kind of dutiful, “Oh it’s the present moment, we should do something.” Every line, every frame of this film leads you to that place... the declaration that the lives of black people, our very breath, our very dignity, our very humanity, are valuable and matter to the world. (Lantigua-Williams)

DuVernay sees her film in a broader context of racial representation and activism and resistance. In addition to the #BlackLivesMatter community, *13th* was used to justify dissent and to lend energy to national protests on #BlackSpring, #IfTheyGunnedMeDown, #HandsUpDon’tShoot, and other social activist groups. Earlier, DuVernay’s film work had also generated online controversy around the intersection between race and gender when DuVernay was passed over for an Academy Award nomination on her Martin Luther King biopic, *Selma* (2014). The backlash from activists, film critics, and media scholars was searing. The Oscar “snub,” as it was referred to, along with zero nominations that year for minority actors in all four acting categories, became the genesis of the #OscarsSoWhite campaign, which ultimately led to the Academy of Motion Picture Arts and Sciences’ announcement that it would commit to dramatically increasing the diversity of its membership.⁴

Since that moment, there has been the beginning of a culture shift, both in the Academy’s membership and in the production of black films by black filmmakers and production crew. Though black films still represent a small percentage of U.S. films produced, at 5.5 percent, filmgoers are now more likely than ever to see material that features black experiences; is written, directed, and produced by black teams; and which opens in mainstream venues (*Women and Hollywood*). *Moonlight* (dir. Barry Jenkins, 2016), for example, was the winner of the 2017 Oscar for Best Motion Picture of the Year. Two years later, Spike Lee’s *BlacKkKlansman* (2018), despite its strong anti-racist content, opened to widespread acclaim and won an Oscar for Best Adapted Screenplay; and *Black Panther* (dir. Ryan Coogler, 2018) walked away with three Oscars. I’m not attributing

this paradigm shift solely to DuVernay's film work or even to a general shift in production, reception, and distribution, in which feature films now have to be understood as one form of output within a larger media ecology. More impactful is the deeply reciprocal way in which documentary practices are now embedded within a larger media ecology, which changes how they document political dissent and mobilize activists. Newer social justice films are becoming multi-modal and interactive, engendering discursive practices that intersect with material methods to create forms of direct action, intervention, and community building.

Computational Rhetorics: Beyond the Camera Lens

In addition to the impact of social media and digital networks on documentary film practice, recent social justice films are able to use computational research methods, incorporating big data, simulations, visualizations, and infographics into their texts, allowing for "computational rhetorics." Such a practice allows filmmakers to explore how digital methods are systematizing knowledge. Both rhetoric and computation employ philosophies of rigorous reasoning and symbolic logic as well as break down complex patterns into discrete components, in order to improve upon processes (Vee and Brown Jr.). Within a digital context, data visualization has become a primary mode in which information can be organized and displayed to powerful effect. Data visualization is a process whereby information is encoded in visual schematics that may include graphical charts, figures, and bars, often to assist in various forms of data analysis. It provides a new method for conceptualizing textual readings. Like any display of information, the research can be manipulated for positive or ill gains, similar to "fake news" within digital networks. But, foremost, computational methodologies are useful in producing large scale forms of research and data mining that individual researchers are often unable to perform on their own; they bring a much-needed computational perspective to the historically print-centric humanities. This is an approach that draws on algorithmic methods of analysis, opening up new, computational perspectives within textual and filmic studies.

If data-driven methodologies are problematic, the critique most often centers on data organized in a way that risks being misread as "transparent" or "homogeneous," and which can, therefore, be misleading.⁵ Kris Fallon, in "Data Visualization and Documentary's (In)visible Frontiers," explains,

Taken as aesthetic representations of information gathered about the world, visualizations fall somewhere between the poles of such intractable binaries as fact/fiction or objective/subjective. They sit at one remove from data itself, an entity that, as its history suggests, is never neutral and always marked by the motivations and investments of those who collect it and shape its presentation. On the one hand, visualizations

offer the potential to pull together large swaths of information and reveal otherwise hidden dimensions of the world. On the other hand, they can be manipulated to misrepresent reality and mislead observers. In other words, data and data visualizations are a lot like documentary film and photography. (299)

Fallon astutely observes that data visualization, despite its reliance upon “hard data,” functions similarly to both documentary film and photography in their radical contingency and subjectivity. Yet, because computational rhetorics offer an alternative to representing “the real,” it frees documentary filmmakers from having to rely solely on witness testimony, re-enactments, or animations to capture an event, place, or person that is no longer present. In fact, many documentarians are choosing to engage with computer-generated data and images in lieu of those more traditional methodologies. Put differently, data visualization constitutes a powerful way in which to depict that which can’t be shown effectively in cinematic images or heard through audio tracks. This type of representation can provide a proxy for that which is absent, including invisible subjects, which elude the camera’s gaze (“Data Visualization” 295).

For DuVernay, data visualization becomes a way to express the scale and impact of racism. Her “invisible subjects” include the millions of black men locked away in U.S. prisons. Through dramatic black and white graphics that display the U.S. flag with tiny images of shackled prisoners filling in the white spaces between the stripes, the filmmaker creates a haunting image of the incarcerated in the “Land of the Free.” Drawing on the startling rise of black incarceration rates dating from Nixon’s “Law & Order” regime through Reagan and Clinton’s “War on Drugs,” DuVernay then displays the hundreds of thousands of prisoners that grow exponentially within the graphic in segments of five or ten years. The stylized graphics of numbers show the outsized proportion of black prisoners to the overall population of black men in the United States. The film’s opening, in fact, features the voice of former President Barack Obama, stating the deeply troubling statistic that black men constitute 5% of the U.S. population, but 25% of its prisoners. “This is a quarter of the population shackled in the Land of the Free,” states commentator Van Jones. The inmate graphics, in bold font, occur multiple times through *13th*, punctuating DuVernay’s overview of the history of racism. Narratively, the infographic works as a refrain or a chorus, as the number of prisoners quadruple the closer we move to the present moment; but the disturbing tally is also part of a larger montage of innovative graphics that introduce a myriad of black vocal artists and musicians between key segments of historical eras discussed in the film. Creative fonts and cool iconography of doves, flags, and maps move, morph, and dissolve to quote lyrics from the songs and to turn visual images, like the stripes on the American flag, into the prison bars on a cell.



Fig. 3 | DuVernay places prison bars over a map of the United States to demonstrate, graphically, the critique of mass incarceration at the heart of *13th*. Graphic courtesy of Netflix.

Thus, woven throughout the argument that DuVernay makes regarding mass incarceration is an animated *mélange* of black cultural expression, music, and art. Songs such as “Behind Enemy Lines” (Public Enemy), “Work Song” (Nina Simone), “There’s a Man Going ‘Round Taking Names” (Traditional), “Last Words” (Nas), and “Criminal” (Usher Raymond) provide a generic odyssey through black musical traditions. For every image of suffering under oppression, there are images of resiliency, life-building, and community. DuVernay provides a condensed glimpse into black musical traditions and their deep connection to sustaining community. The lyrics are powerful and emotional; they critique white nationalist culture and the forms of racism that continue to beleaguer the United States. Together, the animated graphics, along with song lyrics, provide breaks between historical eras and allow the filmmaker to focus on different aspects of U.S. social policy. In acknowledging the differences between the photographic images and graphical data, Fallon asserts, “Rather than competing regimes, we should instead acknowledge the extent to which the indexical image and the infographic are capable of reinforcing one another. Together, they offer activists the type of reinforcements needed on the front lines of political engagement” (“Where Truth Lies,” 308, 311–12).

Streaming in the Marketplace: Affordances within Commercial Cinema

Focusing on traditional documentary as a “digital methodology” means that I am also looking at the role of commercial cinema in the context of digital streaming platforms. Cinema that has its roots in corporate culture and media conglomerates may seem to preclude an art form that is explicitly oppositional and emancipatory. Yet, no corporate enterprise is completely monolithic, and there appear to be cracks in the commercial industry. For example, intermingled with Hollywood’s “racial salvation” stories, there is cinema fare that takes risks and is committed to anti-racist filmmaking. And, despite commercial products requiring a ticket purchase, interaction with a paywall, or a monthly streaming fee, Americans’ consumption of media content remains strong, generating large audiences for mainstream films. Streaming services like Netflix, while potentially reducing theater exhibition and attendance, may, at the same time, democratize viewership by distributing film products online. Netflix, Amazon, or iTunes users can access material with the click of a button and for a fraction of the cost of a movie ticket. These products are able to be viewed on multiple devices, and they provide broad access to media content. Netflix has also dissolved the distinctions between television and film by releasing short, long, and serial products, including new indie, foreign films, and documentaries. In 2019, for the very first time, Netflix entered the Oscar arena, claiming three awards for *Roma* (Alfonso Cuarón, 2018).

When addressing some of her reasons for choosing to work with Netflix to produce *13th*, DuVernay noted, for example, that there aren’t arts cinemas in every community. “You can’t even see *Straight Outta Compton* in Compton,” she stated in an interview with *Colorlines* (Rao). DuVernay felt that more people would watch *13th* on their computers or phones than go to a movie theater. Further, Netflix made an offer she couldn’t refuse: they gave her the budget to make any documentary film she wanted to. Netflix also granted educational groups a free screening license, so there was a low barrier to accessing the film. Many high schools, universities, and colleges showed the film free of charge, and many students saw a version of American history unlike any they had ever known. Netflix and other streaming services can also use their algorithms to recommend documentaries to viewers who may have liked similar fiction films, increasing documentary spectatorship (Falcon). For these reasons, despite its deep critique of U.S. culture, policies, and laws, *13th* circulated widely and impacted conversations about racial justice in the United States and beyond.

It is worth noting that in 2016, the same year that *13th* was released, Raoul Peck's *I am Not Your Negro*, based on James Baldwin's writings, also opened, along with Ezra Edelman's *O.J.: Made in America*. This trio of films suggests there is synergy among filmmakers of color who are choosing to work within the commercial documentary mode, reaching broad audiences within a mainstream market, while circulating not-so-mainstream narratives of the black experience in the United States. This hasn't always been the case with documentary fare, which was once considered an esoteric art form, of interest primarily to cinephiles and scholars. For nearly eighty years after the release of *Nanook of the North* (1922), in fact, fiction films dominated commercial screens and trumped documentaries in terms of their popularity. Producer Dan Cogan of Impact Partners (*Icarus* [2017] and *Won't You Be My Neighbor* [2018] as well as numerous other documentaries) explains, "You were supposed to watch them [documentaries], they would inform you, but you didn't necessarily want to watch them as entertainment in and of themselves" (Falcon).

But documentary film has now come into its own as a robust and commercially viable product, in large part, due to the digital media ecology, which provides an interactive environment for dialogue, movements, and practices to emerge alongside them. Documentaries have been shown to effect real, material change in the world, including releasing inmates from prison with *Escobar: Paradise Lost* (dir. Stefano, 2014) and *The Thin Blue Line* (dir. Morris, 1988); documenting abuse in films like *Surviving R. Kelly* (dir. Berg, 2018) and *Leaving Neverland* (dir. Reed, 2019); and changing conversations around topics like fast food with *Super Size Me* (dir. Spurlock, 2004). Some filmmakers, in fact, are claiming that documentary production is currently in a Golden Age, noting the high revenues brought in by nonfiction films as well as the films' distribution in mainstream venues. At the same time, public desire for complex film narratives and diverse nonfiction stories appears to have never been greater. Kris Fallon attributes the surge in interest primarily to the promise of political activity and social change offered by documentaries. He remarks:

Thus, for the first time since Vietnam, documentary films had the freedom to speak to specific groups that were already inclined to believe the truth claims they presented about issues that affected everyone. This expanded audience, combined with the previously discussed technological shifts (the emergence of digital production capabilities and the advent of DVDs and the internet as distribution channels), provided the perfect environment for the renaissance of political documentary in the last ten years. ("Where Truth Lies," 9–10)

In response to this opportunity, social justice filmmakers are remaking the form boldly and creating new subject positions for viewers; they are tackling notions of truth in ways that are impacting activists and activist practices. Knowing that they speak to audiences of converts allows filmmakers to address spectators in powerful ways, moving groups of like-minded people to support progressive causes. And while documentaries don't necessarily move people from the theater to the streets, they often move people from the theater (or TV) to the computer screen. Digital activism, while a different method from street protests or face-to-face organizing, can constitute a form of direct action and has played a dominant role in influencing national conversations around social justice issues, as illustrated by the Me Too movement, the organization of the Women's March, and Black Lives Matter. Ava DuVernay comments on how she sees the relationship of *13th* to activism and organizing:

If you know all this stuff, great. Pass it on. If you don't know it, know it. You need to know it. Because at this point, after you see *13th*, silence in this case is consent. You know all of this. You're a forward-thinking person, you care about it. *You can't just walk out into the night after you see the movie or put down your iPad after you see it on Netflix and do nothing about it* [italics mine]. (Lantigua-Williams)

While the political organizing of activist groups often takes the form of marches or boycotts or is expressed digitally through social media campaigns, there is a broader way in which our discourse with each other is also impacted. DuVernay continues: *"I'm not saying you have to join a march. I'm not saying you have to push for legislation. I'm saying what this film talks about is the very way that we deal with each other in the everyday. It's about our relationship to each other as it deals with race"* [italics mine] (Lantigua-Williams).

In addition to formal organizing, then, DuVernay hints at the potential for films to raise consciousness and transform individuals, an effect that films can often accomplish simply by instigating conversation among viewers. So, while the hegemony of commercial cinema and its embeddedness within capitalist practices may seem antithetical to the production of political films, the context of contemporary documentaries is more complex. Segments of the industry are changing to include diverse voices at a time in which it has never been more important, and social justice documentaries, particularly, are exploiting the digital environment of which they're a part. They are both shaping online conversations and cultures and being shaped by them, and the new techniques that are emerging are redefining how we perceive the relationship of documentary filmmaking to truth claims and the representation of what's "real."

Beyond the Fiction of White Supremacy: Black Rhetorics

Thus far, I have been focusing on a media-specific analysis of *13th*, but it is important to acknowledge the black film tradition out of which DuVernay's work emerges. Michael Martin, in an introduction to his interview with Ava DuVernay, establishes how the director's cinematic work extends from a long tradition of black filmmakers and movements, including the early segregated "race movies" in the 1900s; black independent cinema (documentary work by William Greaves, Madeline Anderson, and St. Claire Bourne); the 1960s and '70s films of the L.A. School (Charles Burnett, Julie Dash, Billy Woodberry, and Haile Gerima); and the Black Arts Movement (Larry Neal and Amiri Baraka) (1).

Additionally, critical race theory intersects with material forms of cinema to establish what I'm calling "black rhetorics." bell hooks, for example, dramatically shifted filmic criticism when she observed that "black looks" constitute a different spectatorial gaze from the white, cinematic "look," a concept she designated "oppositional." hooks explores the fraught system of "looking" within early twentieth-century culture, where a black man in the United States could be killed for looking at a white woman, while Hollywood movies at the time invited "the male gaze" within the darkened auditorium of the movie theater. bell hooks's monograph *Black Looks: Race and Representation*, written partly in response to Laura Mulvey's essay "Visual Pleasure and Narrative Cinema," challenges the assertion that "the gaze" is constructed in the same way for black and white viewers and integrates racial identity into phenomenological studies of film.⁶

In *13th*, DuVernay extends the black filmmaking tradition through a critical race lens, by creating what she calls a "documentary tool." This "documentary tool" consists of the film itself as well as the digital networks into which the film is embedded; but it also includes black activist groups and the work they're doing in the broader culture, including reclaiming black culture, elevating its powerful leaders to public recognition, and educating viewers broadly about the relationship of contemporary racism to its historic roots. In the process, Ava DuVernay produces a powerful viewing experience, one described by Oprah Winfrey as having the effect of "being awakened" (*13th: A Conversation with Oprah Winfrey & Ava DuVernay*).

In many cases, social justice filmmakers themselves are from marginalized communities, such as DuVernay or Russian émigré Kirill Mikhanovsky (*Give Me Liberty*, 2019), and finding a mainstream medium in which they can express their subject position and their history may in itself constitute a radical act. To appropriate an art form that has been historically tied to

representations of the “real” means that individuals with voices that are not privileged in the dominant culture have an opportunity to construct a counter-hegemonic narrative—and to find receptive audiences engaged in working toward social justice and political reform.

These filmmakers are embracing new strategies to document and intervene into systemic oppression, based on the intersectionality of race, class, gender and sexual orientation as well as other identity categories. Jonathan Kahana, in *Intelligence Work: The Politics of American Documentary*, argues, persuasively, that documentary has always functioned as *an extension of the public sphere*; and therefore, has borne a relationship to U.S. social policy. However, it is rarely acknowledged how white these historiographical accounts have been or how few people of color have authored these “texts.”

In *13th*, DuVernay demonstrates the importance of black filmmakers and artists having access to the means of production, in order to express their distinct relationship to U.S. history and culture. In the film, for example, DuVernay invokes the 13th Amendment that purported to “free slaves,” and which was widely heralded as a civil rights victory in U.S. history, then demonstrates how a loophole around what constituted “criminality” allowed black people to be jailed en masse *after they had been freed*, amounting to legalized slavery. The 13th Amendment reads like a mockery once DuVernay exposes the reality beneath the rhetoric, especially for black prisoners, their families, and communities. As a young, black, female filmmaker from Compton (East Los Angeles), Ava DuVernay speaks the truth of racism in the United States in ways that challenge the white establishment and posit the reality of subjects of color. She is on record attesting to her belief that art and film matter for “forward thinking people . . . instigate change” (*13th: A Conversation with Oprah Winfrey & Ava DuVernay*).

The image shows the word "CRIMINAL" in a very large, bold, black, sans-serif font. The letters are thick and blocky, with a slightly distressed or textured appearance. The word is centered horizontally and occupies most of the width of the page.

Fig. 4 | DuVernay deconstructs terms like “criminal” that have been used to create legal loopholes and restrictive codes designed to impact blacks disproportionately. Graphic courtesy of Netflix.

In DuVernay's documentary, she largely recasts hegemonic U.S. historical narratives through the film's synthesis of archival research and contemporary events. The filmmaker creates an intervention into U.S. historiographical accounts to construct a conceptual framework that privileges an emancipatory version of black history in the United States, one that begins with an acknowledgment of the deep trauma around the African American experience. In the film, DuVernay begins with post-Reconstruction violence in the form of lynchings and the consolidation of white supremacy hate groups in the South. She then tracks the ways that racism morphed into different political (and "legal") forms when it was no longer socially acceptable to murder blacks outright. These movements through visual history, largely depicted through archival photographs, include the criminalization of black behavior that led to high incarceration rates, effectively creating the free black labor needed to bolster the Southern economy. In the late nineteenth and early twentieth centuries, for example, blacks were arrested in large numbers for "crimes," such as vagrancy and loitering or even interacting with whites. Segregation in the form of Jim Crow laws and voter suppression acts also saw the disenfranchisement of blacks from many of the rights and liberties that Americans perceived as distinct U.S. freedoms. African Americans were disproportionately put in jail and kept there, and DuVernay tracks the accelerating rate of incarceration with the aforementioned data visualization graphics: 513,900 prisoners in 1980; 1,179,200 in 1990; 2,306,200 in 2014. The last half of her film, focusing on television archives, deals with the prison-industrial complex, largely stemming from Nixon's "Law & Order" regime and continuing as a "War on Drugs" through the Reagan, Bush, and Clinton administrations. DuVernay documents the severe consequences of sentencing mandates, "3 Strikes and You're Out," and the privatization of the prison industrial complex with profits tied directly to the goal of expanding incarceration rates.

To contextualize the historical overview and demonstrate its relevance to contemporary culture, the director interviews an impressive range of individuals with civil rights experience, including Angela Davis, Henry Louis Gates, Van Jones, Jelani Cobb, Malkia Cyril, Marc Mauer, Bryan Stevenson, Michelle Alexander, John Hagan, Corey Greene, Baz Dreisinger, and Gina Clayton, among others. She also reaches out to conservatives, including Republicans Grover Norquist and Newt Gingrich, to include their views in the discussion. Radical inclusivity and openness to all of her subjects characterize DuVernay's interpersonal approach. Yet, there is no mistaking her intent: interspersing the commentary of activists, inmates, politicians, professors, and historians throughout this historiographical survey, DuVernay demonstrates how generational trauma has been inflicted on blacks in different forms throughout

U.S. history without ever being broadly acknowledged, repaired, reconciled, or eliminated.

The omission of federal recognition, reparations, and reconciliation is made more powerful when the filmmaker connects the historical past to our contemporary moment and invites viewers to think about their complicity in systemic racism. DuVernay dramatizes the subtext of white privilege through a dialectical approach that is best demonstrated in a culminating scene in the film. The filmmaker imports footage from a political speech, given by Presidential candidate Donald Trump in 2016, and juxtaposes it with images that the audience has already seen once in the film—depictions of desegregation violence in Little Rock, Arkansas, in 1957, on the day that nine black students were admitted to Central High School (specifically, the harassment and physical abuse of black photo reporter L. Alex Wilson, though he is not identified in the film). Thus, a moment from our desegregationist past and our current cultural moment are brought together through a sound bridge of Trump's speaking voice at a rally, which asks us to interpret the original footage shown earlier in the film in light of this new context. In the segment of L. Alex Wilson footage, which DuVernay refers to as "The Dignified Man," Wilson, in a suit and tie, is attempting to cross the street and avoid the jeering white supremacists lining the sidewalk when he is approached by an angry mob and pushed around. He continues to walk across the street, trying to skirt the edges and avoid the men, only to have his hat knocked off his head. He does not react to the pushing, shoving, and name calling that is being hurled at him. In fact, he attempts to walk away without an altercation; but ultimately, that's impossible. The white men knock him to the ground and then punch him and beat him as he tries to escape. Though DuVernay chooses not to show the most graphic footage of the beating, Alex Wilson died two years later from injuries likely sustained on this day (Klibanoff).

DuVernay's parallel editing in this segment demonstrates how illegal race discrimination can be legally sanctioned within the larger culture, whether during the Jim Crow era or in our current cultural moment, providing a biting critique of laws and amendments that purport to be right and just, but which get expressed repressively in a racist society. The cross-cutting of the two filmed events separated in time makes this point explicit. The excerpt from the Trump election rally unfolds very much in the spirit of a white supremacist gathering.⁷ There are references to fascist politics, the use of racial epithets, threatened violence, and surging throngs of emotional supporters. In this particular clip, Trump has just called for a black protestor "to be removed" by his security detail. Predominately white Trump supporters are yelling insults and threats at multiple black and Latinx protestors in the audience, while Trump cajoles and encourages them:

“Isn’t this so much fun? Aren’t we having a good time? In the good old days, this doesn’t happen because they used to treat them very, very rough. And when they protested once they would not do it again.”

[White men pushing black man in civil rights context]

“I’d like to punch him in the face, I tell you. Yes, I love the old days. You know what they used to do to guys like that? Places like this? They be carried out on a stretcher, folks. That’s true.”

[White rally participant: “Knock the hell out of that big mouth. The next time we see him we might have to kill him.”]

“In the good, ole days they’d rip him out of the seat so fast . . . ”

[Angry exchanges at the rally. White rally attendant: “Get the fuck out of here, man.”]

[Black protester being dragged away: “I care about my son’s future!”]

“In the good ole days, law enforcement acted a lot quicker than this, a lot quicker.

[Cut to Nixon on TV with Law & Order logo behind him.]

“I am the Law & Order candidate.”

The effect of the parallel scenes is chilling. We see exactly what “the good old days looked like,” we understand the cultural signifier that Trump is summoning, and there is no mistaking the “they” that he targets. Such rhetorical positioning nails a cultural “truth” that speaks to power; that unveils right-wing, authoritarian control; and lays bare the ugly underbelly of America’s white supremacist culture. In this case, Trump’s veiled threats and euphemisms take on a devastating meaning in concrete and material terms—as ongoing white-sanctioned violence directed against black people in the “free United States.” It is impossible not to connect our current moment to the film’s earlier depiction of white nationalism, and it becomes difficult to sustain an argument that the United States has moved beyond its racist foundation.

Though highly stylized in its construction, the edited sequence addresses the way that race reforms seem to engender new types of racism and repeat the cycles of oppression: from slavery to Jim Crow to the civil rights era to Trump. The conclusions are sobering, not least because this clip displays our current President engaged in open, hateful behavior just a few months before he was officially elected by the American public. The clip also suggests that this country is a longways from acknowledging the harm that racism has caused and continues to cause. DuVernay’s editing-sleight-of-hand refuses to let white Americans delude themselves with “post-racial” fantasies; instead, spectators glean a sobering account of black struggle and victimization and witness the toll elicited by white nationalism. This kind of potent analysis is only available to us when we hold the present in a dialectical relationship to the past.

Constructing Truth Claims in the Era of “Fake News”

Art forms that are comprised of indexical images and profess to have a relationship to that which is “real,” such as documentary filmmaking, have always held a tenacious relationship with storytelling and narrative construction, beginning with Robert Flaherty’s early commercial success, *Nanook of the North* (1922), which was criticized when scenes were found to be staged. Historically, documentary filmmakers engaging in fictionalized storytelling methods, whether through inventions, recreations, simulations, or highly constructed scenes have risked such public censure. Yet, documentary filmmakers, today, experiment widely with how best to represent what’s “real” or “true,” often focusing on telling visual stories and using stylized narration and/or methodologies to engage audiences. Today, there is greater acknowledgement of the social context of truth claims and greater tolerance for creative license within this indexical art form. It is impossible for most viewers to imagine a version of “truth” that isn’t mediated, perceptually, through language, image, sound, and technology, and therefore, contingent.

Beyond exercising creative license, however, social justice filmmakers must also attend to the ways that various communities discern truth differently. Filmic methodologies that purport to define what’s “real” or “true” can be perceived as hegemonic in certain cultural contexts, due to their embeddedness within institutionalized forms of knowledge production, historically white, male, heterosexual, and cis-gender. In working with individuals from marginalized communities, whose voices are so often overlooked, some practitioners, such as Nick Couldry, find that their methodology must go beyond the “truthfulness” of the facts themselves.

Couldry argues that digital storytelling must be considered alongside the inequitable distribution of society’s wealth and resources . . . [and] the unequal distribution of “symbolic power,” implying that political and material reality are instrumental in anchoring truth claims (47). For example, whose voices are being heard? Who benefits from this life narrative? Who stands to lose power if this narrative is shared and acted upon broadly? Does this film address underlying forms of systemic oppression? Couldry’s assertions underscore that media production has the power to build trust, promote equity, and in the process, generate empathy among viewers; therefore constituting a powerful “truth” effect. These kinds of meaningful filmic identifications can lead to activist organization, public education, and direct action in the larger world and are a central way that new documentary methods are changing the political landscape.

If such a methodology appears “subjective,” it’s important to recall that Western epistemologies steeped in scientific paradigms and academic institutions may be suspect for marginalized and/or communities of color, many of whom suffered under slavery, were violated by medical practices, or saw their land or property taken from them. Likewise, when communities of color in the United States give voice to their perceptions or experiences, their expressions may include anger, a sense of betrayal, or sadness. Trauma can easily be triggered in these situations, and there is an emotional cost for black people in teaching white people about racism. Documentary filmmakers, today, don’t aim for Truth. They recognize that all “truth” is subjective and capable only of representing a singular point of view. But, such representations of “truth” can be powerful tools for raising consciousness and political awareness. This is storytelling from a particular perspective, with a particular goal (Falcon). For these reasons, many social justice filmmakers recognize “truth” as something that has to be represented through lived experience, grounded in the voices, bodies, and lives of survivors, and witnessed by a community. This is a “truth” that speaks to white nationalist power, for example, and is heard by blacks and non-black allies.

Another complicating factor impacting how we understand “truth claims” today, involves the proliferation of online narratives labeled “fake news.” This term may be used to refer to news that is actually fictional or it may be used, fallaciously, to discount legitimate (peer-reviewed, vetted) journalism or other forms of research.⁸ Either way, the term is a useful one to engage in an analysis of representations of truth for a couple of reasons. First, anti-racist filmmaking like *13th* is situated alongside of “fake news” with its attendant blogs, websites, memes, video, and Instagram accounts; and the existence of such contingent and/or fictional forms of “truth” are likely to shape how audiences interact with and respond to truth claims, generally. Some scholars attribute documentary’s increasing popularity, in fact, to “fake news,” to spectators’ desire for more indexical forms of knowledge production that support direct forms of action (Fallon, “Where Truth Lies,” 10). Secondly, the emergence of “fake news,” paradoxically, displays the powerful and partisan struggle to author (whether by a human or a bot) a nationalist narrative that represents the “true” or the “real,” invoking fraught issues around citizenship, democracy, sovereignty, and civil rights. Everybody, it seems, wants their version of the “real” *to be real*, and it is notoriously easy to propagate such fictions through digital means, constituting more insidious forms of propaganda than in the past.

This “fake news” context matters, because it demonstrates that subjectivity and citizenship are always embedded in claims about truth, and rhetorical constructions are necessary to represent the real, even when they are problematic, i.e., fake, misleading, fictional. When “fake news” is publically defrocked by journalists and programmers and shown to have real, material consequences, such as the technologically-produced narratives that may have shaped the 2016 U.S. election process, we witness the complexity, and liability, of humans’ engagement with twenty-first-century communication technologies (Rao). While we do not, in fact, live in a “post-fact world,” *the perception that we do* may require different methodologies for expressing and addressing truth claims. Ironically, technological applications and algorithms are now being developed to identify false narratives and reduce their circulation, so technology is itself being used to create impediments for the circulation of “fake news” (Rao). Nonetheless, nothing less than our full participation and investment is required to vet, research, and advocate for the narratives that best shape the world we want to will into being. There is no longer any shame or sense of naiveté in claiming a kind of truth for your work in documentary film; and in the context of the “fake news” era, it may be irresponsible not to claim such a truth around issues of emancipation, human rights, and human dignity.

This complicated relationship to media obviously shapes how spectators approach documentary films and their claims to “truth” as well. As videographer and installation artist Hito Steyerl states, “the only thing we say for sure about the documentary mode in our times is that *we always already doubt if it is true*” (italics mine). For Steyerl, though, this uncertainty “is not some shameful lack which has to be hidden, but instead constitutes the core quality of contemporary documentary modes as such” (12). Contemporary documentarians have to work within this mode of contingency, while positing a social justice platform, predicated on shared precepts or “truths” about the kind of meaningful future that is worth working toward. This is not a one-size-fits-all metanarrative, as was the case with first-wave feminism, for example, but a messy, grassroots conversation characterized by diversity, conflict, contradictions, and gaps, with the goal, even if never met, of building consensus around progressive social change. How, then, do contemporary documentarians establish “truth claims” in their work? Is it possible to aim for an experience that exceeds conventional depictions of the “real”? How can one account for “evidence” that may vary by audience and community as well as across time?

There are no simple answers. But, one method is to focus on first-person and multi-person forms of narration, as the center of documentation. This means employing storytelling, as well as its visual corollary, focalization, as distinct strategies in documentary filmmaking. These aims, coupled with

contemporary production techniques, have allowed filmmakers to experiment with more stylized methodologies, including using varying degrees of narrativization and fictionalization in their work. For example, some newer work has evolved away from the use of historical footage and professional archives toward non-professional/community archives, among which 16mm., Super 8 home movies, surveillance videos, body cams, and cellphone footage are included. Such a technique allows for films to be focalized through non-auteurial perspectives and brings diverse sources into the text. With the democratization of consumer cameras in the last thirty years, it is common for individuals, families, and organizations to contain entire repositories of video data recorded in their homes and neighborhoods and on their streets.

A striking example of this newer type of data collection is well-represented in the powerful *12th and Clairmount* (2017), a documentary that details the 1967 Detroit “riots” (the term used by the press and the police) almost entirely comprised of home videos, community archives, industrial videos, and 8mm amateur films. Produced by the *Detroit Free Press*, in collaboration with *Bridge Magazine* and WXYZ-TV, the film achieves an intimate feel, largely because of the amateur footage. Under the direction of the Free Press’s video editor, Brian Kaufman, and *Bridge* journalist, Bill McGraw, the team splices together found footage from diverse videographers, often with unintended consequences. For example, McGraw explains how some of the most effecting footage isn’t necessarily of the riots themselves, but develops from the larger cultural context. He observes: “The footage donated by the white people is just like footage donated by the black people. Everyone’s dancing in their basements, doing the same sort of dances, kids are riding their old Stingray bikes with their banana seats, playing Wiffle ball in the street or in front of their house. It shows how life was going on often the same for people even though they were living very separate lives” (Reimink).

Documentary filmmakers are now working with communities to secure permissions to use non-commercial footage like this, and it has led to the democratizing of voices and narratives and the kind of broad representation that Nielsen references above. In a somewhat different example of this type of experimentation, Peter Jackson, who produced and directed *They Shall Not Grow Old* (2019), uses historical archives to document WWI soldiers on the Western Front but radically alters the form of the documentary when he pairs veterans’ voices with images of soldiers other than themselves. Jackson was invited by the Imperial War Museum to use their thousands of hours of camera footage to create a contemporary experience of the War. The director then re-mastered and colored the images, explaining in a thirty-minute segment after the film proper how he was able to achieve this. But, most interestingly, Jackson pairs the film clips of unidentified soldiers with recordings of

various veterans' memories during the 1950s without any attempt to identify the individual speakers or the men in the film clips. Instead of focusing on historical accuracy regarding individuals and their words and actions, Jackson describes how he wanted to communicate *the human experience of being in the war*. From this perspective, it didn't matter if the recorded voices layered over the images of the soldiers were different people, entirely. The result of using actual war footage with the voiceovers of veterans describing their experiences was the effect he was after. And the achievement is stunning: both the technical mastery of the vintage images and the sense of getting close to history by listening to those who were there.

Despite the reliance upon primary sources for the film (Jackson worked almost exclusively with archival video and solely with veteran interviews) the director felt compelled to point out that *They Shall Not Grow Old* was not made by a historian nor was it intended for historians. Instead, he asked viewers at the end of the film to connect to the experience of the War by asking individuals in their own families how their relatives were impacted. In this way, Jackson directed the entire WWI project toward the subjective narration of men experiencing the war and its aftermath and created a visual compendium completely related to, but different from, their memories.

Production methods employing such unconventional forms of narration are new for mainstream nonfiction film, but they are well established in the context of experimental films, for example, Trinh T. Minh-ha's work from the 1980s.⁹ Nonetheless, today's commercial filmmakers are clearly taking risks with form and embracing highly stylized and dialectical forms of narration, so that representing "the real" is not reduced solely to naming, labeling or historical identification. Social justice filmmakers, particularly, are employing creative modes of storytelling within film, in an effort to extend the value of their research to a broader community. In short, if their research is to have value for diverse audiences, particularly marginalized communities, they need to let impacted communities speak their own truth and invite audiences into the process of validating that truth.

Black Visionaries: Future Ecologies

DuVernay's clear-sighted eloquence and direct manner of addressing race in the United States is a balm to all people who desire racism to be acknowledged and brought into the open, so that it can be addressed. Work toward reclamation and reconciliation can't occur until the United States acknowledges that the basis of its "democracy" is built upon the backs of millions of Africans and African Americans. White people need to know their history and be familiar with ongoing systemic attempts to subjugate black people in this country. Their

complicity and/or acquiescence in systems of white privilege has benefitted them and hurt blacks and other people of color. Empathy, in any form, has to begin with an understanding of this privilege, its attendant “fragility,” and the costs these behaviors have extracted from communities of color (DiAngelo).

This focus on relationship building around racial divisions is really where DuVernay makes an impact with her film. Her shots of interviewees, framed in wide swaths of negative space, are set against urban materials and backgrounds, such as cement columns, metal gates, and brick walls. They ask the viewer to situate the individual against the larger context of the community, the state, and the nation. The commentators, themselves, speak personally and candidly with the filmmaker, eliciting a sense of spontaneity and intimacy on screen; and the use of black music and lyrics foregrounds black identity, pride, and resiliency throughout the film.

In the last scene of the film, while the credits are running, the filmmaker capitalizes on an intimate tone, by featuring a series of effecting photographs of black people in everyday situations. DuVernay chooses to display the photographs without identifying tags, giving viewers a glimpse into the pedestrian lives of random people. This long-running segment, accompanied by Common’s song “Letter to the Free,” functions in contrast to the cellphone videos embedded earlier in the film. In this instance, DuVernay moves away from graphic images to create another kind of effect: that of the shared intimacy when a photo album containing pictures of friends, family, and community, is displayed.

Throughout this sequence, Common’s “Letter to the Free” expresses a soulful reckoning with the long history of racism and the enduring desire for black freedom: “For America to rise it’s a matter of Black Lives / And we gonna free them, so we can free us.” Images of black individuals and families then begin to surface on the screen one at a time, in slow succession. They range in time from the late sixties to our contemporary moment and show black people in non-descript, daily activities, such as a kid riding a bike, a person swimming in a pool, a father holding a child, and someone posing proudly on a horse. They are joyful pictures, for the most part, and they simply show people going about their lives in the most ordinary way. These images evoke a powerful position in a cultural imaginary where black men are seen as dangerous predators or drug addicts and where black families are largely invisible. In short, the images are humanizing, and they are tenderly portrayed. The domestic archives come from unnamed sources, and, most likely, were never intended for public display. The effect is riveting and transgressive: we are voyeurs. Yet, in a gesture of radical vulnerability, the filmmaker invites us to look at what was never intended for us. What we see connects us deeply to one another and has the potential, as expressed by Common, to “set us free”; for racism, as we know, imperils blacks, but it also imprisons whites in its narrow purview.

In the broader film, likewise, DuVernay asks us to look, to see, to listen, to be discerning. She features the voices and narratives of black people, speaking their truth through captivating images, and she manipulates the form and conventions of documentary filmmaking through its broader connections within a media ecology. In the process, DuVernay creates a space for viewers to witness powerful forms of black agency, subjectivity, and resiliency. Viewers of *13th* describe being stunned, sickened, moved to tears, angry, and “woke” after watching the film. The critique of racism is relentless in the film, but DuVernay’s showcasing of black strength and dignity is the forceful current through which the narrative flows. In her interview with Oprah Winfrey, the filmmaker stated that she was most proud that incarcerated men and women had come forward to thank her for the project. They felt that their voices had been heard and represented in the documentary (*13th*).

In all, *13th* demonstrates how social justice filmmaking is re-conceptualizing documentary form and moving beyond the genre’s traditional methods for constructing nonfiction texts. Understanding contemporary anti-racist films within a digital media ecology allows us to comprehend the complex way that publics are now constituted within networked culture. At the same time, we see how the medium of film, itself, is sutured into a broad computational paradigm that informs its signifying practices, including the ways it addresses truth claims. Because DuVernay chose to produce and distribute her film through Netflix, over ninety countries had access to her documentary, and the film pushed discussions of race in the United States into mainstream venues. *13th* constitutes both a discourse and a methodology, at once performing as filmic text and exceeding the constraints of the medium to become something more. Near the end of the film, Gina Clayton asserts that the media still fails people of color. She states, “We’re still searching for a medium of technology that will serve the purpose of [revealing] a basic humanity that can be recognized.” Ava DuVernay gestures toward what such a medium, methodology, and practice look like in this remarkable documentary.

DAWN DIETRICH is Associate Professor of English at Western Washington University, where she specializes in film studies, literature and technology, and new media. Her work has been published in *Film Quarterly*, *Contemporary Literature*, *Word & Image: A Journal of Verbal/Visual Enquiry*, and *Arena Journal*. She is currently at work on a book-length project involving theories of affect and new materialism in postmillennial film.

NOTES

1. As explained by Piotr Sadowski, photography [and film] are indexical insofar as “the represented object is “imprinted” by light and the chemical (or electronic) process on the image, creating a visual likeness that possesses a degree of accuracy and “truthfulness” unattainable in purely iconic signs such as painting, drawing, or sculpture” (355). The indexical nature of the photographic image is central to discussions around authenticity, truth, and realism in photography, film, and media.
2. Interactive documentaries (i-docs) are digital media projects that engage participants through scrolling, clicking, or touching a screen as well as through locative technologies, such as mobile phones or sensors, as for example, in gallery installations. I-docs are participatory and media-rich texts, which have redefined documentary art as a “methodology” rather than a discrete textual form, medium, or genre. There is no doubt that i-docs, and the creative artists, designers, and programmers who are producing them, are changing the terrain upon which documentary form is understood. Additionally, much of this multi-modal work is experimental and paradigm altering, offering its own deeply social and political commentary, in many cases. But, I have chosen to look at the way that traditional, feature-length documentary is undergoing radical change within a digital environment, particularly because the designation of “interactive” with i-docs seems to suggest, by default, that traditional documentary is “non-interactive.”
3. For an in-depth review of the origins of Black Lives Matter as a Twitter hashtag in 2013 (during the murder trial of George Zimmerman), and then as an online platform comprised of regional groups, see Nielsen 28–37.
4. A 2012 *Los Angeles Times* study revealed that Academy voters were largely white males. The breakdown was as follows: 94 percent Caucasian, percent male, 2 percent blacks, and less than 2 percent Latina/o.
5. See Ben Schneiderman’s “Information Visualization”; Edward Tufte’s *Beautiful Evidence* and *The Cognitive Style of Powerpoint: Pitching Out Corrupts Witbin*; and Alex Galloway’s “Are Some Things Unrepresentable?” for research on using big data and infographics.
6. Combining the philosophy of phenomenology with film studies allows for an analysis of human consciousness and its perceptual relation to phenomena (objects and appearances). This theory exploits film as a visual medium, premised on sight.
7. Interestingly, Michael Moore’s film *Fahrenheit 11/9* (2018), utilizes the same footage from the Trump rally, and Spike Lee’s docu-drama, *BlackKkKlansman* (2018) cuts to newsreel footage of Trump supporters at the white nationalist rally in Virginia on August 10, 2017, including the devastating footage of the car that ran over protestor Heather Heyer. Lee’s inclusion of this live video footage at the of *BlackKkKlansman* actually breaks the film’s diegesis to connect the

filmic representation of the KKK and American racism in the 1970s, to the present moment. There is clearly a movement afoot to intervene in public discourse and political action through contemporary anti-racist filmmaking.

8. *Merriam-Webster Dictionary* explains that the term *fake news* has been around for approximately 125 years, though because it is a “self-explanatory compound noun,” it’s not included in the *Dictionary* proper. Nonetheless, in “The Real Story of Fake News,” on the website Words We’re Watching, *Merriam-Webster* states that the term designates “the printing of spurious news,” usually, “a political story that is seen as damaging to an agency, entity, or person.” While acknowledging the original meaning of the term, I am using it here in its more contemporary and multivalent context, which has arisen in the last five years of internet and social media usage.
9. It is telling that thirty years ago when Trinh T. Minh-ha did something similar with her films *Reassemblage* (1982), *Naked Spaces: Living is Round* (1985), and *Surname Viet, Given Name Nam* (1989), Western scholars critiqued her film practice as “ahistorical.” In *Naked Spaces*, for example, a documentary about rural life in six West African countries, Trinh identifies the specific countries by name, but then overlays the voices, commentary, and ambient sound of a different location. As a Vietnamese filmmaker, working in West Africa, she mounted a strong defense of her film in *Framer Framed*, theorizing the post-colonial critique she was enacting against the “colonial masters” who believed they could label a film through its national borders and spoken languages and somehow capture its subjects. It’s hard to know whether the critical response was due to the highly unconventional nature of Trinh’s work, at the time, or because she spoke with authority as a woman of color.

WORKS CITED

- Austin, Thomas, and Wilma de Jong. *Rethinking Documentary: New Perspectives and Practices*. McGraw-Hill Education, 2008.
- Balsom, Erika, and Hila Peleg, eds. *Documentary Across Disciplines*. MIT Press, 2016.
- Bernard, Sheila Curran. *Documentary Storytelling: Creative Nonfiction on Screen*. 4th ed. Focal Press, 2016.
- . “Documentary Storytelling: The Drama of Real Life.” The Writers Store, 20 July 2004, www.writersstore.com/documentary-storytelling-the-drama-of-real-life/.
- Bogost, Ian. “Stop Trusting Viral Videos.” *The Atlantic*, January 21, 2019, www.theatlantic.com/technology/archive/2019/01/viral-clash-students-and-native-americans-explained/580906/.
- Bruzzi, Stella. *New Documentary: A Critical Introduction*. Routledge, 2000.
- Canella, Gino. “Social Movement Documentary Practices: Digital Storytelling, Social Media, and Organizing.” *Digital Creativity*, vol. 28, no. 1, 2017, 24–37.
- Chapman, Jane. *Issues in Contemporary Documentary*. Polity Press, 2009.

- Chattoo, Caty. "Oscars So White: Gender, Racial, and Ethnic Diversity and Social Issues in U.S. Documentary Films (2008–2017)." *Mass Communication and Society*, vol. 21, no. 3, 2018, pp. 368–394.
- Couldry, Nick. "Media and Democracy: Some Missing Links." *Media and Social Justice*, eds. Sue Curry Jansen, Jeffrey Pooley, and Lora Taub-Pervizpour. Palgrave-MacMillan, 2011, pp. 45–55.
- Cruz, Edgar Gómez, Shanti Sumartojo, and Sara Pink, eds. *Refiguring Techniques in Digital Visual Research*. Palgrave MacMillan, 2017.
- DiAngelo, Robin. *White Fragility: What It's So Hard for White People to Talk about Racism*. Beacon Press, 2018.
- DuVernay, Ava, dir. *13th*. Netflix, 2016.
- . "How Ava DuVernay Struck a Chord with *Selma*." Interview by Alex Suskind. *Guardian*, 17 Dec. 2014.
- Falcon, Gabriel. "The Golden Age of Documentary Filmmaking." *CBS News*, 3 March 2019.
- Fallon, Kris. "Archives and Analog: Errol Morris and Documentary Film in the Digital Age" *Screen*, vol. 54, no. 1 (2013), pp. 20–43.
- . "Data Visualization and Documentary's (In)visible Frontiers," *Documentary across Disciplines*. Eds. Erika Balsom and Hila Peleg. Haus der Kulturen der Welt, 2016, pp. 294–315.
- . "The Pencil of Identity: Instagram as (Female) Autobiography." *Female Agency and Documentary Strategies: Subjectivities, Identity, and Activism*. Ed. Boel Ulfsdotten and Anna Backman Rogers. Edinburgh University Press, 2018.
- . "Several Sides of Errol Morris." *Film Quarterly*, vol. 64, no. 4 (2012), pp. 48–52.
- . *Where Truth Lies: Digital Culture and Documentary Media after 9/11*. University of California Press, 2019.
- . "Where Truth Lies: Political Documentary Film and Digital Media, 2000–2010." Diss., UC Berkeley, 2013.
- Favero, Paolo. "Getting Our Hands Dirty (Again): Interactive Documentaries and the Meaning of Images in the Digital Age." *Journal of Material Culture*, vol. 18, no. 3 (2013), pp. 259–277.
- Fuhs, Kristen. "The Legal Trial and/in Documentary Film." *Cultural Studies*, vol. 28, nos. 5–6, 2014, pp. 781–808.
- . "The Whole Truth and Nothing but the Truth: Documentary Film and the Socio-Politics of Justice." Diss., University of Southern California, 2011.
- Galloway, Alex. "Are Some Things Unrepresentable?" *Theory, Culture, & Society*, vol. 28, nos. 7–8, 2011, pp. 85–102.
- Garcia, Patricia. "Ava DuVernay Doesn't Want Praise, She Wants Change." *Vogue*, February 6, 2017, www.vogue.com/article/ava-duvernay-oscar-nomination-oscars-so-male.
- Grant, Barry Keith, and Jeannette Sloniowski. *Documenting the Documentary: Close Reading of Documentary Film and Video*. Wayne State University Press, 2016.

- Harindranath, Ramaswami. "Online Crowd-Sourced Documentary and the Politics of Veridicality and Authority." *Studies in Documentary Film* vol. 8, no. 3, 2014, pp. 179–187.
- hooks, bell. *Black Looks: Race and Representation*. 2nd edition. Routledge, 2014.
- Horn, John, Doug Smith, and Nicole Sperling. "Unmasking Oscar: Academy Voters are Overwhelmingly White and Male." *Los Angeles Times*, 19 Feb. 2012.
- Hutton, Susan. "The Changing Times." *LSA Magazine* (a publication of the University of Michigan), Fall 2017.
- Jordan, Randolph. "The Gap: Documentary Truth Between Reality and Perception." *Offscreen*, January 31, 2003.
- Kahana, Jonathan. *The Documentary Film Reader: History, Theory, Criticism*. Oxford UP, 2016.
- . *Intelligence Work: The Politics of American Documentary*. Columbia UP, 2008.
- Klibanoff, Hank. "L. Alex Wilson: A Reporter Who Refused to Run." *Media Studies Journal*, vol. 14, no. 2, 2000, www.hartford-hwp.com/archives/45a/455.html.
- Lachman, Richard. "Emergent Principles for Digital Documentary." *View: Journal of European Television, History, & Culture*, vol. 5, no. 10, 2016, pp. 1–13.
- Landesman, Ohad. "In and Out of This World: Digital Video and the Aesthetics of Realism in the New Hybrid Documentary." *Studies in Documentary Film*, vol. 2, no. 1, 2008, pp. 33–45.
- Lantigua-Williams, Juleyka, "Ava DuVernay's *13th* Reframes American History," *The Atlantic*, October 6, 2016, www.theatlantic.com/entertainment/archive/2016/10/ava-duvernay-13th-netflix/503075/.
- Martin, Michael T. "Conversations with Ava DuVernay: 'A Call to Action': Organizing Principles of an Activist Cinematic Practice." *Black Camera*, vol. 6, no. 1, 2014, pp. 57–91.
- Mulvey, Laura. "Visual Pleasure and Narrative Cinema." *Screen*, vol. 16, no. 3, 1975, pp. 6–18.
- Nielsen, Carolyn. "Coproductioin or Cohabitation: Are Anonymous Online Comments on Newspaper Websites Shaping News Content?" *New Media & Society*, vol. 16, no. 3, 2014, pp. 470–487.
- . "Dr. Carolyn Nielsen: Moment of Movement: U.S. News Coverage of Racial Issues in a Digital Era" (2017). *Journalism* 12. https://cedar.wvu.edu/journalism_facpubs/12.
- . "Moment or Movement? U.S. News Coverage of Racial Issues in a Digital Era." Diss. University of Washington, 2017.
- . "Newspaper Journalists Support Online Comments." *Newspaper Research Journal*, vol. 33, no. 1, 2012, pp. 86–100.
- Papacharissi, Zizi. "Affective Publics and Structures of Storytelling: Sentiment, Events, and Mediality." *Information, Communication & Society*, vol. 19, no. 3, 2015, pp. 307–325.
- Rao, Delip. "Technology Brought Us Fake News—and It Will Help Us Kill It." Editorial. *Seattle Times*, 8 Sept. 2017.

- Rao, Sameer. "With *13th*, Ava DuVernay Breaks Down the Racism of Mass Incarceration in a way that Everyone Can Understand." *Colorlines*, October 7, 2016.
- "The Real Story of 'Fake News.'" *Words We're Watching*. Merriam-Webster.com. 4 April 2018.
- Reimink, Troy. "*12th and Clairmount* Film Takes a Look at Detroit's Summer of '67." *Detroit Free Press*. March 27, 2017.
- Riley, Jenelle. "Oscars: Record Six Black Actors Nominated, Diversity Improves after Controversy," *variety.com.*, 24 Jan. 2017.
- Rosen, Philip. *Change Mummified: Cinema, Historicity, Theory*. U of Minnesota P, 2001.
- Sadowski, Piotr. "The Iconic Indexicality of Photography." *Semblance and Signification*. eds. Pascal Michelucci, Olga Fischer, and Christina Ljungberg. John Benjamins Publishing Company, 2011, pp. 353–368.
- Schenkel, Hanna. "A Lie that Tells the Truth: How Fictional Techniques Enhance Documentary Storytelling." *Screen Education*, vol. 74, 2014, pp. 70–77.
- Schneiderman, Ben. "Information Visualization." Stuart K. Card, Jock Mackinlay, and Ben Schneiderman, eds. *Readings in Information Visualization: Using Vision to Think*. Morgan Kaufmann, 1999, pp. 1–34.
- Steyerl, Hito. "The Uncertainty of Documentarism." *Make Film Politically: Contemporary Filmmaking and the Soviet Avant-Garde*. Chtodelat. #Special Issue. September 2007.
- Tay, Sharon Lin, and Dale Hudson. "Undisclosed Recipients: Documentary in an Era of Digital Convergence." *Studies in Documentary Film*, vol. 2, no. 1, 2008, pp. 79–98.
- 13th: A Conversation with Oprah Winfrey & Ava DuVernay*. Netflix, 2017.
- Trinh, T. Minh-ha. *Framer Framed*. Routledge, 1992.
- Tufte, Edward. *Beautiful Evidence*. Graphics Press, 2006.
- . *The Cognitive Style of PowerPoint: Pitching Out Corrupts Within*, 2nd ed. Graphics Press, 2006.
- Vee, Annette, and James T. Brown, Jr. "Rhetoric: Special Edition Introduction." *Computational Culture: A Journal of Software Studies*, 15 Jan. 2016.
- Women and Hollywood*. "2017 Statistics: Women Onscreen."
- Yuan, Jada. "With Her MLK Drama *Selma*, Ava DuVernay Is Directing History." *Vulture*, vol. 2, Dec. 2014.