

The Protocols of Truthmaking

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## Abstract

### The Protocols of Truthmaking

Jake Bagshaw

Increasingly, documentary films that reflexively interrogate their own medium are commonly labeled as works that “straddle the line between fiction and nonfiction.” Despite this frequently paraphrased concept, how can we responsibly ground nonfiction filmmaking’s interest in truth claims? A method by which we may explain this phenomenon is with formal analysis. Often reserved for the explication of form in fiction film or “narrative cinema,” significantly less attention has been given to the study of film aesthetics in nonfiction works. This case study examines the style and structure of two nonfiction films that profile death row cases in the Texan justice system, namely Errol Morris’ *The Thin Blue Line* (1988), and Werner Herzog’s *Into The Abyss* (2011). With comparative formal analysis, I aim to demonstrate how the use of style participates in the formation of particular conceptual notions of *truthmaking*. The term *truthmaking*, which I have appropriated from 20<sup>th</sup> century analytic philosophy, is used to describe the process whereby film style enables a cognizant medium for the discussion of how film form may be devised to pursue truth. I propose that David Bordwell’s two-fold process of *analytic* and *historical* poetics may be recontextualized within the realm of documentary film studies, both expanding and inquiring the application of Formalist methodology. More broadly, this thesis argues that space ought to be given for qualitative formal analysis of the nonfiction film, which simultaneously assists in the historicization of documentary style while also revisiting and challenging familiar views about the films and filmmakers in question.

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Dedicated to my parents.

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## Introduction

Real art has the capacity to make us nervous

- Susan Sontag, *Against Interpretation*

Reality has no style. Secondary school textbooks are crucial within education as means of both literary and didactic instructional texts, though the consideration of the relevance of their visual design in regards to their purported information remains at best in the periphery in relation to their capacity of transmitting knowledge. Audiobooks addressing the sciences similarly resist the desire for further exploration; we learn via the comprehension of language we hear, and in the event of a misunderstanding or an epistemic disagreement, we may venture beyond the text to affirm our conflicting belief. Imagery however, particularly photography, complicates this initially convenient method of understanding how to interpret reality. Within the realm of social sciences, aesthetic analysis has consistently remained a central facet of how we may fathom our engagement with painting, literature, music, and in the last two hundred years or so, photography. These named art practices possess a singular quality of composition which constitutes their respective form; we see paint and reason an image, we read words that form sentences, we hear the composed notes of instruments which form a melody. Photography however, is assessed as, and reasoned to be a trace, or an imprint of an actuality. But given this general logic, how and why does photography fall into the category of aesthetics? This question is complicated further by the invention of the moving image, particularly the use of film to document reality. Commonly used as a didactic tool, documentary films are generally perceived as records of actualities. Fiction film, by contrast, has little responsibility towards representing an objective, logical sense of reality, and is subject to infinite forms of deviation. Despite these generalizations, nonfiction film has nonetheless always remained a transforming art upon its

inception in the early 20<sup>th</sup> century, which is the precise formal elaboration this case study grounds its interest in.

## **Investigating Style**

This thesis assumes the relevance of stylistic analysis as a methodology by which nonfiction films, specifically the aesthetic design and temporal organization of nonfiction films, may be explicated in relation to their reflexive and expansive connection to truth claims made in the genre. Particularly, this thesis is interested in how the assertions of exclusive truth claims are made with filmic tropes and techniques to enable a cognizant medium for re-investigational purposes. This case study argues, alongside both canonical and emergent scholarly work addressing truth claims in documentary, that the *postmodern* label often associated with reflexive late 20<sup>th</sup> century-present nonfiction works should be reconsidered for the potential re-evaluation of how truth is reorganized, re-presented and re-contextualized with the ongoing advent of filmic and narrative construction.

As indicated in its title, this thesis is interested in how nonfiction films interact and/or exhibit a quality called *truthmaking*. I have appropriated the term *truthmaking* from 20<sup>th</sup> century analytic philosophical term<sup>1</sup> *truthmaker* that denotes an epistemic claim of something to be true. For the purposes of this case study, particular properties of filmic construction: aspects of style, enable particular truths to emerge from the film text; thus, truths are *made*.

Methodologically, this thesis applies a poetics of nonfiction as a means to understand the construction and subsequent purpose and affect of the filmic principles in question. Writing on

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<sup>1</sup> Most famously discussed by Russell and Wittgenstein in their respective works, “On the Nature of Truth” and *Tractatus Logico-Philosophicus*. The appropriation of the *truthmaker* notion I have made is explicitly linguistic. Thus, this thesis does not seek to delve into epistemological disputes made within philosophy. Rather, my definition of *truthmaking* in the context of this project relates to how nonfiction films formally render reality with the conscious application of film style.

the proposition of a poetics of documentary, Michael Renov writes, “the fundamental aim of poetics [is] to submit aesthetic forms to rigorous investigation as to their composition, function, and effect.”<sup>2</sup> Thus, unless otherwise specified, the use of the term “poetics” in this thesis suggests a methodology similar to Renov’s definition, and not a “poetics” in the metaphorical aesthetic sense with which it may be confused. Given this project’s interest in variant forms of nonfiction, particularly those which reflexively defy conventions of the medium, what if we consider a proposed poetics particularly suited towards the study of narrative film? David Bordwell’s “poetics of cinema” asks two broad questions of analysis regarding film:

1. What are the principles according to which films are constructed and by means of which they achieve particular effects?
2. How and why have these principles arisen and changed in particular empirical circumstances?<sup>3</sup>

Bordwell’s proposed questions seemingly pursue the same inquiry as Renov’s poetics, however it is Bordwell’s established two-fold method of situating cinematic principles that interests me in regards to a relatively limited project surveying comparative aspects of style in the works of two related filmmakers. Thus, I seek to readapt Bordwell’s poetics program as a model for reading the development of my objects of study.

The two major films reviewed and analyzed in this thesis were chosen for two primary reasons. Firstly, both films profile a similar topic; reinvestigations of death row cases in the Texan justice system, and secondly, the films’ directors are long-time colleagues whose works have evidently influenced one another’s unique conceptual approach to how nonfiction filmmaking is creatively applied as a tool to arrive at truth(s) about the world. More specifically, an aspect of the originality of this project is rooted in the observation that to date, no significant academic work has seriously considered the films, particularly the nonfiction films, of Werner

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<sup>2</sup> Renov, 20.

<sup>3</sup> Bordwell, “Historical Poetics of Cinema,” 371.

Herzog and Errol Morris alongside one another.

Herzog is often portrayed as a rugged, adventurous, “athletic” filmmaker. His films, both fiction and nonfiction, often put characters (and the film’s crew) at odds with nature, typically to convey a greater metaphor regarding sublime aspects of human experience. The influence of German Romanticism’s aesthetics is regularly tied to Herzog’s work, which repeatedly features vast landscapes reminiscent of scenic painting. Brash, driven, and uncompromising, Herzog’s extensive canon is also recognized for his energetic approach to filmmaking. Morris, by contrast, is usually framed as a self-aware, misanthropic investigator who uses film to expose odd characters and abnormal events in modern America. With an invested interest in interview, Film Noir aesthetics, and re-enactment, Morris’ films, which often notoriously struggle through long productions, may be viewed as the interior answer to Herzog’s exterior attitude towards filmmaking. Despite this comfortable paradigm, the two filmmakers share common interests in how nonfiction may be adapted to pursue truths about the world. Both directors reject the documentary tradition of Cinema Verité, wherein the camera adopts an observational stance, and is devoid of non-diegetic sound, or visual embellishment. Herzog fervently opposes this approach, and notably drafted his own enigmatic nonfiction manifesto entitled “The Minnesota Declaration.”<sup>4</sup> Less dramatically, Morris has said that,

What I don't like about verité is this claim that somehow you're guaranteed truthfulness by virtue of style. That's my complaint. That somehow because a film has been made in a certain way — handheld camera, available light, fly on the wall — that somehow it becomes more truthful as a result. I respectfully disagree. My films are as much concerned with truth as anything in verité. Maybe more so. I don't believe that truth is handed over by stylistic choice. It's a pursuit.<sup>5</sup>

Given this shared objection towards the established documentary tradition of verité, it is fair to ask how Herzog and Morris then frame the role and construction of nonfiction to “pursue” truth.

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<sup>4</sup> See the Appendix for a full copy of “The Minnesota Declaration,” p. 76.

<sup>5</sup> Interview with *The Believer*, April 2004.

As this case study positions film aesthetics as the crux by which the truth claims of documentary may be better understood, I intend to survey compositional aspects of the film as indicative of *how* documentary films may demonstrate a special capacity for narrative and concurrently *truthmaking* potential.

Perhaps no subgenre of documentary is better suited for a dialogue addressing truth claims than that of true crime. Generally formatted to reorganize information previously used in judicial processes, the true crime genre often aims to both illuminate the investigation it profiles while typically conceiving a fluid narrative by which the information is conveyed as storytelling: a “nonfiction feature” to paraphrase Morris writing on *The Thin Blue Line* in the film’s press kit.

*The Thin Blue Line* is best known for its aiding in the release of a wrongly convicted man, Randall Dale Adams, who was serving a life sentence in a Texas prison. The film essentially enacts a reinvestigation of the November 1976 Dallas roadside murder of police officer Robert Wood. Wood's partner Teresa Turko was unable to accurately identify the perpetrator; the case went dark for almost a month under the Dallas Police Department. On December 22<sup>nd</sup>, 1976, twenty-eight year old Ohio-native Randall Dale Adams was arrested for the murder. Sixteen year-old Vidor, Texas-native David Ray Harris was the only known witness at this point of the investigation alongside Turko. Previously apprehended for an unrelated attempted burglary of a convenience store outside of Dallas, Harris claimed he had important information regarding the recent murder of a police officer. This led to a prosecution that let Harris walk free<sup>6</sup> while Adams received the death penalty. Importantly, it was the participation of

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<sup>6</sup> Harris was however, convicted of the 1985 murder of Mark Walter Mays, and the attempted abduction of Mays’ partner Roxanne Lockhard, for which he received the death penalty. It is of interest to note that Mays’ murder took place when Morris was to meet Harris for a final interview. Harris was executed on June 30<sup>th</sup>, 2004. He was never formally charged for the murder of Robert Wood.

three surprise witnesses who testified against Adams that ultimately had him convicted.<sup>7</sup> In 1980, three days before his scheduled execution, Adams' conviction was commuted to a life sentence due a lack of physical evidence in the landmark case of *Adams v. Texas*, which was later detailed in a book of the same name written by Adams himself. Reviewing this case with testimonies and interviews with eighteen different “characters,” including Adams, Harris, the three surprise witnesses, as well as the two lawyers who defended Adams, *The Thin Blue Line* reconstructs eight different possible scenarios representing the murder of Wood in correspondence with respective stories derived from the talking heads. Linda Williams explains this structural process concisely, writing “[*The Thin Blue Line*] is acutely aware that the individuals whose lives are caught up in the events are not so much self-coherent and consistent identities as they are actors in competing narratives.”<sup>8</sup> Thus, the audience reductively plays investigator alongside the film, constantly retrieving information from the interviews and the re-enactments fabricated by Morris and the film's design team. Williams' observation is similar to Carl Plantinga's statements regarding the role of self-deceiving characters in the majority of Morris' films, explaining that

For Morris, humans are constitutionally incapable of understanding themselves or the world around them. Thus when nothing immediate is at stake, for example, the guilt or innocence of a man on death row, Morris takes deeper interest in the stories people tell and the web of beliefs they weave than in whether those beliefs are true or false. Morris seems to think that most of them are false.<sup>9</sup>

For the purposes of understanding the nonfiction films of Herzog and Morris not only as complimentary in terms of approaches to the pursuit of truth, but also synergetic in regards to the historical development of these works and their subsequent influence on one another, this thesis frames Herzog's 2011 film *Into The Abyss* as a figurative response to *The Thin Blue Line*. The

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<sup>7</sup> The three false witnesses, Emily Miller, her ex-husband R.L. Miller, and Michael Randell, will play a pivotal role in my discussion of reenactments in this section. Thus, it is recommended that this section of *The Thin Blue Line* (0:48:00-0:59:59) be reviewed when reading this part of the thesis.

<sup>8</sup> Williams, 12.

<sup>9</sup> Plantinga, 47.

selection of the Herzog film is relevant beyond the mere fact that the two filmmakers have an ongoing relationship as colleagues within the realm of Western nonfiction circles. Released twenty-three years after *The Thin Blue Line*, *Into The Abyss* chronicles another unlikely death row case in modern Texas. Indeed, if we probe into several details surrounding the film's production, we can draw various differences, and better yet some interesting parallels with *The Thin Blue Line*. *Into The Abyss* was shot in Texas with digital cameras within a period of several weeks in 2010, whereas *The Thin Blue Line* was shot on 16mm film, in various locations, between the years of 1985-1987. *Into The Abyss* encounters eleven people directly and indirectly involved in a triple-homicide in Highland Ranch, a gated community outside of the town of Conroe, Texas. Two young men, Michael James Perry and Jason Aaron Burkett, were held responsible. Perry and Burkett sought to apprehend Sandra Stotler's Chevrolet Camaro, and under the influence of amphetamines, killed Stotler, her son Adam, and his friend Jeremy Richardson in the process. The Camaro was in their possession for less than seventy-two hours when they were arrested and charged with the murders. Perry received the death penalty, while Burkett received a life sentence with parole in forty-five years. Herzog was already in the process of producing an eight-part series on death row prisoners, called *On Death Row*, in the United States. The banality of the murders, coupled with the absurdity that surrounded the motive, interested Herzog enough to secure funding to produce a feature length film, which became *Into The Abyss*.

The film makes little or no attempt to sympathize with the perpetrators; rather Herzog informs Perry within the first two minutes of their only filmed encounter, "when I talk to you it does not necessarily mean that I have to like you. But I respect you and you are a human being and I think that human beings should not be executed. It's as simple as that." Contrary to this

outwardly-stated approach by Herzog, *The Thin Blue Line* deconstructs the judicial evidence at once covertly and yet more intimately, frequently cutting to newspaper clips, court documents and its famous re-enactments, operating as visual responses to the characters' statements. Fundamentally, *The Thin Blue Line* hopes to induce change for the “characters” within its narrative, while *Into The Abyss* aims to illuminate the past events it revisits for the involved characters themselves. Herzog's film does not question guilt, innocence or the judicial system as in *The Thin Blue Line*. Rather, it builds a narrative that can be viewed as independent from the legal discourse of Morris' film. Nonetheless, given the obvious textual features the two films share, it seems a worthwhile exercise to investigate how these respective films make use of the same aspects of style.

### **Literature Review**

Bordwell's *Poetics of Cinema*, which is the most central text from which this thesis re-draws a formalist methodology, could be viewed as problematic for a project on documentary due to Bordwell's general lack of focus in documentary theory and nonfiction style. Nevertheless, a central facet of this case study is grounded in the argument that a poetic model of reading film is readily adaptable as a framework for understanding how nonfiction films may be constructed to elicit particular claims and effects much in the same mode of fictional films. For example, *The Thin Blue Line* features a close up shot of a swirling red police light *six* times throughout the film. What does the police light permit the viewer to know in relation to the film's narrative and subsequent truth claims? Does this image not punctuate the film's structure, enabling a succinct motif for transitioning textual focus? Seemingly minute aspects of a film are not without interest if we are to revisit commonly discussed works such as *The Thin Blue Line*. Indeed, situating nonfiction within Bordwell's poetics is fitting if we consider his own admission



of his proposed system's adaptability, which Bordwell claims is substantiated by its distancing of itself from hermeneutics. Bordwell writes that his poetics "has no privileged semantic field, no core of procedures for identifying or interpreting textual features, no map of the flow of meaning, and no unique rhetorical tactics. It does not seek to produce interpretations."<sup>10</sup> Rather, this system *should* very well be readapted as a process for understanding a variety of mediums. Given the generality of the two questions Bordwell's poetics asks, nonfiction film's own principles of construction, and corresponding empirical circumstances may be appropriately analyzed within this approach to poetics.

Alongside the Bordwell text(s), literature that directly addresses both the works in question and documentary theory comprise the majority of this case study's bibliography. Given the substantial familiarity of both the works and filmmakers discussed in this thesis, as well as the majority of the scholars cited, it is critical to note the limit of these sources in relation to a more generalized experience of nonfiction film. The aesthetic inquiry into documentary which I seek to concisely instigate is but one of many scopes which are not without their shortcomings within the ever-broadening field of film and media theory. *The Thin Blue Line*, for example, has previously been criticized for its disinterest in addressing its story as a potentially queer text,<sup>11</sup> whereas Werner Herzog's films are often associated on both textual and aesthetic levels as evocative of Enlightenment-era German Romanticism.<sup>12</sup> Despite such varied approaches to studying these films and filmmakers, it is necessary to, to some extent, limit an approach if we are to succinctly illuminate the texts we engage with. A larger project historicizing documentary style across a range of cultures and filmmaking traditions is no doubt a potentially rich and

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<sup>10</sup> Bordwell, "Historical Poetics of Cinema," 370.

<sup>11</sup> See Zoe Druick's "The Courtroom and the Closet in *The Thin Blue Line* and *Capturing the Friedmans*" for a concise discussion of this topic.

<sup>12</sup> See Laurie Ruth Johnson's book, *Forgotten Dreams: Revisiting Romanticism in the Cinema of Werner Herzog*.

worthwhile endeavour, however given the relatively narrow breadth of this project, it is critical to engage with a more comparative set of aspects that will benefit a fruitful discourse; namely, a discussion of how two filmmakers whose works have directly influenced one another over a number of decades have approached a topic with comparable features via the charting of style and praxis.

While Herzog and Morris have been frequently discussed in documentary studies, no scholarly work to date has seriously considered their works, specifically their nonfiction works, alongside one another. Surprisingly, given both directors' vested interest in how films contribute to conceptions of reality, no extant work has contemplated how their films' approaches to truth may be read in tandem with one another. Thus, this thesis draws from a variety of documentary studies literature, the majority of which address Herzog and Morris' films.

David Resha's recent book, *The Cinema of Errol Morris*, provides an in-depth look at all of Morris' works today, with particular interest in the development of Morris' documentary form. Conducting close analyses of each work alongside useful, detailed reports of production histories, Resha's book is a practical, unbiased work demonstrating rigorous research that historicizes Morris' works. Linda Williams' seminal article on new documentary, "Mirrors Without Memories," establishes vital concepts this thesis elaborates on. Williams writes that, "My goal in what follows is to get beyond the much remarked self-reflexivity and flamboyant auteurism in these [contemporary] documentaries, which might seem, Rashomon-like, to abandon the pursuit of truth to what seems to me their remarkable engagement with a newer, more contingent, relative, postmodern – a truth which, far from being abandoned, still operates powerfully in the documentary tradition."<sup>13</sup> Williams' interest is in breaking from ambiguous postmodern views of objectivity, in which contingent truths never reveal actualities. Positing *The*

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<sup>13</sup> Williams, 11.

*Thin Blue Line* as an exemplary text that returns to a pursuit of objectivity, Williams' text is foundational in outlaying the importance of structure in my objects of study. Carl Plantinga's "The Philosophy of Errol Morris: Ten Lessons," which humorously takes its name from Morris' 2003 film *The Fog of War: Eleven Lessons from the Life of Robert S. McNamara*, provides a convenient listing of the "lessons" Plantinga names that we may learn from Morris' films. Like the Williams, text, Plantinga's article considers Morris' recurrent interests in his documentaries, listing lessons such as "The Filmed Interview is the Best Tool to Discover and Represent Mental Landscapes,"<sup>14</sup> and "The Human Story is a Tragicomedy."<sup>15</sup>

Paul Cronin's *Werner Herzog: A Guide for the Perplexed* provides an extensive record of Cronin's discussions with Herzog. Historicizing his life through the chronology of his films, Cronin's compilation proves to be a useful reference to access Herzog in his own words. Eric Ames' recent book, *Ferocious Reality: Documentary According to Werner Herzog* is a seminal book in that it is the first substantial work to consider Herzog's nonfiction canon as a set of works to be studied separately. Ames' also invokes the importance of Herzog's complicated vision of nonfiction filmmaking, writing, "intervention occurs more or less in all documentaries. A similar provision needs to be made for *stylization*, a term that encompasses the aesthetic effects of filmmaking, the translation of a director's perspective on the world, and his involvement with the film's subjectivity as well."<sup>16</sup> Critical to this case study, Ames' resituates Herzog work as a documentarian, conducting close textual analyses of his consistent thematic interests similar to the Plantinga text I have named above.

The press kits for *The Thin Blue Line* and *Into The Abyss* were obtainable through online resources, and I would like to take this time to thank the University of California, Berkeley's

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<sup>14</sup> Plantinga, 52.

<sup>15</sup> Ibid., 56.

<sup>16</sup> Ames, 5.

Pacific Film Archive for providing me with access to *The Thin Blue Line*'s press kit, and Métropole Films in Montreal for forwarding a copy of *Into The Abyss*'s respective document for the benefit of this projects. This examination of the filmmaking process sheds light on the historical process whereby films develop praxis, with the goal of approximating several factors external of the directors' personal visions that shaped their approach to framing truth.

### **Methodology: Poetics and Nonfiction**

This project combines the poetics Bordwell devised for understanding the processes of fiction film style within the context of nonfiction. Thus, this thesis assumes a general model of aesthetics alongside existing documentary theory to formulate a method for understanding what kinds of roles style plays in our concepts of how nonfiction at once narrativizes information while at once grounds interests in objectivity. Aligning my analysis with the questions Bordwell posits in "Historical Poetics of Cinema," my own methodology is accordingly two-fold. The first chapter constitutes close readings of two particularly relatable works, whose construction and stylistics are contextualized historically in the second chapter in relation to extent works by both directors. Thus, the second chapter substantiates Bordwell's question of historical poetics. While Bordwell's general lack of work in the field of documentary theory has been noted, it is my contention that the combination of the traditional film studies methodology of formal analysis with contemporary scholarship addressing truth claims made in documentary has yet to be explored in appropriate depth.

While this thesis explores the works of two specific directors, I would like to emphasize that the objects of study explored are indeed not the *directors* but their *films*. Nor does this thesis seek to definitively answer questions surrounding the various ethical or social problematics often raised in documentary discourse.

Thus, this thesis aligns itself with aesthetics-based research realized with the combination of formalist and production historical methodologies. Little attention will be given towards the lives and purported experiences of the directors, rather, such details will be referenced solely when they are thought to either clarify the reasoning for the production and design of the films in question, or illuminate the conceptual truth claims made throughout the respective works discussed. It is my hope that this filmic focus leads to a wider discussion of the construction of nonfiction film that engages with rhetoric and semantics regarding truth claims made possible due to the unique aesthetic language and form of the medium, offering an alternative method of analysis in place of an evaluative profiling of the filmmakers and their respective works.

## **Structure**

As stated in the methodology section, this thesis adapts Bordwell's two-fold process of *analytic* and *historical* poetics into the realm of nonfiction films which have been previously dubbed “unconventional” with the objective of detailing developments in structure and style that have historically been discussed in the study of fiction film style. The first chapter of this thesis is divided into four sections, which correspondingly engage with four separate aspects of film composition and style in both *The Thin Blue Line* and *Into The Abyss*. Thus, this chapter constitutes the *analytic* poetics of this proposal, investigating the principles by which films are constructed and achieve particular effects,<sup>17</sup> Engaging in close viewings with these *principles* will lead to a valuable understanding of how these films formally operate to contribute to particular truth claims made accessible through the film text, which will be contextualized historically in Chapter II. The second chapter therefore constitutes the *historical poetics* component Bordwell proposes.<sup>18</sup> Fittingly, this chapter examines several other nonfiction films

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<sup>17</sup> Bordwell, *Poetics of Cinema*, 23.

<sup>18</sup> *Ibid.*

by both Herzog and Morris, ranging in works produced from the 1970s to the current decade, with the goal of establishing recurrent and consistent applications of style that participate in *truthmaking* processes comparative to those discussed in the first chapter. More generally, the second chapter expands on the notion of how *truthmaking* practice in nonfiction has developed over time in the work of the two filmmakers I am discussing. Finally, I will conclude with a brief discussion of emergent works that show interest in rendering truth through conscious applications of style to bring my research up to date.

## CHAPTER I

### **Death Row on Trial: Formal Analysis**

I've never liked the idea expressed by Godard that film is truth 24 times a second.

I have a slightly different version. Film is lies 24 times a second.

- Errol Morris

This chapter conducts close readings of the two objects of study introduced in the previous section. I have named *four* distinct aspects of style and their corresponding content that will be reviewed with the goal of explaining how these aspects exclusively operate to disclose particular conceptions of truth made in both films. Namely: **1.** The openings of the films, **2.** Approaches to interview, **3.** The representation of inaccessible events, and **4.** The organization of time will be explored as the primary qualities in both films that demand attention when engaging with how they augment the truth claims each of the works make.

Frequently discussed in documentary studies, one may be inclined to ask, why look at *The Thin Blue Line* again? Despite the almost exhaustive praise for its then-radical style and approach to storytelling in nonfiction, *The Thin Blue Line* is rarely engaged with within the context of an aesthetics-focused mode of analysis. That is to say, while a large number of scholars who have written on the film most often centre their discourse around its exceptional style, little attention is directed towards understanding *The Thin Blue Line* as a stylistic anomaly within the general frame of film aesthetics. Therefore, why not review how such a carefully made work conducts narrative and visual style not against but in unison with its documentary rhetoric? As noted in the literature review, *The Thin Blue Line* is often cited as a notably

*postmodern* film for the discrepancies between testimony, its circular repetition of the events it re-enacts, and the departure it takes from previous modes of film that have historically been understood to be rooted in making truth claims. This case study asks for a re-evaluation of how filmic representation of truth, depending on a work's structural and stylistic approach, may be grounded in pursuing reality.

## **Openings**

Following a simple title sequence of blue and red lettering across a black background (notably with a *thin blue line* running through it, accompanied by Phillip Glass' hypnotic original score), the first six minutes of *The Thin Blue Line* cuts from the titles to several long shots of Dallas' landmarks at night, each featuring small pulsing red lights. Soon we hear the voice of a man, who is later revealed to be Randall Adams,<sup>19</sup> seated in a white prison shirt in front of a dark chain link door. Adams explains how he was driving through Dallas with his brother from Ohio towards California, and upon a job offer, agreed to stay in Texas. The film cuts to a close up a swirling police light, which features an added buzzing electronic sound. This shot cuts to another man, presumably incarcerated due to his wearing a bright orange shirt. He explains how he had “ran away from home a couple of times” and attempts to remember whose car he stole, the gun he took from his father, and how from “there” (Vidor, Texas) he “ended up coming to Dallas.” The film then cuts back to Adams, explaining how during the Thanksgiving weekend of 1976, he ran out of gas, and encountered “a person, at that time” who offered him gas in exchange for a place to stay. The man in the orange shirt explains that while driving down the street somewhere in Dallas, he saw a man stranded by his car, he states, “this was Randall Adams.” The first re-

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<sup>19</sup> Notably, *The Thin Blue Line* does *not* use named titles to introduce its characters. Rather, the spectator's identification of characters comes through deduction throughout the narrative, encouraging initial ambiguity towards particular talking heads' significance and role in the story. For example, upon research of who's-who's among the eighteen people interviewed showed in the film, several sources gave incorrectly placed names attributed to the three Dallas police detectives who worked on the Adams case (Namely Gus Rose, Jackie Johnson, Marshall Touchton).



enactment of the murder of Officer Wood then begins. A bird's-eye view shot of a stopped blue car in front of a police car by a dark roadside emerges. The film cuts to a medium shot of two officers stepping out, the passenger staying beside the car as the driver walks towards the blue car, flashlight in hand. As the officer approaches, the film cuts to a close up of a gun being quickly drawn out of the pulled over car. Five gunshots ring out, and as “Wood” reacts by falling over, each gunshot is matched with five images, notably the actual coroner's illustrations of each gunshot wound. This sequence occurs in this order five times:

gunshot → coroner's illustration → gunshot → coroner's illustration

This is followed with several newspaper clippings, some of which frame the text up close: “oh my gosh,” “12:30 am,” “no description.” These images are followed by a portrait of a smiling police officer (Wood), then two photos of a torn and bloody police coat. The opening sequence ends with the newspaper image of the date “November 29” fading into “December 22,” which cuts to a photo of a man with a moustache and bushy hair in handcuffs (Adams).

We can deduce some important narrative cues from the opening of the film. Alongside the absence of named titles from which we could identify the two incarcerated men, the film does not specifically name Dallas, nor does it directly tie the men to the re-enacted murder. Rather, the organization of these respective images are placed in the order described above, from which we may arrive at some conclusions regarding this structure: these two men are describing how they met one another, both are being interviewed in prison (notably two *different* prisons given their different coloured shirts), and both were, by possibly varying degrees involved in the murder of this police officer, re-enacted for the purpose of visual literacy. Furthermore, the montage cuts from the gunshots to the coroner's illustrations conjoining the two as having shared relations.

One was fabricated for the film's re-enactments; one was drawn as police evidence. The sequence thus gives cause to speculate how these two elements (among others as we shall see) interact with one another to at once produce a claim as well as a dynamic narrative. The disjointed newspaper clippings and images of the real Robert Wood and his bloodied jacket perform similar narratological duties; we identify Wood as the murder victim, and we decipher the clippings as the earliest reports of the incident not by their cohesive statements, but by their ambiguous quotations that we, given their placement, deposit within the film's story. This opening sequence is important to consider in regards to how it frames the development of the truths (and lies) the film will reveal as it reinvestigates the actual case. Structurally, this sequence is especially *dramatically* important in regards to this progression of action and information.

David Resha explains this importance succinctly, writing

[The opening] of *The Thin Blue Line* fulfills the formal function of the traditional narrative beginning, in which 'an initial 'steady' state is violated and must be set right.' Adams establishes this steady state in the first lines of the film, describing how he arrived in Dallas, got a good job, and things were going generally well. The introduction of David Harris acts as a violation of this state that leads us into the first re-enactment of the murder.<sup>20</sup>

Much in the manner of a fiction film, the opening of *The Thin Blue Line* establishes a setting (Dallas), main characters (Adams and Harris), and an event that involved or will involve them (the murder of Wood) throughout the storyline. The opening demands the viewer participate, as the information presented thus far is minimal, and rather than arrogate the limited text, the viewer plays detective. Writing on the detective film genre, particularly with Film Noir in mind, Bordwell writes,

The fundamental narrational characteristic of the detective tale is that the syuzhet withholds crucial events occurring in the 'crime' portion of the fabula. The syuzhet may conceal the motive, or the planning, or the commission of the crime (an act which includes the identity of the criminal), or aspects of several of these. The syuzhet may

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<sup>20</sup> Resha, 60.

commence with the discovery of the crime, or it may start before the crime is committed and find other ways to conceal the crucial events. In either case, the syuzhet is principally structured by the progress of the detective's investigation.<sup>21</sup>

Bordwell's approach to the detective film's common structure readily fits into our own method of understanding the opening of *The Thin Blue Line*. We are shown a crime with at least two possible "suspects," one of whom is apprehended. Therefore, case closed? It is clear that the film, having shown the supposed killer in handcuffs in its first six minutes, has an interest in delving deeper into the veracity of the evidence that is presented as seemingly resolved. The structuring of *The Thin Blue Line's* narrative will be elaborated further towards the end of this chapter, accompanying a discussion of the use of the film's nonlinear timeline, which on the outset restrains the comprehension of the order in which the events it recreates and revisits unfolded. However, through further analysis, we will understand this tension as indicative of a carefully *plotted*, circular narrative from which the viewer ultimately gains further insight regarding how to uncover actualities in the interviews and information the film re-examines.

Moving towards *Into The Abyss*, we are presented with a different set of formal features to manoeuvre into a storyline. Nevertheless, following a black screen entitled "Prologue," the film fades into a medium shot of a prison cemetery; a middle-aged man wearing a tie is seated, staring intensely into the camera. We hear Herzog's voice off screen, addressing the tie-wearing man as "Reverend," asking him to "think about the man you will encounter in an hour from now." Unlike *The Thin Blue Line*, *Into The Abyss* employs named titles; under the tie-wearing man we are shown his name and profession, "Rev. Richard Lopez, Death house chaplain." Lopez states that in an hour, he will attend an execution, "do his duty" as chaplain, and hold the condemned's ankle "as he has allowed me to... until death occurs." After a brief discussion of the

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<sup>21</sup> Bordwell, *Narration in the Fiction Film*, 64.

cemetery behind him, where those executed by the state will be anonymously buried as the camera cuts to a handheld shot of the crosses, the film cuts to Lopez explaining that he golfs to relieve himself of the pressures of his job. Noting Lopez' admiration for the flora and fauna he observes on the golf course, Herzog responds, "Please describe an encounter with a squirrel." Lopez recounts a seemingly benign story in which he stopped his golf cart just in time to avoid hitting two squirrels, and he suddenly breaks into tears:

that reminds me... the many people that I have been with in their last breath of life... and due to bad choices, or mistakes in their life, their life is taken away, in a moment. So, life is precious, whether it is a squirrel or a human being. So I will sometimes meditate on that experience, make a little noise, and the squirrels will take off, and continue their life. But I cannot do that, for someone on the gurney, I cannot stop the process for them, but I wish I could.

Lopez pauses to take a breath, and looks away from the camera. The film's sombre guitar-based original score by Mark Degli Antoni begins to play, and the image fades into a prison death house. The full titles of the film appear: "Into The Abyss: A Tale of Death, A Tale of Life." The handheld camera slowly walks past the empty holding cells to its left, pauses to gaze at the two Bibles on a table to its right, and then enters the pale green death chamber towards the end of the hall; an empty gurney, a microphone above it, a running digital clock on the wall, and a window to view the execution are inspected by the moving camera. The film cuts to a young man entering a high-security visitation stall, having a white door shut behind him to face a window towards the camera, having his handcuffs removed through a slot in the door. Named titles reveal him to be Michael James Perry. As he is fitted with a microphone, and wipes clear the glass between himself and the camera, titles explain that he "is on death row at the Polunsky unit in Livingston, Texas, for crimes he committed ten years ago... His execution is set for July 1<sup>st</sup>, 2010." After some discussion of Perry' upcoming execution, which took place eight days from the day of this sole interview, Herzog informs Perry that "I do not necessarily have to like you..."

to which Perry simply responds with, “right.” The image of Perry's surprised face fades to black, a more menacing score begins to play, and the first named chapter<sup>22</sup> reads “I. The Crime.” The preceding description accounts for the first nine-and-a-half minutes of the film, which due to its occurrence between the written markers “Prologue” and “Chapter I,” act as the opening of the film.

Much like the opening segment of *The Thin Blue Line*, *Into The Abyss* does not didactically introduce its subject matter. Rather, in the manner of the detective film narrative illustrated by Bordwell, we are thrust in the middle of a storyline, and due to our sudden involvement, it is disrupted. Herzog, however, accomplishes this structural feat much differently. Instead of opening to a myriad of associative elements; the Dallas skyline, two talking heads recalling how they respectively remember meeting one another, or a traumatic event they are purportedly connected to, *Into The Abyss* commences with an immediate immersion in “the main event” (Perry's execution) an hour away from occurrence. Herzog is also able to disrupt the oncoming inevitable occurrence, Perry's execution, by inducing Lopez to admit to his complicated feelings towards capital punishment. Indeed, while both films play off of the underlying subject of the death row system in Texas, the temporal choices employed by each of them both demand an investigation into the past, an enticement to investigate (or re-investigate).

### **Framing the Interview**

Concerning the framing of interviews, both figuratively and cinematographically, the approaches in which talking heads are framed in both films indicates particular forms of attention to craft that in turn illuminate the film text in certain ways. Morris' work in the last two decades

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<sup>22</sup> The recurrent use of chapters in Herzog's nonfiction work is an understudied aspect of his documentary filmmaking. This chapter, and the following one discuss this in further depth in relation to Herzog's narratology.

has been largely based around interviews conducted with a device his wife Julia Sheehan nicknamed “the Interrotron,” for its combining of the two elements of interview and terror. Essentially a two-way teleprompter, the apparatus allows Morris and the interviewee to make eye contact through the screens while simultaneously being filmed by a camera placed inside it. Thus, it gives the impression that the talking head is making eye contact with the audience. In an interview, Morris explains that

We all know when someone makes eye contact with us. It is a moment of drama. Perhaps it's a serial killer telling us that he's about to kill us; or a loved one acknowledging a moment of affection. Regardless, it's a moment with *dramatic* value. We know when people make eye contact with us, look away and then make eye contact again. It's an essential part of communication. And yet, it is lost in standard interviews on film. That is, until the Interrotron.<sup>23</sup>

Morris’ combination of film and television equipment thus encourages a unique form of personal



**Fig. 1.1** - Gus Rose. Screen capture *The Thin Blue Line* (1988)

discourse, what he calls “first person,”<sup>24</sup> something that is often lost in most interviews, when the interviewee looks to a certain side of the camera towards the interviewer.

Importantly, Morris’ voice is rarely heard in his films<sup>25</sup>,

the majority of his filmed interviews are heavily edited to focus attention on the interviewee, and only in works

since *The Fog of War* (2003) is his voice inserted during post-production to clarify questions whose responses could be interpreted as misleading (an potentially intentional move given Morris’ interests in self-deception) or in the least self-expository. This isolation of the speaker’s presence gives cause for increased focus within the frame, and consequently a level of intimacy

<sup>23</sup> “Interrotron,” [www.errolmorris.com/content/eyecontact/interrotron.html](http://www.errolmorris.com/content/eyecontact/interrotron.html)

<sup>24</sup> Ibid.

<sup>25</sup> There is a radical exception to this in a segment in *The Thin Blue Line*, which will be properly addressed in the “Time and Emptiness” section of this chapter.

with their expressions not unlike Dreyer or Bergman's uses of close-ups in fiction film. Leger Grindon writes that

Morris prompts his subjects with a few questions but allows them to tell their story at length. Eventually, the subjects reveal their idiosyncrasies, their contradictions, their insights, both the wonder and the flaws of their humanity. A close camera with the subject looking into the lens establishes the perspective for the confessional approach and fosters intense contact with the viewer.<sup>26</sup>

While *The Thin Blue Line* was produced before Morris devised the Interrotron, the film maintains a similar style of framing. This visual technique was accomplished simply by Morris positioning himself very close to the frame, almost to the point of having the back of his head within the lens.<sup>27</sup> We can see the evolution of this kind of framing if we compare a screenshot of detective Gus Rose from *The Thin Blue Line* (see figure 1.1) with an image of Fred Leuchter from Morris' 1999 film *Mr. Death* (see figure 1.2) Both sets of the characters' eyes look towards the camera, though Leuchter, who was filmed with the Interrotron, gazes much more directly towards the audience. Nevertheless, Morris' attention to this kind of framing prior to the inception of the device remains just as relevant. Indeed, as Morris was relegated to sitting close by the camera during the interview portions of *The Thin Blue Line*, this gave him and the film crew a more expansive range of framing opportunities.



Morris' earlier framing of talking heads involved more explicit use of environment. Following the adoption of the Interrotron into his filmmaking process, Morris opted for a simple, fabricated

**Fig. 1.2** – Fred Leuchter, framed by the Interrotron, Screen capture *Mr. Death* (1999)

INTERROTRON, [WWW.EITTOIMORRIS.COM/CONTENT/EYECONTACT/INTERROTRON.HTML](http://WWW.EITTOIMORRIS.COM/CONTENT/EYECONTACT/INTERROTRON.HTML)

backdrop for his interviews with a larger, and therefore increased concentration on the face. This shift in interviewing framing offers different plausible responses from a viewer. *The Thin Blue Line* presents a range of environments for the eighteen talking heads it interviews. Thus, with some deduction we can work to understand the background of a person that the lack of named titles or positions may have given us instead. Gus Rose for example is a detective, whose positioning in front of a map of Dallas not only locates his whereabouts, but suggests a degree of knowledge surrounding Adams' case beyond his speaking about it; Wood's murder on a Dallas highway, the Dallas Police department's role in Adams' death row conviction, etc. Whereas the framing of talking heads in films made with the Interrotron, such as Fred Leuchter, are filmed with a plain backdrop, essentially rendering a consistent visual plain for each talking head. Effectively, this consistency also creates a stronger visual contrast with Morris' stylizations that make up much for the films' structure outside of the interviews.<sup>28</sup>

Morris' framing of talking heads in *The Thin Blue Line* also uses editing between dialogues to question the veracity of their words. Emily Miller's appearance not only includes her false testimony of seeing Adams kill Wood, but also includes her detailing that as a young woman she dreamed of being a private investigator's girlfriend, like the women on the detective show *Boston Blackie*. Morris cuts to a clip of the show, which shows a young woman in a library distracting a criminal on the run so her protagonist boyfriend Blackie can knock him out. Thus, Miller's capacity for solving crime is akin to a campy detective show, and undermines her testimony regarding Adams' case. Another similar example from the film is Don Metcalfe's story about "the Lady in Red." The judge from the Adams' case, Metcalfe describes a seemingly irrelevant story about how the woman who aided in the murder of Chicago bank robber John

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<sup>28</sup> Leuchter engages in performativity in *Mr. Death*; reenacting the use of the execution devices he designs for death houses in the United States. The aspect of reenactment in Morris' will be explored further in the following section, while its presence in extent works beyond *The Thin Blue Line* are raised again in Chapter II.



Dillinger earned her nickname from the dress she wore when he was shot outside a movie theatre. Under the theatre lights, Metcalfe explains that the woman's orange dress appeared to be red, and her nickname as "the Lady in Red" stuck with the media at the time. Metcalfe also notes that despite her aiding the FBI, she was subsequently deported back to her native country, Romania. Morris cuts to a black-and-white film that re-enacts the shooting of Dillinger while Metcalfe tells the story, and cuts to a map of Bucharest when he details "the Lady in Red's" deportation. This editing ironically points out Metcalfe's failure to see Adams' innocence in the trial he is being interviewed for as he recounts a story about misinformation, while the map of Bucharest highlights the increasing irrelevance of his anecdote (which is simultaneously revealing given Metcalfe's role in Adams' prosecution). Metcalfe and Emily Miller's respective self-deception are strident examples in *The Thin Blue Line* that at once uncovers a particular kind of falsification whose exposure also commit the viewer to consider the information they have been presented. Morris' tendency to edit throughout the filmed interviews, such as the two examples above, disrupts adherence to the described events as true or honest. Instead, as we see a campy clip of a detective show, we are inclined to see the ludicrous vision of crime solving Miller has constructed for herself, rather than a responsible criteria for her understanding the responsibility she had in Adams' conviction.<sup>29</sup> What emerges then for the viewer, is an encouragement towards what Morris often calls "a truth-of-the-matter."<sup>30</sup> The *truth* Morris displays in these examples is obviously not confirmed by the self-deception or irony the films framing accentuates, but when these falsehoods are in turn exposed by the film's structure, the viewer gives way to speculation and desire to pursue legitimate facts. *The Thin Blue Line's* use of interview conceives this through the coercion of the talking heads' desire to be authentic,

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<sup>29</sup> Indeed, when asked to pick Adams out of a lineup, off camera Emily Miller informed Morris that the policeman she was with told her which man was Adams, committing an act of culpable perjury.

<sup>30</sup> Plantina, 44, "The Philosophy of Errol Morris."

which is complicated yet illuminated by this use of style.

Herzog frequently dismisses the notion that the discourse with talking heads in his nonfiction should be considered “interview,”<sup>31</sup> preferring the term “conversations,” explaining

[there] is never a catalogue of questions I bring with me, which is how a journalist functions. I would never want to talk to anyone with the aim of denouncing them; I want to show everyone at their best. That said, if you’re filming a conversation with someone and they are clearly lying, gently encourage them to be ever more outrageous and wild. Audiences will spot the insincerity all the more easily.<sup>32</sup>

Conceptually likeable to Morris in this sense, though not in stylistic approach, Herzog’s filmed “conversations” in *Into The Abyss* are unsurprisingly similar in the context of an investigational film. Herzog’s framing of Perry and Burkett is not unlike Harris and Adams; one man is sitting on death row (Perry and Harris), one man is serving a life sentence (Burkett and Adams). While *Into The Abyss* reveals that unlike Adams, Burkett had a direct role in the crimes for which he is serving a life sentence, Herzog’s framing of the two men plots them against each other much like Adams and Harris in the opening of *The Thin Blue Line*. Unlike Morris, Herzog’s voice is audible throughout his conversations in the film. The visual framing of the talking heads is more traditional in that the speaker addressing the interviewer is turned slightly towards one side of the frame, and *not* directly at the camera lens as found in Morris’ framing. Nonetheless, Herzog’s conceptual style of interview is critical towards how he depicts the interviewees.

True to the form he repeatedly describes, Herzog’s initial conversations are not unlike Morris’ in their open attitude towards content, though it becomes apparent (and not solely through editing, but in the change of speech between Herzog and the interviewee) that Herzog commands the dialogue he engages in. As illustrated in the opening of *Into The Abyss* in the previous section, Herzog is invested in deeper meaning beyond mere facts, or what he has

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<sup>31</sup> Cronin, 417.

<sup>32</sup> Ibid.

termed “the accountant’s truth.”<sup>33</sup> Rather, just as Morris adapts lies to induce the audience to consider veracity and play detective, Herzog’s probing into the ostensibly mundane proves to be a valuable tool for discovery. In conversations with both Perry and Burkett, Herzog allows both convicted men to testify before the camera. Not unlike Williams’ concept of “competing narratives,” we are prone to select a preferred account of the events both men recite. Following Burkett’s introduction, he explains that he and Perry were sleeping in a second stolen car when they were awoken by gunshots coming from the police, who had surrounded them. Perry and Burkett were able to drive through the small barricade, and injured by gunfire, leapt out of the car and took shelter in an apartment complex, where they were arrested following a brief shootout. Burkett’s version of this story is told over a police tape of the aftermath of this shootout. As his testimony visually corresponds with the narrative of the video, this composition leans towards its accuracy, or rather, its truthfulness. Questioned about the shooting after Burkett’s account, Perry dismisses the details surrounding his and Burkett’s actions, saying, “There is no longer a question about my innocence. That question is out the door now. The question is, what is anyone going to do about it?” Burkett’s framing in this section of the film acts to indirectly explain his life sentence, as he readily submitted information both to the prosecution and as we have just seen, to the film. Perry’s denial remains constant, and it is this comparative framing that affirms his involvement in the homicide, especially when compared to Burkett’s statements being told over the police tapes. True to the above quote, Herzog co-enables Perry to protest his influence to the camera, responding to Perry saying, “But trusting Jason was a bad choice...let’s face it. He was some sort of bad apple and so were you.” Placing Burkett’s factually accurate retelling of his and Perry’s arrest just before this conversation further dwindles the case for his

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<sup>33</sup> See Appendix II.

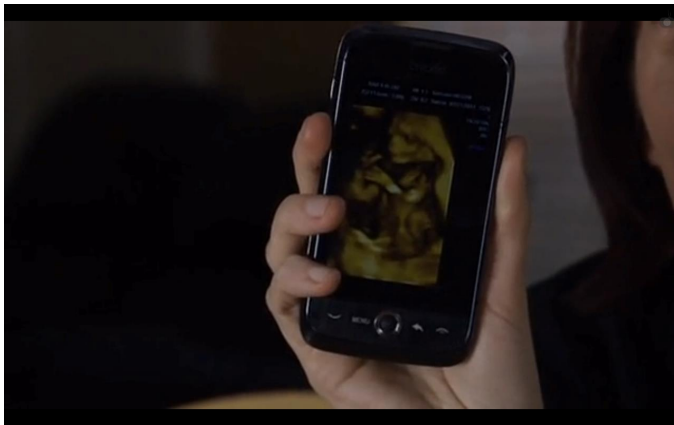
innocence, which unlike Adams in *The Thin Blue Line*, is no longer an unconfirmed variable for the audience.

Another aspect of Herzog's framing is his interest in generally unusual, and at times surreal subjects and their relationship with the main purported focuses of a film. Speaking with Jared Talbert, a mechanic from Conroe who knew Burkett and his family, Herzog immediately takes more interest in the man himself than his connection to the murder trial. "I noticed your callouses when we shook hands," says Herzog, who has Talbert raise his hands out to the camera. Talbert then proceeds to tell Herzog several strange details about his life; the fight he willingly lost at a bar (to avoid a prison sentence), in which he was stabbed with a screwdriver and did not seek out medical attention, as well as the fact that he was illiterate until three years ago. Talbert's stories do not induce a sense of irony in the manner of the *Boston Blackie* or "Lady in the Red Dress" examples in *The Thin Blue Line*, though they do perform a similar explicatory function pertaining to *Into The Abyss*' general environment. Herzog's conversation with Talbert, which purportedly lasted no more than fifteen minutes,<sup>34</sup> reveals a number of details surrounding the environment from which the murders occurred; Talbert and the people he grew up with (including Burkett and his family) were working class people who grew up in Conroe among the upper-class gated community of Highland Ranch (where the murders investigated in the film took place). Talbert has observed those around him, such as Burkett, go away to prison, and reasons his own choices to the camera for why he is now better educated and not incarcerated. Despite these anecdotes' apparent detraction from the filmic investigation, Herzog's conversation with Talbert amplifies the social circumstances surrounding Conroe, problematizing the town's relationship with Highland Ranch. Herzog's introspection into Conroe's landscape exposes a wider view of the environment, arrived at not by means of research into crime or poverty

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<sup>34</sup> Cronin, 426.

statistics, but through discourse with a loosely related person. Not long after his first appeal, Jason Burkett was married to a Nebraska-native named Melyssa Thompson. Interviewed towards the end of *Into The Abyss*, Thompson-Burkett explains that after taking interest in his case, she began writing him letters and gradually became so infatuated that she drove from Omaha to Texas to meet Jason in person, upon which they became engaged. My interest in this subject stems from Herzog’s seemingly paradoxical approach to his conversation with Thompson-Burkett in relation to the rest of the conversations in the film. Herzog notes that the full title of *Into The Abyss* is completed by “a Tale of Death, a Tale of Life,” explaining, “Again and again the urgency of life seeped out of the footage. That *Into The Abyss* is a life affirming film was unexpected. Somehow this eluded me during shooting, and revealed itself only during editing.”<sup>35</sup>



**Fig. 1.3** – The urgency of life: the unforeseeable incorporation of Thompson-Burkett’s pregnancy into the narrative. Screen capture *Into The Abyss*

The name of the penultimate chapter of the film, “The Urgency of Life” Herzog is referring to is arguably drawn from Thompson-Burkett’s disclosure of her pregnancy. Stating that she “has only ever held hands” with Jason, Thompson-Burkett holds a cellphone displaying an

ultrasound to the camera (see figure 1.3). While she hints to the smuggling of Jason’s semen through the prison “by a friend,” it is clear that the “urgency” Herzog speaks of in conversation with Cronin is also that of a theoretical drive for sustaining life as well. Thompson-Burkett is filmed in a domestic home, and is the only talking head in the film (alongside former death house captain Fred Allen) that is seemingly uninterested in discussion surrounding Michael Perry’s

<sup>35</sup> Cronin, 423.

execution. Indeed, Thompson-Burkett's optimistic outlook is incongruously absurd in relation to the weight of the crime expressed by the film, not to mention the impending execution that Perry awaits. *Into The Abyss* could very well have framed Thompson-Burkett as a disturbed individual, however the placement of her conversation within a chapter whose title corresponds to "a tale of life" expands the scope of the film's original focus on death row to a dialogue beyond the constraints of the case, literally resulting in a wedding that took place on opposite sides of a visitation room. The move from the carceral to the domestic space, one that is apparently uninterested in Perry's execution and is awaiting the birth of a child, is at once compelling and conspicuous given the film's fascination with death row. However, Herzog's conversation with Thompson-Burkett expands the film's discursive exposition, and therefore the breadth of *Into The Abyss* as a narrative film.

### **Re-enacting the Inaccessible**

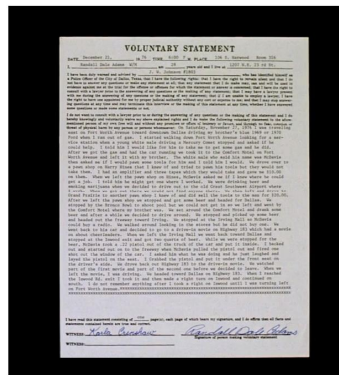
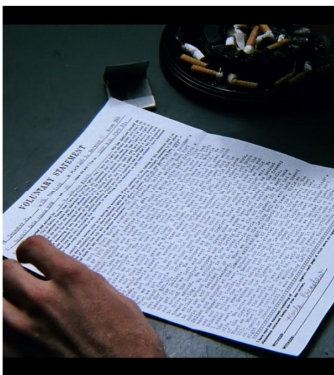
Perhaps the most dramatic aspect *The Thin Blue Line* and *Into The Abyss* share in regards to style is their interest in revisiting, re-enacting and re-contextualizing inaccessible events. Both films are principally occupied with two occurrences that are not only unmistakably in the past, but also graphic and traumatic. *The Thin Blue Line* recreates varying scenarios of Officer Wood's murder, while *Into The Abyss* forms its interview discourse and structure around the impending execution of Michael Perry. How then, can film be used to recover these events with an appropriate method that illuminates, and hopefully explicates their histories?

Filmed on New York City sound stages in 1987, *The Thin Blue Line*'s famously sleek, chiaroscuro re-enactments rely on slow motion, fast editing, and camera movement to represent Wood's murder no less than *eight* times in the film (not to mention the re-enactments of Adams' initial interrogation by Gus Rose, or Adams and Harris attending a drive-in film). The re-

enactments of the murder depict different cars driven by the perpetrator(s), different placements of Teresa Turko, and a discrepancy as to whether Harris and Adams were both present when Wood was shot. Importantly, none of the eight re-enactments of Wood’s murder correspond with the scenario the film argues for; that Harris was the lone driver, and therefore the lone murderer. Thus, the re-enactments in the film play a role in guiding the narrative through an essayistic re-examination of the “competing narratives” at play. One understudied aspect of the re-enactments, despite the common praise for their “film-noirish beauty,”<sup>36</sup> is their relationship with the police photography and judicial evidence displayed in the film. Morris thoroughly researched court documents pertaining to the case, many of which were incorporated into *The Thin Blue Line*. Such an appropriation complicates the film’s relationship with how photography (and film) may be used to state truth claims. Rather, they serve to reflexively question the testimonies they correspond with. Beyond the fluctuating sequences questioning who killed Wood, several understudied aspects of *The Thin Blue Line* ought to be re-examined if we are to understand how the film’s style contributes to its narrative objectives.

The opening of the film connects re-enactments of Wood being shot with actual coroner’s illustrations, using montage editing to bridge the two images as clearly related. This kind of photographic “bridging” remains a constant in the film’s visual style, as Morris strategically

recreates numerous images that correspond with judicial evidence. In the re-enactment of Adams’ interrogation with Gus Rose, the actor playing Adams reluctantly signs



**Fig. 1.4** - competing referents: Morris’ recreated voluntary statement (left), and the actual one Adams signed (right). Screen captures *The Thin Blue Line* (1988)

a voluntary statement acknowledging his connection to Harris.<sup>37</sup> *The Thin Blue Line* also features the *actual* voluntary statement as well as the one fabricated for this re-enactment (see figure 1.4). Ostensibly benign in comparison to the dramatic re-enactments of Wood's murder, the "competing" voluntary statements similarly complicate the film's interest in photography as means of accessing an objective truth. Practically indistinguishable in detail, unlike the other re-enacted images in the film, which elevate past events with noirish lighting and slow motion, it is arguable that the items such as the recreated voluntary statement are subtly more menacing in their ambiguity towards what they professedly report; two separate documents possessing the same information, one is real judicial evidence, while the other was fabricated for a film shoot. The film punctuates this during a re-enactment of the statement being written on a typewriter, using a close-up on the "x" key button to emphasise the cold ambivalence of the machine-typed document as well as the typing of the multiple x's used to substantiate extra space above the signature line of the document. The re-enactment of the x's is played over homicide detective Jackie Johnson's description of a memory lapse that Adams reported having the night of the murder. The repeated x's not only conform to the actual document, but also visually illustrate the empty gap of memory with which Adams testified. Johnson's story of Adams not being able to remember certain aspects of the night in question is thus highlighted by the imagery of the dubious power of the voluntary statement being prepared, which ironically underscores the bias of the Dallas police department against Adams' testimony.

The re-enactments also take interest in a surprising aspect of the crime scene: the chocolate milkshake Turko was drinking when Wood was shot. The milkshake positions Turko in relation to her reaction to the shooting. As Dallas Internal Affairs investigator Dale Holt explains

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<sup>37</sup> Adams' written account of his arrest in *Adams v. Texas* significantly does not detail this interrogation with Rose. Speculation suggests that Adams' misunderstanding of the voluntary statement, which confirmed his spending time with Harris the day of Wood's murder, was what catalyzed his conviction for Wood's murder.



in the film, common procedure ensures that the partner in the passenger seat should be positioned to the rear of the pulled-over vehicle while the other officer conducts the inspection. *The Thin Blue Line* offers two scenarios that correspond to Turko's following of this procedure. The first re-enactment, which is importantly presented in the opening of the film (before Holt's explanation of pullover conduct), shows "Turko" exiting in the car the same time as Wood. Later in the film, as the interviews with the detectives review the case, we see a drawn schematic of the crime scene, which includes the spilled chocolate drink. Like the forged voluntary statement, the milkshake becomes a complicating visual aid for the film's reinvestigation, as it reveals that Turko's *actual* positioning during Wood's shooting was inside the car, as she threw the drink from her seat in a panic to exit the vehicle upon hearing shots. The re-enactment that unveils this detail places clear focus on the milkshake, cutting to several angles of it being thrown from Turko's window, flying slow motion in mid-air, and spilling as it hits the roadside. Once more, the re-enacted facts of the case are accentuated with strong, dramatic visual cues. Writing on the "milkshake scene," Morris says, "The milkshake-toss *for me* [original emphasis] is emblematic of the discrepancies between Turko's account and what really happened. As such, the spilled milkshake is a clue and stands at the beginning of a chain of inferences."<sup>38</sup>

There is one more instance in the re-enactments of *The Thin Blue Line* that I argue has been particularly unacknowledged in relation to how the film "accesses" past events and memories (true or false) with visual aids rendered by film style. Just as the voluntary statement is recreated to reiterate both Adams' admission to knowing Harris as well as underline what the Dallas detectives viewed as Adams concealed guilt, and the milkshake re-enactment dramatizes a

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<sup>38</sup> Errol Morris, "Play It Again, Sam (Re-enactments, Part One)," <http://opinionator.blogs.nytimes.com/2008/04/03/play-it-again-sam-re-enactments-part-one/>

previously underexplored piece of evidence that confirms Turko’s defiance of procedure,<sup>39</sup> Morris’ incorporation of the three false witnesses in Adams’ trial is not without interest in relation to the competing narratives the film posits against one another.

For each of the three testimonies the three false witnesses provide in their filmed interviews, *The Thin Blue Line* presents a matching recreation of the event they describe. However, Morris handles these representations in an unusually performative fashion, fading from close-ups of the *actual* witnesses acting out their respective perceptions of Wood’s murder. Essentially, after each witness; Emily Miller, R.L. Miller and Michael Randell, detail what they saw or heard, the film cuts to close-up frames of them re-enacting how they sensually experienced Wood’s murder, by sight for Emily Miller and Randell, and by hearing for R.L.



Miller. Following these close-ups, the image fades to re-enactments consistent with the style of the segments that recreate Wood’s murder, which visually match the respective witnesses’ descriptions. I have

**Fig. 1.5** – Problematic performance: from left to right; the false witnesses and their matching “memories.” Screen captures *The Thin Blue Line* (1988)

arranged each of these performative frames of the witness with their respective re-enactments to further illustrate this distinct technique (see figure 1.5).

<sup>39</sup> Holt later suggests that had Turko been properly positioned when Wood was shot, the chances an appropriate arrest could have been greater, despite Turko’s subsequent failure to either accurately identify or capture the killer. However, given the overall failure of the investigation to properly try Harris, it is conceivable that Holt’s statement can be likened to Morris’ interest in tragic irony, explained in depth by Carl Plantinga in “The Philosophy of Errol Morris.”

Notably, none of the corresponding images each witness describes is represented as clear or informing, obviously pointing towards the weakness of their testimony. Rather, if we consider *The Thin Blue Line*'s re-enactments formulaically, stylization *increases* when falsification is suggested. What this analysis stresses is Morris' attention to narrative; a disparate, more direct filmic approach could dismiss the false witnesses' testimonies' importance in relation to the re-investigational goals it pursues, opting for evidence that positively aids the case over perjury that further shrouds it. The crossfading of the witnesses to representations of their purported memories is strongly filmic in style, not unlike a fiction film sequence that similarly recalls the past. Thus, while the visual cues in the re-enactments remain problematic, they share a common interest in exposing *why* such difficult features of an investigation should be examined in depth. Film style elevates these prospects, accenting visual cues to render a fluid narrative.

By comparison, *Into The Abyss* provides a less flourished, yet consistent pattern of both re-enacted and judicial images to access the past it reinvestigates. As the film profiles both the crimes Perry and Burkett committed, and Perry's imminent execution, *Into The Abyss* similarly probes into understanding traumatic events within the frame of film narrative. In place of dim lighting, noirish crossfades or slow motion sequences, *Into The Abyss* makes heavy use of edited police tapes of the Stotler residence crime scene to revisit the past. However, the incorporation of what could be labelled as "found footage" within film terminology is not necessarily represented as such in the film, as Degli Antoni's haunting score plays to heighten the discomfort found in the images of bloody handprints and bullet marks in the walls of the Stotler residence. While a subtitle indicates the video to be genuine, there is a tension maintained by the film's original footage alongside the police tapes. This tension is not only realized with the application of the original score, but by the footage Herzog shot to apparently mimic the police tapes. As was

described in the “Openings” section of this chapter, the conversation with Rev. Lopez is followed by a shaky handheld camera’s tour of a death chamber, clearly suggesting point of view. A similar handheld cinematography is employed as we hear Conroe Lieutenant Damon Hall detail the route Perry and Burkett took as they invaded Sandra Stotler’s home, shot her dead, and subsequently murdered Adam Stotler and Jeremy Richardson. The re-enacting camera follows this with eerie detail drawn from the police tape that is shown prior to Hall’s description, effectively imitating the crime scene, which is now devoid of grim evidence. The re-visitation of sites of trauma is a common trait in Herzog’s nonfiction,<sup>40</sup> on which Ames writes, “Herzog’s re-enactments are coded as knowing acts of repetition and performed by the consenting survivor, who occasionally comments on them, makes sense of them in the present, and does so explicitly for the film’s benefit.”<sup>41</sup> Hall is the only figure in the film we see revisit the murder scene, and thus is not framed as a “survivor” in the sense of the other people profiled in some of Herzog’s other nonfiction works. However, it is the *absence* of such a survivor that unsettles the audience, a quality expressed similarly in the handheld police tapes shot for judicial purposes; investigators are often seen on the fringes of the frame, and inevitably there are shots of the three corpses discovered in the woods outside of the Stotler residence. Herzog’s own footage of the same

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<sup>40</sup> Examples include *Wings of Hope* (2000), and *Little Dieter Needs to Fly* (1997), the latter of which is explored further in Chapter II.

<sup>41</sup> Ames, 192.

locations however contain only vacant landscapes alongside Hall acting as a guide, with the camera following his direction from the house to the woods, essentially re-enacting the route of the murderers. This routing is of course not only drawn from Hall's conversation with the camera, but also the police tapes, whose imagery Herzog's footage also captures. This variety of photographic tension is not unlike Morris' placement of the false witnesses into sequences portraying their perjury. Rather than conveniently depicting the space and facets pertaining to the case, Herzog's footage, which features a haunting score and a rocky frame, performs as a ghostly tour through what we cannot forget is a murder scene. The ethical complication Herzog initiates in representing this space is categorically evocative of Herzog's "ecstatic truth," in which *perceptual* information is aestheticized to underscore emotion, resulting in a *conceptual* experience of the images presented to the audience.<sup>42</sup> Increasingly complicating in regards to the



**Fig. 1.6** – duelling footage of the Stotler residence crime scene, Screen Captures from *Into The Abyss* (2011)

narrative structure of the film, the police tapes and Herzog's accompanying footage recurrently play one after another, and despite the police tapes being identified upon their first appearance, the audience is nevertheless guided by their operation

with each other (see fig. 1.6). To term *Into The Abyss*'s original footage of the crime scene as a "re-enactment" may initially seem dubious in comparison to *The Thin Blue Line*'s carefully composed sequences, however a similar textual strain is maintained much like the voluntary statements example. Separate yet indivisible fragmented images are placed together to rebuild a

<sup>42</sup> Ibid., 262.

past event. One captures the event only days after its occurrence; the scene is untouched before the police cameras arrive, traces of the crime are found across the property. The other camera captures a less vivid trace of the event, its mere setting; now devoid of judicial evidence and ostensibly no longer a crime scene. The synergy of the competing footage enables the aestheticization of the audience's spectatorship *into* the crime it seeks to reencounter, meshing two timelines to access a previous one, or as Mary Ann Doane describes it, "'Things happen in the history of the individual but memory resides in the reverberations between events. Trauma has no real existence but as a function of representation... 'deferred action' is a working over, through time, of the implications of one event as its reading feels the impact of other events.'"<sup>43</sup> The "reverberations" Doane is referring to may be found in the competing images presented in this section, which for *Into The Abyss* are visually accessed with the interplay of timelines provided by two filmed versions of the crime scene being edited together.

*Into The Abyss* also uses the same handheld cinematographic style to open the film during its titles, as a wavering camera tours the Huntsville death chamber (the location of Perry's July 1<sup>st</sup>, 2010 execution), studying the Bibles on a table outside of the chamber, the barred waiting room for the condemned, and finally a long gaze into the chamber itself (see figure 1.7). The death chamber sequence is reused in *Into The Abyss* in the film's fifth chapter, "The Protocol of Death," which explores the Huntsville death row unit as well as the conduct of an execution explained by former death house captain-turned-anti-capital punishment activist Fred Allen. Following the end of Herzog's conversation with Michael Perry, the re-emergence of the death chamber footage appears over Allen's explanation of death row's due process on the day of execution, which then prompts him to describe his current disillusion with the practice. The film cuts to Lisa Stotler, who reveals her presence at Perry's July 1<sup>st</sup>, 2010 execution. Stotler's

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<sup>43</sup> Doane, 58.



**Fig. 1.7** – Herzog’s camera peering into the Huntsville death chamber, Screen capture *Into The Abyss* (2011)

account as witness is also heard over the death chamber footage, wherein Perry was in fact executed, as the Huntsville unit performs all executions within the State of Texas. Herzog’s re-imposition of the death chamber sequence supplants the audience

into the environment, notably the *exact* environment where the inaccessible discourse of this film occurs. While the filming of an execution is clearly not legal, nor pursued by the film, *Into The Abyss* retains an interest in the archiving of the event, displaying Perry’s execution record which lists the procedure (“taken from holding cell,” “strapped to gurney,” “solution flowing,” etc.) with the corresponding times in which the listed acts are carried out. And while *Into The Abyss* does not recreate any legal documents in the manner of the voluntary statements in *The Thin Blue Line*, the editing between Herzog’s interviews, the death chamber sequence and the execution record similarly devises an attempt to organize various spaces, documents, and dialogues to render a timeline. Appropriately, time plays a crucial role in the development of narrative space and structure in both films, which correlates with their shared interest in inaccessible pasts. The final section of this chapter focuses on this shared aspect of style.

**Time and Emptiness**

Privileging the viewer with multiple glimpses into a shared past, what both films demand the audience reason towards is stylization’s relative influence on the objectivity it records, which is mobilized by the employment of editing and visual flourishes rooted in narrative cinema. The organization of images that was explored in the previous section highlights the synergistic

placement of motifs and sequences have on our understanding of inaccessible events, however, the organization I am referring to is also administered by the aesthetic phenomenon of cinematic time. Writing on the significance of the viewer's memory in relation to interpreting cinema, Martin Lefebvre writes, "human memory can represent, that is it can *translate* data... render it more complex (even if this implies some forgetting). It is able, in other words, to produce a *memoria*. Seen in this light, memory is no longer duplication but *amplification, enrichment, complexification*."<sup>44</sup> Nonfiction film may be reframed to also fit this model of narrative comprehension; despite *The Thin Blue Line* being a film that interviews inmates, lawyers and police officers, the spectator is all the same obligated to recall who is who, when something occurred, and just as importantly, when it is placed in the film. Structurally, *The Thin Blue Line* and *Into The Abyss* withhold information throughout their storylines. Strategically revealing particular aspects of their respective cases much in the manner that the detective tale, as described in the Bordwell citation in the "Openings" section of this chapter, both films operate in this organization of information much in the way a fictional crime film closes its story with the exposure of the mystery villain, which effectively brings closure to the narrative. As we shall see, both films engage with a comparative discrepancy that at once conforms to Bordwell's general description of the detective tale, as well as Lefebvre's *memoria*, a helpful term for understanding whereby we conceive the flow of events that formulates a story. Akin to the detective tale, both films withhold particular moments and details in their respective narratives that in crime literature may be called the "smoking gun," essentially referring to the evidence that catalyzes a story's climax and subsequently lends a hand to its ending. Such an attention to narrative not only guides the viewer through a compelling storyline, but also affirms both films' interests in

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<sup>44</sup> Lefebvre, 479.



investigation.

Structurally, we can understand *The Thin Blue Line* as a complicated film for the apparent regurgitation of events in its re-enactments, as well as its lack of named titles that for the viewer may impede understanding the character's explicit roles in the storyline. The deduction as to who is Randall Adams or David Harris is not difficult. As recounted in the "Openings" section, Morris' positing of the two men introducing each other through editing establishes the identities of the two incarcerated men. However, while we may for instance reason who is a police officer, as the film's narrative develops, its loose handling of time demands careful attention to deciphering its selectivity in regards to the question it seeks to answer: "who killed Robert Wood?"

For the majority of its running time, *The Thin Blue Line* is constructed of cutaways<sup>45</sup> from interviews to fabricated re-enactments, while newspaper clippings and other visual aids reappear throughout to accentuate facts pertaining to the case. Due to the constant return to the re-enactments of Wood's murder, the question as to who actually killed Wood is frustratingly reiterated to the point of building tension. Indeed, *eight* re-enactments of the murder seem exhaustive; especially if we consider Morris' point that *none* of the scenarios presented in the film accurately depict the exact circumstances of Wood's murder. Resha contrasts the "plot" of the film with the events as they occurred in reality, writing, "We can see that there is some chronological progression here, but Morris also complicates this by rearranging the event. For instance, Morris inserts an account of Adams' interrogation early in the sequence and returns to it at the end of the sequence as well. In addition, we return to the scene of the murder three

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<sup>45</sup> Cutaways shots in *The Thin Blue Line* constitute sixty-seven percent of the total shots in the film, an unusually high percentage of use of the technique. See Resha, 55.

different times, again preventing a strict chronology in the film.<sup>46</sup> Again, we are presented with the issue of competing narratives, as while the film nevertheless progresses in its relaying of information regarding the case (from which we begin to build our assumptions), as it slips back into the re-enactments our hypotheses are disrupted by emergent evidence. The false witnesses for instance, appear halfway through the film, following a brief discussion of their surprising testimonies by Edith James, one of Adams' defense lawyers. If we were to chronicle the case via the simulation of the trial, the false witnesses would play a stronger role in the narrative, and aspects of the film such as the introduction of Adams coming to Dallas, or the playing of the *Boston Blackie* segment would fall by the wayside in favour of the facts of the case. Morris' structure of the film builds characters before it builds a strict chronology, giving the audience time to sympathize with Adams rather than follow the rigid structure an actual courtroom case would adhere to. Thus, for lack of a better formulated question: why all the effort? As the film was instrumental in Adams' eventual 1989 release from prison, why would Morris conceal what evidence he had to exonerate Adams and prosecute Harris? Williams comments on this difficult aspect of the film, writing,

Morris gives us some truths and withholds others. His approach to truth is altogether strategic. Truth exists for Morris because lies exist; if lies are to be exposed, truths must be strategically deployed against them. His strategy in the pursuit of this *relative, hierarchized, and contingent truth* [emphasis mine] is thus to find guilty those speakers whom he draws most deeply into the explorations of their past.<sup>47</sup>

Morris' concept of truth is thus rendered through the film with a strong attention to narrative structure. If we consider the "strategy" Williams is referring to in regards to formal construction, we may understand *The Thin Blue Line's* ordering of footage, fabricated or not, as relative, hierarchized, and contingent within the realm of the film's capacity for both storytelling and

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<sup>46</sup> Resha, 59.

<sup>47</sup> Williams, 13.

creating a method of investigation. No re-enactment or talking head more powerfully illustrates this method than the “tape scene,” which closes the film.

Morris’ final interview with David Harris was conducted on December 5<sup>th</sup>, 1986. Upon the discovery of a malfunctioning camera, Morris resorted to using a tape recorder. Partial segments of this recorded interview became the final section of *The Thin Blue Line*, in which Harris strongly hints at his guilt towards Wood’s murder:

Morris: Well, what do you think... about whether or not he’s innocent?

Harris: I’m sure he is.

Morris: How can you be sure?

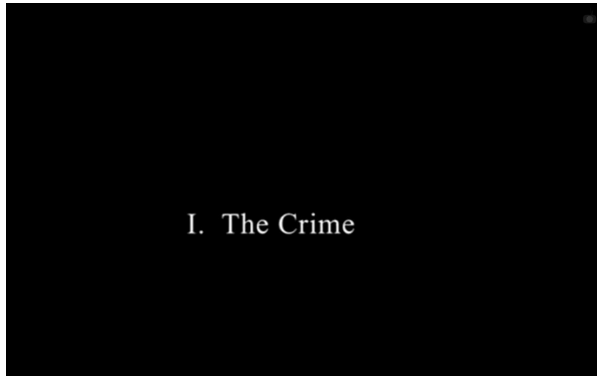
Harris: ‘Cause I’m the one that knows.

As the audio for this segment plays, a close-up shot of a tape player rolls, the camera cutting to different angles of it playing while subtitles (which do not specify the speaker) clarify the gritty sound quality. The tape segment not only acts as the narrative’s “smoking gun” regarding Adams’ innocence but also expresses a powerful stylistic break from the rest of the film. Visually consistent in colour tones and film stock with the re-enactments, nonetheless the tape scene features Morris’ voice with Harris’, each of them speaking sparsely rather than in the long segments that populate the interviews in the film. The image of the tape without human stimulation or presence gives agency and focus to the device, as if it is speaking the first direct truths thus far in the film, as the camera cuts to angles of its time code rolling and its tape running. The stylistic departure the tape scene brings to the overall structure of the film not only suggests closure to the case but also formally separates itself from the film: Morris breaks his own formal rules and the film simultaneously answers its own question.<sup>48</sup>

Herzog’s withholding of a linear timeline also creates a relative sense of time around

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<sup>48</sup> Acknowledging the tape scene in his interview in *The Thin Blue Line*’s press kit, Morris comments on its relation to the rest of the film, saying, “I don’t show people interacting. In the end of the film, in a stylistic break with everything that preceded it, David Harris confesses that Adams is innocent. There, my voice appears on the tape.”



**Fig. 1.8** – Narrative by numbers. Screen capture *Into The Abyss* (2011)

Perry’s execution. The film opens an hour before the event in question, and then introduces Perry eight days before the previous section. The opening is followed by the first named chapter of the film (see figure 1.8); entitled “I. The Crime,” this style of numbered chapters has remained a lasting formal aspect of Herzog’s nonfiction since

the early 1970s. Followed by titles such as “II. The Darker Side of Conroe,” “III. Time and Emptiness,” and “V. The Protocol of Death,” the named chapters explicitly serve the purpose of ordering the events and conversations they chronicle. “The Protocol of Death” as explored in the previous section, details Fred Allen’s rejection of the death row system, which is followed by Lisa Stotler’s reveal that she was present at Perry’s execution. While Allen is separate from the case, Stotler’s disclosure confirms within the film’s narrative timeline that Perry has certainly (as planned) been executed. This structural strategy therefore plays a role in developing a climactic realization within the film’s narrative. Like the stylistic break in *The Thin Blue Line*’s tape scene, Stotler’s confirmation of Perry’s death actualizes the impending event the film is constructed around. Writing on this phenomenon in the film in regards to Barthes’ photographic concepts of the *stadium* (“the generally readable code that a photograph transmits to its viewer”<sup>49</sup>) and the *punctum* (“an element that... ‘disturbs’ the *studium*, that unsettles the general readability of the image”<sup>50</sup>), Barnaby Norman writes, “Here is a brutal fact: this man is going to die. But here is another: this man is already dead.”<sup>51</sup> Norman’s clarification of the harrowing introduction to Perry and his doomed situation is later affirmed by his explanation of “The

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<sup>49</sup> Norman, 206.

<sup>50</sup> Ibid., 207

<sup>51</sup> Ibid.

Protocol of Death” chapter of the film, as he writes that “[Lisa Stotler]’s interview has been featured throughout the film, but now we realise that it was recorded after Perry’s execution. She is a central figure because she was closely related to the crime victims, but also because she was *present* [original emphasis] when the death sentence was carried out.”<sup>52</sup> Herzog’s placement of Stotler’s admission to attending the execution at once confirms and broadens the film’s discourse surrounding the inaccessible event of Perry’s death. Stotler’s talking head is intercut with more images of the gurney, and the sequence ends with the previously unseen image of the empty chair in which Perry sat while in conversation with Herzog; the last recorded images of Perry. Thus, the spatial and temporal limitations that were unknown prior to this section of the film are established by an objective timeline. As his conversation remains outside of the film’s other talking heads, Allen’s dialogue acts as commentary when placed before the Stotler scene; acknowledging the absurdity of the death penalty, only to be figuratively thwarted by the recognition of Perry’s death. Despite his disinterest in making an “issue film,” Herzog’s construction of the talking heads in *Into The Abyss* in relation to the events that take place off-screen indicates an interest in conceding to the knowingly unavoidable, yet inaccessible execution of Perry. When such a notion as death is realized, the film’s timeline is at once clarified while the audience’s perception of the event is overtaken by the realization of the inevitable; an unknowable event. The poesis<sup>53</sup> of death the film invokes is very much aligned with Herzog’s conceptual notion of an “ecstatic truth,” whereby the crafting of reality, or *stylization*, underscores the viewer’s vision of the film as a conceptual experience beyond its mere story, prompting an expansive impression of the film’s text.

Locating comparative applications of style, this chapter has aimed to identify consistent

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<sup>52</sup> Ibid., 213.

<sup>53</sup> Prager, 198.

features of film construction and textual interest both films engage with. Concluding this portion of the poetic methodology I have devised, we can understand the aspects of style discussed in the above four sections as principles from which we may deduce knowledge from the text, and a stronger sense of narrative composition from their organization and stylistics. Briefly returning to Bordwell, we are offered a useful metaphor regarding how narrative style may be approached with formal analysis, as Bordwell writes, “Instead of treating the narrative as a message to be decoded, I take it to be a representation that offers the occasion for inferential elaboration.”<sup>54</sup> The concept of elaboration over the perpetually developing process of style connects the *analytic* question Bordwell proposes with the *historical* to substantiate why certain principles have arisen and changed in particular circumstances.<sup>55</sup> Advancing from the *analytic* portion of this thesis, the following chapter seeks to historicize these aspects of style in the context of several other works by Herzog and Morris.

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<sup>54</sup> Bordwell, *Poetics of Cinema*, 93.

<sup>55</sup> Bordwell, *Historical Poetics of Cinema*, 371.

## Chapter II

### CHAPTER 2: Historicizing *Truthmaking*

In accordance with Bordwell's two-fold system of poetics, in which close readings of particular principles of films are then historically contextualized with examples of their use and occurrence over time, this chapter expands style more broadly in extant works by Herzog and Morris. As noted in the introduction, this case study bases its interest in film style as drawn primarily from the *films* it considers with little inference or interpretation from the lives of the *directors*. Herzog and Morris (particularly Herzog) have been previously examined through auteurist lenses that situate the director's role as the commanding aspect behind the construction of their films, however if we also engage more closely with aspects surrounding the films' productions and distribution, we may gain insight into how the films develop consistent rhetoric in regards to their interests in their own medium.

Prior to reviewing the use of the four aforementioned aspects of style, namely the films' openings, framing of interviews, representation of inaccessible events, and the organization of time in other works by Herzog and Morris, the following section reviews the respective press kits of *The Thin Blue Line* and *Into The Abyss*. The placement of this discussion after the formal analyses in Chapter I, which constituted close viewings of particular aspects of style, is separated from the films' press kits to explain how the films' promotion, and subsequent circulation may further elaborate how these films function as interrogational texts within the greater realm of documentary. Following suit with Bordwell's two-fold methodology of *analytic* and *historical* poetics, this chapter seeks to historically contextualize the developments in style by both Herzog and Morris, offering two instances as to how approaches to investigating similar texts can be different given particular circumstances.

## Truth-in-The-Making: A Look at Press Kits

Produced by the art-house company American Playhouse, *The Thin Blue Line* was picked up by Miramax for circulation. While this distribution would later benefit Morris' reputation in documentary circles, and is commonly viewed as a decision that contributed to his breakthrough as a director, Miramax co-founder Harvey Weinstein wrote Morris a concerned letter upon viewing the film, primarily addressing the profitability of the film (see **appendix I**). Notably, the letter's issues pertain to the film being perceived as a drab legal document on film, instead of an enticing feature dealing in murder and mystery. Amusingly, a look at the press kit reveals Morris' own interests in avoiding a film that merely spouts fact after fact. Notably, Miramax's promotional poster for the film heightened the concept of the film as a "nonfiction feature." The poster features a pair of focused eyes framed within an analog clock, and under the film's titles reads, "A SOFTCORE MOVIE, DR. DEATH, A CHOCOLATE MILKSHAKE, A NOSEY BLONDE AND 'THE CAROL BURNETT SHOW.' SOLVING THIS MYSTERY IS GOING TO BE *MURDER* [original emphasis]." Spouting seemingly random facts of the case the film revisits, such as Adams' claim that he watched "The Carol Burnett Show" the night of Wood's murder, the poster resembles more of a made-for-TV thriller than the reinvestigation of a ten year-old homicide case. However from the perspective of a work seeking wide viewership, the poster is thus similar to an advertisement for a narrative fiction film, a critical departure in circulation compared to Morris' earlier works.

Morris had already made two feature-length documentaries before *The Thin Blue Line*, namely *Gates of Heaven* (1978), which profiles two pet cemeteries in California, and *Vernon, Florida* (1981), a series of interviews conducted with people in the rural town of the same name. Despite considerable critical praise from festival audiences and critics alike, the films received



little distribution and generated minimal box office profit. Frustrated in his attempts to enter the film industry, Morris spent the early 1980s working as a private detective on Wall Street, investigating fraud.<sup>56</sup> The production notes in *The Thin Blue Line*'s press kit explain that after receiving money to make a film about Dallas prison psychologist James Grigson (notoriously nicknamed "Dr. Death" for his penchant for recommending the death penalty to many of the inmates he psychoanalyzed), Morris headed to Texas to conduct interviews with both Grigson and the inmates he had condemned. After meeting with over thirty death row inmates, Morris encountered Randall Adams. Morris states in the press kit that "[Adams] had a strange, quirky presence and kept talking about 'the kid, the kid [Harris].'" Also, Dallas figured prominently in his conversation." Several weeks after his meeting with Adams, Morris unearthed the transcript of Adams' 1977 trial at the state Appellate Court in Austin, upon which he began to question the validity of the case's verdict. Morris notes, "David Harris had stolen a car and guns and had driven to Dallas. He took the guns back with him to Vidor and committed several robberies. I started to think about what happened on that roadway that night." The focus of Morris' "Dr. Death" project quickly shifted from Grigson to the Adams' case, and subsequently led to the filmic re-investigation of what became *The Thin Blue Line*. Morris explains, "I became involved in two separate, often conflicting enterprises... The investigation of a murder and the making of a movie. Initially, I had wanted to make a film about Dr. Death and put an end to my employment as a private eye. Instead I ended up spending over two years investigating this case, and I am still at it." As demonstrated in the previous chapter, *The Thin Blue Line* formally reworked, or rather avoided then-common rules of thumb for making a nonfiction film. The film's press kit writes, "[Morris] admits to being influenced by film noir, explaining his fascination with the genre by stating the state of mind it depicts. He explains, 'these films came

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<sup>56</sup> Resha, 49.

out at a time (World War II) when people had lost control of their lives. Objects – rather than people – loom large in these films, often overshadowing the characters themselves.”

Unsurprisingly, we can draw connections from this statement as being influential towards the rendering of motifs and objects redolent of film noir in *The Thin Blue Line*. Bordwell’s description of the detective tale’s narrative structure also commonly figures into Film Noir, which correspondingly withholds information while simultaneously focuses on minute details and objects that constitute a fact-finding process; an investigation. As explained in *The Thin Blue Line*’s press kit’s interview with Morris includes his defence of this then-radical style, as he asks,

Does Cinéma vérité provide a real image of the world because of certain conventions we accept: zooming images, a shaky camera, a point-of-view that remains supposedly neutral? The style of my film breaks with these notions in every respect. When I interview people, they are aware of the camera, they’re looking straight at it. But I don’t try to impeach what people tell me. I try to keep them talking and ask as few questions as possible.

Morris’ explanation of his approach, and rejection of Cinéma vérité, situates his own filmmaking on opposing grounds both stylistically and conceptually from the documentary tradition he posits *The Thin Blue Line* against. And while this thesis does not seek to take up the general variations of style across nonfiction genres, I am arguing towards redefining how nonfiction may be contextualized stylistically within poetics as Bordwell has previously done with fiction film. Morris’ contrarian stance to the vérité tradition is such an instance of this stylistic difference. If we consider the incorporation of the film noir-detective narrative in tandem with the case Morris’ research uncovered, two important aspects of the film’s production may be acknowledged: Firstly, *The Thin Blue Line* was born out of a commitment to resolve a mistrial, convincing Morris to switch focus from Grigson to the Adams case. Secondly, Morris consciously constructed his film as an antithetical response to vérité filmmaking, which more generally postulates the overall method of making nonfiction films. This reflexive aspect of his

filmmaking, as we shall see in this chapter, develops accordingly in correlation with the thematics it profiles, maintaining similar interests in truth while developing stylistics to appropriately frame a narrative, or for lack of a better term, “make a good movie.”

*The Thin Blue Line*'s press kit also provides valuable features that further facilitate its unique approach to genre. Ironically, in relation to my analysis of the film's tension between fabricated objects and scenes alongside interviewed testimony and judicial documents, the press kit includes a list of “Principal Characters” which is followed by a “Case Chronology” which lists the dates of the case alongside Morris' participation in the film. The “Principal Characters” list includes brief biographies of the eighteen talking heads in the film, as well as the several people interviewed for the film who either declined to be filmed or were edited out.<sup>57</sup> Thus, the press kit advertises *The Thin Blue Line* as an investigation while it also frames the interviews it features as characters with separate, competing desires and interests in the case they form part of.

*Into The Abyss*' press kit contains sections that also illustrate a duality and a tension between objectivity and stylization. The kit contains a “Director's Statement,” in which Herzog strongly condemns the death penalty, saying, “The argument that innocent men and women have been executed is, in my opinion, only a secondary one. A State should not be allowed - under any circumstance - to execute anyone for any reason. End of story.” Herzog's declaration of his ethical stance contrasts with the supposed “non-issue” aims of the film we explored in the previous chapter. However, the obvious irony of this realization is that the film, which is purportedly not in the interest of guilt or innocence apropos of *The Thin Blue Line*,<sup>58</sup> is found

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<sup>57</sup> Theresa Turko declined to be filmed, whereas the prosecution lawyer, Douglas Mulder, was left out of the film because Morris deemed him “boring.” See Peter Bates' "Truth Not Guaranteed: An Interview with Errol Morris."

<sup>58</sup> Herzog: “[*Into The Abyss* and the *On Death Row* series] films weren't going to be a platform for them to prove their innocence, which meant I took a fundamentally different approach to Errol Morris when he made *The Thin Blue Line*, the purpose of which was to exonerate a man. At the same time, this wasn't an opportunity for me to

within the anti-capital punishment discourse Herzog's framing contends throughout. The press kit for the film likewise reinforces this seemingly convoluted rhetoric, reiterating Herzog's personal opinion as expressed in the film.

Regarding production, the press kit's interview with the film's producer Erik Nelson provides several passages that prove useful when thinking about narrative style and construction, as Nelson says,

In terms of what sets it apart from other Herzog films I've been involved with, *Into The Abyss* is deliberately spare in its scoring, in its cutting, and most importantly in its lack of narration by Herzog. Werner has become a justifiable legend for the richness of his narration — and the flights of narrative fancy that drive that narration. On this film Werner says nothing, and lets the story speak for itself. That is a testament to the power of *Into The Abyss*.

To clarify Nelson, Herzog does not narrate in the expositional mode of documentary, whereby a commanding, non-diegetic voice narrates the film. However, Herzog's voice is heard throughout the film off camera during the filmed conversations. The sparseness Nelson discusses however is consistent with my analysis of the film in the first chapter, particularly when compared to the visual flourishes used in *The Thin Blue Line*. The press kit notes that Nelson has previously worked for Herzog on nonfiction films including *Encounters at the End of the World* (2007) and *Cave of Forgotten Dreams* (2010). *Encounters at the End of the World* profiles researchers living and working in Antarctica, while *Cave of Forgotten Dreams* is an exposé of the Chauvet cave in southern France, a rarely explored site that contains some of the earliest known works of cave painting. Herzog deeply poeticizes the respective environments in these recent nonfiction works. *Encounters* features an operatic score that plays while deep sea divers are filmed recovering life forms under the ice, as well as Herzog's predicting the "certain doom" of a wayward penguin walking across the continent. *Cave of Forgotten Dreams* involves a local man who claims to be

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reiterate their guilt." Cronin, 420.

master perfumer who alleges that his powerful sense of smell allows him to detect the opening of previously undiscovered caves similar to Chauvet. The film's epilogue contrasts the traces of early civilization in the cave with what Herzog claims is a testament to modern humankind's downfall; white crocodiles who are the product of nuclear mutation from a reactor near Chauvet. The claim is a fabrication however, as the crocodiles are a naturally evolved albino breed.<sup>59</sup> The stylistic embellishments in *Into The Abyss* are by contrast directly associated with the documentary text; the mimicking of the police cameras, the reintroduction of the death chamber sequence to punctuate Perry's execution, etc. While *Into The Abyss* retains similarly unknowable interests akin to Herzog's previous nonfiction works, it pursues them through simpler means. Thus, as supported by Nelson's above comments, the film strategizes simplicity and sparseness to communicate the power of the narrative more plainly than expected of Herzog in comparison to his previous documentaries.

*Into The Abyss* came out a commission from Investigation Discovery<sup>60</sup> for Herzog to direct a four-part series profiling death row inmates in the United States. Nelson notes the rare circumstances that allowed Perry's interview to develop into *Into The Abyss*, saying, "It took six months of pre-production going through the various cases on Death Row in order to find cases worthy of Werner's attention, and subjects willing to appear in front of his cameras. The unique thing about the Michael Perry case was that Michael was executed just eight days after Werner spoke with him for the one and only time." With support from the Canadian-American company Creative Differences and Herzog's company Werner Herzog Film Production alongside

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<sup>59</sup> Herzog's problematic use of fabrications in relation to the minimal stylization and performance in *Into The Abyss* is taken up further in the next section of this chapter.

<sup>60</sup> *Into The Abyss* press kit introduces Investigation Discovery as "the source for fact-based analytical content and compelling human stories, Investigation Discovery probes factors that challenge our everyday understanding of culture, society and the human condition," an interesting production company to employ a filmmaker with a contemptuous relationship with "fact-based content" such as Herzog.

Investigation Discovery, funding for *Into The Abyss* as a feature was secured and the film was quickly made due to the binding limit of time before Perry's execution. The circulation of the film even hints at the urgency of the production, with the press kit containing a promotional poster of the film featuring a shot of Perry's back as he exits his conversation with Herzog. Consistent with the urgency expressed in the film, the poster captures the final filmed images of Perry, explicitly illustrating the film's discourse as carceral.

Reviewing the press kits for *The Thin Blue Line* and *Into The Abyss* combines the formal understandings of the films' construction with glimpses into the means of production. The film's respective environments thus contribute to particular methods of how narrative structure in nonfiction may be shaped under particular circumstances.

### **Broadening Patterns: Thematic and Stylistics**

Continuing within the realm of a historical perspective, or rather historical *poetics* of the films in question, this section engages with consistent thematics and stylistics from which we can gain a broader understanding and schematic of how these films developed *truthmaking* over time. Bordwell names *thematics*, *constructional form* and *stylistics* as the three distinct objects of study that constitute historical poetics.<sup>61</sup> As I have posited *Into The Abyss* as a figurative response to *The Thin Blue Line* for their shared thematic interest in death row cases in Texas, wherein does history figure into Herzog and Morris' influence on one another's filmmaking? More broadly, how do consistent constructional form (narrative composition) and stylistics (stylized re-enactments, unnatural lighting, the incorporation of found footage, non-diegetic sound and music, etc.) evolve over time to build recurrent notions of rhetoric and interest in nonfiction?

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<sup>61</sup> Bordwell, "Historical Poetics of Cinema," 375.

Herzog has been producing films since the 1960s, whereas Morris' first film, *Gates of Heaven*, was circulated in 1980. Herzog and Morris met in Wisconsin in 1976 while Herzog was filming his fiction film *Strozek* in the United States. Later that year, Herzog and Morris interviewed American serial killer Ed Kemper under the prospects of starting a creative project profiling incarcerated killers. While the project never came into fruition, a bond fostered by interests in the dark fringes and unfathomable conditions of humanity has been retained between the two filmmakers, as expressed by their films over time. Given Herzog's canon of forty-plus films, and Morris' commercial work in advertisements and journalism, an exhaustive overview of the directors' works over the years seems inappropriate given the breadth of a project contemplating the relationship of truth claims made around particular shared aesthetic aspect and thematic texts. For the sake of brevity and focus, the following section concentrates around identifying recurrent aspects of style in only several works by each director, with the goal of contextualizing their development and commitment to narrative design in relation to truths-in-the-making.

Morris' 1978 debut feature<sup>62</sup>, *Gates of Heaven* consists of interviews surrounding people related to two popular pet cemeteries in California. Inspired by a newspaper article profiling one of the cemeteries, the film's structure and focus is less directed compared with an explicitly strategic film like *The Thin Blue Line*. While *The Thin Blue Line* builds tension through the growing outpouring of evidence and the constant re-visioning of scenarios with re-enactments, *Gates of Heaven* employs an associative structure in place of a narrative timeline. Thus, more inference is required of the viewer, as the film also rejects the use of narration and named titles. The film does, however, feature a similar framing of interviews, as talking heads directly address

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<sup>62</sup> *Gates of Heaven*'s completion and release in the United States was chronicled in Les Blank's 1980 short documentary *Werner Herzog Eats His Shoe*, in which Herzog lives up to a bet he made with Morris should the film be completed: eating his shoe in front of a live audience.

the camera (indicative of Morris' positioning of himself near the lens). Unlike the dark, interior composition of *The Thin Blue Line*, much of *Gates of Heaven* is filmed on the cemeteries' premises, under a seemingly hot California sun. This obviously lends to different circumstances regarding how characters may be placed within the frame. Morris interviews various people who have used the cemeteries to intern their pets. Fashioning the pet cemeteries around human ones, Morris' camera shoots long-takes of plaques of buried pets with epigraphs celebrating their lives.



**Fig. 2.1** - – Tragicomic framing. Screen capture *Gates of Heaven*

One instance shows a photograph of a couple's deceased dog placed on grass in the manner of the plaques (see figure. 2.1). While the couple speak seriously of the joy their dog brought to their lives, we are offered a comical portrait of a seemingly smiling small dog staring into the camera that took its picture. The irony of the whimsical image paired alongside the deceased dog's owner's interview places the viewer's interest over their explicit conversation, and into a stranger, more profound discourse of the owners themselves. The plotting of the happy dog photo over a stern declaration of love and an acknowledgment of morbidity incites humour in the viewer. This exercise constitutes the majority of *Gates of Heaven's* loose structure; fluctuating from portrait to portrait of animal with corresponding owner(s), essentially ridiculing their sombre meditations on the relief the cemetery(s) gives them, the comfort of knowing they are resting in a respectful place. Despite *Gates of Heaven's* light-hearted subjects compared to Morris' later works, an interest in the self-deception revealed through interview and visual (and figurative) juxtaposition is maintained throughout Morris' canon. One of the "lessons" Plantinga names as a recurring thesis in Morris'



work is that “Humans construct frameworks of belief – fables or dreamscapes- to make sense of their lives and their world.”<sup>63</sup> The framed interview thus plays a recurrent role in Morris “exposing” of humans as characters at odds with their own conceptions of the world. The example given above illustrates the couple’s interest in their own peace mediated by the cemetery’s ritualistic relation to human burial, which they disguise as compassion for their deceased dog. *Gates of Heaven*’s primary interest is in the human phenomenon of self-deception Morris’ films consistently contemplate, suggesting that this revealing nature, framed through the documentary interview, is universal.

Morris’ 1999 film *Mr. Death: The Rise and Fall of Fred Leuchter, Jr.* is thematically a far departure from *Gates of Heaven*’s playfully misanthropic series of interviews. As briefly discussed in the first chapter, *Mr. Death* (not to be confused with *Dr. Death*) profiles Fred Leuchter, a former history major who devises machines for execution in the American capital punishment system. Needless to say, Leuchter is, like most of Morris’ characters, a bizarre figure who appears unaware of his obvious quirks. Following the tradition of *The Thin Blue Line*, Morris recreates stylized scenarios involving the various electrocution and hanging devices Leuchter claims to have designed; building an imagined “execution room” on a soundstage, the film uses fake lightning, dramatic lighting and wide-angle lenses to not only frame these devices, but Leuchter *himself* operating them. While *The Thin Blue Line* uses actors in its re-enactments, *Mr. Death* further complicates the act of performativity in documentary with Leuchter wittingly sensationalizing the instruments of death he is proud of making. While framing Leuchter as a kind of state-approved mad scientist, *Mr. Death* further complicates Leuchter’s persona as the second half of the film details his participation in *The Leuchter Report*, a document of Leuchter’s analysis of gas chamber walls at the Auschwitz concentration camp,

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<sup>63</sup> Plantinga, 49.

which is now widely understood as Holocaust denial literature. *Mr. Death* displays footage taken by Leuchter's wife (in circumstances which only further unsettle the viewer, and apropos of Morris' interests, the footage was shot during their honeymoon) showing Leuchter chipping away at Auschwitz' foundations and subsequently analyzing the materials. Concluding that no cyanide was ever present on the premises, Leuchter willingly participates in what he asserts is a truth arrived at through the means of his scientific research. This variety of self-deception is not only a recurrent aspect of Morris' work, but the means by which the film affirms this wilful ignorance is particularly expressed through Leuchter's participation. Filmed with Morris' Interrotron, Leuchter's constant uneasy expression (see figure 1.2) and comically bookish appearance alongside his bizarre and problematic profession does not aid his credibility as an ethical person. Morris' incorporation of the "honeymoon footage" only cripples this representation further. As explained by Williams, Morris' sense of truths on film is relative. The relative truth *Mr. Death* affirms is that the lie Leuchter and other Holocaust deniers are convincing themselves of is not only a falsehood, but indicative of the danger of collective falsehoods. Morris' filmed portion of *Mr. Death*, which shows Leuchter actively engaging the camera: posing with dummies being hung on a noose and pulling a giant crank that triggers an electric chair frames him as freakishly obsessive in his work. The juxtaposition of these sequences with the "honeymoon footage" expands this conception of Leuchter beyond Morris' expectations as the footage, independent of Morris' stylization, performs in tension with the film's narrative not unlike the competing factual and recreated evidence in *The Thin Blue Line*. *Mr. Death* hypothesizes the validity of Leuchter's profession (already contemptuous in regards to *The Thin Blue Line* for his relation to capital punishment) and confirms his self-deception in the reveal of his participation in Holocaust denial. The strategic ordering of the "two Leuchters"

allows the audience to formulate several potential opinions toward his work and character, which are then disrupted by the “honeymoon footage.” Akin to *The Thin Blue Line*, Morris’ structuring of falsehoods builds a narrative conveying the *failure* to see reality, preferring intractable self-imposed systems of belief.

Perhaps no work by Morris better encapsulates his approach to interview and its poetic capabilities than his 2000 television series, *First Person*. Taking its name from the purported effect Morris claims the Interrotron renders, *First Person*’s entire composition is framed around the use of the device in the filmed interview. Unsurprisingly, *First Person* portrays a variety of extraordinary individuals, including giant squid expert Clyde Roper, New York-mafia lawyer Murray Richman and crime scene cleaner Joan Dougherty. In place of surveying the content of Morris’ seventeen episodes, each just over twenty minutes in length, I would prefer to situate *First Person*’s style as holding particular importance over its content for the purposes of this section. *First Person* isolates what is viewed as a recurrent aspect of Morris’ nonfiction film: the filmed interview. While the filmed interview is clearly not exclusive to Morris’ filmmaking, his interest in exploring its capacities with his unique technology certainly is. Another of Plantinga’s proposed “lessons” we can learn from Morris’ films is that “The filmed interview is the best tool to discover and represent mental landscapes,”<sup>64</sup> writing, “the use of the Interrotron provides a sometimes unnerving concentration on the face, with the subject staring and speaking directly into the camera. Morris often will cut to extreme close-ups that typically feature an eye, sometimes composed with other parts of the face.”<sup>65</sup> Plantinga’s observation marks an authorial stance regarding Morris’ use of the Interrotron. While the interviewees peer into the device, various angles of their expressions are captured while they remain fixed to the teleprompter

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<sup>64</sup> Ibid., 52.

<sup>65</sup> Idem.

showing Morris' face. Thus, the audience is able to reflexively gaze upon the interviewees while they speak to the camera, commanding viewership over the talking head. In other works by Morris, re-enactments serve as cutaway features that visually depart from the filmed interview to illustrate or imagine particular scenarios. *First Person's* stylistic departure from this common trait in Morris' films shifts attention to its centralized aspect of style, at times irking the audience due to the lack of visual variety. *First Person's* minimalist approach towards style questions Morris' own conceptions of how to build a narrative, retracting to a base form of documentary, which is simultaneously amplified with the use of the Interrotron.

Thematically, Herzog's interests vary on a grander scale than Morris' America-focused nonfiction. While *Into The Abyss* has obviously been duly noted for its shared interest in the Texan death row system with *The Thin Blue Line*, we are subject to a myriad of interrelated themes within Herzog's nonfiction canon. One film that exemplifies Herzog's commitment to using style to construct a narrative is his 1992 film *Lessons of Darkness*. A record of the 1991 Kuwait oil fires, a direct result of a scorched earth policy enacted by Iraq during the first Gulf War, *Lessons of Darkness* chronicles the mass devastation of the fires, but then re-contextualizes the footage as a science fiction narrative. Inherently problematic for this approach in regards to the discourse of war, *Lessons of Darkness'* narration by Herzog similarly dismisses facts detailing or even briefing the actual location of the oil fires. As the film's narrator, Herzog prefers cryptic passages from the Book of Revelation read over the expansive

helicopter shots that constitute the majority of the film's form (see figure 2.2). While the film also encounters the activities of firefighters and several civilian survivors, *Lessons of Darkness* is invested in abstracting the apocalyptic landscape to draw out particular, Herzogian notions of truth, rather than in explicating the factual background pertaining to the war. Structurally, the film is consistent with *Into The Abyss*' use of numbered chapters with dramatic titles (a feature of



**Fig. 2.2** – A planet in our solar system: a sublime vision of the devastation of war. Screen capture *Lessons of Darkness* (1992)

many of Herzog's nonfiction works since the 1970s), including names such as "The Golden Age," and "Satan's National Park." The film also opens with a quote falsely attributed to Renaissance polymath Blaise Pascal, stating, "The collapse of the stellar universe will occur

– like creation – in grandiose splendour." Herzog explains that,

The words attributed to Blaise Pascal which preface my film *Lessons of Darkness* are in fact by me. Pascal himself could not have said it better. This is falsified and yet, as I will later demonstrate, falsified quotation should serve as a first hint of what I am trying to deal with in this discourse. Anyway, to acknowledge a fake as a fake contributes only to the triumph of accountants. Why am I doing this, you might ask? The reason is simple and comes not from theoretical, but rather from practical, considerations. With this quotation as a prefix I elevate the spectator, before he has even seen the first frame, to a high level, from which to enter the film. And I, the author of the film, do not let him descend from this height until it is over. Only in this state of sublimity does something deeper become possible, a kind of truth that is the enemy of the merely factual. Ecstatic truth, I call it.<sup>66</sup>

Herzog's poetic defence raises his commonly discussed "ecstatic truth" which contends that stylization in his films, fiction or nonfiction, elevates the spectatorship of the landscapes or characters he is filming to point of a particular ecstasy; whereby the viewer encounters a sublime

<sup>66</sup> Herzog, 1.

filmic experience via the immersion in this supposed “truth.” While Herzog’s tongue-in-cheek defence suggests a very conscious devotion to a particular aesthetic, I am more interested in what we may formally draw out of such an aesthetic proposal. Indeed, if we situate “ecstatic truth” within the realm of narrative, we may understand such “fabrications” and “stylizations” as simply evocative of film style. While *Lessons of Darkness*’ narration, ordering of chapters, use of an operatic score radically departs from typical methods of nonfiction, its form still suggests the basic, and in this case horrifying truth claim that the events it is recording are indeed *real*. Ames writes on the film, saying, “[the film viewer] is absent from the events in time and place but still has access to them via recording...Only the imagination allows us to witness what has happened to others in another time and place.”<sup>67</sup> Thus, with some distancing from nonfiction’s journalistic responsibility, if we understand *Lessons of Darkness* as a narrative, we can observe that its storytelling capabilities, rendered by its total abstraction of the ravaged landscape, or as Herzog calls it in the film “a planet in our solar system” to be a complicated vision of reality. However, similar to Herzog’s imposition of the death chamber footage in *Into The Abyss* to visually suggest Perry’s execution, the re-contextualized footage that became *Lessons of Darkness* uses daunting, difficult imagery to at once captivate the audience within the frame of narrative while simultaneously challenging the audience to consider what the original context of the imagery refers to. While the death chamber in *Into The Abyss* becomes a rhetorical device from which we deduce the event in question, the impossible and yet very real landscape of the burning oil fields in *Lessons of Darkness* acquires a similar role in its suggestive implication of a traumatic reality. *Lessons of Darkness*, however, takes this visual device further by suggesting an alternate reality, which is ironically expressed by images of the real world.

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<sup>67</sup> Ames, 32.

In Herzog's 1997 film *Little Dieter Needs to Fly*, we are offered a unique biography of a former prisoner of war who *returns* to the site of trauma he was rescued from. The film profiles the escape of German-American pilot Dieter Dengler from a prisoner-of-war camp, in which he was imprisoned at for six months after being shot down in Laos in 1966.<sup>68</sup> Filming Dengler in his California home, the film displays the various oddities the trauma Dengler suffered seems to have inflicted on him. Explaining to the camera that he never locks his doors, has minimal furniture and a roundly-shaped house to evoke a spatial sense of freedom, the film also shows Dengler's obsessive-compulsive behaviours surrounding this; such as the way he open and closes his doors three times before entering, or the tons of dry rations he keeps under his floorboards in the case of emergency. However, some of these behaviours, such as the openings of the door, are Herzog's stylization of Dengler's fractured life, whose performativity in the film becomes increasingly complicated when Dengler travels back to Southeast Asia to recreate his imprisonment. Prager suggests that, "One has the impression that the two, the director and his subject, are working synthetically to recount Dieter's story. One understanding of the subject's inner life is complemented if not thoroughly framed by what Herzog tells us about him."<sup>69</sup> Re-enacting his imprisonment in Laos, as Dengler's hands are bound behind his back by locals playing his captors, he looks at the camera and wryly says "now *this* feels a little too close to home!" Dengler and his "captors" proceed to venture through thick forest, as he details how he survived just long enough to flag down a plane.

Dengler's performativity, like Damon Hall's presence in the Stotler residence crime scene, returns the viewer to the original site of trauma, placing them in a past timeline via an

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<sup>68</sup> Interestingly, Dengler's story was adapted as a feature length film by Herzog in 2007, titled *Rescue Dawn*.

<sup>69</sup> Prager, 155.

immersion in the setting. While Dengler and Hall are not both survivors of trauma in the same sense, their interest in reactivating the past in pursuit of an inaccessibility is rendered by Herzog's camera. The film also contains several fabrications, or embellishments that are worthy of note. Herzog and Dengler are both native German speakers, and yet for the purposes of the American production of the film (both are also residents of the United States), they address each other entirely in English for the duration of the film. As well, the film's soundtrack is taken from audio of Tuvan throat singers in Siberia, chronicled in Herzog's 1993 documentary *Bells From the Deep*, a similarly performative film exploring varieties of faith and spiritual beliefs in Eastern Russia. The context of the unique music is thus re-contextualized as Herzog's cameras capture aerial footage of Dengler's return to Southeast Asia, fetishizing the landscape as if the music originates there. Despite Herzog's difficult imposition of various non-Western cultures across his films, for the interests of this case study, his formal arrangements mark exceptional approaches to framing characters. For instance, the intense throat singing matches the shaky aerial camera's rhythm, much like the operatic score accentuating the massive clouds of smoke captured in slow motion in *Lessons of Darkness*, or the Degli Antoni's haunting string-based score that plays over the police tapes in *Into The Abyss*; the use of a musical soundtrack is not an unusual feature in fiction *or* nonfiction, however it is Herzog's particular implementation of soundtracks used to underscore surprising concepts of landscapes that enables certain interests in his aestheticization of truths.

Herzog's 2005 film *Grizzly Man* is the first of several of Herzog's more recent documentaries that heavily incorporate found footage into their texts. While it does not make use of Herzog's structural chaptering such as *Into The Abyss* or *Lessons of Darkness*, it does share an interest in recovering an inaccessible event, specifically through the re-contextualization of a



video diary. The film profiles the life of Timothy Treadwell, a survivalist and grizzly bear enthusiast who spent thirteen summers in Katmai National Park and Preserve, Alaska. Treadwell chronicled the last five summers he spent in Katmai with a video camera, and produced over one hundred hours of footage of himself living among the bears. Tragically, Treadwell and his partner Amie Huegenard were killed and consumed by a bear on October 5<sup>th</sup>, 2003, most likely due to their staying later than normal in the season, upon which aggression among the bears rise in their search for food before hibernation.

*Grizzly Man* presents a focused interest in re-employing Treadwell's footage to reconstruct a narrative of not only his life, but his perverse sense of belonging among the grizzlies that ultimately led to he and his partner's death. The film opens with a typical video of Treadwell in an open field during one of his videotapes. While named titles introduce him, they also display "1957-2003" below his name. Similar to the introduction of Michael Perry, we are given an impending ultimatum surrounding this character: not only is he going to die, but that he is already dead. On this sequence, Ames writes, "What gives this scene its particular charge is the viewer's knowledge that Treadwell is in fact dead and that he was actually killed in much the same way he describes and, to some degree, anticipates."<sup>70</sup> Given this presentation of Treadwell, Herzog's view of him as "a disturbed individual with a death wish" is not an implausible assumption. While the film explores Treadwell's dangerously irrational interest that caused his demise, it also attempts to eulogize his life and its influence on those around him. Treadwell and Huegenard's horrific murders were recorded by a camera's audio track (the lens cap was never removed), which came into possession of Jewel Palovak, a former friend and partner of Treadwell's. Herzog's only physical appearance in the film shows his listening to the tape for

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<sup>70</sup> Ames, 244-245.

several minutes with headphones on, only to remove them, asking Palovak to stop the tape, and suggests she destroy it for her own good. The withholding of the disturbing evidence augments tension in relation to the audience's own perceived notions of the event in question, and much like the competing footage in *Into The Abyss*, *Grizzly Man* positions Treadwell's tapes and Herzog's own film against one another.<sup>71</sup> This concept of competing narratives, which has pervaded this case study, demands the viewer play interlocutor regarding what the film's interplay between the duelling timelines may suggest regarding the actuality of its text. Timothy Corrigan writes that, "*Grizzly Man* is, in short, not so much a portrait of a man's excursion into the extremes of the natural world but a meditative reflection on that excursion in which a passionate subject acts out his longings and frustrations on the surface between self and world, here less the surface of the icy soles of one's feet than the surface glass of a camera lens."<sup>72</sup>

*Grizzly Man*'s true interest, if we follow Corrigan's reading of the film, engages in a poetic



**Fig. 2.3** – Framing oneself: Treadwell the filmmaker. Screen capture *Grizzly Man* (2005)

vision of filmmaking itself, as Herzog the filmmaker observes and re-contextualizes Treadwell's own filmmaking, much of which was

rehearsed and written by Treadwell prior to shooting his tapes (see figure 2.3).

Prager suggests that *Grizzly Man*

bifurcates Herzog and Treadwell as filmmakers; Herzog often confronts heavy, melancholic subjects in both his fiction and nonfiction, usually via his immersion in their environments.

<sup>71</sup> Ibid., 246.

<sup>72</sup> Corrigan, *The Essay Film*, 128.

Treadwell, as filmmaker, takes this to the extreme, risking death time and time again among the grizzlies he claims he is protecting. The tragic irony in Treadwell's ventures is found not only in his demise, but also in his misunderstanding of the environment he believes he not only belongs to, but also reasons he is saving. Like the majority of films referenced in this section, *Grizzly Man* profiles an unusual character in dialogue with a camera. Though Treadwell is essentially in dialogue with himself alone, the audience's spectatorship incurs the experience of the filmed interview. Thus, we are subject to judging Treadwell's conceptions of himself. Writing on *Grizzly Man* in relation to Morris' approach to interview, Grindon writes, "Rather than instigating a confrontation with his frequently controversial subjects, Morris prefers suggestive and open-ended questions that invite an expansive reply, allowing the subject to reveal his or her personality to the viewer. Werner Herzog in *Grizzly Man* (2005) is similar to Morris. Only occasionally does Herzog's voice arise with an off-screen question, but gradually the filmmaker reveals the quest of his subject, Timothy Treadwell, developing into madness."<sup>73</sup>

Herzog and Morris' shared interest in exposing documentary subjects through varying degrees of closeness and distancing of the interviewee enacts a reflexive rhetoric that deposes any one objective frame of interpretation. However, as demonstrated in this chapter, multiple and at times competing narratives collide in the films discussed above, initially complicating viewership. Like the detective tale's structure described by Bordwell,<sup>74</sup> these films initially convolute the viewer's understanding of the story, which in turn encourages reflection and reconsideration of the information presented. It is my contention that the *truths* these films pursue, however contingent and relative, are made visible through the guise of filmic elaboration, or *style*, enabling a fluid medium of expression in their approaches to storytelling. This

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<sup>73</sup> Grindon, 7.

<sup>74</sup> Bordwell, *Narration in the Fiction Film*, 64.

*storytelling*, however potentially problematic in its relation to capturing reality, is nevertheless an effective mode of narrative that encapsulates the viewer's relationship to both fiction and nonfiction's improbable, though very possible reliance on one another within the practice of filmmaking.

### **Conclusion: Authoring Truth**

The current decade has seen a rising interest in the true crime genre, and more generally a growing interest and development of the poetic documentary. One exceptional example of this mode of storytelling in nonfiction may be found in Joshua Oppenheimer's 2012 film *The Act of Killing*, which lists both Herzog and Morris as executive producers. Unsurprisingly, the film shows both stylistic and thematic interests relative to both filmmakers. *The Act of Killing* reinvestigates the roles of several men as leading perpetrators in the Indonesian mass killings of 1965-1966. Notably, and indeed incredibly, the men willingly appear in the film, and take part in graphic, sensationalized re-enactments of their crimes. Their re-enactments take shape in the style of various fiction genres, including Western, musical and the gangster film. With an attraction towards how history may be contemptuously rewritten by collectively acknowledged narratives, the film wittingly engages the perpetrators, some of whom revisit particular sites where mass killings occurred, acting out methods of execution such as effective methods of strangulation. One of the perpetrators, named Anwar Congo, is particularly fascinated in Oppenheimer's interest in their crimes, to the point of his self-contemplation being displayed throughout the film, often in his interviews with Oppenheimer, who remains off camera and is rarely heard. Congo's self-deception as we see however, is disrupted when he returns to a rooftop where he led numerous killings. Oppenheimer's camera silently watches Congo retch uncontrollable as he finally (for the audience) recounts the atrocities he participated in.

Without delving too deeply into the film text of *The Act of Killing*, we can garner several aspects Oppenheimer stylistically employs, and textually readapts from Herzog and Morris in regards to framing the inaccessible events in question: the performativity of witnesses (or in this inverse case, perpetrators), relative and competing narratives, conscious use of filmic stylization,

etc. Herzog and Morris' participation in the film's post-production and subsequent circulation indicates these shared interests in poetic nonfiction's potential capacity for grasping truths not as variant as initially displayed in the genre, but stabilized via the audience's comprehension being guided through the adoption of a fluid narrative.

A similarly reflexive set of filmic qualities may be found in Netflix's recent ten-part documentary series *Making a Murderer*. Written and directed by American filmmaker's Moira Demos and Laura Ricciardi, *Making a Murderer* chronicles the re-imprisonment of Wisconsin man Steven Avery. Previously tried for a rape case, for which he served eighteen years, Avery was exonerated in 2003 after the case was reopened, with DNA evidence clearing his involvement. In 2005 however, Avery was accused of the murder of Teresa Halbach, for which he was convicted and is currently serving time once more. *Making a Murderer* makes extensive use of the courtroom tapes recounting Avery's 2005 trial. Akin to *The Thin Blue Line*, the series posits a convicted man against a group of police in court, while a lack of evidence is disregarded as multiple witnesses from both sides of the case emerge, some eventually admitting perjury. Nevertheless, Avery is presently incarcerated, and while the series ostensibly confronts his murder conviction as potentially wrong, the truths it presents compete for agency and precedence as it progresses. Interviewing Avery over a prison phone, and numerous members of his family and friends in filmed conversations, *Making a Murderer* engages with the similar thematics of self-deception and "mental landscapes" as illustrated in the films this case study has discussed. *Making a Murderer*'s compositional approach to structure is certainly relative to the contingency expressed in re-investigational pieces such as *The Thin Blue Line* and *Into The Abyss*. The two films I have explicated at length have no doubt influenced the strategic use of editing and juxtaposition within the true crime genre, testifying to the potential of this poetic mode of

nonfiction, and its distinct rhetorical stance towards representing reality. Considering the present technological turn towards digital technologies, relatively new technological mediums are also taking up the true crime as a re-investigational genre, notably Sarah Koenig's *Serial* podcast (2014-), which was released as a spin-off from the popular radio program *This American Life*. Emergent media is not without interest in regards to how narratives are constructed to pursue truths.

### **Narration in the Nonfiction Film**

This thesis has sought to identify recurrent stylistic tropes within the nonfiction works of Herzog and Morris in order to chart the process of how film style renders the pursuit of objective truths within the frame of a poetic methodology. The role of narrative in this case study has thus remained a central facet of this process, as narrative guides the spectator through the information it presents. Nevertheless, Bordwell notes that, "By treating narration as the process of guiding our comprehension of the story [does not] mean to suggest that stories aim at full disclosure. Filmmakers want us to construe the story, moment by moment, in a certain way, and that way can involve a lot of diversions and blind alleys. Narration can mislead us."<sup>75</sup> Bordwell's inferential mode of reading film structure, or narrative, draws a helpful schematic for viewing *how* we interact with storytelling in the film medium. My adaptation of Bordwell's proposal of poetics<sup>76</sup> asks the same questions, but within the realm of understanding how nonfiction may be viewed under the same methodology. Particularly, this thesis has identified *style* as the aesthetic interlocutor whereby truths are at once cloaked and revealed, depending on the film's organization.

I have used the films of Herzog and Morris to illustrate how such applications of style

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<sup>75</sup> Bordwell, *Poetics of Cinema*, 98.

<sup>76</sup> *Ibid.*, 23.

have consistently developed around similarly consistent rhetoric and thematics surrounding reflexive and poetic approaches to documentary filmmaking. Particularly, I named the true crime genre, whose tradition is contributed to by both of the directors I examine, as an effective model for engaging with film style in the nonfiction film. The genre deals exclusively in an initially withheld approach to delivering information, deliberately disorienting the audience at times. However, should the film be efficiently crafted, the strategy of shrouding information and evidence, or even seemingly misguiding the audience is later explained or clarified as the narrative progresses. Building this formal analysis around four aspects of style that persist in both films, the first chapter was devoted to identifying the principles of how these films construct their narratives, and the subsequent effect these principle elicit. Moving beyond the true crime films I examined, the second chapter's first section overviews several significant circumstances that prompted certain creative choices to be made during the production of both films. The overview of the films' productions explicates their texts beyond formal construction; contextualizing their respective approaches to the same topic, while also considering how they were circulated as feature films. Thus, this section instigated the *historical* poetics Bordwell proposes, investigating the outside factors that influenced the films' productions and therefore the resulting projects.

The "Broadening Patterns" section returned to a focus on formal analysis, yet remained within the same strain of analysis. Reviewing three works by both directors, I highlighted consistent developments in style, principally in relation to the recurrent themes their films revisit. This section sought to further contextualize the four aspects of style, namely the film's openings, their approach to interview, their representations of inaccessible events, and the organization of time, which were explored in the first chapter, with the goal of situating evolutions of style and



thematic interests in the works of both directors. What emerges from this research is the contextualization of *how* nonfiction applies film construction to produce particular, consistent responses. Herzog's use of named chapters, or Morris' Interrotron device are such features that guide the spectator through a compelling narrative while concurrently demanding they consider what they are seeing.

It is the author's hope that this case study has catalyzed an interest towards poetic readings of nonfiction both on metaphoric and methodological levels. Beyond Herzog and Morris' work, the interstitial use of formal analysis and documentary theory may be applied widely to the realm of nonfiction as means to reveal, inquire and interrogate how we reason narrative structures, and appropriately grasp truths through them. More broadly, I hope this project responsibly contends that the act of close viewings of film aids in the expansion of the ever-growing potential of film studies research, maintaining an interest in the importance of film aesthetics and the study of stylistics.

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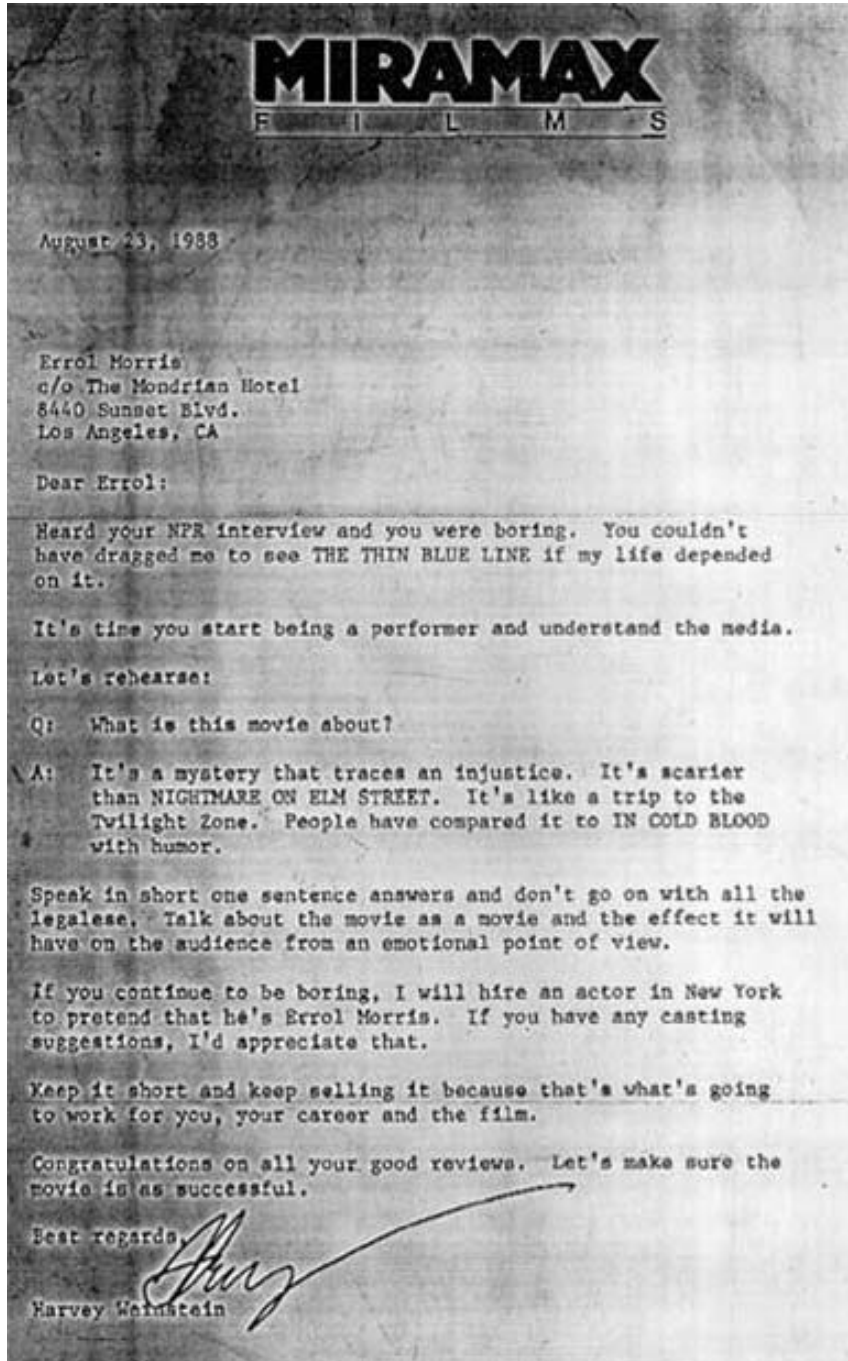
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## Appendix

Fig. 3.1 - Harvey Weinstein's Letter to Errol Morris, Image courtesy the Pacific Film Archive.



## II. The Minnesota Declaration

1. By dint of declaration the so-called Cinema Verité is devoid of verité. It reaches a merely superficial truth, the truth of accountants.
2. One well-known representative of Cinema Verité declared publicly that truth can be easily found by taking a camera and trying to be honest. He resembles the night watchman at the Supreme Court who resents the amount of written law and legal procedures. "For me," he says, "there should be only one single law; the bad guys should go to jail." Unfortunately, he is part right, for most of the many, much of the time.
3. Cinema Verité confounds fact and truth, and thus plows only stones. And yet, facts sometimes have a strange and bizarre power that makes their inherent truth seem unbelievable.
4. Fact creates norms, and truth illumination.
5. There are deeper strata of truth in cinema, and there is such a thing as poetic, ecstatic truth. It is mysterious and elusive, and can be reached only through fabrication and imagination and stylization.
6. Filmmakers of Cinema Verité resemble tourists who take pictures of ancient ruins of facts.
7. Tourism is sin, and travel on foot virtue.
8. Each year at springtime scores of people on snowmobiles crash through the melting ice on the lakes of Minnesota and drown. Pressure is mounting on the new governor to pass a protective law. He, the former wrestler and bodyguard, has the only sage answer to this: "You can't legislate stupidity."
9. The gauntlet is herby thrown down.
10. The moon is dull. Mother Nature doesn't call, doesn't speak to you, although a glacier eventually farts. And don't you listen to the Song of Life.
11. We ought to be grateful that the Universe out there knows no smile.
12. Life in the oceans must be sheer hell. A vast, merciless hell of permanent and immediate danger. So much of hell that during evolution some species—including man—crawled, fled onto some small continents of solid land, where the Lessons of Darkness continue.

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Werner Herzog

Walker Art Center, Minneapolis, Minnesota, April 30, 1999

**Fig. 3.2** – Herzog and Morris at the 2012 Telluride Film Festival. Image Courtesy of A.V. Club





