8. The Ethics of Entertainment and the Transmission of Information within Spaces of Communication

The example of *Polygamy, USA* shows how documentaries can inform, entertain, and be sensational. They may also tell a story, and the best amongst them may be revelatory and will surely be persuasive. According to film-theorist Bill Nichols, documentaries and lawyers make their cases similarly. Documentaries represent specific interests, interpret the world in certain ways, and "stand for or represent the views of individuals, groups, and institutions. They also convey impressions, make proposals, mount arguments, or offer perspectives of their own, setting out to persuade us to accept their views."[526]

8.1. Values, norms, and moral judgements

This chapter examines the ethics of documentary media, the values they portray and their normative aspects in relation to religion. The approach to media ethics is analytical and descriptive and is situated in the tension between power relations and responsibilities, for the chapter analyses the moral issues at stake in the communication spaces of production, representation, distribution / circulation, and consumption. Focused on media ethics, the approach looks critically at norms in the practice of filmmaking and systems of values applied in the spaces of communication of documentary media. Values and norms are seen as complementary. Thus, norms define how we act, and our actions are based on specific values. As soon as values become generally binding and objectively valid, they have a normative character. In this case each value is connected with a norm that realizes, conserves, and valorizes that value. The reverse also holds: each norm confirms specific values. Thus we can say that people act according to norms and justify their actions with values.[527]

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526 Nichols, *Introduction to Documentary*, 45.

527 Matthias Kettner, "Werte und Normen – Praktische Geltungsansprüche von Kulturen," in *Handbuch der Kulturwissenschaften*, ed. Friedrich Jaeger (Stuttgart: Metzler, 2011), 220–222.

Spaces of communication are determined by diverse agents that implement media practices in light of moral judgments. Garrett Cullity records, "Moral judgements are judgements about normative relationships between facts and responses – judgements that certain responses *ought* to be made to certain facts."[528] This means that media agents respond to facts in media consumption spaces. They make a myriad of decisions in reference to their understanding of good and bad actions or correct and incorrect behaviour based on certain principles that are deemed universally valid.[529] As social actors perform their actions as media professionals or media consumers, media ethics can be located in the field of applied ethics.[530]

The issue of power relations in the media sphere is central to a perspective coined by a cultural studies approach.[531] Stuart Hall has argued in the context of television that there are always dominant media discourses defined by the power of privileged information brokers.[532] One ethical issue must therefore engage the question of who has the power of representation, an issue that is concerned not only with the space of representation but wholly embraces the spaces of production and distribution, because an audio-visual source needs above all to be available for consumption if it is to wield power. As a result ethical questions arise in the tension between spaces of communication over who has meaning-defining power.

As a result of their role in communication, Michel Foucault has contended, the media are fertile soil for generating and sustaining power relations. Power, he suggests, is effected in the relationship between agents that communicate with each other.[533] For Foucault, "Relationships of communication processes imply finalized activities (even if only the cor-

528 Garrett Cullity, "Moral Judgement," in *Routledge Encyclopedia of Philosophy* (London: Routledge, 2016).

529 In the current approach, the universality of moral judgement is understood as contextual and historical, which means that moral judgments can differ according to time and place. See Timothy L. S. Sprigge, "Definition of a Moral Judgment," *Philosophy* 39, no. 150 (1964): 207.

530 Rüdiger Funiok, *Medienethik: Verantwortung in der Mediengesellschaft*, Kon-Texte: Wissenschaften in philosophischer Perspektive (Stuttgart: Kohlhammer, 2011), 51–63.

531 For greater insight into the interface of power, the image, and religion see Fritz et al., *Sichtbare Religion*, 120–152.

532 Stuart Hall, "Media Power: The Double Bind," in *New Challenges for Documentary*, ed. Alan Stuart Rosenthal (Berkeley, CA et al.: University of California Press, 1988), 357–364.

533 Michel Foucault, "The Subject and Power," *Critical Inquiry* 8, no. 4 (1982): 785–788.

rect putting into operation of elements of meaning) and, by virtue of modifying the field of information between partners, produce effects of power."[534] Documentaries (or any other media) have an effect on their audience; they "modify the field of information" in Foucault words. "Finalized activities" in the context of documentary media refers to the reading modes, for example their informational, entertaining, or moral character. These modes are related to specific attitudes and responses, which provide information.[535] For example, an affective response to a scene in a film is a "finalized activity." To laugh at the unskilled driver who bumps against a parked car when manoeuvring within a parking space is to exercise power over that driver. The representation allows the spectator to feel superior. The strength of the power effects from finalized activities depends on the response of source and spectator to each other.

This interaction between the spaces of representation and consumption is no less powerful than the interaction of production and representation spaces. According to Hall's encoding and decoding model, each representation permits different readings. There is no obligation to read a source in the dominant-hegemonic way by taking the representation as a given, as truth.[536] An oppositional reading allows a source to be read within an alternative frame of reference. The middle course is then a negotiated reading, which defines its own ground rules. It operates with exceptions, is full of contradictions, has a logic that is unequal to the logics of power, and provides a mixture of adaptive and oppositional elements. Viewers decide which "finalized activity" they select or, in other words, how they address a source and the extent to which they are able and willing to read that source critically. This choice of reading modes relates to responsibility in the space of consumption, another key concept in media ethics.

8.2. *Responsibility and power relations*

A key concept in the field of ethics, "responsibility" is connected to power relations between and in the spaces of communication. Scholars of French language and film studies Lisa Downing and Libby Saxton understand the ethical as "the *context* in which all filmmaking takes place" and further contend that "[w]henever we negotiate between desire and responsibility,

534 Foucault, 787.
535 These modes are distinct to Bill Nichols' modes of representation.
536 Hall, "Encoding/Decoding," 245.

we place ourselves in the arena of ethics."[537] Power relations demand responsible actions that are based on normative principles and can constitute any practice. Rüdiger Funiok, professor of communication and pedagogy, has elaborated the role of responsibility in media ethics.[538] Such responsibility, he proposes, is based on freedom of action and necessary autonomy. Both individual and corporate responsibility are multidimensional. Corporate actions are relevant here because media productions require many different collaborators, who divide up the labour according to their profession and their position in the production-company hierarchy. As each collaborator contributes to the final product, who is responsible for the final product? For Funiok, "Corporate responsibility lives in individual responsibility but cannot be reduced to the sum of each individual responsibility. A system is always more than the sum of its parts."[539] Scholar of multimedia policies Bernard Debatin identifies six aspects of individual and corporate responsibility (table 12).[540]

who (subject of action)	Individual	Corporation
what (action)	single actions	related actions
what for (consequences of actions)	causal consequences of actions	Cumulative and synergetic effects
to whom	person affected by actions and its consequences	
what of (responsibility instance)	conscience, principal, general public	corporate responsibility, general public
because of what (norms and values)	position in the media versus general responsibility	purpose of corporation versus general responsibility

Table 12 Dimensions of individual and corporate responsibility.

Individual responsibility is as important in the context of documentary media and religion as it is in any situation in which decisions are made and actions performed. Power relations are again vital, for the more

537 Lisa Downing and Libby Saxton, "Introduction," in *Film and Ethics: Foreclosed Encounters*, ed. Lisa Downing and Libby Saxton (London: Routledge, 2010), 11.

538 Funiok, *Medienethik*, 63–78.

539 Funiok, 71. The German original text reads: "Die korporative Verantwortung ist also lebendig in der individuellen Verantwortung, aber sie reduziert sich nicht summativ auf die Gesamtzahl der Einzelverantwortungen – ein System ist immer mehr als alle seine Einzelteile zusammen." Translated by the author.

540 Bernhard Debatin, "Medienethik als Steuerungsinstrument?," in *Perspektiven der Medienkritik. Die gesellschaftliche Auseinandersetzung mit öffentlicher Kommunikation in der Mediengesellschaft* (Opladen: Westdeutscher Verlag, 1997), 297.

powerful position a person occupies, the more responsibility they have for their actions. This issue is at play in Bill Nichols's question, "What do we do with people when we make a documentary?"[541] The "we" includes the producer who oversees the film production, with its employed professionals, paid film crew and the whole organisation of the production process. The director interacts with the social actors and decides what is to be filmed or left out. The film distributor chooses films to promote for cinema or television. The television program director designs the channel's profile. The social actors decide how much information and insight into their lives they are willing to provide. A spectator may decide to comment on social media about their response to a program. These examples assume the media actors are independent, which is rarely the case. Film production deals with a diversity of restrictions: directors need to respect the budget; the producers wish to sell their product; social actors cannot always say what they really think because of possible repercussions.

The corporate aspect of responsibility is crucial not only in relation to media but also for religion. Religious institutions will often provide guidance, or instruction, on how their members are to deal with the media in the spaces of communication. As we saw in chapter 2, the LDS Church provides guidelines for the use of social media and the Internet.[542] The guidelines distinguish, for example, between appropriate and inappropriate uses of online resources. Fundamentally, a member who wishes to launch a blog or any other form of digital communication must first request permission, and in doing so the applicant releases all rights to the Intellectual Reserve, Inc. (IRI), its related entities, and their respective employees, agents, and representatives.[543] IRI is based in Salt Lake City and operated by the president of The LDS Church. The cooperation watches over the church's intellectual property and owns 88 church-related trademarks.[544] In this case the institutional LDS church controls and also coordinates the communication spaces from production to consumption. The

541 Nichols, *Introduction to Documentary*, 45.

542 "Social Media Helps for Members," accessed September 28, 2017, https://www.lds.org/pages/social-media-helps?lang=eng; "Use of Online Resources in Church Callings," accessed September 28, 2017, https://www.lds.org/pages/online-resources-for-church-callings?lang=eng.

543 "Permission Form Example," n.d., https://www.lds.org/bc/content/shared/content/english/pdf/create/participant-release.pdf.

544 "Apply for a Trademark. Search a Trademark," trademarkia.com, accessed January 4, 2018, https://www.trademarkia.com/company-intellectual-reserve-inc-613675-page-1-2.

responsibility determined by its guidelines is not intended for a wider general public, for their principal audience comprises LDS members, who require permission for their presence on websites, in blogs and in other digital spaces. The norms and values they express will then explicitly represent the interests of the corporation, in this instance the LDS. When the space of communication is not controlled by a religious institution, the media can apply their own entertaining or informative modes, as we shall see.

8.3. Ethical spaces of documentaries

Documentary media pursue different goals. Their communication of values is part of the moral reading mode. The maker's authority and credibility are required for the consumers to accept the narrative, a process that produces values of truth.[545] Persuasive narratives can only be realized in cooperation with the audience. A documentary that is not entertaining or informative per se can still entertain and inform its audience. Again, the semio-pragmatic approach to documentary media and religion understands the ethical field in light of the interaction of practices from the spaces of production and representation or representation and consumption or production and circulation/distribution.

Entertaining, informative and moral modes are expressed by different film styles. Patricia Aufderheide's subgenre categories for documentaries help us understand how these modes can be characterized. One distinction she makes is between public affairs[546] and advocacy[547] documentaries. Public affairs documentaries

> typically undertake an investigative or problem-oriented approach, feature sober exposition with narration and sometimes a host, make liberal use of background footage or b-roll, and focus on representative individuals as they exemplify or illustrate the problem. They promise an authoritative, often social-scientific view of an issue, speaking as professional journalists on behalf of a public affected by the problem.[548]

A public-affairs documentary would therefore provide a balanced picture of religion and mainly function in the informative and moral modes. De-

545 See section "The Semio-Pragmatics of Documentary Media" in chapter 2.3.
546 Aufderheide, *Documentary Film*, 56–64.
547 Aufderheide, 77–90.
548 Aufderheide, 56/57.

pending on the narrative's subject, a problem's cause might be identified or a problem's perpetrators accused. The investigative dimension, in which a problem is summarized, described, and scrutinized, is then crucial. Such documentaries have close parallels with broadcast TV in being a significant and informative source on religion, as a seasoned, thoughtful, and substantial form of news.

Advocacy documentaries, by contrast, are produced for political ends and are persuasive in intent. They

> are tools of an organization's mobilization for action on specific issues or causes. Advocacy films are usually highly focused and designed to motivate viewers to a particular action. Like government propaganda films, they may be made in good faith by people who profoundly agree with an organization's agenda. They, like propaganda films, deserve attention from anyone who wants to understand the techniques of persuasion—and nothing persuades like reality.[549]

The institutional dimension of the production is essential to this subgenre. Often the filmmaker's agenda converges with the agenda of the institution behind the production, with the persuasive purpose then dominant. The entertaining mode is also engaged, for documentaries seek to entertain, to generate active audience responses such as laughter, shock, or surprise. Dry media communication that neither interests the audience nor keeps their attention will hardly be successful. Such physical responses benefit the communication process in which a message is perceived. Entertainment and bodily engagement are part of persuasion.

In this review of the ethical issues of documentaries, structural considerations allow us to identify where moral reasoning is located. The current chapter looks specifically at interactions between the spaces of production, representation and consumption that have distinct ethical implications. One of the first systematic approaches to the ethics of the documentary was formulated by film theorist Vivian Sobchack.[550] In her groundbreaking paper "Inscribing Ethical Space: Ten Propositions on Death, Representation and Documentary" Sobchack constructed an ethics of documentaries through an analysis of death, whose representation, she proposes, violates a visual taboo. Its justification is therefore necessary and is achieved

549 Aufderheide, 78.

550 Vivian Sobchack, "Inscribing Ethical Space: Ten Propositions on Death, Representation, and Documentary," *Quarterly Review of Film Studies* 9, no. 4 (September 1, 1984): 283–300.

in the responses generated by camera and filmmaker.[551] The latter "physically mediates his or her own confrontation with death, the way s/he ethically inhabits a social world, visually behaves in it and charges it with a moral meaning visible to others."[552] Sobchack includes the recipients in the ethical space: "[T]he viewer's very act of looking is ethically charged and is, itself, the object of ethical judgement when it is responsible viewed: The viewer is held ethically responsible for his or her visible response."[553] The institutional aspect of responsibility we have noted is less significant. Sobchack's focus lies rather on the individual, be it the cinematographer, the filmmaker, or the spectator. The essence of Sobchack's position here was extended to areas other than death by documentary theorist Bill Nichols in his *Representing Reality. Issues and Concepts in Documentary*.[554] Nichols identifies the ethical space of the documentary with the term *axiograhics*, which embraces the interaction between filmmaker, camera, and the "historical world" that appears before the camera:

> Documentaries, then, offer aural and visual likenesses or representations of some part of the historical world. They stand for or represent the views of individuals, groups, and institutions. They also convey impressions, make proposals, mount arguments, or offer perspectives of their own, setting out to persuade us to accept their views.[555]

Persuasive arguments in documentaries are also formulated within the historical world, of which they become part through the reception process. Thus Nichols's focus on individuals, groups, and institutions can be transferred to religious communities in documentaries, where religious actors represent themselves, their lifestyles, and their attitudes. However, the space in front of the camera is not as readily conveyed as Nichols's wording could suggest, for the "historical world" is shaped by cinematic devices such as the camera frame, sound, and editing and in particular by the interaction of filmmaker and the social actors who appear before the camera. They together shape the historical world. This interaction, the "axiographics", is constitutive of documentary media. Nichols writes, "Axiographics would address the question of how values, particularly an ethics of repre-

551 Sobchack, 291.
552 Sobchack, 292.
553 Sobchack, 292.
554 Bill Nichols, *Representing Reality: Issues and Concepts in Documentary* (Bloomington: Indiana University Press, 1991), 76–103.
555 Nichols, 45.

sentation, comes to be known and experienced in relation to space."[556] This relationship exists in the interaction of the spaces of production and representation and influences how a film is received in the space of consumption. The gaze of the camera, which characterizes the ethical space in a documentary, is controlled by the filmmaker's choices and interaction with the social actors. Sobchack and Nichols discern a variety of gazes that includes, for example, the *accidental gaze*, where the camera catches an event by accident. The *helpless gaze* shows the inability of the camera to influence events. The *endangered gaze* comes from a filmmaker who encounters danger during filming. The filmmaker's *interventional gaze* on the historical world might take the form of a voice claiming something about the social actors or a deliberate active presence in front of the camera.[557] "Such moments are rare," Nichols acknowledges, "but they indicate what stakes exist when the filmmaker chooses to act in history alongside those filmed rather than operate from the paradoxically 'safe place' of authoring agent, a place that can never be made fully secure in documentary."[558] The *clinical or professional gaze* of reporters and journalists is located at the boundaries of the ethical because it is "marked by ethical ambiguity, by technical and machine-like competence in the face of an event which seems to call for further human response."[559] As Nichols notes, journalists tend not to intervene even when the precarious situation in the historical world requires engagement.

The ethical space can be extended by a further interaction particularly important for religion. The filmmaker behind the camera is not alone in looking at the social historical world, for the social actors in front of the camera might look back too, depending on the situation and on how comfortable they feel. The interaction of and relationship between the media professionals and the social actors in front of the camera are essential to the ethical space. The religious affiliation of social actors and filmmaker has an additional dynamic that influences the camera's gaze. The figure below maps possible interactions between religious agents in the ethical space of documentaries (fig. 84).

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556 Nichols, 77.

557 Vivian Sobchack, "Inscribing Ethical Space: Ten Propositions on Death, Representation, and Documentary," *Quarterly Review of Film Studies* 9, no. 4 (September 1, 1984): 295–298.

558 Nichols, *Representing Reality*, 85.

559 Sobchack, "Inscribing Ethical Space: Ten Propositions on Death, Representation, and Documentary," 298.

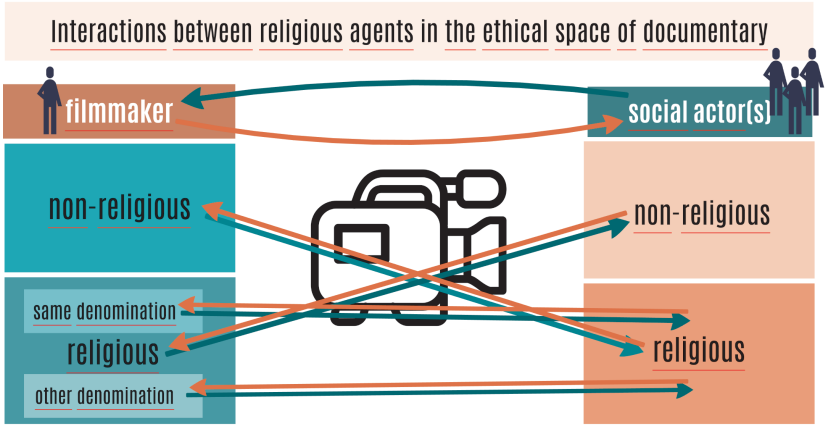

Fig. 84 Possible interactions between religious and non-religious actors.

The interactions depicted here allow for diverse combinations, for example for a non-religious filmmaker to be working with religious social actors or a religious filmmaker to be filming with non-religious actors. Filmmaker and religious social actors may both be religious but belong to different denominations. As this simple model shows, the chain that runs filmmaker – camera gaze – social actor has several variations and can also run vice versa, so social actor – camera gaze – filmmaker. When social actor and filmmaker belong to the same religious group a *solidary gaze* or *promoting gaze* or even a *noncritical/idealizing gaze* comes into play. Living in the same social/historical world might result in a shared ethical space. If a Mormon filmmaker makes a documentary about a Mormon community, the filmmaker's engagement with the community is in all likelihood much smoother than for an outsider, whatever personal difference may exist. At the same time critical distance could be lacking.

8.4. Loyalties and hermeneutic horizons of the social actors

How can we analyse the filmmaker – camera gaze – social actor relationship and its ethical implications in particular? How can that relationship be systematized? We note, for example, three forms of presence that can help define the ethical space. The filmmaker may appear in the scene in front of the camera or only the filmmaker's voice may be audible, for example in an interview or as commentary. The gaze of the camera, as dis-

cussed in detail by Sobchack and Nichols, can be a third form of presence. The hermeneutic-analytical consideration of our documentary sources that follows is particularly concerned with the religious background of the filmmaker and the social actors, as shown in figure 84.

For the ethical space of documentaries, the space of representation is relevant, with its combination of plot and specific aesthetics subsumed under the term narration.[560] In this space moral reasoning is expressed for, in Nichols' words, "Style attests not only to 'vision' or to a perspective on the world but also to the ethical quality of that perspective and the argument behind it."[561] But how might we explore the "ethical argument" of a documentary? Ralph B. Potter, emeritus professor of social ethics at Harvard Divinity School, designed a systematics of moral reasoning in his essay "The Logic of a Moral Argument".[562] Widely known in the field of media and communication, Potter's four-step method is known as the *Potter Box* (fig. 85).[563] The model aids in ethical decision-making, asks about empirical facts, and identifies the hermeneutic horizons of the parties involved as a possible source of conflict. The loyalties of the disputants are relevant to the positions they adopt. Finally, the model asks about ethical principles or modes of reasoning that lead to a greater good.[564] The steps are repeated until they no longer conflict and an ethical decision can be made.

The model seeks to find a solution through moral reasoning that can be logically reproduced. Potter notes: "Hence, the ethicists will try to reinforce respect for the conventions of an argument that demand that reason be given in support of moral judgements and that principles appealed to be capable of being universalized."[565] The "conventions of an argument" thus count in the ethical space of documentaries but without aspirations to universality. At this point the Potter box diverges from the documentary model as the empirical facts of the historical world as represented in the narration cannot be altered. The representations can, however, still affect the future and induce change. Our aim here is to interpretatively systematize the ethical space by considering interactions in the production space

560 David Bordwell, Kristin Thompson, and Jeff Smith, *Film Art: An Introduction*, 11th ed. (New York: McGraw-Hill Education, 2017).
561 Nichols, *Representing Reality*, 80.
562 Potter, "The Logic of Moral Argument."
563 Clifford G. Christians, *Media Ethics: Cases and Moral Reasoning* (New York: Routledge, Taylor & Francis Group, 2017), Kindle location 329.
564 Potter, "The Logic of Moral Argument," 108/109. Further discussed in Clifford G. Christians, *Media Ethics*, Kindle Location 329.
565 Potter, "The Logic of Moral Argument," 106/107.

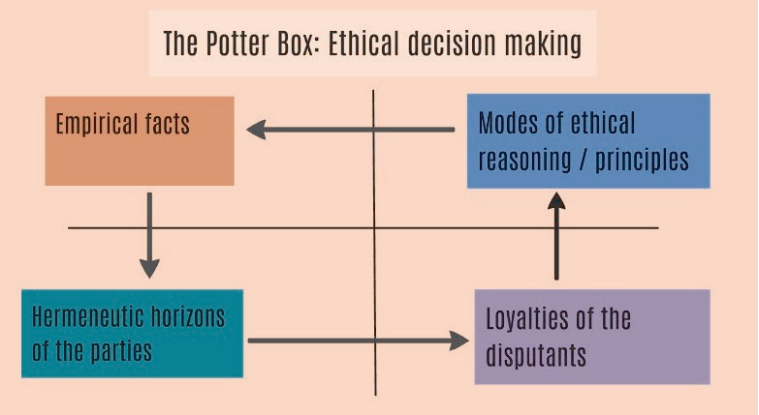

Fig. 85 The Potter box of moral reasoning.

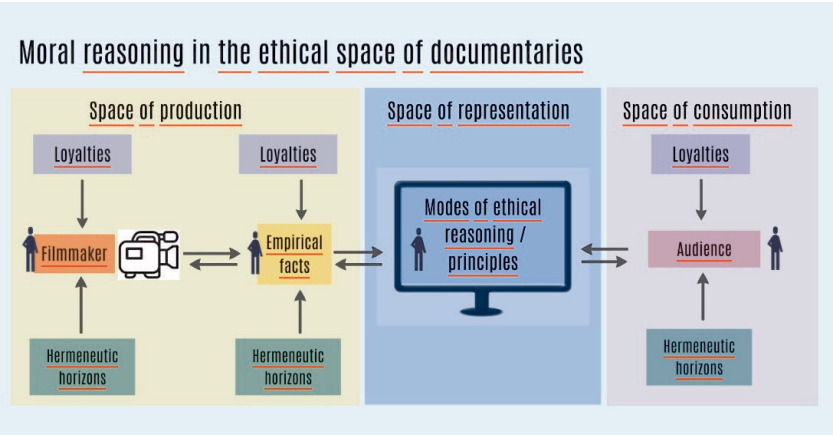

Fig. 86 Moral reasoning in spaces of communication.

between the filmmaker and the social actors in front of the camera, as discussed previously. Additionally, we should consider the mediation of empirical facts, which expresses moral reasoning based on ethical principles. The audio-visual narration makes visible a moral reasoning that the audience then decodes in light of its hermeneutic horizons and affiliations. The scheme below systematizes the interactions between social actors that are involved in moral reasoning in the ethical space of the documentary (fig. 86).

Affiliations and hermeneutic horizons[566] influence the actions of the filmmakers and the social actors in the space of production, while the audience in the space of consumption provide their own interpretation within their hermeneutic horizons and in light of their affiliations, which here include their religious belonging. The loyalties expressed by the spectators are informed by their religious belonging, education and experiences, values, and moral concepts.

The spectrum of documentaries about Mormons is very broad. In the following, films by filmmakers affiliated with Mormonism, mostly with the LDS, will be discussed in chapter 9 "The Spectrum of Mormon Documentaries". Films produced by private or public television channels or independent filmmakers are then also addressed in chapter 10, "Telling about Mormons". The aim is to show how religion functions within the ethical space of documentary media by focusing on modes of interactions between the filmmaker and the social actors and by considering possible responses by diverse audiences.

566 Hans-Georg Gadamer, *Hermeneutik I: Wahrheit und Methode: Grundzüge einer philosophischen Hermeneutik*, vol. 1, Gesammelte Werke / Hans-Georg Gadamer (Tübingen: Mohr Siebeck, 2010), 442–494; Anselm Haverkamp and Paul Ricoeur, eds., "Die Metapher und das Hauptproblem der Hermeneutik," in *Theorie der Metapher*, (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996), 370–372.