

CBC DOCUDRAMA



Since The Tar Sands: What's New?



by Seth Feldman

Remember the *Tar Sands* trial? May 10, 1982 was to have been the opening day of testimony in a legal action brought by Peter Lougheed against the CBC. Lougheed's contention was that Peter Pearson's 1977 **FOR THE RECORD** docudrama, *The Tar Sands*, had depicted him as incompetent. In that production, actor Kenneth Welsh had played the Alberta Premier negotiating the 1974 Syncrude agreement. Other actors played other real people as well as composite characters. A CBC disclaimer tacked on for the broadcast attempted to give a detailed breakdown of who was real and what was "the product of the writer's imagination."

What was really at stake at the *Tar Sands* trial was the validity of docudrama itself. Throughout the '70s, the term designated various uses of performance in conjunction with documentary. It was used to describe what were simply journalistic or topical dramas — fictions that referred to no one in particular but involved the discussion of an issue derived from the news. Occasionally, docudrama referred to improvisational dramas, or dramas that made use of non-actors. Far more than occasionally, the term was being abused by anyone wishing to call attention to ordinary realist productions. Like all words appropriated for the purposes of hype, "docudrama" was fast burning out.

Yet, in '82, there was still some legitimacy to the practice. It remained the best way to describe a small number of international productions whose scripts were entirely derived from authenticated statements, transcripts or other verifiable documents. A film like de Antonio's *In The King Of Prussia*, released that year, used the original protagonists and a court transcript to reenact the trial of the Berrigan brothers. Actor Martin Sheen engaged in deadpan mimicry of the original performance by the Berrigan's judge. The montage and mise-en-scene were deliberately minimal.

Closer the home, Sturla Gunnarson's

unique look at executive unemployment, *After The Axe*, used an actor to go through the rather bizarre motions of looking for employment on sixty thousand dollars severance pay. Jacques Leduc's *Albedo* paralleled the documentation of photographer David Marvin and Montreal's Griffintown with metaphorical performances by Pierre Foglia and Paule Baillargeon. Marilu Mallet's *Journal Inachevé* presented the visage of a failed drama whose actors were eventually doomed to play themselves.

In the context of these works, *The Tar Sands* was, if not tame, a fairly straightforward production. The script was taken from Larry Pratt's book-length exposé of the same name and augmented by additional research. There was nothing flamboyant about Kenneth Welsh's performance other than the patience with which he attempted to capture Lougheed's public and private faces. Pearson's style was similarly professional and well to the right of glitz.

As he waited to defend *The Tar Sands*, Pearson would seem to have a valid case. He might well have argued

that his use of Lougheed's public persona was no more a fabrication than Lougheed's own. Lougheed's speeches as performed by Welsh were Lougheed's speeches. Even the Premier's private moments were scripted from the real man's public pronouncements. *The Tar Sands* argued, in fact, that Lougheed was as "decent and honest" as he looked. It was, if anything, too much decency and honesty that lost the ranch to the multinational oil companies.

Waiting with these arguments in hand, Pearson was told that the trial would never take place. CBC conceded that there were some factual inaccuracies in the program. They weren't large distortions but they could, under Alberta law, result in a libel judgement.

The Corporation settled out of court. Along with financial compensation, it gave Lougheed a commitment never to rescreen the program. Although, no questions of principle were settled, Lougheed's defense attorney, Roderick McLennan felt it proper to conclude: "It's either news or drama, but obviously this shows that mixing the two doesn't work."

In the five years since *The Tar Sands*, CBC has, ostensibly, been governed by the spirit of the settlement. There have been no programs using actors to depict living public figures. Docudrama is a term seldom used. And *For The Record's* half dozen Sunday nights in the spring are now filled with a more eclectic set of special events, few of which qualify even as topical dramas.

To gauge what has been lost with the *Tar Sands* decision, one need only turn to what was actually the last *For The Record*, Timothy Bond's *Oakmount High*. The production, which finally aired in 1986, the season after the series was cancelled, is a thinly disguised *film à clef* about the Keegstra affair. Thomas Peacocke plays a generic neo-Nazi high school teacher in what is repeatedly identified as a rural Ontario community. Susan Hogan is a young divorcée who finally blows the whistle.

True to the dramatic conceits of topical drama, our rural Ontario community, after half-an-hour of soul searching, turns on its errant son. The neat conclusion looks a lot like Norman Rockwell's *The Freedom of Speech*. Fine words are spoken at a town hall meeting and the problem is solved forever.

As was the case with the trial that never happened, it is tempting to look at the program that was never made: a sparse and dirty *Eckville High*, with names named and the whole messy situation left undone. Not to disparage Peacocke's fine performance, the program would have made more sense with, say, R.H. Thomson recreating the one and only Jim Keegstra. Instead of the Norman Rockwell script, it might have stuck to the lecture notes made by Keegstra's captive student audience.

As it was, CBC defended *Oakmount High* as topical drama on grounds other than the *Tar Sands* experience. The theory was that specifying Eckville, Alberta and Keegstra himself would imply that the rest of the nation was safe from similar occurrences. A by-the-books docudrama would overdefine the problem into irrelevance. Keegstra would not make news forever. But the issue of racism would go on and a good drama about it, like all good dramas, would have a certain timeless quality.

What really happened was that *Oakmount High* left the CBC with the worst of two worlds. The Corporation lost the impact of a docudrama while still suffering the legal consequences.

• Street Legal take two



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To no one's surprise, Keegstra's lawyer recognized certain similarities between the plot and his client's case. He was able to convince a judge that the program was propaganda that prejudiced a fair trial. As a result, despite its Ontario setting, **Oakmount High** was banned in Alberta. The Corporation's delay in broadcasting the program also served to make it cold news in the other nine provinces.

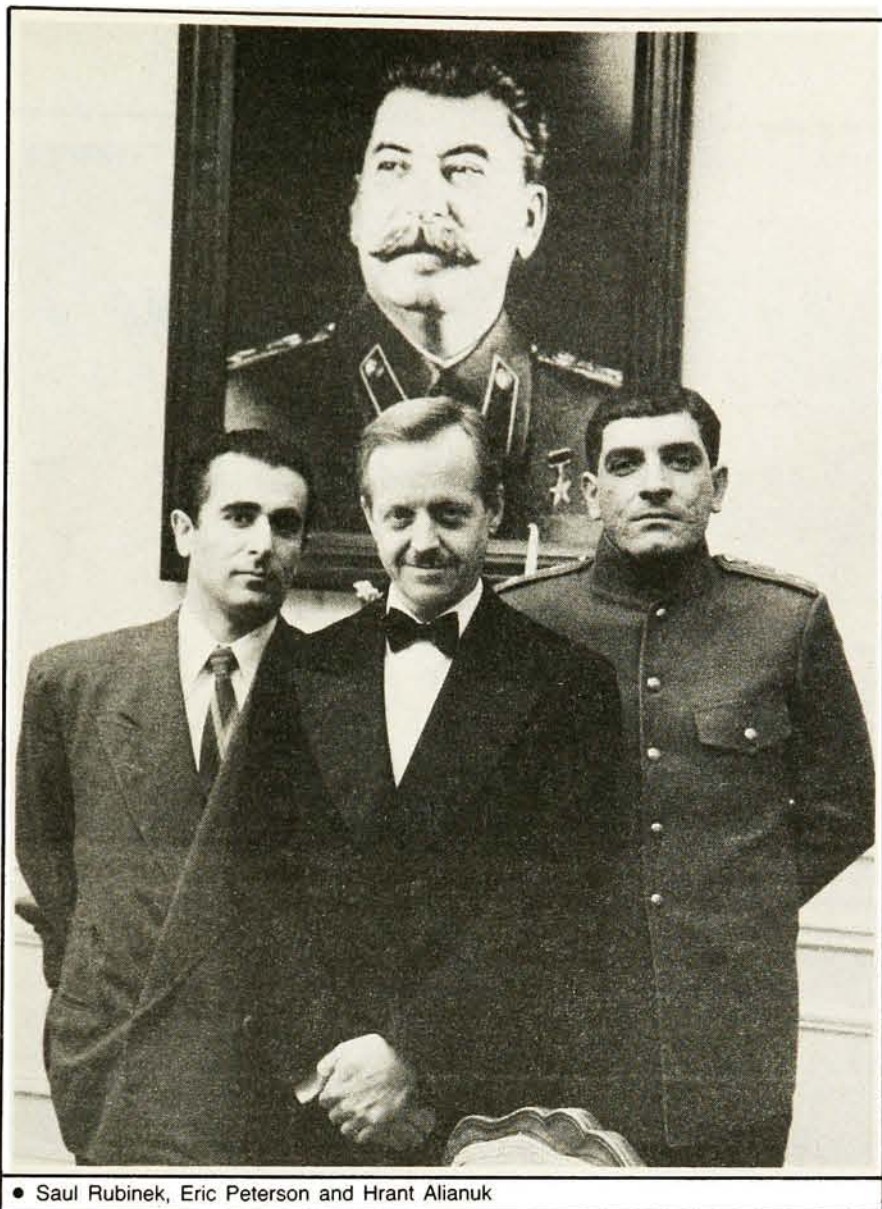
Given the legal entanglements of **The Tar Sands** and **Oakmount High**, the CBC might be forgiven for letting even topical drama proposals share a shelf with good ideas for docudrama. To be fair, this is not the case. Instead, what seems to be happening parallels the American networks' tendency to integrate the issues normally depicted in topical dramas into episodes of ongoing series. American action shows and comedies regularly punctuate their escapist fare with detailed, dead-accurate primers on drug abuse, the special needs of the handicapped, the telltale signs of grotesque interpersonal behaviour and guides to terminal disease.

In keeping with this trend, CBC has not, in the spring of 1987, given us a one-shot topical drama on the workings of Canadian Immigration. But **Street Legal** did present the more than nauseating image of an Argentine torturer hired by our boys to interview one of his former victims in the quasi-prison of a Toronto holding centre. And with the kind of uncanny timing that **For The Record** once enjoyed, The Minister of Immigration chose the week of the broadcast to announce its 'get tough' policy on political refugees.

Worthy as this example may be, there is some danger in following the American model. How believable is journalism when it is yet more closely associated with entertainment formats? Is the CBC making a precise statement here? Does Canada Immigration employ thugs from the old country to terrorize people whom it sees as possible subversives? Is there evidence locked away in the files of **Street Legal**? Or is there simply a smiling producer ready to tell us, "Well, it was only a story"?

There is a second danger in blithely integrating social concerns into what once were innocent formats. The Americans have parlayed the practice into systematized mass media campaigns that hopelessly blur television's few remaining distinctions between news and nirvana. It is still a bit early to say that the American national agenda is being geared to the Fall television lineup. But as the 1986 drug abuse campaign cut across the spectrum of news, documentary and every variety of television genre, there did seem to be an unusual degree of co-ordination between 'The Great Communication' and the little communicators who control the airwaves.

What saves Canadians from this sort of Russo-American-style propaganda onslaught is the mere fact that our television cannot afford a Fall lineup. Nor



• Saul Rubinek, Eric Peterson and Hrant Alianuk

can we afford the blockbuster agenda-setting films that will tell us what is important. In the face of these realities, we are left with the unsavory possibility of American mass media stealing our social agenda in much the same way that Hollywood has colonized our fantasy life.

The alternatives that we can afford are, as always, guerilla actions. We can keep doing smart news and documentary. We can keep making television programs and films that talk about the way

in which television programs and films depict reality. We can draw lines between straight fact and straight fiction.

And we can use, even restore, tough honest docudrama. The one part of that field that we still have is an abiding example of how well the genre can be done. From the time of Peter Watkins' **CULLODEN** (1964), historical docudrama has been the mainstay of the genre. Not many films since then have been done as well as Donald Brittain's **Canada's Sweetheart: The Saga Of**

• Susan Hogan fights an antisemitic Thomas Peacocke in **Oakmount High**



Hal C. Banks. Brittain's creation of a script from testimony of the commission that finally investigated Banks' career is a textbook example of making primary source material live. Murray Chayken, as Banks, might even have transcended the historical context and depicted a living figure had the old ganster not died days before the program aired. As it was, the best praise for his performance must be the ease with which it blended into the testimony of actual witnesses with which it was intercut.

Even more successful than the program's style was the manner in which **Canada's Sweetheart** was able to transcend the limitations of a period piece. In a conventional historical entertainment, it might have been possible to dismiss Bank's career as nothing but the adventures of a mildly likeable bully, a guy who happened to own more bicycle chains than bicycles. Couched in its tightly knit, foregrounded research and the workman-like restraint of Chayken's performance, **Canada's Sweetheart** raised the twin questions of who invented our civil service gangster and where are they (and their successors) now? In doing so, it made a small and necessary dent in our self-serving image of our non-violent selves.

Canada's Sweetheart is not alone among historical docudramas that use the carefully reconstructed public record as a way of helping history point its finger at the present. Harvey Zweig's **Grierson And Gouzenko**, scripted by Rick Salutin, expounds a thesis first used as the title of one of Salutin's articles: *It Happened Here. Earlier. And Worse.* As Salutin states in that article, the issue is not so much what happened in the Red Scare of the mid-40s but rather why that history has been so completely lost and who has profited from the losing of it.

In using the past as a metaphor for the present **Canada's Sweetheart** and **Grierson And Gouzenko** take advantage of a ploy familiar to societies in which the truth may not be plainly spoken. In these two films – as with Denys Arcand's **Duplessis** and Brittain's own work-in-progress on MacKenzie-King – the historical docudrama is a way around the reluctance or legal inability to dramatize contemporary events. The determination to stick to the drama of documented truth serves as a hint that these particular histories may not be limited to the past.

Five years after **The Tar Sands** demise, it may well be time to use these skills again in a docudrama on a living public figure. The rationale is not simply the added publicity that might be given to a factual presentation. Nor is it merely the assertion that a public persona is, like a public face, part of the public domain. Amid the synchronized duplicity of mass media campaigns, you make your **Tar Sands** as a way of saying you really have the goods and you dare your subject to prove otherwise. •

photo: Paul Hoefler

photo: Ben Mark Holzberg