

**ART AND MEMORY. THE INDIVIDUAL'S PERSONALITY IN THE
SELECTION OF MEMORIES, AND THE RELIABILITY OF TESTIMONY:
ANALYSIS OF TWO CASE STUDIES**

*Arte e Memória. A personalidade do indivíduo na seleção das recordações, e a
fiabilidade do testemunho: análise de dois casos de estudo*

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Abstract

After a general introduction to the nature and functioning of human memory, this article focuses on two projects by French artist Sophie Calle - one of them developed as part of the *Dislocations* exhibition at MoMA, New York (October 1991/January 1992); the other, entitled *Disparitions* (1990), at the Stewart Gardner Museum in Boston - and the famous film *The Thin Blue Line* by American documentary maker Errol Morris, which allow us to discuss the important role, among other factors, that an individual's personality and social position play in the often involuntary selection of memories relating to the same object or perceived situation; a difference in the process of acquiring memories that significantly affects the reliability of testimony.

Resumo

Após uma introdução geral acerca da natureza e funcionamento da memória humana, debruçamo-nos neste artigo sobre dois projectos da artista francesa Sophie Calle - um deles desenvolvido no âmbito da exposição *Dislocations* no MoMA, Nova Iorque (October 1991/January 1992); o outro, intitulado *Disparitions* (1990), no Stewart Gardner Museum, em Boston - e sobre o famoso filme *The Thin Blue Line* do documentarista norte-americano Errol Morris, os quais nos permitem discorrer sobre o papel importante, entre outros factores, que a personalidade e a posição social de um qualquer indivíduo desempenham na selecção, muitas vezes involuntária, das recordações relativas a um mesmo objecto ou situação percebida; uma diferença no processo de aquisição das recordações que afecta de modo significativo a fiabilidade do testemunho.

Keywords: *Memory; Evocation; Individual's personality; Reliability of testimony.*

Palavras-chave: *Memória; Evocação; Personalidade do indivíduo; Fiabilidade do testemunho.*

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INTRODUCTION

Memory plays a central role in all intellectual activity, it supports our ability to understand the world, and it is fundamental to the construction of our individuality (so its loss entails the loss of our sense of *self*, and drastically affects our lasting interaction with other human beings). In addition, memory behaves like a muscle: it develops when we use it.

In a broad sense, the term “memory” (from the Latin *memorĭa*) refers to the mental faculty that allows the brain to retain and return information learned by human beings, keeping it accessible through distinct brain functions; memory can therefore be broadly defined as the process by which everything that human beings learn endures over time.

As Eric Kandel and Larry Squire say,

Most of what we know about the world is not integrated into our brains at birth, but rather acquired through experience and stored in memory (...) Consequently, we are who we are largely because of what we learn and remember. But memory is not just a record of personal experience: it also enables us to acquire an education and is a powerful force for social progress (Kandel and Squire, 2002, p. 10)².

The process of forming any memory follows three distinct natural stages: *registration* (or *inscription*), *retention* (or *storage*) and *evocation* (or *retrieval*). In the first stage of *registration*, the brain selects and encodes the information gathered by the senses into representations. The quality of the recording depends on factors such as attention or the more or less awake state of consciousness at the time of the recording.

Then, in the *retention* stage, a phase of acquisition, records of selected entities or events are stored, with greater or lesser precision, associated with previous memories, and remain available for an appropriate period in our mind, or are kept in the unconscious. Information that is not retained is eventually erased. Finally, *evocation* involves a voluntary action in the present, triggered by a current event that stimulates an active search for, and retrieval of, the necessary records stored in the so-called “permanent” memory, and the mnesic traces pass from a state of rest to an operational state.

One important aspect should be highlighted. The active process of recall is clearly distinguished from involuntary retrieval, which gives rise to *recognition*. Recognition is always the result of a passive mechanism. As any of us knows, and as is often the case,

² Author's translation.

recognizing a person's face does not necessarily imply that we remember their name, much less the context in which we know it.

When we recall a memory, what actually happens is that the brain “repeats” a certain pattern of neuronal³ activity, the one that was generated in response to the original event. This “repeated” pattern is similar to the original, which is why our memory echoes the brain's perception of that real event. However, these repetitions are never exactly identical to the original (genuine) ones; in fact, if they were, we wouldn't be able to distinguish between genuine and remembered experiences. When we make an evocation, we relive a past event to some extent, but even so, we always maintain an awake awareness of the present moment, and the neuronal activity is not the same as that which generated the remembered event. The experience can be similar to the original, but mixed with an awareness of the current situation.

There are no “faithful” or “perfect” memories, except in very rare cases, and even then only by approximation and in very specific fields. In fact, the brain never keeps a complete record of past events, because it is not a meticulous transcription device and eliminates most of the details, i.e.: memory is selective, it has a natural tendency towards simplification and schematization, which allow for conceptualization that always implies synthesizing complete representations; changes are incessant, determined either by new experiences or by continuous appeals to consciousness.

What is generally described as a *consolidation* of memories implies a perpetual work of selection, which also means that information is not kept intact but in fragments; memories are “(re)constructions” modified according to the context in which they are recovered.

The past also acts on our present, because a particularly important property of memory is that we can't separate our memories of the events that occur in our lives from what happened to us previously. As the prominent American psychologist Daniel L. Schacter says,

³ The *neuron*, or nerve cell, is the basic unit of the nervous system and the origin of all brain activity, and therefore also of memory, as it is capable of accumulating information and transmitting it in the form of electrical energy. It was the Spanish neuroanatomist Santiago Ramón y Cajal (1852-1934) who first argued in 1889, in *The Doctrine of the Neuron*, that nerve cells are independent elements and the basic units of the brain: he won the Nobel Prize for medicine in 1906, the year in which he described how neurons communicate.

What has happened to us in the past determines what we take out of our daily encounters in life; memories are records of how we have experienced events, not replicas of the events themselves. Experiences are encoded by brain networks whose connections have already been shaped by previous encounters with the world. This preexisting knowledge powerfully influences how we encode and store new memories, thus contributing to the nature, texture, and quality of what we will recall of the moment (Schacter, 1996, p. 6).

Sometimes fusions also occur in the memory itself, and over time we form a new memory from/about older ones, modifying them and inventing, if you like, a “true lie”: in practice, what happens is that each of us has cumulative experience, and similar occurrences tend to group together, or confuse each other in such a way that after a certain point we are unable to remember them separately. For this reason, the analogy that is so popular today, which compares the preservation of mnesic traces⁴ in the brain to the passive storage of information data in a computer, has no adherence to the reality of how human memory works. However seductive the hypothesis, which served as a model for cognitivism, may be, the “machine” of the brain is much more complex than any computer: there is no homology between the space of the outside world and the imaginary mental space in which each individual’s memory operates. There is also another important difference: unlike a computer, human memory is not housed in a single physical location in the brain, but is an integral part of the huge “condominium” of neuronal circuits; is a dynamic cognitive system which, together with the perceptual system, has a role in regulating behavior.

⁴ From the traditional, mechanistic scientific point of view, animal and human memory depends on immaterial mnesic traces called *engram*(s), inscribed in the brain (nervous system) by a stimulus during the process of acquiring information, and then stored and conserved in a more or less explicit form: the concept is still closely related to the ancient notion of “mark”, the one that dates back to Plato and was later maintained by Leibniz and Descartes, among others. It was the German evolutionary biologist Richard Wolfgang Semon (1859, Berlin-1918, Munich), nowadays little referred to, who proposed the term *engram* (*The Mneme*. London: George Allen and Unwin, 1900) to denominate the lasting “mnesic trace” that a perception leaves in the brain, which has come to be used in psychology. In his theory of memory already maintained that the *engram* was not an immutable and definitive trace, because he argued that the acquisition of new memories always modifies the old ones -something amply proven *a posteriori* - and, consequently, understood the evocation of a memory to be a new creation of the memorized primitive perception. About the *engram*, see Kandel and Squire (2002, pp.81-82).

However, we now know that the vast majority of our experiences do not leave any permanent engrams in the brain. Only a few of them, admittedly the most emotionally - the effectiveness of the record is influenced by the quality of the experience - reach that (always relative) state in which certain memories have the possibility of to maintain their individuality, in a somewhat lasting way, through changes in the connections between neurons, making it possible to reconstruct the initial experience in the future as an autonomous reality.

Neurons determine synaptic networks between themselves, in which they establish interconnections; in other words, their activity tends to be correlated, and it is through the modification of these networks that memory is inscribed in the brain. Once these networks have been set up, they are relatively stable, although their functioning is subject to incessant changes, as a result of new experiences being recorded. It is this important property of neural networks, that they are able to adapt and change continuously, that is known as *plasticity*.

In fact, the vast majority of experts now agree that human memory is not just a passive “storehouse” of memories, and consider it to be a dynamic function that is constantly changing, which is an integral part of a vast network of neuronal circuits - which is expanding in the brain as existing neurons establish connections with new neurons - and depends on the collaborative, simultaneous and sequential work of various brain systems⁵. Indeed, as has been shown, many areas of the brain can be mobilized in the representation of a single entity or event.

It can even happen, in certain situations, that the brain creates false memories from the very beginning of its processing; all that is needed is for a given event to be misinterpreted because of expectations about something that is actually similar. False memories can also be generated during what appears to be a genuine memory: if a person “...is convinced that something specific has happened to them, they can ‘stitch’ the event together with patches of other memories and experience them as ‘true’ memories.” (Carter *et alli*, 2009, p.162)⁶

We have already said that there are no “faithful” memories, because every time we recall a certain experience we add or subtract new elements – in particular, it has been shown, when we tell it to someone, as the French psychologist and neurologist Pierre Janet (1859-1947) had already pointed out – because “This experience of remembering ‘overwrites’ the memory, and so each time an event is recalled it is actually the memory of the last time it was recalled. Memories therefore change gradually over the years, until eventually they bear little resemblance to the original event.” (Carter *et alli*, 2009, p. 162)⁷

Scientific imaging studies have shown that true memories and false memories activate different areas of the brain; while true memories cause activity in the hippocampus, the others activate areas in the frontal and parietal lobes, which are more related to “familiarity” than to the evocation of specific memories.

In reality, no two evocations of the same experience are the same, and it was American neuroscientist Karim Nader who discovered the phenomenon of

⁵ The fact that our memories are scattered in fragments throughout the brain, i.e. stored in different locations, is certainly an added value. If this were not the case, any injury or degeneration affecting this supposedly “elective” locus could irreparably compromise the entire memory. This is not the case; when a localized head trauma occurs, only a part (or a specific type) of memory is subject to damage, as brain injury research has amply demonstrated; if some information is lost, others will remain available, more or less unchanged.

⁶ Author's translation.

⁷ Author's translation.

reconsolidation, a term he applied to the inconsistency of so-called *long-term*⁸ memories when they are recalled through conscious thought. His theory was later confirmed by experiments carried out by the psychologist Daniel L. Schacter with volunteers whose brain activity was scrutinized using magnetic resonance imaging.

THE INDIVIDUAL'S PERSONALITY IN THE SELECTION OF MEMORIES, AND THE RELIABILITY OF TESTIMONY

An easily verifiable characteristic of memory is that it tends to specialize. All aspects of our personality have some influence on the daily acquisition of memories and mnemonic skills, but the profession we each work in is by no means irrelevant. For example, as Jean-Yves & Marc Tadié say,

The artist, having exercised his memory, finds himself beset by a multitude of details that he must tame. The same applies to the conductor who, like Toscanini, conducts by heart, or Malraux, who, thirty years down the road, could remember the location and colors of a painting (Y. & M. Tadié, 2004 p.121)⁹.

Various experts on memory, such as Daniel L. Schacter or Jean-Yves & Marc Tadié, have drawn attention to the important role, among other factors, that an individual's personality and social position play in the – often involuntary – selection of memories. This difference in the process of acquiring memories when faced with the same object or perceived situation, which affects testimony – leading to divergent points of view – has been highlighted by various experiments, but the ones that are most important to us here

⁸ In terms of the “permanence” of information in the brain, cognitive psychologists usually distinguish between two types of memory: *short-term memory* and *long-term memory*. Of course, between these limits, there are medium-term memories of varying duration (from months to years). *Short-term memory* only allows for the retention of a limited amount of information, which is kept for a short period of time (usually less than thirty seconds) and does not form “archives”, unless it finds links with other information already stored or through repetition. It's that ephemeral memory for immediate use that allows us to carry out small tasks such as setting a phone number we're going to dial and then forgetting it. However, despite its brevity, short-term memory still allows us to generate *nuclear awareness* about a considerable amount of things. *Long-term memory* involves consolidating information and is potentially permanent. It has been shown that the consistent consolidation of a memory takes at least two years, and even after this period it is subject to change and can even be erased (or forgotten). *Working* (or *operative*) *memory* is also often referred - the term was introduced in 1974 by British psychologists Allan Baddeley and Graham Hitch, from the University of York, in a certain analogy with computer memory - which is an extension in time (a few minutes) of the temporary short-term memory, allowing information to be kept in the mind for the time strictly necessary to manipulate it in order to achieve a certain task - connecting information from the short-term memory with other information already stored, and making comparisons with a view to understanding, reasoning and learning - as a temporarily active neuronal “traffic”, until it is stored as long-term memory, or, on the contrary, forgotten when a new task is encountered. Vd. A. D. Baddeley and G. J. Hitch (1974, pp. 47-89). N. Gaspar (2011, pp. 4-15; 18-25 e 30-47) goes on at length, which we cannot do here, about Baddeley's model.

⁹ Author's translation.

are those carried out in the artistic field, of which we will look at two examples, one of them (Sophie Calle's) mentioned by both Schacter and the Tadié brothers.

Before moving on to its analysis, we should also point out, as emphasized by Jean-Yves & Marc Tadié, that in literature many writers have described this phenomenon – Marcel Proust, Henry James, Pirandello in *Così è (se vi pare)*, or Faulkner in *The Sound and the Fury* – of which the detective novel is the most obvious case, because it often pits the memories of each of the witnesses against each other, in perspective and contradiction, until the final outcome.¹⁰

SOPHIE CALLE

In her project for the exhibition *Dislocations* at the Museum of Modern Art in New York (20 October 1991/7 January 1992), organized by Robert Storr, curator of the Department of Painting and Sculpture – in the same exhibition, Louise Bourgeois, Chris Burden, David Hammons, Elya Kabakov, Bruce Nauman and Adrian Piper also took part – the French artist Sophie Calle, after verifying the absence of five paintings belonging to the permanent collection, removed for restoration or on loan – *The menaced assassin* (1926), by René Magritte; *Reclining nude* (1919), by Amadeo Modigliani; *The enigma of a day* (1914), by Giorgio de Chirico; *House by railroad* (1925), by Edward Hopper; and *Evening, honfleur* (1886), by Georges P. Seurat –, asked some members of the museum staff (thirteen, to be precise) supposedly familiar with them to describe them, and to make small sketches based on their memories of the paintings.

Then, in possession of these sketches and the texts with the descriptions, he organized them according to the exact dimensions of the respective paintings, affixing them to the walls of the museum, within a frame painted in the space left vacant, in the same places where they are normally exhibited. For Peggy Phelan,

By making visible her attempt to give what she doesn't have, what can't be seen, Calle subverts the aims of the museum exhibition. She exposes what the museum doesn't have and what the museum can't offer - and uses this absence to generate her own work. By installing memories in place of paintings, Calle asks us to see the ghosts of memory as equivalent to the “permanent collection” of “great works”. We can intuit that if Calle asked the same people over and over again about the same paintings, they would describe a slightly different painting in each answer. It is in this sense that Calle demonstrates the performative quality of the whole act of seeing. (Phelan, 1998, pp. 173-174)¹¹

¹⁰ Cf. J. & M. Tadié (2004, p. 120) and D. Schacter (*op. cit.*, pp. 39-40).

¹¹ Author's translation.

As is clear, the performative quality of the act of seeing, which Phelan talks about, implies at least another performative quality: that of the whole act of anamnesis. Indeed, when we recall a form – all the worse if it's “complex”, as in the case of a painting – or an event, we always add or take away something, not to mention the possibility that effabulations may intervene to fill in the gaps in the mnestic gaps. However, here we are fundamentally interested in how a project with an artistic purpose can demonstrate the process of acquiring memories, prior to anamnesis, and its constraints; we only remember what has been encoded, through a selection made by memory.

Both Daniel L. Schacter and Jean-Yves & Marc Tadié, and especially the former, focus their attention only on the collected descriptions of Magritte's painting (the sketches are not called up). Without knowing the details of the others, we can see that they are quite diverse; some are very vague about the theme, only mentioning an isolated color or object, but very precise in some material details and dimensions, others emphasize the theme or stylistic aspects. It's very likely that the descriptions of the other paintings – all figurative, even though they have different styles – if made by the same people, wouldn't deviate too much from the general pattern obtained in the survey about this one, depending on the profile of the interviewees.

Schacter quotes, from the exhibition catalog, four of the descriptions obtained by Calle:

1: There's a lot of pink flesh, red blood, guys in black. The background is blue with French ironwork on the balcony, the bedroom is beige, but the only striking color is that blood painted red that looks like ketchup. 2: It's a painting with a smooth surface, an easy one to spot check. It is approximately five feet high and seven feet long. It is framed in a plain, dark, walnut-stained molding, something austere. I never liked it. I don't like stories in painting. I don't like trying to figure them out. That's why I never gave it any time. 3: It has a film noir sort of feel, a mystery novel look to it. The puzzle is there. You have all those little clues that will probably lead you nowhere; there are men dressed in dark coats, and black bowler hats, the way Albert Finney was dressed in *Murder on the Orient Express*, placed in a room with a dead body. In the center, the one who seems to be the perpetrator is lifting the needle of a phonograph. Two weirdlooking individuals are hiding to the side. There is a face looking from the balcony, almost like a sun on the horizon. And, when you look at her carefully, you realize that the towel probably conceals a decapitated head. 4: I think it's just a murder scene. Men in dark suits, a pale woman and dashes of red blood. That's all I remember. (Storr *apud* Schacter, 1996, p. 50)¹²

¹² Schacter quotes from the following catalog: R. Storr (1992) *Dislocations*. New York: The Museum of Modern Art, 1992, p. 6.

Figure 1 – René Magritte, *The menaced assassin* (1926), oil on canvas, 150,4 x 195,2 cm.



Source: <https://www.moma.org/calendar/events/4843>

It is from these four descriptions, transcribed here by us, that Schacter allows himself the (relatively easy, let's face it) exercise of “guessing” the profession of each of the interviewees, based on what they remembered:

(...) comment #4 probably belongs to a security guard or other nonprofessional staff, as does #1, which focuses solely on the physical features of the painting. Comment #2, which describes the work's exact measurements and properties of its frame, likely comes from someone charged with maintaining the painting. And the thematically rich set of memories in #3 no doubt belong to a curator or similar art professional. (Schacter, 1996, p. 52).

For Schacter, the descriptions collected by Calle serve to demonstrate how different the aspects retained in memory and later recalled by different people who share the same working environments on a daily basis can be. For the psychologist, then, the conclusion to be drawn is simple:

(...) what we encode depends on who we are – our past experiences, knowledge, and needs all have a powerful influence on what we retain. This is one reason why two different people can sometimes have radically divergent recollections of the same event (Schacter, 1996, *ibidem*)¹³

¹³ Schacter's attraction to this artistic project is easy to understand from the moment he declares, at the opening of the chapter describing it, that he is a frequent visitor to MoMA, one of his favorite places, as he confesses, where he has often found himself confronted with the absence of a work he had hoped to see again; to compensate for the disappointment on these occasions, he himself has a habit of exercising his memory to see how faithful the aspects he remembers are, confirming them in the museum store with a reproduction of some kind.

Beyond Schacter's conclusion, from our point of view the second description quoted leads us to suggest that, to a certain extent, we could also add the potential intervention of a “selective inattention”, more conscious than unconscious, conditioned equally by the personality and professional interests/skills of each individual.

Calle's participation in *Dislocations* was a continuation of the *Fantômes* (or *Ghosts*) project, which began in 1989 when she was invited to take part in an exhibition at the Musée d'art moderne de la Ville de Paris. At the time, the painting *Nu dans le bain* by Pierre Bonnard was temporarily on loan; as at MoMA, Calle asked the curators, guards and other museum staff to describe it to her and make a drawing. He then replaced the missing painting with an installation of these descriptions and drawings.

In both cases described, the device is fundamentally similar to the project entitled *Disparitions* (1990), which could be commented on, with the same assumptions, by Daniel L. Schacter. On that occasion, Calle photographed the galleries of the Isabella Stewart Gardner Museum in Boston, where several valuable paintings had been stolen (March 18, 1990), such as Rembrandt's *A Lady and Gentleman in Black* (1633). There, too, the artist interviewed museum staff – but, something she didn't do in the other project, also visitors – to obtain descriptions of the works. After transcribing them, she exhibited them – in the series entitled *Last Seen...* – side by side with the photographs (in this case, substitutes for the drawings) that she had taken: Calle took advantage of the fact that Isabella S. Gardner had demanded in her will that the arrangement of the works should not be altered after her death, a will that was respected, so that following the theft the spaces previously occupied by the paintings remained empty.¹⁴

¹⁴ On this project see P. Phelan (*op. cit.*, pp. 171-172) and M. Archer (2006, p. 203), but above all (and also about the other) B. Gervais (2006, pp. 68-69 and 76-82). Gervais pays special attention to the case of Rembrandt's painting – a note: the author calls it *Portrait d'un couple élégant*, and presents a reproduction of it with that title, but the museum's official title is the one quoted above – which has disappeared to this day. For this one, Calle used the following exhibition scheme: a photograph of the empty space, a wall covered with a tapestry in front of which he placed three chairs, a reproduction of a frame in which 12 descriptions were transcribed, a label identifying the painting and with the date of the theft, and the French translation of the texts. It turns out that Calle chose the witnesses' descriptions very carefully in order to bring out a real ghost that Rembrandt had hidden in the layers of the painting; it is this revealed ghost that is the main theme of Gervais' essay, to which we refer the reader. In essence, the artist has replicated the hidden theme of Rembrandt's painting in her installation by filling an empty space with the presence of an absence: in addition to the descriptions, other elements are there to prove it; in the painting, Rembrandt represented an unoccupied chair, and Calle has placed three – one for the “erased” child, the other two for the couple who have now disappeared from the eyes of the museum's visitors.

Figure 2 – Sophie Calle, series *Last Seen...*, installation view.



Source: <https://www.gardnermuseum.org/experience/contemporary-art/artists/calle-sophie>

ERROL MORRIS - *The Thin Blue Line*

In 1988, American filmmaker Errol Morris (b. 1948, Hewlett, New York) premiered the famous documentary *The Thin Blue Line*, and can boast of having committed the extraordinary feat of saving a human being's life with a film, which, it has to be said, has contributed greatly to its just notoriety: a rare case of the effective power of a work – admittedly, cinema has an advantage over other forms of artistic expression in this respect, because it reaches a potentially wider audience – which, among other aspects, raises the question of the social function of Art, which we should point out even though it's not the one that matters most here.

The Thin Blue Line was the result of a genuine investigation into a true event (specifically, a court case) and Errol Morris, who does not disdain being called a “detective director”, succeeded in freeing the vagrant Randall Adams, an alleged murderer unjustly sentenced to capital punishment (later changed to life imprisonment, by a legal ruse to prevent an appeal and a review of the case), in the State of Texas, for the death of police officer Robert Wood, who was shot several times on the night of November 28-29 (between midnight and 12:30 a.m.) 1976, when he gave a routine stop order to a driver on a Dallas County road, following a minor infraction: probably just to warn him that he was driving with his headlights off, and to ask for his driver's license.

Adams was arrested on December 21, after being framed by a 16-year-old named David Harris – whom he only met on the day of the murder when he was walking along

a road after running out of gas in his car – who presumably, as he told the police, accompanied him in the car and watched everything happen from the back seat, where he would have ducked in fear. However, after three years of research, Morris convincingly proved his innocence and revealed the real criminal, after first discovering, in the course of his investigation, inconsistencies in Harris' statements relating to that Saturday night; after the documentary was broadcast, in view of the new evidence, the case was then reopened and revised, and Adams was cleared of the charge and released from prison (where he spent 11 years), about a year after its premiere: an important aspect, among many, that distinguishes it from other documentaries about judicial errors.

In an enlightening 2005 interview with American producer and documentary maker Megan Cunningham, in response to a question Morris explained what had led to the turnaround in his investigation – it should be noted, moreover, that the documentary started out as a quite different project; it was to have been dedicated to Dr. Grigson, a sinister forensic psychiatrist known in the milieu as “Doctor Death”¹⁵, who is nevertheless referred to several times – after initially not believing in Adams' innocence:

Q: You said earlier that you started to discover “slowly but surely” when you were talking to Adams and Harris that there had been a miscarriage of justice. What tipped you off that perhaps the wrong man was in prison?

A: Randall Adams, of course, told me he was innocent, but, of course, I didn't believe him. The first red flag was when I went to Austin. By statute every capital murder trial in Texas is appealed to the Texas Court of Criminal Appeals. You can go to that court, and in the basement they have the transcripts of every capital murder trial. You can sit there, and you can read. And I was reading. I could see the frame but I couldn't see the picture, and that was true of the transcript. There was some thing wrong with that story. Q: Why did you sense the story was wrong? A: It all centered on David Harris, on the star prosecution witness who claimed to be in the passenger's seat of the car, and to have observed at close range Randall Adams's murder of Robert Wood. There was just something wrong with it. (Morris *apud* Cunningham, 2006, p. 4)¹⁶

¹⁵ The nickname comes, as Edith James, Adams' defense lawyer, tells us at one point in the documentary, from the fact that in 99% of the trials in which he was called to testify as an expert and prosecution witness, he expressed the opinion that the accused would commit violent crimes again in the future if he wasn't convicted - the law in the state of Texas has the particularity of obliging the jury to impose capital punishment only if, in addition to proving the defendant's guilt, it is convinced that only his execution will prevent him from committing violent crimes in the future - which once again happened in Adams' case, where he was called after having had a short interview with him. It was during his research into Grigson, and through him, that Morris became aware of Adams' case

¹⁶The interview is taken from the following book: M. Cunningham (2005). *The Art of Documentary: Ten Conversations with Leading Directors, Cinematographers, Editors, and Producers*. Berkeley: New Riders. As the filmmaker adds (*ibidem*) in the continuation of his answer,

The documentary begins with images of skyscrapers in the city of Dallas, and after a short introduction in which both Adams and Harris introduce themselves, telling how they arrived in Dallas and under what circumstances they met, it jumps straight into the story of Adams' "case", told in a style reminiscent of Akira Kurosawa's *Rashomon* (1951) – although the latter is a fictional film, it is the classic example that can easily be invoked –, with multiple perspectives (corresponding to different points of view) on the same occurrence and inconstant chronologies, preventing the automatic evidence of any sequence of facts, which would become a constant in Morris' films, and his most distinctive characteristic as a director.

In fact, it seems to us that, in a way, Kurosawa's film is even more modern in the way it approaches the subject we are dealing with here, and is more in line with the observations made by Daniel L. Schacter or the brothers Jean-Yves & Marc Tadié. Before we go any further, let's remember that the action of the Japanese filmmaker's film takes place in the Heian era (9th to 12th centuries) and centers on the plural narration of the death of a samurai, found dead in a forest, through the distinct voices of a captured brigand (suspected of his death), the samurai's widow (raped by the brigand), the latter through the use of a medium, and finally a woodcutter who is said to have been the only eyewitness; each of the four presents their version before a court, in order to ascertain the truth. What is still surprising about the film today is that Kurosawa is notoriously more interested in offering a counterpoint of social positions, and their influence on the selection of convenient memories (more evident than in Morris), than in unraveling the truth of the facts.

Therefore, we can only agree with what Portuguese film critic M. Cintra Ferreira wrote about it in a "sheet" of the sessions organized by the *Cinemateca Portuguesa* (Portuguese Film Library), from which we quote an extract:

The descriptions of the samurai's encounter with the brigand and the fight that ensues vary according to the status of each person and also their interest in the case. Tajomaru defends his reputation as a brigand and womanizer, the samurai his aristocratic conduct, the woman her status as a passive victim of organized society. The woodcutter's interest is marginal, economic (...) Kurosawa doesn't just tell the four versions of the story, but gives each of them a staging according to the social position of each of the narrators (Ferreira, 2001, p. 43).¹⁷

(...) Then I started to uncover more and more material about David Harris. And as more and more stuff accumulated, it became clear that I was dealing with a guy with an incredible history of violence – particularly to authority figures. He had tried to kill his commanding officer in the army. He had tried to kill another police officer in California. He had been on a crime spree the week that the Dallas police officer was killed, even though he was 16 years old. Then, of course, I met David Harris and started following him around. (...)

¹⁷ Author's translation.

Using insistent *close-ups*, Morris interviews Adams [see figure 3], three Dallas police detectives who investigated the murder, an “internal affairs” investigator for the Dallas police, a police detective from the city of Vidor (in Texas), three friends of Harris in the latter city – to whom he bragged about killing the policeman, without being taken seriously –, three supposed eyewitnesses to the murder, the judge who presided over the trial and the defense lawyers Edith James and Dennis White, and in particular the disturbing and manipulative David Harris [see figure 4], the main prosecution witness and also the most obvious suspect in the crime. From this collage of versions and voices, the whole picture of the story slowly begins to emerge, and Errol Morris proves that he could probably (if he wanted to) also have been a very good criminal lawyer.

By meticulously composing the evidence, piece by piece, he allows the story to take shape over time in such a way that, from a certain point, the conclusion is inescapable for the viewer: David Harris, not Randall Adams, killed that policeman; it should be noted that when the documentary was completed Harris was waiting on “death row” in Ellis Unit (Huntsville, Texas) for another murder he had committed in 1985.

The conviction of Adams' guilt came from a mixture of different factors: incompetence on the part of the police in the negligent conduct of the investigation, opportunistic “witnesses” driven by obscure interests, and the willful refusal to see the truth. On this last point, lawyer Edith James even believes that the main reason for Adams' conviction was the desire to find a culprit quickly; so, since they could use a 28-year-old adult as a scapegoat, in exchange for a 16-year-old who, according to Texas state law, could not be sentenced to death, despite having a previous record, why should they bother?

Figures 3 and 4 – Errol Morris, *The Thin Blue Line* (1988). Stills from the movie with Randall Adams (left) and David Harris (right).



Source: <http://slantmagazine.com/house/2009/07/the-conversations-errol-morris/>

Along the way, the filmmaker completely dismantles the case and the accusation against Adams, discrediting the witnesses, casting suspicion on several of the statements, and focusing especially on Harris, because he was the one who first put the police on his trail. Thus, on the fateful night, the dead policeman was accompanied by a fellow officer, who was of little use in the original statements following the crime because she could remember practically nothing of what happened, not even the license plate number of the car, but after spending two weeks in the “internal affairs” of the police appeared in court with detailed descriptions, including the clothes of the occupants of the car; a Mrs. Miller, who had wanted to be a detective since she was a child (or, the wife of one) stated outright that she had seen the killer's face (and recognized it in court as Adams') when she was driving past the scene accompanied by her husband, but she shows a real obsession with “helping” in similar situations, and confesses that she is always looking for them – or, rather, they come to her, because “it happens to her all the time” –; Mrs. Miller's husband's statements are even more contradictory, because he begins by saying that he passed by without looking (and didn't want his wife to look, as she herself confirms) and then he is able to give a detailed description of the killer's face.

Michael Randell, the third supposed occasional witness, a traveling salesman who claims to have a very good visual memory because he has “a habit of looking”, is unable to recognize the make of the killer's car and is unsure of its color, can't remember if the police car was in front of or behind the other, declares that he didn't see (or hear) any shooting but is able to describe the face of the driver-criminal without much hesitation; finally, the contradictions in Harris' various statements throughout the documentary – and the same is true when compared to those attributed to him by others – are all too evident.

At this point, we must highlight an important aspect, which concerns the very particular and famous way in which Errol Morris conducts interviews (the formal aspect of his films that most links him to the documentary tradition), in which he makes use of mediating television equipment – first the so-called *Interrotron* (a device based on TelePromp Ter technology¹⁸), later replaced by the *Megatron* [see figure 5], the next generation of his “interview device” – which allows the interviewer and interviewee, despite communicating with each other, to never be in direct contact. As such, the filmmaker creates a technical distance between himself and his interviewees by placing himself and the others in front of the camera, but at the same time using monitors to display their respective images. In short, in its most recent version,

¹⁸ The TelePrompTers are transparent screens on which the text is projected, making it possible for a person to read the text without taking their eyes off the audience.

The Megatron evolves this concept further by placing ten to twenty additional cameras, the aim of this approach being threefold: distancing, says Morris, helps people to speak more at ease than if they were face-to-face; the technique now available allows the individuals concerned to be watching Morris and, at the same time, speaking directly into the camera, thus giving the impression of a first-person monologue; and the use of multiple cameras gives Morris much more scope to manipulate and give his images their own style. (Grundmann and Rockwell, 2001, pp. 19-20)¹⁹

Figure 5 – Errol Morris, using *Megatron*, during an electronic interrogation.



Source: <https://www.rogerebert.com/festivals/errol-morris-megatron-son-of-interrotron>

We are presented with a powerful story, highlighted by the filmmaker's ability to visualize the drama and its key moments, through the use of creative “reconstitutions”, the controversial technique – it was much criticized at the time, but then became quite common – that would from then on become one of his visual strategies, almost a signature. In fact, we think the technique is very well suited to highlighting the subjective nature of memory, the process of acquiring the memories of each of the witnesses, and in the case of *The Thin Blue Line* it can be summed up in the way Portuguese film critic João Lopes does:

(...) for example, a statement can be followed by a totally staged sequence about the facts that the statement mentions, and then we have a detailed inventory, uncomplicatedly fetishistic, of some objects presented as evidence of the crime, finally leading to another staging of the very same facts, this time «legitimized» by another statement from another person-character in the film. (Lopes, 2001, p. 16)²⁰

¹⁹ Author's translation. This is truly *manipulation*, because as the authors rightly point out next (*idem*, p. 20) “Using various camera angles, interrupting the image with *back leader*, and other stylistic effects, Morris shapes the interviews - the thing that brings his films closest to «reality» - and ultimately deconstructs all aspects of the journalistic objectivity contained in his films”. For a description by Errol Morris himself of how his “interview apparatus” works, see (*idem*, pp. 35-37).

²⁰ Author's translation.

In his interview with Roy Grundmann and Cynthia Rockwell, Morris replies as follows to the controversy surrounding the so-called “reconstitutions”:

People use that term «reconstitute» and I think it's terribly misleading. I've been accused of having created re-enactment television, and that somehow *The Thin Blue Line* had spawned hundreds of reality programs on Fox and elsewhere. The funny thing is that there was no reconstitution *per se* in *The Thin Blue Line*. For me, reconstitute suggests that you're showing people what really happened, that you're showing them a picture of the world. I did something very different. I showed people images of belief, lies, falsehood, confusion. I took people back to what they thought they had seen, to what they thought had happened there, but clearly they were wrong or mistaken. (Morris *apud* Grundmann and Rockwell, 2001, p. 32).²¹

We can certainly say that this is the film that solidified Errol Morris' aesthetic, which is difficult to classify – that's why he himself, who claims as influences both classic fiction filmmakers (Billy Wilder or Douglas Sirk, among others) and Fred Wiseman (a fundamental reference in documentary), has always resisted being included *tout court* in the category of documentary filmmaker – and which runs through all his subsequent work. At the same time, however, his attraction to the notion of “truth”, associated with a certain realist documentary tradition, is easily discernible. And, before the proliferating era of portable technologies for recording and broadcasting images, available to anyone and causing a crisis in the perception of informational “objectivity”, Morris' film is a remarkable example of an art that is committed to restoring the possibility of thinking about truth, through images and words. As João Lopes says,

Perhaps, then, we can consider that the notion of truth is something that runs through all of Morris' work, at once as a theme and a haunting. A theme, because obviously many of his films place themselves in the position of (re)discussing what is taken for granted; a haunting, because moving cinematically towards truth also ends up being a method of (re)evaluation, not only of cinema as an art of «transcribing» the world, but of all the discourses and forms of staging that attempt to lend coherence, meaning or even immanence to that same world. This helps to explain why Morris is so interested in the legal and judicial mechanisms for delimiting truth - more than that, for producing truth. In this respect, the emblematic reference of *The Thin Blue Line* emerges as a decisive matrix of all his work. (Lopes, 2001, pp.14-15)²²

To end our analysis, we would like to point out the following: by an ironic twist of fate, three years after its release Randall Adams filed a lawsuit against Morris to claim a share of the box-office profits from the documentary, revealing himself to be ungrateful and to have a short memory of what he owed him. It turns out that Morris remained firm in his position that a person should not be paid for being themselves, even if it's in front of a camera, and in any case the filmmaker made almost no profit from *The Thin Blue Line*.

²¹ Author's translation

²² Author's translation.

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