

Gavin MacFadyen:

Facts & Fiction – The Translation Of Stories Based On Facts Into A Dramatic Structure

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GAVIN MACFADYEN I will say a few things about fact and fiction from my own experience and also what some of the theoretical questions are that plague practitioners, which all of us in one form or another are. They're not often the things that are studied in media university classes; they tend to be quite practical questions. In my case, they're largely legal: the attempt to portray complex figures with the simplicity that film conventionally requires, or wants to require, poses unique and special problems. Many of you will be familiar with these. Anybody who's tried your hand at this knows how difficult it is to take reality, with all its complexities and layers, and transform it into something accessible and reasonably simple. So it's a matter of pleasure that I discuss this because my own experiences have been quite fraught with some of the stuff I've come across.

I've made a list today of all the films that I thought roughly follow this category in the hope that this might provoke some comments about this. Part of it, too, for me is that I've been involved as a journalist for quite some time with Wikileaks and Julian Assange, who is himself the subject of more films than any reporter in history. There are now four Hollywood and Hollywood-scale films about Julian, each of which takes an even more disgraceful line than the one before. They all uniformly hate him on the whole, believe whatever the establishment line is about him, and repeat it dutifully, sometimes with some considerable cleverness. I know this because I'm in a number of these films, so I have direct experience about how he could be portrayed. I was in the public, associated with him in Britain in the Iraq War logs and other things.

The most interesting one is the one by [Alex] Gibney, which is coming out shortly, called *We Steal Secrets: The Story of Wikileaks*. He's a very skilful filmmaker, and he's done big, award-winning films critical of the most extreme negative elements in the constellation of authority. And he's done those successfully. I don't think anyone can dispute his technique. However, in this particular film, they did an *enormous* amount of research to try to enlist everyone who knew him, including myself and others that would have a wonderfully negative connotation. All the questions were couched in such a way to elicit a really vile impression of this disgraceful person. And I was quite taken in by their candour. The producer of that film was a very powerful New York person. Stunningly beautiful. She was a movie star in her own right. And she was also the squeeze of a famous right-wing historian Niall Ferguson. So she was terribly well connected at the highest reaches of the American establishment. And she convinced me and others to participate in this film, which is a feature documentary that will be seen by millions and millions of people. So it's more than a documentary in that sense. It has all the polish in theory of a feature film. And I was completely convinced by her that it would be a fair and balanced and honourable portrait of a complex figure, and they were prepared to entertain all this. I thought this was fair enough. Being a naive journalist – I've only 35 years of investigative experience – I sort of fell for this and did it. Then reading the transcript, which one of the irate people in one of the technical departments sent to Julian Assange so that he'd know what he was going to be hit with, I realized that it was a completely dishonest enterprise, that the attempt was to smear him as effectively as possible. And they were looking desperately for material to do that. It wasn't hard in his case because he has so many enemies. But the dishonesty of the presentation I found quite stunning, and it stayed with me.

Journalists tend to think of what they do, perhaps the same as all of us do as filmmaker, as writing the first draft of history. You're fortunate to confront a set of realities and inscribe them onto stones for history. But my view, too, is that if that's the first draft of history, if we flatter ourselves with that, then the historical film is the musical. The fact is musical, with all that goes with that. And that's a potentially extraordinary position to be in because I'm now fully convinced that the power of film in transmitting factual stories is immense. And the more effective and more modest the presentation of that material, the more effective often that can be.

For instance, many years ago there was a film called *Hands over the City* [*Le mani sulla città*] by [Francesco] Rosi, which was a first and serious look at corruption in the construction business in Rome and in Italy in general. This film had enormous difficulties in being made because they tried to base it on an investigating magistrate's record. This was traditionally the method that most people have used, which is court records. Of course, the reason is obvious because if it's a credited court record, you can't be sued for libel. That's a huge constraint in dealing with unpleasant people, who have access in particular to the British courts, which are the courts of favour because any wealthy person can use those courts against you as a filmmaker or as a journalist with enormous impunity. All you need is money, which often they have and we don't. So it's an unbalanced fight to start with. But that's the key and decisive factor.

That's not to say, however, that the factual issues are overwhelmingly important. I think in the success of most of these films the quality of the writing and the quality of the actual filmmaking is much more important than their attempts to portray reality. But nonetheless those are powerful. And I think, as I've discovered in the case of the Assange film – there are three fiction films and one documentary; Spielberg is doing the fiction film, and it's based on two of the most hostile books you could possibly imagine – they're wonderfully hostile. Everything is dripping with invective. Julian Assange doesn't eat dinner, he slops dinner with a broken fork. [audience laughter] Nothing is straight. It's all in that sort of tone. I can't wait to see it. I've only read the transcript. I'm really desperately keen to see it. And there's another one, too, in the same way. There's an Australian film, however, a fiction film based on Julian Assange's life, which is actually more reasonable and much less expensive, which shows his life as a young hacker in Australia. It's based on the whole mass of interviews with crazed young hackers who remember him very well because at the age of seventeen, he was able to hack his way into the largest secret computer in the world at the NSA, and then leave no trace and get out, which was an astonishing notion at the time, particularly for a seventeen year-old kid. But he never escaped the opprobrium that then followed when the Americans went after him. It was interesting that of all the films and television and books – and I think there are now seventeen books about Julian Assange – none of them were hostile until the State Department came out against Julian Assange. And then suddenly a tidal wave of hostility poured out from all the dutiful authors who accepted that line.

So in a way I'm really saying that factual presentations in film are really quite dangerous because they're propaganda in one form or another. Whether I do it or you do it, they represent ideas unconsciously. And I think for most of us who are not political intellectuals, we are unconscious of the fact that we have our own unique ideology, and that pervades what we do. We can call ourselves a liberal or a progressive or a right-winger. You can call yourself whatever you want. But fundamentally your work is coloured almost entirely by what you perceive as a political agenda, social agenda, personal agenda. I'm always incredibly suspicious of filmmakers who tell me that in covering social subjects or political subjects it's just a love story, you know, it's nothing to worry about. Besides, we don't have any politics. We're just innocent people observing the foibles of humankind. It's sort of Adolph Hitler and Eva Braun as a romance. I find that a difficult notion to take seriously.

So it's a unique responsibility that we have in telling stories that is only satisfactory if we

understand what our own bias is, and then deal with it honestly. And that's very difficult to do, particularly because the kinds of stories that most of us are attracted to are quite violent stories, usually against something. Certainly all of mine have been that way. I don't have any problems saying that. I worked a lot on *The Insider* – the Michael Mann film with Al Pacino about the tobacco scandal. I found it to be the only honest film that I've ever had anything to do with. Right or wrong, it didn't matter. I agreed with everything in it. But it was also a very honest film about the dilemmas that all these people faced and had to deal with. In that respect, it's quite unique. But even throughout the whole production and all the reviews afterwards, the director would insist that this was just an objective film of any good suburbanite. He would never admit that of course he was supporting the Al Pacino character. Of course he was supporting the struggle against the right-wing *60 Minutes* and all the rest of it. But that was a very good example for me of how effective a film like that could be. But because of its subject it gained only half the distribution, only half the theatres that they thought it would get. So it's automatically then lowered in the Academy ratings because of that. So it had much less of a chance of actually winning, even though it was nominated, as you probably know, in a lot of categories, simply because of that.

There was the powerful establishment. And he actually took them on and named them, which is a unique first. The story, as you know, is about the tobacco scandal when a guy named Jeffrey Wigand, who was senior vice-president of research at this tobacco company, discovered in its files that the company had overwhelming proof of cancer and every form of it. And what's more, not only did they know about the cancer, they increased the risk of it by adding chemicals which added to its effect. So it was a particularly devastating bit of evidence that he got. He sent it to *60 Minutes* to a man I knew very well. And he wanted to make the film and set out to make it, and discovered huge obstacles right away. Suddenly there were strange legal issues raised about the making of this film. One of them was called 'tortious interference' – a unique phrase I'd never heard of. I've been in law courts most of my life in one way or another, and I've never heard of this phrase. Nor had he or anybody else. And what it meant is that if you said something, the potential repercussions were such that you would sink the company that guaranteed the production, e.g. CBS. So CBS was a huge corporation with vast resources that was worried about being attacked by a tobacco company, which also had big resources, but it wasn't clearly prepared to fight. There were several campaigns to prevent the publication of the film and other things, which were almost successful. They weren't successful because Lowell Bergman, the writer involved, was able to mobilize friends at three other newspapers to publicize CBS's collapse. And that forced CBS to do something, and they showed a version of it.

The film is really about that struggle. But it was quite controversial because the actual reason for the collapse was the owner of CBS, a man called Tisch, whose son owned huge numbers of shares in the tobacco company in question, and was very unhappy about what that would mean. That was never declared at the time. And interestingly, the director put this in the film, and nobody ever mentioned it again. It was never taken up. No issues were ever raised about conflict of interest or any of those things. So in effect this huge battle, which cost millions and millions of pounds, resulted in the largest payout in history by that tobacco company. I think the total bill was something in the order of \$68 billion they had to pay out in damages to cancer victims because of the loss and the hoopla started by this bloody film. So it was very, very effective. I don't think any film in history has ever had that big of an effect.

One of the things he did, of course, in ensuring the accuracy of the film was that a lot of the participants in the film were real. The county prosecutors, the lawyers – a lot of them were the real lawyers. He got them to memorize their lines from many years before, and propped them up in front of the camera. And it worked very well. I don't think any look was not believable. It was all very believable. And Russell Crowe, who played the whistle blower, gave a performance that is hard to beat. Because I knew the whistle blower and know him now, and Russell Crowe is identical. You

couldn't fit them apart in a room. He even talked about the same way as the real whistle blower. It was wonderful, a genuinely moving portrayal of him.

But most of the time I don't think it's as exciting as all that. The most important factor confronting the making of that film was what you meant. It's not what you show; it's what you don't show. That's the fundamental and primary concern. You not only end up having to deal with legal questions of balance. It's also a question that there's no time in the film to show all the complexities. As anybody who is doing these things knows, it's bloody difficult. To tell a true story, you have to combine characters. The other thing that's common to all these films is that they all have multiple characters played by one person. And then you can be sued by one of those people who feels that their role was underestimated or something. Somebody will have a go at you about this if they think there's money in it. So it pays for you if you're making a film based on fact to have no money at all. Because if you don't have any money and no resources, they can't sue you. [audience laughter] That's a wonderful position to be in. And there are a number of documentary and fiction people in London who have lived by that policy. They're distance relatives. They don't even own the house they live in. But they can make anything they want. Now the only trouble is nobody shows it. But it's a very effective idea.

The defamation issue is the second most powerful issue confronting what you do. Because even if you do what you think is a favourable report of somebody, it may be at the expense of somebody else, in which case you could be sued under British law, not here, I'm sure. But here or in Australia you could be sued. Britain and Australia have very serious libel laws. If you can beat and confront any British libel lawyer, you can win anywhere in the world. So I was advocating people to get their stuff looked at by a British lawyer as soon as possible, because if you can convince them – and it's not hard; there are very good lawyers there – you'll be safe anywhere because that has the most Draconian and vicious libel laws in the world. Only Australia comes close. And America is real easy. I think most of Europe is relatively easy, but Britain is really rough.

So that's fundamental. I think the landscape you inherit is a fraught landscape, filled with lawyers usually, who want a lot of money to do stuff. And one of the problems with journalism is we don't pay people. Therefore the trust you feel as a reporter in not paying people is that they're telling you something because of a reasonable public interest. That's the sole governing principle of their participation. That's not true in film, unless you bring in non-profit film. So suddenly there's a commercial element involved in the disclosure. And that complicates the arrangement incredibly, and can be used in court against that person, saying: "Oh, yes, you didn't charge them for the documentary. But when they made the feature film you got a lot of money."

I mean the author, for example, of the book that attacks Julian Assange is a man I know very well. His name is David Leigh from *The Guardian*. He does something very interesting. My wife said to him: "How much money are you making off of this film?" And he said: "I'm not making anything. *The Guardian's* taking it all, except I'm getting a damn good kitchen out of it," he said. That's a cost indemnification of £60,000. That's what this kitchen he will get costs. That's all right. He's entitled to a kitchen, I suppose. I said to him at the end, "I'm glad you're going to get a kitchen. When Mr Assange is in jail, you'll feel very good about cooking in your kitchen." That was probably his intention to make sure that Mr Assange was in jail as long as possible. That raises a whole other issue.

The primary problem for you in a factual issue like this is that when a contentious figure is being filmed, where are the facts coming from and who is looking at those facts. Because if that person is truly contemptuous you can say anything about them you want. Often people don't realize that but you can simply because if they're in contention, it's because there's some moral ordinance that they seem to have violated somewhere, like in the case of Julian Assange, who's never even been

charged with anything. Not one single charge has he ever been levied. But at the same time, therefore, you can say anything you want about him because there's a potential charge of rape and sexual misconduct in Sweden. So it's a very complicated picture. But I was told by a lawyer: "Don't worry. Say anything you want about Assange. He can't come back." And that's because of this error that a huge number of the people we make films about are as contentious as he is, particularly Mr Gibney, who's made a number of films about complicated people, including a New York state prosecutor, who was down for all kinds of sexual misconduct, and who he celebrates in the film. So it's a very complicated issue for us in dealing with that kind of question.

By the way, if anybody has thoughts themselves about particular people that you're interested in filming about, we could happily talk about that. Each person poses a unique and interesting problem. But lawyers specialize in this, and the result is that we're at the butt end of what the lawyers really give us to do, what we do or what we can't do. The BBC, for example, on the whole will not do any film, any film at all, about a company. You can't do a company in the BBC because a company could sue. They don't want the hassle. I think the last big film I made at the BBC was sued at a 110 point bill of complaint, which is huge if you're into libel. I'm kind of in to libel so I know a lot of these things. But a 110 point bill of complaint is a lot. That's 110 points of violent inaccuracies. They're saying you're saying they've lied. I've lied 110 times. Normally a serious libel action will have three claims. So I had rather a lot. But I had the idea I could tell them on the telephone what we were going to do, and I knew that they were tapping the phone because the night watchman one day congratulated me. He said: "Your team is fantastic. They're working these incredible hours." And I said: "Really? Ten-hour days are normal for us." And he said: "Oh, no. They were here all last night fixing the phones." [audience laughter] I knew right away that we were in trouble, but we decided to use that against them. So we began saying things on the phone that we knew they would pick up on. And one of them was I said our lawyer, who happened to be Nelson Mandela's lawyer, has given us a very good idea on discovery. Now discovery – most of you know what it is but for those who don't – means that fundamentally you can ask the other side in a legal argument to provide you with evidence from their files of the correctness of your opposition. For example, we're looking at the labour history of a huge South African corporation. And I said that the proof of what you said about this is in your own files. I demand all the files from 1927, October through 1968 or whatever. And I put that on the phone. And immediately all the doors were slamming all over South Africa preventing us from getting anything like that. They took all the records out of the country. They did everything possible to make sure we could never get those very records. We had them already, as the case was, so it was all right. It meant that we had to use those weapons that we possibly could. But I was told I couldn't put that in the film because it was illegal what I had done. But I don't care. I'd do it again. It certainly worked. It was effective.

So the notion of telling true stories for us was really complicated by that. From our film, this was on Anglo-American De Beers, the big South African company, three plays were written on that basis. One by Richard Norton-Taylor of *The Guardian*, who'd done a number of plays about events which he could prove because all the records of the things that he was saying were done in court. And so he did one on Bloody Sunday [*Bloody Sunday: Scenes From The Saville Inquiry*], which was a massacre of British troops in Ireland. And he did that by using all the transcripts. And they were devastating. It was all the admissions of the mass murderers. But interestingly, of course, from that very successful play, which ran in London for about a year, not one single person was ever convicted. So it didn't have any effect. And I think they saw that. The authorities saw that, and said: "Let's not fight this. It's bad publicity anyway."

We have a case right now where we're doing an investigation into the deaths in custody by the British police of 1000 people over a 19-20 year period. Although 1000 people have been killed in police custody, a very large number by suffocation, we can't say that in public. We can't deal with it in public, so we're going to deal with it in other ways. But it will take some work because there's no

proof enclosed for us, and the police refuse to give you the proof. They refuse to cooperate with any court order, and they have *huge* and complicated legal mechanisms in Britain to prevent you from doing that. So the question we're confronting now is how do we make a drama about all these deaths that is still coherent and we can expose the law for what it is. So it's a very dangerous and interesting position to be in. I think that could be done in many places. Not in gentle Norway, I suspect, but I think in a lot of other places it's a real issue.

Cops tend to do these things, but on a scale that the British do is really mind-bending. There have been a number of films that have dealt with that stuff. But Richard Norton-Taylor is a defense correspondent at *The Guardian*, and so what he writes is almost always legal by him himself – he's his own lawyer – and by others. We now have a lawyer on team to do precisely that just so we don't have any problems to start with, or at least we know what the areas, the mines are in the road. That's kind of what we're doing now.

There was a film called *Veronica Guerin*, which many of you have seen. It's a very powerful and effective film in many ways. That was successful in avoiding prosecution, again because it was basically in Ireland and not in Britain. But it was a very strong film. Other films which were much more critical of the establishment like *Chinatown* completely escaped and didn't have a real problem, which is surprising since they name a lot of names that are immediately recognizable. You couldn't make that film in Europe, not easily, because it's so close to what actually happened.

Serpico is another one. *Serpico* being the story of a New York cop done in the 1970s, who blew the whistle on corruption in the New York police force and had to go into hiding. And he's only just come out of hiding now, and that film was made in '74 [sic]. He's back in upper New York state, armed but he's still alive. He's an amazing character. Similarly *Missing*, the Costa-Gavras film, was sued, I think, by two State Department officials, who didn't like it. And they held it up in the courts for a long time, I think, as we all know, but unsuccessfully.

So again on powerful issues of that kind which don't deal in the specifics of a personality, you can get away with a great deal. Who here has made films which have traversed this area? Anybody? You have? Which one was yours?

AUDIENCE Actually, I told you yesterday, and I've been telling everybody about trying to make a film about the biggest whistle blower in Russia. I tried to make a film about Alexander Nikitin, who blew the whistle about atomic waste in Northwest Russia from the submarines. He was cooperating with a Norwegian environmental movement called Bellona. This was very strange because this was a documentary in the first place. And I wanted was to make a portrait about this guy because in a way it was, for me as a documentarian but also as a feature filmmaker, a conflict of values associated with all these kinds of questions about conflict of values. So of course when Bellona helped this guy to bring the news about the threat to Russia and to Norway from this atomic waste, Putin was on his way to power so he grabbed that, and he didn't want to have a bad focus on Russia, of course. But at the same time, everybody all over the world was very engaged in these environmental problems. So to make this film, I needed to have the confidence of Nikitin himself, but also of Bellona. Bellona contacted me and said: "We want you as the filmmaker because we trust you somehow." So in a way I was invited to do this film by Bellona. But I didn't know, of course, that they had their own interest in this, as you said. This was before I discovered that Bellona was financed by the CIA. This is the news. I told newspeople in Norway this. They didn't dare make anything about it. TV2 in Norway didn't dare do anything about it. ROK did nothing about it because Nikitin and Bellona are like holy cows. For one, they are playing games with romantic problems, but actually it's about the Cold War and the waste from after the Cold War. This is, of course, also a question about Nikitin himself because he was dedicated. He owed his life to Bellona, so he backed out. He was a very strong, ethical person. But because they saved his life –

he was accused of high treason, which he could have been executed for – he said: "I cannot tell this story now because Bellona actually owns me."

MACFADYEN Hmm. That's astonishing. Honestly.

AUDIENCE I had four million crowns [€513,000] to make this film. But then I went back to talk to the financiers from the television station and from NFI [Norwegian Film Institute], and told them I wanted to do a story about the CIA infiltration of Bellona. Then they withdrew the money. [audience laughter]

But what was very strange was that when I was in Russia doing this film in a way, then I could be in peace. I could speak with former KGB. So I could work. But when I started doing this film, then the tax authorities in Russia started attacking Nikitin. Because they couldn't sentence him to high treason, they wanted to sentence him for not paying his taxes. He got a lot of money to support his case, and they wanted him to pay tax on that. That's how I discovered that some of this money was CIA money.

MACFADYEN How did they tell you?

AUDIENCE I also got to know from Russian television. They told me this. They said: "We knew that. As colleagues, of course we want you to do this film." [MacFadyen laughs] Then we were in this game also. So the Russians also wanted to be innocent, too, for their interests. But what was more frightening was that the Bellona leader, who is the leader of the European environmental umbrella organization, is still there. No one has criticized him.

MACFADYEN Is this the guy who attacked you?

AUDIENCE He attacked me also. He rejected me for telling about this. I tried to tell it ... Then he attacked me. No one has touched him. He's still at the top. So in a way he's still protected by his values. He's still working for these environmental values we all share. But he has some shit on his wings, you know. [all laugh] So when you talk about this, I'm questioning this fact. We have this very, very popular Norwegian woman who has been whistle blowing about these Mafia politicians in France, about the oil, the money and the corruption and all that stuff. This establishment in France actually hired a very famous French director to make a film to scandalize her. It was in the cinemas in France. But this film was hardly noticed. This film was not popular at all. It strikes back. It feels popular in a way. She was already a heroine so the film didn't work.

MACFADYEN But that doesn't mean they didn't attempt it. And they have considerable resources. They always have more than we do, so they can do pretty much what they want. That's the danger, as we've discovered with the Assange case. No matter what you say, they're going to attack him and find new reasons to attack him all the time. It's very interesting being close to it because I'm dealing with the lawyers all the time and I hear what they say. They say: "Well we have evidence against that." And the other lawyer says: "What difference does that make?" You can't beat them. And the idea was if you fought them on it, you're giving them oxygen. That's the thinking. And why give them oxygen? Maybe just to shut up. Let it go and deal with it in court if you have to. But you can't fight them when you're dealing with big, big distributors of this kind. I mean in the Assange film, they're talking now about a release in 800 cinemas in the States, which is a lot for a film like this. And the main actor in the film, who is playing him, is the guy who's playing a big British detective in another movie. He said to Assange, I heard that, he said: "I need this part to make my life, to make my career, even if it isn't right." That's what he said. So he knew what he was doing. But again you can't quote him saying anything. And who's interested in hurting this guy? But it's a terrible problem. Honesty becomes a huge and difficult question.

When I said earlier that the unconscious bias of the maker was a decisive factor in it, often people have no idea that the prejudices with which they enter a filming arrangement are themselves deeply compromised and biased. They have no sense of it anymore, partly because filmmaking people, like journalists, only talk to themselves. They don't talk to the society as a whole. And complicated legal arguments and historical arguments are of very little importance. This came up recently, some of us have talked about this, about *King Leopold's Ghost*, this story Adam Hochschild wrote about King Leopold, who was directly responsible for killing 11 million people in the Congo. I mean that's a figure that's almost beyond belief. That's how many people were killed by the first king who had a PR agency. And he actually used the PR agency to disguise a lot of this stuff. That can't be made now in a film in Brussels. You can't do that. But similarly you can't get involved in the murder of Patrice Lumumba in a feature film either for exactly the same reasons, partly because the man who had him killed is still alive – an American living in Oklahoma. So it's a hard one.

Again, let me ask anybody else if there are any films that you've had that you find interesting in this way. We can discuss them. There was a film on the German investigative journalist Günter Wallraff called *The Man Inside*, which documented his struggle against a right-wing newspaper in Germany, who to this day, thirty years later, is still going after him, threatening him with lawsuits and all this stuff. And to his amazing credit, he spends a lot of money defending himself and going after them. He's really terrific. But for him it's his life's pursuit. His books have sold so well in Germany that he has an income. So he's vulnerable. That's a problem. If you have no money, you're safe. I always advocate to people to give away all your money and your house and everything. Then they can't bother you.

Good Night and Good Luck, the George Clooney film, which is held as a very accurate account of Edward R. Murrow, the American liberal journalist. It is except for the inconvenient fact that he was banning lots of films when he became head of Kennedy's United States Information Service, which is excluded from the information in the film, because Clooney apparently felt that it wasn't relevant. What he did later wasn't relevant, even though it defined him as a CIA creature for many years.

The Killing Fields is another film that was deeply compromised by its lack of accuracy. For those of you who know it, there was a New York *Times* correspondent who got involved in a terrible crisis, and escaped the country he was in [Cambodia] where all the killing was going on. He left his translator Dith Pran on the ground alone. He was then tortured and almost killed. Horrendous things happened. And the film was made from the point of view of Sydney Schanberg – the New York *Times* correspondent – and celebrates his great concern about Dith Pran and all this. But the truth was when Dith Pran was asked: "Is that film an accurate recollection of your events?", he said, "No, no. All lies," he said, "All lies. They left me there to die." So I thought there should be a film about that. That would be a genuinely interesting story. But again how very well-intentioned people never even thought to ask Dith Pran what he thought of the Schanberg character. I don't think it was sinister. Dith Pran was seen in his role, and that's how they think in a way.

Similarly *The Battle of Algiers* – a film we all hold with high regard as a very accurate portrait of what happened. Not quite so accurate. The mass killing in the city of Algiers and in Marseille two years prior to that film, which involved an organization called the MRA and USTA, is never even mentioned in the film. The film is now the leading analysis document for the State Department and for the Pentagon in dealing with foreign wars, which is really shocking but true. Considering the fact that the man who made it [Gillo Pontecorvo] was a communist at the time, makes it even more surprising. But nonetheless not untypical of what goes down when they find it useful.

Similarly a photographer that we knew very well in London, a guy called Tim Hetherington, who

was killed recently in Libya, made a film called *Restrepo*, which won all kinds of awards. It's a kind of interesting, well-shot film. The trouble is that at his death, we all went along to a big funeral at a very posh church in Central London. And there at this funeral – there are 500 journalists like all of us, all of us who knew him – were two big, tall US Marines in full dress uniform. I'd had a few glasses of something or other so my confidence was up. So I went up to them and said: "Were you friends of Hetherington?" And they said: "Oh, no, not really at all." And I said, "Well you're here at his funeral." And they said, "Oh, yeah, of course. He made the best propaganda films for the US Marine Corps we've ever had." And I thought: Poor Tim, dead now, would turn in his grave if he knew what these bastards were doing to his work. [audience laughter] But they were completely immune, and so I told *The Guardian* about it, and said: You ought to go and hear the names and addresses of these Marines. But they wouldn't do it. They didn't want to disgrace his memory. But it was typical again of the evasion of what was a true story for that.

The only thing that equals the dishonesty of all this is what's called reality television. And I think reality television has a wonderful history of lying about everything. I have a lot of friends who make it. They write the script and re-shoot things that they don't think are quite right – the usual stuff that goes on. But that's never said by anybody. Has anybody here seen a film about that, about all the lying that goes down? I mean it is a powerful idea, all of that. It's an extraordinary idea that you propagandize something as telling the truth about unusual things in society, then lie about everything. Often I suppose our job is really to unpick the lies, but even that's extraordinary by any standards.

I'll just add a few things about *Chinatown*, which I thought for most of us was probably the most accurate portrait of a city in the midst of a huge corruption scandal that I had ever seen. It certainly conformed to everything we knew. There's only one central scandal that isn't in that film, and that's just because I think they ran out of time. But it was a fantastically accurate piece, and they were never sued, even though the guy at the head of the film was a very accurate portrayal of a real man, including his house and everything. They even got the real house. It was an astonishingly accurate film. So it got away with it.

All the President's Men, which is another film held up as a model of accurate filmmaking and the telling of an accurate history, is sadly not quite that. I think all of us who have been in investigative journalism would be desperate to get one quarter of the support that those two guys got from the head of the American secret police to tell them a story. That's a unique access. I've had no support from any policemen in my whole life. I can't imagine getting number four in the FBI to give me all the information and tell me: "You asked the wrong questions there. Go back and ask at this address, to this person, and ask them these five questions." That's what actually happened. He was called Deep Throat, as you all know. But the guy himself was a very senior FBI official. And, of course, the real question – that was never in the film – he was this kind of mysterious man you'd meet in the car park somewhere. They all knew who he was, but there wasn't a hint of any of that.

I should say, too, that the real question about *All the President's Men* was not how they told the story. It's about who paid for the story. Why was that film made? It's very unusual for a major newspaper in any country to attack the president of the United States or a major official with a volley of enormous power, over and over again, every day. Front page stories. I mean, that's a policy. That's not a breaking story; that's a policy. You take that decision. And they took that decision. One woman took that decision. The woman, Katharine Graham, who owned the *Washington Post*. Nobody ever thought to ask her: Why did you do that? She didn't care about Nixon or anybody else for that matter. She was more important in some respect. But clearly the decision had been taken, which the audience was unaware of, that it was okay to attack the president of the United States and drive him from office, which she succeeded in doing. That central fact, which is much more important than what these two reporters did, is not even

mentioned. It [the film] never even raises the question.

Similarly, a new film just made about the New York *Times* called *The Gray Lady* never mentions any of this either. The fact that every controversial article that goes to the New York *Times* on issues of national security is vetted prior to publication. That's an astonishing idea. As a journalist, I'm so shocked by that, by the candour with which they've met that. In other words, go cover it, and the executive editor at the New York *Times* would tell me and everybody else: "What's wrong with that? Why shouldn't we protect America?" I said: "By betraying your own sources?" That's an unfair assumption. Unfair, but he wouldn't answer it. Now I think there's a real issue there. So when you're talking about those papers, you get a gleaming, very happy picture that bears very little relation to what actually goes on. I think that's a huge problem.

State of Play. Any of you seen that? There's some strong stuff in that film. It's about a reporter from *The Guardian*, who's a very good reporter. Similarly, the *China Syndrome*, which was a big film with Jane Fonda and a lot of people in it, had a huge reaction in the States. But the real reason it had the reaction was two weeks later, Three Mile Island occurred, and the biggest nuclear disaster in American history happened during the release of this film. So you couldn't have it better. [laughs] Magnificent. It was almost like they'd set it up themselves. It was really brilliant.

But anyway, that's a pocket history of most of this that's gone down because in the 20s, 30s, and 40s, there were very few films that would satisfy the criteria which I'm talking about here, which is films that you're attempting to be rigorous purveyors of factual reality. I should say the first ones we know about were those in Britain called *Crown Court*. And those were a whole series of weekly television programs based on evidence from court proceedings because it was safe. You couldn't be sued. Under something called the Reynolds Defence in England, you can't be sued for republishing what a government institution has said is probably a truthful recollection. So that's still used by everyone as a main defence.

Voilà! That's a basic supposition about what we do and its primary difficulties. Anybody had any contrary experiences to that?

AUDIENCE I just have one comment. Because we've already talked about controversial political presidents mostly. What about if you make portraits of people, let's say artists, because that's also a way of: Will you do a portrait or will dramatize their life or whatever? You are dealing also with their values.

MACFADYEN Right.

AUDIENCE So it's an initiation of those values also. So if I make a portrait of an artist, I also reflect how I respond to that artist, of course, which is also a question of values.

MACFADYEN Quite indeed, but that's the safest one you can have. Simply by permitting the questioning, somebody permits the film. So even though there are lots of things you need to disclose your primes and all that stuff and NBA's – on the whole if somebody agrees to participate in an extended interview, they've agreed to the film. Therefore you can do pretty much, unless they've signed an agreement with you. But that doesn't satisfy the fiction requirement, I mean in a sense, of trying to take factual material and turning it into viable fiction in some way or other. How do you keep that clarity and factual accuracy in play? It's difficult. That's what we're talking about. But I'd agree with you. That's a perfectly effective point for doing it.

AUDIENCE *Argo*. Have you seen that? Ben Affleck. How much fiction is it?

MACFADYEN Well, two CIA guys said it was nonsense, so they're probably right. But I think he intended to do something interesting. You know, he had this story about this super heroic CIA guy who saves people who are hiding in the Canadian Embassy in Iran, which in this period was a curious film for a liberal guy to make because this is period of renewed hatred against Iran. We're in the 'beat-the-drums-for-a-new-war-in-Iran' period right now, and he was helping that by showing these crazed lunatics in Iran, who should be stopped. And clever men like him could get the good guys out.

AUDIENCE The real story regarding vast political situations is, of course, Operation Desert Eagle, which brought down Carter.

MACFADYEN That's right. But that was a total failure.

AUDIENCE And they will never make that movie. Because it doesn't show an American operation going well. On the contrary, it was a total failure.

MACFADYEN Indeed. That's absolutely right. You could make a case that all the biggest American failures, which are pretty significant – like the war in Vietnam, the war in Iraq, the war in Afghanistan – all these are failures. And yet no one makes any films about failures. I mean it's really quite astonishing. I'm sure you know this, but the Gulf of Tonkin – the famous incident which started and legitimized President Johnson's war in Vietnam – was a total fiction. Just like WMD. And nobody at any time questioned it until very recently. Under the Freedom of Information Act, we've got the documents now that prove they invented that, too. As described, it never happened. And the captain signed a deposition saying: It's not in my recollection. This is the thing that started a war that killed three million people, and he has no recollection. It's astonishing. Then they wonder why people question the integrity of all these institutions that promote this kind of nonsense. So we have an unusual obligation then in telling the truth, to try to tell not the respectable truth, but what the truth really might be in the best reading we can give it. And that's something very difficult. Very difficult.

For example, one of the big films that I wanted to make and didn't make was a film called *The Henry and Adolf Show*. And it was to be a fictionalized account of Henry Ford's support for Adolf Hitler, which was significant. He was the largest foreign contributor to the Nazis. In the very early days, it has to be said as well. His financial support began in 1921, when most people in Germany had very little knowledge of Hitler. By 1923-24, he was getting known. But Ford was giving huge sums of money through the German Ambassador in the States, who had been invited to Detroit, which was the headquarters of the Ford Empire, and received the money in the Detroit Opera House. They shared a box, and the envelopes would change hands. And the Ambassador would get back to Germany with a big check.

I've tried to tell that story many times, but I've gotten absolutely nowhere. "A good next story, please." [audience laughter] They have no interest in telling what we know to be true now. So it's very tricky to tell a story that isn't a respectable story, which is the obverse of *All the President's Men*, where sections of the establishment really wanted that story told because they wanted to get rid of Nixon. I'm glad they decided to get rid of him. But nonetheless, it wasn't an open and closed case at all. It wasn't two intrepid reporters risking all hell on earth to tell this fantastic story. I mean they were supported by the biggest newspaper tycoon in America and virtually the operational head of the FBI. That's a hell of an ally to have if you're telling any story.

AUDIENCE Let me ask you a question. Because you work on stories that are hard to turn into film, but they are also hard to publish in newspapers, how do you get your subjects? Where do you find them?

MACFADYEN Poorly is the answer. You find the stories because you're looking for them.

AUDIENCE They're new stories basically for everybody, yeah.

MACFADYEN You're looking for them. When you start looking for them, your antennae are out here, and you suddenly hear this something that's very disturbing. And you think: Well what's the reason for that? So you start ringing around and doing your research and you begin to find the reasons. If you've got some resources and some experience, you can find out a whole lot of reasons now with enormous speed. What would have taken me six weeks to do when daunting, I can do now in probably an hour and a half. You're using the Internet. If you're careful with it, and you really know what you're doing, it's worth learning how to do it effectively. We call it advanced Internet research. For example how many search engines do you use?

AUDIENCE Only one.

MACFADYEN Only one. But see, there are sixteen.

AUDIENCE I'm really a laggard. [laughter]

MACFADYEN But you could stop that. You could move up. There are so many search engines that are really useful for very specialized purposes. And there's what's called a 'deep web search', where you're going after data bases that aren't publicly listed.

AUDIENCE But when you start to search you have to type in whatever it is you use the search engine for, so you have to start somewhere.

MACFADYEN That's true. I would advise you though, given what we all know has happened in the last month or in the last three weeks, to use HPPS on your computer. And don't make enquiries about a lot of places that you don't want somebody to know about, because what they're doing now, as you probably all know, is they're hovering up everything, everything about you. The US government has the biggest program in history now scooping up gigantic amounts. I mean it's almost unfathomable the lots of information. The *New York Times* described it as a kind of science fiction that's now a life science nightmare for everybody. And they approve of it. But I mean it's staggering.

Basically, because memory is cheap, storage is cheap, they came across the idea because if it's even cheaper if they buy huge quantities of it, that we can record everything electronic about everyone. That's an astonishing method. In other words, they're not going to go and search your name out or anything like that unless you become a person of interest. Then they have everything about you: every phone call you've ever made in the last seven or eight years, every email, every text, every data search, every photograph, every enquiry you've ever made to Google. Absolutely everything! And they can track you down and build a portrait of you that would horrify you. It might horrify your friends and neighbours, too. Who knows? [audience laughter] But the blackmail possibilities are beyond comprehension. And they – the US government, the State Department and the NSA (National Security Agency) – have it all, and you're not allowed to see it or know it or even ask questions about it.

The US government, the State Department and the NSA: Three whistle blowers came out a year and a half ago. The first story they told us is about William Binney, who is an elderly guy who had been the head of the mainframe operation against the Soviet Union in the NSA. He built a massive computer, which searched everything inside Russia for fifteen years. A very successful operation. He retired, and got a call one day. He recounts this quite graphically. He got a call, and the guy

said: "We're a private contractor working at the NSA, and we know you built the back end of this program. Could you come in and help us? We're redirecting on this. Could you come and help us?" And being a patriotic guy, he said: "Sure, I'll help you all out." Which he did. And he discovered within a matter of weeks, I guess, that it wasn't against Russia that they were organizing this enormous program. It was the biggest program he'd ever heard about, let alone seen. They have one building with nine million square feet they're just completing in September in a valley north of Salt Lake City in Utah. It's the largest storage facility on earth. It's equal to everything in the rest of the world put together. In one place. And this does nothing but scoop up everything. We learned about this partly because of him. When Binney first said this, people said: "He's a paranoid nutcase. It couldn't possibly be true." Now we know it's even worse than that. The FBI's come out and said recently that they have everything, too. So what? [laughs] So they're collecting material on the same scale.

Then there's this scandal which they've admitted to because of the poor man in Hong Kong [Edward Snowden]. He told part of the story. So the government is now denying that part of the story, but not denying the big story. His story was that the big service providers – AOL, Apple and all the rest who have records of you and all your traffic – they have all of that. Well we knew that anyway. But that's the scandal because it's not public and they haven't imprisoned him. President Obama said: "Yes, it's true. We need it for security reasons." But all the other stuff they haven't said, which is that it's everything else. It's not just that; it's everything. And what we didn't also know is that it's been going on for seven years. Basically what it means is that when you make enquiries, you want to be very sure that it's not identified to you. It's very simple. There's a way of doing that called Tor. It's downloadable software that you attach to a browser, and it obscures your identity. So all journalists that I know now who are dealing in areas like this, we all use it. And I'm taught by twelve year-olds. They're the only ones who understand it well enough. They're wonderful. But fundamental: It's a way of protecting yourself.

AUDIENCE How safe is Tor?

MACFADYEN Pretty safe.

AUDIENCE But it does not flag your computer?

MACFADYEN Yes, it does.

AUDIENCE So you have to dig deeper?

MACFADYEN That doesn't flag your computer. It's encryption that does. But it's the same idea. Basically it's an anonymizing software. It anonymizes you. And people, even six months ago, said: "Well, I don't need to do that." Now everybody says: "How do I learn, by the way" Because the more people use it, the safer it is. The principle is simple: You type out an enquiry to Google. That enquiry goes somewhere else and not to people you don't want to know that you've made an enquiry about. If you do it directly, they know you right away by your IP address. They know exactly what country you're in and all the rest of it. If you use this system, they have no idea at all because what they do is they bounce it between 5000 active mirror servers around the world. It's as simple as that. It goes: boo-boo-boo-boo-boo and it pops out at the end from Bolivia or some place, and they have no idea where the hell it came from.

So that's bad enough for them. They don't like it at all. And I should say to you that it's safe to use it because it was designed and paid for by the US Navy when they were still in an open source period. So they were giving the information to everybody. So every hacker in the world, including Julian Assange, uses that method. And nobody has ever been caught using it. It's very effective in

that way. But if you really want to be effective, you take your message and encrypt it with a program called PGP [Pretty Good Privacy] or any other one that you use, so nobody can get through it with a military-grade encryption. Then you use Tor to send it out. The only bad part is it slows your computer down – a little bit, not that much. If you've got a fast computer, it's pretty fast. But it does slow it down and you get impatient and say: Come on! Come on! And all that. But it does work.

So you can protect yourself seriously that way, even for the most innocent of enquiries. Because if you make an enquiry about somebody, about a person, what's that going to look like six years down the road to somebody else who's reading it? Now that's the danger. Because you have no idea how or why any of that information could be used. It's really quite a scary prospect, but it's determining how we tell stories now. So one of the curious things we've learned about recently is how do we tell dramas, exciting thrillers on the basis of computer texts, because that's what's coming. And the process of discovering will be a process of detection, of complicated computer algorithms. And there's drama in that. The question is how to explain this to people in such a way that makes sense. But it can be done, and that's what a lot of people are working on right now, as well as – some of us talked about this, too – games.

Games are a very powerful mechanism to electronically tell very complex stories. And that can be done by computer and done anonymously. One example for that, by the way, is Fukushima. If you imagine, for example, telling a close, close fictional story about the nuclear disaster in Fukushima, and there are holes in the story, and you highlight the holes – you say: "We know that these things happened at this time and this date." – two days later, black hole. We don't know what happened. Then it goes on to tell you all the things we do know, and then there's another black hole. And the question is: Is there anyone out there who knows what happened at 4:15 in the afternoon at the Fukushima nuclear power plant? And it's surprising how many people will say: "I was working there. I want the points for the game." So some guy tells you key information about how the general electric policy was ignored that day at the maintenance facility. That's how we're learning about some of this stuff.

That's another way forward that uses drama in an effective way we hope. This is new. All this is very new. It just all started literally in the last couple of months. But I think it will be effective.

AUDIENCE If I ask Google a question, Google always remembers my question and makes a profile so I always get the same answers and the same possibilities because they are in a way tailored to my questions. If I use this Tor software, is it possible Google won't know I'm the one who's asking?

MACFADYEN Exactly. [laughter]

AUDIENCE So Google doesn't know from which part of the world I sent this question and also doesn't know it's me who asked it?

MACFADYEN That's right.

AUDIENCE Okay, I like it very much. [audience laughter] Thank you.

AUDIENCE So how is it then that Google cannot see that you touched the door to Google?

MACFADYEN They can see it. They know that's a suspicious thing: a close question about New York, about the Bronx is coming from Bolivia? They'll think it's odd, but they can't do anything. They don't know who it is. That's how it works. As I said, each person who uses it increases the other side and makes it more difficult for the bastards to get you because there are even more servers

now. And they'll ask you if you join Tor: Would you like your server to be used every eight minutes next Saturday? I would say: Sure, go ahead. What the hell? So there's yet one more server out there.

AUDIENCE I have a question then: If you log into a Google account while you're doing this-

MACFADYEN You wouldn't do that. I would change your account. But if you go through Tor, it's a little slow, but it will do the same thing. What you don't want is them having all that information about you. They have enough information about you to fill a small phone book already. It's quite shocking what they have – everything you've ever bought, every enquiry you've ever made. And I make maybe forty or fifty enquiries a day. They know every one. Every one. And the answers.

AUDIENCE I have another question about this deep web search. Which search engines do you prefer? And could you tell us a little bit more about this deep web search because I'm quite interested in your broadness of information.

MACFADYEN Okay, there are so many of them out there. There is, for example, one. If somebody put something up on the Web five years ago and it's long gone, can you find it? I think you probably know: You can. Nothing is gone from the Web. That's the astonishing thing. You have to find the little engine that will get you there. And in this case it's called the Internet Archive or the Way Back Machine. And the Way Back Machine will tell you everything you ask for about something that happened in the past. You've got to be very specific in what you enquire, like the site for Nestlé cocoa October of such and such a date. And it will take you there. If they logged that day, it will be there. They miss some things, but on the whole it's very accurate.

We have a website in the group that I run which has nothing but information of this kind. So if you go on the website, which is called www.tcij.org [The Center for Investigative Journalism], and look for resources and books and things like that, we publish all that stuff. It's free.

AUDIENCE And they didn't come and get you?

MACFADYEN No, there are too many of us. They can't bust everybody. [laughter] No, I'm not worried about it. There's a lot of stuff there [on the website]. For example, if you want to find obscure information about-

AUDIENCE But you have to use Tor before you go on there, otherwise you're screwed.

MACFADYEN Yeah, that's right, yeah. The trouble with the Net is it's the first minute when you're most vulnerable. We tell people that all the time. Be extremely careful in your one minute.

AUDIENCE Why is that?

MACFADYEN This is how it works. From your office computer or your home computer or any other computer near you, if you make any enquiry out from that computer to someone else, it lodges your address in their computer. Your computer's number is there. Now you can track that number to the country you're living in, to the city you're in, what part of the city.

Virtually they know who you are. Now you can stop that through proxies and all kinds of other things. There are lots of ways of getting around it. But you should know that the basic system is incredibly vulnerable. It's designed so that people can find out. And you can find out anybody, by the way, who calls you. That's part of Web research. You dial up a little website and it will tell you who called you.

AUDIENCE Even your computer tells you where you are also.

MACFADYEN Yes, hopefully. But I always turn off all those GPS things. On your mobile phone, the GPS tells them where you are in great detail. And they can also take your phone and turn it on when you're not aware. German colleagues of ours put a little sticker on their camera saying, "You are being observed," in German, which is quite correct because you are. But it means you should be very careful what you say. We tape over the microphones and tape over the camera on the top. That way they can turn it on, but they're not going to get anything. It's so easy to do. You see a computer person, and they turn on your camera at home. They'll film everything about you with it when you think that the computer's off. It's really scary stuff. But this stops all day. You don't have to be crude about it. Put a piece of tape over the damn thing and then they can't get at you. It's really like that. It's like stuff of movies ten years ago, but now it's completely normal.

AUDIENCE Don't you think that they're working already to get you in another way? It's a matter of hunt and chase all the time.

MACFADYEN But we have the one advantage: We have all the twelve year-olds on our side. [audience laughter] And they don't have anything, thank God. No, but there are lots of ways to protect yourself. I would never have thought in a feature film group that we'd be talking about stuff like this. It really is heavy duty.

AUDIENCE Do you use Linux on your computer? Is this Tor thing a Linux-based thing?

AUDIENCE The Apple operating system is based on Linux.

AUDIENCE I think this was the question because last weekend, before I came here, I joined hands with a festival, and there was an advertisement for Linux-based software because you open the Web and you are. But if you use the usual Apple software, they can also track you, can't they?

MACFADYEN Yes, they can. But it's harder with Linux. It's not easily done because it's much rarer on professional platforms. It's easier for you to escape. The problem, as I said to you, is the first five minutes. For us it's a problem when somebody calls us up and contacts us because they've got a story they want to tell. And we say: "Don't ever call this number again." And we give them an address right away. The safest way to communicate with anybody is by snail mail, by ordinary post, because they can't open all these bloody envelopes. [audience laughter] They're bored with it. They think everybody else is electronic like they are. So your initial contact to anybody you're worried about should always be by post. Or live. That's the best. But often if somebody is in another country that can be very hard. That's what we suggest. And if anybody does want to call you, they should never use their email from home or the office. They should find a café seven or eight miles from their house, in another town preferably, and speak for only seven minutes. That's how much time you've got; you're safe.

AUDIENCE The term 'conspiracy theory'...

MACFADYEN It's already with us. It's not a theory anymore. [audience laughter] We live now in the conspiracy theory. I never thought. I'm opposed to conspiracy theories, but this one is for real.

AUDIENCE I experienced it myself once: I got called at my work and they asked me if I could talk for a few minutes. They were calling from the Department of Internal Affairs. And they were asking me if I could get a check for them. And I had to decide what it's about. But they said: "We won't tell you on the telephone." That's with the Department of Internal Affairs. But I'm not going to see them

at my house because how do I know it's for real. And then they said: "Can we come to your work?" And I said: "Can I tell them you're coming?" And they said: "No, you can't." So then I said: "Then it's not possible." "But is there a bar around where we can meet?" So I said: "Yes, there's something at the end of the street." And he said: "Okay, fine. In 45 minutes." I said: "Oh, okay." I was a bit overwhelmed. I wanted to explain to him how to get there [audience laughter], but he already had the roads figured out himself. I went to see one of the producers to tell them: "Well, this is the case." Because I thought it's got to be a strange story. "How did he approach you?"

Then I came into the bar at 12. Before I was sitting at a computer and thinking: Did I tell him about some music or such? [audience laughter] I didn't know because how do you know if it's not your daily routine? Then I went to visit them at the bar, and it was really like in a film. I went there, and I was looking around, and there were these two guys. So, okay, I was smart enough to ask for identification. But then they give you a puzzle and you have no idea what to look at. You might think they could make it up.

MACFADYEN But you couldn't be compelled to talk to them, could you?

AUDIENCE No.

MACFADYEN In that case, our advise would be normally, from a journalist's point-of-view, you can see them, but only in the presence of a lawyer. Make sure that you have a lawyer because that will prevent any untoward questions from being asked and all that. Also, the lawyer will say: "I'd like your names and official numbers, please." So they can be quite tough. You don't have to be tough, but the lawyer will be tough on your behalf.

AUDIENCE Yeah, but we are raised quite innocent in Holland. The lawyer system is not really in our system. So let's see and be aware of what you're seeing.

MACFADYEN The trouble is when you're dealing with the secret police in any country – no matter where you are it's the same – you have no idea why they're asking you the questions. You don't have any idea what the consequences of answering the question are. It could have nothing to do with you. They might want to check on something that a friend of yours did that you may know about, and get that other person into real trouble. You have no idea. It may be completely innocent.

AUDIENCE Actually, I was not afraid. The only concern I had was whether they were real.

MACFADYEN Aha. Well I wouldn't be worried about that. I'd assume anybody's who's going to... [audience laughter]

AUDIENCE But you don't know if it's a setup or something.

AUDIENCE Are you going to tell us what it was all about? [audience laughter]

AUDIENCE They wanted to ask me questions about the neighbours who lived below me. I knew they were kind of a messy household, but it was really nothing that I was worrying about. But later on when I checked the possibilities of getting questioned by these kinds of cases, it's not about fraud. So apparently it had something to do with terrorism. They never got back to me. They wanted to know about the colours of cars and how often they entered the building, and if there were visitors.

AUDIENCE Did you tell them?

AUDIENCE Yes, but I told it in such a way that I said they're not harming anyone. The only thing is that I don't really know them. So for me to build a good relationship to my neighbours, which I think could be quite useful, was not possible. I said: "Well I don't feel scared." But I didn't know why they were asking me this.

MACFADYEN That's the problem. So inadvertently, with no guilt to you, you could be having somebody hurt very badly and not even know it. That's the problem. That's why we tell people as journalists, never deal with that unless you have a lawyer present. Because also when they see the lawyer, they'll have to be a little careful what they ask you. If they're trying to trap you or trying to get some information about somebody else you know or don't know, like the people living downstairs, what if those people knew what you thought?

AUDIENCE Well I was a little bit scared because when they entered the house and I found out what it probably could be, I was told: Oh, be careful with the SMS texts and not spreading anything ... [audience laughter] Because then I thought: Maybe you are in danger. But then they moved out and there's a very happy family living there. [audience laughter]

MACFADYEN You think. [audience laughter] That's right. Exactly.

AUDIENCE Another simple thing that they do: I made a film about some robbers in Norway, and there were a lot of strange phone calls coming after that. I had a lot of phone calls about that during that time. This guy calls up and just starts asking about the casting of the movie, just out of the blue, kind of. Okay, I just answered some simple things. Then after a while – because I started asking: Who are you and why do you want to know this? – "Oh, I'm with the criminal police." So he started the conversation in order to get information first. Then afterwards he mentioned what this was actually about.

MACFADYEN Yes. The other thing I tell people, which you can do, too, and obviously it's starting here now in a big way, is record everything. Record everything, particularly when dealing with broadcasters or publishers. I don't believe any of them.

AUDIENCE Oh, hold on. Hold on. And then you turn on the recorder?

MACFADYEN No, I have all these things where it's voice-activated. I don't have to worry about it. Hopefully. It's one of these kinds of things [points to digital recorder on table], and it's plugged in.

AUDIENCE Can you tell us what you use? What's the brand?

MACFADYEN Olympus. They're about £70. They're fairly small, and the batteries last for like five weeks or something. They're really good. There's a kind of button that gets that footage. And I press that button when there's something interesting. And if I don't hit the button, I just erase everything and start again. But I've got a 32 GB memory card, and that gives me, I think, 16,000 hours or some unbelievable amount. But it's a very safe thing to do because then they can claim: "I never called this woman."

AUDIENCE Do you never consider telling something because it might solve a case?

MACFADYEN No, because any serious enquiry has to be identified. I'm in the journalism business, so we have a different standard than other people. But if they want to know something, I treat it with suspicion. Our general principle is not to talk to the police, if we can help it. If they have a legitimate question...

AUDIENCE Or if it's personal?

MACFADYEN Personal? Absolutely not. No. We have a lot of personal, and I usually say something quite strict to them like: "If this is a question about my personal life, then I'd like you to tell me that now." Or if it's a question about political involvement or the newspapers I'm working for or whatever, I want to know about that. Because anything you say can be taken down and used as evidence against you, even for reasons you have no idea about. That's the trouble.

AUDIENCE I had this experience not telling anything to the police, but I was part of an activist group, and we planned some action on a right-wing gathering in Austria. Our plan was to hire a helicopter and fly over the area and drop leaflets and at the same time an actor would take to the stage and give an Adolf Hitler impersonation. [audience laughter] A week before the event, we got a phone call from the Austrian State Police, the Austrian Secret Service, and they said: "You don't have to say anything. We'll just let you know what we know." And then he told us the whole plot. He didn't want anything from us. He just said: "It's not going to happen. Just don't try anything stupid. We know everything." What they also did is they leaked it to the media so the whole thing was in the *Kronenzeitung* – the populist, right-wing paper. They ran a daily thing on this, so it sort of happened in the media. But they were very, very present in their tracking.

AUDIENCE That's great. You didn't have to rent the whole stuff. [audience laughter]

AUDIENCE But two of us were sort of personally incriminated in that paper with their names. It wasn't very funny for them or their parents.

AUDIENCE They would have been anyway if they'd taken action.

MACFADYEN It's proof of how much they have. And they clearly have a great deal. You'd think what the Americans have would be 7000 times more. By the way, they have all of your stuff as well. So it's something to consider.

AUDIENCE It's also the other way around. I got a call from a research journalist because there was a case and I was a witness in it, and my name was published in no paper. I didn't talk to the media. Nothing. So tonight I got a call at home from a journalist who said: "La, la, la, can we talk to you?" And I said: "How did you get my phone number?" because it was a landline. And he said: "It's in the phone book." So I said: "How did you get my name?" And then he said: "Oh, I'm sorry. I'm not going to talk about that." So that's the other way around.

MACFADYEN You could have tracked his number and called him up.

AUDIENCE Yeah, I knew his name, of course. He identified himself, and I knew he was a journalist.

MACFADYEN But again, it's a reason to record everything. Safety.

AUDIENCE Is this why you have that thing [digital recorder]? [audience laughter]

MACFADYEN This will be incriminating to me sometime!

AUDIENCE I have a suggestion for people who want to do this kind of stuff. We have this cross-media project called 'Everyday Rebellion' about non-violent forms of civil disobedience. We re-post through two kinds of software. One is <http://www.picidae.net> by two Swiss guys. And with <http://www.picidae.net>, if you are in a country where some sites are censored, you can enter that

site through that anti-software. It goes to the site that you want to enter. You put in <http://www.picidae.net> or whatever and then the site that you want to go to. Then they go on the site, take a screenshot of the site and send it back to you. And the links work. This gets through all text-based censorship because it's just a picture. It's great.

The other thing is called <http://www.gaul.net>. It's also free software. With that software, if the Internet is cut down, you can create a network with Wi-Fi. You can connect with each other. You can send messages. You can be informed. And if there are computers around you that have downloaded this software, you can get the package from them. So you don't need to download it also from the Internet. We're trying that out in Syria.

MACFADYEN The other one we're using in Syria is called Jabber, which you must know now, which is very effective. Nobody has broken it so far. It's 256-character encryption. It's very effective. It's an encrypted texting service. Relatively easy to set up and nobody can break it so far. It doesn't cost anything. It's free. All the best stuff is free. It's from a company called Adium. It's constantly being upgraded and it's very tough. But you have to have a funny name. We operate through Berlin with that system, through the Chaos Computer Club, which is a very big operation. It's www.ccc.de. You have to register with them. I know one group are calling themselves 'Pianists' – grand pianos, studio pianos. It's strange, but it works. Nobody has cracked them at all. Assange and Wikileaks all use this system.

AUDIENCE How do you know there's no one from the Secret Service here?

MACFADYEN Because everything I'm telling you is public knowledge. [audience laughter]

AUDIENCE Could you state that you know that after World War II, the CIA, the United States Central Intelligence Agency was very much connected in making hidden propaganda in Hollywood films?

MACFADYEN Yes, of course. The famous film, of course, was *Animal Farm*, which was a CIA production. They did the whole thing. [Audience laughter]

AUDIENCE You mentioned *Argo*. They're just paying right into the film, aren't they?

MACFADYEN Yes.

AUDIENCE How about the Kathryn Bigelow film, then?

MACFADYEN No, I don't know that. I don't think so.

AUDIENCE *Zero Dark Thirty*. Same thing. All these films have had major financing from the US Army or sidelines from the US Army.

MACFADYEN What they do is they get facilities. And the facilities are worth a great deal of money. That's how they do it normally. They don't actually submit money directly to the production. They did in the 1940s and 50s. But they don't anymore. The reason they don't do it anymore is because it requires congressional oversight. There is, in theory, a congressional oversight required on all expenditures in the commercial sector. Now they've avoided most of that. The reason they do it the other way is they can get the facilities out. They can get the army to give you an aircraft carrier with forty planes on it at a cost of \$1 million per hour. You can get that for nothing.

AUDIENCE Just like here. This Film Camp is a military camp. [audience laughter] We had the

same dilemma when we made our movie, which was partially critical toward police handling of this robbery. Of course, we were totally reliant on the police to provide us with a police car, etc. So we had to tone down the criticism a little bit.

MACFADYEN Oh, yeah, that's the beginning of the end. But I think, on the whole, it's not worth too much time worrying about conspiracies in that way. I think the real problem with filmmakers in Hollywood is they love all that stuff. The CIA wants them and they want the CIA. They love it. "I get to ride around on a jet plane!" You talk to these guys and that's all they say: "Well I got to ride in an F-16. It was fantastic!" They can buy these guys for that. And they're surrounded by Navy Seals – huge, tough guys in funny uniforms, and all this stuff. It's a narcotic to these people. It is. That's why they're so successful at it. And Affleck, I'm sure, fell for the same crap. It's bizarre. It's nonsense.

AUDIENCE I just wanted to mention this true story. You could also be a tool for the interest of that secret service or military authorities. They could want to cooperate with you to demonstrate that they are very democratic.

MACFADYEN This isn't a problem in America. [laughs]

AUDIENCE Sometimes they really want to show the value of democracy and freedom of speech. But actually they can play the game with you. They can hide some of the problems, but they want to stand up and show some kind of openness and play a game. Not so far from the Film Camp I was working on a documentary about the reindeer herders around here. Because the military had taken a lot of their land, I made a documentary taking the side of the Sami against the military. At the same time, we were negotiating buying this place [Film Camp]. So I was following this process where the Sami wanted to end this sixty-year conflict. They'd been negotiating for sixty years to keep the land from being exploited or taken anymore, and they wanted to be compensated for what had been taken from them. They were asking for 100 million Norwegian crowns [€12,673,000]. And we wanted to buy this place for 6 million crowns [€760,000]. Of course, they could have been very bad with us and the Film Camp and so on in this situation because actually what happened is that they were really nice in cooperating with me about that film. So they found a solution with the Sami. At the same time, we could buy this place, and they would cooperate with us. Because we could close down this conflict with the Sami, the Sami were very important for us to bring in big films. Of course, this also created jobs and so on. So both things ended very peacefully. But in a way, it covered up the bad history of sixty years. They really wanted to demonstrate that the Norwegian legal system was equal to our documentary, which it was not. Always the national interest of training soldiers, and sending them someplace to protect minorities was more important than protecting minorities here.

MACFADYEN Of course. Exactly. Curiously your raise a question: One of the sources of information for a lot of screenplays right now is FOIA – The Freedom of Information Act – in the United States. You can find astonishing material, but you have to find the time to read it. That's the problem, because they send you voluminous amounts. I made a film on Frank Sinatra and the Mafia. I got 16,000 pages of evidence the first week. The problem is reading it, which became immensely difficult. What we did is we put it all on the computer through a document feeder overnight. Then we could word search it. That's the Swedish method. It's very effective. I'd recommend it to anybody. If you keep all of your research materials available, you can word search anything or date search it or do anything any way you want to find stuff. Otherwise it would be impenetrable. It's really effective. I think Fujitsu are not very expensive and they're very good for doing it.

AUDIENCE When I was working as a journalist for a newspaper – and I was also planning to do a

documentary about this – a secret policeman came to my home one morning. He was a friend of my brother's. I knew this guy. He came over at 8 o'clock in the morning. I let him in and said: "Oh, it's the first time you've visited me." I was living in the middle of my hometown, and had a very good view of the whole harbour. This is the most militarized city in northern Norway. So he was out strolling around the house and didn't say anything. Then we were sitting down, and I said: "So what brings you here?" And he said: "One year ago, you interviewed an East German journalist." This was kind of ironic because he entered my home the same day that East Germany stopped existing as a state. So I said: "Oh, you've come to celebrate that!" And he said: "Yes, we suspect that this guy was a spy." And I said: "Yes, I suspected that also. I'm a journalist." [laughs]

I had been invited to the birthday party of the communist party leader in my hometown. A labour party politician was also there. So I was asking myself: How could he know I was at that party and made the interview there because it was not very obvious I should make this interview? By chance or by luck I recorded this interview because we were sitting there with this politician and this communist leader and this East German journalist. So I said to this policeman, because he was my brother's friend: "You can listen to this tape." I tried to investigate. I tried to play a game with him because I started to think: How could he know that I was at this party for this interview? I couldn't connect it. I'd been on the phone. Either they were tapping my private phone or the newspaper's phone. So I told him: "Well, here you are." Then he was commenting on the good view I had. Then I understood: He's actually in a double operation, suspecting me or trying to find out if I was cooperating, or whatever. He kept repeating: "You have a very good view." You could see all these military installations and the shipyard. I said: "Yes, this is the perfect place for a spy." [audience laughter] I was kind of mocking him. And I said: "Why don't you listen to this interview?" So he went down to the police station. I knew it would take him three hours to listen to it. Then I went down to the newspaper and asked the editor: "What shall we do now because I suspect they're tapping our phones?" Well this old gentleman, who was really a gentleman of the press, was the first journalist to go to prison to cover up his informant in a murder case. So he said: "I'll give you a tape recorder. Go back to the police and find out what they want." [audience laughter]

So I was sitting down there with the police. Because I had shown them this trust – I don't know if it was that – they asked me if I wanted to work for them as an informant. Then they also told me there were 30,000 informants in Norway. According to the population in Norway, that's much more than in East Germany actually. So that was kind of a tricky situation to sit there and try to tap him for information. How are you actually working? Then, at a certain moment, I tired of the game so I turned everything around and said: "Who is actually protecting democracy? Is it me or is it you? Who is actually watching you? I thought in a democracy it's me watching you. So I cannot work for you." Then he started discussing with me. We had this big spy case about this guy, who had been cooperating with the Russians during the Cold War and before and after that. He started asking my opinion about that. And I say: "I think he's kind of a whistle blower who's trying to tell something about Norway that isn't good." The Norwegian Labour Party is always having a battle with the Russians, with the Soviet Union, about something or other. And he said: "So you support him?" And I said: "I support freedom of speech. He spoke up about things that you didn't like to hear. But he took some money from the Russians. That was his mistake."

Then he suddenly left the room to get the police chief. And the police chief said to me: "So you don't want to work for us?" "No, definitely not! I think I have to watch you because this is ridiculous. What you're telling me is ridiculous. And I've heard about this." Everything was on tape.

Then he was completely crazy. They left the room, and I heard some big discussions. And then I just snuck out. I just ran out of the station. I went to my newspaper and asked: "What the fuck are we going to do now?" This was the local office of the biggest newspaper in Norway. So we wrote this two-page article for the front page, and sent it to the headquarters in Tromsø during the night.

It was a big article, a big scandal in the newspaper, as I understood afterwards. But they didn't run it. Nothing was written about it. I didn't hear anything. I was going kind of crazy. What's happening? They just tried to kill the whole case.

Actually there had been a mistake at the newspaper in the early-1990s. I came to realize that there were also people at the newspaper who were working for the secret police. There at this very famous newspaper. The mistake was that this guy, who should have been working at night, was not at work. He had gone home before 10 p.m. The only thing I heard was that the article and everything would have been stopped. But the police didn't know this the day we wrote it. But the editor at the main office had learned that the police agent was not aware of this. So the only thing they could do was close it down. And up to this day, nothing has happened. The only thing that happened was that this editor, who was quite famous, said in his biography that the only thing he regretted not doing was cleaning out his own newspaper. Because this double standard, this having agents inside this newspaper in this democracy just a few years ago, is not very good. In Norway, this kind of democracy ...

MACFADYEN Indeed. It's famous for the claim, for sure. But the curious thing is, we were also involved in the Abu Ghraib scandal. What we knew, of course, is that the *New York Times* and *60 Minutes* had the story. And they'd had it for a year. So in that year, 400 people were tortured, a number disappeared, probably 50 or so, forever. Nobody knows what happened to them. They were probably killed, but nobody knows. And that could have been stopped had they reported it. But they refused to report it because they wanted clearance from Washington first. But then they found that Seymour Hersh – bless him – was going to publish the story. So they rushed into print immediately to cover themselves. What they did – CBS in particular – which is most disgraceful is they hired a general to introduce the piece. And he said: "This is a terrible tragedy for America. But it's unique. This has never really happened before, and we're gonna make damn sure it never happens again." Then he concluded the show at the end by saying: "I just want to say to the American people what a tragedy this is, and it will never happen again." And again, three weeks later, the second scandal broke out at Bagram Air Base, where they were torturing 250 people. So it's going on. And one of the things that the Wikileaks papers showed was that it went on until 18 months ago – all the torturing and killing. So the value of that alone justified it. But the idea that they can sit on stories, which they do, which are of enormous public interest, without any problem, is astonishing.

AUDIENCE Let's go back to the real questions of what you're talking about. I know that documentaries can be dangerous. You could be killed, actually, because you become a danger. So sometimes, of course, we have to think that the best thing could be to make a dramatized story. Like this story I've been telling now, the newspaper didn't want to write about this. And the other story is the fact that they didn't want to give money – the film institute and television station in Norway – to uncover the CIA operations. So then I'm thinking it might be easier to make a dramatized version of the story.

AUDIENCE That's a strategy that would work in Norway. But according to your stories about the legal system in the US and in the UK, that wouldn't work.

MACFADYEN No, probably not. But it might work here. But any story that involves what we call the 'Three Letter Syndrome' – the FBI, CIA, NSA – or whatever, in a sense they don't sue. What they try to do is prevent you from getting the film financed. They'll try to prevent you from getting a distribution deal. They'll go and try to smear you with people. They do that a lot, particularly with journalists. But they do it to filmmakers, as well. Their main enemy at the moment is an American filmmaker, a documentarian named Laura Poitras. She's been nominated for an Academy Award twice. She's won all the big festivals in the States. And she's the one who broke the story about the

man in Hong Kong. As a journalist. So she's been stopped I think she said in the order of seventy times in the last two years coming in and out of the States. I've been stopped twice, which is nothing. But she's been stopped fifty odd times.

So they do this so that you know that they know. They don't do anything. They're very polite: "Oh, yes, we have no intention of stopping you, Mr MacFadyen. Of course not." They're very civilized, but you know what they're really saying. How they accompany you is wonderful. They have an unarmed guy who walks with you, chatting pleasantly about your family. Then there's a guy with a gun fifteen feet behind you. That's the way they do it. And it's effective. The Americans learn a lot about how to deal with people like me, I guess, and it's effective. And you could never prove that they were out to hurt you in any way. Nothing. But you know what they're doing. Because what they did in my case is they put a piece of white paper in my passport. And when you go through the passport control and they put the passport in the machine, the guy looks up [imitates border guard's expression and laughs] and does that. Then he puts something on a piece of white paper and gives you the passport back, or gives it to somebody else. Then they take it over to the customs shed or whatever that place is where they open your suitcases. And that's when it starts. "Oh, I think we have to talk to you, Mr. MacFadyen. Would you come with us, please?" And suddenly the man with the gun turns up, and you have to walk half a mile down some bloody corridor into some stupid office somewhere. Then they proceed to take *everything* apart, asking you ridiculous questions. In my case, they asked over and over again: "What's the name of your lawyer in Bloomington, Indiana?" And I said the name. And five minutes later, they're going through my shoes and stuff. Then: "What's the name of that lawyer again?" To this day I don't know why they were asking me that question, but I was impressed that they wanted me to know they were asking the question. That's what it was about. So after that I decided I wouldn't tell them anything. Actually, you can talk to a lawyer. And they're very polite. But they made their point in a very gentle sort of way. So that's what awaits you when you start this stuff. And I think if you make a feature film, like Michael Moore, he's stopped a lot, too, I think. And a lot of people like him. That's their way of letting you know in a very gentlemanly way.

AUDIENCE But they also made a documentary trying to put Michael Moore down?

MACFADYEN Yes, they did. In his case it's difficult because he's a difficult character. He gives them a lot of ammunition. [laughs]

AUDIENCE When I saw this film, I was thinking: What kind of mission is this? It was really evil. They didn't succeed very well though.

MACFADYEN They spent an enormous amount of money, I mean congressional budget size money, on PR. And what the PR will tell you is it's much easier to smear your opponents by innuendo, by nasty stuff about them personally, than it is to deal with them objectively. What are they going to say about Michael Moore? That he got a lot of facts wrong? Actually, he hasn't. His facts are generally pretty good. But they can't say that so they'll say he cheated people, he's a bad guy personally or whatever. It's the same thing with Assange. But what always amazes me, like in the case with Assange, is how many allies they appear to have in the liberal newspapers, which surprises me. The nastiest people to Assange have been the New York *Times* and *The Guardian*. I mean really vicious and nasty. *The Guardian* had a good one. They said: "Not only is he a difficult person to deal with. He has smelly socks." They actually said that. [audience laughter] What's this have to do with the journalism? It's equalled only by his bad eating habits. They don't like his eating habits either. That's how they deal with this stuff. And the liberal establishment jumps in and says: Oh, yeah, must be

AUDIENCE Is it true what happened in Stockholm with these girls? [laughter]

MACFADYEN I refuse to answer that question. I wasn't there. You have to ask yourself the question: If you had released all this information that the United States found deeply embarrassing, and then one week later you're guilty of weird crimes, I mean, it's a little strange.

AUDIENCE But how do we know that these Swedish girls aren't paid by the secret police to do that?

MACFADYEN Nobody has any evidence so we don't know that. It may be that they have something on him. But one of them has dropped out. The prosecutor has dropped the case completely. She's walked away. There's a new lawyer appointed who has no experience in these matters at all. And then the other woman fired her lawyer on the grounds that he was a self-publicist. I mean, the whole thing is a swine. And then one of the heads of the Swedish Supreme Court, testifying in Adelaide, Australia two months ago, said the case was the most embarrassing case that they'd ever seen because there was no evidence to support anything. And you think that all of this has been going on for two-and-a-half years. And Assange hasn't been charged with anything. That must be a world record. I think it's amusing. Except he's locked away in a room somewhere. It's not any fun for him, and probably not any fun for the women either, because God knows what their reaction is to any of this or if there's any truth in it, which I rather doubt. But you never know. Maybe there is. But as I said, I wasn't there.

Any further blatantly hostile comments about this? We're talking about a subject about which there have been three books written – this whole notion of fact/fiction. Not one of them has mentioned any of this, which is interesting. They deal with it as a theoretical premise, as social psychology and all sorts of academic standards, but not about the actual practice of trying to make these kinds of films, which is particularly difficult, I think, for all the reasons that we've talked about. Good luck! I hope if you decide to do them you'll send me a copy. I'd love to see them. Cheers!

APPLAUSE