

## Questioning Credibility

### Taking Sides on, Instead of LEAVING, NEVERLAND

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In January 2019, the documentary *LEAVING NEVERLAND (LN)*, directed by Dan Reed, premiered at Sundance film festival. Since then, it has been aired on television worldwide. At its core the four-hour documentary relies on the stories of two men, as told in interviews. Wade Robson and James Safechuck, who both were friends with super star Michael Jackson (MJ) when they were children, relate the detailed and complex stories of their sexual exploitation by him. Among other locations, they say it took place on the Neverland Ranch, MJ's private amusement park, to which he invited children, some of them he befriended, patronized, and had close relationships with. *LN* shows many aerial long shots of the ranch, visiting and revisiting the place, as Robson and Safechuck's memories unfold, describing the estate as beautiful, best playground a kid could wish for, *and* as site of their sexualized exploitation by MJ. 'Neverland' refers to the play of *Peter Pan* (by J.M. Barrie, 2015 [1904]), famously animated by Walt Disney in 1953. It is a story about a boy who never grows up, can fly and with his little boy friends ("the lost boys") experiences adventures at the fairytale island Neverland. MJ publicly identified with Peter Pan, and used the figure to explain his unconventional, allegedly pedocriminal, relationship to children.<sup>1</sup> In the documentary *LIVING WITH MICHAEL JACKSON* from 2003, Martin Bashir interviews the star on his relationship with boys. In one interview-scene at the Neverland Ranch, MJ sits on a sofa holding hands with 12-year-old Gavin Arvizo, who later accused him of sexualized abuse.<sup>2</sup> In reaction to Bashir's question, if it were appropriate for a 44-year-old man to be share his bed with children, Gavin eagerly argues, MJ were not 44, but actually four years old, "a child at heart," a man who didn't grow up (*LIVING WITH MICHAEL JACKSON: A TONIGHT SPECIAL* (Shaw 2003, TC: 01:13:10)). *LN*, too, over more than a decade later, questions MJ's relationship to children, yet director Reed does not interview the now

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1 For the term pedocriminal instead of pedophile or pedosexual see Gerstendörfer 2007: 46.

2 The first lawsuit against MJ was in 1993, when Jordan Chandler made claims of sexualized exploitation against him; in 2005 there was a criminal trial against MJ, when Gavin Arvizo had accused him of the same crime.

deceased MJ and a boy sitting next to him, clinging affectionately to his idol, but interviews two boys, who have grown up. Robson and Safechuck calmly narrate and reevaluate their experience with MJ as one of grooming (that is seduction in order to sexually exploit a minor). They reprocess their childhood and memory of MJ as adults, hence, in the process of leaving Neverland.

One of the great twists of *LN* is that the two men, who today accuse MJ of the crime of child sexual abuse, had defended him in court in 1993 and 2005. Safechuck and Robson both were key defense witnesses in the cases against MJ. This change of statements raises the question: do court hearings or documentaries present the truth of testimony and personal experience? While the convicting power of the state lies within the courtroom – which twice acquitted MJ in his lifetime –, the documentary and resulting public discussion also bear socio-cultural power of judgment, even after death. In this chapter I want to focus on the question of credibility that rises following the documentary. Therefore, I will analyze the media reactions and sociocultural negotiation of *LN* rather than the documentary itself.

In the first section I show that a common and today dominant reaction to reports of sexualized violence against children, is to question the (alleged) victim's credibility. I discuss the truth regime of in-/credibility in its specific processing, mediation and narration on media sites. To decide on an accuser's in-/credibility frames the negotiation of sexualized violence as a quest to take sides, which I describe as media activism. Thereby I propose an understanding of media activism as always both, activism of activists, and activism of media processing. The second section of this chapter builds up on this understanding, and presents an at length analysis of one YouTuber's execution of the media regime of in-/credibility. The rather unknown YouTuber Rob Ager, whose video I center, questions Robson and Safechuck's credibility by differentiating real and fake pain – describing theirs as fake. Ager introduces an audiovisual construction of expert empathy, serving as detector for this differentiation. By analyzing his video argument, I exemplarily carve out the complex audiovisual and sociocultural mediations of empathy towards victims/survivors, linked to the judgment of their credibility. Finally, the analysis offers an answer to the question as to why it is of social interest to decide on in-/credible victimhood in the first place, even outside the judicial demands of decision making. In my conclusion, I will question the necessity to take sides on the allegations voiced in *LN*, and ask for a way to, again, leave Neverland, by which I mean to reprocess our cultural possibilities to mediate and negotiate reports of sexualized child exploitation.

## Mediating In-/Credibility

Many of the media's reactions to the accounts voiced in LN align along the dominant, judicially inspired, organizing principle of investigation: the contrasting pairing of accuser(s) vs. accused that in cases of sexualized violence is usually gendered as a he said/she said.<sup>3</sup> While the narrative of the documentary does not use this paradigm of contrasting accusation and defense in its montage, it is vehemently reinstalled in the public discourse (and Dan Reed is criticized for not executing it). In the *New York Times* Elizabeth Harris observes the organizing of a large number of MJ-fans on Twitter, who gathered in order to discredit the documentary and the accusers. The fans know and fear the power of a good documentary that, as Harris puts it, "could reshape his [MJ's] legacy for years to come" (Harris 2019). So, in an act of social media activism, the

"Devoted Jackson fans had been girding themselves for the documentary, and through a loose network of pro-Jackson websites and hashtags began planning to counteract the film. When it began, they overwhelmed the #LeavingNeverland hashtag with thousands of tweets calling the men liars and the film a work of fiction." (Ibid.)

Joe Coscarelli, also for the *Times*, quotes the tweet that gathered the defending fans:

"#MJFam: Here's our 2 step plan for the week of March 3rd – March 10th. 1) Flood the #LeavingNeverland hashtag with rational tweets including the FACTS about the allegations! 2) WATCH the 'This Is It' movie on @Netflix and STREAM Michael's catalog on any/all streaming platforms. — MJJLegion (@MJJLegion, February 28, 2019)" (Coscarelli 2019))<sup>4</sup>

As to be found in the tweet, one of the successful slogans of MJ's defenders is, "facts don't lie, but people do."<sup>5</sup> In the fight for MJ's reputation, the defending fans

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- 3 The problematic of gendered power dynamics is studied widely. Patriarchy is framed as the violent structure that produces femininity as inferior to masculinity, thereby producing gender as a relation, and also violence as a form and enactment of this relational positioning.
  - 4 The account MJJLegion rhetorically evokes the military idea of a collective – a "Legion" – to protect MJ. It addresses the fans under the Hashtag #MJFam, turning fans into fam(ily). Here, military and family, two powerful sociocultural institutions, are put forth in the endeavor of countering allegations of sexualized child abuse as told in LN.
  - 5 The slogan was put on buses in London and removed after The Survivors Trust (the UK umbrella agency providing care for survivors of sexual violence) criticized the advertisement as inappropriate, because it perpetuates the (rightful) fear among survivors not to be believed or taken seriously (BBC News Newsbeat, "Michael Jackson 'innocent' adverts to be removed" 3.13.2019). See also: <https://mjinnocent.com>, last access 7.01.2019.

question the accusers' credibility and authorize themselves as rational providers of facts, thereby forefronting the asymmetrical distinction of in-/credibility as the culturally significant pair of terms indicating fact vs. fiction, objectified fact vs. humanly lie.

Notably, this paradigm extends beyond twitter. On the TV-Show *Good Morning Britain*<sup>6</sup> anchor Piers Morgan deems the doubtful questioning of accusers the only respectable reaction to the documentary. Complying to the 'he said/she said' paradigm, Morgan and his peer anchors interview MJ's nephew Taj Jackson, who defends his uncle. In alignment with a performed judicial investigation, the anchor plays the 'devil's advocate' by bringing up other boys, like the child star Macaulay Culkin, who say they were not sexually exploited by MJ. Relying only on witnesses' testimony, and no 'hard evidence', Morgan deduces that: "you really come down to the credibility of the accusers" (*Good Morning Britain* on YouTube, TC: 00:06:11-00:06:20). MJ's nephew eagerly agrees to the angle and affirms the framing as basic fairness and rule of law, "And that's all we're asking. We've never said: 'Just believe us'. We just said: 'look into them!'" (Ibid. TC: 00:06:27) The differentiation of in-/credibility is processed here with the difference of due process vs. unlawful media pillory, again signifying the idea of credibility using cultural concepts of media, i.e. fact/fiction, courtroom/newsroom.

In the interview, Taj Jackson presents himself as loving and mourning nephew, pained by the accusations against his uncle and longing for due process against the deceased. By questioning the accusers' credibility, the Jackson family hypothesizes the verity of the accusations and Robson and Safechuck's pain, while emphasizing their own pain caused by the reports and the alleged lack of lawful process. Thereby they produce emotional bonds towards the seemingly just and good judicial processes that would spare the Jackson family and their fans the pain and harm of media reports, that are framed as accusations.

In these examples the correct reaction to allegations of sexualized abuse is presented as the questioning of credibility and the dilemma of taking sides. The competing actors and institutions of truth and trust, of belief and proof do not come up automatically. They are the effect of a specific scheme of mediation and narration. The quest to take a side, therefore is based on a specific site of narrating the (personal) story of abuse, that structures the possibility of telling and hearing this story in the first place. The site can be a public courtroom, or the armchair in a private living-room (the chosen setting for the interviews in LN), it can be a chat room, a hashtag, it can be a movie, morning TV-show or a documentary interview. Each of the listed sites set up their own actors, specific paradigms, narratives, perspectives, technologies and standards of speaking, writing, (audio-)visualizing and

6 "Michael Jackson's nephew Taj speaks out over Leaving Neverland allegations", 3.05.2019. To be seen on YouTube: <https://www.youtube.com/watch?v=RUvS9rTdzes>, last access 7.03.2019.

perceiving. They mediate the talking and hearing, they mediate the possibilities of telling and hearing stories of violence as true or false, as in-/credible. I frame this as media activism.

What does it mean to include these sites or media processes in the term of activism, which usually implicates an unpaid human actor, strategically directing their will towards a political goal, using media as their tool? As I have analyzed so far, one of the dominant responses to LN is to question the accusers' credibility and to discuss the topic of sexualized child abuse as controversy on which one can take a side. To divide a topic in two (or more) sides and make spectators/listeners into potential judges, is a way of producing knowledge, linked to the (not only judicial) idea of impartiality and balance (rather than extremism as is discussed for instance in horseshoe-theory), and linked to the framing of doubt as neutral (Cf. Oreskes and Conway 2010). Furthermore, this is a way of acquiring attention and affection towards a topic, used in TV discussions, journalism, and social media debating – you affectionately identify with one of the sides or with the non-judgmental position in between, staying undecided. Following this paradigm, social discourse is, inter alia, organized along two sided, asymmetrical differences, as for instance, he said/she said, fact/fiction, due process/media pillory, in-/credible, left-/rightwing re-producing discursive rules and subject positions enacting a side or talking point (Cf. Foucault 1991: 34). Although the examples discussed above appear in different media (twitter hashtag, journalist article, and TV Show), they all are part of a digital culture, influenced by social media platforms and their logic. The controversial structuring of debates as a quest to take sides that includes spectators or users as participating decision makers, is implemented not only in cultural paradigms, but in social media sites, too. There is no such thing as media neutrality in the sense of passive representation or platform. It is commonly understood in cultural and media studies that mediation techniques always actively do structure, do narrate, do produce meaning, do subjectivate (cf. Hall 1997, Ochsner 2013, Figge 2016, Seier 2019). YouTube, the platform I focus on in the following, is not only a site for cultural, audiovisual content, where you go to research a topic, to consume content, comment, share and dis/like. YouTube is also a workplace. The money to (possibly) be earned is linked to the amount of clicks, to visibility of a video, channel and creator. Hence, to produce a video that comments on a hot topic like MJ and his alleged crimes, making it controversial and a participatory quest to take sides, is based on attention economy. To take sides on, instead of LEAVING, NEVERLAND is the effect of marketable, clickable media activism. By this I am not implying that YouTube as private company is activistly interested in doubt-mongering against accusers of MJ and has built a platform to pursue this goal. But it does profit from and produces hot, controversial debates, that affect users and motivate them, to click, to produce content, to comment and share. By calling these conditions and processes of mediation 'activist' I don't intend to promote the idea of good neutral media and

bad political and activistly influencing media. What I am doing, is emphasizing the fact that mediation and media sites have their own specific workings, which too, as well as its users, determine what and how something is said, thought, heard and done, by whom, why and when, in public and private discourse (not only for the sake of a good argument, but for economic reasons, too). Media activism always is both, the activism of activists and the activism of mediation. In this case, the mediation and narrative structuring promote the question of in-/credibility and negotiate allegations of sexualized child abuse as quest to take sides.

I will now look at one more of these negotiations of in-/credible victimhood, processed as the differentiation of fake or real pain.

## Fake Or Real Pain: YouTube Investigations

Before I start the analysis, a quick remark concerning the usage of the labels “real” and “false victim”. People who have undergone sexualized violence use different terms to describe themselves. Many prefer to call themselves survivor, rather than victim. Others do not mind being called a victim and claim this term for themselves. I am aware of the importance of self-determination and of the dilemma of labeling. Without being able to avoid this problem, I try to use the terms survivor and victim without preference. When I write “real/false victim” in quotation marks, I reference either the ideas produced in the example or in broader culture. The quotation marks indicate that this is a sociocultural ascription, not a self-description, and highly problematic at that.

For LN, the tentative answer to the question of expertise in detecting credible claims of pain and victimhood – I mean this in a less cynical way than it may appear – has appeared in a YouTuber, who posits himself as an expert in detecting “real victims”.

Figure 1: Thumbnails: YouTuber's credibility investigations



YouTube Channel Collative Learning, <https://www.youtube.com/user/robag88/videos>, last access 7.08.2019.

Rob Ager is an amateur YouTube film analyst. His channel Collative Learning lists more than 100 videos, in which he mostly explains Hollywood movies from the genres of science fiction, war, and horror, often delivering interpretations of so-called deeper meanings.<sup>7</sup> Ager produced three videos on LN. The first is a 17-minute analysis arguing that the interviews in the documentary are edited and have not been taken in one shot at one continuous stream of time and talking. The thumbnail to this video shows James Safechuck sitting in an armchair in the documentary's interview setting. To his left and right "Leaving Neverland. Multiple Take Interviews" is written, branding the image of Safechuck's interview in the light of the media manipulation technique that is film editing. The font Ager chooses resembles the aesthetics of the horror genre, the letters italicized and melting creepily, aiming to inflict the idea of melting evidence, of dissolving comfort and trust in a survivor's account of abuse. His argument here is that continuity and consistency are only markers of truth in someone's report of suffered abuse if they are the spontaneous result of someone talking in a 'stream of consciousness' (preferably to state authorities). Coherent narrative and structure are considered to be markers of truth and at the same time of manipulation, if they are the visual or detectable effects of making up a story. Ager seeks "evidence" (as the title indicates) for the constructedness of the victims' stories by showing screenshots of the interviews which indicate that they were not taken in one shot as well as edited afterwards. He argues that they were taken at different times and maybe even be rehearsed or completely fabricated. The false dichotomy of unmediated, unnarrated spontaneity vs. edited, therefore manipulated and possibly false reports, is as problematic as it is pervasive. If a survivor talks coherently without camera and editing involved, their statement still can be confronted with suspicions of rehearsal and practicing – making sense out of an experience by telling a story is discredited as making up a somewhat fictional story. Another of Ager's videos continues this argument, while being more bold yet simple in its title: LEAVING NEVERLAND'S SUSPICIOUS EDITING (see fig. 1).

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7 E.g. THE HIDDEN DEPTHS OF SILENCE OF THE LAMBS; A SPACE ODYSSEY, MEANING OF THE MONOLITH; 10 REASONS JIM CAMARON'S ALIEN IS THE BEST FEMINISM. To be seen on his YouTube Channel: <https://www.youtube.com/channel/UC9wMJlgU25UtM-V3arDeHDyA>, last access 1.13.2020. Some of the videos have close to half a million views, on average Ager achieves around one hundred thousand views on his videos. The video I center in my analysis, I do not consider relevant because of the quantity of views. Rather, I consider the argument he develops exemplary in the discourse on accusations of sexualized violence.

## Visiting the Trauma Zoo<sup>8</sup>

The video I focus on in this section is the longest Ager has published on LN. It is an analysis of nonverbal communication, which he undertakes in order to distinguish ROBSON & SAFECHUCK VS REAL ABUSE VICTIMS. In this 42-minute video argument, Ager doesn't focus on editing or making up stories in the process of sense-making, instead he announces: "In this video, I'll address the issue of whether the nonverbal communication from Wade and James actually convey genuine, truthful expression or whether the two are faking their emotions." (TC: 00:00:23) Thereby he translates the differentiation of in-/credibility, which in his other videos is processed by the media distinction of edited/non-edited film, into the question of real vs. fake emotion and performance. Thus, he executes a common cultural imagination – that one can, by the trait of rational empathy, decide in the quest of taking sides in cases of sexualized violence. How does he do this?

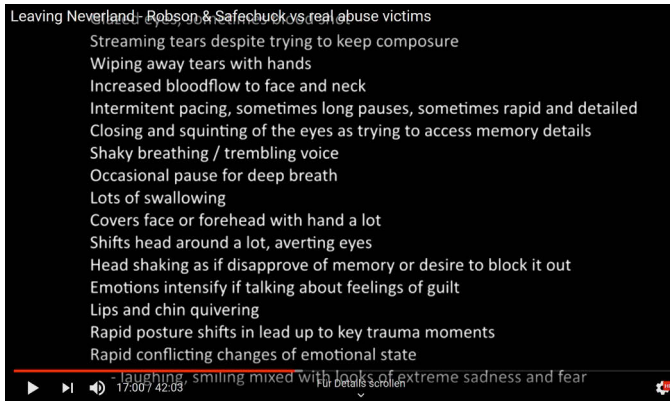
Ager sticks to his trade and provides a comparing analysis of film clips. Following popular YouTube genres of reading body language,<sup>9</sup> as well as retelling of traumatic experiences, he compares Robson and Safechuck's bodily expressions of pain when talking about their sexual exploitation by MJ, to eight other testimonies – that he deems credible – in found footage of YouTube Clips, documentaries or (reality) TV-shows. Acting as a film-anthropologist visiting the trauma zoo, Ager comes up with a list of observed emotional symptoms that mark "real victims". This includes glazed eyes, streaming tears, trembling voice, specific breathing patterns, quivering lips, and running noses (See fig. 2).

He measures these bodily signs of (expressed real) pain against the level of assumed difficulty to reproduce them in an acting performance. To exemplify the

8 The term "trauma zoo" is used by Aubrey Hirsch in a highly interesting panel discussion on writing trauma with Roxane Gay, Tressie McMillan Cottom, Terese Mailhot, Aubrey Hirsch, and Saeed Jones moderated by Melanie Boyd at Yale University, <https://www.youtube.com/watch?v=kWe8F-8tcaY>, last access 7.12.2019.

9 On TV-Shows and on YouTube you can find many tutorials to read body language in order to detect liars in criminal cases or, in an interesting connection to it, to detect someone's interest in dating you or not. It is a genre navigating questions of trust and biologicistic ideas of human social nature, that mostly draws on evolutionary biologicistic, heteronormative ideas. (E.g. Former FBI Agent Explains How to Read Body Language, <https://www.youtube.com/watch?v=4jwUXV4QaTw>; Body Language: Brett Kavanaugh Hearing Christine Blasey Ford, 9.27.2018, <https://www.youtube.com/watch?v=uGxr1VQ2dPI>; All the Proof You Need Jussie Smollett Staged His Attack – Body Language Secrets, 2.02.2019, <https://www.youtube.com/watch?v=sH7alJyMjk>; R. Kelly: Clinical Expert Says His Body Language With Gayle King Raises A Lot Of Red Flags|Access, 3.06.2019, <https://www.youtube.com/watch?v=16B6c6kXqxo>; Body Language of Attraction, 1.07.2014 <https://www.youtube.com/watch?v=fj5PFozqQ4s>; Body Language Amanda Knox- Cold Blooded Killer?, 3.17.2018 <https://www.youtube.com/watch?v=4vOmMsDh09c>, date of access to all videos, 6.20.2019.)

Figure 2: YouTuber's list of nonverbal markers of true pain



LEAVING NEVERLAND – ROBSON & SAFECHUCK VS REAL ABUSE VICTIMS <https://www.youtube.com/watch?v=hFdnhmRpdFE>, last access 7.08.2019.

skills needed to perform trauma as convincingly as his chosen “real victims”, Ager uses highly praised Hollywood performances. He contrasts the perceived emotions of Safechuck and Robson with a scene from *A.I.*, a movie directed by Steven Spielberg (USA 2001), and a casting scene from same director's blockbuster *E.T.* The casting scene can easily be found on YouTube, which illustrates the technique of recontextualizing and clip-montage that is specific for the medium.<sup>10</sup> Both scenes show little boy actors who perform desperate crying, which Ager calls “incredibly convincing” (TC: 00:17:50). His argument based on Haley Joel Osment's performance in *A.I.* reveals deep insight in the workings and multiple layers of mediation concerning assumed credible pain in cases of sexualized violence. In the following I will take a closer look at the mechanics of the comparison.

## Empathy As Truth Detector

The science fiction drama *A.I.* is a dystopian take on Pinocchio meeting high tech. The highly successful film narrates a think piece on the human condition to feel emotions. In the late 22nd century the rich, white, heteronormative Swinton family is given a prototype, humanoid robot who has been designed to feel emotions. The child robot David is imprinted to unconditionally love wife and mother Monica

10 HENRY THOMAS AUDITION FÖR *E.T.* “OK KID, YOU GOT THE JOB”, to be seen on YouTube <https://www.youtube.com/watch?v=tA5giyG8E7g>, last access 7.07.2019.

Swinton. The scene Ager chose to prove that children can fake emotions convincingly, is the one, in which Monica, whose human son Martin has come back from artificial coma, tries to abandon her then troublesome, envious artificial son David in the shadowy woods. Dramatically underlined with piano and strings in minor key, the little boy begs his “Mommy” not to leave him, to forgive him, to give him the chance of becoming a real boy with real, i.e. mattering pain. The camera angle puts the spectator in the position of the mother, demanded to please feel for the child and not to leave, and in the position of the child expressing his desperate need for the mother. The empathic identification with the robot (and the mother) are both produced by the angle-reverse angle montage. She eventually parries off the robot-child’s painful demand for loving care. Ager edits the scene to end on this dialog: “[David:] Mommy, if Pinocchio became a real boy and I became a real boy, can I come home? [Monica:] Oh, that’s just a story!” (TC: 00:18:15), he then comments in voice-over: “Intellectually I know this is acting. But still, every time I’ve watched this scene, I feel close to tears myself. That’s the power of good acting. Even if you know it’s fake, your hard-wired instinct is to empathize unless you’re a psychopath [sic.]” (TC: 00:18:22).

To understand Ager’s argument, we have to take in one more bit of his analysis. So far there are eight audiovisual clips of people displaying personal testimony of trauma of sexualized violence in the media formats of YouTube testimonial, reality TV and documentary interview, which are exemplarily deemed real by the YouTuber. And there is one particular scene of a boy actor performing “incredibly convincing” crying in a Hollywood movie. The boy plays it so well that Ager describes himself to be instinctively forced to feel sad and empathize with the subject’s displayed pain (pathologizing any other reaction than compassionate sadness and distinguishing himself as a good, compassionate subject).<sup>11</sup> Ager uses audiovisual material from the genres of fiction, testimonial, reality TV, and documentary in order to discredit Safechuck and Robson’s claims. Yet, there is one more filmed performance of retold trauma, in which Ager considers the expressed emotions as real. That is Wade Robson’s display of pain during the autobiographical retelling of his family’s split up. Joy Robson moved with her son Wade and his siblings from Australia to the US, leaving husband and parents behind in order to live closer to MJ (who then, as is told in LN, continued to sexually exploit her son). Ager comments on Wade Robson’s nonverbals, muting his voice in the editing process and literally talking over his crying face, fulfilling perfect circular reasoning: “this is probably genuine, because if he was able to act this good, why not act it the same way when talking about the abuse as well? I think this is real stuff here. It’s the

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11 My feminist rage against the scenery of calculated demands of motherly care would be deemed psychopathological by Ager, while it should be either deemed socio-pathological or rather socio-critical.

one moment in the whole movie when I really felt empathy like what I was watching was real" (TC: 00:20:28). Ager executes double twisted discrediting on Robson and Safechuck, who he accuses of not only performing their (then fake) pain, but of performing it badly. He jumps back and forth between ascriptions of real and fake, making himself an expert activist for a dominant truth regime of questioning an alleged victim's credibility. The YouTuber thereby exemplifies the narrative, filmic mediation, and sociocultural structuring of painful emotions, empathy, and judgment while remaining oblivious of the medium and narrative he himself uses.

First, Ager installs his ability to be moved, to feel empathy, or not, as a sensory truth regime. He executes the idea of universal feelings towards real pain, by enacting them in his comments and by guiding his audience to re-feel the true feelings he expertly detects by watching the filmed (!) pain of others, who he instrumentalizes for this purpose. Thus, he naturalizes his felt, emotional reaction to fiction (A.I.), making it an instinctive fact to negate an emotional reaction to the documentary (LN), a medium deemed to show facts, making LN not only a piece of fiction but also fake.

### Sentimental Empathy – Feeling For An Institution

I want to argue that Ager does not feel "empathy like what [he] was watching was real" (TC: 00:20:28), but precisely because what he is watching is fiction (in the case of A.I.) and in line with a sentimental narrative of heteronormative family stories. He is not detecting real pain, but connecting to a narrative that matches the sentimental script of his emotional willingness to empathize.

What the two scenes Ager marks as good performances of (like) real pain have in common is the idea of family love. The scene in A.I. which always moves Ager to his private tears plays out a scene of the bad, abandoning mother. The scene in LN, which moves Ager to believe "this is real stuff here", is the one, in which Joy Robson can be and is framed as a failing mother, making the retrospectively condemned wrong choices. Ager's display of feelings of empathy are structured by heteronormative sentimentalism. To explain this term, I draw on Lauren Berlant's critique of national sentimentalism, in which she links the narratives of politically relevant pain to the production of nation and privacy (Berlant 1999). Berlant describes the placing of painful feelings in the making of political worlds through the rhetoric of national sentimentality, which fetishizes the idea of true, apolitical feelings. Just as Ager enacts, the ruling idea of the rhetoric is that (real) pain of subaltern citizens is self-evident, and will be felt by every empathic human being as their own (Berlant 1999: 53). The hegemony of the national identity form then is promoted by linking the idea of true feeling, through affective identification and universalized empathy, and thereby across fields of social difference, with the idea of a conjoining nation state. The pain of subaltern others is therefore felt by "classically privileged

national subjects, such that they feel the pain of flawed or denied citizenship as their pain.” (Ibid.) To ease the sentimentally narrated pain we are offered inclusion in an utopian, good nation, whose law and order guarantee a pain free life.

Ager, by choosing the described examples, uses his acclaimed true feelings in accordance to the sentimental narrative of the wholesome, happy, heteronormative family, reproducing the biological family as a safe and desirable place. His emotional response therefore does not detect true pain so much as the institution he is strongly affected by, namely motherly love and the “foggy fantasy of happiness” that is family (Berlant 1999: 60). There is no point for someone seeking to discredit people reporting sexualized violence at the hand of a powerful celebrity to disbelieve the sadness and reality of pain felt when losing the safety and order of a family, especially if one can easily blame it on an egoistic mother figure. The institution of the family is very often strategically used against survivors of sexual exploitation. They are blamed for the damage done to the family by talking about their pain and the violence, which is often perpetrated by people close to, or members of, the family. The structures of privacy that are reproduced by, among others, legal discourse on heterosexual intimacy and family (cf. *ibid.*: 59-70) often disguise and enable sexualized violence (for example by isolating the victim and or traditionally preventing an outsider’s interference in so-called family affairs).

Empathy with someone who shows pain is not naturally caused by its realness. It is connected to a far more complex framing that redefines the distinction of real and fake when it comes to sociocultural negotiations of violence. Both fictional and real stories interconnect with cultural and traditional discourse, that is mediated norms, standards, images, and desires. Through mediated affective identification one learns to feel with someone’s pain and doubt the pain of another.<sup>12</sup> Therefore feeling empathy in and of itself does not naturally detect real or fake pain, but instead re-produces a regime of truth, in which pain only appears to be real, if it fits the script and thereby achieves the relevance guaranteed by a sentimentally stabilized institution like family or state of law (Cf. Butler 2009, Ahmed 2014: 21-41). Obviously, once you have detected an accuser’s pain to be “fake”, the decision to take sides for accuser or accused is no longer difficult.

So far, I have analyzed how Ager produces himself as a sensory truth detective, by using his expert empathy which I see as structured and adapted to the emotional scripts of heteronormative sentimentality and backed up by his ostentatious (technical) knowledge of film production and pseudo-psychological expertise on body language. I now will turn to the role of the medium of film and the YouTu-

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12 In the introductory to *Compassion. The Culture and Politics of an Emotion* editor Berlant observes the simultaneity of a training in appropriate compassion and in aversion and withdrawal of it (Berlant 2004: 10).

ber's comparative editing in the production of true feelings and artificial empathy by again elaborating on the example of the A.I. sequence.

### Artificial Empathy<sup>13</sup>

The scene from *A.I.*, recontextualized by Ager, teaches a difficult lesson on the social reality-relevance of pain organized by a regime of credibility. The robot-boy David begs his mother to give him the chance of becoming a real boy with real, i.e. relevant and credible pain. Being an artificial intelligence, the expression of his feelings, on the narrative level of the film, are the product of a complex calculating process. Artificial intelligence acts according to its assessing of context, which has to be calculable in order to calculate the fitting, deemed intelligent, adaptation to it. The intelligent computer can filter and adapt to a context, which it then acts according to. *A.I.*-David displays contextually suitable emotions, thereby disturbing dominant ideas on human intelligence and nature. Emotions are understood as exclusive human trait. They are deemed authentic, located inside the body at the core of our personality, and untouched by culture or politics (Ahmed 2014: 8). Sara Ahmed, as many in affect studies, proposes: "emotions should not be regarded as psychological states, but as social and cultural practices" (ibid.: 9). Feeling and emotions are not natural, pure sensory, but they are the effect and enaction of sociality, culture and politics. We are taught how to express, and repress our emotions (for example when we are trained to perform gender), and we are taught how to feel about all kinds of phenomena.

On the level of the medium, film follows the same model of calculating and producing feelings according to context as the *A.I.* boy does on the level of story. The film *A.I.* does induce spectators to feel something (in my case anger at the idea of viewers being manipulated into wanting a woman to show motherly love for a robot, in the case of Ager teary-eyed compassion). By using visual and acoustic technology, the film estimates the spectators' calculable emotional scripts, and produces a context in which we are made to feel. Concerning the production of emotions, it seems we, the spectators, are artificially intelligent too. The film imagery and scripts of emotions not only acutely produce the context and reaction that are 'our' emotions,<sup>14</sup> but also serve as prescript and model for the idea of true

13 For this section's argument, I thank Lydia Kray, with whom I discussed this chapter and whose deep intellectual and personal analysis I very much appreciate.

14 Of course, there is a negotiation process and no automatic affirmation of the proposed correct emotional reaction to a piece of medium, as Hall describes in the cultural studies model of encoding and decoding meaning (1973), or as bell hooks observes by describing the oppositional gaze black women developed visiting cinema (2015).

feelings (real, moving, credible emotions) teaching artificial, media-cultural empathy and how to perform pain. This, as much of the work in affect studies and post-structural philosophy does, problematizes the distinction of natural and artificial.

The reciprocal patterns of film and spectators' expectations of emotional performance have governmental effects (Cf. Foucault 2000: 41-67). Survivors of sexualized violence go to the movies, too. They know the audiovisual performances of "real victims", whose pain is verified by narrative and visualization techniques in cinema (cf. Koch 2015: 103-104), TV, or social media. By consuming these models, they learn how they are supposed to feel and supposed to show 'their' emotions – which are not naturally inside of them but are social in the way that they are performed and perceived, they are expected and obligatory in an emotional regime of credibility.<sup>15</sup> In a rape condoning, doubting culture, that takes sides rather against than for accusers, the performance of pain is crucial, the idea being that if you can move your listeners to empathize, they will believe you.<sup>16</sup> As YouTuber Ager has made very clear, one of the best ways to make people feel with someone and produce the desired emotion towards something, is film. In a montage later in the video, he contrasts his material of "real victims" and convincing Hollywood performances with the footage from the police interrogation of then 13-year-old Gavin Arvizo (which can be found on YouTube). Arvizo was interrogated on his accusation against MJ in 2003. Ager assesses, "[Arvizo's] allegation really lacks the convincing nonverbals of real abuse victims" (TC: 00:21:30). The YouTuber does not "come close to tears" when watching the police footage of Gavin Arvizo's interrogation, who accused mega star MJ of sexualized violence, because the boy does not display the right expressions of uncontrolled emotions, as Ager implies. And, as I want to add, because the media documenting Arvizo's claims is a not a tribute to sentimentally stabilized institutions, nor a dramatic *mise-en-scène*, but the recording of a police

15 This does not mean that all survivors can ultimately control their feelings and that trauma were not a bio-, psycho-, neurological reality, too. It does mean though, that the ascription of realness, connected to the complex of what is deemed bio-, psycho- or neurological, derives its meaning from the differentiation of artificial/natural, or uncontrollable/controlled. E.g. Ager pseudoscientifically emphasizes 'uncontrollable' bodily reactions (mucus in the nose) as markers of realness.

16 In the already mentioned discussion panel *WRITING TRAUMA* at Yale University, the panelists reflect on readers' demands for more, excruciating detail of the survived personal trauma of the authors. Gay points out that, "part of it is that they don't believe you and so what they're saying is, 'prove it!'. And you see this all in ways that are minor and small, like idiots on twitter who are like, 'debate me!', like, 'prove me wrong', like: 'Motherfucker, you were born wrong!' And when you narrate trauma and you don't [have] dates and times and names, all of a sudden, what you have to say is illegitimate, because they don't want to believe that this kind of suffering can happen. And it's a truly dangerous thing. I don't have to prove to you that what I said happened, happened. I only had to prove it to my publisher and the legal team there. But I don't owe you shit." (TC: 00:48:00).

hearing reframed for Ager's comparing analysis of good and better performers of pain. These media build different sites for the display and evaluation of credible pain, organizing the quest to take sides.

Before I finish this analysis, I want to discuss the effects of the framing and give a possible answer as to why the questioning of accuser's credibility is deemed necessary, and activistly executed in the first place.

## Real, But Irrelevant Pain

The standards of relevant victimhood are, as Butler puts it in *Frames of War. When is Life Grievable?* The result of frames of "recognizability" (2009: 5). To be recognizable, intelligible as a person, and have a grievable life is, according to Butler, the effect of frames. Literal frames that surround images of war and torture, pain, and suffering, visual framings that are photographic perspectives and visual aesthetics, and written frames, Butler's focus, that are the textual embedding or context of circulating (digital) images. Some of the dominant political, economic, cultural, and social framings are the broadly acknowledged hierarchic structures of racism, sexism, classism, ableism, etc. These intersecting framings define the social ontology and recognizability, i.e. acknowledgeability, of being somebody, whose bodily autonomy and life matters or matters less than (cf. the campaign of #BlackLivesMatter for example discussed by Butler and Yancy 2015). Whose pain is relevant, intelligible, and grievable? The frames are never stable. They constitute the very possibility of circulating, of changing and creating context and therefore meaning and affect. This means a subject can live a grievable life in one frame, and lose this position in another. Robson and Safechuck are framed as credible in LN, incredible on various YouTube commenting videos, and dubious on *Good Morning Britain*. With the changing frames the affect towards a content changes, too. As Butler describes in the example of the torture images of Abu Ghraib: "The conditions are set for astonishment, outrage, revulsion, admiration, and discovery, depending on how the content is framed by shifting time and place." (Ibid.: 11)

Now, the YouTuber Ager merely re-frames audiovisual footage – this is a dominant media practice on the platform, thus also establishes a frame and standard. Ager uses eight people's painful stories to hold them against other's, producing audiovisual evidence for his own (voice-over) performance of compassionate empathy and rationalized withdrawal of it. Thereby, he produces the position of a "good judge", who can be moved to tears (is not cold) but cannot be tricked into empathy (not too emotional), and invites his viewers to be a good judge, too – to follow his media activism and channel. The doubting and checking on real pain is an organizing and hierarchizing maneuver. The question of credibility mediates a nation's, state's, and society's decisions on not/grievable life, ir-/relevant pain, or hierarchized legally protected goods.

In *Compassion. The Culture and Politics of an Emotion*, editor Berlant reflects on the same withdrawal of the status to be a human-being with mattering pain. Normatively, she writes in the introduction, the experience of pain is deemed pre-ideological as “the universal sign of membership in humanity” (Berlant 2004: 10). A response and the responsibility to other’s pain is deemed obligatory, “but since some pain is more compelling than some other pain, we must make judgments about which cases deserve attention.” (Ibid.) To understand the reasons behind this, it helps to look at Ager’s claim of expertise in being an empathic detective of fake pain, which he explains extensively in the beginning of his video:

“This is a subject I do have plenty of experience with. I studied tons of psychology in my entire life, I worked for 17 years at social care in various roles and in that time I encountered lots of trauma victims and sometimes abusers, so, I’ve seen a lot of intense pain expressed by people before my very eyes and have also seen many instances of people playing the victim and faking their pain, you know, people trying to get themselves boosted up the priority list for council housing or trying to cover for the fact that they have actually been abusive to someone else. And when directing fictional films I’ve worked with actors on set and in auditions and seen some pretty impressive faking of trauma in those contexts.” (Ager, ROBSON AND SAFECHUCK VS REAL ABUSE VICTIMS, TC: 00:00:28)

Ager claims various authorities. The authority of psychology and of being a film connoisseur, which has been analyzed in the above. The information that Ager was a worker in social care serves him as marker of the reason as to why question a victim’s claims. This follows a conservative, economic model of social care. The “Oppression Olympics” that nowadays are deemed to be played by radical or pop-culture leftists, actually are a competition hosted by the neoliberal state, organizing its distribution of welfare. It is logical in a capitalist state to not just give social care to anyone asking for it – it would interrupt the governing ideas of ‘earning’ your livelihood. It becomes apparent, that the concept of earning something is applied to victimhood, too. In cases of sexualized violence the logic of possible welfare fraud is combined with the judicial weighing of legally protected goods like a man’s reputation vs. a child’s bodily autonomy and it is enacted, even if all a person is asked to do is to listen and believe, in a non-economical, out-of-court context, for example when telling a friend of an experienced rape or abuse. The economical rational translates itself even into the ‘most private’, yet deeply normed and mediated, corners of the sites to talk about experienced sexualized violence. While watching a documentary interview like in LN is not the same as being the judge in a court hearing, or evaluating someone’s need for social care, the necessity of questioning a survivor’s story is still widely enacted in the media. I would argue that this is, due to a powerful combination of a state’s harsh fight against the threat of welfare fraud (which is a very useful fear for legitimating antiwelfare policy), and the

judicial processes that promise rational authority and good reasoning, which are reinforced by the structuring mediation processes of mass, and social media, too. In the discourse Ager's video is part of, to just listen and not question a survivor's story is framed as possible welfare fraud,<sup>17</sup> or personal trap, and would lack the attention-drawing controversy to take sides. Ager plays his part in the economic regime of compassion and credibility, wrapped in media attention economy, and claims to detect real from fake performances of pain, reproducing them as audiovisual model for survivors and listening witnesses (YouTube users), while negating the framing he himself installs, to naturalize his media activist structuring of empathy and trust. To tell your story of abuse under the cultural circumstances exemplified by this YouTuber's video argument, is an adaptive performance at which you are likely to fail.

## Conclusion

This chapter examined mediations of in-/credibility regarding the documentary *LEAVING NEVERLAND*. The focused media reactions to the documentary questioned Robson and Safechuck's credibility, using various culturally hierarchized oppositions like fact/fiction, due process/media pillory, true/false feelings. The investigations of credibility, this chapter argued, are structured as a quest to take sides, which as well as the media sites, their particular technologies, rules, actors, and economic interests, define the possibility to negotiate and speak of sexualized violence against children. The controversial questioning of credibility was discussed as media activism, meaning both, the activism of human actors as well as media processes. The main focus lay on a YouTube video, in which the quest to take sides for or against Robson and Safechuck was processed as the differentiation of real and fake pain. The analysis of the complex mediation of empathy, that in the YouTube video is installed as a tool to decide, lead to a problematization of the discriminatory power of real/fake, natural/artificial, fictional/factual oppositions. Deciding on realness or fakeness of a victim's pain turned out to be linked to the sentimentally stabilized institution of the family (cf. Berlant 1999); to the economic idea of having to earn welfare, hence, to earn the status of victimhood (cf. Berlant 2004); the overall framing of grievable life, ir-/relevant pain (cf. Butler 2009). Moreover, the standardizing audiovisual mediation of telling (your) trauma (on YouTube

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17 To empathically decide on grievable/not grievable life, or relevant-real/irrelevant-fake pain, is not only used in cases of sexualized violence. For example, at the US-border asylum agents are charged with determining an applicant's claims of "credible fear", again taking sides on denial or access to citizenship and social care by various measures on the truthfulness of a displayed feeling (Democracy Now.org, last access 6.18.2019).

testimonials, on reality TV, in documentary interviews or Hollywood fiction),<sup>18</sup> was described not only in its impact on people's empathy or willingness to believe, but also in its governmental impact on survivors, whose possibilities to tell their story is governed by i. a. audiovisual performances of in-/credible pain.

By this analysis I did not intend to promote the idea of objective, emotionally uninvolved, judgment – of being neutral by not taking sides. It shall rather serve to problematize the idea of empathy as a universal, sensory, truth detector, and the quest to take sides itself. To close this chapter, I want to revisit the idea of leaving Neverland, rather than taking sides on it, as I insinuated in the title. I want to ask for a way not to take sides on the claims voiced in the documentary *Leaving Neverland*, without promoting ruling ideas of impartiality. Impartiality as a concept relies on the structure of taking sides. You are impartial, when you are between or above the sides, and you can overlook the sides, and non-(pre)judgmentally stay undecided, only if there are sides to be taken. Neverland has served the documentary LN and this analysis as metaphor. As LN insinuates, Neverland, where children never grow up and adventures (with Michael Jackson) are harmless play, had an exit. The boys left, became adults, and it turned out, the place was no child appropriate playground after all. Following the structure of taking sides, if you believe the narrative of LN, you take the side of Robson and Safechuck. If you do not believe it (like the discussed YouTuber), you take the other side. If you stay undecided, hold both sides potentially credible, you are on no side, non-judgmental on moral high ground – a cultural realm where the crime, violence, and trauma potentially never happened. This, as I want to argue, is a fantasy realm like Neverland. The mediating structure of taking sides, in the case of sexualized violence against children, builds a realm of escapism and avoidance, where the harm always potentially was just a story. To leave this sociocultural Neverland, it is necessary to find another way of negotiating the phenomenon. Where the question of credibility does not rule the possibility to tell a story of trauma, where empathy is not used for one, and consequentially against the other side.

## References

- Ahmed, Sara (2014): *The Cultural Politics of Emotion*, Edinburgh: Edinburgh University Press.
- ARTIFICIAL INTELLIGENCE: AI (USA 2001, D: Steven Spielberg).
- Barrie, J. M. (1904, 2015): *Peter Pan*, New York: Race Point Publishing.

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18 For an analysis of literary framings of sexualized violence, with a focus on the topic of rape of female subjects, see (in German) Künzel 2003.

- BBC News (2019): Newsbeat. Michael Jackson 'innocent' adverts to be removed, <https://www.bbc.com/news/newsbeat-47551316>, last access 4.24.2019.
- Berlant, Lauren (1999): "Subject of True Feeling", in: Sarat, Austin /Kearns, Thomas R. (eds.): *Cultural Pluralism, Identity Politics, And the Law*, Michigan: The University of Michigan Press, p. 49-84.
- (ed.) (2004): "Introduction Compassion (and Withholding)", in: *Compassion. The Culture and Politics of an Emotion*, New York/London: Routledge, p. 1-14.
- Butler, Judith (2009): *Frames of War. When is Life Grievable?*, London: Verso.
- Butler, Judith/Yancy, George (2015): "What's wrong with 'All Lives Matter'?". Interview by George Yancy for *The New York Times*, the Opinion Pages, last access 1.12.2015.
- Coscarelli, Joe (2019): "Michael Jackson Fans Are Tenacious. 'Leaving Neverland' Has Them Poised for Battle", in: *The New York Times*, <https://www.nytimes.com/2019/03/04/arts/music/michael-jackson-leaving-neverland-fans.html%2029.3.2019>, last access 3.29.2019.
- Figge, Maja (2016): "Einleitung Repräsentationskritik", in: Peters, Kathrin/ Seier, Andrea (eds.), *Gender & Medien-Reader*, Zürich/Berlin: Diaphanes, p. 109-118.
- Foucault, Michel (2000): "Die Gouvernementalität", in: Bröckling, Ulrich/Krasmann, Susanne/Lemke, Thomas (eds.), *Gouvernementalität der Gegenwart. Studien zur Ökonomisierung des Sozialen*, Frankfurt am Main: Suhrkamp, p. 41-67.
- (ed.) (1990): "'Power and Sex' - Interview with Bernhard-Henri Lévy", in: *Politics Philosophy Culture. Interviews and other writings 1977, 1984*, New York: Routledge, p. 110-124.
- (1972): *"Die Ordnung des Diskurses"*, Frankfurt am Main: Fischer.
- Gay, Roxane et al. (2019): *Writing Trauma: A Panel Discussion Conceptualized by Roxane Gay*, Yale University published on YouTube, <https://www.youtube.com/watch?v=kWe8F-8tcaY>, last access 7.12.2019.
- Gerstendörfer, Monika (2007): *Der verlorene Kampf um die Wörter. Opferfeindliche Sprache bei sexualisierter Gewalt. Ein Plädoyer für eine angemessenere Sprachführung*, Paderborn: Junfermannsche Verlagsbuchhandlung.
- Hall, Stuart (1973): *Encoding and Decoding in the Television Discourse*, Birmingham: University of Birmingham, p. 128-138.
- (1997): *Representation. Cultural Representations and Signifying Practices*, London: Sage Publications Ltd.
- hooks, bell (ed.) (2015): "Oppositional Gaze", in: *Black Looks: Race and Representation*, New York: Routledge, p. 115-132.
- Koch, Angela (2015): *Ir/reversible Bilder. Zur Visualisierung und Medialisierung von sexueller Gewalt*, Berlin: Verlag Vorwerk 8.
- Künzel, Christine (2003): *Vergewaltigungslektüren. Zur Codierung sexueller Gewalt in Literatur und Recht*, Frankfurt am Main: Campus Verlag.

LEAVING NEVERLAND (USA 2019, D.: Dan Reed).

LEAVING NEVERLAND – ROBSON & SAFECHUCK VS REAL ABUSE VICTIMS, <https://www.youtube.com/watch?v=hFdnhmRpdFE>, last access 7.08.2019, D.: Rob Ager.

LIVING WITH MICHAEL JACKSON: A TONIGHT SPECIAL (UK 2003, D.: Julie Shaw UK 2003).

MICHAEL JACKSON'S NEPHEW SPEAKS OUT AGAINST NEW DOCUMENTARY / GOOD MORNING BRITAIN, <https://www.youtube.com/watch?v=sZcDodItb9s>, last access 7.08.2019.

Ochsner, Beate (2013): "Lebens-Mitte oder Lebens-Mittel? Zur Produktion von Fettleibigkeit in Film und Fernsehen", in: Ette, Ottmar / Sanchez, Yvette/Sellier, Veronika (eds.): *LebensMittel. Essen und Trinken in den Künsten und Kulturen*, Berlin: Diaphanes, p. 177-197.

Oreskes, Naomi/Conway, Erik M. (2010): "Defeating the Merchants of Doubt", in: *Nature*, vol 456, no. 7299, p. 686-687.

Seier, Andrea (2019): *Mikropolitik der Medien*, Berlin: Kadmos.