

# **Creating Your Own Lane:**

## **Ava DuVernay's Art and Entrepreneurship**

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## Abstract

This thesis is an in-depth study of Ava DuVernay's filmmaking career over a ten-year period. It focuses on six productions by the director – *Selma* (2014), *Queen Sugar* (2016-2022), *13TH* (2016), *When They See Us* (2019), *Colin in Black & White* (2021), and *Origin* (2023) – connecting formal analysis with an examination of sociopolitical and industrial shifts in media between 2013 and 2023, a decade marking DuVernay's entrance into Hollywood and return to a mode of independent filmmaking. My discussion of these productions is framed by genre theory and an argument that DuVernay adopts different genres during this period – including melodrama, documentary/docudrama, and the biopic – in order to broaden her storytelling practices, offering more nuanced characterizations of the lives of Black people while simultaneously advancing her commitment to exploring social justice issues through art. I also consider the impact of DuVernay's arts resource collective, ARRAY, on the director's participation in the industry and her attempt to challenge structural and racial biases at the height of her engagement with major studios, and Netflix in particular. This thesis charts DuVernay's career from her transition to filmmaking after working as a film publicist, her major productions in Hollywood including three projects with Netflix, and a recent return to independent filmmaking with her latest film. In this pivotal decade and across these six productions, I argue, DuVernay has become an increasingly influential and versatile Black woman filmmaker, using the independent media infrastructure she has created with ARRAY to sustain her career in the face of ongoing racial and gender disparities in the industry.

## **Author's Declaration**

*I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for a degree or other qualification at this University or elsewhere. All sources are acknowledged as references.*

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## Introduction

### Ava DuVernay – A Legacy of Black Filmmaking

Ava DuVernay's career trajectory from film publicist to award-winning writer, director, and producer spans 25 years and has been characterized by her creation of independent pathways to success and artistic expression. DuVernay's filmmaking and entrepreneurship is now synonymous with ushering in a series of historical "firsts" for Black women filmmakers in the entertainment industry. This includes being the first Black woman to win Best Director at the Sundance Film Festival, first to direct a film nominated for Best Picture at the Academy Awards, first to have a \$100 million budget for a studio film, first to be nominated for a Best Director Golden Globe, and first to screen a film at the Venice Film Festival.<sup>1</sup> An Emmy and BAFTA award-winning director, DuVernay is the "highest grossing Black woman director in American box office history."<sup>2</sup> Throughout her history-making career, DuVernay has cultivated a unique independence within the industry through various entrepreneurial pursuits, which have allowed her to create her art on her own terms and support the work of other diverse artists. This commitment to establishing a foothold outside of Hollywood's immediate control has been essential to DuVernay's success.

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<sup>1</sup> Kerri Lee Alexander, "Ava DuVernay," National Women's History Museum, accessed February 5, 2024, <https://www.womenshistory.org/education-resources/biographies/ava-duvernay>; Scott Feinberg, "'Awards Chatter' Podcast: Ava DuVernay on Fighting for 'Origin,' the Crazy Backstory of '13th' and How Her Outlook Has Changed 10 Years After 'Selma,'" *The Hollywood Reporter*, January 12, 2024, <https://www.hollywoodreporter.com/movies/movie-news/ava-duvernay-awards-chatter-podcast-origin-13th-selma-1235786229/>.

<sup>2</sup> Feinberg, "'Awards Chatter' Podcast."

This thesis traces the trajectory of DuVernay's career, demonstrating how her filmmaking and entrepreneurship are inextricably linked. My analysis of her artistic craft and industry acumen focuses on six of DuVernay's major productions, released between 2013 and 2023: *Selma* (2014), *Queen Sugar* (2016-2022), *13TH* (2016), *When They See Us* (2019), *Colin in Black & White* (2021), and *Origin* (2023). This ten-year period encompasses a dramatic progression of DuVernay's filmmaking career and her ascendancy in the media industry, from using personal savings to finance her early independent films to becoming an influential figure in Hollywood. This decade also represents the height of the director-entrepreneur's engagement with Hollywood institutions before returning to a mode of independent filmmaking. It is also a period of significant historical and political changes, which manifest in different ways in DuVernay's work. In my discussion of these productions, I consider how they respond to the sociopolitical environment in which they were created, especially in relation to the Black Lives Matter movement and debates about continuing racial disparities in Hollywood, made visible for many by the #OscarsSoWhite campaign. My analysis shows how DuVernay has depicted the lives of Black people in interesting ways, while examining manifestations of wider racial inequality in American society.

As a whole, DuVernay's body of work opposes racist stereotypes about Black Americans – from the Black matriarch to the myth of Black criminality – that remain pervasive in mainstream media. To that end, DuVernay has adopted a staggering range of genres, including melodrama, documentary/docudrama, and the biopic, while also employing techniques such as slow-motion editing, close camera framing, audio distortion, and evidentiary editing to draw the viewer into a close association with the experiences of Black protagonists. DuVernay's adaptation of Natalie Baszile's southern fiction novel, *Queen Sugar*, for example – which I

discuss in Chapter 1 – uses aspects of melodrama and close camera framing to capture the tribulations of the Bordelon family as they chart a path forward after the death of their patriarch. The director’s collaboration with Netflix during the height of the BLM movement, on the other hand – which I examine in Chapter 2 – focuses on documentary content, looking extensively at DuVernay’s use of evidentiary editing in *13TH*, *When They See Us*, and *Colin in Black and White* to create informative narratives about the US criminal justice system and its negative effect on the lives of Black American men. In my final chapter, I consider DuVernay’s appropriation of the biopic genre to portray the lives of influential Black figures – the civil rights icon Rev. Dr. Martin Luther King Jr. in *Selma* and the journalist and author Isabel Wilkerson in *Origin*.

Throughout this thesis, my discussion highlights the degree to which these filmmaking decisions are connected to DuVernay’s creative entrepreneurial sensibility. Between 2013 and 2023, I argue, DuVernay’s business savvy allowed her to navigate an industry that is known to be hostile to Black filmmakers, especially Black women directors. Specifically, DuVernay’s development of the arts resource collective ARRAY, from a distribution entity to a multifaceted organization that encompasses all aspects of media production, enables the director to pursue her artistry outside the mainstream of the entertainment industry because she does not have to rely on resources in Hollywood to bring her art to fruition. Additionally, ARRAY is a media infrastructure through which DuVernay can create opportunities for diverse artists from historically marginalized communities. Bonita M. Kolb defines “creative entrepreneurs” as “artist/business people who run their own small businesses focused on selling their artistic product or manage creative or cultural organizations [...].”<sup>3</sup> This definition encapsulates DuVernay’s career trajectory as a director and entrepreneur during this period, building out the

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<sup>3</sup> Bonita M. Kolb, *Entrepreneurship for the Creative and Cultural Industries*, 2<sup>nd</sup> edition, (London: Routledge, 2020), 7, <https://doi-org.libproxy.york.ac.uk/10.4324/9780367817046>.

“creative or cultural organization” ARRAY to facilitate her artistic production and support her empowerment of diverse artists. As a result of her entrepreneurship, DuVernay now owns a sizeable business capable of sustaining her filmmaking career and contributions to an international community of artists.

Given this dynamic, DuVernay’s work as a filmmaker has to be examined in relation to her work as a creative entrepreneur. As Kolb writes, “For creative entrepreneurs, financial success means that their work is appreciated by the public, and the money is a means to pay the bills, buy more materials and have the freedom to be more creative.”<sup>4</sup> The profit DuVernay generates is not the end goal but rather a mechanism to facilitate and further her art and civic engagement. Moreover, by creating and expanding the activities of ARRAY, she has worked steadily toward a point where she is not dependent on Hollywood institutions, such as Netflix, and can now pursue alternative pathways to get her art in front of an audience. DuVernay’s success demonstrates the critical role entrepreneurship plays in the career possibilities of Black filmmakers and their ability to create opportunities for other artists.

Over the decade I discuss in this thesis, ARRAY has become an indispensable resource for DuVernay, supporting her work and that of diverse artists in order to challenge racial and gender disparities in media. The organization also upholds art as a form of social justice advocacy. At this point, ARRAY involves four main entities: ARRAY Filmworks, ARRAY Releasing, ARRAY Alliance, and ARRAY Creative Campus. Together, these provide resources in the form of financing, production, distribution, philanthropy, and education. Critically, ARRAY represents a different avenue for the production and distribution of independent films by diverse artists. ARRAY Filmworks is the organization’s production arm, facilitating the creation of

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<sup>4</sup> Ibid, 12.

multicultural and inclusive stories. ARRAY Releasing is the distribution entity, whereby projects are acquired and disseminated through small-scale theatrical exhibition and on streaming platforms through strategic partnerships. The nonprofit division is ARRAY Alliance, which specializes in programs and initiatives that incorporate art and social justice advocacy. Finally, ARRAY Creative Campus, located in Historic Filipinotown, Los Angeles, is equipped with post-production editing facilities and a theater that are accessible to residents local to the area as well as an international community of artists through public programming events.<sup>5</sup>

DuVernay's establishment of ARRAY has enabled her to counteract what Maryann Erigha describes as the "unbankable label" attributed to Black films in the entertainment industry. The Hollywood studio hierarchy, based on economic power and cultural prestige, involves the top tier of the big five film companies (Walt Disney Studios, Paramount Pictures, Universal Pictures, Warner Bros. Discovery, and Sony Pictures), the middle tier of studio independents which are subsidiaries of larger studios (e.g., Focus Features is a studio independent of Universal Pictures), and the third tier of the independent film companies like A24 and Neon. Within this hierarchy, Erigha contends that Hollywood executives view Black productions as less valuable than films with white casts, particularly in foreign markets. She writes, "Hollywood insiders allege that there is no real discrimination against Black directors and movies, only a focus on what strategies will make money and increase profits."<sup>6</sup> This "unbankable label" coincides with the allocation of meager budgets to Black productions. In addition to minimal financing, Black productions also tend to be concentrated across studio independents and independent film companies where they receive limited distribution. Of 124 Black-directed films between 2000

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<sup>5</sup> ARRAY NOW, accessed December 8, 2024, <https://arraynow.com/>.

<sup>6</sup> Maryann Erigha, *The Hollywood Jim Crow: The Racial Politics of the Movie Industry*, (NYU Press, 2019), 55, <http://www.jstor.org/stable/j.ctv12pnngj>.

and 2016, films with Black casts generally received budgets of \$40 million or lower. Black-directed films with multicultural casts or predominantly white casts received budgets between \$20 million and \$60 million. By comparison, films with white casts and directors during this period regularly received budgets starting at or exceeding \$100 million.<sup>7</sup> In order for Black directors to achieve higher budgets within Hollywood, and therefore wider marketing and distribution, there is an incentive to prioritize projects with multicultural or predominantly white casts.

The “unbankable label” is also a consequence of racial bias reinforced through marketing and promotion strategies. Hollywood executives assume Black productions will draw only small, niche audiences, regardless of genre, and subsequently market exclusively to domestic Black and Latinx demographics in the US. On the other hand, films with white casts and directors are marketed to all racial demographics and across international markets. When only the racially determined audience responds to a Black film, it is then used as evidence that Black films do not perform well in foreign markets. Erigha writes, “What transpires is a self-fulfilling prophecy: raced marketing plans reinforce the perception that Black movies are unbankable to non-Black audiences.”<sup>8</sup> Black films and directors are penalized in a way that their white counterparts, even when they bomb at the global box office, are not.<sup>9</sup> Therefore, Black productions do not underperform at the global box office because of cultural preferences. Instead, Black films are set up to fail with budgets and marketing strategies due to the “unbankable label” in Hollywood.<sup>10</sup> DuVernay’s *ARRAY* offers a possible corrective to this racial bias by operating

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<sup>7</sup> Ibid., 72.

<sup>8</sup> Ibid., 55.

<sup>9</sup> Ibid., 55–56.

<sup>10</sup> In an interview about her latest project *Origin* (2023), DuVernay says “The myth is that Black films don’t work overseas. The message to Black filmmakers is, ‘Your films don’t work overseas. They will not come. They’re not interested. We cannot sell the film. We cannot market the film overseas.’ We know that that’s not the case. They’re just not in that system. That international-distribution system is very difficult for Black filmmakers, for brown

from a vantage point that does not consider popularity among certain racial demographics and global box office performance to be the key measurements of a film's success. Throughout this thesis, I will examine how DuVernay has used ARRAY to help films find a supportive audience through theatrical exhibition or digital streaming.

Altogether, the four entities of ARRAY go beyond being a mechanism for DuVernay to produce her art. ARRAY is a media infrastructure built for the benefit of artists who are connected because of their marginalization in the industry. Therefore, ARRAY also exemplifies what Erigha defines as “remaking cinema” in order to confront racial bias in Hollywood. Erigha writes:

Remaking cinema means enacting proactive strategies for change in order to make American cinematic production, distribution, and exhibition more racially inclusive. Implementation strategies for improvement happen at the structural level with changes in social systems and within the very organization of cinematic production both in Hollywood and in independent film.<sup>11</sup>

Although ARRAY's operations are centralized in the independent film sector, its various initiatives, such as ARRAY Crew, a database of diverse creative professionals, and partnerships with Netflix (and recently with Hulu) to stream films acquired by ARRAY Releasing and produced by ARRAY Filmworks are examples of the “proactive strategies” Erigha describes as necessary to improve racial inclusivity in media. The capacity of ARRAY to effect long-term structural change remains to be tested, but the organization has already demonstrated a tangible business framework for prioritizing diversity and social justice advocacy.

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filmmakers. For filmmakers that are outside of the studio system, it's difficult. [...] If there's one last thing I do, I'm going to figure out how to move our films, and I'm going to start with my own films [...] Right now, streamers are the solution. But if you've made an independent film, like I have, and you are doing it hand to hand on your own, we have to be able to find ways of connection.” David Rennick, “Ava DuVernay Wants to Build a New System,” *The New Yorker*, January 21, 2024, <https://www.newyorker.com/culture/the-new-yorker-interview/ava-duvernay-wants-to-build-a-new-system>.

<sup>11</sup> Ibid., 164.

Taken together, DuVernay's filmmaking practice and entrepreneurship place the director within a history of independent Black filmmaking that has existed in tandem with the development of the artform throughout the twentieth century. Historically, independent Black filmmakers have had to utilize entrepreneurial strategies to produce and distribute their films – from Oscar Micheaux's founding of his Film & Book Company to produce his family dramas during the 1920s to L.A. Rebellion filmmaker Haile Gerima's founding of the distribution company Mypheduh Films (MFI) in 1982 to exhibit the work of African filmmakers and his diasporic films about the impact of race, class, and colonization on Black lives.<sup>12</sup> Gerima, alongside his wife and fellow L.A. Rebellion filmmaker Shirikiana Aina, also opened the Sankofa Video, Books & Café located in Washington D.C. in 1998. The family business is named after his seminal 1993 film and is equipped with a post-production suite to edit their films, in addition to a space for public programming events that showcase African art.<sup>13</sup> On the Sankofa website, it is described as a “liberated territory that hopes to be a place where thoughtful consideration of the past and future can take place via books, films and programing [...] by and about people of African Descent.”<sup>14</sup> DuVernay's emphasis on social justice issues, coupled with her development of ARRAY, is in many ways a continuation of Gerima's independent filmmaking strategies and the themes of his narratives.

In other ways, however, DuVernay's career also demonstrates a distinct evolution from these earlier examples of Black film entrepreneurship. ARRAY Releasing and ARRAY Creative Campus, in particular, represent a similar business configuration but on a much larger scale.

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<sup>12</sup> In addition to distributing his own films, Gerima – who was born in Ethiopia in 1946 – founded MFI to distribute “films by other filmmakers of African descent from around the world.” “Haile Gerima,” Sankofa, accessed December 8, 2024, <https://mmila.com/san/haile-gerima.php>.

<sup>13</sup> “Since ’98,” Sankofa Video, Books & Café, accessed December 8, 2024, <https://www.sankofa.com/about-us>.

<sup>14</sup> Ibid.

Moreover, ARRAY is concerned with highlighting films from a multicultural, international community of artists, while Sankofa is focused first and foremost on increasing the visibility of African artists. DuVernay is building her own version of a “liberated territory” for diverse artists and their audiences to create, convene, and exhibit art. To that end, ARRAY chips away at a need to force Hollywood institutions to reimagine systems and concede space in the name of equality. As such, DuVernay’s art and entrepreneurship amount to a significant progression in Black filmmaking during the twenty-first century. Hers is a career that requires critical scrutiny to assess its scope and impact on Black representation onscreen and on racial and gender disparities in the media industry.

In this introduction, I begin with an overview of DuVernay’s career transition from film publicist to independent filmmaker, showing the evolution of her directorial practice from her early independent films. I then chronicle the growth of ARRAY as a means to sustain her artistry and that of other diverse artists, while situating DuVernay within a history of independent Black filmmaking, in relation to narrative themes and strategies for financing and distribution used by Black men and women filmmakers in the late twentieth century. Finally, I review the extent of the critical scholarship about DuVernay and outline the chapters of the thesis, the productions I analyze, and my overall argument regarding the director’s art and entrepreneurship.

### **Career Transition: Film Publicist to Independent Filmmaker**

DuVernay did not pick up a film camera until she was 32 years old. Born on August 24, 1972, in Long Beach, California, DuVernay grew up in the city of Compton, where the women in her family exposed her to the cultural significance of art. Her mother, Darlene Maye, instilled in her the idea that you can communicate a socially conscious message through art and her Aunt,

Denise Amanda Sexton, inspired her love of movies. DuVernay's aunt regularly took her to movie theaters throughout her childhood and cultivated her love of film.<sup>15</sup> In the early 1990s, DuVernay completed her undergraduate studies at the University of California Los Angeles (UCLA) and graduated with a degree in English and African American studies in 1995.<sup>16</sup> While still an undergraduate, DuVernay worked as an intern for CBS during the OJ Simpson trial. She became disillusioned with the prospect of working in broadcast journalism after she was asked to watch a juror's home and possibly go through their trash – an example of the salacious tactics used by media outlets during the trial. The internship experience inspired DuVernay to instead pursue a career in film publicity.<sup>17</sup>

UCLA is also where the L.A. Rebellion movement of Black American and African independent filmmakers, including Haile Gerima, Charles Burnett and Julie Dash, had honed their craft between the 1960s and 1980s. Ntongela Masilela, a South African filmmaker of the L.A. Rebellion, writes:

The intellectual and cultural coordinates of this Black independent film movement are inseparable from the political and social struggles and convulsions of the 1960s. For these African and African-American filmmakers, imagination was inescapably wedded to political and cultural commitment. The Civil Rights Movement, the Women's Movement, the anti-war movement, and activities in America in support of national liberation struggles in Africa, Asia, and Latin America informed the political consciousness of the members of the group.<sup>18</sup>

The movement was concerned with establishing innovative methods of storytelling, such as nonlinear narratives, to call into question the classical Hollywood narrative and was influenced

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<sup>15</sup> Alexander, "Ava DuVernay."

<sup>16</sup> Feinberg, "'Awards Chatter' Podcast."

<sup>17</sup> Ibid; Alexander, "Ava DuVernay."

<sup>18</sup> Ntongela Masilela, "The Los Angeles School of Black Filmmakers," *Black American Cinema*, ed. Manthia Diawara, (New York: Routledge, 1993), 107-08, <https://doi-org.libproxy.york.ac.uk/10.4324/9780203873304>.

by the economic concerns of the Black working class and the simultaneous political movements at the time.

The director-entrepreneur admits she was largely unaware of the movement while completing her studies but has since cited the L.A. Rebellion and its filmmakers as a key inspiration for her career. DuVernay says, “These were people who were right there, a cadre of filmmakers known as ‘the LA Rebellion,’ and they were not on my radar at that time, which really goes to show that for a long time that group was just under-amplified.”<sup>19</sup> To address the movement’s lack of visibility, L.A. Rebellion filmmakers and film historians have worked to highlight its organizing principles and ideologies. In *L.A. Rebellion: Creating a New Black Cinema* (2015), Allyson Nadia Field, Jan Christopher Horak, and Jacqueline Najuma Stewart chronicle the history of the movement and its continuing influence on current Black creators like DuVernay. Endeavoring to understand the L.A. Rebellion as an aesthetically and politically diverse collective of filmmakers, they write, “This book seeks such an understanding of the origins, activities, and dispersion of the L.A. Rebellion group, of the relationships between ‘I’ and ‘we’ that have shaped their experiences and work as socially conscious Black film and video artists.”<sup>20</sup> Although the filmmakers of the L.A. Rebellion had aesthetics and prominent themes specific to their individual portfolios, they worked as a collective to produce the films of the movement by assisting one another to shoot and edit projects.<sup>21</sup> Field, Horak and Stewart argue, “The L.A. Rebellion filmmakers worked with a common purpose to create a new Black cinema characterized by innovative, meaningful reflection on past and present lives and the concerns of

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<sup>19</sup> Feinberg, “‘Awards Chatter’ Podcast.”

<sup>20</sup> Allyson Nadia Field, Jan Christopher Horak, and Jacqueline Najuma Stewart, eds., *L.A. Rebellion: Creating a New Black Cinema*, (University of California Press, 2015), 49, <https://www.jstor.org/stable/10.1525/j.ctt19631zg.5>.

<sup>21</sup> Field, Horak and Stewart write, “many of the L.A. Rebellion artists identified as Third World filmmakers. This identification followed two strands—modes of production and narrative and formal investments. L.A. Rebellion filmmakers employed guerilla production practices, emphasized collaborations and worked collectively.” Ibid., 23.

Black communities in the United States and across the African diaspora.”<sup>22</sup> The L.A. Rebellion utilized film as a language to examine issues of race, class, and sex and to express progressive ideologies about liberation for their communities. The inspiration DuVernay has drawn from the movement is evidenced by her engagement with social justice issues in her narratives in addition to her work to establish a collective of diverse artists through ARRAY. The director-entrepreneur has also created various opportunities to celebrate and employ L.A. Rebellion filmmakers, namely Dash and Gerima. Therefore, DuVernay’s art and entrepreneurship reflect her attainment of an in-depth knowledge of the L.A. Rebellion since her tenure at UCLA and transition into filmmaking.

Prior to her career change, DuVernay worked as a junior publicist for Bender Helper Impact and Fox before founding The DuVernay Agency in 1999 (later DV Marketing + Media).<sup>23</sup> Through her agency, she launched lifestyle networks such as HelloBeautiful and represented major filmmakers such as Michael Mann and Steven Spielberg, giving her exclusive behind-the-scenes access to film sets.<sup>24</sup> Between 2003 and 2006, DuVernay began writing her own scripts and shooting short films and documentaries on weekends. Initially, DuVernay used existing professional networks from her work as a publicist and personal savings to fund and promote a series of short films and documentaries about Black culture, gradually working towards making her first feature film. DuVernay’s first short, *Saturday Night Life* (2006), is based on her mother’s experience raising DuVernay and her siblings. Of the early short, she remembers “looking for a DP [Director of Photography] and coming up with the story that my mom told me about one

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<sup>22</sup> Ibid., 2.

<sup>23</sup> Feinberg, “‘Awards Chatter’ Podcast”

<sup>24</sup> Alexander, “Ava DuVernay.”; Feinberg, “‘Awards Chatter’ Podcast”; Claire Easton, “Ava DuVernay, Sundance Award-Winner for ‘Middle of Nowhere,’ On Why It’s Important That Stories About Black Women Be Told By Black Women,” *IndieWire*, October 10, 2012, <https://www.indiewire.com/features/general/ava-duvernay-sundance-award-winner-for-middle-of-nowhere-on-why-its-important-that-stories-about-black-women-be-told-by-black-women-44268/>.

night when she was feeling particularly down.”<sup>25</sup> The short depicts how her mother Darlene would dress up DuVernay and her siblings to go to the store when they were children, seeking affirmation and a confidence boost from other shoppers who would admire her well-dressed and taken care of children.<sup>26</sup> From the onset, DuVernay’s filmmaking was inspired by her personal experiences with her family and community.

DuVernay’s first documentary, *Compton in C Minor* (2007), showcases the local equestrian community and offers an alternative image of her city in comparison to depictions of an area under siege by the police, gang violence, and drugs. Documentary filmmaking proved to be a cost-effective mode of production for DuVernay, allowing her to keep budgets to a few thousand dollars.<sup>27</sup> Her next documentary project, *This Is the Life* (2008), explores an alternative music movement that was born out of an open mic night at a local café, Good Life, in the 1990s. DuVernay, who was a part of the scene and used to perform as an emcee under the stage name Eve during the 1990s, highlights its significance for the local Black community.<sup>28</sup> Projects like this also helped DuVernay build her own creative community as a filmmaker, working with people like Spencer Averick, who served as a producer and film editor for *This Is the Life* and has been a consistent collaborator and editor for DuVernay’s productions ever since.

The first time the filmmaker received any funding to produce a project was for the documentary *My Mic Sounds Nice: The Truth About Women in Hip Hop* (2010). The documentary was financed by Black Entertainment Television (BET) and focuses on Black women’s contributions to the hip hop genre, with interviews of artists from Missy Elliott to MC Lyte. With BET’s funding, *My Mic Sounds Nice* was DuVernay’s first partnership with a media

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<sup>25</sup> Feinberg, “‘Awards Chatter’ Podcast.”

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

enterprise, her initial step outside of a strictly independent mode of production as a filmmaker. It was also her first time working with cinematographer Bradford Young, another of her regular collaborators, who went on to shoot several of DuVernay's subsequent productions, including *Middle of Nowhere* (2012), *Selma* (2014), and *When They See Us* (2019).<sup>29</sup>

The following year, DuVernay produced her first feature, *I Will Follow* (2011), a poignant drama inspired by the director's experience as a caregiver for her Aunt Denise Amanda Sexton while she battled breast cancer.<sup>30</sup> *I Will Follow* portrays the process of moving forward after a loss and the memories that linger. Maye (Salli Richardson-Whitfield) spends a day clearing out the home of her Aunt Amanda (Beverly Todd), who refused chemotherapy after a breast cancer diagnosis and decided to die on her own terms. The film chronicles the various people that come and go throughout the day, including movers, a neighbor, Maye's on-again/off-again boyfriend Troy, Amanda's daughter Fran and grandson Raven. Each visitor taps into Maye's memories with her aunt, which are conveyed through flashbacks. Soft-focus cinematography and a setting surrounded by the woodsy nature of Topanga Canyon, California underscore vulnerable interactions between Maye and her multitude of visitors and illustrate the range of emotions that follow a loss. In particular, the tension between Maye, who lived with Amanda before her passing, and Fran, who wanted her mother to fight the disease, represent differing reactions to grief, from woeful acceptance to resentful anger. The film lays bare a lived experience involving grief and loss. This portrayal invites the viewer to connect with what resonates based on their own personal experiences.

Roger Ebert's review of *I Will Follow* catapulted DuVernay into the spotlight as a filmmaker. Ebert writes, "'I Will Follow' doesn't tell a story so much as try to understand a

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<sup>29</sup> Feinberg, "'Awards Chatter' Podcast."

<sup>30</sup> Ibid.

woman. Through her, we can find insights into the ways we deal with death. In one way or another, every emotion in this wonderful independent film is one I've experienced myself."<sup>31</sup>

By highlighting how he connected to the film as a white man, Ebert's review acknowledges the capacity for Black stories to resonate with multicultural audiences. He concludes:

Amanda's family is African-American. The neighbor and some of the visitors are white. Why do I mention race? I wasn't going to. This is a universal story about universal emotions. Maybe I mention it because this is the kind of film black filmmakers are rarely able to get made these days, offering roles for actors who remind us here of their gifts.<sup>32</sup>

Ebert recognizes the barriers Black filmmakers face when they attempt to produce projects that are not pigeonholed as representations wholly defined by race. Ebert's affirmation of *I Will Follow* as "a universal story about universal emotions" dispels a pervasive bias in Hollywood which conceives of Blackness as a limiting factor for a film and instead supports the notion that Black films do appeal to multicultural audiences.

The review brings to mind Erigha's theory about the manufactured "Black Stigma" in Hollywood wherein "Blackness is negatively defined as marginal, particular, and specific, not universal" and how it is an obstacle to the career advancement of Black directors such as DuVernay.<sup>33</sup> According to Erigha:

Hollywood insiders create a Black Stigma that makes racial inequality into an individual problem that directors, actors, and writers must overcome and not a structural problem that the industry as a whole should correct. As an individual problem, the solution for racial inequality, then, is that Blackness — and not the unequal racial structure of Hollywood that manufactures stigma around racial difference — must be reconfigured.<sup>34</sup>

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<sup>31</sup> Roger Ebert, "I Will Follow Movie Review & Film Summary (2011)," RogerEbert.com, March 8, 2011, <https://www.rogerebert.com/reviews/i-will-follow-2011>.

<sup>32</sup> Ibid

<sup>33</sup> Erigha, *The Hollywood Jim Crow*, 143.

<sup>34</sup> Ibid., 143.

As a consequence of the “Black Stigma,” Black directors in Hollywood must endeavor to convince executives about the universal appeal of narratives starring Black characters or gravitate towards films with predominantly white casts in order to gain access to greater resources, specifically larger budgets, and continue their careers. The “Black Stigma” is compounded when you consider Black women directors and narratives revolving around Black woman protagonists because of the additional obstacle of sexism and misogynoir they face in the industry.

Consequently, Black directors turn to independent methods of production and distribution to bypass the “Black Stigma” in Hollywood. Similar to her other early productions, DuVernay self-funded and distributed *I Will Follow*. The \$50,000 budget for the feature, DuVernay’s highest budget at that point, came out of her personal finances.<sup>35</sup> To produce *I Will Follow*, DuVernay founded the production company Forward Movement between 2010 and 2011. To distribute the film, she compiled a grassroots network of Black-run film festivals and art organizations with the idea that it could become a conduit for the distribution and promotion of independent Black films on a national scale. This network was launched as the African American Film Festival Releasing Movement (AFFRM) in 2011 and was made possible, in part, because of DuVernay’s personal financing and the relationships she cultivated during her career as a film publicist. DuVernay remembers:

Our idea was to release films in these cities at the same time, or around the same time, with national publicity and marketing, which I would do from L.A. Instead of individually traveling to these cities, they would be released under one entity and name: AFFRM. By dissecting what distribution is and how a studio does it—without becoming a studio—and without money, we created a distribution company.<sup>36</sup>

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<sup>35</sup> Carrie Rickey, “She’s a Graduate Of an Unusual Film School,” *The New York Times*, October 2, 2012, <http://www.nytimes.com/2012/10/07/movies/ava-duvernay-and-middle-of-nowhere.html>.

<sup>36</sup> Michael T. Martin, “Conversations with Ava DuVernay — ‘A Call to Action’: Organizing Principles of an Activist Cinematic Practice,” *Black Camera* 6, no. 1 (2014): 67, <https://www.jstor.org/stable/10.2979/blackcamera.6.1.57>.

DuVernay was able to utilize her skills and access as a publicist to innovate how independent Black films are distributed, while also creating an environment in which to exhibit her art. The necessity for a dedicated distribution network for Black films reflects the “bizarre” perception Hollywood executives have of these films. DuVernay recalls, “(As a publicist) I would find myself sitting in rooms listening to all kinds of bizarre things about what black people do, and who we are, and how to reach us [...] So, I had to figure out, even before making them, what would be the fate of my films. And that’s what got me looking, as a black woman, to our own community.”<sup>37</sup> DuVernay acknowledges through her experiences as a publicist the consequences of the “Black Stigma” and the “unbankable label” in Hollywood for Black films, how it is the product of stereotypes and negatively impacts production and distribution. By self-funding and independently distributing *I Will Follow*, DuVernay was able to remain authentic to her artistic vision and avoid having to secure funding from a traditional studio by convincing a room of Hollywood executives of the film’s universal appeal. Nonetheless, the universal appeal identified by Ebert was critical to the positive reception of *I Will Follow* and helped create a buzz about DuVernay’s filmmaking, which in turn was integral to the advancement of her career. Therefore, the film is an example of how advantageous the stamp of universal appeal is for Black directors – it equates to career success.

As the director, screenwriter, and producer for *I Will Follow*, DuVernay’s multiple roles and use of personal savings align with financial and production strategies used by independent Black filmmakers throughout the twentieth century to create their art in the absence of support from studios. When Haile Gerima wrote, directed, and produced his most known film, *Sankofa* (1993), he followed a “self-distribution model” for theatrical exhibition and arranged through his

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<sup>37</sup> Ibid., 62.

distribution company MFI for *Sankofa* to initially premiere at one theater in Washington D.C. before taking the profits and expanding the film's distribution to another theater, showing the film in one city at a time.<sup>38</sup> Mark A. Reid explains the filmmaker's significance to independent Black filmmaking and writes, "Gerima stands out [...] because he controls the production and distribution of his films and because he helps make African diasporic connections possible, distributing work by other African and African diasporic artists and mentoring future generations of filmmakers and film scholars as well."<sup>39</sup> Gerima's grassroots method of theatrical exhibition and his focus on being a resource for African filmmakers is a quintessential predecessor of DuVernay's distribution of *I Will Follow* through AFFRM.

DuVernay's award-winning second feature, *Middle of Nowhere* (2012) depicts medical student Ruby (Emayatzy Corinealdi) as she decides whether to move forward with her life by pursuing a different career and a new love interest or to continue waiting for her incarcerated husband (Omari Hardwick) to finish his sentence. Describing the intention behind the film's narrative, DuVernay says:

The goal was to present complexity within the black family dynamic. Yes, you have the big love story. You have in *I Will Follow* grief, and in *Middle of Nowhere*, separation through incarceration followed by separation through grief. These are the big social issues, but at the core of each film is the black family. And they're families of predominantly women.<sup>40</sup>

*Middle of Nowhere* stands out as an early indication of the significance narratives about Black women and social justice issues would go on to have in DuVernay's filmmaking. Both *I Will Follow* and *Middle of Nowhere* also revolve around sequences where the protagonist's recall of a

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<sup>38</sup> Field, Horak and Stewart, *L.A. Rebellion*, 35.

<sup>39</sup> Mark A. Reid, "Halie Gerima 'Sacred shield of culture,'" *Contemporary American Independent Film: From the Margins to the Mainstream*, eds., Chris Holmlund and Justin Wyatt, (New York; London: Routledge, 2005), 121.

<sup>40</sup> Michael T. Martin, "Conversations with Ava DuVernay," 75.

memory is fragmented. DuVernay shows key moments such as a part of a conversation or a warm embrace to gesture at the nature of a relationship or a situation and highlight its significance. In turn, this represents a particular emotion and furthers a narrative about mourning – the process to overcome the grief that follows the loss of a loved one whether because of their death or as a consequence of their incarceration.

DuVernay's depiction of memory and mourning seems part of the "universal" human experience Ebert recognized in *I Will Follow*, in which memories constantly change and are reconfigured by our emotions as we navigate a loss. However, DuVernay argues her representation of memory and mourning is distinct. She states, "But I think it's different from a flashback because that device is used as an expository technique to show you something, tell you something that you can't say in the present. They (memories) are more like emotional echoes that parallel or punctuate the story [in real time]."<sup>41</sup> The "emotional echoes" relate the ways in which the past animates the present of DuVernay's protagonists in a film's diegesis. In other words, the protagonists are shown to be motivated by their past moments. In chapter three, I analyze how this configuration appears in the director's films *Selma* and *Origin*.

*Middle of Nowhere* was DuVernay's second project produced by Forward Movement and distributed under AFFRM. She went on to win Best Director for the film at the 2012 Sundance Film Festival, a feat which was the culmination of DuVernay's developing artistry and showcases how the industry insights she gained as a publicist was applied to the development of Forward Movement and AFFRM as independent avenues to support Black art.<sup>42</sup> As DuVernay and AFFRM gained momentum, fundraising initiatives like the "Rebel" membership program were utilized to solicit donations from like-minded artists and fans supportive of the company's

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<sup>41</sup> Ibid, 84.

<sup>42</sup> Easton, "Ava DuVernay, Sundance Award-Winner for 'Middle of Nowhere.'"

mission.<sup>43</sup> This program reflects the crowd-funding strategies utilized by independent Black filmmakers like Gerima. Significantly, DuVernay credits the success of AFFRM with facilitating her progression as a filmmaker, namely the ability to get her early films in front of an audience and develop her credibility as an artist.

Amid the buzz around *I Will Follow* and *Middle of Nowhere*, ESPN commissioned DuVernay to direct the 2013 documentary *Venus Vs* about the iconic tennis player Venus Williams as part of the network's *Nine for IX* series about women in sports, celebrating the 40<sup>th</sup> anniversary of the Title IX mandate requiring equal support for women athletics.<sup>44</sup> DuVernay's willingness to partner with major networks like ESPN (and its parent company ABC) reinforces her entrepreneurial strategy of engaging with the industry on her own terms. At this point in her filmmaking career, DuVernay was not opposed to working with major studios but through AFFRM and Forward Movement, she was not dependent on Hollywood to get her work made.

The fluid dynamic DuVernay was establishing, a flexibility and autonomy enabled by independent production, led to the opportunity to direct the first major studio biopic about Rev. Dr. Martin Luther King Jr. The critical acclaim of *Selma* (2014), nominated for Best Picture at the 87<sup>th</sup> Academy Awards, marked DuVernay's continued ascendance in Hollywood.<sup>45</sup> DuVernay herself argues that *Selma* would not have been possible without the independent networks she had founded to advance her art. She maintains, "If I did not have my films distributed through AFFRM and Array, I would have never had a chance to make 'Selma,' [...] It's so important to

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<sup>43</sup> Kate Halliwell reports "Fellow filmmakers, actors and fans can donate and become a 'Digital Rebel' for \$40 or a 'Full Rebel' for \$100 (and get an ARRAY sweatshirt)." The "Rebel" membership program began in 2014. "Watch: Ava DuVernay Aims to Support Minority Filmmakers in ARRAY Campaign Video," *IndieWire*, June 22, 2016, <https://www.indiewire.com/2016/06/ava-duvernay-array-affirm-minority-filmmakers-rebel-campaign-1201691558/>.

<sup>44</sup> Brian Lowry, "Venus Vs.," *Variety*, June 30, 2013, <https://variety.com/2013/tv/reviews/venus-vs-review-espn-1200502547/>.

<sup>45</sup> Dave McNary, "'Selma' Wins Oscar for Best Original Song with 'Glory,'" *Variety*, February 22, 2015, <https://variety.com/2015/film/news/selma-glory-oscar-original-song-academy-awards-2015-1201439270/>.

give these filmmakers a leg up, to give them an opportunity to find an audience.”<sup>46</sup> If DuVernay had been reliant on the studio system at the beginning of her filmmaking career, it might have stagnated due to the dearth of opportunities for Black women filmmakers because of the “Black Stigma” and the “unbankable label” in Hollywood and how it perpetuates racial and gender disparities. Her embrace of entrepreneurship and a keen focus on community-based organizing proved to be the catalyst for her success as an independent filmmaker and her ability to support Black films.

Michael T. Martin outlines six guiding principles of DuVernay’s filmmaking practice and entrepreneurship after her Sundance win for *Middle of Nowhere* and founding of AFFRM. Martin argues that these principles underscore a philosophy of “doing it on our own” in independent Black filmmaking and involve:

establishing the storyline as the first order of business; knowing something about potential funders before soliciting support for your project; working with what you have, rather than what you want; engaging with cinematic aesthetics, no matter the filmmaking context, as a means of signifying something personally and/or politically meaningful; avoiding working in isolation; and being self-determining.<sup>47</sup>

The trajectory of DuVernay’s career following her early success has demonstrated a growing emphasis on the latter three principles highlighted by Martin, with her focus on cinematic form, working with others, and self-determination. DuVernay’s productions since *Middle of Nowhere* have spanned different genres but the six I analyze are each connected in their representation of social justice issues. As such, the director is continually “engaging with cinematic aesthetics, no matter the filmmaking context, as a means of signifying something personally and/or politically

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<sup>46</sup> Casey Cipriani, “Ava DuVernay on How to Move the Film Industry in the Right Direction,” *IndieWire*, May 6, 2015, <https://www.indiewire.com/features/general/ava-duvernay-on-how-to-move-the-film-industry-in-the-right-direction-62336/>.

<sup>47</sup> Martin, “Conversations with Ava DuVernay,” 59.

meaningful” by prioritizing her perspective and experiences as a Black American woman and interest in social justice. Furthermore, by developing her initial distribution network AFFRM, relaunching it as ARRAY, and then expanding it into four interconnected entities to provide various resources of media production, DuVernay is cultivating a community of underrepresented artists that are “being self-determining” and “avoiding working in isolation” as opposed to relying on Hollywood institutions plagued by racial and gender bias. The main chapters of this thesis consider how DuVernay’s art and entrepreneurship has evolved since these early productions, building on her formative collaborations and negotiations within studio and independent filmmaking.

### **Building a New Media Infrastructure: From AFFRM to ARRAY**

In 2015, AFFRM was relaunched as ARRAY to widen the company’s mission beyond the national distribution and exhibition of predominantly Black films.<sup>48</sup> ARRAY is described as “a multi-platform arts and social impact collective dedicated to narrative change” that is multicultural and international in scale.<sup>49</sup> DuVernay explains the decision to rebrand AFFRM and says, “there is a fundamental disrespect inherent in the distribution and amplification of films. There is a cinema segregation in how films are seen and not seen. What we’re saying is, we’re not going to depend on those things anymore.”<sup>50</sup> Once again, DuVernay declares her goal of building an alternative system outside of Hollywood for underrepresented artists to have their work supported and celebrated. As part of the relaunch, ARRAY Releasing – the distribution arm

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<sup>48</sup> Todd Cunningham, “Ava DuVernay’s AFFRM Rebrands as ARRAY, Acquires 2 Films,” *The Wrap*, September 8, 2015, <https://www.thewrap.com/ava-duvernays-affrm-rebrands-as-array-acquires-2-films/>.

<sup>49</sup> “Our Story,” *ARRAY NOW*, accessed December 8, 2024, <https://arraynow.com/about-array/>.

<sup>50</sup> Glenn Whipp, “Aiming to diversify storytelling, Ava DuVernay expands scope of film distribution collective,” *Los Angeles Times*, September 8, 2015, <https://www.latimes.com/entertainment/movies/la-et-mn-ava-duvernay-20150908-story.html>.

of the now expanded collective – acquired two international films: *Ayanda and the Mechanic* (2015) by South African filmmaker Sara Blecher and *Out of My Hand* (2015) by Japanese filmmaker Takeshi Fukunaga.<sup>51</sup> ARRAY Releasing also acquired the film *Mississippi Damned* (2009) by Black American filmmaker Tina Mabry, which had been positively received during its exhibition on the film festival circuit but not picked up for a distribution deal by studios. DuVernay's observation and acquisition of Mabry's film corroborates Erigha's theory about extensive racial bias in the media industry that is detrimental to the dissemination of Black representation and the careers of Black directors. However, the director expands on her confrontation of the Black Stigma and "unbankable label" within the media industry by seeking to support films from multicultural perspectives.<sup>52</sup> In this way, DuVernay acknowledges the problem extends beyond Black directors and Black films and reconfigured her entrepreneurial venture accordingly.

The relaunch was also the first time DuVernay partnered with Netflix to distribute acquired films. Through the collaboration between ARRAY and Netflix, Mabry's film was able to be widely distributed.<sup>53</sup> Netflix proved to be an ideal partner for DuVernay at a time when the streamer was expanding into more original programming and building a reputation as an industry disruptor for usurping conventional models of theatrical distribution and television broadcasting. However, Ramon Lobato argues Netflix is not an industry disruptor but a "hybrid TV-cinema-digital media distribution system" – an all-in-one system that maintains many of the hallmarks of conventional film and television broadcasting.<sup>54</sup> The rise of other streaming platforms such as

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<sup>51</sup> Ibid.

<sup>52</sup> Erigha, *The Hollywood Jim Crow*.

<sup>53</sup> Whipp reports "Mabry's movie had premiered in Park City the day after Lee Daniels' daring, distinguished drama 'Precious.' Sales reps told Mabry that the market couldn't support two black films, no matter that they were very different movies." Whipp, "Aiming to diversify storytelling."

<sup>54</sup> Lobato explains "Netflix is a hybrid technology that remediates a range of earlier media technologies in different aspects of its operation, and this mix of associations is constantly changing." Therefore, Netflix benefits from the

Amazon Prime Video, Disney+, and Hulu and their acquisition of content illustrates how Netflix's is not a lone disruptor but indicative of a wider trend in entertainment initiated by advances in technology. Nonetheless, the streamer's hybridity equates to the variety of content it acquires and the perception that the viewer can curate and customize their media consumption via the platform. To foster its hybridity, Netflix began actively seeking sources of content just as DuVernay was looking for ways to get films made by diverse filmmakers in front of an audience. The availability of Netflix in over 190 countries via phones, laptops, tablets and TVs provided additional access beyond theatrical distribution for films acquired by ARRAY Releasing.<sup>55</sup> Therefore, DuVernay's working relationship with the streamer is an evolution of historical distribution strategies used by independent Black filmmakers that was facilitated by new technology.

In 2016, ARRAY and DuVernay expanded the working relationship with Netflix to produce her critically acclaimed documentary *13TH* and release Gerima's *Ashes & Embers* (1982).<sup>56</sup> Gerima's film won the International Federation of Film Critics (FIPRESCI) Prize at the 1983 Berlin International Film Festival but had never been widely released.<sup>57</sup> Since 2016, all films acquired by ARRAY Releasing have streamed on Netflix. These films include *The Burial of Koko* (2018) by Ghanaian filmmaker Blitz Bazawule, *Lingua Franca* (2019) directed by Filipina filmmaker Isabel Sandoval, and *Residue* (2019) by Ethiopian American filmmaker Merawi Gerima, the son of Haile Gerima and Shirikiana Aina.<sup>58</sup> Although the specifics of the

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perception that it is an inclusive media system and can conform to what a viewer desires. *Netflix Nations: The Geography of Digital Distribution*, (NYU Press, 2019), 43-44.

<sup>55</sup> Lobato writes Netflix competes in "more than 190 international markets simultaneously." Ibid, 111-114.

<sup>56</sup> Nix Santos, "Ava DuVernay's Array Releasing Partners With Netflix to Unleash 'Ashes and Embers,'" *IndieWire*, March 1, 2016, <https://www.indiewire.com/news/general-news/ava-duvernays-array-releasing-partners-with-netflix-to-unleash-ashes-and-embers-63767/>.

<sup>57</sup> "Ashes and Embers," *FIPRESCI: The International Federation of Film Critics*, <https://fipresci.org/awards/ashes-and-embers/>; "Ashes and Embers," *ARRAY NOW*, <https://arraynow.com/project/ashes-and-embers/>.

<sup>58</sup> ARRAY Releasing, *ARRAY NOW*, accessed June 17, 2025, <https://arraynow.com/array-releasing/>.

partnership between Netflix and ARRAY Releasing have not been reported, it has been observed that “Netflix holds ARRAY movies for 3 years from the addition of the title.”<sup>59</sup> The distribution of these projects by Netflix increases their potential audience because of the streamer’s international reach, however, the acquisition and curation of these films remain under the control of ARRAY Releasing and the intention set by DuVernay. Therefore, ARRAY Releasing is establishing an independent foothold in the entertainment industry with over forty-five films, many award-winning, released since 2011.<sup>60</sup>

In addition to ARRAY Releasing, the development of the other three entities that comprise the media infrastructure demonstrate a steady expansion of ARRAY since the relaunch in 2015. ARRAY Filmworks is a rebrand of Forward Movement, DuVernay’s privately-owned production company, and has been involved in all of the director’s productions since *Selma*. This includes the Academy Award-nominated documentary *13TH* (2016) about mass incarceration, the Emmy award-winning limited docudrama series *When They See Us* (2019) about the Central Park Five case of 1989, and the limited docudrama series *Colin in Black & White* (2021), all produced and distributed with Netflix. It has also led the production of several television series created by DuVernay for networks like HBO, NBC, and OWN (Oprah Winfrey Network) including *Queen Sugar* (2016-2022), *One Perfect Shot* (2022), *DMZ* (2022), and *Home Sweet Home* (2021). Essentially, ARRAY Filmworks has functioned as a creative home for Duvernay’s productions across film and television. However, in 2021, the company produced the crime drama *The White Tiger* by Iranian-American director Ramin Bahrani. Thus, ARRAY Filmworks has the capacity to branch out and produce projects by other artists.<sup>61</sup>

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<sup>59</sup> Kasey Moore, “List of ARRAY Releasing Movies and Documentary on Netflix,” *What’s On Netflix*, October 11, 2022, <https://www.whats-on-netflix.com/news/list-of-array-movies-on-netflix/>.

<sup>60</sup> “ARRAY Releasing,” *ARRAY NOW*, accessed June 17, 2025, <https://arraynow.com/array-releasing/>.

<sup>61</sup> “ARRAY Filmworks,” *ARRAY NOW*, accessed December 8, 2024, <https://arraynow.com/array-filmworks/>.

Projects produced by ARRAY Filmworks have the option to be screened at ARRAY Creative Campus as part of curated art programs for the public. ARRAY Creative Campus opened in 2018 and is a “14,000-square-foot, three building compound” that includes the Amanda Theater, which is named in memory of DuVernay’s aunt (her middle name) who introduced the director to cinema.<sup>62</sup> The theater opened to the public in 2019 for the inaugural ARRAY 360 film series. The “A Women’s Work” program was a part of the series and showcased films by trailblazing women directors including Euzhan Palcy, Kathleen Collins, Agnès Varda, Marilou Diaz-Araya, and Garrett Bradley. In an announcement for the series, DuVernay states “As a model, ARRAY does steep itself in inclusion models to correct long-held absences. We believe in balance from the beginning. Our ARRAY Creative Campus was built with this belonging in mind from the first day and ARRAY 360 is a reflection of our mantra that everyone has a place in true cinema.”<sup>63</sup> In an interview, Garrett Bradley recognizes the significance of ARRAY Creative Campus and states “Historically, having physical space has been monumental to ensuring that a community can survive. Establishing this campus, which will embody the change Ava is working for, will ensure a radical type of institutional support for generations to come.”<sup>64</sup> Critically, DuVernay has built a dedicated space to address “long-held absences” and fill gaps that exist in the film industry regarding race and gender. This space is bought and paid for.<sup>65</sup> It is not dependent on Hollywood financing or corporate sponsorship and therefore, can withstand shifts in political and cultural commitments to diversity in media.

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<sup>62</sup> Ryan Faughnder, “Ava DuVernay’s Array is a place for women and filmmakers of color in L.A.,” *LA Times*, October 1, 2019, <https://www.latimes.com/entertainment-arts/business/story/2019-10-01/array-alliance-ava-duvernay>.

<sup>63</sup> Dino-Ray Ramos, “Ava DuVernay Debuts Amanda Theater With Inaugural ARRAY 360 Film Series,” *Deadline*, September 13, 2019, <https://deadline.com/2019/09/array-360-ava-duvernay-array-creative-campus-agnes-varda-john-singleton-michael-mann-1202733582/>.

<sup>64</sup> Faughnder, “Ava DuVernay’s Array.”

<sup>65</sup> DuVernay reveals she bought the space for ARRAY Creative Campus and the Amanda Theater with the money she earned from *A Wrinkle in Time* (2018). Feinberg, “‘Awards Chatter’ Podcast.”

Lastly, ARRAY Alliance was started in 2018 as a nonprofit organization to fund socially conscious art programs.<sup>66</sup> ARRAY Alliance funded the 360 series and has since launched three initiatives: the Law Enforcement Accountability Project (LEAP), ARRAY 101, and ARRAY Grants. LEAP supports “activist storytelling to call out the names of police officers who have murdered Black people and have not been held accountable.”<sup>67</sup> With the tagline “Never Stop Learning,” ARRAY 101 provides educational materials to accompany various films and series like a companion guide about the legal case in *When They See Us*. ARRAY Grants finances “storytelling that expands antiquated, homogenous narratives to become more inclusive of communities, perspectives, and experiences from all walks of life” with a varied spectrum of funding sources, from notable filmmakers and philanthropists (e.g., Gerima and Charles Burnett) to major corporations (e.g., Google, Getty Images).<sup>68</sup> To run the day-to-day operations of ARRAY, DuVernay relies on relationships she built during her time as a publicist and throughout her transition to become a filmmaker. Tilane Jones was named President of ARRAY in 2019 after working with DuVernay for 10 years and starting out as the office manager for AFFRM.<sup>69</sup> Producer Paul Garnes, who first met DuVernay while she was working as a publicist and has since produced projects like *Queen Sugar*, was named the head of ARRAY Filmworks in 2021.<sup>70</sup> In the conclusion chapter, I return to this history about the development of ARRAY with a particular focus on public programming events.

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<sup>66</sup> Faughnder reports ARRAY Alliance was founded “to fund programming and educational events promoting social impact and boosting women and nonwhite filmmakers. Array Alliance is funding the new screening series at the campus. The nonprofit aims to raise at least \$2 million annually for screening, events and other activities, according to state records.” Faughnder, “Ava DuVernay’s Array.”

<sup>67</sup> “ARRAY Alliance,” *ARRAY NOW*, accessed December 8, 2024, <https://arraynow.com/array-alliance/>.

<sup>68</sup> “ARRAY Grants,” *ARRAY NOW*, accessed May 15, 2025, <https://arraynow.com/array-alliance/array-grants>.

<sup>69</sup> Dino-Ray Ramos, “Tilane Jones Named President of Ava DuVernay’s ARRAY,” *Deadline*, August 19, 2019, <https://deadline.com/2019/08/tilane-jones-president-ava-duvernays-array-1202671811/>.

<sup>70</sup> Rebecca Sun, “Paul Garnes Named President of Array Filmworks,” *The Hollywood Reporter*, July 29, 2021, <https://www.hollywoodreporter.com/tv/tv-news/array-filmworks-paul-garnes-president-1234990502/>.

ARRAY, with its four interrelated entities, is essential to DuVernay's "remaking cinema," allowing the director to make change at a structural level by building a new, autonomous media infrastructure from the ground up. Other independent Black filmmakers have founded production companies, however, DuVernay's ARRAY is a multifaceted and collectivist entrepreneurial model of production and distribution. In comparison to the ventures of her contemporaries like Spike Lee, DuVernay's ARRAY is not primarily concerned with advancing the projects of the director. 40 Acres and a Mule Filmworks is intricately linked to the creative works as well as the personality and branding of Lee. While Lee has advanced diversity in media through the hiring of Black professionals and artists for his productions, this is a byproduct of the director's way of working and not the founding mission of his company. Andrew Dewaard identifies Lee as a "celebrity auteur" and argues a "concern for economics is central to Lee's own advocacy for African American advancement; namely, more ownership and economic power are needed in the African American community. Lee's own increased economic power has been due in large part to his skill in branding the Spike Lee name, resulting in his transformation into a valuable commodity."<sup>71</sup> Lee's focus on economics and the commodification of his films through his production company is markedly different from the nonprofit and public programming initiatives of DuVernay's ARRAY that reflect the collectivist impulse of community organizing. The development of Hoorae Media by writer, actress, and producer Issa Rae and its initiatives involving media, music, and the management of creative professionals is more akin to ARRAY because it includes establishing a network, a community, of diverse artists who can act as agents of change in the industry.<sup>72</sup> DuVernay is not a struggling artist by any means, but

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<sup>71</sup> Andrew Dewaard, "Joints and Jams: Spike Lee as Celebrity Auteur," *Fight the Power: the Spike Lee reader*, eds., Janet D. Hamlet and Robin R. Means Coleman, (New York: Peter Lang, 2009), 346.

<sup>72</sup> Hoorae's management division Color Creative is "dedicated to supporting diverse creators and producing inclusive content. In 2014, ColorCreative was founded by Issa Rae and Deniese Davis to change the landscape of

commercialization and profit is not critical to how she conceives of creating space for diverse artists in media.

### **Independent Black Filmmaking**

DuVernay's filmmaking and entrepreneurship continues a legacy of Black empowerment through art and places the director in a history of independent Black filmmakers dating back to the early twentieth century. The multiple production roles she inhabits (writer, director, distributor, marketer) and her establishment of ARRAY fosters space for DuVernay and other diverse artists to affect the material and institutional norms of the industry. She is evolving the techniques of her predecessors to create an alternative structure, a new system for artists to develop and showcase their storytelling. Martin writes:

Situating DuVernay historically extends to the early 1900s, when “race movies” were first exhibited in segregated theaters, and to the 1960s and 1970s, when black independent cinema herald a new realism in the work of William Greaves, Madeline Anderson, and St. Claire Bourne, among others. No less important were the largely narrative works of fiction by that motley group of filmmakers-in-training who comprised the L.A. School (aka L.A. Rebellion), including Charles Burnett, Julie Dash, Billy Woodberry, and Haile Gerima, or the filmic experiments by prominent figures in the Black Arts Movement such as Larry Neal and Amiri Baraka. In her or his own way, each filmmaker counseled a social advocacy role for film on behalf of Black self-empowerment. DuVernay continues in this advocacy, practicing the on-going precept and tradition in the long history and struggle for black representation.<sup>73</sup>

The filmmaking history Martin situates DuVernay within foregrounds Black artists who have relied on building creative communities and resourceful methods to produce culturally authentic art that opposed the racism, sexism, and capitalism of American society, specifically in Hollywood. Through her filmmaking, rooted in affirmative representations of Black people, and

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media by creating a direct-to-industry pipeline for women and minority writers.” “Color Creative,” Hoorae, accessed December 15, 2024, <https://hoorae.co/color-creative/>.

<sup>73</sup> Martin, “Conversations with Ava DuVernay,” 57.

her entrepreneurial founding of ARRAY, dedicated to addressing disparities in the industry, DuVernay illustrates the capacity of art to affirm and empower as well as act as a political catalyst for social change.

In *Framing Blackness* (1993), Ed Guerrero discusses production methods of independent Black filmmakers and the contours of Black representation in film from the L.A. Rebellion and the Blaxploitation era of the 1970s to the 1990s new wave defined by the films of Spike Lee and John Singleton, among others. Guerrero examines how these filmmakers created Black narratives that contest the “monopolistic, capital-intensive film business” of Hollywood.<sup>74</sup> In particular, Guerrero considers the alternative pathways to financing and distribution utilized by independent Black filmmakers. During the 1970s, director Melvin Van Peebles used various independent financing resources to bring his provocative (and misogynistic) image of rebellious Black masculinity in *Sweet Sweetback's Baadasssss Song* (1971) to fruition. Van Peebles wrote, directed, composed the film score, and starred in the feature. He used \$100,000 of his own money and a small distribution company to move the film from theater to theater. The success of *Sweetback* (it went on to earn \$10 million at the box office) sparked the Blaxploitation subgenre when Hollywood appropriated the film's aesthetic and themes for commercial production.<sup>75</sup> By acting as the cinematic equivalent of a “one-man band,” Van Peebles was able to maintain creative control and produce a narrative that imploded Hollywood's historically subdued representation of Black masculinity. Likewise, director, writer, actor and comedian Robert Townsend used his personal savings and maxed out several credit cards to produce *Hollywood*

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<sup>74</sup> Ed Guerrero, *Framing Blackness: The African American Image in Film* (Philadelphia: Temple University Press, 1993), 2.

<sup>75</sup> Guerrero, *Framing Blackness*, 86.

*Shuffle* (1987), a satirical comedy film about Hollywood's stereotypical representations of Black people.

Guerrero's analysis of the financing strategies of independent Black filmmakers foregrounds Spike Lee's coinage of the term "guerrilla cinema" — a cinema "that realistically depicts black people at the same time it challenges domination at the level of material practice with innovative strategies of capitalization and financing."<sup>76</sup> Lee's approach to "guerrilla cinema" involves the commercialization of his characters (e.g., Nike commercials starring Mars Blackmon, a character from his 1986 film *She's Gotta Have It*) and the political imperative to disrupt the centering of narratives with white casts and directors, including how corporate interests influence their marketing and distribution. The various approaches to financing, production, and distribution by Van Peebles, Townsend, and Lee reflect how the "doing it on our own" philosophy has been the cornerstone of independent Black filmmaking and why DuVernay's guiding principle of "being self-determining" is necessary.<sup>77</sup>

DuVernay's major inspiration, Haile Gerima, was a part of the L.A. Rebellion's first cohort. He joined the UCLA film department in 1970 after interactions with film scholar Teshome Gabriel and film student Larry Clark. Gerima, along with Clark, Charles Burnett and Ben Caldwell, participated in the Project One class – an introductory course for the film program where students produced "nonsynchronous sound shorts" and were encouraged "to smash the conventions of classical cinema and broach a range of Black topics and traditions they felt were ignored by the dominant media and by their white film-school peers and professors."<sup>78</sup> This initial class sparked the radical politics of the cohort and its representation of a Black diaspora.

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<sup>76</sup> Ibid, 138.

<sup>77</sup> Martin, "Conversations with Ava DuVernay," 59.

<sup>78</sup> Field et al., eds., *LA Rebellion*, 44.

Born in Gondar, Ethiopia, Gerima's filmmaking presents political consciousness as essential for decolonization and ultimately, liberation. Films like *Bush Mama* (1979) and *Sankofa* (1993) connect issues of race and class facing the Black American community to wider anti-imperialist and decolonizing ideologies about oppression and inequality across the Global South, specifically within Africa.

As suggested earlier in the introduction, DuVernay's is inspired by Gerima's creation of an independent space outside of Hollywood to sustain his filmmaking. She states:

One of my film mentors is Haile Gerima [...] who taught at Howard University and owned a small bookstore and cafe. He had a small editing room in the office above the bookstore, and that's where he could always make his films. He called it his "liberated territory." With ARRAY, I have a liberated territory. If Hollywood kicks me out, decides it doesn't want me there, I can always do my thing over here.<sup>79</sup>

The concept of a "liberated territory" motivates DuVernay's modus operandi as a director and entrepreneur. In stressing the importance of having an autonomous space to create her art, the director acknowledges what has been essential for the success of her predecessors and the adoption of similar strategies in her career. As such, DuVernay proclaims her exact connection to the history, culture, and politics of independent Black filmmaking, specifically the L.A. Rebellion.

In addition to Gerima's influence, DuVernay demonstrates a creative debt to Black women filmmakers of the late twentieth century – especially Julie Dash. Films by the L.A. Rebellion alum center Black women characters with subjectivity and interiority in opposition to pervasive stereotypes. Josslyn Luckett examines the impact of Dash's formative film *Daughters of the Dust* (1991) and Kasi Lemmons's *Eve's Bayou* (1997) on the representations of Black

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<sup>79</sup> Carena Liptak, "Ava DuVernay Built a Safety Net In Case 'Hollywood Kicks Me Out,'" *Entrepreneur*, October 4, 2022, <https://www.entrepreneur.com/leadership/ava-duvernay-built-a-safety-net-in-case-hollywood-kicks-me/435869>.

women, Black spirituality, and political activism in DuVernay's series *Queen Sugar* (2016-2022). Luckett draws parallels between Dash's film and DuVernay's series, comparing the character Nova, who is DuVernay's addition to Baszile's narrative, to the Unborn Child character in *Daughters*. According to Luckett, Nova, the BLM journalist, social justice activist, and Yoruba priestess, exemplifies Dash's unapologetic Black cultural expression in *Daughters*. Luckett argues "Ava DuVernay has a clear commitment to using her creative position to let the depth and breadth of black life be known (or more knowable) to those like the character of Calvin (a white cop) who might not know how or why black lives matter."<sup>80</sup> The aim for Dash and now DuVernay as her artistic heir is not to provide an essentialist representation of Black people but one that does not prioritize being palatable to a white audience. DuVernay, who hired Dash to direct episodes of the series, says, "The show wasn't made to instruct anyone. It was made to amplify and magnify the magnificence of everyday life for black people."<sup>81</sup> Taking inspiration from Dash, DuVernay's series does not appease the white gaze but proclaims the humanity of Black life and its cultural traditions.

In addition to Dash, DuVernay's filmmaking positions her within a broader history and tradition of Black women filmmakers. In *Black Women Film and Video Artists* (1998), editor Jacqueline Bobo compiles an anthology of essays and interviews about Black women filmmakers to demonstrate commonalities across their filmmaking practices and experiences in the media industry: a comprehensive combination of film theory and film praxis. Bobo names a litany of Black women filmmakers of documentaries and narrative films including Dash, Madeline Anderson, Jacqueline Shearer, Kathleen Collins, Ayoka Chenzira, Cheryl Dune, Neema Barnette,

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<sup>80</sup> Josslyn Luckett, "The Daughters Debt: How Black Spirituality and Politics Are Transforming the Televisual Landscape," *Film Quarterly* 72, no. 4 (June 1, 2019): 11–12. <https://doi.org/10.1525/FQ.2019.72.4.9>.

<sup>81</sup> DuVernay quoted in Luckett, 12.

and Dianne Houston. The documentaries and films made by these Black women artists encompass narratives and perspectives that are absent from mainstream media like the impact of racism *and* sexism on the lived experiences of Black women and representations of Black womanhood such as romantic partnerships and a sense of sexuality not concerned with the male gaze. Bobo writes, “In the construction of narrative films or creating social documentaries, Black women filmmakers have engaged questions of resistance and social oppression as a vital part of their work.”<sup>82</sup> These works include Anderson’s documentary *I Am Somebody* (1970) about Black women hospital workers in South Carolina on strike for better working conditions, Collins’s narrative film *Losing Ground* (1982) about the complicated marriage between a Black woman philosophy professor and her artist husband, which holds the distinction of being the first feature-length film directed by a Black woman, to Houston’s short film *Tuesday Morning Ride* (1995) about an elderly Black couple and the first film by a Black woman filmmaker to be nominated for an Academy Award. These Black women filmmakers are DuVernay’s predecessors and paved the way for her success in the industry. DuVernay’s hiring of Dash, Chenzira, Dune, and Barnette to direct episodes of the TV series *Queen Sugar* demonstrates her awareness of Black women filmmakers and their influence on her art.

The director’s work also invokes Black feminist discourses about the intersectional impact of race, gender, and class on the lived experiences of Black women across the diaspora. In her essay for the aforementioned anthology, Gloria Gibson-Hudson argues Black women filmmakers from the late twentieth century deploy a Black feminist perspective in narratives that “authoritatively challenge existing, dominant, mainstream conventions of (mis)representation

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<sup>82</sup> Jacqueline Bobo, “Black Women’s Films: Genesis of a Tradition,” *Black Women Film and Video Artists*, ed. Jacqueline Bobo (New York; London: Routledge, 1998), 14.

replacing them with images that reflect the complexity of Black women's life experiences."<sup>83</sup>

DuVernay's narratives with Black women protagonists at the center, especially her early independent productions, embody this challenge to mainstream tropes and stereotypes. Recent scholarship about Black women filmmakers also theorize its feminist underpinnings. In *Contemporary Black Women Filmmakers and the Art of Resistance* (2018), Christina N. Baker analyzes how the narrative of *Middle of Nowhere* embodies what she defines as the "womanist artistic standpoint framework."<sup>84</sup> Baker uses Alice Walker's concept of womanism and the scholarship of Kimberlé Crenshaw, Patricia Hill Collins, and bell hooks as the basis of the framework. Walker defines a womanist as:

A woman who loves other women, sexually and/or nonsexually. Appreciates and prefers women's culture, women's emotional flexibility [...] and women's strength. Sometimes loves individual men, sexually and/or nonsexually. Committed to survival and wholeness of entire people, male and female.<sup>85</sup>

Baker argues contemporary Black women filmmakers DuVernay, Dee Rees, Gina Bythewood-Prince, Kasi Lemmons, and Tanya Hamilton invoke Walker's definition of Black feminism and demonstrate an appreciation for "women's culture, women's emotional flexibility [...] and women's strength" by producing "stories about Black women that resist the one-dimensional images that permeate the commercial film industry."<sup>86</sup> Her examination of contemporary Black women filmmakers also considers the intersectional experience of Black womanhood as theorized by Kimberlé Crenshaw. In her seminal 1989 essay, Crenshaw challenges the single-axis framework used in American law to address race and sex discrimination. She argues

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<sup>83</sup> Gloria Gibson Hudson, "The Ties that Bind: Cinematic Representations by Black Women Filmmakers," *Ibid*, 44.

<sup>84</sup> Christine Baker, *Contemporary Black Women Filmmakers and the Art of Resistance*, (Ohio State University Press, 2018), 10.

<sup>85</sup> Alice Walker, *In Search of Our Mothers' Gardens: Womanist Prose*, 1983, quoted in Mark A. Reid, "Black Feminism and the Independent Film," *Redefining Black Film*, (Berkeley: University of California Press, 1993), 109, <https://hdl-handle-net.libproxy.york.ac.uk/2027/heb08138.0001.001>.

<sup>86</sup> *Ibid*; Baker, *Contemporary Black Women Filmmakers*, 11.

“Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated.”<sup>87</sup> Baker’s framework considers how DuVernay’s filmmaking combats negative, controlling images of Black womanhood through intersectional representations.

DuVernay’s affirmation of Black women in her films and series confronts stereotypes and tropes about Black women in mainstream media and examines social injustice issues impacting their lives. Baker discusses the litany of disparaging images of Black women in prominent media and argues Black women filmmakers are inspired by their lived experiences to present counternarratives.<sup>88</sup> She writes:

Whereas dominant cultural ideologies historically and presently represent Black women as hypersexual Jezebels, emasculating Sapphires and matriarchs, welfare queens, or subservient mammies, Black women filmmakers create nuanced images and narratives that draw from their histories, experiences, and perspectives.<sup>89</sup>

Contemporary Black women filmmakers dismantle the white supremacist ideologies underpinning the stereotypes and tropes of “Jezebels, Sapphires, and mammies” to depict Black women with agency and subjectivity and to replace one-dimensional caricatures with nuanced portrayals of Black womanhood.

Baker analyzes how the characterization of main protagonist Ruby in the *Middle of Nowhere* counters the Sapphire stereotype. She writes:

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<sup>87</sup> Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics [1989],” *Feminist Legal Theory*, ed. Katherine Bartlett, (Routledge, 1991), 140, <https://doi-org.libproxy.york.ac.uk/10.4324/9780429500480>.

<sup>88</sup> Patricia Hill Collins defines these representations as “controlling images [...] designed to make racism, sexism, poverty, and other forms of social injustice appear to be natural, normal, and inevitable parts of everyday life.” *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*, 2nd ed., (New York; London: Routledge), 2000, 69, <https://doi-org.libproxy.york.ac.uk/10.4324/9780203900055>.

<sup>89</sup> Baker, *Contemporary Black Women Filmmakers*, 16–17.

The film paints a picture of Ruby as a loving, loyal, and intelligent woman. She is strong, but not like the stereotypical aggressive ‘Sapphire.’ Although it takes strength to make the sacrifices that she has for her marriage, this strength is not an impenetrable wall that dehumanizes her. On the contrary, DuVernay created Ruby as a character that the audience can relate to.”<sup>90</sup>

DuVernay’s characterization of Ruby draws on her personal understanding of Black womanhood and her knowledge of mass incarceration as a social justice issue. Ruby’s strength, rooted in love, is a precise contradiction of the emasculating Sapphire image. Furthermore, Ruby is not self-sacrificing in her support of her incarcerated husband, she balances her love for her family with her love for herself by deciding to walk away. Baker concludes, “In all of DuVernay’s films, she prioritizes the contributions of Black women — the women she knew personally or women she admires for their contribution to our society.”<sup>91</sup> DuVernay’s characterization of Black women acknowledges how integral we are to the Black family structure and to American society without forgoing our autonomy. This aspect of DuVernay’s filmmaking frames my discussion of Black women characters in the director’s productions. It is pertinent to my formal analysis of *Queen Sugar* in chapter one and of *Selma* and *Origin* in chapter three.

Moreover, DuVernay’s filmmaking prioritizes a Black woman’s perspective, in front of and behind the camera, by deconstructing and challenging patriarchal, phallogentric and anti-Black representations in film. In *Reel to Real: Race, Class and Sex at the Movies* (1996), bell hooks theorizes a mode of spectatorship that is specific to Black women and their experiences at the intersection of race and gender. hooks argues feminist film criticism and its theorizing of the male gaze, like Laura Mulvey’s seminal critical essay “Visual Pleasure and Narrative Cinema”

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<sup>90</sup> Ibid., 118.

<sup>91</sup> Ibid., 117.

(1975), lacks a consideration of race.<sup>92</sup> The male gaze in Hollywood specifically upholds white womanhood as the ultimate object of beauty and desire, hooks argues, and therefore feminist film criticism tends to focus on the male/female binary without considering the impact of race. Independent Black male filmmakers, from Oscar Micheaux to Spike Lee, have portrayed Black women as objects of the Black male gaze in their representations — an adaptation of the phallogentric gaze. As such, bell hooks writes, by “identifying with neither the phallogentric gaze nor the construction of white womanhood as black, critical black female spectators construct a theory of looking relations where cinematic visual delight is the pleasure of interrogation.”<sup>93</sup> It is through the “pleasure of interrogation” that Black women spectators develop an “oppositional gaze” and critique Hollywood’s white supremacist, patriarchal, and phallogentric representations. Political activation is crucial to this “oppositional gaze” and is what underpins Black feminist filmmaking. After interrogating Hollywood representations for their lack of intersectionality, Black feminist filmmakers like Dash, Kathleen Collins, Zeinabu Davis and now DuVernay have constructed narratives that relate “a broad range of looking relations, contest, resist, revision, interrogate and invent on multiple levels.”<sup>94</sup> Their films attest to the political and cultural utility of an “oppositional gaze” to disrupt the institutional norms of the mainstream media, specifically a white and male perspective. I examine how DuVernay’s productions resist stereotypes about Black womanhood and revise historical narratives to represent the contributions of Black women within social justice movements in the chapters of the thesis.

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<sup>92</sup> bell hooks, “The Oppositional Gaze: Black Female Spectators,” *Reel to Real: Race, Class and Sex at the Movies*, (New York; London: Routledge, 1996; Routledge Classics, 2009), 253-274, <https://doi-org.libproxy.york.ac.uk/10.4324/9780203440919>.

<sup>93</sup> Ibid., 268.

<sup>94</sup> Ibid., 271.

Mark A. Reid refers to productions by independent Black women filmmakers including Sara Gomez (*De Cierta Manera* [1974 and 1977]), Collins (*Losing Ground* [1982]), Dash (*Illusions* [1982]; *Daughters* [1991]), Davis (*Cycles* [1989]) and Alile Sharon Larkin (*A Different Image* [1981]) as Black womanist films that convey Black diasporic feminist theory and the interconnectedness of racism and sexism. Reid argues, “These black womanist films question patriarchal and heterosexist notions of black female subjectivity. Each film also creates a viewing position that speaks to micro- as well as macro-struggles against *phallic* forms of knowledge and power within and without the black community”<sup>95</sup> While DuVernay’s characterizations of Black women in her narrative films do not challenge heteronormativity, they do question a patriarchal vision of the Black family and community. In *I Will Follow*, *Middle of Nowhere*, and *Selma*, Black women characters contest the notion that submissiveness is an act of racial solidarity with Black men. In *Selma*, DuVernay’s characterizations of Black women civil rights activists Coretta Scott King, Diane Nash, Amelia Boynton Robinson, and Annie Lee Cooper recognizes the significance of Black women as a force behind organizing efforts during the civil rights movement. In doing so, the director opposes the absence of Black women from narratives about the movement and constitutes the film’s Black feminist perspective.

Institutionally, ARRAY is an attempt to resolve the obstacles that have historically impeded the productive output of Black women filmmakers in the industry. Reid as well as Janell Hobson recognize how the industry prioritizes easy-to-digest commercialization over complex artistry in addition to racial and gender bias. As such, the ability for Black women filmmakers to get their art made is severely inhibited. Hobson, discussing the obstacles Julie Dash faced over the 10 years it took to produce *Daughters*, writes

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<sup>95</sup> Reid, *Redefining Black Film*, 112.

Yet even these small successes are not enough to cause a shift in mainstream cinema. As America's film industry continues to measure the 'success' of a film by the size of the audiences it attracts rather than by its artistic achievement, marginal filmmakers who choose to film marginal stories and images face a long struggle in earning support for their craft, as this particular art requires an immense amount of money just to sustain itself.<sup>96</sup>

DuVernay's development of ARRAY Creative Campus for production and ARRAY Alliance to finance art projects is a major catalyst to change the resources available to "marginal filmmakers," specifically Black women, and how the industry views films produced for "artistic achievement" and political consciousness as opposed to economics.

## Literature Review

Since the 1990s, scholars have increasingly examined independent Black filmmaking and Black women filmmakers. Among this growing body of Black film scholarship, the work of bell hooks, Diawara Manthia, Ed Guerrero, Mark A. Reid, Gloria Gibson-Hudson, and Jacqueline Bobo form the historical and critical foundation of my thesis.<sup>97</sup> The essay collection *Black Women Film and Video Artists*, edited by Bobo in 1998, reflects this deepening interest in formal and industrial examinations of Black women filmmakers.

DuVernay's individual productions since *I Will Follow* have attracted a certain amount of scholarly attention within the field of Black film studies. In the coda of *Film Blackness: American Cinema and the Idea of Black Film* (2016), for example, Michael Boyce Gillespie notes the affective temporality of past and present in the characterization of Ruby in DuVernay's

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<sup>96</sup> Janell Hobson, "Viewing in the Dark: Toward a Black Feminist Approach to Film," *Women's Studies Quarterly*, vol. 30, no. 1/2, (Spring-Summer 2002), 56, <https://www.jstor.org/stable/40004636>.

<sup>97</sup> hooks, *Reel to Real*; Diawara, ed., *Black American Cinema*; Guerrero, *Framing Blackness*; Reid, *Redefining Film*; Hudson, "Cinematic Representations by Black Women Filmmakers,"; Bobo, ed., *Black Women Film and Video Artists*.

*Middle of Nowhere*.<sup>98</sup> The recognition of this early production in an influential book in the field has instigated further research into the director's filmmaking. This is evidenced by Christina Baker's subsequent analysis of *Middle of Nowhere*, which cites Gillespie and situates DuVernay within a collective of contemporary Black feminist filmmakers who challenge the sociopolitical perception of Black womanhood via their onscreen representations.<sup>99</sup> Baker's latest book *Black Women Directors* (2022) cements DuVernay's position within a lineage of Black women filmmakers by placing her in a pantheon of artists stemming back to the silent era in film – an acknowledgement of her cultural significance. Baker writes, "DuVernay has become the most visible Black woman film director of the past decade."<sup>100</sup> Moreover, Erigha's discussion of DuVernay's professional experiences as a Black woman director in her comprehensive survey of a racial hierarchy in Hollywood is another indication of her prominence in media and in scholarship.<sup>101</sup> Finally, there have been a select number of academic articles about DuVernay's filmmaking in journals such as *Black Camera* and *Film Quarterly*, in addition to book chapters and postgraduate dissertations, which reflects a growing academic interest concerning the director's work.<sup>102</sup>

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<sup>98</sup> Michael Boyce Gillespie, *Film Blackness: American Cinema and the Idea of Black Film*, (Durham; London: Duke University Press, 2016), 159-160, <https://doi-org.libproxy.york.ac.uk/10.2307/j.ctv1131bn9>.

<sup>99</sup> Baker, *Contemporary Black Women Filmmakers*; Baker, "More than Mainstream," *Black Women Directors*, (New Brunswick: Rutgers University Press, 2022), 93-108.

<sup>100</sup> Baker, "More Than Mainstream," 95.

<sup>101</sup> Erigha, *The Hollywood Jim Crow*.

<sup>102</sup> Scholarship about DuVernay includes: Marquita R. Smith, "'Don't Be a Martyr' Kinship, Intimacy, and Carceral Care in Ava DuVernay's *Middle of Nowhere*," *The Black Scholar* 48, no. 1 (2018): 6-19, <https://doi.org/10.1080/00064246.2018.1402252>; Lucinda Hobbs, "The Matter of Black Lives: Representations of Prominent Afro-Americans in Biopics," *A Companion to the Biopic*, eds., Deborah Cartmell and Ashley Dawn Polasek, (Hoboken: Wiley-Blackwell, 2019), 415-433, <https://doi.org/10.1002/9781119554783.ch23>; Christine Acham, "History, Trauma, and Healing in Ava DuVernay's *13th* and *When They See Us*," *Watching While Black Rebooted!*, ed., Beretta E. Smith-Shomade, (New Brunswick: Rutgers University Press, 2023), 27-40, <https://doi.org/10.36019/9781978830059>; Danyelle M. Greene "Cutting against controlling imagery: An analysis of films directed by Gina Prince-Bythewood and Ava Duvernay," (master's thesis, Southern Illinois University at Carbondale, 2016); Uwode, Ejio Favour, "An Analysis of DuVernay's 'When They See Us' Through the Lens of Critical Race Theory." (PhD diss., West Texas A&M University, 2020); Sellami Oumaima, "A Racial and Psychological study of DuVernay's Mini Film Series *When They See Us*," (master's thesis, University of Briskra, 2023).

Scholarship analyzing the formal techniques and historical narratives of DuVernay's productions underscore my close readings throughout the thesis. In particular, a 2019 issue of the academic journal *Black Camera* contains an entire section of articles about the formal techniques and history represented in DuVernay's 2014 biopic *Selma*. The articles by Lamont H. Yeakey and Delphine Letort examine the director's portrait of Dr. King and depiction of the 1965 Selma voting rights campaign in comparison to the historical events, while those by David G. Holmes and Danyelle Greene consider DuVernay's artistic intervention to showcase the activism of Black women during the civil rights movement.<sup>103</sup> In chapter three, I reference each of the four articles from this issue to support my argument about the director's appropriation of the biopic genre, recreation of historical events, and deployment of a narrative that revolves around mourning. Likewise, I utilize critical commentary by Bilal Qureshi to underpin my discussion of the unique camera framing in DuVernay's television series *Queen Sugar* and scholarship by Dawn Dietrich to support my discussion of expository techniques the director uses in her documentary filmmaking with Netflix.<sup>104</sup> Consequently, current scholarship about DuVernay's filmmaking is integral to my formal analysis throughout the thesis.

Furthermore, analysis of DuVernay's place within the history of Black artistry in the scholarship of Teresa Hagan, Cynthia Baron, and Carla Toquet informs my discussion of her political and cultural significance as well as the strategies of other Black artists the director draws on.<sup>105</sup> Existing scholarship about DuVernay emphasizes the degree to which her art is a

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<sup>103</sup> "Close-Up: Ava DuVernay's *Selma* (2014)," *Black Camera* 10, no.2 (2019), 159-225, <https://www-jstor-org.libproxy.york.ac.uk/stable/10.2979/blackcamera.10.issue-2>

<sup>104</sup> Bilal Qureshi, "Elsewhere: The Cultural Consolation of Ava DuVernay's *Queen Sugar*," *Film Quarterly* 70, no. 3 (2017), 63-68, <https://doi.org/10.1525/fq.2017.70.3.63>; Dawn Dietrich, "'For America to Rise It's a Matter of Black Lives/ And We Gonna Free Them, So We Can Free Us': 13th and Social Justice Documentaries in the age of 'Fake News,'" *Pacific Coast Philology* 54, no. 2 (2019): 231, <https://muse.jhu.edu/article/739732>.

<sup>105</sup> Teresa Hagan, "'Don't wait for permission': Ava DuVernay as a Black female intellectual and political artist," *Comparative American Studies An International Journal* 19, no. 1 (2022): 43-62, <https://doi.org/10.1080/14775700.2022.2029332>; Cynthia Baron, "Not Just Indie: A Look At Films by Dee Rees,

continuation of previous eras of Black filmmaking and is indicative of the sociopolitical issues that impact Black representation in media, on one hand, and in American society, on the other.

Toquet argues:

DuVernay's work has incredibly articulated the hinge between political representation and on/off screen representation for Black people, demonstrating that they go hand in hand. Both kinds of representations express a degree of citizenship that should be *de facto* but is not, and she is on her way to change it.<sup>106</sup>

At present, scholarship about the director's representations recognizes how they are inherently political and demand greater visibility for Black people, in an industry and society that has historically denied their full participation. However, the extent of academic criticism on DuVernay remains limited in scale and scope to close readings of a select few productions and comparisons to other Black representations and/or filmmakers. DuVernay's entrepreneurial pursuits throughout her career also have not received extensive scholarly treatment. My thesis and research is distinct in its combination of close readings of DuVernay's productions and examinations of the entrepreneurial strategies the director uses to advance her artistry. This thesis is the first study of DuVernay's career that encompasses her professional trajectory, her art *and* entrepreneurship, over a substantial period of time and as exemplified by six productions.

The limited scholarly work on DuVernay also means important conversations about her art and entrepreneurship are taking place in trade press publications such as *Variety* and *The Hollywood Reporter* and news outlets like *The Los Angeles Times* and *The Guardian*. These non-academic sources are important objects of analysis for my thesis, as I draw on established

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Ava DuVernay, and Kasi Lemmons," *Indie Reframed: Women's Filmmaking and Contemporary American Independent Cinema*, eds., Linda Badley, Claire Perkins, and Michele Schreiber, (Edinburgh University Press, 2017), 204-20, <https://www.cambridge.org/core/books/indie-reframed/not-just-indie-a-look-at-films-by-dee-rees-ava-duvernay-and-kasi-lemmons>; Carla Toquet, "Ava DuVernay, an Unexpected Independent Black Queen in Hollywood?" *Black Camera* 14, no. 1 (2022): 34-57, <https://dx.doi.org/10.2979/blackcamera.14.1.02>.

<sup>106</sup> Toquet, "Ava DuVernay, an Unexpected Independent Black Queen in Hollywood?," 52.

methods from media studies and creative industries scholarship to examine the state of public discourse around DuVernay's work. My use of trade press articles also builds upon a methodology for critical discourse analysis that I employed in prior scholarship about theatrical exhibition during the Covid pandemic.<sup>107</sup> Therefore, interviews, cultural commentary, and media articles are a central part of my methodology. I do not cite them as authoritative sources but as crucial illustrations of how DuVernay's filmmaking and ARRAY are being discussed and received within the industry and wider public contexts. In this vein, the popular reception of DuVernay's work recognizes its substantial impact.

In an interview with the director, author Jesmyn Ward argues, "In the larger culture where the standard depiction of black people involves the exploitation of suffering, she wields the power of the image to jar her viewer into empathizing with suffering."<sup>108</sup> DuVernay contends the narratives she directs about Black beauty, life, and survival are "fighting for justice, fighting for good."<sup>109</sup> The director endeavors to create social change by fostering empathy, advocating for equality, and celebrating Blackness through nuanced representations. Her depictions inspired film critic Manohla Dargis to coin the term the "DuVernay Test," the racial counterpart of the "Bechdel test" for women characters in media. A film passes the "DuVernay Test" if "African-Americans and other minorities have fully realised lives rather than [serving] as scenery in white stories."<sup>110</sup> By centering complex Black characters with fully imagined lives on screen,

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<sup>107</sup> Andrew Higson and Miya Treadwell, "No Time to Die, the Bond Franchise and Global Hollywood: Film Release Patterns During Covid-19," *Journal of British Cinema and Television* 20, no. 4 (2023): 413-435, <https://doi.org/10.3366/jbctv.2023.0685>.

<sup>108</sup> Jesmyn Ward, "Ava DuVernay's Visionary Filmmaking Is Reshaping Hollywood," American Ingenuity Awards, *Smithsonian Magazine*, December 2017, <https://www.smithsonianmag.com/arts-culture/ava-duvernay-visionary-filmmaking-reshaping-hollywood-180967217/>.

<sup>109</sup> Ibid.

<sup>110</sup> Manohla Dargis, "Sundance Fights Tide with Films Like 'The Birth of a Nation,'" Critic's Notebook, *The New York Times*, January 29, 2016, <https://www.nytimes.com/2016/01/30/movies/sundance-fights-tide-with-films-like-the-birth-of-a-nation.html>.

DuVernay's filmmaking is counteracting the convention of relegating Blackness to a position of servitude and submission in mainstream media. DuVernay is also being acknowledged for creating opportunities for women behind the camera. Her television series, *Queen Sugar* on OWN, only employed women directors across its seven seasons. By doing so, DuVernay helped resurrect the careers of talented women directors like Dash, Patricia Cardoso, and DeMane Davis. In chapter one, I discuss DuVernay's creation of a coalition of women directors and its wider implications regarding diversity in media.

DuVernay's creation of avenues to empower other women creators, especially Black women, is contributing to a contemporary Black Renaissance. According to Ibram X. Kendi, a key aspect of this Black Renaissance has been the development of independent resources by Black creators to empower themselves and others. Writing in 2021, Kendi maintains the Black Renaissance is the "third great cultural revival of Black Americans" and concludes, "[I]f the Harlem Renaissance stirred Black people to see themselves, if the Black Arts Movement stirred Black people to love themselves, then the Black Renaissance is stirring Black people to be themselves. Totally. Unapologetically. Freely."<sup>111</sup> Within the Black Renaissance, conformity and working within the system to achieve equality is no longer the goal. Black artists are establishing their own structures, businesses, and institutions to be able to express their Blackness without explanation or justification. Kendi names DuVernay's ARRAY as an example of creating sustainable ways to decenter the white gaze in media production. He observes that "During the past six or so years, Black artists formed mechanisms to lift up their own work and that of their peers: Lena Waithe created a mentorship program, and Ava DuVernay a film distribution and

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<sup>111</sup> Ibram X. Kendi, "This Is the Black Renaissance," *Time*, February 3, 2021, <https://time.com/collection/renaissance-is-black/5932842/ibram-kendi-black-renaissance/>.

resource collective.”<sup>112</sup> By building community networks in which to create on a collective basis, DuVernay and other Black artist laid the groundwork for a Black Renaissance to emerge alongside the Black Lives Matter movement and the #OscarsSoWhite, #MeToo social media campaigns about inequality in the entertainment industry.

### **Thesis Overview**

My thesis is the first in-depth study of Ava DuVernay’s filmmaking. I combine a formal analysis of six productions by the director with an examination of sociopolitical shifts in the media industry and in American society to contextualize DuVernay’s art and entrepreneurship between 2013 and 2023. I define this period as encompassing DuVernay’s entrance into the Hollywood studio system after making a name for herself as an independent filmmaker and her subsequent return to an independent filmmaking model following a multi-production partnership with the streaming giant Netflix. To assess her productions, I draw on genre theory about melodrama, documentary/docudrama, and the biopic. I also explore how ARRAY impacts DuVernay’s participation in the industry and her challenge of structural and racial biases at the height of her engagement with major studios, specifically Netflix. Academic scholarship informs my close readings of DuVernay’s productions and how I discuss the director’s career in relation to her predecessors in independent Black filmmaking. I also make use of trade press publications to chronicle DuVernay’s expansion of ARRAY, her impact on the industry, and wider trends in the entertainment business.

In 2014, the director entered the arena of studio production with *Selma*. The critically acclaimed film led to greater opportunities for DuVernay within the industry at a time when the

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<sup>112</sup> Ibid.

#OscarSoWhite social media campaign spotlighted the lack of Black representation and instigated new efforts to address historic racial disparities. Discourses about diversity in media converged with those of systemic racial inequality raised by the BLM movement. Given the aptitude the director demonstrated for examining social justice issues, first in *Middle of Nowhere* and then *Selma*, she was an ideal voice to express the manifestations of racial inequality in political and cultural terms.

Likewise, DuVernay's growing network of influential media figures and organizations, particularly her relationships with Oprah Winfrey and Netflix, afforded her resources to advance her career. This is evidenced by DuVernay's *Queen Sugar* series (2016-2022) for OWN and her three productions with Netflix – *13TH* (2016), *When They See Us* (2019), and *Colin in Black & White* (2021). As a result of these productions and DuVernay's expansion of ARRAY, the director was also able to provide opportunities for artists like herself, artists from underrepresented communities. The independent media infrastructure of ARRAY is what DuVernay used to produce *Origin* (2023) after walking away from an agreement with Netflix. This trajectory from independent filmmaking to Hollywood studio production back to independent filmmaking is what this thesis considers.

In chapter one, I discuss the director's use of the conventions of melodrama in her television adaptation of Natalie Baszile's 2014 novel *Queen Sugar*. The series depicts the pervasive legacies of chattel slavery and labor exploitation in the American South as well as the issues underpinning the BLM movement such as police brutality and mass incarceration. DuVernay adopts the key conventions of melodrama, perpetual conflict and emotional excess, to draw attention to the show's presentation of these sociopolitical issues. Michael Szalay and Lee Flamand assert these features of melodrama and their deployment in *Queen Sugar* detract from

the ability of the series to imagine solutions to the social problems it presents.<sup>113</sup> However, I argue the series reflects the nature of political progress in America and is limited by its commercial production, not its genre. I also consider how the *Queen Sugar* series (2016-2022) coincides with the concept of prestige television in the twenty-first century and the significance of DuVernay's partnership with Oprah Winfrey to produce a series that only employed women directors across seven seasons. This coalition of women directors, embodies the coalition-building aspect of Black women's activism as theorized by Patricia Hill Collins and amounts to a critical redress of the racial and gender disparities in media production.<sup>114</sup> As such, the adaptation of Baszile's novel into a melodramatic television series facilitates DuVernay's artistry to create Black storytelling that involves sociopolitical issues and her entrepreneurial goal to develop opportunities for women directors in a historically hostile and unwelcoming media industry.

In chapter two, I examine DuVernay's collaboration with the streaming company Netflix to produce three projects – *13TH* (2016), *When They See Us* (2019), and *Colin in Black & White* (2021). I analyze how each production reflects the director's documentary filmmaking to constitute educational narratives about social justice issues, specifically racial inequality in the US criminal justice system. I argue each production exemplifies the expository mode of documentary filmmaking theorized by Bill Nichols and relies on evidentiary editing to persuasively contest political ideologies such as the rhetoric of law and order and the myth of Black criminality.<sup>115</sup> *13TH* examines the mass incarceration crisis in the United States and

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<sup>113</sup> Micheal Szalay, "Melodrama and Narrative Stagnation in Quality TV," *Theory & Event* 22, no. 2 (2019): 485-488, <https://doi.org/10.1353/tae.2019.0029> ; Lee Flamand, "Can Melodrama Redeem American History? Ava DuVernay's 13th and Queen Sugar," *American Mass Incarceration and Post-Network Quality Television: Captivating Aspirations*, (Amsterdam University Press, 2022), 227. <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=30058567>.

<sup>114</sup> Collins, *Black Feminist Thought*.

<sup>115</sup> Bill Nichols, *Introduction to Documentary*, 3<sup>rd</sup> edition, (Bloomington: Indiana University Press, 2017), <https://doi-org.libproxy.york.ac.uk/10.2307/j.ctt2005t6j>.

contends the thirteenth constitutional amendment, which abolished slavery except as a punishment for criminals, facilitated the reconfiguration of chattel slavery into the contemporary prison system. *When They See Us* is a docudrama series about the 1989 Central Park Five case and the wrongful conviction of five Black and Latino teenage boys for a violent sexual assault. The series reconstructs their experiences to showcase how the miscarriage of justice took place as a result of racial bias and a moral panic that overtook New York City. *When They See Us* builds on the information presented in *13TH* because the case is a specific example of racial inequality in the US criminal justice system. Lastly, *Colin in Black & White* is a docudrama about the adolescence of former NFL quarterback Colin Kaepernick who is known for his national anthem protest against police brutality. The series leans into the hybridity of the docudrama genre by combining explanatory sequences about the manifestations of racial inequality (e.g. housing discrimination, colorism, disparities in prison sentencing) presented by Kaepernick with reconstructions of his childhood as the adopted Black child of white parents. *Colin* builds on *13TH* and *When They See Us* to continue DuVernay's social justice narratives about Black men and boys as part of her collaboration with Netflix and during the culmination of the BLM movement. Critically, by deploying the documentary/docudrama genre to offer didactic messages about racial inequality in the US, DuVernay is able to fulfill the educational bent of her entrepreneurship, evidenced by her founding of the nonprofit ARRAY Alliance and its focus on supporting the intersection of art and social justice.

Finally, in chapter three, I compare *Selma* and *Origin* to discuss DuVernay's appropriation of the biopic genre to portray the lives of civil rights icon Rev. Dr. Martin Luther King Jr. and Isabel Wilkerson, the author of *Caste: The Origins of Our Discontents* (2020). I contend *Selma* and *Origin* are connected as narratives that revolve around a depiction of

mourning. In *Selma*, the tragedies of racial violence and the mourning it produces are shown to be the motivating force behind the civil rights movement. In *Origin*, Wilkerson's mourning of personal losses drives her research of a caste system that shapes race relations in the US. Both films align with Michele Prettyman Beverly's analysis of "transformative mourning" in DuVernay's filmmaking.<sup>116</sup> I expand on Beverly's assessment to demonstrate that *Selma* also represents the process of political mourning theorized by Heather Pool.<sup>117</sup> The motif of mourning in these films in addition to early productions in DuVernay's career indicate it to be a significant feature of the director's work. In my close reading of each film, I assess the formal techniques DuVernay uses to depict mourning, including slow-motion editing, close-up shots, re-creation (indicative of the biopic) and reconstruction (emblematic of docudrama), and audio distortion. Additionally, I survey the financing, production, and distribution of each feature to assess DuVernay's approach to studio production versus independent filmmaking. With *Selma*, the director was chosen to fulfill the predetermined vision of the studio and bring a commercial venture to fruition. Comparatively, DuVernay had complete creative autonomy over *Origin* because she did not rely on the resources of a major Hollywood studio. *Selma* represents DuVernay's first major studio production and entrance into Hollywood, while *Origin* signals her return to an independent mode of filmmaking armed with the resources of ARRAY. *Origin* and its experimental narrative that juxtaposes a Black woman's mourning with representations of systemic oppression showcases the artistic autonomy DuVernay has cultivated through her entrepreneurship that allows the director to engage with Hollywood on her own terms. In this

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<sup>116</sup> Michele Prettyman Beverly, "No Medicine for Melancholy: Cinema of Loss and Mourning in the Era of #BlackLivesMatter," *Black Camera* 8, no.2, (2017), 81-103. <https://doi.org/10.2979/blackcamera.8.2.05>.

<sup>117</sup> Heather Pool, *Political Mourning: Identity and Responsibility in the Wake of Tragedy*, (Philadelphia: Temple University Press, 2021), <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=28568356>.

way, *Origin* represents DuVernay's clearest alignment with the filmmaking strategies of independent Black filmmakers such as Haile Gerima.

The aim of my thesis is to chart an important period in Ava DuVernay's career, critically assessing her Black filmmaking and her work within the media industry to cultivate greater resources for historically marginalized artists. I argue that DuVernay's filmmaking constitutes nuanced representations which interrogate sociopolitical issues affecting Black Americans. In addition, I suggest her entrepreneurship and development of ARRAY has been essential to her successful navigation of Hollywood from 2013 to 2023. As I will discuss again in the conclusion to this thesis, ARRAY also exemplifies a "liberated territory" as defined by independent Black filmmaker Haile Gerima, allowing DuVernay to produce projects without the backing of major studios. My thesis comprises a comprehensive analysis of DuVernay's oeuvre, foregrounding the interconnectedness of her art and entrepreneurship in ways that go beyond the scope and depth of existing scholarly work about the director.

## Chapter One

### A Black Feminist Mode of Production:

#### DuVernay's television adaptation of *Queen Sugar* for OWN

When the TV series *Queen Sugar* completed its run in November 2022, Ava DuVernay once again made history. Over seven seasons, *Queen Sugar* hired only women directors (forty-two in total) to bring Natalie Baszile's 2014 novel about a Black family in rural Louisiana to the small screen.<sup>1</sup> After the second season of all women directors in 2018, DuVernay faced pushback from male directors about her intentional hiring policy. The director was informed by an industry associate about "complaints" regarding her employment practices and responded by saying "I invite you to tell whoever is feeling discriminated against to sue me so that I can sue every studio that has left women out."<sup>2</sup> Moreover, when questioned about her rationale for hiring all women directors, DuVernay matter-of-factly declares, "Because we can. Because we can create spaces that nourish in our own image, in the same way that our male counterparts have created in their own image for over a century."<sup>3</sup> Empowered by media mogul Oprah Winfrey and the Oprah Winfrey Network (OWN), DuVernay was able to bring together a cohort of up-and-coming women directors like Kat Candler and Victoria Mahoney and to create new opportunities for

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<sup>1</sup> Angelique Jackson and BreAnna Bell, "Meet the 42 Women Directors of 'Queen Sugar' — and How They're Taking Over Hollywood," *Variety*, September 27, 2022, <https://variety.com/lists/queen-sugar-42-women-directors-ava-duvernay/ava-duvernay-8/>.

<sup>2</sup> Zack Sharf, "Ava DuVernay Fires Back at Men Who Aren't Happy She Hires Female 'Queen Sugar' Directors: 'Sue Me,'" *IndieWire*, May 4, 2018, <https://www.indiewire.com/features/general/ava-duvernay-men-unhappy-women-queen-sugar-directors-1201960610/>; Devon Ivie, "Ava DuVernay Cordially Invites All of Her Male Haters to Sue Her," *Vulture*, May 4, 2018, <https://www.vulture.com/2018/05/ava-duvernay-invites-all-of-her-male-haters-to-sue-her.html>; Hilary Weaver, "Ava DuVernay to Angry Male Directors: Go Ahead, Sue Me," *Vanity Fair*, May 4, 2018, <https://www.vanityfair.com/style/2018/05/ava-duvernay-honored-at-gloria-awards>.

<sup>3</sup> Ibid.

veteran directors like Julie Dash and Cheryl Dunye who had fallen out of the limelight.<sup>4</sup>

DuVernay was also deliberate about employing a diverse group of women and people of color for below-the-line positions, from makeup artists to visual effects, drawing from the local pool of talent in New Orleans where the series was filmed.<sup>5</sup>

The careers of many *Queen Sugar* directors flourished after their work on the series. For a number of them, the show provided a crucial first opportunity to direct television and find a foothold in the industry. Studios now seek out DuVernay's list of diverse entertainment professionals, while *Queen Sugar* directors have expressed their own commitments to creating opportunities for women and people of color in the industry.<sup>6</sup> DuVernay's diverse hiring policies on the set of *Queen Sugar* was an earlier iteration of ARRAY Crew – the personnel database the director launched in 2021 as a resource for networks and studios to hire diverse below-the-line professionals.<sup>7</sup> As such, the production of the *Queen Sugar* series showcased the possibilities for inclusive employment practices in the entertainment industry and dispelled the myth that diverse talent is difficult to source. Therefore, the production of the series exposed how race and gender disparities in Hollywood are, in fact, a choice by decision-making executives.

This chapter examines the political and industrial dimensions of the *Queen Sugar* series (2016-2022). I argue DuVernay's authorial and entrepreneurial approach to creating the series

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<sup>4</sup> Dunye is known for the landmark 1996 independent film, *The Watermelon Woman*, about a Black lesbian filmmaker. Laura L. Sullivan, "Chasing Fae: *The Watermelon Woman* and Black Lesbian Possibility," *Callaloo* 23, no.1 (2000): 448-60, DOI: 10.1353/cal.2000.0070; Chrystel Oloukoï, "The Watermelon Woman at 25: the Black lesbian classic that wears its brilliance lightly," BFI, February 27, 2021, <https://www.bfi.org.uk/features/watermelon-woman-cheryl-dunye>.

<sup>5</sup> Lorena O'Neil, "New Orleans' film industry was a 'secret club.' 'Queen Sugar' blew its doors wide open." *LA Times*, November 29, 2022, <https://www.latimes.com/entertainment-arts/tv/story/2022-11-29/queen-sugar-finale-new-orleans-film-industry-below-the-line>.

<sup>6</sup> Angelique Jackson, "How Oprah Winfrey and Ava DuVernay Led a 'Radical Reimagining' of TV With OWN's 'Queen Sugar,'" *Variety*, September 27, 2022, <https://variety.com/2022/tv/features/oprah-winfrey-ava-duvernay-queen-sugar-women-directors-1235383628/>.

<sup>7</sup> "About Us," *ARRAY Crew*, accessed December 8, 2024, <https://arraycrew.com/about-us/>.

constitutes a Black feminist mode of production that challenges stereotypical depictions of Black Americans, specifically Black American women, and takes ownership of Black representation through her partnership with Oprah Winfrey and OWN. DuVernay's entrepreneurial decision to partner with Winfrey and her artistic choice to adapt the novel into a series allows the director and entrepreneur to explore sociopolitical issues impacting Black Americans in an extended format (over several seasons) as well as take charge of employment practices for the benefit of women directors.

To examine the dynamic between DuVernay's art and entrepreneurship, I consider what is known as "The Ava Effect" – the phrase describes the director's impact on the media industry through her intentional employment of diverse creatives.<sup>8</sup> Regarding *Queen Sugar*, DuVernay's hiring of all women directors resulted in a crucial first opportunity for some to begin their careers and a chance to create jobs for women directors who she admired as artistic inspirations for her work but whose careers were stymied by the racism and sexism intrinsic to the industry. To demonstrate her artistic intervention in adapting the novel, I analyze literary passages in comparison to the first two episodes of season one which were directed by DuVernay. I discuss changes DuVernay made to the narrative arc of Baszile's novel to adapt the source text to television, namely the addition of the character Nova Bordelon who embodies the political ideologies and Black queer origins of the Black Lives Matter movement. I also examine how the director deploys the conventions of melodrama and creates a cinematic aesthetic to bring Baszile's depiction of rural Louisiana to life, showcasing Black beauty amid a lush environment. Finally, Michael Szalay and Lee Flamand consider the conventions of melodrama in *Queen Sugar* to be a hinderance to the capacity of the series to envision solutions to the social justice

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<sup>8</sup> Jackson and Bell, "Meet the 42 Women Directors of 'Queen Sugar.'"

issues it depicts. However, I conclude the series is not constrained by genre but its production by a corporate television network.<sup>9</sup>

Politically and culturally, *Queen Sugar* is a series of its time. The show premiered in September 2016, amid prevalent BLM and diversity discourses about racial and gender inequality in Hollywood, specifically, and American society, at large. *Queen Sugar* had plotlines about BLM, police brutality, mass incarceration, criminal justice reform, and the socioeconomic exploitation of Black farmers and migrant workers — issues dominating American political debate throughout the first Trump administration. DuVernay’s hiring practices for the show also intersect with discourses about racial and gender disparities in Hollywood exemplified by the social media campaign #OscarsSoWhite started in 2015 by media strategist April Reign. I conclude the chapter by detailing the industry impact of *Queen Sugar*. Although I highlight its importance as an exemplar of diverse hiring in media, I also question whether DuVernay’s success can be adopted as an industry standard or was it a flash-in-the-pan historical moment given the recent unraveling of DEI initiatives in Hollywood. One of my central questions in this chapter regards the fate of diversity in media, and the extent to which it depends on independent havens for women and people of color artists like DuVernay’s ARRAY and her lucrative friendship/partnership with Winfrey/OWN.

### **Queen Sugar and “The Ava Effect”**

*Queen Sugar* is a collaboration between ARRAY Filmworks and OWN, showcasing the significance of Black women entrepreneurship in media to produce content that disputes stereotypical, one-dimensional depictions with multilayered narratives about Black people. As

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<sup>9</sup> Szalay, “Melodrama and Narrative Stagnation in Quality TV,” 465-88.

such, DuVernay is following in the footsteps of business-savvy Black women in media. In addition to Winfrey – whose career trajectory spans broadcast reporting in local markets, a national daytime talk show for 25 years (*The Oprah Winfrey Show*, 1986-2011), and a multinational cable television network launched in 2011 – DuVernay’s media entrepreneurship recalls the careers of Debra Lee, the former chairman and CEO of the BET (Black Entertainment Television) Network (2005-2018) and Catherine L. Hughes, the founder of Radio/TV One. Imani M. Cheers writes, “Hughes, Lee, and Winfrey are examples of excellence in media ownership and content production. Each of these Black women have over three decades of experience dominating a field that has been historically reserved for White men.”<sup>10</sup> Through their careers, these women have created alternative portrayals of Black women. They have shown Black women to be capable, intellectual, and enterprising in opposition to historical mammy and Jezebel stereotypes. Cheers suggests DuVernay, and fellow showrunner Shonda Rhimes are the successors of Winfrey, Lee, and Hughes, along with Black women television writers and producers such as Yvette Lee Bowser (*Living Single*, 1993-1998) and Mara Brock Akil (*Girlfriends*, 2000-2008). In turn, the careers of DuVernay and Rhimes have become models for a new generation of Black women creatives like Issa Rae, the creator, writer, and actress known for the HBO series *Insecure* (2016-2021). Cheers concludes that “By making the bold decision to hire Black women specifically, both Rhimes and DuVernay are consciously empowering a demographic that has historically been excluded from these positions of creative power.”<sup>11</sup> The partnership between Winfrey and DuVernay typifies the significant role Black women play in expanding Black representation on television.

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<sup>10</sup> Imani M. Cheers, “Black Women in Television: A Short History,” *The International Encyclopedia of Gender, Media, and Communication* 15, (2020): 6, <https://doi-org.libproxy.york.ac.uk/10.1002/9781119429128.iegmc136>.

<sup>11</sup> Ibid., 7.

Winfrey, through her friendship with DuVernay and love of Baszile's novel, orchestrated the adaptation of *Queen Sugar* through OWN and its strategy for original content production. Winfrey's admiration of the book and desire to develop it into a series stemmed from how, she argues, Baszile captured the essence of Black Americans. In an interview, alongside DuVernay, about the series ending after seven seasons, Winfrey states, "those characters are such a fundamental part of who I know us to be as Black people [...] Hardworking, caring for your family, wanting the same things that everybody is striving for: to be able to live the life that you deserve."<sup>12</sup> DuVernay connected with the material, she says, but also saw an opportunity to create space for women directors through Winfrey's OWN. In the same interview, DuVernay declares, "There's no way it would have happened if there was not a network to support it. [...] Being on a Black, woman-owned network allowed us to not just let hiring all women be an idea, but a real movement."<sup>13</sup> The production of *Queen Sugar* highlights DuVernay's propensity throughout her career to not view creative opportunities in isolation, as a matter of individual advancement, but as opportunities to empower marginalized voices. Her advocacy for diverse artists necessitates an entrepreneurial sense of ownership in order to defy industry standards. In this way, the director's entrepreneurship draws on the example set by predecessors like Winfrey. DuVernay's sense of community responsibility drives both her artistic and entrepreneurial pursuits.

The decision to hire women directors and diverse below-the-line professionals for the *Queen Sugar* series, and the ripple effect it had in bolstering individual careers and disproving the industry's historical rationale against diversity has been described as "The Ava Effect."<sup>14</sup> In

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<sup>12</sup> Jackson, "How Oprah Winfrey and Ava DuVernay Led a 'Radical Reimagining' of TV."

<sup>13</sup> Ibid.

<sup>14</sup> Jackson and Bell, "Meet the 42 Women Directors of 'Queen Sugar.'"

an interview with the forty-two directors for *Queen Sugar* about how the series changed their career trajectories, Angelique Jackson and BreAnna Bell write “Many of the directors secured entry into DGA (Directors Guild of America), received health insurance and found representation for the first time. But the greatest gain may have been their newfound sense of confidence in their talents. That was a hard-won victory in an industry that has made it so hard, for so long, for women.”<sup>15</sup> Critically, access to health insurance for these women directors, especially Black women, was potentially life-saving given the persistent inequity Black women experience in the US regarding health outcomes. Juanita J. Chinn, Iman K. Martin, and Nicole Redmond review health disparities affecting Black women as of 2021 and explain that “Black women continue to experience excess mortality relative to other U.S. women, including—despite overall improvements among Black women—shorter life expectancies and higher rates of maternal mortality. Moreover, Black women are disproportionately burdened by chronic conditions, such as anemia, cardiovascular disease (CVD), and obesity.”<sup>16</sup> Black women directors receiving health insurance through DuVernay’s employment, including the ability to access preventive care (e.g., routine general health check-ups), combats this inequity and demonstrates how the director’s entrepreneurship far exceeds a strictly artistic realm of influence. Culturally, in addition to the tangible benefits of representation and health insurance, the women directors hired by DuVernay were imbued with a sense of confidence about their artistic abilities and a mission not only to continue in their careers but to pay it forward and make room for women in creative spaces. Therefore, the network of directors behind *Queen Sugar* can potentially provoke

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<sup>15</sup> Ibid.

<sup>16</sup> Juanita J. Chinn, Iman K. Martin, and Nicole Redmond. "Health equity among Black women in the United States." *Journal of women's health* 30, no. 2 (2021): 212.

genuine change in the entertainment industry by modeling their careers, advocacy, and entrepreneurship after DuVernay.

From veteran women of color directors such as Neema Barnette, Julie Dash, and Patricia Cardoso to relative newcomers like Tina Mabry and Victoria Mahoney, each of the show's forty-two directors affirmed how monumental DuVernay's hiring practices are for addressing racial and gender disparities in the entertainment industry. Statements from these directors illustrate the impact of DuVernay's intervention. Barnette, the first Black woman director to sign a three-picture deal with Columbia Pictures in 1992 (now Sony Pictures Entertainment), states "Black women are pushed to the back, and Ava had the grace to reach out to people like me, Julie Dash and Ayoka Chenzira, pioneers in the business for over 30 years, and bring us back up."<sup>17</sup> She revitalized my entire career. Since 'Queen Sugar,' I've done 29 shows."<sup>18</sup> Dash, known for her seminal film *Daughters of the Dust* (1991) – the first film by a Black woman to receive national theatrical distribution — states:

I'd done four or five films, but I could never get past the executive producers and the showrunners to get an episode of anything. Nothing. And then here Ava comes, starts a new show, and she gives me two episodes off the bat – just like that. Prior to "Queen Sugar," all women had difficulty getting episodic work. [...] Then Ava did this thing, and within six months, she'd changed the entire face of the episodic world. It's something Hollywood never tried to do before.<sup>19</sup>

Dash's remarks substantiate the power executive producers exercise to maintain racial and gender disparities. Dash, despite her experience and renown, was denied opportunities until DuVernay's intervention, while white men do not faced the same barriers even with lesser

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<sup>17</sup> Lisa Herndon, "Director Neema Barnette Talks Filming at the Schomburg Center and Her Trailblazing Career," *New York Public Library*, February 28, 2022, <https://www.nypl.org/blog/2022/02/28/neema-barnette-talks-harlem-trailblazing-career>.

<sup>18</sup> Jackson and Bell, "Meet the 42 Women Directors of 'Queen Sugar.'"

<sup>19</sup> Ibid.

qualifications. This is evidenced by the demographics of television directors which are, like Hollywood executives, predominately white and male.<sup>20</sup> Cardoso, known for the coming-of-age Latinx film *Real Women Have Curves* (2002), reflects on the impact “The Ava Effect” has had for her and states, “I hired only women as heads of department for my Amazon pilot, ‘Harlan Coben’s Shelter.’ When you’re in a position to hire, be part of the change.”<sup>21</sup> Marby, known for the film *Mississippi Damned* (2009), which was acquired for distribution by ARRAY Releasing in 2015, states: “When we get the opportunity to do the hiring, we have to do the same. We can’t stop what Ava started. That’s how an industry can be reshaped so that it can look like a microcosm of the world and not just a good ol’ boys club.”<sup>22</sup> Mahoney, who made history in 2019 as the first Black woman and the only woman to direct a film for the Star Wars franchise, states: “My reality was no different than most outliers: No one was interested in hiring us. Not a sob story, just relaying data. But on ‘Queen Sugar,’ the unilateral level of support, trust, freedom and inspiration was rare, and still is.”<sup>23</sup> These directors acknowledge how detrimental the industry status quo was to their careers prior to DuVernay, with Winfrey’s support, upsetting the prevailing bias in the industry wherein Hollywood executives are reluctant to give opportunities to women and artists of color often in spite of successes in independent filmmaking.

As well as creating opportunities for artists with similar marginalizing experiences, “The Ava Effect” demonstrates how disparities in Hollywood are the product of a largely homogenous group of decision-makers in the industry. Historically, Hollywood and its depictions were controlled by those privileged by systemic racial and gender inequality, especially during the

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<sup>20</sup> Darnell Hunt and Ana-Christina Ramón, “Hollywood Diversity Report 2020: A Tale of Two Hollywoods (Part 2: Television),” *UCLA College of Social Sciences*, (2020), 46-51, <https://socialsciences.ucla.edu/wp-content/uploads/2024/06/UCLA-Hollywood-Diversity-Report-2020-Television-10-22-2020.pdf>.

<sup>21</sup> Jackson and Bell, “Meet the 42 Women Directors of ‘Queen Sugar.’”

<sup>22</sup> Ibid.

<sup>23</sup> Jackson and Bell, “Meet the 42 Women Directors of ‘Queen Sugar.’”

Classic Hollywood era when the advent of sound film in 1927 spawned the height of the “Ford-like” studio system that continued up until the 1960s. Of the period, Daniel Bernardi writes “The Classical mode of production is not only managed by the ‘children’ of European forefathers and recent immigrants who benefit from the color line, but also by the conscious and unconscious practices of white decision making and procedures.”<sup>24</sup> Therefore, Hollywood’s resistance to diversity and inclusion is the result of the industry’s historical roots in what bell hooks defines as “white supremacist, capitalist patriarchy.” hooks writes, “The social hierarchy in white supremacist, capitalist patriarchy is one in which theoretically men are the powerful, women the powerless [...]; white people the powerful, black people and other non-white peoples the powerless. In a given situation, whichever party is in power is likely to use coercive authority to maintain that power if it is challenged or threatened.”<sup>25</sup> Given that Hollywood was founded by predominantly wealthy white men capitalists during Jim Crow segregation and before white women could legally vote, the institution was not designed to benefit diverse artists.<sup>26</sup>

With this in mind, news media narratives celebrating diverse on-screen representations, such as the fervor around the multicultural casts of Shondaland productions (e.g., *Grey’s Anatomy*, 2005-present and *Scandal*, 2012-2018), often fail to interrogate the lack of structural change in the industry. Isabel Molina-Guzmán argues such news narratives are indicative of the “Hollywood paradox - the lack of diversity in film and TV production, yet TV’s increasing shift toward on-screen representational diversity.”<sup>27</sup> She identifies two discursive frames among

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<sup>24</sup> Daniel Bernardi, *Classic Hollywood, Classic Whiteness*, (University of Minnesota Press, 2001), xvi, <http://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=310550>.

<sup>25</sup> bell hooks, *Feminist Theory: From Margin to Center*, 3<sup>rd</sup> edition, (New York; London: Routledge, 2015), 118-119, <https://doi-org.libproxy.york.ac.uk/10.4324/9781315743172>.

<sup>26</sup> Bernardi, *Classic Hollywood*.

<sup>27</sup> Isabel Molina-Guzmán, “#OscarsSoWhite: how Stuart Hall explains why nothing changes in Hollywood and everything is changing,” *Critical Studies in Media Communication* 33, no.5 (2016): 439, <https://doi.org/10.1080/15295036.2016.1227864>.

journalistic reporting about shows during the 2014-2015 TV season: the “Hollywood exceptionalism frame” and the “Economic imperative frame.” The “Hollywood exceptionalism frame” focuses on the success of individuals (e.g., Shonda Rhimes) or series with multicultural casts, while the economic imperative frame highlights the greater box-office draw, financial success of productions with multicultural casts in comparison to productions with predominantly white casts. Of the parallels between the two frames, Molina-Guzmán writes:

The economic imperative frame similar to the Hollywood exceptionalism frame centers on diversity on-screen rather than changes in the gender and racial structure of Hollywood. It assumes that demographic change will result in structural transformation of the industry, and deploys 2014-2015 on-screen representations of difference as evidence of progress. On-screen representational progress is once again equated with long-term structural change.<sup>28</sup>

The perception that diverse on-screen representation will amount to “long-term structural change” obfuscates the perpetuation of racism and sexism in Hollywood, a microcosm of how racism and sexism operates in American institutions.

In 2020, UCLA published its annual report on diversity in film and television. The report surveys tv offerings from industry players like ABC, Fox, NBC, Netflix, and OWN and found that despite campaigns like #OscarsSoWhite, relative gains in minority employment, and increasingly more diverse audiences since 2015 executive positions in Hollywood are still dominated by white men.<sup>29</sup> According to the report,

In September 2020, fully 92 percent of the critical Chair/CEO positions at these major industry players were occupied by White executives and 68 percent were occupied by

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<sup>28</sup> Ibid., 445.

<sup>29</sup> The report highlights gains in overall minority employment “relative to their White counterparts in 12 of the 13 key Hollywood employment arenas examined in the television sector” but “despite these sweeping gains for the group since the last report, people of color remained underrepresented on every industry employment front during the 2018-2019 tv season.” The report also notes “With the exception of conventional ratings in broadcast (which were mixed), new evidence from the 2018-2019 television season supports findings from earlier reports in this series suggesting that America’s increasingly diverse audiences prefer diverse television content.” Hunt and Ramon, *Hollywood Diversity Report 2020*, 2-4.

males. These figures represent just an incremental advance past the 96 percent White and 71 percent male figures evident in 2015, leaving people of color underrepresented by a factor of 5 to 1 in these important spaces.<sup>30</sup>

The lack of diversity in top positions in Hollywood is a cultural *and* economic hindrance because diverse audiences prefer diverse content. Intentional and explicit hiring practices will be essential to any substantial progress in the industry as well as profitability. The UCLA report suggests “a true commitment to diversity and inclusion has to be infused in a company from top to bottom. Diversity is not only socially just, it’s also profitable.”<sup>31</sup> Given this view, the management of Warner Bros. Discovery under David Zaslav exemplifies the ways in which the entertainment industry continues to be controlled by white men despite the profit rationale for diversity. The ongoing predominance of white and male Hollywood executives in decision-making positions is the result of what hooks describes as the “coercive authority to maintain that power” despite political campaigns, DEI initiatives, and shifts in on-screen representations and audience demographics toward greater diversity.

The homogeneity of Hollywood decision-makers showcases how diverse on-screen representations amount to an increase in visibility as opposed to an increase in the structural power of marginalized communities to influence how institutions operate on a political, economic, and cultural level. As such, diverse on-screen representation can be easily dismantled and unraveled as was seen when David Zaslav was named CEO of Warner Bros. Discovery after the merger of the two media corporations, Discovery Inc., and AT&T’s WarnerMedia, in April 2022. In December 2021, 30 members of the US Congress, including Congressman Joaquin Castro (D-TX) and Senator Elizabeth Warren (D-MA), sent a letter to the Department of Justice

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<sup>30</sup> Ibid., 10-11.

<sup>31</sup> Ibid., 11.

detailing the possible negative impact of the merger on the diversity of on-screen representations and corporate employment demographics.<sup>32</sup> The letter expresses concern for the enforcement of antitrust laws and the fate of Latinx representation and employment after the merger: “Additional consolidation is likely to eliminate competition for these workers and reduce the number of employment opportunities for Hispanic individuals looking to enter the industry. That is why it is so crucial for the Department (of Justice) to vigorously enforce the antitrust laws to combat monopsony power, leading companies to compete for the most talented, productive, inclusive and diverse workforces.”<sup>33</sup>

Under Zaslav’s management, diverse content was purged from HBOMax and films and TV shows with multicultural protagonists (e.g. *Batgirl* film with an Afro-Latina lead) were shelved or canceled. Furthermore, roles geared towards diversity and inclusion and occupied predominantly by people of color were eliminated (e.g., DEI executive Karen Horne was laid off in 2023), while Zaslav hired predominantly white men for top leadership roles. Lucas Shaw reports, “The majority of the chief executive officer’s 13 direct reports, many of whom were recent hires, are White men. Meanwhile, Zaslav in April 2022 fired Warner Bros. chief Ann Sarnoff, one of the highest-ranking women in Hollywood – without filling her role – and replaced WarnerMedia’s heads of communications and finance with White men from Discovery.”<sup>34</sup> Zaslav’s hiring practices and the cancellation of notable Latinx representation (e.g., *The Gordita Chronicles*, 2022) in the months after the merger are largely the realization of

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<sup>32</sup> Winston Cho, “Why Warner Bros. Discovery’s Issues Are Beyond ‘Batgirl,’” *The Hollywood Reporter*, August 17, 2022, <https://www.hollywoodreporter.com/business-news/warner-bros-discovery-batgirl-antitrust-1235197626/>.

<sup>33</sup> Congress of the United States, “Letter to Attorney General Garland and Assistant Attorney General Kanter,” December 4, 2021.

<sup>34</sup> Lucas Shaw, “Warner Bros. Discovery CEO Keeps Hiring White Men for Top Jobs.” *Bloomberg.Com*, July 1, 2022, <https://search.ebscohost.com/login.aspx?direct=true&db=buh&AN=158232734&site=ehost-live>.

the concerns outlined in the letter from the US Congress to the DOJ.<sup>35</sup> It is an example of how homogeneity persists among top executives in Hollywood and its negative impact on marginalized artists and employees. The swift and immediate unraveling of diverse content and DEI initiatives following the Warner Bros. Discovery merger illustrates how significant structural change is critical to the sustainability of marginalized voices and perspectives in media and how on-screen visibility is not enough. It also recalls previous eras in Hollywood in which on-screen representation was exploited to financially prop up the entertainment industry. The commercial success of Blaxploitation films during the 1970s and hood films during the 1990s did not result in increases in the employment of Black creatives and executives in decision-making positions at major studios and networks.<sup>36</sup> In this context, DuVernay's hiring policy offers a top-down model for effective and comprehensive diversity and inclusion in television.

DuVernay's hiring intervention is also indicative of Patricia Hill Collins's conceptualization of Black women's activism in *Black Feminist Thought* (2000). Collins argues Black women's activism, which emanates from Black feminism and challenges controlling images of Black womanhood, involves two interdependent dimensions. The first is the struggle for group survival through the creation of "Black female spheres of influence within existing social structures" and the second is the struggle for "institutional transformation — namely, those efforts to change discriminatory policies and procedures of government, schools, the workplace, the media, stores, and other social institutions."<sup>37</sup> The contributions of Black women within "civil rights organizations, labor unions, feminist groups, boycotts, and revolts" exemplify the second dimension of Black women's activism.<sup>38</sup> Examples include the National Council of Negro

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<sup>35</sup> Cho, "Why Warner Bros. Discovery."

<sup>36</sup> Guerrero, *Framing Blackness*.

<sup>37</sup> Collins, *Black Feminist Thought*, 204.

<sup>38</sup> *Ibid.*, 204.

Women (NCNW) (1935-present) founded by educator and activist Dr. Mary McLeod Bethune to empower the civic engagement of Black women, the 1969 strike of hospital workers in Charleston, South Carolina led by Black women and chronicled by director Madeline Anderson in the documentary *I Am Somebody* (1970), and the Combahee River Collective (1974-1980) of Black feminist lesbians, including the activist and academic Barbara Smith, that was formed to account for the intersectional discrimination their members faced on the basis of race, class, and sexuality.<sup>39</sup> Given that the Hollywood Jim Crow negatively affects Black women directors on the basis of race and gender, DuVernay's establishment of ARRAY and partnership with Winfrey to hire only women directors shows the director and entrepreneur is cognizant of the multifaceted discrimination she and other similarly positioned women face in the industry and has enacted procedures to confront it. As such, DuVernay's efforts to redress employment disparities in media amounts to the second dimension of Black women's activism concerned with creating change within an institution. Collins also stipulates that the second dimension "relies on coalition-building strategies."<sup>40</sup> DuVernay's hiring encompassed a spectrum of women with different backgrounds (e.g., industry experience, race, class, and sexuality) and their commitment to replicating the director's example represents a successful activism network that extends beyond one demographic and the efforts of two individuals in DuVernay and Winfrey.

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<sup>39</sup> Priscilla McCutcheon, "'When and Where I Enter,': The National Council of Negro Women, Black Women's Organizing Power, and the Fight to End Hunger," *Annals of the American Association of Geographers* 112, no. 8, (2022): 2486-2488, <https://doi.org/10.1080/24694452.2022.2077166> ; Bobo, "Black Women's Films," 8; and The Combahee River Collective explain: "The most general statement of our politics at the present time would be that we are actively committed to struggling against racial, sexual, heterosexual, and class oppression and see as our particular task the development of an integrated analysis and practice based upon the fact that the major systems of oppression are interlocking. The synthesis of these oppressions creates the conditions of our lives. As black women, we see black feminism as the logical political movement to combat the manifold and simultaneous oppressions that all women of color face." "A Black Feminist Statement," *Monthly review* 70, no. 8, (2019): 29, [https://doi.org/10.14452/MR-070-08-2019-01\\_3](https://doi.org/10.14452/MR-070-08-2019-01_3).

<sup>40</sup> Collins, *Black Feminist Thought*, 204.

### ***Queen Sugar*: Southern Fiction vs TV Melodrama**

Natalie Baszile's 2014 novel *Queen Sugar* is part of a contemporary canon of Southern fiction concerned with the history of the American plantation, the vestiges of slavery, and how present-day Black Americans can reclaim land in the South for their future.<sup>41</sup> DuVernay's adaptation of the novel into a television series builds on Baszile's work to depict how mass incarceration amounts to the reconfiguration of the conditions of chattel slavery through plotlines about Ralph Angel's criminal record and the Bordelon family's ancestry. Both the novel and the series present a Black feminist rendering of the American South that confronts the whitewashing of Black women's labor in historical narratives about American chattel slavery and agriculture to shine a light on the essential contributions Black women made to the country's socioeconomic development. Jarvis C. McInnis argues that contemporary Black women artists like Baszile and DuVernay contest the absences of Black women's labor from historical narratives about sugar plantations and their work constitutes "a 'black feminist insurgency' that disassembles heteropatriarchal gender norms through strategies and practices of respatialization and reterritorialization"<sup>42</sup> McInnis defines "reterritorialization as the process by which African Americans attempt to reconcile and imagine a new relationship to land, agriculture, the earth, outside of and directly opposed to the exploitative racial capitalist regimes engendered by the

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<sup>41</sup> Examples of this Southern fiction include Jesymn Ward's trilogy of novels set in the fictional town of Bois Sauvage, Mississippi: *Where the Line Bleeds* (2006), *Salvage the Bones* (2011), and *Sing, Unburied, Sing* (2017); Sheri-Marie Harrison discusses Ward's novel *Sing, Unburied, Sing* as part of a wider trend in Black literature and popular culture that is distinct from the gothic literature of authors like Toni Morrison. She writes, "For Ward, there is no buried trauma that must be converted into language for its victims to move on. Instead, racial violence has never gone away. It is indeed, as the ghosts are, at home with us. Ward's ghosts speak to an ever-present and visible lineage of violence that accumulates rather than dissipates with the passage of time. Gothic violence remains a part of everyday black life." "New Black Gothic," *Los Angeles Review of Books*, June 23, 2018, <https://lareviewofbooks.org/article/new-black-gothic/>.

<sup>42</sup> Jarvis C. McInnis, "Black Women's Geographies and the Afterlives of Sugar Plantation," *American Literary History* 31, no. 4 (2019): 746, <https://doi.org/10.1093/alh/ajz043>.

plantation, sharecropping, and debt peonage.”<sup>43</sup> While acknowledging how Black labor has been extracted through imprisonment and enslavement for the benefit of white supremacist capitalist patriarchy, both the novel and the series reimagine the possibilities of Black labor by showcasing it in the service of Black people. Through the specter of Black ownership, each “transform the afterlife of the sugar plantation into a geography of racial healing, feminist insurgency, and self-determination.”<sup>44</sup> However, Black ownership still involves adherence to a capitalistic and inherently exploitative system. This new vision of a different relationship to the land places Black Americans in a position to exploit migrant labor in a manner reminiscent of the historical exploitation of Black labor in America.

DuVernay’s series also coincides with a contemporary Black Renaissance in the era of Prestige TV, the popularity of melodramatic and cinematic television since the turn of the century, and the rise of streaming platforms like Netflix. Bilal Qureshi writes, “The unapologetic emergence of full-fledged black subjectivity on-screen runs parallel to a new chapter in the civil rights movement. Black Lives Matter has propelled long overdue conversations about policing, the prison industrial complex, inequality, and structural barriers into the mainstream. The ongoing renaissance in television enabled by streaming platforms and new revenue models has opened doors for artists to explore these issues with revived creative freedom”<sup>45</sup> DuVernay’s series dramatizes the historical and political moment in which it emerged through plotlines about Ralph Angel’s incarceration and probation, Nova’s BLM activism and journalistic reporting about the local Black community, and the connections drawn between the Bordelon sugarcane

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<sup>43</sup> Ibid., 744.

<sup>44</sup> Ibid., 760.

<sup>45</sup> Bilal Qureshi, “The Cultural Consolation of Ava DuVernay’s *Queen Sugar*,” *Film Quarterly* 70, no.3 (2017): 63, <https://doi.org/10.1525/FQ.2017.70.3.63>.

farm and American chattel slavery, sharecropping, and the continuing socioeconomic exploitation of Black farmers.

The premiere of *Queen Sugar* in 2016 concurred with ongoing discourses in television studies about “quality” and “prestige” as categorizations for TV dramas. Seth Friedman and Amanda Keeler trace the use of the monikers “Quality TV” and “Prestige TV” to distinguish television dramas in the twenty-first century. Both terms describe the aesthetic and narrative attributes of a television show such as high-definition cinematography and a plotline about predominantly white male protagonists attempting, and failing, to live the American dream. Accordingly, series like *Mad Men* (2008-2015) and *Breaking Bad* (2008-2013) are differentiated from the perception of television as a low-brow, decidedly feminine medium. The distinction between the two descriptors is historical and cultural. “Quality TV” became pervasive in the lexicon in the late 1990s amid the rise of HBO original, scripted programming that was marketed as distinct from network television and was generally attached to masculine narratives with mostly White and male casts.<sup>46</sup> “Prestige TV” emerged in the 2000s and reached its peak in the 2010s as a descriptor for critically acclaimed TV dramas. The dominance of HBO and other subscription cable channels over the distinction was challenged by the entrance of streaming platforms like Netflix and Hulu into the market for original, scripted programming. The prestige label is attributed to TV dramas created by an auteur and featuring high-quality visuals, controversial/mature themes, high-brow literary references, American nostalgia, and available to stream. While “Prestige TV” moniker is also assigned to shows with white male protagonists,

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<sup>46</sup> Friedman and Keeler write, “HBO’s original, scripted series that feature troubled White male protagonists and are juxtaposed with purportedly or ordinary television have become the gold standard in most assessments of Quality TV partly because such programming explicitly counters the medium’s persistent affiliations with women.” Seth Friedman and Amanda Keeler, ed., *Prestige television: cultural and artistic value in twenty-first-century America*, (New Brunswick: Rutgers University Press, 2023), 4, <https://doi-org.libproxy.york.ac.uk/10.36019/9781978818309>.

contemporary scholarship seeks to widen its application to include narratives involving multicultural casts, centering women and/or LGBTQIA+ protagonists, and available on basic cable television such as *Queen Sugar*. Willa Paskin writes, “*Queen Sugar* has its prestige TV bona fides in order: seriousness of purpose, devotion to realism, big themes, an auteur, atmosphere.”<sup>47</sup> Therefore, the notion of “Prestige TV” involves greater variety than its “Quality TV” predecessor.

On the other hand, the “prestige” label is a prevalent marketing and branding strategy to generate buzz and critical acclaim for original, scripted programming. Friedman and Keeler conclude, “Consequently, prestige TV captures how producers and creatives align select shows with familiar cultural and artistic traditions (e.g., literary allusions) to enhance their pedigree and infuse them with textual (e.g., high production values) and extratextual (e.g., costly marketing campaigns) facets to establish their vaunted standing.”<sup>48</sup> In addition to formal elements and the impact of technology on how we consume television, the pervasiveness of the prestige label also reflects the saturation within scripted programming as a result of the proliferation of streaming platforms. The prestige label has become a tactic by Hollywood executives to set shows apart in a crowded market.

When a cinematic aesthetic is attributed to a series it conveys how visual storytelling informs each episode in a medium that is historically defined by verbal storytelling. The cinematic turn in contemporary television correlates with technological innovations and shifts in media financing that have blurred the distinction between television and film. Erlend Lavik discusses how the HBO original programming template for quality TV and the rise of streaming

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<sup>47</sup> Willa Paskin, “Queen Sugar: Ava DuVernay’s TV show strikes the perfect balance of prestige-y gravitas and fun,” Culture, *Slate*, September 6, 2016, <https://slate.com/culture/2016/09/ava-duvernays-queen-sugar-on-own-reviewed.html>.

<sup>48</sup> Friedman and Keeler, *Prestige television*, 3.

technology created an opportunity for cinematic television. In the current media landscape, film directors such as David Lynch, Baz Luhrmann, and DuVernay are increasingly applying their visual storytelling skillset to a television format. These occurrences are characterized by a greater investment in visuals, which was the major distinction between film as a camera centric artform (e.g., silent films) and television as a dialogue centric one (e.g. live broadcasts). Of this emerging space between film and television, Lavik writes:

One way to characterize the new space is to say that the 2010s has seen a further de-homogenization of creative and financial practices. There is now room for both blockbuster series comparable to blockbuster films *and* visually distinct shows where one gets the sense that style informs – and not merely ‘executes’ – story ideas (though the two are, of course, not mutually exclusive).<sup>49</sup>

The cinematography in *Queen Sugar* recalls the camera framing in DuVernay’s early independent films *I Will Follow* (2010) and *Middle of Nowhere* (2012) and her first major studio film *Selma* (2014). The director deploys close camera framing to convey the intimacy of emotional moments and to draw the viewer into a close association with the protagonists. For example, in *Selma*, close camera framing of Dr. King in a jail cell in Alabama relates his duality as the leader of a major political movement and a man worn down by the weight of his role.<sup>50</sup> The visual storytelling style of DuVernay’s filmmaking – in which close camera framing of Black faces underscores emotive moments of joy, anger, and grief – informs her adaptation of Bazile’s narrative into a series.

Moreover, the cinematography of *Queen Sugar* demonstrates to the viewer the Bordelon family’s deep connection to the land in rural Louisiana. Sequences of wide and mid shots of

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<sup>49</sup> Erlend Lavik, “Cinematic TV drama,” *Journal of Aesthetics & Culture* 16, no.1 (2024): 11, <https://doi.org/10.1080/20004214.2024.2327662>.

<sup>50</sup> *Selma*, directed by Ava DuVernay, (Paramount Pictures, 2014), [https://www.amazon.co.uk/gp/video/detail/B00XHOK1AU/ref=atv\\_hm\\_mys\\_c\\_uJQOV1\\_2\\_1](https://www.amazon.co.uk/gp/video/detail/B00XHOK1AU/ref=atv_hm_mys_c_uJQOV1_2_1).

Bordelons in proximity to the sugarcane farm in the opening two episodes of the series deploy what is now known as the “*Queen Sugar* frame.” Tanisha C. Ford defines the framing technique as “shots where an actor is isolated at the edge of the frame. The abundant negative space around the actor captures the Louisiana environment: the chartreuse and forest-green hues of the sprawling Bordelon farm, the muddy browns of the waterways, and the multicolored shotgun- and bungalow-style homes characteristic of Louisiana architecture.”<sup>51</sup> The show’s cinematography punctuates this particular story and motions to a wider history of Black Americans cultivating land in the South from the time of chattel slavery to present day.

In this vein, the camera lingers on characters and their environment to illustrate how this history affects their personal circumstances. Specifically, in the first episode of season one “First Things First,” sequences with Ernest (Glynn Truman) on the farm employ the “*Queen Sugar* frame” to situate him and the Bordelon family as the inheritors of land once cultivated by the enslaved and foreshadow the financial crisis that endangers their ability to hold onto it. In one instance, Ernest is captured from behind while sitting on his porch, facing the farm and looking out onto the land. He occupies the far left third of the frame while a large tree and rows of ploughed earth take up the other two-thirds of the frame. One can imagine dozens of enslaved Black Americans use to labor there. However, the lush green of the landscape and how it is captured, also places the Bordelon patriarch within an image of the splendor of nature. A sequence of Ralph Angel (Kofi Siriboe) and Ernest, outfitted with a cowboy hat, walking the rows of the farm presents another similar image with the pair occupying the lower-middle-third of the frame and surrounded by land and sky. Ford reports DuVernay collaborated with cinematographer Antonio Calvache to develop the show’s signature camera framing and lighting,

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<sup>51</sup> Tanisha C. Ford, “*Queen Sugar* Is the Most Luxurious Show on Television,” Culture, *The Atlantic*, September 7, 2022, <https://www.theatlantic.com/culture/archive/2022/09/queen-sugar-final-season-7/671362/>.

with the director declaring “Black people in their everyday lives should be shot with cinematic grandeur.”<sup>52</sup> Therefore, in addition to the influence of Prestige TV on the contemporary media environment, DuVernay was intentional in her aspiration to apply a cinematic aesthetic to a television format in her adaptation of *Queen Sugar*.

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<sup>52</sup> Ibid.



Figure 1 – “Ernest looking out at his sugar farm,” Ava DuVernay, *Queen Sugar*, 2016.



Figure 2 – “Ralph Angel (left) and Ernest (right) walking along the farm,” Ava DuVernay, *Queen Sugar*, 2016.

Additionally, DuVernay's series involves some of the quintessential conventions of melodrama including a narrative that revolves around a nuclear family and a conflict between good vs. evil social forces. Lee Flamand argues the series hinges on depictions of the Bordelons in constant conflict which creates the "emotional excess" of the series, a quintessential component of melodrama. Flamand writes:

Queen Sugar spends great amounts of time both exploring and exploiting the often tearful and heartfelt emotional excess generated by these family struggles, its camera frequently lingering on long moments of intense anguish, deep yearning, or joy, thereby deploying common conventions of the soap opera and activating time-tested structures of sentimentality long associated with genres of American melodrama.<sup>53</sup>

On the one hand, the distinctive camerawork of DuVernay's visual storytelling is the continuation of a technique the director exhibited in her previous productions and overlaps seamlessly with the melodrama of *Queen Sugar* because the lingering camera on the faces of the Bordelons during intense sequences constitutes the emotional excess of the series. On the other hand, Flamand questions whether the excessive emotionality of the series is incompatible with its challenge of whitewashed historical narratives about Black Americans in the South and its exploration of criminal justice issues, namely the consequences of mass incarceration on the Black community, because "at its broken but hopeful heart, *Queen Sugar*, is a fascinatingly knotty family drama and a half-lovely, half-searing portrait of blackness in the rural South."<sup>54</sup> In Flamand's assessment, the family drama of *Queen Sugar* ultimately detracts from its presentation of sociopolitical issues.

However, the emotional excess of melodrama places a spotlight on social issues, showcasing how people are affected by them in comparison to narratives about a character's

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<sup>53</sup> Lee Flamand, "Can Melodrama Redeem American History?," 227.

<sup>54</sup> Ibid., 227.

internal psychology. E. Deidre Pribram locates the political potential of melodrama in its emotional excess. She writes:

Melodrama represents a pervasive narrative mode in which emotions are recognized and accepted as fundamental to its aesthetic functions. Yet melodrama's emotionality also rankles and disturbs, a discomfort that continues to the present day, too often resulting in accusations of excess or dismissive disinterest. However, melodrama's characters, widely viewed as lacking in psychological depth, often portray human subjects planted firmly in the difficulties and dilemmas of particular sociocultural contexts. In this sense, it can be argued that the specific traditions of melodrama and its emotional "excesses" retain characters and audience members as culturally embedded beings, operating within or contesting social institutions and practices.<sup>55</sup>

In *Queen Sugar*, the Bordelons are inextricably tied to the issues of race and class in America by the emotional excesses of the show. The moments of emotional intensity are contextualized within the landscape and history of the American South in addition to contemporary sociopolitical issues involving racial inequality in the US criminal justice system. For example, the source of Ralph Angel's anguish, often conveyed through teary-eyed sequences on the farm, are the limitations placed on him as result of his criminal record and his desire to run the family business. As such, these depictions draw attention to the history of his family's exploitation since chattel slavery, a microcosm of the historical exploitation of Black labor in America, as well as the present crisis of mass incarceration. In doing so, the show can provoke a response within the viewer wherein the Bordelons are recognized as "culturally embedded beings," a product of their environment, and I argue that this dynamic heightens the show's capacity to raise the political consciousness of its audience and differentiates *Queen Sugar* from a soap opera. The series deploys the emotional conventions of melodrama to constitute a progressive political narrative

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<sup>55</sup> E. Deidre Pribram, "Melodrama and the Aesthetics of Emotion," *Melodrama Unbound: Across History, Media, and National Cultures*, edited by Christine Gledhill and Linda Williams, (New York: Columbia University Press, 2018), 244, <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=5276422>.

about a Black American family and counter the predominance of whiteness in the American cultural iconography of family dramas on television.

### ***Queen Sugar* series: Defying Stereotypes about Black Womanhood**

In this section, I analyze important differences between Baszile's novel and DuVernay's series to demonstrate how the director creates a Black feminist representation of race, class, and sexuality that includes depictions of Black queer identities and the tensions between working-class and upper-class Black people. DuVernay's series also incorporates BLM discourses about criminal justice reform into the narrative and, in this way, *Queen Sugar* continues the director's examination of the US criminal justice system, which she began in *Middle of Nowhere*. Through her adaptation of Baszile's novel, DuVernay challenges what Patricia Hill Collins defines as "controlling images of Black womanhood" through the characterization of three Black women protagonists in the series: Charley, Aunt Violet, and Nova.<sup>56</sup> Their portrayal is characterized by agency and complexity in familial and romantic relationships. Reighan Gillam argues Black feminist film production is the adoption and fulfillment by Black creatives of an "oppositional gaze" as theorized by bell hooks.<sup>57</sup> Gillam writes, "Black feminist film production engages how filmmakers, actors, and creative workers hone their oppositional gazes to create Black characters with layers, depth, and complexity that transform how Black women appear on screen."<sup>58</sup> I argue, given the blurring distinction between film and television as evidenced by cinematic

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<sup>56</sup> Collins argues such "controlling images [...]" are "designed to make racism, sexism, poverty, and other forms of social injustice appear to be natural, normal, and inevitable parts of everyday life." *Black Feminist Thought*, 69.

<sup>57</sup> See the Introduction Chapter for my discussion of bell hooks's theory about the "oppositional gaze" of Black women.

<sup>58</sup> Reighan Gillam, "bell hooks's Oppositional Gaze and Black Feminist Film Production in Brazil," *Women's Studies in Communication* 45, no.4 (2022): 452, <https://doi.org/10.1080/07491409.2022.2135911>.

television, DuVernay's series is indicative of a Black feminist mode of production through which her "oppositional gaze" contests controlling images of Black women.

Controlling images of Black women are a political and cultural mechanism to perpetuate our subjugation and contestation is a method of resistance. Collins writes, "The dominant ideology of the slave era fostered the creation of several interrelated, socially constructed controlling images of Black womanhood, each reflecting the dominant group's interest in maintaining Black women's subordination."<sup>59</sup> These images include the mammy caricature of "the faithful, obedient servant" which operates as "the normative yardstick used to evaluate all Black women's behavior" and "the ideal Black female relationship to elite White male power" exemplified by the well-known character of Mammy in *Gone with the Wind* (dir. Victor Fleming, 1939) played by Hattie McDaniel.<sup>60</sup> The Black women characters in both the *Queen Sugar* novel and the series reflect greater autonomy than what is proscribed by the mammy image and directly confront "elite White male power," its historical and contemporary manifestations in the American South.

Charley, in the novel, is a widow and mother to an 11-year-old daughter named Micah. Charley was an art teacher for disadvantaged youth in California prior to moving to Saint Josephine, Louisiana to inherit an 800-acre sugarcane farm. As Ralph Angel's younger half-sister, Charley is the result of their father's marriage after he left Louisiana for California, which causes an estranged relationship between the siblings. Without assistance from her wealthy mother, Charley is in a financially precarious position when she inherits the mismanaged farm. This backstory is altered significantly in DuVernay's television adaptation. In the *Queen Sugar* series, by comparison, Charley (Dawn-Lyen Gardner) holds an MBA from Harvard, manages her

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<sup>59</sup> Collins, *Black Feminist Thought*, 72.

<sup>60</sup> *Ibid.*, 72.

husband Davis's superstar NBA career, and watches after their teenage son, Micah. Brilliant and ambitious, she is the middle half-sibling of older sister Nova (Rutina Wesley) and younger brother Ralph Angel. She is the product of an interracial relationship their father Ernest had while he lived in California before returning to Louisiana and the family sugarcane farm, contributing to the siblings' estranged relationship. In both the series and the novel, Charley's perseverance, determination, and tenacity to survive her first growing season underscore her confrontations with the remnants of slavery and Jim Crow segregation in an industry dominated by white men and in an area steeped in the plantation history of the American South. However, differences in DuVernay's adaptation impact Charley's characterization in important ways.

Throughout *Queen Sugar*, the novel and the series, the imperative to make the sugarcane farm a success is compounded by its historical connection to the exploitation of Black labor in Louisiana. In the book, Charley's father purchased the farm before he died as a final act of retribution for the racial violence he suffered while working there in his youth, where he was beaten for drinking water before a white worker. Charley's grandmother, Miss. Honey, recalls his traumatic experience and it becomes a catalyst for persevering despite pressure to sell the land to white sugar mill owner, Mr. Landry. As the novel describes it, "Charley thought about Miss. Honey's story, imagined her father, just a boy, working the long rows of cane as the sun beat down, racing to the water bucket like any child would do. [...] She had to find the extra sixty-five thousand dollars. She had to get to October, then through to grinding."<sup>61</sup> Charley is motivated by the racial violence her father suffered, an experience that echoes the violent exploitation of enslaved Black Americans and the ongoing consequences of that legacy. Conversely, in the series, the Landry family once owned the enslaved Bordelon ancestors. The

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<sup>61</sup> Natalie Baszile, *Queen Sugar*, 3<sup>rd</sup> edition, (New York: Penguin Books, 2017), 125.

specter of exploitative labor systems in America, specifically chattel slavery and sharecropping, is prevalent in both the novel and the series.

DuVernay's series departs from the novel in its depiction of class conflict among Black Americans, however. Charley, through her wealth, education and professional stature, is the embodiment of the cultural phrase "Black excellence" and how it, in addition to being a celebration of Black achievement in American society, fosters Black respectability politics that prioritize individual career success and economic attainment over collective solutions to systemic inequality. In "The Rise of Respectability Politics," Frederick C. Harris argues, "Economic power is a needed development, of course, and one that can be used to leverage political power. But the politics of respectability has been portrayed as an emancipatory strategy to the neglect of discussions about structural forces that hinder the mobility of the black poor and working class."<sup>62</sup> To redress the socioeconomic disenfranchisement her father experienced, the stress of which contributed to his death, Charley envisions a capitalist solution that will place the Bordelons in a position of ownership within the sugarcane industry.

At the end of "First Thing First" (Season 1, Episode 1), Charley walks her father's land at dusk after his death and exclaims, "I'm sorry Daddy. I'll fix it."<sup>63</sup> Throughout season one, Charley's solution is to open a sugar mill for Black farmers to combat the monopoly held by the Landrys, a wealthy white family who financially exploits the working-class farmers and once owned the enslaved ancestors of the Bordelons.<sup>64</sup> However, her business ambitions beg the

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<sup>62</sup> Frederick C. Harris, "The Rise of Respectability Politics," *Dissent* 61, no.1 (2014): 34-35.

<sup>63</sup> *Queen Sugar*, season 1, episode 1, "First Thing First," directed and written by Ava DuVernay, aired September 6, 2016, on OWN, <https://tv.apple.com/us/episode/first-things-first/umc.cmc.23047wnkaw49q377bnwj39iq?showId=umc.cmc.6gvfss4islnwqtj8bw2gsz459>.

<sup>64</sup> The historical connection between the Bordelons and the Landrys is revealed in *Queen Sugar*, season 1, episode 10, "So Far," directed by Salli Richardson and written by Anthony Sparks, aired November 9, 2016, on OWN.

question: is it possible for Black people to make advancements in existing racist capitalist institutions without contributing to the harm they perpetuate? McInnis concludes:

By taking control of sugar manufacturing, they [the Bordelons] mobilize cooperative economics to challenge the industry's history of racial capitalist exploitation and dispossession. Though they do not imagine an alternative to capitalist agriculture, they do promote a more equitable vision of the sugar industry, one that deconstructs racial barriers and thus marks a more definitive break with the plantation.<sup>65</sup>

In his analysis of *Queen Sugar*, McInnis foregrounds the disruption of a black/white racial barrier within “racial capitalist exploitation and dispossession.” However, in DuVernay’s series, Charley employs migrant labor, Latino workers, and contributes to their death after she insists the workers finish planting the sugarcane crop as a hurricane approaches and neglects to ensure their safe return from the fields (although it is later revealed they were murdered and not killed by the storm).<sup>66</sup> Through this storyline, the series demonstrates the ways in which marginalized people can perpetuate harm and oppression while operating within racist, sexist, and capitalist industries. Charley is determined to succeed as a Black American woman in an industry dominated by wealthy white men. However, despite the history of labor exploitation in her family, Charley adheres to her class and citizenship privilege over expressing a notion of solidarity with the migrant workers. Her character’s evolution and politicization in DuVernay’s series illustrates the tensions Black Americans face while navigating and attempting to redefine their relationship to American society and its institutions.

Charley’s characterization in the series also expands on the novel’s exploration of race and class represented by the Black woman outsider from California, raising further questions

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<sup>65</sup> Ibid., 770.

<sup>66</sup> *Queen Sugar*, season 1, episode 9, “Next to Nothing,” directed Kat Candler and written by Jason Wilborn, aired November 2, 2016, on OWN, <https://tv.apple.com/de/episode/next-to-nothing/umc.cmc.uo99djz8yju7lfngl6shkqxe?l=en-GB>.

about Black respectability politics, wealth, and colorism. In confrontations between the siblings, Charley is the light-skinned, half-white wealthy sister who has been living a life of luxury in California and who is out of touch with the Black community in St. Josephine. In the first two episodes of season one directed by DuVernay, tensions between Charley and Nova stem from the former's tendency to reach for money as the ultimate solution and her neglect of their Afro-Creole cultural traditions. After Charley hires professional servers to distribute food at their father's repast, Nova intensely confronts her about responding to grief with her wallet:

We don't honor our father by sitting our friends and family outside at fancy tables. We don't honor our father by having strangers serve those grieving. We serve comfort food to those who need comfort and we do it with our own hands! That's how a family does a repast. And we certainly don't pay our respects with American Express.<sup>67</sup>

The emotionality of the scene, the immense grief-laden rage Nova directs at Charley, personifies the conventions of melodrama the series deploys to convey their strained relationship and the class difference between the two sisters. In DuVernay's series, Nova acts as Charley's counterbalance, the figure of anti-respectability politics and unapologetic Blackness. She is a journalist, activist, and spiritual priestess who is well-versed in Afro-Creole culture, the amalgamation of African spiritual practices and cultural customs that survived chattel slavery and stand in tension with Western Christianity and assimilation. When Nova prescribes an herbal salve to her elderly neighbor for their chronic pain (along with a marijuana cigarette) and sows a bundle of herbs into the lining of their father's casket, she embodies a Black culture specific to Louisiana, on the one hand, and practices that have historically been a method of resistance to Western colonization, on the other.

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<sup>67</sup> *Queen Sugar*, season 1, episode 2, "Evergreen," directed by Ava DuVernay, written by Tina Mabry, aired September 7, 2016, on OWN, <https://tv.apple.com/us/episode/evergreen/umc.cmc.5u1euvwam11s72v6x0as4bols?showId=umc.cmc.6gvfss4islnwqtj8bw2gsz459>.

Nova is also a reminder of the Black queer origins of BLM and how they inform the political imperatives of the movement. The depiction of her bisexuality, showing her in intimate relationships with men and women, alongside her political activity, is a rare portrayal of Black queer womanhood. The lack of representations of Black queer womanhood in media, with notable exceptions in the work of artists like writer and producer Lena Waithe (*The Chi*, 2018-present) and directors Dee Rees (*Pariah*, 2011) and the aforementioned Cheryl Dunye, relates the triple marginalization of Black queer women on the basis of race, gender, and sexuality. This visible absence within mainstream cultural production also reinforces their invisibility in narratives about political movements.

It is worth briefly recounting the wider contexts for the characterization of Black women in *Queen Sugar*. The Black Lives Matter movement was founded by three Black women in 2013, Patrisse Cullors, Alicia Garza and Opal Tometi, in response to the acquittal of George Zimmerman for the shooting death of Trayvon Martin. Cullors and Garza also identify as queer.<sup>68</sup> In “Herstory,” the founders outline the imperatives of the movement including acknowledgment for the contributions of Black queer people in civil rights activism. They write:

Black liberation movements in this country have created room, space, and leadership for Black heterosexual, cisgender men — leaving women, queer, and transgender people, and others either out of the movement or in the background to move the work forward with little or no recognition. As a network, we have always recognized the need to center the leadership of women and queer and trans people. To maximize our movement muscle, and to be intentional about not replicating harmful practices that excluded so many in past movements for liberation, we made a commitment to placing those at the margins closer to the center.<sup>69</sup>

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<sup>68</sup> Jade D. Petermon & Leland G. Spencer, “Black queer womanhood matters: searching for the queer herstory of Black Lives Matter in television dramas,” *Critical Studies in Media Communication* 36, no. 4 (2019): 340, <https://doi.org/10.1080/15295036.2019.1607518>.

<sup>69</sup> “Herstory,” *Black Lives Matter*, accessed May 30, 2024, <https://blacklivesmatter.com/herstory/>.

The absence of Black queer womanhood in cultural productions about BLM overlooks the expressed mission of the movement's founders to "center the leadership of women and queer and trans people." As such, these cultural productions perpetuate the historical erasure of Black queer activists and dilute the progressive politics of BLM.

Jade D. Petermon and Leland G. Spencer analyze BLM narratives in the television shows *Scandal* (2012-2018), *Orange Is the New Black* (2013-2019), and *Queen Sugar* for how they present the politics of the movement, specifically issues of police brutality and mass incarceration, as well as its leaders. They argue *Queen Sugar* is an outlier of the three because of its engagement with the systemic causes of mass incarceration through Nova's reporting on for-profit prisons and police corruption. Petermon and Spencer contend that "By including bureaucracy, corporations, and government entities, *QS* (Queen Sugar) initially avoids individualizing the problems of over-policing, racial profiling, and implicit bias. If these injustices stem from multifaceted structural factors, so must their solutions."<sup>70</sup> DuVernay's series, the first season in particular, presents an exploration of the US prison industrial complex as a structural problem that pervades political, socioeconomic, and cultural institutions. The first season premiered on September 6, 2016 a few weeks before the premiere of the *13TH* documentary at the New York Film Festival on September 30, 2016 and its subsequent release on Netflix. The similarities between the series and the argument about criminal justice reform in *13TH* demonstrates the extent to which these political discourses inform the director's artistic practice across different genres and mediums – a melodrama series and network television, an expository documentary and streaming service.

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<sup>70</sup> Petermon and Spencer, "Black queer womanhood matters," 350.

Nova's relationship with a Black woman BLM activist (played by Reagan Gomez-Preston) also counters narratives of BLM that erase its Black woman and queer foundation. This plotline in season one is a contrast to other contemporary narratives focused on the racist actions of individuals (e.g., bigoted cops) as opposed to examinations of how systems perpetuate a racist social hierarchy through disenfranchisement and violence. Citing Nova's response to critiques of BLM leadership or lack thereof in an interview with journalist and professor Melissa Harris-Perry (playing herself), Petermon and Spencer write that *Queen Sugar*,

offers a powerful rebuff to the malewashing and cis/straightwashing of civil rights histories – in the voice of one of its main characters. Nova rebukes the idea that civil rights has had no leader since Martin Luther King, and she pushes back on the attempt of straight Black men to take credit for the work of queer, trans, and gender nonconforming people of color.<sup>71</sup>

DuVernay's series explicitly recognizes the significance of Black queer womanhood to BLM, specifically, but also to Black liberation movements throughout history through her addition of Nova to the *Queen Sugar* narrative. However, Nova's recurring relationship with a married white cop, Calvin (Greg Vaughan), which informs her hesitation to adopt more radical politics of criminal justice reform like prison abolition, limits the representation of progressive politics in the series. According to Petermon and Spencer, this relationship speaks to the inability of a commercial cultural production to "present material that challenges power relations in the status quo."<sup>72</sup> Ultimately, DuVernay's narrative intervention on-screen is stymied by the limitations of the industry. *Queen Sugar*'s distribution on network television, despite Winfrey's ownership, relies on corporate investment, which by its capitalist nature will prioritize profit over the radical reimagining of the criminal justice system.

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<sup>71</sup> Ibid, 351.

<sup>72</sup> Ibid, 342.

DuVernay's representation also includes a reimagined image of older Black womanhood. We can see the contrast between depictions of matriarch figures in the novel and the series, in relation to Baszile's characterization of Miss. Honey. The character of Miss. Honey brings to mind representations of older Black women in films like *Soul Food* (dir. George Tillman Jr., 1997). Deeply religious, Miss. Honey can quote scripture for every situation and cooking food is her act of love in the absence of words of affirmation. Representations of this nature, despite intentions (e.g., Tillman based characters in *Soul Food* on his family and upbringing in Chicago), can veer into an amalgamation of the mammy and Black matriarch stereotypes in which older Black women are perceived primarily in relation to the physical and emotional labor they do firstly for white people and secondly for their families. The Black matriarch stereotype defines Black motherhood as an emasculating force for Black men and children. The stereotype has been pervasive in political and cultural spheres as an explanation for the proliferation of single-parent households headed by Black mothers since the 1960s and in response to Black women joining professional sectors outside of domestic service.<sup>73</sup> Collins writes, "as overly aggressive, unfeminine women, Black matriarchs allegedly emasculated their lovers and husbands [...] From the dominant group's perspective, the matriarch represented a failed mammy, a negative stigma to be applied to African-American women who dared reject the image of the submissive, hardworking servant."<sup>74</sup> Black mothers, viewed through the Black matriarch stereotype, are detrimental to the Black family by not adhering to the heteropatriarchal ideal of the nuclear family.

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<sup>73</sup> For example, the 1965 report by Assistant Secretary of Labor Daniel Patrick Moynihan titled *The Negro Family: The Case for National Action*, also known as The Moynihan Report.

<sup>74</sup> Collins, *Black Feminist Thought*, 75.

Conversely, Collins examines how Black women intellectuals, in academia and in literature, depict an image of Black mothers in opposition to the Black matriarch stereotype. She writes, “Instead they portray African-American mothers as complex individuals who often show tremendous strength under adverse conditions, or who become beaten down by the incessant demands of providing for their families.”<sup>75</sup> Crucially, Black women intellectuals like Alice Walker in *In Search of Our Mothers’ Gardens: Womanist Prose* (1983) humanize Black mothers by demonstrating how they are affected by their environment and personal experiences as opposed to an intrinsic ineptitude. Baszile’s characterization of Miss. Honey invokes the work of Black women intellectuals to reclaim the image of the Black matriarch that Collins identifies. Miss. Honey is haunted by the role she played in Ralph Angel’s tumultuous upbringing with a mentally ill mother, which accounts for the excuses she makes for his destructive, violent behavior – “All I know is, whatever problems Ralph Angel’s got, he comes by them honest.”<sup>76</sup> Wanting her son Ernest to make it to California, even after his high school girlfriend – Ralph Angel’s mother – becomes pregnant, Miss. Honey paid the girl’s family to keep her away. In a confession to Charley, Miss. Honey recalls “Something about her wasn’t right – she was smart, but fragile as a little bird. Ernest needed a fighter, a woman strong enough to stand with him against the world.”<sup>77</sup> Miss. Honey’s actions caused Ralph Angel’s mother to refuse assistance as her mental health deteriorated and left Ralph Angel vulnerable as a child. Charley ponders the far-reaching consequences of her actions:

If Micah fell in love with someone too frail or weak to help her stand against the world, would she interfere? She probably would. And yet, and yet. How many lives had Miss. Honey ruined, and if not ruined, altered in a way that couldn’t be fixed? Sometimes there

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<sup>75</sup> Ibid, 75-76.

<sup>76</sup> Baszile, *Queen Sugar*, 71.

<sup>77</sup> Ibid., 264.

was no fixing a life once it was broken; love, devotion, shortsightedness, *ignorance* – none of it mattered. Sometimes it was too late.<sup>78</sup>

Baszile portrays Miss. Honey as a mother who was guided by an instinct to protect their child, acting with the best intentions amid difficult circumstances. Charley, a mother herself, recognizes this instinct as well as the “adverse conditions” that informed Miss. Honey’s decision to prioritize Ernest’s survival, but she also acknowledges the destruction it brought. Therefore, the author’s portrait of Black motherhood encompasses greater complexity than stereotypical, one-dimensional depictions of Black matriarchs as singularly detrimental to the Black family.

Miss. Honey is absent from DuVernay’s series. Instead, the show expands on the Aunt Violet character from the novel. In the series, Aunt Violet (Tina Lifford) is the family matriarch and a surrogate mother for the Bordelon siblings after the passing of her brother. In her 60s, Aunt Violet is in a romantic relationship with Hollywood (Omar J. Dorsey), who is at least 20 years her junior. She holds entrepreneurial ambitions of owning her own business and often serves as the family historian. Aunt Violet is the one to inform the Bordelon siblings about the traumatic history connecting their family and the Landrys. While Ralph Angel was incarcerated, she became the guardian of his son Blue. Blue’s mother Darla suffers from drug addiction and therefore, Aunt Violet is critical of Ralph Angel and Darla’s ability to parent Blue. In this way, Aunt Violet does not coddle or excuse Ralph Angel’s behavior and hopes to spare Blue from making similar mistakes – “Wrestling with the world. A world that ain’t got no pedestal for you.”<sup>79</sup> This dynamic between Aunt Violet, Ralph Angel and Darla regarding Blue represents the ways in which Black families can become reconfigured outside of the heteropatriarchal nuclear ideal when impacted by mass incarceration and drug addiction. Through this depiction of a Black

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<sup>78</sup> Ibid., 265.

<sup>79</sup> DuVernay, “Evergreen.”

family, DuVernay's representation challenges the Black matriarch and mammy stereotypes by expanding on the notion of familial responsibility to include narratives about professional aspirations and romantic partnerships. However, the portrayal of the relationship between Aunt Violet and Hollywood remains the primary intervention of this characterization, it showcases a Black matriarch in a loving partnership in opposition to the emasculating stereotype. Furthermore, sequences of each of these three women protagonists engaging in loving intimacy contests stereotypical portrayals of Black women as either insatiably hypersexual (e.g., Jezebels and hoochies) or wholly lacking in sexual intimacy (e.g., Black matriarchs and mammies).

### ***Queen Sugar* series: Reimagining Black Masculinity**

Although *Queen Sugar* primarily focuses on the Black women characters discussed above, I want to end this chapter by briefly comparing the depiction of Black masculinity in the novel and in the series. Ralph Angel in the series counters representations of Black villainy in racial melodramas. Flamand notes American racial melodramas can illustrate the consequences of white supremacy (e.g., the limited series *Roots*, 1976) but historically, they have presented an image of Black villainy and criminality such as the depiction of a Black man as a sexual predator and inherent threat to white womanhood in the infamous film *The Birth of a Nation* by director D.W. Griffith (1915).<sup>80</sup> By comparison, DuVernay's characterization of Ralph Angel presents an image of progressive Black masculinity and serves as a vehicle to explore the impact of mass

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<sup>80</sup> Flamand writes, "At its most basic level, melodrama divides characters into categories of virtuous beset victimhood and leering villainy. American racial melodrama regularly overwrites these Manichaeic divisions of good and evil over those of Black and white" wherein Blackness become villainous and whiteness is upheld as righteous. "Can Melodrama Redeem American History?," 239-240.

incarceration on Black men. In this way, his character complements the character of Nova, and her journalism and activism.

In the Baszile's novel, Ralph Angel struggles with drug addiction and harbors immense jealousy toward his sister for the relationship he thinks she had with their father. While his behavior could be the result of his mother's mental illness during his childhood and his subsequent drug addiction, Ralph Angel in the novel is antagonistic, habitually destructive, and acts entitled with everyone except for his son Blue. By comparison, Ralph Angel in DuVernay's series is the naive younger brother of Nova and Charley. He is angry at the world for his circumstances and trying to make a life for himself and Blue after being incarcerated. In the first episode of season one, newly released from prison, Ralph Angel leaves Blue at a park and commits armed robbery as a last resort to provide for himself and his son while he struggles to find employment. After the robbery, Ralph Angel watches Blue from behind a park fence with a teary-eyed pained expression. The excess of emotion conveys how Ralph Angel's criminality is the result of his circumstances, his impoverishment, and situates the episode within the conventions of melodrama. His tears provoke the viewer to consider his circumstances as opposed to solely focusing on the crime. On probation, he is tethered to the criminal justice system and the farm becomes an opportunity for legitimate work. He exists in a precarious position between working for the family sugarcane farm and violating his parole and becoming a part of the carceral-labor workforce, reflected in the history of incarcerated labor at Louisiana State Penitentiary, known as Angola.<sup>81</sup>

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<sup>81</sup> McInnis suggests the depiction of Black farmers working to achieve independence within the "racial and gendered economies" of the agricultural industry in the American South is also a "critique of Louisiana's Angola prison, where mostly black inmates pick cotton and cut cane by hand to this very day." "Black Women's Geographies," 769-770.

Notably, DuVernay's series expands on the novel's depiction of Ralph Angel as a father. Instead of a contentious relationship between Ernest and Ralph Angel, the series shows the example of masculinity set by the former and how it will inform the example the latter sets for Blue. The depiction of Black masculinity corresponds with a progressive ideal evolved from representations of Black men in hip hop films in the 1990s. While figures like Furious (Laurence Fishburne) in *Boyz n the Hood* (dir. John Singleton, 1991) were present and attentive fathers, they projected a misogynistic and emotionally invulnerable image of Black masculinity in alignment with rigid gender roles. In the twenty-first century, Robin M. Boylorn argues humanizing narratives about the maturation and survival of Black men presents a "Progressive black masculinity" that "is fluid, feminist, and resists the restrictions of traditional patriarchy by reimagining gender roles and scripts."<sup>82</sup> Ralph Angel's narrative arc throughout the series encompasses a transformation from a toxic masculinity to a progressive one and is initiated by the death of his father. Throughout the seven seasons of the series, Ralph Angel transforms from being immature and openly hostile towards Darla because of her addiction to inheriting the family sugarcane farm, reconciling with Darla, and expanding their family. This trajectory maps onto the facets Boylorn observes in films from the 1990s to the 2010s with increasingly progressive representations of Black masculinity, charting an evolution from *Boyz n the Hood* and *Baby Boy* (dir. John Singleton, 2000) to *Fruitvale Station* (dir. Ryan Coogler, 2013). She writes:

Each film suggests that mature, progressive masculinity requires the following tenets: (1) participation in a monogamous heterosexual relationship, (2) responsible fatherhood, and (3) an epiphanic transition or transformation inspired by the death of a black man.<sup>83</sup>

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<sup>82</sup> Robin M. Boylorn, "From Boys to Men: Hip-Hop, Hood Films, and the Performance of Contemporary Black Masculinity," *Black Camera* 8, no.2 (2017): 148, <https://www.jstor.org/stable/10.2979/blackcamera.8.2.09>.

<sup>83</sup> *Ibid.*, 149.

Ralph Angel's trajectory, specifically his acceptance and parenting of Blue after learning he is not his biological son in season two, disrupts patriarchal norms that assert fatherhood is dependent on biology and an ability to financially provide. His vulnerable and emotional connection with Blue (e.g., he defends Blue playing with a Barbie doll) embodies bell hooks's Black feminist vision in which she argues, "When all black males learn that fatherhood is less about biological creation than about the capacity to nurture the spiritual and emotional growth of a child's life, then they will teach that lesson to the males who come after them."<sup>84</sup> As such, the characterization of Ralph Angel in DuVernay's series encompasses Black feminist ideologies to depict a progressive image of Black masculinity.

In the first episode of season one, Ralph Angel meets his father on the farm and they discuss his future. The camera tracks the pair as they talk and demonstrates a physical and familial bond with the land. Later in the episode, Ernest has a stroke and is rushed to the hospital during Blue's 6th birthday party. Although hesitant at first, Ralph Angel eventually takes Blue to the hospital to visit his grandfather and ultimately, to say goodbye. Ernest is unable to speak but the three of them are able to convey their love for one another in his final moments. The shot-reverse-shot sequence of knowing glances between Ernest and Ralph Angel as the former hugs Blue recalls an earlier sequence in the episode where Ralph Angel places Blue's birthday cake in front of him. From joy to mourning, the cinematography and editing amounts to the emotionality of the episode in line with the conventions of melodrama and portray a loving depiction of Black fatherhood that contests stereotypes about absent Black fathers. It also highlights an artistic signature of DuVernay's filmmaking, the close framing of faces during emotive moments to draw the viewer into a close association with the events unfolding on-screen. Qureshi writes:

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<sup>84</sup> bell hooks, *We Real Cool: Black Men and Masculinity*, (New York and London: Routledge, 2004), 107-108, <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=200865>.

As a storyteller, Ava DuVernay wants to bring the audience as close to her characters as possible. She loves to close in on her actor's faces and keep the camera focused on the performer even as others speak offscreen [...] In bringing the viewer so physically and emotionally close to her actors, she subverts and expands Hollywood's portrayal of black family life.<sup>85</sup>

The tender moment between Ernest, Ralph Angel, and Blue emotively depicts Black manhood and boyhood with a sense of care and vulnerability absent from portrayals revolving around toxic masculinity and gratuitous violence. Qureshi concludes, "Unlike stories that fixate on racial disadvantage and violence, her films assume black humanity in every frame. The camera lingers on lips, skin, and hair in a manner that feels revolutionary in its heightened sensuality."<sup>86</sup> The DuVernay series utilizes cinematographic techniques, in addition to an expanded narrative trajectory, to depict a poetic portrait of Black fatherhood.

## Conclusion

DuVernay's adaptation of Baszile's novel into a television melodrama exemplifies a Black feminist mode of production both on-screen and behind the scenes. The director's creative choices foreground her use of an oppositional gaze to reimagine the Black family in opposition to denigrative historical and cultural stereotypes, especially controlling images of Black women. Furthermore, her entrepreneurial business decision to employ all women directors across seven seasons constitutes her Black women's activism to challenge the racial and gender status quo of Hollywood as an institution rooted in white supremacist capitalist patriarchy. However, DuVernay's creative and entrepreneurial intervention with the *Queen Sugar* series is limited by

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<sup>85</sup> Qureshi, "The Cultural Consolation of Ava DuVernay's *Queen Sugar*," 65.

<sup>86</sup> Ibid., 65.

the racist, sexist, and capitalist system in which it is produced. The show is inhibited by said system even while using visual storytelling to showcase its consequences.

Michael Szalay questions the ability of melodrama to depict radical politics and imagine alternatives to racial capitalism. Szalay argues melodramatic narratives, with origins in soap operas, are dependent on drawn out, perpetual conflict in which time is suspended and progress is never sustained. As such, the genre is inadequate to depict the history of racial capitalism and its consequences in the present. He writes “Queen Sugar does analyze the origins of capitalist racism – up to a point. Throughout, it insists on the crippling intimacy for African Americans of the wage contract and the state-coerced unfree labor that underwrites that contract. But it will sometimes feel as if that account exists mainly to justify the drama’s embrace of Cynical Reason.”<sup>87</sup> Melodrama, tied to the ideal of home and family, cannot imagine collective action to overturn an oppressive system but only chart a succession of conflicts faced and often ending without a sustainable resolution. However, *Queen Sugar*’s narrative about the Bordelon family does not lean into Cynical Reason (wherein you focus on your immediate family and their success as opposed to cultivating an ambition to confront major sociopolitical issues impacting a global society which in turn results in global inaction despite widespread knowledge of such issues [e.g., climate inaction]) but illustrates the cyclical nature of cultural and political progress in American society.<sup>88</sup> For every successful social movement or advancement, there is inevitably a conservative backlash that reconfigures and reinforces white supremacist capitalist patriarchy.

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<sup>87</sup> Szalay, “Melodrama and Narrative Stagnation in Quality TV,” 485.

<sup>88</sup> Ian Buchanan, “Cynical Reason,” In *A Dictionary of Critical Theory*, (Oxford University Press, 2010), <https://www.oxfordreference.com/view/10.1093/acref/9780199532919.001.0001/acref-9780199532919-e-156>.

Similar to Szalay, Flamand argues *Queen Sugar*'s attempt to recover a history of exploitative labor and capital accumulation in the American South, its current perpetuation through mass incarceration is inhibited by the tenets of melodrama. He concludes:

This is because both melodrama, as perhaps the dominant mode of popular American storytelling, and “quality” serial television as an inalienably commercial undertaking are themselves indissolubly embedded within and even reliant upon the ongoing routines of capital accumulation.<sup>89</sup>

The *Queen Sugar* series is entangled in and dependent on the very system it seeks to critique. In this way, it is “reliant upon the ongoing routines of capital accumulation” involved in commercial television. Moreover, the nature of melodrama, centered around the sanctity of the nuclear family/home and not a collective community, makes envisioning an alternative system to racial capitalism impractical. Therefore, I concur with Flamand that the presentation of progressive politics in DuVernay's series is muted by its commercial production. Yet, the depiction of perpetual conflict season to season is indicative of the nature of political progress in America. After a moment of progressive political achievement (e.g., the civil rights movement, Obama's presidency) that results in a modicum of social progress (or the perception of social progress), there is a swift conservative backlash (e.g., conservative criminal justice legislation of the 1980s, Trump's presidency, anti-woke legislation) to combat and undo achievements (e.g., affirmative action, DEI initiatives) and in turn the next movement, battle for progress, is mounted. In this way, the series is accurate in its portrayal of fleeting social progress. Still, despite the limitations of melodrama and on-screen representation, DuVernay's hiring of all women directors for the series amounts to one tangible strategy to combat racial and gender disparities in the entertainment industry. It is a significant victory in the ever-evolving struggle

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<sup>89</sup> Flamand, *American Mass Incarceration*, 264.

for diversity, equity, and inclusion. Critically, *Queen Sugar* demonstrates the interconnectedness of DuVernay's art and entrepreneurship. DuVernay's entrepreneurship enabled the creation of a series concerned with representation on-screen and behind-the-scenes in addition to continuing her artistic explorations of historical and political topics about Black Americans. As such, the series is distinct from contemporary trends in entertainment wherein diverse on-screen representations obfuscate the lack thereof within the decision-making hierarchy of a show, specifically, and of the industry, at large. DuVernay's series does both. As a result of her inextricably linked art and entrepreneurship, DuVernay was able to optimize on-screen diversity and bring to life a narrative that centers a Black family as well as support women directors by disrupting the status-quo regarding decision-making positions off camera. In the chapter that follows, I chart the evolution of DuVernay's documentary filmmaking to produce three educational narratives – *13TH*, *When They See Us*, and *Colin in Black & White* – in collaboration with Netflix between 2016 and 2021.

## Chapter Two

### DuVernay's Netflix Era:

#### Strong Black Lead, Black Lives Matter, and Social Justice Narratives

In 2018, Netflix launched its Strong Black Lead marketing and programming initiative with the commercial “A Great Day in Hollywood.” The commercial was a declaration of purpose for the brand and was widely released online and on television. It adapts Art Kane’s famous photo “A Great Day in Harlem” (1958) of 57 predominantly Black jazz musicians in Harlem during the “Golden Age of Jazz.”<sup>1</sup> “A Great Day in Hollywood” features a range of Black creators who work with Netflix, from directors DuVernay and Spike Lee (*Da 5 Bloods*, 2020) to actors Caleb McLaughlin (*Stranger Things*, 2016-present) and Logan Browning (*Dear White People*, 2017-2021). McLaughlin narrates the commercial, announcing, “This is not a moment; this is a movement.”<sup>2</sup> This introduction to Strong Black Lead suggests Netflix is not merely joining a trend but expanding the possibilities of Black storytelling. Shamira Ibrahim asserts that the Strong Black Lead campaign transformed into “a popular brand outside the platform at the cross-section of technology, culture and community-building.”<sup>3</sup> Strong Black Lead is a category of

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<sup>1</sup> McKenzie Jean-Philippe, “The Team Behind Netflix’s Strong Black Lead Wants to Bring More Melanin to Your Queue,” *Oprah Daily*, August 9, 2019, <https://www.oprahdaily.com/entertainment/a28634227/strong-black-lead-netflix-team/>.

<sup>2</sup> “A Great Day in Hollywood,” posted June 25, 2018, by Still Watching Netflix, YouTube, <https://www.youtube.com/watch?v=OeyxR8WJiaI>

<sup>3</sup> Shamira Ibrahim, “Netflix’s ‘Strong Black Lead’ Marketing Team Shows the Power (and Business Benefit) of Amplifying Black Voices,” TV News, *The Hollywood Reporter*, August 6, 2020, <https://www.hollywoodreporter.com/tv/tv-news/netflixs-strong-black-lead-marketing-team-shows-power-business-benefit-amplifying-black-voices-1305775/>.

content on the streaming platform that features films and television series with Black protagonists and predominantly Black casts. The category was born out of a marketing and programming initiative to increase Black content on Netflix and in turn grow Black viewership.<sup>4</sup> To market Strong Black Lead, dedicated social media profiles on Instagram and Twitter (now X) engage potential viewers through teaser videos of productions, behind-the-scenes footage, and exclusive interviews with actors and directors.

The collaboration between Ava DuVernay and Netflix from 2016 to 2021 resulted in three major projects – *13TH* (2016), *When They See Us* (2019), and *Colin in Black & White* (2021) – each of which contributed to this type of audience engagement. Critically, the working relationship between DuVernay and the streamer exemplified a convergence of the cultural and the political, linking efforts to redress the historical lack of Black representation in media with productions about social justice issues underpinning the Black Lives Matter movement, such as criminal justice reform. In 2013, Netflix initiated its original programming strategy involving documentaries and docuseries in which productions about sociopolitical issues such as crime and race were a prominent aspect.<sup>5</sup> The addition of Strong Black Lead to Netflix’s original programming strategy in 2018 also facilitated opportunities to produce documentaries and docuseries about issues impacting the lives of Black Americans. *13TH*, *When They See Us*, and *Colin in Black & White* each aligned with Netflix’s wider original programming strategy, the streamer’s focus on nonfiction documentary productions, as well as the Strong Black Lead initiative to develop and promote Black storytelling.

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<sup>4</sup> Ben Smith, “How Netflix Beat Hollywood to a Generation of Black Content; The media equation,” *The New York Times*, July 5, 2020, <https://www.nytimes.com/2020/07/05/business/media/netflix-hollywood-black-culture.html>.

<sup>5</sup> Catalina Iordache, Tim Raats and Sam Mombaerts., “The Netflix Original documentary, explained: global investment patterns in documentary films and series,” *Studies in Documentary Film* 17, no. 2 (2023): 163-164, <https://doi.org/10.1080/17503280.2022.2109099>.

DuVernay's position as a Black woman director engaging with social justice narratives chimed with Netflix's corporate response to BLM and discourses about the lack of diversity in media. Specifically, the streaming platform posted several social media messages in support of BLM and launched its Black Lives Matter category of content featuring productions about race relations in America following the death of George Floyd and the resurgence of the BLM movement in 2020 during the Covid pandemic. The Black Lives Matter category includes all three of DuVernay's productions as well as the Oscar-nominated 2016 film *Loving* about the interracial couple behind the 1967 Supreme Court case *Loving vs Virginia* that ended anti-miscegenation laws in the US and docuseries *Time, The Kalief Browder Story* (2017) about the imprisonment of Browder, who spent 3 years from 2010 to 2013 – most of that time in solitary confinement – at Rikers Island prison awaiting trial after being accused of stealing a backpack. Strong Black Lead and the Black Lives Matter category amount to a strategic display of support for sociopolitical issues concerning race in America. For DuVernay, these three projects with Netflix extended her earlier artistic focus, dating back to her independent feature *Middle of Nowhere* (2012), on narratives about social justice issues and her entrepreneurial focus on using new networks to redress systemic inequality in the media industry. DuVernay's productions in collaboration with Netflix showcase her evolving entrepreneurship and expansion of ARRAY as a multifaceted organization whose work spans acquisition, production, distribution, financing, employment, education, and philanthropy.

This chapter examines this crucial period in DuVernay's development as a filmmaker and media entrepreneur, considering how each of her three Netflix productions tested the alignment between her aims and the company's. DuVernay's first production with Netflix, *13TH* (2016), traces the historical and political development of the US criminal justice system. The Academy

Award-nominated and Emmy award-winning documentary constructs an argument through interviews with experts, archival footage, and animated graphics that the thirteenth amendment, which abolished slavery except as a punishment for criminals, provided the legal basis for the reconfiguration of the conditions of slavery within the contemporary penal system and has led directly to the crisis of mass incarceration.<sup>6</sup> The director's second production with the streamer, *When They See Us* (2019), dramatizes the Central Park Five case and the wrongful conviction of five Black and Latino teenage boys for a 1989 sexual assault. The Emmy award-winning four-part docudrama depicts the criminalization of Black and brown children, especially boys. Specifically, the narrative of *When They See Us* interrogates the "superpredator" ideology of the late 1980s and early 1990s, where the characterization of Black youth as debased and animalistic to a pathological degree led to the criminalization and "adultification" of Black children.<sup>7</sup> Finally, DuVernay's series *Colin in Black & White* (2021) is her third production with Netflix and the culmination of her creative business relationship with the company. The limited docudrama series, co-created by DuVernay and the former NFL quarterback Colin Kaepernick is a true hybrid of documentary and dramatic elements because it combines dramatized anecdotes of his upbringing as a promising athlete in a predominantly white California suburb with expository sequences about racial inequality in American society presented by Kaepernick. It was produced during the height of the Covid pandemic with social distancing protocols affecting the production.

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<sup>6</sup> The thirteenth amendment was ratified in 1865 and states "Section I. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section II. Congress shall have power to enforce this article by appropriate legislation." Jack N. Rakove, *The Annotated U.S. Constitution and Declaration of Independence*, (Cambridge: Harvard University Press, 2009), 255, <http://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=33008819>.

<sup>7</sup> Amir A. Gilmore and Pamela J. Bettis, "Antiblackness and the Adultification of Black Children in a U.S. Prison Nation," *Oxford Research Encyclopedia of Education*, (Oxford University Press, 2021), <https://doi.org/10.1093/acrefore/9780190264093.013.1293>.

*13TH*, *When They See Us* and *Colin in Black & White* were produced as Netflix Originals, as a part of the streamer's original programming strategy, and in conjunction with DuVernay's production company, Forward Movement, later ARRAY Filmworks. Given ARRAY's involvement as a production company, the diverse and inclusive employment practices DuVernay developed as an independent filmmaker and honed on the set of *Queen Sugar* were able to continue. DuVernay extended her hiring of diverse creative professionals on and off-screen, discussed in chapter one, to all three productions with Netflix. ARRAY Alliance, the non-profit entity of the collective, created online learning guides under the ARRAY 101 initiative to support further educational discussion of the issues raised in these productions, such as the depiction of "criminalization and inequity" in *When They See Us*.<sup>8</sup> Crucially, ARRAY enabled DuVernay to exert a degree of creative autonomy in her business dealings with Netflix, so that the streaming company would not have complete control over the production and distribution of her work. DuVernay can continue to exhibit her productions with Netflix at the ARRAY Creative Campus and through the ARRAY Public Programming initiative to host free events for the public "to engage with storytelling across various formats and (that) harnesses the power of space to gather, learn and inspire."<sup>9</sup> For example, DuVernay screened the documentary *13TH* as well as her films *Selma* (2014) and *Origin* (2023) at ARRAY Creative Campus in October 2024 as part of an educational, community-based ARRAY Public Programming event about the importance of civic engagement and registering to vote ahead of the 2024 presidential election. In building ARRAY and how it was used in the collaboration between the director and Netflix, DuVernay offers an important entrepreneurial model for independent Black filmmakers,

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<sup>8</sup> "When They See Us: A Learning Companion," ARRAY 101, accessed December 8, 2024, <https://wtsul01.org/>.

<sup>9</sup> "Public Programming," *ARRAYNOW*, accessed May 21, 2025, <https://arraynow.com/public-programming/>.

I argue, empowering others to navigate an industry historically not designed to support their art and showing new ways to develop their careers when the tide in Hollywood turns against them.

In this chapter, I argue that the collaborative relationship between DuVernay and Netflix allowed the director-entrepreneur to develop her working practice in two key ways: firstly, it provided a platform to cultivate her documentary filmmaking, and secondly, it enabled her to expand ARRAY, especially the collective's diverse employment and educational initiatives. I examine the sociopolitical environment in which these productions were created, while also considering the ways in which they reflect new developments in DuVernay's use of documentary filmmaking techniques such as an expanded use of archival footage, animated graphics, and evidentiary editing. Across these productions, evidentiary editing – a crucial component of the “expository mode” of documentary as defined by Bill Nichols – is central to DuVernay's creation of persuasive and educational narratives about how racial inequality operates in America, specifically its detrimental impact on Black men and boys.<sup>10</sup> The director's three Netflix productions deploy these practices to animate a sociopolitical history of racial inequality in America with the aim of illustrating parallels between the past and present, including how the issues of police brutality and mass incarceration are linked to white supremacy and chattel slavery. DuVernay's productions with Netflix are educational narratives made to inform and each one represents a different subject focus – the US criminal justice system, a miscarriage of justice, and a notable Black figure. As such, they relate the director's different approaches to the same theme of racial inequality. Finally, these three productions are also indicative of Netflix's original programming strategy, high production value, and its distribution mechanism of online streaming.

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<sup>10</sup> Bill Nichols, *Introduction to Documentary*, 121.

However, despite Netflix's involvement, I argue that DuVernay maintains a critical degree of creative autonomy over these three projects because of ARRAY. With ARRAY, DuVernay can continue to exhibit these projects and promote them as educational resources even as the wider industry, including Netflix, pull away from commitments to increase diversity in-front of and behind the camera. The expansion of ARRAY during DuVernay's collaboration with Netflix to include ARRAY Alliance, ARRAY Creative Campus, and ARRAY Public Programming events showcases an evolving concern with maintaining a measure of ownership over her art as well as her commitment to the intersection of art and social justice issues and belief in the potential for art to be an educational resource, a political catalyst. Therefore, I conclude this chapter by suggesting that the collaboration between DuVernay and Netflix was a significant but fleeting moment of strategic investment in Black representation and storytelling in the industry. In the evolution of DuVernay's filmmaking career, her Netflix era marks the peak of her engagement with Hollywood production models before returning to an independent mode of production and distribution in order to wield her creative autonomy.

### **Ava DuVernay Teams Up with Netflix**

The mutually beneficial collaboration between DuVernay and Netflix is the byproduct of political discourses and shifts in the media industry which started in 2013. That year, the Black Lives Matter movement began in response to the acquittal of George Zimmerman in the shooting death of unarmed Black teenager Trayvon Martin. As I discussed in the previous chapter, the tweets and social activism of Alicia Garza, Patrisse Cullors, and Opal Tomei kickstarted the movement by creating the hashtag #BlackLivesMatter after Zimmerman's trial. The hashtag and a public discourse about the US criminal justice system quickly began to trend online, leading to

massive protests against the verdict.<sup>11</sup> From this point, discourses about racial inequality in American institutions, and the criminal justice system in particular, continued to evolve in the public sphere of news media, social media, politics, and academia as well as film and television coinciding with the growing influence of the BLM movement.

Between 2012 and 2013, Netflix launched its original programing strategy with a lineup of commissioned and acquired drama series and documentaries, including *House of Cards* (created by Beau Willimon, 2013-2018), *Orange is the New Black* (created by Jenji Kohan, 2013-2019), *Art of Conflict: The Murals of Northern Ireland* (2012) and *The Zen of Bennett* (2012).<sup>12</sup> By 2015, Netflix's original programming strategy involved producing docuseries such as *Chef's Table* (2015-2019) and *Making a Murderer* (2015-2018). Sudeep Sharma examines Netflix's investment in acquiring and producing documentaries/docuseries and argues the genre's association with enrapturing topics (e.g., politics, food, true crime, celebrity biography) coupled with the streaming company's high production values enhances its cultural status. He writes, "[Netflix] has made feature-length documentary a core pillar of its service, both as a way to highlight its connection to quality cinema and to distinguish its catalog from more mundane forms of television programming."<sup>13</sup> Despite its use of innovative technology such as its recommendation algorithm, Netflix's original programming strategy is contingent on producing media within well-known genres and formats to cement a reputation as a credible production company and enable the platform to compete for a viewer's attention in a competitive market. Sharma concludes: "Documentaries offer variety on the service, real-world relevance, and, most

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<sup>11</sup> "Herstory," Black Lives Matter, <https://blacklivesmatter.com/herstory/>.

<sup>12</sup> The term 'Netflix Original' refers to content produced, financed, and/or exclusively distributed by the streaming platform.

<sup>13</sup> Sudeep Sharma, "Netflix and the Documentary Boom," *The Netflix Effect: Technology and Entertainment in the 21<sup>st</sup> Century*, eds., Kevin McDonald and Daniel Smith-Rowsey, (New York: Bloomsbury Academic, 2016), 143, <http://dx.doi.org/10.5040/9781501309410.ch-010>.

critically, prestige. Respectability and a feeling of being necessary for the consumer is not something that can be purchased or afforded by a few titles.”<sup>14</sup> Given the educational aspect and socially significant themes involved in the genre, the consumption of documentaries is perceived as more beneficial to our viewing diets as opposed to junk food television (e.g., reality dating shows).

Likewise, DuVernay’s profile in Hollywood began to blossom between 2013 and 2016, following her first major studio feature *Selma* and growing association with Winfrey.<sup>15</sup> Netflix’s expansion into original programming and the prevalence of the BLM movement coalesced as an opportunity for the streaming platform’s production division to invest in a rising filmmaker whose work foregrounded social justice narratives. Lisa Nishimura, the former head of documentary and comedy programming for Netflix, was responsible for crafting the streamer’s strategy for producing original documentaries and docuseries, including DuVernay’s *13TH*. After the Emmy award-winning success of *Making a Murderer*, Nishimura was able to credibly pursue filmmakers to create original features. Joy Press writes:

Instead of licensing finished projects to stream on Netflix, she began actively luring some of the best and brightest filmmakers to the service, catalyzing and shaping ambitious new films. [...] Even established filmmakers such as Liz Garbus, Ava DuVernay, and Errol Morris found it hard to resist the streamer’s many charms: deep financial pockets, flexible formats, an audience of 120-plus million households around the globe, and a creative team led by Nishimura.<sup>16</sup>

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<sup>14</sup> Ibid, 146.

<sup>15</sup> During DuVernay’s collaboration with Netflix, Winfrey co-produced *When They See Us*. She also hosted interview specials with DuVernay for *13TH* and *When They See Us*.

<sup>16</sup> Joy Press, “This Is the Netflix Exec to Thank for Your *Wild Wild Country* Binge,” *Vanity Fair*, June 15, 2018, <https://www.vanityfair.com/hollywood/2018/06/lisa-nishimura-netflix-documentary-wild-wild-country>.

Nishimura pitching DuVernay the opportunity to produce a documentary was part of a programming strategy to foment the platform's original content during the company's transition from primarily licensing content to entering the arena of media production.

Furthermore, DuVernay's interest in political narratives, demonstrated by *Middle of Nowhere* and *Selma*, aligned with political themes at the forefront of Netflix's documentary programming. Catalina Iordache, Tim Raats, and Sam Mombaerts's survey of Netflix Original documentaries/docuseries from 2012 to 2021 reveals the theme of "politics, society & culture" represented 31.93% of docuseries and 41.91% of documentary films produced and distributed by Netflix. These productions include *Knock Down the House* (2019) about the congressional campaigns of four progressive politicians including Congresswoman Alexandria Ocasio-Cortez and *Social Dilemma* (2020) about the harmful impact of social media.<sup>17</sup> Iordache, Raats, and Mombaerts argue that the focus on political themes among documentary offerings on Netflix ensures the platform's social relevance and conclude:

A closer look at these productions shows Netflix using its documentary investment as a strategy to join the most topical and relevant societal discussions, especially in the Western world. Common themes in this category include drug abuse and (international) drug trade; race, migration, and inclusion; pollution; sexuality, gender, and abuse; and disability.<sup>18</sup>

DuVernay's productions about systemic racial inequality in American institutions during the influential era of BLM, namely the criminal justice system, coincided with Netflix's original programming strategy to establish prestige by investing in productions with topical and socially relevant narratives. Regarding programming about race on the streaming platform, I have argued elsewhere that Netflix's original documentary content conveys a diasporic perspective

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<sup>17</sup> Iordache, Raats and Mombaerts., "The Netflix Original documentary," 164-165.

<sup>18</sup> Ibid., 163-164.

concerning the experiences, customs, and traditions of Black Americans exemplified by the docuseries *High on the Hog: How African American Cuisine Transformed America* (dir. Roger Ross Williams, 2021-present) and the documentary *In Our Mothers' Gardens* (dir. Shantrelle P. Lewis, 2021).<sup>19</sup> Moreover, documentaries carry a lower cost of production in comparison to fictional films and licensed content.<sup>20</sup> As such, the commissioning and acquisition of documentaries was a cost-effective strategy to enhance Netflix's credibility as a producer of media. Iordache, Raats, and Mombaerts conclude: "Most of Netflix's critically acclaimed original documentaries deal with current political, social and environmental themes, aimed at raising awareness and joining larger global debates."<sup>21</sup> This was certainly the case with *13TH* and *When They See Us*, award-winning productions that raised the profile of both DuVernay and Netflix.

Additionally, the aesthetic of Netflix Original documentaries and docuseries reflects an aspect of the platform's investment strategy concerned with a signature style and its deployment as a trademark of the service. Daniel Binns analyzes documentaries and docuseries on Netflix including *Chef's Table* and observes a "house style" that aligns with the principles of "Slow Media" outlined in the "Slow Media Manifesto" written by Sabria David, Joerg Blumtritt, and Benedikt Koehler in 2010.<sup>22</sup> David, Blumtritt, and Koehler co-founded the Slow Media Institute in Germany to pursue research about the impact of digital technology on society, work, and

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<sup>19</sup> Miya Treadwell, "Narratives that Bind: Black American Diasporic Content, Netflix, and World Cinema," *Studies in World Cinema* 2, no.1-2, (2022), 50-72, <https://doi-org.libproxy.york.ac.uk/10.1163/26659891-bja10014>.

<sup>20</sup> Iordache, Raats and Mombaerts write, "The findings confirm the distinctive approach that Netflix takes to investment in documentary, and its aim to increasingly define itself through exclusive content. The shift from licencing content in favour of holding full programming rights is also due to the fierce global competition in the SVOD (Subscription Video-On-Demand) market." They continue, "The lower production cost of documentary, compared to fiction, allows Netflix to prioritise full commissions, the highest level of investment in original content." "The Netflix Original documentary," 161.

<sup>21</sup> *Ibid.*, 165.

<sup>22</sup> Benedikt Köhler, Sabria David, Jörg Blumtritt, "The Slow Media Manifesto," *Slow Media* (blog), January 2, 2010, <https://en.slow-media.net/manifesto>.

media. The manifesto asserts that instead of advances in digital technology enabling a fast-paced approach to media, digitalization in media will foster a more considerate and intentional approach to production. In other words, they argued that media producers should use digital technology to prioritize quality over quantity.

Out of the 14 principles of the Slow Media Manifesto, Binns identifies three that characterize Netflix Original documentary productions. These principles include: “6. Slow Media are discursive and dialogic, 13. Slow Media focus on quality, 14. Slow Media ask for confidence and to take their time to be credible.”<sup>23</sup> Critically, these principles correlate with the quality of visuals, the complexity of sound design, and the pacing of storytelling that denote an extensive production and post-production process. Of *Chef’s Table*, Binns writes:

The images and sounds rise and fall, they build in intensity, in motion, in fluidity. With the editing alone, there is more a sense of decoupage than montage. More than the individual shots or their alignment with each other or with the soundtrack, there is the sense of an overall gesture. More than sequences or scenes, each individual visual element is layered on top of another to give a rich sense of texture, depth and complexity.<sup>24</sup>

While these elements apply to all three of DuVernay’s productions with Netflix, they are particularly evident in *13TH*. The evidentiary editing of archival footage, animated graphics, and interviews with subject matter experts illustrate the layered aesthetic of Netflix’s documentary productions. As the architect of Netflix’s original programming strategy for nonfiction content, Nishimura was also responsible for developing a “house style” for documentaries including *13TH*. Of Nishimura’s creative involvement, Press writes “For 13TH, it meant brainstorming with DuVernay about ways to make difficult historical material more relatable via popular music

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<sup>23</sup> Daniel Binns, “The Netflix Documentary House Style: Streaming TV and Slow Media,” *Fusion Journal*, no. 14 (2018): 61.

<sup>24</sup> *Ibid*, 65.

and vivid graphics—and then bankrolling those pricey elements.”<sup>25</sup> While DuVernay was integral to the social justice narrative of *13TH*, a continuation of her thematic focus on issues impacting Black Americans in her filmmaking, the documentary’s aesthetic quality, how it effectively conveys the issue of mass incarceration, was enabled by Netflix’s investment in documentary production and the cultivation of a style now associated with the streaming platform.

Netflix’s original programming strategy also involves eliciting subscribers and viewership from particular demographics by producing targeted media representations. In 2015, Black employees at Netflix compiled a memo and presentation for executives to argue for greater investment in Black content as a good business strategy. Ben Smith reports:

At the time, the memo estimated, only about two million Black households were subscribing to Netflix – 5 percent of its total subscribers. It said that Black households were a \$1.4 billion revenue opportunity and that few of Netflix’s top 100 shows, popular across other groups, were resonating with Black audiences.<sup>26</sup>

The presentation demonstrated the significance of diverse representation to Netflix’s financial priorities, using viewership data to highlight a missed revenue opportunity and to question how information pertaining to racial demographics factors into Netflix’s programming strategy.<sup>27</sup>

After the presentation, the production and distribution of Black content on the platform gradually increased to include original programs such as comedy specials from comedians Dave Chappelle and Kevin Hart and documentaries such as DuVernay’s *13TH*.

Netflix’s development and promotion of Black content is uniquely effective because it was dictated by Black creative professionals from the outset. Following the 2015 presentation,

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<sup>25</sup> Press, “This Is the Netflix Exec.”

<sup>26</sup> Smith, “How Netflix Beat Hollywood.”

<sup>27</sup> Ibid.

Myles Worthington, founder of ethnographic marketing company Worthi, Maya Watson, CEO and co-founder of social network startup why!?, and Jasmyn Lawson, current Content Executive at Netflix, were responsible for the establishment of Strong Black Lead. McKenzie Jean-Phillippe explains that Worthington pitched Netflix executives the idea of curating social media posts to promote Black stories on the platform in 2016. Jean-Phillippe writes:

Worthington started out small, with a monthly newsletter sent to Black media outlets and journalists highlighting their content for and by people of color. As he began to see an increase in coverage, he decided it was time for Netflix to broadly publicize their diverse stories. By Spring 2017, there was a core group of marketers, publicists, and social media experts using their positions as Black and brown tastemakers in entertainment to ensure that every person bingeing content felt represented when they logged onto Netflix.<sup>28</sup>

Worthington's efforts represents the importance of allowing the underrepresented to dictate methods of redress and remediation. In August 2017, a social media campaign, #FirstTimeISawMe, was the first iteration of Strong Black Lead. The campaign was a collaboration with *The Huffington Post's* vertical Black Voices, a category of news stories targeted towards a Black readership, and "featured African American critics, influencers, and film lovers [...] opening up about the first time they saw themselves reflected in a small or big screen character."<sup>29</sup> A year later, Strong Black Lead was officially launched as a dedicated marketing initiative purposefully designed by Black employees to entice Black viewers and create media content for an underserved audience.

The content promoted under Strong Black Lead was also the result of production deals between Netflix and Black creators and entrepreneurs like Shonda Rhimes, who inked a historic \$150 million deal to produce eight series, bolstering the streaming platform's visibility as a

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<sup>28</sup> Jean-Phillippe, "The Team Behind Netflix's Strong Black Lead."

<sup>29</sup> Ibid.

champion of Black artists and audiences.<sup>30</sup> Research by the USC Annenberg Inclusion Initiative concludes, “For Netflix, ‘strong black lead’ was more than a marketing tool – it served as a statement that reflects programming choices, as demonstrated by the increase in (Black) leads/co-leads and main cast from 2018 to 2019.”<sup>31</sup> Likewise, the collaboration between DuVernay and Netflix to distribute titles acquired by ARRAY Releasing was another aspect of intentional programming by the streaming platform to increase its diverse representation. This was achieved through the collective’s curated acquisition of independent films by BIPOC (Black, Indigenous, and people of color) and women artists. Films acquired by ARRAY Releasing and then streamed by Netflix include *Jezebel* (dir. Numa Perrier, 2019), *Residue* (dir. Merawi Gerima, 2020), and *In Our Mother’s Gardens* (2021).<sup>32</sup> The collaboration between DuVernay and Netflix was the manifestation of internal efforts by Black employees to broaden the streamers’ cache of content for Black audiences. Therefore, Netflix’s work with DuVernay was crucial to the Strong Black Lead initiative.

Additionally, Netflix’s investment in Black media was highly visible during a period of resurgence of the BLM movement in 2020. That year, the deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery ignited a social flashpoint of international protests against racial injustice during the height of the Covid pandemic and social distancing protocols. Throughout this period of social unrest, several corporations made public commitments to support racial equality. Netflix announced its “Black Lives Matter” category of content with Black narratives

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<sup>30</sup> Toni Fitzgerald, “Inside Shonda Rhimes’ \$150 Million Netflix Deal And How It Could Change TV,” *Forbes*, January 4, 2021, <https://www.forbes.com/sites/tonifitzgerald/2018/07/20/inside-shonda-rhimes-150-million-netflix-deal-and-how-it-could-change-tv/>.

<sup>31</sup> Stacy L. Smith et al., “Inclusion in Netflix Original U.S. Scripted Series and Films,” *USC Annenberg: Inclusion Initiative*, (2021): 14, <https://annenberg.usc.edu/news/research-and-impact/annenberg-inclusion-initiative-releases-study-representation-netflix>.

<sup>32</sup> See the Introduction chapter for more on ARRAY Releasing and DuVernay’s strategic collaboration with Netflix to release films by diverse artists and with inclusive narratives.

about social justice in which DuVernay's *13TH* was prominently featured. This new category further signaled Netflix's support of Black representation, in addition to Strong Black Lead and other content categories such as "Black & Queer." On June 10, 2020, the official Netflix Twitter account posted: "When we say 'Black Lives Matter,' we also mean 'Black storytelling matters.' With an understanding that our commitment to true, systemic change will take time – we're starting by highlighting powerful and complex narratives about the Black experience" (@netflix, June 10, 2020, 2:00pm).<sup>33</sup> Todd Spangler, reporting during the 2020 protests, writes that "Netflix compiled the Black Lives Matter collection after seeing an uptick in searches for the phrase over the last several weeks, particularly in the US."<sup>34</sup> However, Netflix was far from the only streaming platform to have categories dedicated to Black content concerning race relations in the US or issue statements via social media in support of BLM in response to protests over George Floyd's death. Other platforms including Amazon Prime and Hulu declared their alliance with BLM and promoted curated collections of content. In particular, Hulu has similar categories of content called Black Leads and Excellence Exemplified.<sup>35</sup> In addition to its categories and marketing initiative dedicated to Black representation, Netflix also established its Fund for Creative Equity in 2021 and in the first year "worked with over 25 organizations globally – committing \$14.5M towards programs that help identify, train and

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<sup>33</sup> Netflix (@netflix), "When we say 'Black Lives Matter,' we also mean 'Black storytelling matters.' With an understanding that our commitment to true, systemic change will take time – we're starting by highlighting powerful and complex narratives about the Black experience," Twitter (now X), June 10, 2020, <https://x.com/netflix/status/1270702290702184454?lang=en>.

<sup>34</sup> Todd Spangler, "Netflix Launches 'Black Lives Matter' Collection of Movies, TV Shows and Documentaries," *Variety*, June 10, 2020, <https://variety.com/2020/digital/news/netflix-black-lives-matter-collection-1234630160/>.

<sup>35</sup> Salena Diaz, Carly Pullen, and Nicole Iannone, "Black Lives Matter, Black Stories Matter, Black Voices Matter: Black Lives Matter Protests, COVID-19, and Streaming Services," *Psychology of Popular Media* 11, no.3, (2022): 286, <https://doi.org/10.1037/ppm0000403>; Elaine Low and Audrey Celo Yap, "Netflix, Hulu, Amazon, HBO and other Hollywood Players Take a Stand in Support of Black Lives Matter Movement Amid George Floyd Protests," *Variety*, May 30, 2020, <https://variety.com/2020/tv/news/netflix-hulu-amazon-hbo-black-lives-matter-george-floyd-protests-1234621292/>.

provide work placements for underrepresented creatives around the world. Of that, over \$5M is specifically to support women.”<sup>36</sup> The Netflix Fund for Creative Equity is, in part, an expansion of the type of collaboration between the streamer and DuVernay’s ARRAY. Netflix, in line with other platforms, has demonstrated a vested interest in fostering diversity in media through programming and financial investments, marketing initiatives, and curated categories.

Despite the involvement of Black employees, lucrative deals with Black creators and entrepreneurs, and dedicated categories of content, Netflix’s Strong Black Lead and the Black Lives Matter collection conform to what Maryann Erigha describes as “market-segmentation techniques,” which Hollywood uses to “categorize movie audiences by race, gender, age, or other categories [and] to strategize how to reach audiences of particular demographics.”<sup>37</sup> As I noted in the Introduction chapter, Erigha argues that race-based market segmentation results in a dynamic in the industry wherein white films are perceived as possessing a universal appeal and marketed across all demographics, while Black films are perceived as niche and only marketed to Black and Latinx/Hispanic audiences. Netflix’s development of Strong Black Lead exemplifies a type of market segmentation that presents Black representation as a niche category which is distinct from narratives with predominantly white protagonists that are perceived as mainstream.

Furthermore, the 2015 employee memo and presentation shows that Netflix had initially neglected to take Black representation and Black audiences into account for its programming strategy when it released its first original series in 2013. As such, diversity and inclusivity are not integral to Netflix’s business model, making it easier to reconsider or retreat from such initiatives

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<sup>36</sup> Netflix Staff, “One Year In: Sharing Our Progress on the Netflix Fund for Creative Equity,” About Netflix, February 28, 2022, <https://about.netflix.com/en/news/one-year-in-sharing-our-progress-on-the-netflix-fund-for-creative-equity>.

<sup>37</sup> Erigha, *The Hollywood Jim Crow*, 58

if they conflict with the company's bottom line or changes in the political environment. This was the case in 2021, when a conservative political backlash against DEI initiatives in the US, coupled with the economic impact of the Covid pandemic and labor strikes, led to an unraveling of diversity efforts in the industry. In hindsight, initiatives like those at Netflix for bolstering Black representation and Black audiences have been exposed as superficial solutions to a continuing lack of diversity in the industry. Diversity initiatives and statements of political allyship regarding issues impacting Black Americans by Netflix and its competitors like Amazon were in actuality a contemporary iteration of previous eras of exploitation in Hollywood. In the 1970s and again in the 1990s, Black representation and its lucrative economic potential was exploited for financial gain but systemic change to empower more Black voices on-screen and behind-the-scenes in the industry failed to materialize.<sup>38</sup> Erigha highlights this problem in *The Hollywood Jim Crow* (2019), arguing that independent media infrastructures are essential for creating sustainable opportunities for artists from underrepresented communities.<sup>39</sup> I return to the discussion of DEI initiatives in Hollywood in the chapter's conclusion, and the extent to which DuVernay's ARRAY offers a meaningful alternative path for media production.

In the chapter's main sections below, I examine each of the three productions that resulted from DuVernay and Netflix's collaboration, charting the evolution of the director's documentary filmmaking and the company's investment in diversity as a business tactic. In my analysis, I illustrate how DuVernay was able to serve Netflix's aims around diverse representation while also serving her own artistic and entrepreneurial aims to interrogate social justice issues and redress racial/gender disparities in the employment of creative professionals.

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<sup>38</sup> Guerrero, *Framing Blackness*.

<sup>39</sup> See the Introduction chapter for the definition of Erigha's concept of "remaking cinema" which stresses the necessity of creating alternative pathways and institutions for diverse artists to produce and distribute their art.

### ***13TH* and the Case for Prison Abolition**

All three of DuVernay's productions with Netflix employ a combination of archival footage and evidentiary editing. In this section, I examine the director's use of these techniques in *13TH*, in addition to interviews with policy experts, animation and music by Black artists, to outline the political history of the US criminal justice system – from the ratification of the thirteenth amendment and the failed Reconstruction era to the present-day crisis of mass incarceration and the BLM movement. As an educational narrative, *13TH* presents a wide-ranging look at the US criminal justice system to unpack the legislative mechanisms responsible for mass incarceration whereas *When They See Us* depicts a particular miscarriage of justice because of racial inequality in said system and *Colin in Black & White* focuses on a notable individual's experiences with racial microaggressions. DuVernay's documentary argues the thirteenth amendment's exception for criminal punishment perpetuated the racism, disenfranchisement, and labor exploitation of chattel slavery by facilitating the disproportionate incarceration of America's Black population, especially Black men. The documentary is indicative of DuVernay's artistic interest in exploring social justice issues while also displaying the original programming strategy of high production values and political themes that Netflix undertook to elicit prestige during its expansion into film and television production.

*13TH* employs the expository mode of documentary filmmaking to construct its argument. The mode's key component of evidentiary editing is used to splice together archival footage of news broadcasts and political speeches with animated infographics of incarceration statistics to demonstrate how legislative policies of the twentieth century disproportionately targeted Black Americans and led to mass incarceration. As Nichols writes, "The expository

mode addresses the viewer directly, with titles or voices that tell a story, propose a perspective, or advance an argument.”<sup>40</sup> Evidentiary editing is crucial to the expository mode, and according to Nichols, it “may sacrifice spatial and temporal continuity to rope in images from far-flung places if they help advance the argument or support a proposal.”<sup>41</sup> In *13TH*, archival footage depicts the political and cultural environment of a given era, from convict leasing during Reconstruction to War on Drugs legislation during the Regan administration. The documentary pieces together audio, photos, and footage from across the same decade or time period, but without a strict chronology. The evidentiary editing of archival footage, statistical figures, and interviews with academics, journalists, and politicians “addresses the viewer directly” with credible information and is crucial to the documentary’s persuasive argument about the origins of mass incarceration. Therefore, evidentiary editing in *13TH* illustrates how political rhetoric and legislation calibrated the US criminal justice system to target Black Americans and why comprehensive change is urgently required.

*13TH* uses expository practices to dismantle Nixon’s “law and order” and subsequent “war on crime” rhetoric, revealing the racial motivations behind key legislation of the late twentieth century. The documentary splices together archival footage from the Nixon administration and DuVernay’s interviews with policy experts to demonstrate a disparity between how political rhetoric about law enforcement was presented to the public during the 1970s versus the actual targeting of Black Americans and other marginalized groups. In one sequence, interviews with academic and activist Angela Y. Davis and author James Kilgore recontextualize archival footage of political speeches given by Nixon. In her interview, Davis

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<sup>40</sup> Nichols, *Introduction to Documentary*, 121.

<sup>41</sup> *Ibid.*, 123.

states “It’s with the Nixon era and the ‘law and order’ period when crime begins to stand in for race.” The sequence transitions to footage of Nixon’s State of the Union address in which he states, “If there is one area where the word ‘war’ is appropriate, it is in the fight against crime.” The sequence then transitions to a set-up interview of formerly incarcerated author James Kilgore, who elaborates on the reality of Nixon’s “war on crime.” Discussing the breadth of groups targeted for arrest by Nixon’s administration, Kilgore states:

Part of what he [Nixon] talked about was a “war on crime.” But that was one of those code words, what we might call “dog-whistle politics” now, which really was referring to the Black political movements of the day, Black Power, Black Panthers, the antiwar movement, the movements for women’s and gay liberation at that time, which Nixon felt compelled to fight back against.<sup>42</sup>

Kilgore’s interview is paired with archival footage to show heavily armed police responses to protests during the cited social movements. Footage of predominantly Black people being arrested for acts of civil disobedience corroborates the author’s analysis and illustrates the consequences of Nixon’s rhetoric. The evidentiary editing of the sequence creates a structure comparable to a paragraph in an expository essay. The topic sentence is given by Davis, who asserts the ambivalent connotation of crime in the 1970s replaced explicit racial discrimination after the civil rights movement. Then Kilgore provides further context about how Nixon’s rhetoric was in fact a targeted campaign to weaken and disrupt political movements for marginalized demographics. The archival footage acts as the primary source being analyzed and the juxtaposition of Nixon’s speeches with the execution of his policies at protests supports the notion that the president’s “war on crime” was a means to incarcerate politically active Black citizens. This evidentiary editing recontextualizes what on the surface appears to be

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<sup>42</sup> *13TH*, directed by Ava DuVernay, released October 7, 2016, on Netflix, <https://www.netflix.com/search?q=13&jbv=80091741>.

innocuous political language and reveals its discriminatory impact. Nixon's political rhetoric manipulated the connotation of criminality to target Black activists and maintain a so-called "silent majority" – a social hierarchy based on white supremacy and patriarchy.

As the documentary shows, President Nixon's war on crime policies were then co-opted and expanded into a full-scale War on Drugs by Republican President Ronald Reagan during his two terms in office from 1980 to 1988. The onset of the crack epidemic, the disproportionate 100 to 1 criminalization of crack versus powder cocaine, and the expansion of budgets for law enforcement despite a massive recession resulted in an exponential increase in the prison population throughout the 1980s. During Reagan's War on Drugs, news media perpetuated a narrative that the country was under siege by drug addicts and drug dealers. The focus on crack versus powder cocaine led to the 1986 Anti-Drug Abuse Act, requiring a mandatory 5-year sentence for 5 grams of crack versus the same sentence for 500 grams of powder cocaine. Culturally, there was a racial divide between which demographics abused crack versus cocaine. At the time the law was enacted, "the average federal drug sentence for African Americans was 11% higher than for whites. Four years later, the average federal drug sentence for African Americans was 49% higher."<sup>43</sup> The documentary uses interviews with politicians such as former Georgia Republican Congressman, Speaker of the House of Representatives and 2012 Presidential Candidate Newt Gingrich, former New York City Democratic Mayor David Dinkins, and former New York City Democratic Congressmen Charles B. Rangel to convey the consequences of the War on Drugs from those at the forefront of it. Gingrich, who was a Republican congressman at the time, recognizes the 100 to 1 disparity in prison sentencing for

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<sup>43</sup> Deborah J. Vagins and Jesselyn McCurdy, "Cracks in the System: Twenty Years of the Unjust Federal Crack Cocaine Law," *American Civil Liberties Union*, October 2006, <https://www.aclu.org/documents/cracks-system-20-years-unjust-federal-crack-cocaine-law>.

crack versus powder cocaine fomented racial inequality and states “We absolutely should have treated crack and cocaine as exactly the same thing. I think it was an enormous burden on the Black community, but it also fundamentally violated a sense of core fairness.”<sup>44</sup> This admission by a recognizable leader of the Republican party during the late twentieth century adds significant credibility to the documentary’s argument as a form of corroborating evidence in addition to archival footage and statistics. *13TH*, through the inclusion of Democratic politicians like Dinkins and Rangel, as well as archival footage of the adoption of “tough on crime” rhetoric by Democrat Bill Clinton in speeches and commercials during his 1992 presidential election campaign and the subsequent enactment of the 1994 Crime Bill during his administration demonstrates complicity in discriminatory legislative policies across the political spectrum.<sup>45</sup>

DuVernay’s documentary also visually illustrates the evolving political and cultural connotation of the word “criminal” during the rise of mass incarceration. Title screens of the word flash across the screen to punctuate interviews and archival footage throughout *13TH*. For example, DuVernay’s interview with historian Henry Louis Gates Jr. highlights the duality of civil rights activists and protesters who were labeled “criminals” for challenging the racial discrimination of Jim Crow segregation. Gates explains protesters getting arrested during the civil rights movement of the 1950s and 1960s was a crucial and effective method of civil disobedience:

I think that one of the most brilliant tactics of the Civil Rights movement was its transformation of the notion of criminality. Because for the first time being arrested was a noble thing. [...] They voluntarily defined a movement around getting arrested. They turned it on its head.<sup>46</sup>

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<sup>44</sup> DuVernay, *13TH*.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

In the documentary, Gates's commentary is substantiated by the combination of the "criminal" title screen and archival footage of civil rights protesters being hauled off by police officers and packed into a jail cell. A particularly striking image shows protesters standing defiantly and waving at the camera as an officer closes the door to a jail cell. The image confirms Gates's assertion that "being arrested was a noble thing" in the context of the movement. Through this sequence, *13TH* further ruptures the viewer's understanding of criminality by questioning the validity of how criminality is defined and by whom. Defined by those with political power, on the one hand, and those in opposition to it, on the other, criminality takes on a multitude of meanings beyond what is inherently right or wrong. DuVernay's evidentiary editing of footage from student protests during the civil rights movement, interviews with policy experts, and title screens effectively demonstrates how the connotation of the word "criminal" in the US justice system is not based on a moral position, but a political one.

In addition to the "criminal" title screens that punctuate sequences throughout the documentary, animated sequences in *13TH* act as a bridge between segments that focus on a specific historical period in the trajectory of mass incarceration. The opening sequence in *13TH* combines audio of President Barack Obama citing a statistic about America holding a quarter of the prisoners in the world: "The United States is home to 5% of the world's population but 25% of the world's prisoners."<sup>47</sup> This statistic is then illustrated by an animated image that depicts a map of the United States as a nation behind bars. From the onset of DuVernay's documentary, animation moves forward the argument about mass incarceration and racial inequality in the US criminal justice system.

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<sup>47</sup> Ibid.

Most notably, animated sequences of lyrics from songs by hip hop artists Killer Mike and Public Enemy convey the cultural impact of the policies the documentary examines, while an infographic of a rolling number tally numerically cites increases in the US prison population from the 1960s to the present. In sequences that progress the documentary chronologically from the Nixon administration of the 1970s to the Reagan administration of the 1980s, animated graphics and images illustrate song lyrics from “Reagan” performed by Killer Mike (2012) and “Don’t Believe the Hype” performed by Public Enemy (1988) to punctuate a discussion of the War on Drugs and its acceleration of mass incarceration. The lyrics for “Reagan” move rhythmically across the screen and proclaim, “they declared the war on drugs like a war on terror, but what it really did was let police terrorize whoever.”<sup>48</sup> The rap artist describes living in a community under siege by law enforcement because of the War on Drugs, which criminalized what was a public health crisis. As such, in the 1980s, Black communities became hostile territories as a direct consequence of the drug abuse laws enacted by the Reagan administration. The rolling tally graphic at the end of the sequence shows the prison population increased from 513, 900 to 759,100 from 1980 to 1985, an increase over five years that was greater than that of the entire previous decade. Dawn Dietrich examines the use of animation and music by Black artists in *13TH* and argues:

DuVernay provides a condensed glimpse into black musical traditions and their deep connection to sustaining community. The lyrics are powerful and emotional; they critique white nationalist culture and the forms of racism that continue to beleaguer the United States. Together, the animated graphics, along with song lyrics, provide breaks between historical eras and allow the filmmaker to focus on different aspects of U.S. social policy.<sup>49</sup>

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<sup>48</sup> Ibid.

<sup>49</sup> Dawn Dietrich, “‘For America to Rise It’s a Matter of Black Lives/ And We Gonna Free Them, So We Can Free Us’: *13th* and Social Justice Documentaries in the age of ‘Fake News,’” *Pacific Coast Philology* 54, no. 2 (2019): 231, <https://muse.jhu.edu/article/739732>.

Animated song lyrics and the rolling tally infographic of the ballooning US prison population tie together the documentary's expansive chronology and act as subheadings for the viewer to follow the unfolding argument as well as demonstrate that music by Black artists is attuned to how political policies impact Black communities. The scope and detail of the argument in *13TH* is conveyed, in part, by DuVernay's use of animation. Moreover, these expensive technical elements reflect Netflix's financial investment and are an indication of the streamer's "house style" that relies on high production values to adhere to the Slow Media principle of a "focus on quality."<sup>50</sup>

*13TH* also invokes scholarship and activism confronting the US prison-industrial complex. In 1995, prison abolitionist Mike Davis wrote the article "Hell Factories in the Field" and coined the term "prison-industrial complex." He writes, "[the prison-industrial complex] has become a monster that threatens to overpower and devour its creators, and its uncontrollable growth ought to rattle a national consciousness now complacent at the thought of a permanent prison class."<sup>51</sup> By the 1990s, the prison-industrial complex was entrenched in the American psyche as a consequence of legislation criminalizing drug abuse and the rise of for-profit prisons.<sup>52</sup> Policies purporting to be "tough on crime" were and remain wildly popular with the public, an indication of how the prison-industrial complex has been internalized in American society.

During this same period, Ruth Wilson Gilmore, Angela Davis, and Rose Braz founded the organization Critical Resistance to confront the prison-industrial complex, in part, by working to prevent the construction of new prisons: "Critical Resistance was formed in 1997

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<sup>50</sup> Binns, "The Netflix Documentary House Style."

<sup>51</sup> Mike Davis, "Hell Factories in the Field," *The Nation*, February 20, 1995, 229, <https://criticalresistance.org/?s=mike+davis>.

<sup>52</sup> *Ibid.*

when activists challenging the idea that incarceration is the panacea for all of our social ills came together to organize a conference that examined and challenged the phenomenon we have come to call the prison-industrial complex.”<sup>53</sup> The organization is the continuation of Davis’s political activism concerning Black prisoners beginning in the 1960s, including her own imprisonment and trial for murder, kidnapping, and conspiracy charges brought against her by the US federal government during the 1970s which is chronicled in the documentary. The mission of Critical Resistance is as follows:

we envision a society in which fundamental social problems are no longer ‘solved’ through the mass warehousing (and periodic torture) of human beings, the overwhelming majority of whom are poor, people of color, and nonviolent. CR’s mission is to build a national and international campaign to challenge the prison-industrial complex.<sup>54</sup>

Informed by the criminal justice research and scholarship of Davis, Gilmore, Mike Davis and others, Critical Resistance seeks to empower communities through educational programs about the prison-industrial complex and to divert public, government funds away from the construction of prisons in order to advance the ultimate goal of prison abolition. *13TH* contributes to the educational aims of Critical Resistance as an expository documentary about mass incarceration and how it is a manifestation of the prison-industrial complex.

This contribution is evidenced by the documentary’s discussion of the relationship between politicians and corporations, the issue of for-profit private prisons, exemplified by the partnership between the American Legislative Exchange Council (ALEC) and the Corrections Corporation of America (CCA). *13TH* reveals the political lobbying group ALEC provides

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<sup>53</sup> The Critical Resistance conference occurred in September 1998 with over 3,500 attendees from across the professional and ideological spectrum (e.g., academics, activists, and community organizers). Rose Braz et al., “The History of Critical Resistance.” *Social Justice* 27, no. 3 (81) (2000): 6, <http://www.jstor.org/stable/29767223>.

<sup>54</sup> Ibid.

templates of bills to legislators and is responsible for a host of controversial laws including the Stand Your Ground law that allowed George Zimmerman to claim self-defense during his trial for the fatal shooting of Trayvon Martin. The extended sequence about ALEC uses evidentiary editing to draw a correlation between CCA's profit margin and the laws promoted by the lobbying group. The documentary edits together a television advertisement for CCA, b-roll footage of predominantly men from marginalized backgrounds in prison, and interviews with policy experts Bryan Stevenson, executive director of the Equal Justice Initiative, and Lisa Graves, board president of the Center for Media and Democracy. In the documentary, they explain:

Stevenson: These folks [CCA] started making contracts with states. And they had to protect their investments, so the states were required to keep these prisons filled even if nobody was committing a crime. And in the late '80s and early '90s this became a growth industry unlike very few growth industries in America's history. It was absolutely a model guaranteed to succeed.

[...]

Graves: And one of the ways we see that is through the role of CCA within ALEC to advance a series of bills.

Stevenson: Through ALEC, CCA became the leader in private prisons. It's a multibillion-dollar business today that gets rich off punishment. (title graphic "CCA \$1.7 billion profit")

Graves: And so, through ALEC, CCA had a hand in shaping crime policy across the country including, not just prison privatization, but the rapid increase in criminalization.<sup>55</sup>

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<sup>55</sup> DuVernay, *13TH*; See Rebecca Cooper, Caroline Heldman, Alissa R. Ackerman, and Victoria A. Farrar-Meyers, "Hidden Corporate Profits in the U.S. Prison System: The Unorthodox Policy-Making of the American Legislative Exchange Council," *Contemporary Justice Review* 19 (3): 380–400, <https://doi.org/10.1080/10282580.2016.1185949>.

The cutting back and forth between soundbites from Stevenson and Graves coupled with footage of the manifestation of the prison-industrial complex, images of men behind bars at prisons flying the CCA flag overhead, meticulously demonstrates for the viewer what was done (the privatization of prisons), how it was done (the partnership between a political lobbying group and a corporation), and the consequence of it (mass incarceration). This expository point is furthered by the contrast between soundbites from Graves and Michael Hough, a politician and member of ALEC, later in the sequence. Graves's soundbites are definitive and assured – "ALEC pushed forward a number of policies to increase the number of people in prison and to increase the sentences of people who are in prison." It is then made to appear as if Hough struggles to respond to Graves indictment of ALEC because their soundbites are positioned one after the other and he states: "It's hard to address something that is basically, you know, almost like folklore at this point." The evidentiary editing of the sequence is effective and persuasive. Social justice advocates Stevenson and Graves are placed in opposition to conservative politician Hough, who is unable to defend the actions of ALEC – the organization's role in fomenting the prison-industrial complex and mass incarceration in the US.

*13TH* draws on these political and legal contexts to investigate the ways in which Black Americans are oppressed by the penal system. In this regard, it embodies the definition of "Black documentary" theorized by Mark Frederick Baker and Houston A. Baker Jr. In "Uptown Where We Belong: Space, Captivity, and the Documentary of Black Community" (1999) they argue, "Black documentary seeks not only to record and interpret the obvious surface oppression of African Americans [...] but also to uncover the underlying politics and forces of the system [...]"

that has brought about and sustains African American oppression.”<sup>56</sup> In *13TH*, DuVernay interrogates the historical development of the US criminal justice system in order to “uncover the underlying politics and forces of the system,” how it maintains the oppression of Black Americans, and confronts the viewer with this knowledge through the combination of interviews with policy experts such as Graves and Stevenson, archival footage, and animation. DuVernay contends the system needs to be abolished because of its intrinsic discrimination towards Black Americans. The director argues “[abolition] means the way that the system works now and historically has worked is broken and you can’t put Band-Aids and tape and string on it and try to prop it up so that it helps you in the moment. You have to actually look at it, layer by layer, dismantle it and build something new.”<sup>57</sup> Critically, *13TH* places the system itself on trial for endemic racial inequality, presenting a linear or “layer by layer” argument through evidentiary editing.

The concluding sequence in DuVernay’s documentary illustrates the pervasiveness of white supremacist violence in American society as a result of enduring anti-Blackness. The closing sequence of *13TH* pairs archival footage of violence against civil rights activists with contemporary footage of BLM protests and violence at Trump rallies. A sequence begins with footage from a Trump rally in which he encourages his supporters to “knock the crap out of them,” referring to protesters against his divisive rhetoric. Footage of predominantly white supporters surrounding, antagonizing, and violently attacking predominantly Black protesters is juxtaposed with archival footage of Black journalist L. Alex Wilson being surrounded and then

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<sup>56</sup> Mark Frederick Baker and Houston A. Baker, Jr., “Uptown Where We Belong: Space, Captivity, and the Documentary of Black Community,” *Struggles for Representation: African American Film and Video*, eds., Phyllis R. Klotman and Janet K. Cutler, (Bloomington: Indiana University Press, 1999). 218.

<sup>57</sup> *13TH: A Conversation with Oprah Winfrey and Ava DuVernay*, interview, released 2017, on Netflix, <https://www.netflix.com/title/80169801>

attacked by a white mob during the civil rights movement. The sequence is underscored by audio of Donald Trump reminiscing about the “good ole days” when racial violence was met with minimal, if any, consequences for the perpetrators.<sup>58</sup> The sequence demonstrates how the civil rights movement runs parallel to the BLM movement, both standing in contrast to white supremacist violence. According to Rebecca Swender, “*Juxtapositional specificity* is the pairing or sequencing of images in order to forward a particular narrative trajectory or to support an argumentative truth claim.”<sup>59</sup> *13TH* juxtaposes the images of two movements to demonstrate a political continuum and to foreground how acts of racial violence often go without justice, while countercultural movements against racial oppression are perceived as criminal and met with the systemic violence of police brutality and mass incarceration.

Despite the engrossing style and clarity of its argument, *13TH* is limited in its presentation of mass incarceration and its legal explanation of the constitutional amendment. Throughout the documentary, images of inmates are largely those of Black men. In recounting the tragedies of Emmett Till, Trayvon Martin, and Kalief Browder, the documentary is particularly skewed to the plight of Black American men. While *13TH* features numerous interviews with Black women, including Angela Y. Davis, who details her own incarceration and is a pillar of the prison abolition movement, it ultimately leaves the viewer with the impression that Black American men are at the nucleus of the issue, despite the fact that since the 1980s the population of incarcerated women has steadily increased. According to *The Sentencing Project*, “the imprisonment rate for Black women (64 per 100,000) was 1.6 times the rate of imprisonment for white women (40 per 100,000)” in 2022 and “Twenty-five percent

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<sup>58</sup> Ibid.

<sup>59</sup> Vance Kepley and Rebecca Swender, “Claiming the Found: Archive Footage and Documentary Practice,” *The Velvet Light Trap* 64 (2009): 5, <https://dx.doi.org/10.1353/vlt.0.0037>.

of women in prison have been convicted of a drug offense, compared to 12% of men in prison.”<sup>60</sup> On the other hand, “The rate of imprisonment of Black and Latina women has declined since 2000, while rates of incarceration for white women have increased.”<sup>61</sup> There is also minimal information in *13TH* about the incarceration of individuals from the LGBTQIA+ community. Theodore Twidwell argues “trans women of color started the mainstream LGBTQ rights movement when they resisted police abuse and violence and sparked the Stonewall Riots yet the legacy of people like Marsha P. Johnson, goes undiscussed in this movie.”<sup>62</sup> As such, *13TH* effectively uses evidentiary editing to interrogate the incarceration of Black men and reveals it to be a consequence of political rhetoric but this focus obscures Black women and Black LGBTQIA+ individuals.

Additionally, the documentary’s argument hinges on the language of the thirteenth amendment being a precarious exemption that facilitated the development of mass incarceration. However, the very amendment admonished by the documentary could hold the key to furthering the ambitions of Black Lives Matter and other movements for criminal justice reform. Exploring how the thirteenth amendment can be used to achieve greater community oversight of the police, Seth Davis argues “the Thirteenth Amendment’s prohibition of slavery might play a role in constitutional arguments to the extent that the denial of community control and collective self-determination is a form of slavery or at least a badge or incident of it.”<sup>63</sup> The documentary’s failure to look at the ways in which the thirteenth amendment could be used to

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<sup>60</sup> Kristen M. Budd, “Incarcerated Women and Girls,” *The Sentencing Project*, April 3, 2023, <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>.

<sup>61</sup> Ibid.

<sup>62</sup> Theodore Twidwell, “13th: Ava DuVernay’s Stark Exploration of the Mass Incarceration Crisis Facing Black Men,” *Tapestries: Interwoven voices of local and global identities* 6, no.1 (2017), 73, <http://digitalcommons.macalester.edu/tapestries/vol6/iss1/21>.

<sup>63</sup> Seth Davis, “The Thirteenth Amendment and Self-Determination,” *Cornell Law Review Online* 104, (2018-2019): 97, <https://heinonline.org/HOL/P?h=hein.journals/clro104&i=92>.

address police brutality and mass incarcerations demonstrates its limited and selective engagement with legal theory. DuVernay neglects to consider a perspective that does not serve her argument.

Nonetheless, the scope of the argument in *13TH* and what it does not include reveals the breadth of the issue. It would be impossible to condense, in its entirety, the issue of police brutality, racism in the US criminal justice system, and mass incarceration into 100 minutes. Documentary filmmaking can only function as one of many investigations into the complexities of criminal justice reform and prison abolition. *13TH* most effectively reflects a particular political moment. As DuVernay's first collaboration with Netflix, the director uses the staples of the Netflix house style concerning high production values to produce a Black documentary that embeds the aesthetics and political discourse of BLM into one of the streamer's most prominent offerings from its original programing strategy.

### ***When They See Us* and the criminalization of Black boys**

In comparison to DuVernay's use of archival footage in *13TH* to reveal discrepancies between political rhetoric and its material consequences, the director deploys archival footage and audio of news broadcasts in *When They See Us* to depict the chasm between the moral panic surrounding the 1989 Central Park Five assault case and the lived experiences of five Black and Latino teenage boys who were wrongfully convicted. While each production has a different focus, a system versus a particular case, the evidentiary editing of archival footage is consistent. However, *When They See Us* represents a shift in genre for the director, from documentary to docudrama, to present a narrative about the exonerated, their childhood and their imprisonment, that was absent from news reports. As Joy Elizabeth Hayes writes:

documentary drama is based on research into historical, topical, or biographical accounts of actuality. However, the unique contribution of docudrama is dramatization which uses trained actors to perform scripted reconstructions of real events—reconstructions that may include invented dialog, narration, music, and fictional or composite characters.<sup>64</sup>

Hayes acknowledges a creative license in the depiction of historical events that describes DuVernay's production about the Central Park Five. To this effect, Hayes cites *When They See Us* as an example of docudrama in the age of streaming that makes use “of didactic, persuasive, documentary, and representational modes of communication.”<sup>65</sup> As opposed to a strict replication of “accounts of actuality,” docudrama allows for the use of imaginative elements to constitute educational narratives about how historical events represent sociopolitical issues. For my analysis of *When They See Us* below, I foreground Hayes' definition of docudrama and the term “reconstruction” because of how DuVernay creatively presents the experiences of the exonerated through her filmmaking. This is evidenced, for example, by the depiction of the “wilding narrative” in news reports during the case that I discuss later in the section.

In DuVernay's reconstruction of the Central Park Five case in *When They See Us*, the role of politicians is curiously absent. A key political figure missing from DuVernay's narrative is the mayor of New York City during the 1980s, Ed Koch. Harry J. Enten writes, “He was a conservative Democrat, a ‘liberal with sanity’ [...] His hold on New York voters was so strong that, in 1981, he managed to win party endorsements from both Democrats and Republicans.”<sup>66</sup> Koch's career reflects how “tough on crime” rhetoric was embraced across the political spectrum. However, his stranglehold on New York City did not last. Enten explains Koch's

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<sup>64</sup> Joy Elizabeth Hayes, “Rethinking Docudrama and its Origins From Radio and Film to Streaming Media,” *Television & New Media* 25, no. 3 (2023): 216, <https://doi-org.libproxy.york.ac.uk/10.1177/152747642312138>.

<sup>65</sup> *Ibid.*, 215-216.

<sup>66</sup> Harry J. Enten, “The forgotten history of Ed Koch, darling of liberals and minorities,” *The Guardian*, February 4, 2013, <https://www.theguardian.com/commentisfree/2013/feb/04/ed-koch-new-york-mayor>.

popularity waned after “a series of scandals tied to city government” in addition to “a high crime rate, his often abrasive conservatism, and a perceived antagonism towards minorities.”<sup>67</sup> Koch was a key figure in fomenting social unrest about crime in the city, especially in this case. Carl Suddler argues: “*When They See Us* appears to have missed an opportunity to highlight the role of politicians, Democrats in this instance, in reinforcing the racist hysteria in one of the most liberal cities in America.”<sup>68</sup> The absence of Mayor Koch in the series is an oversight by DuVernay that coincides with the docudrama’s indictment of Donald Trump as a conservative political figure in relation to his part in instigating a moral panic around this case and as the sitting president when the series was released in 2019. As a whole, *When They See Us* does not focus on the impact political figures and legislative policies had on the case, except for Trump. The series draws parallels between Trump’s calls for the death penalty in this case and his incitement of violence as president. In doing so, *When They See Us* places the viewer into a dialectical relationship with sociopolitical issues involving race and crime, past and present, but neglects to interrogate the political establishment of New York City during this period.

Despite the omission of politicians, the series critically portrays the media’s role in disseminating narratives about the inherent criminality of Black and Latino youth and stirring social unrest about crime in New York City. *When They See Us* challenges negative social perceptions about Black and Latino teenage boys by foregrounding childhood innocence in comparison to news media narratives. *When They See Us* prioritizes the perspective of the wrongfully convicted and builds on DuVernay’s argument about the US criminal justice system in *13TH* by presenting the personal consequences of racial inequality and mass incarceration

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<sup>67</sup> Ibid.

<sup>68</sup> Carl Suddler, “Ava DuVernay, director. *When They See Us*,” *The American historical review* 126, no. 1 (2021): 226, <https://doi.org/10.1093/ahr/rhab067>.

through the experiences of the criminalized children in this case. While the focus on biographical details is significant because the reconstructions present the perspective of the accused, *When They See Us* does not offer a critical argument like *13TH* about how the criminalization of these boys was a consequence of racist connotations of criminality that were created by American politicians and the news media during the late twentieth century. Instead, the history of the US criminal justice system presented in *13TH* is assumed knowledge in the series. Taken together, *13TH* and *When They See Us* demonstrate an evolution in DuVernay's educational narratives during her collaboration with Netflix – moving from a broad analysis of the US criminal justice system to a specific miscarriage of justice. With this series, the director offers a different perspective than her previous iterations of social justice narratives. Therefore, *When They See Us* is a variation of a political theme that is both central to DuVernay's filmmaking and Netflix's original programming strategy involving documentary productions, including docudrama.

DuVernay's docudrama depicts how these five teenagers were portrayed as “folk devils” by the news media. Stanley Cohen's seminal book *Folk Devils and Moral Panics: The Creation of Mods and Rockers* (1972) defines “folk devils” as people accused of deviant, socially abhorrent behavior by mass media which in turn incites a period of moral panic. Cohen explains the social phenomenon occurs when:

A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible.<sup>69</sup>

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<sup>69</sup> Stanley Cohen, *Folk Devils and Moral Panics: The Creation of Mods and Rockers*, 3<sup>rd</sup> edition, (Oxford: Taylor & Francis Group, 2011), 1, <http://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=684015>.

The Central Park Five case appeared in a “stylized and stereotypical fashion” in articles and news broadcasts accusing the teenagers of “wilding,” going on a rampage through Central Park, the night the sexual assault took place. The inner-city youth that the five teenagers represented was pathologized as possessing an intrinsic depravity and called “superpredators” The terminology, “wilding” and “superpredators,” imagines Black and brown teenage boys to be brutes, who travel in packs like animals and pose a threat to white womanhood. The “moral barricades” were taken up by journalists and politicians such as Koch which caused a moral panic about a city under siege by violent delinquents, who needed to be imprisoned. *When They See Us* illustrates how this vilification unfolded in the news media.

In episode two, *When They See Us* dramatizes the “wilding” narrative that circulated in the news reports about the case and its role in inciting a moral panic through bestial, racist imagery. The opening sequence begins as a slow-motion, low-angle shot through dirt and grass. Early morning sunlight casts a shadow as the camera pans upward to reveal a group of young Black and brown boys socializing and walking into the frame. As the camera pans further outward toward the skyline, we see the group walking through a field that is presumably in Central Park. This image of childhood camaraderie is set to archival audio from news broadcasts about the case. The selection of audio clips demonstrates how the police presented a narrative to the news media and it was then disseminated without question: “Reporter 1: It’s been six months since the boys were arrested in the Central Park jogger case. Reporter 2: Police believe the gang confronted her here, then dragged her 200 feet into the woods, where the assault took place.”<sup>70</sup> The compilation of audio clips builds to a crescendo as the camera

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<sup>70</sup>*When They See Us*, directed by Ava DuVernay, released May 31, 2019, on Netflix, <https://www.netflix.com/title/80200549>.

moves upwards. The audio then transitions to a voiceover of a reporter reading from a story he has written about the case. The reporter states:

They were coming downtown from a world of crack, welfare, guns, knives, indifference, and ignorance. They were coming from a land of no fathers. They were coming from the *wild* province of the poor and driven by a collective fury brimming with the rippling energies of youth, their minds teeming with violent images of the streets in the movies. They had only one goal: to smash, hurt, rob, stomp, rape. Their enemies were rich. And then [...] Their enemies were white.<sup>71</sup>

The sequence cuts to a white male reporter compiling the story at a news desk, reading his article out loud to a colleague, also a white male, who helps conceive of the last line “Their enemies were white.” The contrast between the archival audio from an array of news coverage during the case and the image of a group of teenagers innocuously roaming through a field shows the disconnect between the mundane experiences of many Black and brown boys in the city and the media narrative that made them into folk devils. The phrase “land of no fathers” and the words “smash, hurt, rob, stomp, rape” paint an entire generation of Black and brown boys as pathologically monstrous and criminal.

The audio and depiction of *New York Post* columnist Pete Hamill compiling an article that was published during the case shows how a moral panic about violent Black and Latino youth was instigated by the news media.<sup>72</sup> Biased reporting like Hamill’s column, coupled with advertisements taken out by Donald Trump that screamed “BRING BACK THE DEATH

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<sup>71</sup> Ibid.

<sup>72</sup> In his April 1989 *New York Post* column titled “A Savage Disease Called New York,” Hamill writes “They were coming downtown from a world of crack, welfare, guns, knives, indifference, and ignorance,” “They were coming from a land with no fathers.” “They were coming from the anarchic province of the poor. And driven by a collective fury, brimming with the rippling energies of youth, their minds teeming with violent images of the streets and movies, they had only one goal: to smash, hurt, rob, stomp, rape. The enemies were rich. The enemies were white.” qtd in Robert D. McFadden, “Pete Hamill, Quintessential New York Journalist, Dies at 85,” *The New York Times*, August 5, 2020, <https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:60HJ-W4X1-JBG3-61FM-00000-00&context=1519360>.

PENALTY. BRING BACK OUR POLICE!” which is shown on a tv screen located in a bodega (convenience store) later in the same episode, cemented the moral panic directed towards five innocent Black and Latino teenagers.<sup>73</sup> Micheal Welch, Eric A. Price, and Nana Yankey survey the appearance of the word “wilding” in news articles between 1989, when its first introduced in the Central Park Five case, and 1997 to assess the media’s role in creating a moral panic that reinforced racial stereotypes. They assert, “our findings support the contention that the term wilding is biased racially, reserved predominately for Black and Latino males, particularly under the unique circumstances in which the victim is a White female.”<sup>74</sup> The word “wilding” in news coverage of the case and in news reports of other interracial crimes afterwards perpetuated the stereotype that Black and Latino men and boys were inherently criminal and presented an outsized threat to white womanhood. In this opening sequence of episode two, DuVernay uses evidentiary editing in her reconstruction of news reporting during the case to recontextualize and dispel this perception. The evidentiary editing is comparable to *13TH*; however, the dramatic reconstruction of journalistic reporting and the creative rendering of Black boyhood is a distinct progression in DuVernay’s filmmaking to adopt the conventions of docudrama and depict the miscarriage of justice in this case as a microcosm of the criminalization of Black and brown youth. DuVernay’s combines the reconstruction involved in docudrama with the evidentiary editing of the expository mode of documentary filmmaking to formulate an educational narrative distinct from her previous production. The director’s depiction requires the viewer to consider how the narrative in *When They See Us* represents

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<sup>73</sup> Duvernay, *When They See Us*.

<sup>74</sup> Michael Welch, Eric A. Price and Nana Yankey, “Moral Panic Over Youth Violence: Wilding and the Manufacture of Menace in the Media,” *Youth & Society* 34, no.1, (2002): 13, <https://doi-org.libproxy.york.ac.uk/10.1177/0044118X020340010>.

larger political issues in American society pertaining to ideologies that characterize Black and brown boys as intrinsically dangerous and violent.

Stephen J. Mexal analyzes the etymology of the word “wilding,” its connotations with nature and Central Park, and how it became a narrative during the case. Mexal argues the introduction of the word into public discourse incited fear and outrage in the aftermath of the assault. He writes:

Reports had detailed the horror and cruelty of the crime but did not employ the language of wilderness to nearly the degree seen after the publication of the word wilding. It can thus be reasonably assumed that the emergence of the word heavily influenced how the popular imagination and the popular press analyzed the crime.<sup>75</sup>

The “language of wilderness” exemplified by the word “wilding” encouraged descriptions of the five teenagers as animalistic and savage. These characterizations solidified their dehumanization and justified calls for their deaths. Their dehumanization, based on their racial and socioeconomic backgrounds, was set in opposition to notions of a civilized, white society.

Additionally, police and news media reports that the word “wilding” was a slang term used by young people to describe the malicious activity of roaming public spaces in large groups with the goal of causing trouble are now deemed questionable. Mexal discusses academic and journalistic investigations that suggest the term “wilding” was a misinterpretation by the police of teenagers reciting the hip-hop song “Wild Thing” by Tone Loc. However, Mexal argues “wildin’” was a part of hip-hop vernacular during the 1980s and the term describes the impact of white supremacist capitalism on Black communities in urban environments. He writes, “the language of wilderness, as it existed in hip-hop culture before 1989 and in black literary

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<sup>75</sup> Stephen J. Mexal, “The Roots of ‘Wilding’: Black Literary Naturalism, the Language of Wilderness, and Hip Hop in the Central Park Jogger Rape,” *African American Review* 46, no.1 (2013): 105, <https://www.jstor.org/stable/23783604>.

naturalism of the early twentieth century, was first used critically, ironically, and strategically” to establish “an ironic discourse interrogating the primacy of white civilization.”<sup>76</sup> Therefore, the deployment of the word “wilding” in the Central Park Five case and the public’s failure to understand its actual cultural context contributed to the wrongful conviction.

DuVernay’s reconstruction of historical events in *When They See Us* also typifies Landsberg’s theory of “prosthetic memory” and its ability to influence a viewer’s historical knowledge based on “affective encounters.” Landsberg writes, “Through subtle sensuous interruptions to the narrative, interruptions that occur not on the visual register but on the aural or haptic register, the film positions viewers to process and bring the historical narrative into intelligibility.”<sup>77</sup> These “sensuous interruptions” are points of rupture between the viewer and the diegetic world which prompt consideration of the political issues being portrayed. It is in these moments of disruption that a historical film speaks directly to the viewer. Landsberg analyzes the 2004 film *Hotel Rwanda* (dir. Terry George) about the 1990s genocide and the depiction of radio broadcasts during the conflict to detail the importance of aural “interruptions” to the film’s narrative: “The effect of these interruptions is simultaneously to put viewers in the position of Rwandans listening to the radio but also to snap them out of the filmic narrative.”<sup>78</sup> DuVernay places radio and news broadcasts in the background of the *mise-én-scène* in *When They See Us* with similar effect. The viewer is at once immersed in the diegetic world, as if a New Yorker during this period of moral panic, and in a contemporary position to contemplate the implications of racial and class stereotypes while streaming the series on Netflix in the BLM era.

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<sup>76</sup> Ibid., 112.

<sup>77</sup> Landsberg, *Engaging the Past: Mass Culture and the Production of Historical Knowledge*, (New York: Columbia University Press, 2015), 48, <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=1974581>.

<sup>78</sup> Ibid., 50.

DuVernay's reconstruction likewise invokes Amir A. Gilmore and Pamela J. Bettis evaluation of the harmful perceptions of Black children in American educational and judicial systems. Specifically, Gilmore and Bettis investigate the rhetoric of news reports about incidents of violence and punishment against Black boys and girls in kindergarten to 12<sup>th</sup> grade education. Their analysis demonstrates the persistent use of language that characterizes Black children as hyperphysical, hypersexual, and with "adult-like culpability" which justifies excessive punishments in comparison to those of their white counterparts. Gilmore and Bettis argue, "what early 21st-century research conveys is that the preoccupied public interests in Black boys are not concerned with their experiences, mattering, or their pain, but with stereotype-driven fears and anxieties about their bad behavior."<sup>79</sup> News articles about the deaths of Black boys after incidents with police or white vigilantes such as Tamir Rice, Mike Brown, and Trayvon Martin or involving violent interactions with school resource officers emphasize the *perceived* threat of Black boys. The perpetrators were in fear of their lives and therefore, the use of lethal force against a child was justifiable.

To further counter the perception of Black boys as threats to society or folk devils, *When They See Us* dedicates a significant part of the fourth episode to the horrific experiences of Korey Wise, who was 16 at the time of the trial and sentenced as an adult. Out of the Central Park Five, Wise served the longest sentence – 11 and half years. The portrayal of Wise by actor Jharrel Jerome visualizes the physical and mental suffering he endured including spending a considerable amount of his sentence in solitary confinement. Sequences of Wise in solitary confinement reinforce the profound injustice of the case by presenting the conditions he was subjected to as a teenager with developmental difficulties and imprisoned in adult facilities.

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<sup>79</sup> Gilmore and Bettis, "Antiblackness and Adultification of Black Children,"12.

Wise is sequestered to solitary confinement to protect him from violent inmates and guards, which leads to the deterioration of his mental health.

While sequences throughout contain elements of audio distortion to note the historic time and place, the fourth episode is not primarily concerned with imbuing the viewer with “prosthetic memories” of the social mechanisms that led to this injustice. Instead, the bulk of the final episode is dedicated to giving space to one person’s suffering. After a transfer to Attica, Wise is attacked off camera and when found laments, “They gonna kill me [...] put me in solitary” – a screen caption notes that the prison is located “352 miles from Harlem.”<sup>80</sup> The viewer is initially drawn in by the absence of audio, the silence and the unseen violence that initiates the sequence. In the confinement cell, dim lighting and close-up shots of his face visualize the mental toll of being deprived of human contact. Wise imagines conversations and moments with loved ones to escape his circumstances. DuVernay’s reconstruction animates Wise’s mental decline through the depiction of hallucinations in the corner of a prison cell. In turn, the viewer is prompted to reflect on Wise’s wrongful conviction as well as his lived experience as the son of an impoverished mother and brother of a transwoman of color, who was a victim of transmisogyny.

Mass incarceration, Black motherhood, and queer identity are explored amid the portrayal of Wise’s ordeal. However, because this final episode is biographical and specifically focused on Wise it also lends itself to sympathy as opposed to empathy. Regarding “prosthetic memories,” Landsberg distinguishes between sympathy because of an “overidentification” with the narrative and empathy that prompts the viewer to progressively interrogate history. She explains:

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<sup>80</sup> DuVernay, *When They See Us*.

The danger of the dramatic film as a vehicle for history is precisely its virtuosic capacity to lure the viewer into a deep identification with the characters and events of the past, fostering an illusory sense that the viewer truly understands another person's position or how the past felt to those who lived then. In this intense identification – what I would call “overidentification” – the viewer is not challenged.<sup>81</sup>

Although Wise's story, and that of the other four men, is narratively compelling and ultimately triumphant, the biographical and individualistic focus could diminish viewer engagement on a politically progressive scale. The series, through Jerome's Emmy award-winning performance, visualizes what Wise struggles to communicate in interviews and an experience that was absent from news reports. However, the representation of biographical details in *When They See Us* calls into question the extent of artistic license taken by DuVernay. Voyeuristic aspects of the narrative place the viewer in a position to possibly over-identify with the plight of five boys as opposed to wider political considerations about criminal justice reform as a biographical docudrama series that offers a glimpse into a previously unknown experience.

*When They See Us*, like *13TH*, showcases DuVernay's sustained engagement with social justice narratives, specifically the issue of racial inequality in the US criminal justice system and how it sustains the oppression of Black Americans – Black men and boys, in particular. The series also showcases an evolution in her artistry during her collaboration with Netflix, evidenced by her transition from an extensive examination of the US criminal justice system to a narrow focus on a specific legal case and a shift in genre from documentary film to docudrama series. The director's deployment of archival footage and evidentiary editing is a thread of continuity across the two productions. However, DuVernay's use of reconstruction to align with the conventions of docudrama allowed the director to creatively reimagine historical events, not simply replicate them, and represents an evolution in her production of educational narratives

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<sup>81</sup> Landsberg, *Engaging the Past*, 35.

during this era. In *When They See Us*, DuVernay exercises a greater sense of creative license in her presentation of actual events in comparison to *13TH*. In chapter three, I consider DuVernay's attempt to use the reconstruction convention of docudrama in a biopic, *Origin* (2023), that was ultimately unsuccessful. *When They See Us* is also indicative of the high production values and focus on quality indicative of Netflix's original programming strategy regarding nonfiction content. This is most apparent in the scale of the production, four feature-length episodes (on average 70 minutes) about the wrongful conviction of five Black and Latino teenage boys. Lastly, the subject matter of *When They See Us* also adheres to Netflix's programming strategy to commission productions capable of embedding the streaming platform within current political discourses about crime and race, given the fact that this particular wrongful conviction case continues to impact discussions about political leadership and criminal justice reform.<sup>82</sup>

### ***Colin in Black & White* – Kaepernick speaks for himself**

In her third and final collaboration with Netflix, the unique format of *Colin in Black & White* draws on a combination of techniques DuVernay used in the previous two productions. The series similarly deploys explanatory sequences of archival footage and animated graphics to those found in *13TH* and depicts the negative social perceptions of Black boys in a manner congruent with the narrative in *When They See Us*. While both *When They See Us* and *Colin in Black & White* are docudramas, the latter leans more into the hybrid format by creating a distinction between documentary segments presented by Kaepernick and dramatic renderings of

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<sup>82</sup> Members of the exonerated five including Korey Wise and Yusef Salaam, who was elected in 2023 to be a New York City councilman representing a district in Harlem as a Democrat, spoke at the 2024 Democratic National Convention in support of Democratic presidential candidate Kamala Harris and recalled the role Republican presidential candidate Trump played in their wrongful conviction. "Members of exonerated 'Central Park Five' speak at DNC," posted August 23, 2024, by CNN, YouTube, <https://www.youtube.com/watch?v=WPEmL8ol0N4>.

his adolescence in comparison to the former wherein the entire period encompassing the Central Park Five case, from conviction to exoneration, is dramatized. *Colin in Black & White* also marks the culmination of her documentary filmmaking and entrepreneurship to pursue diversity in the employment of creative professionals during her collaboration with the streaming platform. Specifically, DuVernay was able to assemble a group of Black directors to direct all the episodes of the series because it was produced under ARRAY Filmworks. As such, she was the show's creator, producer, and director of its first episode. In each episode, six in total, Kaepernick directly addresses the viewer and narrates sequences of archival footage and animated graphics to discuss systemic racism in a range of American institutions including sports, entertainment, and the criminal justice system. Kaepernick's presence as a prominent onscreen figure and narrator complements the coming-of-age narrative about his childhood.

Kaepernick's role as the presenter and narrator of the series gives him a platform to discuss the origins of his political consciousness in his own words, countering news media narratives that characterized his national anthem protest as unpatriotic. However, the format is at times awkward in its oscillation between documentary and dramatic sequences. On the one hand, the limitations of the series reflect the restrictions placed on media productions during the Covid pandemic that necessitated particular and innovative solutions to adhere to social distancing protocols. On the other hand, the series exemplifies the breakdown of the collaborative partnership between DuVernay and Netflix. *Colin in Black & White* is the most experimental of DuVernay's productions with Netflix, demonstrating the streamer's sizable investment in the director, but it is also her last production before the unraveling of DEI initiatives across the industry and her return to an independent mode of filmmaking outside of Hollywood.

To understand how the series counters news media narratives about Kaepernick, I will first briefly discuss news coverage about his national anthem protest. Media about crime and punishment in the US, popular and journalistic, informs public opinion about American policing and racial inequality in the criminal justice system. Likewise, the media impacts public opinion about political protests and American patriotism. In 2016, Colin Kaepernick's act of taking the knee, during the playing of the national anthem at the start of National Football League (NFL) games to protest police brutality ignited widespread debate and criticism. News reporting during the 2016-2017 NFL season about Kaepernick's national anthem protest included themes of patriotism, respect for military service members, and the first amendment right to protest as outlined in the US constitution. When Kaepernick's kneeling first garnered attention, he explained his motivations in a post-game interview with reporters after a pre-season game against the Green Bay Packers on August 27, 2016.

Kaepernick states:

I am not going to stand up to show pride in a flag for a country that oppresses black people and people of color. To me, this is bigger than football and it would be selfish on my part to look the other way. There are bodies in the street and people getting paid leave and getting away with murder.<sup>83</sup>

In his statement, Kaepernick acknowledges a disparity between the values the American flag and national anthem symbolize and incidents of police brutality that disproportionately affect Black Americans. For the professional athlete, taking a knee as a well-known player in the NFL, an iconic American sports league, was a rational, peaceful way to bring awareness to issues of police brutality and racial inequality in the US criminal justice system. It also harkens

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<sup>83</sup> Steve Wyche, "Colin Kaepernick explains why he sat during the national anthem," *NFL*, August 27, 2016, <https://www.nfl.com/news/colin-kaepernick-explains-why-he-sat-during-national-anthem-0ap3000000691077>.

back to a history of Black athletes raising their fists in protest during the civil rights movement. Athletes Tommie Smith and John Carlos famously gave the Black power salute on the award podium during the 1968 Olympics in Mexico City.<sup>84</sup>

The NFL, under the leadership of commissioner Roger Goodell, distanced itself from Kaepernick's national anthem protest, questioning its appropriateness and reinforcing the league's support for the US military. Commissioner Goodell's statement, specifically, attempts to thread a needle between supporting Kaepernick's first amendment right to protest and acknowledging conservative criticisms about patriotism in response to his national anthem protest. Goodell stated:

I support our players when they want to see change in society, and we don't live in a perfect society. [...] On the other hand, we believe very strongly in patriotism in the NFL. I personally believe very strongly in that. I think it's important to have respect for our country, for our flag, for the people who make our country better; for law enforcement, and for our military who are out fighting for our freedoms and our ideals.<sup>85</sup>

The lukewarm statement does not genuinely engage with the issue of police brutality and conflates kneeling during the national anthem with a lack of "respect for our country, our flag" as well as law enforcement and military personnel. The commissioner does not recognize how Kaepernick's protest is indicative of the liberties symbolized by the national anthem and the flag, namely the right to peacefully protest. This emphasis on respect for a ritual and for symbols over the material, often fatal, consequences of police brutality represents a

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<sup>84</sup> Jason Peterson, "A 'Race' for Equality: Print Media Coverage of the 1968 Olympic Protest by Tommie Smith and John Carlos," *American Journalism* 26, no.2, 99-121, <https://doi.org/10.1080/08821127.2009.10677714>.

<sup>85</sup> USA TODAY Sports, "Roger Goodell on Colin Kaepernick: 'We believe very strongly in patriotism in the NFL,'" *USA TODAY SPORTS*, September 7, 2016, <https://eu.usatoday.com/story/sports/nfl/2016/09/07/goodell-doesnt-agree-with-kaepernicks-actions/89958636/>.

compulsory patriotism that is contradictory to the rights enshrined in the US constitution and the history of political protest in America.

The fervor over Kaepernick and other protesting NFL players reached its peak in 2017 at a rally held by Donald Trump in Alabama. Using profane and derogatory language, the president called for players to be fired for disrespecting the American flag, shouting “Get that son of a bitch off the field” to a crowd of supporters.<sup>86</sup> Objections to Trump’s controversial comments signaled a shift in the overall media narrative about the protest as well as the league’s messaging about Kaepernick and other protesting players. In football games following Trump’s political rally, “the Associated Press estimated 204 players elected to either kneel or sit during the anthem.”<sup>87</sup> Players and team leadership were now united in defending the league’s reputation from attacks by Trump and consequently, the issue of police brutality was largely pushed to the periphery. Goodell, in his response to Trump’s comments, argued, “Divisive comments like these demonstrate an unfortunate lack of respect for the NFL, our great game and all of our players, and a failure to understand the overwhelming force for good our clubs and players represent in our communities.”<sup>88</sup> In the commissioner’s rebuke of Trump, he is principally concerned with a “lack of respect for the NFL.” Goodell did not defend Kaepernick, his motivations for protesting, and the league’s focus on unity did not support the player who had ignited the political firestorm. Kaepernick, who became a free agent after the 2016-2017 season, was effectively blacklisted from the league.

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<sup>86</sup> Bryan Armen Graham, “Donald Trump Blasts NFL anthem protesters: ‘Get that son of a bitch off the field,’” *The Guardian*, September 23, 2017, <https://www.theguardian.com/sport/2017/sep/22/donald-trump-nfl-national-anthem-protests>.

<sup>87</sup> USA TODAY Sports, “NFL player protests sweep league after President Donald Trump’s hostile remarks,” *USA TODAY SPORTS*, September 24, 2017, <https://eu.usatoday.com/story/sports/nfl/2017/09/24/donald-trump-nfl-player-protests-national-anthem-week-3-response/697609001/>.

<sup>88</sup> Graham, “Donald Trump Blasts NFL.”

The media framing regarding Kaepernick's protest encompasses a range of favorable to outright hostile articles and commentary from prominent journalists, politicians, and other athletes.<sup>89</sup> Scholarship observes how media framing during the 2016-2017 NFL season and Kaepernick's initial protest obscured tangible discussions about racial inequality by foregrounding topics such as patriotism, the US military, the right to protest, and the quarterback's aptitude to be a social activist as a wealthy, professional athlete. Steph Doehler uses the "protest paradigm," a "framework used to understand how the media reports specifically on protests" theorized by Joseph Man Chan and Chin-Chuan Lee, to discuss how media framing "demonized" Kaepernick's protest by assessing the quarterback to be "anti-patriotic," "anti-military" and "anti-police."<sup>90</sup> Doehler writes, "by focusing on his perceived anti-military stance some coverage did, to an extent, demonize Kaepernick and his cause."<sup>91</sup> She concludes media frames about the protest emphasized the action of kneeling and questioned whether Kaepernick had a legitimate concern about racial inequality. These narratives, according to Doehler, fell short of facilitating nuanced political discussions beyond the immediate target of Kaepernick and his decision to kneel, often conflating the action with a need to show respect for military service members and the American flag.

However, in 2020, the issue of police brutality that informed Kaepernick's protest and his absence from the NFL was reevaluated by the media after the murder of George Floyd. Scholarship about the media's framing of Kaepernick's protest between 2016 and 2020 reveals a shift from overwhelmingly critical narratives about the activist to critical narratives about the

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<sup>89</sup> Jules Boykoff and Ben Carrington. "Sporting dissent: Colin Kaepernick, NFL activism, and media framing contests." *International Review for the Sociology of Sport* 55, no. 7 (2020): 829-849; Steph Doehler, "Taking the Star-Spangled Knee: The Media Framing of Colin Kaepernick." *Sport in Society* 26, 2021, 1-22, <https://doi.org/10.1080/17430437.2021.1970138>.

<sup>90</sup> Doehler, "Taking the Star-Spangled Knee", 4.

<sup>91</sup> *Ibid.*, 8.

NFL's financial commitments regarding social justice initiatives. Crucially, people questioned the league's hypocrisy in announcing support for BLM in 2020 while continuing to blacklist Kaepernick. Doehler analyzes this shift as a result of the social unrest initiated by Floyd's death as well as the deaths of Breonna Taylor and Ahmaud Arbery which led to a resurgence of the BLM movement and widespread protests at the height of the Covid pandemic.

During this moment of social unrest, major companies and corporations, including Netflix and the NFL, released declarations outlining a commitment to social justice and racial equality. Commissioner Goodell, in a June 2020 video statement, declared, "We, the National Football League, admit we were wrong for not listening to NFL players earlier and encourage all to speak out and peacefully protest. [...] We, the National Football League, believe black lives matter."<sup>92</sup> While the admission is a watershed moment in the league's stance regarding protesting players, the statement is also an attempt to preserve the league's public reputation during an intense political moment. After all, there was no apology to or direct mention of Kaepernick in Goodell's statement. Subsequently, the NFL pledged to create "a 10-year total \$250M fund to combat systemic racism and support the battle against the ongoing and historic injustices faced by African Americans" and "to leverage the NFL Network and all our media properties to place an increased emphasis on raising awareness and promoting education of social justice issues to our fans and help foster unity" (@NFL, June 11, 2020, 11:03pm).<sup>93</sup> Only time will determine what impact the NFL fund will have, given it remains in the early stages of development.

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<sup>92</sup> Around the NFL Staff, "Roger Goodell: NFL 'wrong' for not listening to protesting players earlier," *NFL*, <https://www.nfl.com/news/roger-goodell-nfl-wrong-for-not-listening-to-protesting-players-earlier>.

<sup>93</sup> NFL (@NFL), "#InspireChange, The NFL is growing our social justice efforts through a 10-year total \$250 million fund to combat systemic racism and support the battle against the ongoing and historic injustices faced by African-Americans." Twitter (now X), June 11, 2020, <https://x.com/NFL/status/1271201330963480576?mx=2>.

Regarding the role of journalists, Doehler observes how some changed their stances to acknowledge Kaepernick's protest was valid but without accepting accountability for their previous judgments. Instead, the NFL's change of heart became the media's focus. Doehler writes:

In June 2020, NFL Commissioner Roger Goodell acknowledged the league was wrong to ignore player protests in 2016, though failed to reference Kaepernick directly. The media took this as an opportunity to excoriate the league, with [Jerry] Brewer (2020) calling it an "astounding about-face" of social justice that is now "good for business" for the league [...].<sup>94</sup>

The assertion that statements and commitments made by major institutions were, in part, a business strategy to maintain a positive, public reputation is not wholly unfounded. As of 2023, executive leadership within the NFL is still predominantly white and male.<sup>95</sup> As such, change has been incremental at best.

In the face of corporate commitments to social justice and shifts in news media narratives about Kaepernick, the hybridity of *Colin in Black & White* allows the former NFL quarterback to speak for himself and connect with wider trends in documentary filmmaking. Documentarian Erik Knudsen and academics Jerry Rothwell and Wilma de Jong examine the impact of new industry models, such as emerging media platforms like Netflix, on contemporary documentary filmmaking. They posit that "Thinking across different media platforms and considering how these platforms influence both the context and form of

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<sup>94</sup> Doehler, "Taking the star-spangled," 11.

<sup>95</sup> David A. Grenardo writes "The good old boys' system of hiring in professional sports perpetuates Whites in power and prevents Blacks from attaining head coaching and LTE (lead team executives) positions. Interestingly, over seventy-five percent of coaches in the NFL who are related to a current or previous NFL head coach are White." Over the past 20 years, two-thirds of NFL teams, 22 out of 32, were owned by the same individual or family. "Getting to the Root of the Problem: Where Are All the Black Owners in Sports?," *UMKC Law Review* 91, no. 4 (2023): 740-41, <https://heinonline.org/HOL/P?h=hein.journals/umkc91&i=755>.

documentary projects seems to be one of our contemporary challenges.”<sup>96</sup> Like the evolution of documentary film after the advent and popularity of television in the mid-twentieth century, the form is now evolving in response to online streaming platforms. The nature of online streaming is leading to greater hybridization in what was already a hybrid form, blending educational explanations of historical events and social issues with artistic narrative storytelling. In the twenty-first century, de Jong argues, “Hybridisation defines the contemporary film climate, not only between different ‘modes’ but also with dramatized scenes, animation, and web-based materials/footage.”<sup>97</sup> DuVernay’s series combines all three, blending archival footage and animation of political issues about race in America with a dramatic reconstruction of Kaepernick’s adolescence. A larger representation of Blackness in America, political and cultural, is woven throughout a narrative about Kaepernick’s coming-of-age and the origins of his political consciousness. Furthermore, the production and distribution of the series by Netflix is indicative of the crucial role digital platforms now play in the contemporary media environment.

The format of DuVernay’s series is also a result of the restrictions imposed on media productions during the Covid pandemic. Health protocols while production was taking place necessitated innovative technological solutions. The narration and footage of Kaepernick was shot using green screen technology in New York City in December 2020 while quarantine procedures were enforced. Narrative footage of actors Jaden Michael, Mary Louise-Parker, and Nick Offerman was shot in Los Angeles. The immersive gallery space where Kaepernick interacts with narrative scenes was achieved through post-production editing. Iain Marcks

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<sup>96</sup> Wilma de Jong, Erik Knudsen, and Jerry Rothwell, *Creative Documentary: Theory and Practice*, (London; New York: Routledge, 2012), 25.

<sup>97</sup> *Ibid.*, 104.

reports the production used “five Alexa Mini cameras with Leica Summilux-C 21mm primes in a 180-degree array, and the creation of a virtual gallery overlay” to coordinate between footage shot in Los Angeles and New York City and create the illusion of continuity between documentary and dramatic elements.<sup>98</sup> To that effect, on the New York City set, there were also LED walls with projections of background footage from Los Angeles to simulate transitions from the gallery space to the narrative scenes.

Likewise, there was constant coordination about how narrative scenes would interact with Kaepernick’s performance in the gallery space: “The gallery material was edited together so the individual series directors could match the eye lines and angles in their scenes.”<sup>99</sup> Editors Nicholas Monsour and Jessica Hernández of DuVernay’s *ARRAY* as well as visual effects supervisor Greg Anderson and visual effects company Fuse Fx led post-production editing.<sup>100</sup> The scale of production and post-production for the series is indicative of Netflix’s “house style” of high production value in which visuals are painstakingly captured and edited to produce media that is multilayered.<sup>101</sup> While the production of the series was responsive to the unique moment of a global crisis, the jumping between Kaepernick and scenes of his dramatized adolescence are decidedly awkward in comparison to a documentary feature film or limited docudrama series. An audience may be more familiar with one (e.g., interviews with political figures in *13TH*) or the other (e.g., the dramatized portrayal of actual events in *When They See Us*) as opposed to both at once. These innovative approaches to the production of the

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<sup>98</sup> Iain Marcks, “Colin in Black & White: The Kaepernick Gallery,” *The American Society of Cinematographers*, January 7, 2022, <https://theasc.com/articles/colin-in-black-white-the-kaepernick-gallery>.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.

<sup>101</sup> Binns, “The Netflix documentary house style.”

series represent a particular moment in media history like other projects produced during the Covid pandemic and are not likely to be replicated in the absence of social distancing protocols.

Nonetheless, the hybridity of *Colin in Black & White* allows Kaepernick to speak about his personal experiences and how they reflect wider discourses about race in America. The balance between documentary and narrative elements makes *Colin in Black & White* a true hybrid docudrama with equal parts of informative segments hosted by Kaepernick and dramatic sequences of his adolescence in comparison to the rendering of historical events in *When They See Us*. In this way, the series highlights DuVernay's artistic evolution and blends aesthetic techniques found across her other work. Furthermore, the series ventures into the narrative drama typical of shows about adolescence or coming-of-age. Joshua Alston describes the series as "provocative, ambitious and frequently messy" with it being "at once a coming-of-age tale, an anti-racism polemic, and a flipbook of Black history memes."<sup>102</sup> By comparison, Ciara Wardlow notes the hybrid format as an innovative way of combining the personal and the educational. Wardlow describes the series as "unabashed edutainment" and writes, "it is not subtle; it is not trying to subliminally nudge viewers — this series is here to educate, and class is in session."<sup>103</sup> Marcus Smith concurs and adds, "The short educational segments provide a combination of historical facts and definitions and are accentuated by Kaepernick's larger-than-life Afro hairstyle and black clothing."<sup>104</sup>

I now turn to an analysis of the first episode directed by DuVernay to look closely at the techniques the director employs and how they are demonstrative of her documentary

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<sup>102</sup> Joshua Alston, "'Colin in Black and White,' Netflix's Kaepernick Coming-of-Age Series, Is Provocative but Messy: TV Review," *Variety*, October 28, 2021, <https://variety.com/2021/tv/reviews/colin-kaepernick-netflix-show-review-1235098721/>.

<sup>103</sup> Ciara Wardlow, "Colin in Black & White," *RogerEbert.com*, October 29, 2021, <https://www.rogerebert.com/reviews/colin-in-black-and-white-tv-review-2021>.

<sup>104</sup> Marcus Smith, "Colin in Black and White," *Journal of Sport History* 49, no. 2 (July 2022): 170.

filmmaking during her Netflix era. In “Cornrows,” reconstructions of adolescent Kaepernick’s exploration of Black hair and how it is negatively perceived by others anchor an educational narrative about discrimination against Black hair. After admiring his friend’s cornrows, Colin (Jaden Michael) ventures outside his neighborhood to a small but predominantly Black area of Turlock, California to have a Black teenage girl braid his hair. The comedic sequences include Colin’s hair being pulled too tight and the subsequent looks of confusion from his white, adoptive parents Teresa and Rick (Mary Louise-Parker and Nick Offerman) about the new look. These moments are accented by Kaepernick’s narration, “I felt like my hair was playing tug-o-war with my scalp. And the rope they were using was on fire.”<sup>105</sup> Despite the ordeal, Kaepernick recalls how the hairstyle led to a sense of affirmation about his Black identity as a teen.

Cornrows are a culturally significant Black hairstyle where textured hair (kinks, coils, and curls) is braided into a pattern close to the scalp. The hairstyle originated in Africa, predating the impact of the Transatlantic Slave Trade and colonialism on the development of Black American heritage and cultural expression. During the slave trade, hair braiding was part of acts of resistance to bondage. Enslaved African women would braid their hair in designs that communicated their intention to escape and worked as maps. They also hid gold fragments and seeds within cornrows to ensure there was a food source to be cultivated if they successfully escaped. Today, braids and cornrows are considered hairstyles indicative of the hip-hop culture of the late 1990s and early 2000s. From the singer Alicia Keys to the basketball icon Allen Iverson, cornrows have proliferated as an image of Black American culture.<sup>106</sup> However, Black

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<sup>105</sup> *Colin in Black & White*, episode 1, “Cornrows,” directed by Ava DuVernay, released October 29, 2021, on Netflix, <https://www.netflix.com/search?q=colin%20in%20&jbv=80244479>.

<sup>106</sup> Bernice Quampah, Edward Owusu, Victoria N.F.A. Adu, Nana Agyemang Opoku, Samuel Akyemfo, and Augustine. J. Ahiabor. “Cornrows: a medium for communicating escape strategies during the transatlantic slave

hair textures and styles have also been discriminated against, deemed unacceptable in educational and professional spaces. First introduced in 2021 in the US, the CROWN Act is “a law that prohibits race-based hair discrimination, which is the denial of employment and educational opportunities because of hair texture or protective hairstyles including braids, locs, twists or bantu knots.”<sup>107</sup> The CROWN Coalition continues to work to pass the law nationwide in the US. As of 2023, the act has passed in 20 out of 50 states.

In *Colin in Black & White*, Kaepernick’s hair journey is subsequently tied to this wider Black cultural iconography by the episode’s explanatory sequences. As the onscreen narrator, Kaepernick explains the cultural importance of hall-of-fame National Basketball Association (NBA) basketball player Allen Iverson, his signature cornrows, and the origins of hip-hop music. His explanation is accompanied by animated sequences, the documentary equivalent of visual aids in a presentation. Iverson, cornrows, and hip-hop music are explored as examples of Black expression and nonconformity. In the narrative diegesis, the camera pans to a poster of Iverson above Colin’s bed and transitions into an animated sequence about Iverson’s talent and impact on professional basketball during the late 1990s and early 2000s despite news articles about his problematic and “unprofessional” behavior. Kaepernick states:

They said he looks unprofessional. Intimidating. Messy [...] He experienced more political policing than passionate praise, why? Why did this exceptional player with an uncanny combination of grace and grit cause such ire from the powers that were? Well, what he did to start this controversy was simple, deliberate, and true to himself. He embraced his culture. He braided his hair. You know him as AI, the Answer, Allen Iverson. One of the most dynamic players to ever grace the basketball court. He endured scorn and derision over this simple act of self-expression.<sup>108</sup>

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trade era: evidences from Elmina Castle and Centre for National Culture in Kumasi,” *International Journal of Social Sciences: Current and Future Research Trends* 18, no.1 (2023): 133-137.

<sup>107</sup> “We’re Ending Hair Discrimination,” *The Crown Act*, accessed December 8, 2024, <https://www.thecrownact.com/>

<sup>108</sup> DuVernay, *Colin in Black & White*.

By choosing to wear his hair in cornrows, Iverson's "act of self-expression" and refusal to conform to standards of beauty and professionalism dictated by a predominantly white news media and league leadership made him a target while the cultural significance of the hairstyle was diminished and ridiculed. The animated sequence revolves around a journal aesthetic where graphics resemble the scribbles and drawings you might see in the margins of a student's notebook which reinforces the educational intention of the series. The graphics correlate with the overall tone of the series, showing how Kaepernick, as the narrator, will teach the viewer about Black culture and politics. The evidentiary editing of archival newspaper headlines, soundbites, and NBA game broadcasts illustrate the negative media scrutiny Iverson was subjected to. Through the sequence, DuVernay once again utilizes the expository mode to present an argument, a particular perspective, about discrimination against Black hairstyles. The notebook aesthetic, however, marks another evolution in DuVernay's informative narratives during this period. The explicit references to education throughout the docudrama solidify its status as educational entertainment (edutainment).

The penultimate sequence of the first episode is a dramatized scene of Colin's parents confronting him about his hair after a white baseball coach determines cornrows look "unprofessional." Confused, Colin continues to question the logic of looking "unprofessional." Ultimately, his parents assert that cornrows make him look like a "thug" and he will be cutting his hair moving forward. Visibly upset and looking directly at the camera, Colin's gaze is returned by Kaepernick watching the scene unfold on a wall within the gallery space. The narrative scene transitions into a final animated and expository sequence that explores the definition of the word "thug" versus its political and cultural connotations. Kaepernick narrates, "a quick search will tell you that a thug is described as a violent person, especially a criminal. A

ruffian, hoodlum, bully. Examples of this would be a Nazi or skinhead. Even some politicians.”<sup>109</sup> This narration underscores animated graphics and archival footage from the first Trump administration, specifically the comments made in response to the Charlottesville car attack where a clash between white supremacists and counter-protesters resulted in the death of paralegal Heather Heyer.<sup>110</sup> The current president infamously stated that there “were fine people” on both sides of the Charlottesville incident. The evidentiary editing of the sequence which combines Kaepernick’s commentary with archival footage of Trump questions why the social connotation of the word “thug” is not attributed to all of those in society who cause harm.

This discussion about the connotation of the word also includes the media’s role in shaping it. Kaepernick asserts, “No one’s looking online for the definition of a thug. The medium that informs us more than any other is television. So, let’s take a look at how TV defines the word.”<sup>111</sup> Archival internet footage of Trump calling BLM protesters thugs is contrasted with images of violence during the insurrection at the Capitol on January 6, 2021.. The contrast of images illustrates the racial disparity in who is considered a thug. Kaepernick concludes, “Some people get called thugs just for standing up for their human rights. While others get called more polite terms. But they think I’m a thug? Not because I’m a violent criminal. Because they said so.”<sup>112</sup> Kaepernick, as the on-screen narrator, delineates how the perception of Black people and culture is negatively construed, in part, by the media and its association of words and images.

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<sup>109</sup> Ibid

<sup>110</sup> Lois Beckett, “‘We don’t see no riot’: Charlottesville protesters criticise huge police presence,” US News, *The Guardian*, August 12, 2018, <https://www.theguardian.com/us-news/2018/aug/11/charlottesville-on-edge-on-anniversary-of-deadly-white-nationalist-rallies>.

<sup>111</sup> DuVernay, *Colin in Black & White*.

<sup>112</sup> Ibid.

However, the *Oxford English Dictionary* includes 3 definitions of the word. The definition from 1810 is “A member of a society or cult of robbers and murders in India known for strangling their victims”; the definition from 1838 is “A violent or aggressive person, esp. a criminal; a hoodlum”; and the definition from 1983 is “A member of a street gang or person from a poor urban background who uses crime or violence to try to better his or her situation; a tough, hardened, ruthless person.”<sup>113</sup> The latter two definitions were applied to race relations in the US wherein the definition from 1838 was “used by a white person in reference to a black person” and the definition from 1983 is noted as “original and chiefly in African American usage, often in the context of hip-hop or rap music.”<sup>114</sup> DuVernay and Kaepernick specifically critique the 1838 definition of the word and its usage in reference to Black Americans and reassign it to Trump and white supremacists. Crucially, the sequence is a moment for Kaepernick to talk back and counter the negative responses to his national anthem protest that were prevalent in the news media and further instigated by Trump. Nonetheless, their engagement with the word and its etymology is selective and does not provide a comprehensive explanation but attempts to manipulate the connotation of the word “thug” through evidentiary editing to align it with their politics and condemnation of Trump as a conservative political figure.

Critically, animation in DuVernay’s series bridges gaps in knowledge for viewers who may not be aware of Black history and culture. Animation forms part of the educational significance of the series, providing key bits of information in an accessible way. Nicoló Ceccarelli describes animation in documentaries as an optimal educational tool. He writes, “One deals with animation’s unique capacity to bridge linguistic, cultural, and age boundaries and to

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<sup>113</sup> *Oxford English Dictionary*, s.v. “thug (n.), sense 1,” <https://doi.org/10.1093/OED/1248013018> ; *Oxford English Dictionary*, s.v. “thug (n.), sense 2.a,” <https://doi.org/10.1093/OED/7571039307>; *Oxford English Dictionary*, s.v. “thug (n.), sense 2.b,” <https://doi.org/10.1093/OED/6947954585>.

<sup>114</sup> *Oxford English Dictionary*, s.v. “thug (n. & adj.),” <https://doi.org/10.1093/OED/4013505162>.

the extraordinary versatility of its language, which make it an extremely powerful vehicle for the dissemination of complex contents.”<sup>115</sup> In this way, animation in *Colin in Black & White* serves a similar function as it does in *13TH*, especially concerning information about the US criminal justice system. The “thug” sequence draws parallels with the argument about the connotation of the word “criminal” in *13TH*, and how it is manipulated by political strategies and media representations. Specifically, the animated graphics defining the word “thug” and footage of the president’s inflammatory remarks parallel how the word “criminal” appears throughout *13TH* and its comparison of Trump’s violent language at political rallies with violence enacted against Black people – past and present. Both sequences provoke the viewer to consider how race informs the negative labels assigned to certain demographics over others. Additionally, the first episode’s concluding sequence illustrates a continuity of techniques across DuVernay’s productions with Netflix, exemplifying her documentary filmmaking to produce social justice narratives that present the manifestations of racial inequality as well as the streaming platform’s execution of an original programming strategy that is contingent on maintaining an association with contemporary political discussions like BLM.

*Colin in Black & White* is also an example of DuVernay’s commitment to diverse employment practices and creating opportunities for artists from underrepresented communities. She hired all Black directors for the series: Sheldon Candis, Robert Townsend, Angel Kristi Williams, and Kenny Leon. Each director brought a distinct style and filmmaking repertoire to the series. Candis is known for his “docu-cinematic” approach, the “presentation of real people but with a cinematic aesthetic,” across his work with marketing campaigns for major brands like Amazon and Nike as well as feature film (*Luv*, 2012), documentary, and

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<sup>115</sup> Nicolás Ceccarelli, “Historical perspective of animation in documentary film,” *IP Informanimation* (2021): 121-122.

episodic television.<sup>116</sup> Townsend, a comedic actor, director, and writer with 30 NAACP nominations, is known for examining racial stereotypes in his work like the 1987 parody film *Hollywood Shuffle* about Black stereotypes in media. Williams is an emerging director whose productions depict Black artistry and intimate relationships across formats like short films and music videos. Her feature directorial debut was the 2020 Netflix film *Really Love*. Discussing her debut film and approach to romantic narratives, Williams asserts, “I wanted these two characters to live and breathe and be Black people in such a way that not all their conflicts and challenges were because they were Black.”<sup>117</sup> Finally, Leon is a Tony Award-winning and Emmy-nominated director with an extensive resume of plays, television films and series. His credits include the plays *A Raisin in the Sun* and *Fences* as well as the 2021 Netflix original docuseries *Amend: The Fight for America* (2021) and the 2019 Netflix film adaptation of the play *American Son*.

In an interview, each director, including DuVernay, discusses their approach to directing the show. Duvernay explains the intention behind linking Kaepernick’s lived experience to wider political contexts to ensure “[viewers] weren’t just watching an episode about the boy; they were watching an episode that [allowed] them to interrogate themselves in their own place in society and culture.”<sup>118</sup> However, the format of the series does not prompt this type of reflection. The oscillation between lessons in Racial Inequality 101 taught by Kaepernick and dramatic renderings of his adolescence present the viewer with a variety of political and cultural information coupled with biographical details. Yet, the supporters of the

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<sup>116</sup> Ashley Epping, “Writer-Director Sheldon Candis on His Docu-Cinematic Approach,” *Muse by Clios*, May 11, 2011, <https://musebycl.io/long-story-short/writer-director-sheldon-candis-his-docu-cinematic-approach>.

<sup>117</sup> qtd in Max Weiss, “Director Angel Kristi Williams Discusses Baltimore’s Influence on Her Film ‘Really Love,’” *Baltimore Magazine*, August 25, 2021, <https://www.baltimoremagazine.com/section/artsentertainment/really-love-director-angel-kristi-williams-discusses-baltimores-influence-on-her-film/>.

<sup>118</sup> qtd. in Melanie Curry, “*Colin in Black & White* Is Redefining Black Masculinity,” *Men’s Health*, November 2, 2021, <https://www.menshealth.com/entertainment/a38107468/colin-in-black-and-white-ava-duvernay-interview/>.

former NFL quarterback are also the show's probable audience and they would likely be familiar with the issues discussed by him. By comparison, in *13TH*, DuVernay's juxtaposition between the rhetoric of politicians and the actual harm caused by the criminal justice policies they enacted elicits the viewer to interrogate the conflict between how the system is publicly presented and its material reality. As a result, a viewer may reflect on their own political stances concerning the US criminal justice system.

The other directors of the series link their directorial approach to the importance of varied Black representation on-screen. Williams and Leon describe the significance of portraying Black masculinity through a lens of perseverance and celebration to counter a history of racist stereotypes about Black men and boys in American society. Townsend and Candis express similar sentiments but the slight divergences across the directors' responses demonstrate their individual interpretations of the series, which in turn reflects their specific style.<sup>119</sup> Overall, the directors focus on the significance of the series as a work of positive Black representation.

DuVernay's employment of these Black directors is the perpetuation of the coalition-building she encouraged on the set of *Queen Sugar* and how it is integral to her work through ARRAY to confront disparities regarding underrepresented artists in film and television. Based on the findings of a study by the USC Annenberg Inclusion Initiative, which found an overall decline in women and people of color working as directors across the biggest films of 2022, Brett Lang writes "the number of Black, Asian, Hispanic/Latino and multi-racial and multi-ethnic moviemakers also fell from 27.3% in 2021 to 20.7% in 2022. Women of color accounted

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<sup>119</sup> Ibid.

for a mere 2.7% of directors of the top 100 movies last year.”<sup>120</sup> By comparison, Angelique Jackson reports another study by the USC Annenberg Inclusion Initiative, specifically about Netflix, found that the streamer “promotes women leaders behind the camera at a rate above the industry average” after examining “546 fictional English-language Netflix original, live-action narratives” across films and TV series from 2018 to 2021.<sup>121</sup> Of Stacy L. Smith’s presentation of this data during a panel held by Netflix in April 2023, Jackson writes “women of color as series directors increased from 5.6% in 2018 to 11.8% in 2021, and over the last four years, Netflix has hired 16 women of color to direct films, when the same number of women have been hired to direct top-grossing films in the last 16 years [in Hollywood].”<sup>122</sup> Netflix, in part through its collaboration with DuVernay, has shown a demonstrable commitment to producing diverse content while comparable Hollywood studios still struggle to make meaningful change. Essentially, DuVernay’s productions with Netflix contribute to the streamer being a statistical outlier among its competitors.

## Conclusion

The BLM movement placed Hollywood and other American industries under a microscope regarding racial and gender inequality. The movement’s influence peaked during the summer of protests in 2020 in response to Floyd’s murder as commercial corporations declared support for social reform and the expansion of Diversity, Equity, and Inclusion (DEI) initiatives. By 2021, Netflix was eager to spotlight various successes in this area, including the promotion of Black

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<sup>120</sup> Brett Lang, “Failure to Change: Two Reports Examine Hollywood’s Lack of Progress Improving Diversity on Movie Sets,” *Variety*, January 2, 2023, <https://variety.com/2023/biz/news/hollywood-hired-fewer-female-filmmakers-minority-directors-in-2022-1235477051/>.

<sup>121</sup> Angelique Jackson, “Netflix Shows Major Gains for Women of Color in Inclusion Study, Expands Pipeline Programs with Shondaland,” *Variety*, April 27, 2023, <https://variety.com/2023/film/news/netflix-shondaland-deia-program-inclusion-study-1235596546/>.

<sup>122</sup> *Ibid.*

content under the marketing initiative Strong Black Lead, the Fund for Creative Equity, content categories dedicated to underrepresented perspectives (e.g., “Black Lives Matter,” “LGBTQ+ Movies”), changes implemented by Vernā Myers as the Head of Inclusion Strategy, and a quantitative advantage regarding the number of people of color involved in Netflix productions in comparison to the competition.

Between the founding of BLM in 2013 and its resurgence in 2020, DuVernay had become a rising figure in the entertainment industry. The director’s identity as a Black American woman and her commitment to social justice inform her filmmaking which in turn intersects with current discourses about racial and gender inequality in Hollywood. Therefore, the director’s career shows the possibility of addressing historical sexism and racism in film and television by empowering women artists and creatives of color. Netflix’s support of DuVernay is a possible template for the future of underrepresented perspectives in front of and behind the camera. In addition to production resources, the streamer collaborates with DuVernay’s ARRAY to distribute content by artists from underrepresented communities, such as the 2022 documentary *What We Leave Behind* by director Iliana Sosa about the life of her grandfather in rural Mexico and the 2022 romance film *Learn to Swim* by Thyrone Tommy about contemporary jazz, love, and loss between Black and Latinx musicians.<sup>123</sup> The distribution of these films on Netflix provides a potential global audience for independent productions acquired by ARRAY Releasing and facilitates the director’s aim to cultivate “narrative change” in media through varied, complex depictions of underrepresented communities.

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<sup>123</sup> “ARRAY Releasing,” *ARRAY NOW*, accessed December 8, 2024, <https://arraynow.com/array-releasing/>.

Despite the strides made by Netflix to create opportunities for diverse artists, the collaboration between Netflix and DuVernay remains an anomaly and not indicative of a sustained shift at the company or within the wider entertainment industry. Consequently, DuVernay's commitment to diversity and inclusion regarding storytelling and employment, substantiated by ARRAY, outpaces Netflix's capacity for change as an international media company. In 2022, declining subscriptions and a series of layoffs at Netflix impacted predominantly employees of color and diverse content initiatives. Todd Spangler reports Netflix laid off 150 full-time employees, 2% of the mostly US workforce, in response to slowing revenue in Q1 of 2022 including "a net loss of 200,000 streaming customers." The layoffs coincided with Netflix axing DuVernay's project *Wings of Fire*, an animated series adaptation of the fantasy books written by Tui T. Sutherland.<sup>124</sup> Netflix also laid off "recently hired women of color" working on the "new fan-focused website, Tudum."<sup>125</sup> These changes at Netflix illustrate how the streamer's commitment to diversity and inclusion becomes unsustainable when the profit margin is concerned.

By 2023 the tide began turning against corporate support of marginalized perspectives in media. There is currently an unraveling of DEI initiatives in Hollywood coinciding with conservative, far-right political efforts to undo progressive policies for people of color, women, and LGBTQIA+ individuals. In late June and early July 2023, five Black women executives stepped down or were laid off from DEI positions with major media companies and

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<sup>124</sup> Todd Spangler, "Netflix Lays Off About 150 Employees, 2% of the U.S. Workforce, Amid Revenue Slowdown," *Variety*, May 17, 2022, <https://variety.com/2022/digital/news/netflix-layoffs-150-employees-1235269678/>; Rebecca Rubin, "Netflix Scraps Several Animated Projects, Including Ava DuVernay's 'Wings of Fire' and 'Antiracist Baby' (EXCLUSIVE)," *News, Variety*, May 17, 2022, <https://variety.com/2022/film/news/netflix-animated-series-wings-of-fire-antiracist-baby-1235269747/>.

<sup>125</sup> Mandalit del Barco, "Netflix promised good jobs at Tudum. Now, one of its teams has been laid off," *npr*, April 29, 2022, <https://www.npr.org/2022/04/29/1095642535/netflix-promised-secure-jobs-at-tudum-now-one-of-its-teams-has-been-laid-off>.

institutions: Karen Horne (Warner Bros. Discovery), Latondra Newton (Disney), Vernā Myers (Netflix), Jeanell English (Academy for Motion Pictures and Sciences), and Joanna Abeyie (BBC). Greg Braxton and Meg James write, “The startling string of exits comes in the midst of attacks by conservative politicians and pundits on ‘wokeness’ in entertainment, education and other areas of American life.”<sup>126</sup> The exits of these top Black women executives also bring into question the declarations made by corporations in 2020 following George Floyd’s murder, whether statements about solidarity and financial pledges in support of racial equality efforts and institutions like Black-owned banks and HBCUs (Historically Black Colleges and Universities) were nothing more than a public relations strategy.

These exits reveal the entrenchment of what Erigha describes as a racial hierarchy in Hollywood and how precarious DEI positions in media are because they are not a part of the C-suite, the highest level of decision-making executives for a studio, and do not have the authority to greenlight productions. There is no system to hold CEOs accountable for falling short of diversity goals.<sup>127</sup> DEI initiatives also seem increasingly likely to be relegated to the bottom of balance sheets and be the first programs on the chopping block during budget cuts. Therefore, the commitments made in 2020 were made on an unstable foundation without structures in place to give DEI executives decision-making authority and outline consequences for companies that treat diversity efforts as negotiable. By 2023, it was evident that the “Black Stigma,” which resists efforts for structural change within the industry, remained intact.<sup>128</sup>

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<sup>126</sup> Greg Braxton and Meg James, “High-profile exits spark fears that Hollywood diversity pledges are just ‘PR,’” *Los Angeles Times*, July 11, 2023, <https://www.latimes.com/entertainment-arts/business/story/2023-07-11/hollywood-diversity-executive-exits-warner-brothers-discovery-disney-netflix-academy>.

<sup>127</sup> Ibid.

<sup>128</sup> Erigha, *The Hollywood Jim Crow*.

Ultimately, the entertainment industry is at a crucial point regarding the ways in which streaming technology and economics can negatively impact diverse representation. Current events suggest Hollywood will continue to perpetuate inequitable and unequal participation by diverse artists. Therefore, dedicated resources and institutions for people of color, women, LGBTQIA+, and disabled communities, like DuVernay's ARRAY, with the capacity to generate and sustain creative opportunities are essential for the future of underrepresented perspectives in media. Teresa Hagan describes DuVernay as an "activist-intellectual filmmaker" and argues the director is part of a history of Black women, like Toni Morrison, who create artistic spaces to authentically depict the lives of Black Americans. Hagan writes:

DuVernay is taking her place in a lineage of Black artists using visual cultures of resistance to provide intellectual commentary on the nature of being Black in America [...] she invites the viewer into an alternative space to the academy where lived Black experiences are not only represented but prioritised, and where existing hegemonic narratives are interrogated.<sup>129</sup>

The director's dedication to prioritizing Black stories affirms her place as the inheritor of a Black artistic legacy. During her Netflix era, DuVernay's commitment was realized through the documentary techniques she deployed to produce three educational narratives that examine the contours of racial inequality in the US from different vantage points – the criminal justice system, a miscarriage of justice, and a notable Black figure. Her entrepreneurial pursuits through ARRAY to support and promote stories from other underrepresented communities (e.g., Latinx, Asian, and LGBTQIA+) also solidified this legacy and her specific contribution. In this way, DuVernay's success is contingent on how her art and entrepreneurship work in tandem. Regarding her productions with Netflix, the narratives about racial inequality the

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<sup>129</sup> Teresa Hagan, "'Don't wait for permission': Ava DuVernay as a Black female intellectual and political artist," *Comparative American Studies An International Journal* 19, no.1, (2022): 51, <https://doi.org/10.1080/14775700.2022.2029332>.

director developed with the goal to educate audiences were then taken up and expanded by her entrepreneurship through ARRAY – the organization’s various initiatives to create supplementary informative resources and events about the nature of racial inequality in American society and to distribute the work of historically marginalized artists. As a whole, DuVernay’s Netflix era is the continuation of her art and entrepreneurship to redress inequality via on-screen representation and through cultivating influence behind-the-camera and within the community.

In August 2023, DuVernay announced ARRAY Crew, her hiring network of creative professionals from underrepresented communities, would be joining forces with producer Brian Grazer and director Ron Howard’s professional network Impact “to make hiring, collaboration and communication in the film and TV industry more efficient and inclusive” with “an active user base of 40,000 verified industry professionals.”<sup>130</sup> The example set by DuVernay – the interconnectivity of art and entrepreneurship – encapsulates the potential for people of color and women artists to have greater decision-making power and autonomy in media. As I stated in the introduction chapter, this is evidenced by the business endeavors of artists like Issa Rae, who is building her own entertainment company, Hoorae Media, to create and distribute content and manage creative professionals with the same principle of collaborating directly with Black artists as opposed to navigating entrenched biases in Hollywood.

DuVernay’s work to create her own lane within the entertainment industry and empower other artists is a critical example of how to achieve diversity through entrepreneurship. Given the juncture at which Hollywood now stands, DuVernay’s art and entrepreneurship illuminate a

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<sup>130</sup> “Press Release: Impact and ARRAY crew Join Forces to Become the Largest Hiring Network For the Entertainment Industry,” *impact CREW*, August 3, 2023, <https://impact.net/arraycrew/>; Jazz Tangcay et al., “Impact and Array Crew Team Up to Become Largest Hiring Network in the Entertainment Industry — Film News in Brief,” *Film, Variety*, August 3, 2023, <https://variety.com/2023/film/news/film-news-in-brief-july-31-2023-1235683349/>.

possible way forward for diverse artists to exist outside the gatekeeping of Hollywood. The director continually carves out her own path, creating opportunities for herself, as opposed to waiting for permission or a greenlight from film and television executives. Through ARRAY, DuVernay can engage with major studios like Netflix on her terms and not be restricted by the decision-making of homogeneous C-suites. This was made clear by her decision to walk away from her planned fourth collaboration with Netflix to produce a film adaptation of Isabel Wilkerson's nonfiction book about race relations in America, *Caste: The Origins of Our Discontents* (2020). After a disagreement between DuVernay and Netflix over the timetable to film and release the adaptation, the director and entrepreneur was able to produce it through ARRAY and through financing from nonprofits such as the Ford Foundation. In the chapter that follows, I compare the production and distribution of *Origin* (2023) to her earlier film *Selma* (2014) in order to understand DuVernay's return to independent filmmaking after this middle period of collaboration with Netflix and Hollywood.

## Chapter Three

### Creative Autonomy and Depictions of Mourning in DuVernay's *Selma* and *Origin*

Differences in the production and distribution of *Selma* (2014) and *Origin* (2023) mark two bookends of DuVernay's trajectory in Hollywood. *Selma* was the director's first major studio production. The biopic about Rev. Dr. Martin Luther King Jr. and the 1965 Voting Rights campaign in Selma, Alabama was produced by several companies including Pathé, actor Brad Pitt's Plan B Entertainment, and Oprah Winfrey's Harpo Films with a budget of \$20 million.<sup>1</sup> *Selma* was distributed throughout the US and Canada by Paramount Pictures and by 20th Century Fox in the UK.<sup>2</sup> *Origin*, on the other hand, is a narrative film adaptation of Isabel Wilkerson's award-winning non-fiction book *Caste: The Origins of Our Discontent* (2020). The book argues race relations in America are the consequence of a caste system, and the film was written, directed and produced by DuVernay, developed through ARRAY Filmworks, and distributed in collaboration with independent film companies Black Bear Pictures and NEON.<sup>3</sup> *Origin* was also financed with contributions from philanthropic organizations after the unraveling of an agreement with Netflix to produce and distribute the feature. DuVernay raised a

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<sup>1</sup> "Selma (2015)," *The Numbers*, accessed November 3, 2024, <https://www.the-numbers.com/movie/Selma#tab=summary>.

<sup>2</sup> "Selma: Awards," *IMDb*, accessed November 3, 2024, [https://www.imdb.com/title/tt1020072/awards/?ref=tt\\_awd](https://www.imdb.com/title/tt1020072/awards/?ref=tt_awd).

<sup>3</sup> "Origin," *ARRAY NOW*, accessed June 20, 2025, <https://arraynow.com/project/origin/>; "Origin: Company Credits," *IMDb*, accessed June 20, 2025, [https://www.imdb.com/title/tt13321244/companycredits/?ref=tt\\_dt\\_cmpy](https://www.imdb.com/title/tt13321244/companycredits/?ref=tt_dt_cmpy); "Origin," *Black Bear Pictures*, accessed June 20, 2025, <https://www.blackbearpictures.co.uk/films/origin/>.

budget of \$38 million primarily through the Ford Foundation, then took a city-by-city, country-by-country approach to the film's theatrical distribution.<sup>4</sup> Her strategy for the exhibition of *Origin* recalls similar methods used by Haile Gerima to distribute his seminal film *Sankofa* in 1993.<sup>5</sup> In different ways, the production of *Selma* and *Origin* were governed by DuVernay's knowledge of Black filmmaking history and the art and entrepreneurship of her predecessors.

In the early part of her career, the director and entrepreneur did not shy away from engaging with Hollywood as a pathway to produce films and television series about social justice issues and to advance her entrepreneurship to address racial and gender disparities in media. DuVernay's visibility from 2013 to 2023 coincided with BLM, #OscarsSoWhite and #MeToo, political and cultural movements that placed a spotlight on disparities within the industry. Consequently, she was positioned as a catalyst for change and her success was viewed as an example of shifting dynamics. In more recent years, however, social progress in Hollywood has come up against resistance. After a peak in 2020, DEI initiatives in Hollywood are increasingly being abandoned or undone.<sup>6</sup> This new resistance to progress gives a renewed importance to DuVernay's entrepreneurship to build ARRAY – a resource that remains independent of

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<sup>4</sup> Dana Feldman, "How Ava DuVernay Raised \$38 Million For 'Origin,'" *Forbes*, December 20, 2023, <https://www.forbes.com/sites/danafeldman/2023/12/20/how-ava-duvernay-raised-38-million-for-origin/>.

<sup>5</sup> See the Introduction Chapter for a detailed explanation of director Haile Gerima's independent filmmaking methods including the grassroots distribution of his seminal 1993 film *Sankofa* theater-by-theater, city-by-city.

<sup>6</sup> For more on this, see Chapter 2 where I discuss the recent rolling back of DEI initiatives in the entertainment industry such as the elimination of five executive DEI positions held by Black women across several major media companies, including Netflix, in June and July 2023. Additionally, in his second term as president, Donald Trump signed an executive order, "Ending Radical and Wasteful Government DEI Programs and Preferencing," in January 2025. The executive order specifically targets DEI efforts to redress race, gender, and sexual orientation disparities/discrimination in American society. According to the Brookings Institute, Trump's executive order does not change the laws protecting minorities, LGBTQIA+ individuals, and women from discrimination but shifts the priorities of the federal agencies in charge of enforcing these laws and as such, is designed to create a chilling effect on progress. "Ending Radical And Wasteful Government DEI Programs And Preferencing," Presidential Actions, *The White House*, January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>; Stacy Hawkins, Andre M. Perry, and Robert Puentes, "What are the economic and legal implications of President Trump's DEI and LGBTQIA executive orders?," *Brookings Institute*, April 23, 2025, <https://www.brookings.edu/articles/what-are-the-economic-and-legal-implications-of-president-trumps-dei-and-lgbtqia-executive-orders/>.

Hollywood, ensuring the sustainability of her filmmaking career and her ability to empower artists from underrepresented communities. While DuVernay's transition from film publicity to filmmaking facilitated her entry into Hollywood, her entrepreneurial ambition in building ARRAY as a multi-faceted resource collective later enabled the director to withdraw from an agreement with Netflix and return to a mode of independent filmmaking when major studio production became untenable. Critically, DuVernay was able to step away from Hollywood and Netflix, using the financing, production, and distribution infrastructure of ARRAY to supplement her filmmaking.

In the previous chapters of the thesis, I analyze films and television series directed and produced by DuVernay during the height of her engagement with Hollywood production and the industry's major institutions. In the introduction, I trace DuVernay's journey from film publicist to up-and-coming independent filmmaker and her development of the arts resource collective ARRAY. In chapter one, I examine her *Queen Sugar* television series (2016-2022) and her coalition-building with media mogul Oprah Winfrey to hire only women directors for the show, while in chapter two, I unpack the collaboration between DuVernay and the streaming giant Netflix to produce three documentary productions – *13TH* (2016), *When They See Us* (2022), and *Colin in Black & White* (2021). In this final chapter, I chronicle two consequential films in DuVernay's career trajectory in Hollywood, where *Selma* marks the director's entrance into the mainstream and *Origin* signals her return to independent filmmaking.

In this chapter, I focus on her use of the biopic genre in *Selma*, a Hollywood film, in comparison to how it is deployed in *Origin*, an independent film, to discuss differences in the director's appropriation of the genre to portray the lives of two influential Black figures. The biopic genre revolves around the re-creation of events in an individual's life. In *Selma*, DuVernay relies on close camera framing and slow-motion editing to depict a significant campaign in

King's life and the arc of the civil rights movement. With *Origin*, however, the director also draws on her docudrama skillset to create reconstructions of the historical examples of systemic oppression Wilkerson details in *Caste*. I note a distinction between re-creation in the biopic genre and reconstruction in the docudrama genre wherein the latter is deployed for a specific, educational purpose. Moreover, DuVernay's oeuvre also encompasses an aesthetics of mourning which depends on techniques that replicate a sense of intimate proximity between the viewer and the protagonists, namely close camera framing and slow-motion editing. The director's aesthetic of mourning informs the themes and narratives of several of her productions. This amounts to storylines about characters dealing with personal losses and their journey to overcome their grief and chart a path forward. This is evident in DuVernay's early feature films *I Will Follow* (2011) and *Middle of Nowhere* (2012) as well as the television series *Queen Sugar* (2016-2022) discussed in chapter one. Despite important differences in production and distribution methods, I argue *Selma* and *Origin* are connected by this shared emphasis on mourning. Specifically, I examine the motif of mourning in *Origin* to demonstrate how it remains a significant facet of DuVernay's filmmaking. In this way, both films align with Michele Prettyman Beverly's analysis of a "transformative mourning," I suggest, while showing how *Selma* also represents the process of "political mourning" outlined by Heather Pool.<sup>7</sup> "Transformative mourning" is located on a personal, individual level whereas "political mourning" is capable of instigating change for a community, a collective. In my close reading of each film, I assess the formal elements of slow-motion editing, close-up shots, re-creations and reconstructions, and audio distortion that constitute a depiction of mourning. I conclude that while *Origin* is DuVernay's attempt to continue the theme of political mourning presented in *Selma*, it collapses unsuccessfully into

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<sup>7</sup> Beverly, "No Medicine for Melancholy"; Pool, *Political Mourning*.

personal mourning and the director is unable to navigate the two because of her adaptation of Wilkerson's book, its expansive analysis of caste, into a narrative film.

Regarding the production of each feature, I compare DuVernay's first major studio production to her first feature after returning to a mode of independent filmmaking armed with ARRAY and its growing range of resources to support the film's production. DuVernay came to *Selma* after it languished in pre-production for several years and had been attached to a series of other directors, including Spike Lee. As a commercial venture for a major studio, the director was brought in to fulfill a predetermined creative vision and was therefore limited in the control she could exert over the production. By comparison, DuVernay held complete creative autonomy over the independent production of *Origin* and did not rely on the resources of a major Hollywood studio. The independent production of *Origin* is the culmination of DuVernay's entrepreneurship to create and expand the arts resource collective ARRAY. Each of the four entities that comprise ARRAY – ARRAY Releasing, ARRAY Filmworks, ARRAY Alliance, and ARRAY Creative Campus – were integral to DuVernay's ability to walk away from a deal with Netflix and produce *Origin* according to her vision and timeframe. As such, the production of *Origin* is the clearest example of the director and entrepreneur utilizing ARRAY as a “liberated territory” (as defined by Haile Gerima) in which to produce and exhibit her art.<sup>8</sup> Therefore, in this chapter, I assess the financing, production, and distribution of each feature in order to understand DuVernay's pursuit of creative autonomy, her approach to financing narrative films through philanthropic organizations and how these conditions unfolded in DuVernay's use of the biopic genre and, what I describe, as her aesthetics of mourning.

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<sup>8</sup> See the Introduction and Conclusion chapters for further discussion of Gerima's definition of a “liberated territory” regarding independent Black filmmaking and its relevance to DuVernay's entrepreneurship.

## The Biopic Genre: Conventions and Constraints

In this first section, I draw upon critical scholarship about the Hollywood biopic to situate *Selma* within the conventions of the genre, before demonstrating the ways that *Origin* flouts those same conventions as an independent, experimental film. George F. Custen's book *Bio/pics: How Hollywood Constructed Public History* (1992) is a seminal study of biopics from this era and outlines the genre's core conventions, namely celebratory narratives about the lives of prominent figures (mostly white men) and the re-creation of past events.<sup>9</sup> Historically, the classical biopic emerged as a commercial genre during the height of the studio era, the Golden Age of Hollywood from 1927 to 1960. The film *Young Mr. Lincoln* (dir. John Ford, 1939) is an exemplar of the early Hollywood biopic and shows how narratives about great men in American history were foundational to its development.<sup>10</sup> Custen notes the unilateral influence of producers during this period over key aspects of the biopic such as the narrative format and writes:

Biopics also created a view of history that was based on the cosmology of the movie industry; in this world, key historical figures became stars, and producers of these films often filtered the content of a great life through the sieve of their own experiences, values, and personalities. In this view of history, the greatness of the individual figure becomes that set of qualities that made a producer great or powerful in Hollywood, rather than those traits that characterized the famous person in his or her own lifetime.<sup>11</sup>

Biopics during the studio era were more a reflection of industry dynamics in which the producer exercised a considerable amount of power and influence over a production, from scripts to

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<sup>9</sup> Of the lack of diverse representation during this period, Custen writes "The films of the studio era present a world in which minority groups are largely ignored or else were deeply submerged in menial roles within the textures of a world dominated by white males." *Bio/pics: How Hollywood Constructed Public History*, (New Brunswick: Rutgers University Press, 1992), 29.

<sup>10</sup> *Ibid.*, 1-30.

<sup>11</sup> *Ibid.*, 4.

distribution, rather than an informative representation of history.<sup>12</sup> In this vein, the biopic was primarily a producer's genre.

The influence of the producer and the demands of the industry on the genre during the Golden Age of Hollywood, in part, contributes to the most common criticism of the biopic — the 'creative' re-creation of actual events in an individual's life. In the introduction to *A Companion to the Biopic*, Deborah Cartmell and Ashley D. Polasek discuss such criticism of the genre and write: "Biopics are routinely dismissed as bad art, shallow, formulaic, inauthentic, and disrespectful of history. Among biopic's many decriers are film critics, literary scholars, historians, politicians, journalists, and anyone wedded to the notion that portraits of individuals should be 'true' to life."<sup>13</sup> However, the notion that biopics lack historical accuracy or are neglectful of a definitive truth fail to consider how all mediums that purport to disseminate history, whether verbal, written or visual, reflect a certain ideology and perspective. To that effect, Custen writes:

some historians accommodated and even encouraged the repression of minorities by not raising problematic, nonmainstream perspectives as part of their narratives [...] To address history from the point of view of "accuracy" alone is to accept that such a condition exists, and that it is disinterested, rather than ideologically motivated.<sup>14</sup>

As such, facts and figures are reconfigured in whatever manner best serves the objectives and limitations of the historian and the filmmaker alike.

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<sup>12</sup> Bélen Vidal, noting the influence of Custen's study on scholarship about the biopic, writes, "In Custen's analysis, the retelling of the stories of great men and (to a lesser extent) women conflates the studios' capitalist ethos with American founding myths." Tom Brown and Bélen Vidal, ed., *The Biopic in Contemporary Film Culture*, (London: Routledge, 2013), 4.

<sup>13</sup> Deborah Cartmell and Ashley D. Polasek, ed., *A Companion to the Biopic*, (Hoboken: John Wiley & Sons, 2020), 1.

<sup>14</sup> Custen, *Bio/pics*, 10-11.

Additionally, part of the genre's perceived 'disrespect of history' is its reliance on the use of fiction to re-create the lives of influential figures and significant events from the past. Robert A. Rosenstone counters this criticism about the biopic's relationship to historical accuracy by defining both biographical writing and biopics as works of fiction. He describes fiction as a combination of constructed and imagined elements used to craft historical facts into the comprehensible structure of a narrative and render it legible to a reader or audience. He writes:

The imposed fiction of a story, the creative use of fact, the translation necessary to make a life comprehensible and interesting – all these elements that are part of traditional biographical writing (and the historical novel) also mark the biographical film (where part of the translation involves the use of visual media and sound). [...] The resulting work is ultimately based less on the raw data than on that data incorporated into a vision created by the literary (or filmic) skills of the biographer.<sup>15</sup>

Rosenstone pushes back on the admonishment of the creative treatment of historical data in biopics by asserting a strict presentation of facts is not the purpose of the genre, neither in literature nor in film. Storytelling is the primary function of the genre and fiction is the method by which it is achieved. Rosenstone's theorization of the biopic also shifts it from a producer's genre to a director's genre by placing the director on equal footing with the biographer. As such, the filmmaker dictates how an individual's life is presented in the narrative of a film and is informed by historical fact, not explicitly beholden to it.

Dennis Bingham's *Whose Lives Are They Anyway? The Biopic as Contemporary Film Genre* (2010) examines the appropriation of the genre to tell the stories about the lives of minorities. He outlines the evolution of the biopic since the Golden Age of Hollywood to include accounts of the lives of influential women and Black political figures, to interrogate the lives of historical figures (the personal and the public), and to deconstruct the conventional celebratory

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<sup>15</sup> Robert A. Rosenstone, *History on Film/Film on History*, (London; New York: Routledge, 2012), 104-105.

narrative. To that effect, Bingham analyzes films such as Spike Lee's *Malcolm X* (1992), Raoul Peck's *Lumumba* (2000), Steven Soderbergh's *Erin Brockovich* (2000), and Olivier Dahan's *La Vie en Rose* (American title, 2007). As a measure of the films he examines throughout the book, Bingham defines the genre in the contemporary era as follows: "The biopic narrates, exhibits, and celebrates the life of a subject in order to demonstrate, investigate, or question his or her importance in the world; to illuminate the fine points of a personality; and for both artist and spectator to discover what it would be like to be this person or to be a certain type of person."<sup>16</sup> This definition of contemporary biopics includes an interrogative quality that challenges and expands on the celebratory narrative structure from the Golden Age of Hollywood. Therefore, contemporary biopics depict the lives of historical figures, in part, to signify their relevance to the current moment.

Bingham outlines several modes in the historical development of the biopic from the Golden Age of Hollywood to the current period, including "the classical, celebratory form," "warts-and-all," "transition from producer's genre to auteurist director's genre," "critical investigation and atomization of the subject," "parody," "minority appropriation" and the "neoclassical biopic."<sup>17</sup> To define "minority appropriation," Bingham writes "(as in queer or feminist, African American or third world), whereby Janet Frame or Harvey Milk and Malcolm X or Patrice Lumumba own the conventional mythologizing form that once would have been used to marginalize or stigmatize them."<sup>18</sup> Black filmmakers entering the arena of the biopic must confront how the genre historically excluded their voices. This leads to an appropriation of

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<sup>16</sup> Dennis Bingham, *Whose Lives Are They Anyway? The Biopic as Contemporary Film Genre*, (New Brunswick: Rutgers University Press, 2010), 10.

<sup>17</sup> Bingham notes the "transition from producer's genre to auteurist director's genre" describes a shift in influence from the producer during the studio era to the auteur during the 1980s and the rise of postmodernity. He cites auteurs such as "Martin Scorsese, Spike Lee, Oliver Stone, Mary Harron, Julian Schnabel" as examples. *Ibid.*, 18.

<sup>18</sup> *Ibid.*, 17-18.

the conventional generic formula to adequately animate narratives about influential Black figures. Bingham examines Lee's "minority appropriation" of the biopic to portray the life of political activist Malcolm X in the 1992 eponymous film and argues, "In a real sense *Malcolm X* is an appropriation in two ways, or better, it is a reappropriation from white-centered cinema of a black story, and it is an appropriation of a Hollywood genre and production values in order to tell that black story."<sup>19</sup> Lee's decision to co-opt the grandeur of the classical biopic is an insistence that Black historical figures are deserving of the same filmic treatment. DuVernay's *Selma* similarly falls into this category as the first feature length biopic about King.

Furthermore, *Selma* also conveys the relevance of King's life and a history of activism in the Black community to the sociopolitical moment of 2014. The film premiered amid BLM protests against the unarmed killing of Black boys and men by police, ahead of the 50<sup>th</sup> anniversary of the 1965 Voting Rights Act, and during a period of renewed voter suppression after the US Supreme Court decision in the 2013 case *Shelby County v. Holder*. The court's 5-4 decision struck down Section 4(b) of the 1965 Voting Rights Act and in doing so, ushered in a new era of voter suppression. As a result, the court "enfeebled the most interventionist egalitarian power asserted by Congress in the twentieth century: the requirement of federal preclearance of changes in voting rules in certain jurisdictions."<sup>20</sup> Without Section 4(b), states could enact laws that amount to voter suppression in their impact. *Selma*'s narrative draws parallels between past and present voter suppression and demonstrates the persistence of racial inequality and violence since the civil rights movement. The parallels between 1965 and 2014 are evident, in part, because the film is what Lucinda Hobbs defines as a "momentary biopic": "taking a brief but

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<sup>19</sup> Ibid., 189.

<sup>20</sup> Desmond S. King and Rogers M. Smith, "The Last Stand? *Shelby County v. Holder*, White Political Power and America's Racial Policy Alliances," *Du Bois Review: Social Science Research on Race* 13, no. 1 (2016), 25, <https://doi.org/10.1017/s1742058x1500017x>.

significant period from a prominent person's life as their focus and employing this to reveal aspects of the life as whole or to reflect on larger social or political issues.”<sup>21</sup> If the film had chronicled King's entire life, from his childhood to his assassination, historical and sociopolitical comparisons between the civil rights movement and BLM would be lost in the arc of the epic. As an episode in King's life, *Selma* portrays his vulnerabilities as an individual as well as the contributions of Black women activists. In this way, DuVernay both celebrates and questions the life of King and the achievements of the civil rights movement in relation to contemporary politics and movements advocating for Black lives. In Bingham's terms, *Selma* is a “minority appropriation” of classic Hollywood biopic that coincides with the subgenre of “momentary biopics” in its dramatic rendering of the 1965 voting rights campaign as opposed to King's entire life.

DuVernay's minority appropriation of the celebratory Hollywood biopic attempts to bring nuance to a narrative about King's activism during the civil rights movement. The narrative was heavily influenced by the director, who rewrote screenwriter Paul Webb's original script to shift the focus of the narrative from predominantly a conflict between King and President Lyndon B. Johnson set in Washington D.C. to one set among local Black activists in Selma, Alabama.<sup>22</sup> Her rewriting of the script adds greater emphasis on Black women's activism and the local organizing in Selma prior to King's arrival. Specifically, DuVernay includes characterizations of activists such as Diana Nash and Amelia Boynton. Moreover, DuVernay demystifies the figure of King to

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<sup>21</sup> Hobbs, “The Matter of Black Lives,” 415.

<sup>22</sup> At the 2015 South By Southwest conference, DuVernay speaks extensively about rewriting the script and being refused a writer's credit by the British screenwriter Paul Webb. “Ava DuVernay | SXSW Live 2015 | SXSW ON,” posted on March 17, 2015, by SXSW, YouTube, <https://www.youtube.com/watch?v=LiKezIqDSc8&t=1s>.; In a 2015 BBC interview, Paul Webb claims *Selma* remains in line with his original screenplay as a narrative about the political relationship between King and President Johnson. As such, Webb maintains he is entitled to the sole writing credit despite the amendments DuVernay made to the script. Vincent Dowd, “Oscars: *Selma* writer tells his side of row with director,” BBC, February 20, 2015, <https://www.bbc.co.uk/news/entertainment-arts-31539526>.

show him as a fallible but determined individual empowered by the efforts of the local community. While the director does expand the film's narrative to include representations of Black citizens in Alabama, *Selma* maintains a protagonist-antagonist dynamic between King and Johnson. These characterizations conform to the conventions of the Hollywood biopic genre as a narrative primarily celebrating the individual conflicts and triumphs in the life of a great man. The film is, therefore, limited in its ability to represent the interrelated class, gender, and generational dynamics encapsulated by Black women activists, university students, and poor, working-class Black Americans in the civil rights movement. Vidal writes, "Personality and point of view become the conduit of history in stories that often boil down complex social processes to gestures of individual agency"<sup>23</sup> In adherence with the conventions of the genre, DuVernay simplifies the "complex social processes" of the movement to center the "personality and point of view" of King.

In observing the conventions of the genre, *Selma* was perfectly pitched to amass commercial success and critical acclaim. The Hollywood biopic, despite criticisms, is a familiar form of entertainment to audiences and has garnered recognition for actors, directors, and studios in the form of awards which result in greater financial investments in their careers. As her first major studio production, *Selma* was DuVernay's largest budget and highest returns at the box office at an early juncture in her filmmaking career. With a budget of \$20 million and a worldwide box office return of nearly \$67 million, *Selma* was undoubtedly a commercial success.<sup>24</sup> The film was also critically acclaimed, nominated for Best Picture and winning Best Original Song at the 87<sup>th</sup> Academy Awards, and nominated for Best Motion Picture, Best Director, Best Performance by an Actor in a Motion Picture, and winning Best Original Song at

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<sup>23</sup> Brown and Vidal, *The Biopic in Contemporary Film Culture*, 3.

<sup>24</sup> "Selma (2015)," *The Numbers*.

the 72<sup>nd</sup> Golden Globes.<sup>25</sup> The success of *Selma* ushered DuVernay into the Hollywood limelight and led directly to her collaboration with Netflix detailed in chapter two. It also afforded her the opportunity to direct the Disney film *A Wrinkle in Time* (2018) for the history-making budget of \$100 million.<sup>26</sup> Conforming to a quintessential Hollywood genre resulted in industrial and financial access that furthered her career and entrepreneurial endeavor to build ARRAY. However, this access also led to compromises regarding her creative autonomy.

Around the time *Selma* was produced and released in 2014, Andrés Pérez-Simon notes a “contemporary biopic fever,” writing that “since 2000, up to 38 biopic performances have been nominated for Best Actor and Actress, and of those, fifteen of them have won an Oscar.”<sup>27</sup> Julia Roberts in *Erin Brockovich* (dir. Steven Soderbergh, 2000), Meryl Streep in *Iron Lady* (dir. Phyllida Lloyd, 2011), Jamie Foxx in *Ray* (dir. Taylor Hackford, 2004) and Colin Firth in *The King’s Speech* (dir. Tom Hopper, 2010) are among the actors who have won an Oscar for their performance in a biopic since the turn of the twenty-first century. Biopics and the awards they generate contribute to an economy of prestige coveted by studios as a signifier of quality and a mark of distinction among competitors. These films can either involve well-known actors and directors or become vehicles for emerging talent to make a name for themselves within the industry. Therefore, *Selma* presented a chance for DuVernay, actor David Oyelowo and the film’s producers to garner prestige and the attendant artistic and financial investment that comes along with it.

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<sup>25</sup> “Selma: Awards,” *IMDb*.

<sup>26</sup> Erigha writes, “Estimated at just over \$100 million, Ava DuVernay’s [*A Wrinkle in Time* (2018), about a girl, her brother, and her friend venturing into space to find her missing father, who is a scientist, is the biggest budgeted movie directed by a Black woman.” *The Hollywood Jim Crow*, 92.

<sup>27</sup> Andrés Pérez-Simón, “Conceptualizing the Hollywood Biopic,” *Theatralia* 17, no. 2, (2014), 50, <https://hdl.handle.net/11222.digilib/130877>.

Around 2007, British screenwriter Paul Webb was commissioned by Christian Colson and Celador Films to write the original script for *Selma*.<sup>28</sup> Over the next seven years, Colson, along with producers Jeremy Kleiner and Dede Gardener of Plan B Entertainment, sought “to bring together an A-list cast/director package that would justify a \$35 million budget.”<sup>29</sup> A succession of directors including Stephen Frears, Paul Haggis, Spike Lee, and Lee Daniels were attached to the film during the pre-production process. By 2010, Daniels was slated to direct and Oyelowo to star as King. However, Daniels exited the project amid issues with financing and to direct *The Butler* (2013), which starred Oyelowo, Forest Whitaker, and Oprah Winfrey.<sup>30</sup> The year prior, in 2012, Oyelowo worked with DuVernay and starred in *Middle of Nowhere*. As I have already mentioned, this award-winning independent film completed the director’s transition from publicist to filmmaker.

Oyelowo, who became acquainted with the original script for *Selma* after it was featured on The Black List’s annual listicle of promising yet unproduced scripts in 2007, was still determined to play King after Daniels’s departure. Development executive Franklin Leonard created The Black List as a resource to showcase the talent of screenwriters and for industry professionals to source original material: “Black List movies have won 54 Academy Awards from 267 nominations, including four of the last twelve Best Picture Oscars and eleven of the last 28 Best Screenplay Oscars.”<sup>31</sup> With the promising original script in hand, the actor pitched the idea of DuVernay directing the feature to the film’s original producers, Colson (now of Cloud Eight Films), Kleiner, and Gardner as well as Cameron McCracken of Pathé between 2012 and

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<sup>28</sup> Adam Dawtrey, “Paul Webb: 10 Screenwriters to Watch,” *Variety*, June 18, 2008, <https://variety.com/2008/film/markets-festivals/paul-webb-1117987703/>.

<sup>29</sup> Justin Chang, “‘Divine Timing’ of ‘Selma,’”

<sup>30</sup> Mike Fleming Jr, “Ava DuVernay Now Aboard to Direct MLK biopic ‘Selma,’” *Deadline*, July 11, 2013, <https://deadline.com/2013/07/ava-duvernay-director-selma-movie-martin-luther-king-539182/>.

<sup>31</sup> “Annual Lists,” *The Black List*, accessed on October 1, 2024, <https://blacklist.com/lists>.

2013. Oyelowo, after working together on *The Butler*, also successfully lobbied Winfrey to be a producer for the project.<sup>32</sup> With the media mogul on board, the film was able to surmount the financing issues that had plagued pre-production. In July 2013, DuVernay was officially announced as the director of *Selma*. The film's production and principal photography finally began.<sup>33</sup>

Even with the addition of Winfrey's financing, the budget for *Selma* was ultimately \$20 million, not the originally sought-after \$35 million. The film was shot over 32 days and on a smaller budget than comparable biopics. Other biopics released the same year include *Unbroken* (2014), a WWII biopic about US Olympian and prisoner of war Louis Zamperini, directed by Angeline Jolie with a budget of \$65 million, and *Get on Up* (2014), a biopic about iconic Black American singer James Brown, directed by Tate Taylor with a budget of \$30 million.<sup>34</sup> The discrepancy between the budget for *Selma* and budgets for comparable biopics corresponds with industry patterns Erigha observes regarding films helmed by Black directors. Erigha writes, "Between 2000 and 2016, for more than thirteen hundred Hollywood movies, Black directors had the smallest average production budget of all racial groups."<sup>35</sup> Even films starring Black actors, like the aforementioned biopic *Get on Up*, are afforded larger budgets when attached to a white director.<sup>36</sup> Smaller budgets for Black directors correlate with the propensity for these directors to helm productions with Black casts and a bias among Hollywood executives that

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<sup>32</sup> Chang, "'Divine Timing' of 'Selma'"

<sup>33</sup> Fleming Jr, "DuVernay To Direct MLK Biopic"; DuVernay recalls that "David was the one [...] He said, 'you need to call Ava, she's the one that's going to get it done.' He really got me the job." Martin, "Conversations with Ava DuVernay," 91; Chang, "'Divine Timing' of 'Selma.'"

<sup>34</sup> "Unbroken (2014)," *Box Office Mojo*, accessed on October 1, 2024, [https://www.boxofficemojo.com/title/tt1809398/?ref=bo\\_se\\_r\\_l](https://www.boxofficemojo.com/title/tt1809398/?ref=bo_se_r_l); "Unbroken (2014)," *The Numbers*, accessed on October 1, 2024, <https://www.the-numbers.com/movie/Unbroken#tab=summary>; "Get on Up (2014)," *IMDb*, accessed on October 1, 2024, <https://www.imdb.com/title/tt2473602/>; "Get on Up (2014)," *The Numbers*, accessed on October 1, 2024, <https://www.the-numbers.com/movie/Get-on-Up#tab=summary>.

<sup>35</sup> Erigha, *The Hollywood Jim Crow*, 87.

<sup>36</sup> *Ibid.*, 98.

films with Black directors and casts are only marketable to Black and Latinx audiences and are, therefore, inherently less profitable. In comparison, films helmed by white directors with white protagonists are perceived as having a universal appeal and are marketed across all demographics. Erigha asserts the issue lies with the marketing bias not the appeal of Black films. The bias about Black directors and casts results in a self-fulfilling prophecy wherein limited marketing leads to lower profits and reinforces the assignment of smaller budgets for Black films. As I detailed in the introduction chapter, the negative impact for Black directors as a result of a racial bias in the industry is compounded when you consider gender. Nevertheless, DuVernay's initial career as a publicist and experience as an independent filmmaker, financing her projects with personal funds and through fundraising, was a positive draw for producers and equipped the director with the capacity to optimize the budget she was given.

The arduous journey to get *Selma* to post-production and theatrical distribution demonstrates the convoluted reality of the contemporary Hollywood system and how it negatively affects Black directors, actors, and narratives. While DuVernay was given an extraordinary opportunity to direct the first feature-length film about King, business procedures were prioritized over creative autonomy. Most notably, there was an issue regarding screenwriter Paul Webb receiving the sole writing credit for the film even after DuVernay's extensive edits to the script. In a promotional interview, Duvernay states, "My interest was showing the people on the ground in Selma."<sup>37</sup> To spotlight the local organizing efforts in Alabama at the time of the campaign, Jada Yuan reports "She wrote new scenes about the battle for control between King's Southern Christian Leadership Committee and the Student Non-Violent Coordinating Committee [...] Her script has at least two dozen new or newly fleshed out characters, including SNCC co-

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<sup>37</sup> Jada Yuan, "With Her MLK Drama *Selma*, Ava DuVernay Is Directing History," *Vulture*, December 2, 2014, <https://www.vulture.com/2014/12/ava-duvernay-on-the-long-road-to-selma.html>.

founder Diane Nash (Tessa Thompson), the gay SCLC leader Bayard Rustin (Ruben Santiago-Hudson), and Coretta Scott King (Carmen Ejogo).”<sup>38</sup> Furthermore, the director was unable to reproduce King’s actual words in the film because the rights to his speeches were purchased by director Steven Spielberg for a yet-to-be-produced project.<sup>39</sup> As such, DuVernay edited the speeches throughout *Selma* to approximate the copyrighted material she could not access. If DuVernay insisted on receiving credit for her rewrites, *Selma* may have persisted in Hollywood production purgatory.

Although DuVernay was empowered to make rewrites to bring the script in line with her artistic vision and as part of the generally collaborative filmmaking process, proper acknowledgment was subsumed in favor of adhering to the stipulations of Webb’s contract and his refusal to amend the writing credit. According to Hadida, Lampel, Walls and Joshi, the DuVernay/Webb writing credit situation follows the “commitment institutional logic” that governs major studio production and its focus on theatrical distribution. They explain that “Decisions made during film development and production are explicitly oriented towards theatrical release. Over time, studios developed schemata that regulated the organizational practices underpinning this process: starting with scripts and casting, budgets, the choice of production personnel, and approach to marketing”<sup>40</sup> The studio chose to prioritize the path of least resistance that would ensure *Selma*’s theatrical release and, as a result, DuVernay’s artistic contribution was minimized. Therefore, DuVernay functioned as a piece of the production puzzle

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<sup>38</sup> Ibid.

<sup>39</sup> Chang writes that as a producer “Winfrey also intervened in the sensitive matter of the three King children, from whom the producers had hoped to obtain the intellectual property rights to their father’s famous speeches — the main reason why no feature film had yet been made about his legacy. These efforts ultimately proved unsuccessful, due in part to the fact that the King estate had licensed the speeches to DreamWorks and Warner Bros. for a Steven Spielberg-produced biopic that’s still in the works.” “‘Divine Timing’ of ‘Selma.’”

<sup>40</sup> Allégre L. Hadida, Joseph Lampel, W. David Walls and Amit Joshi, “Hollywood studio filmmaking in the age of Netflix: a tale of two institutional logics,” *Journal of Cultural Economics* 45, (2021): 217.

and was put in place by executives to achieve a primarily contractual, not creative, goal. In comparison to her independent filmmaking experience prior to *Selma*, the director was not entirely free to execute and be credited for her creative vision.

Despite the limitations placed on DuVernay in order to operate within the Hollywood system and direct *Selma*, the film is still a testament to the director's storytelling that prioritizes portraying the lives of Black people with complexity. Critically, Oyelowo believed DuVernay was the right choice to direct the film because of her emerging ability to depict narratives about Black people with a "humanity that transcends race."<sup>41</sup> Of his experience working with DuVernay on *Middle of Nowhere*, Oyelowo states, "what I loved about her is that the ethnicity of the people in her script was undeniable, but they were human beings first and often you don't get that. That, to me, is what *Selma* needed to be and needs to be, even though it is a film about the quest for justice for people of color."<sup>42</sup> The actor pinpoints DuVernay's artistic intervention as a filmmaker: the director challenges the delusions that fester in American society as a result of the white supremacist ideologies found in racist stereotypes, for example, by foregrounding themes of love, vulnerability, and mourning in narratives that revolve around Black people. As a consequence, the humanity of Black people becomes indisputable. This is the thread of continuity across DuVernay's productions even throughout the ebb and flow of her engagement with Hollywood.

DuVernay recognizes *Selma* was a Hollywood production designed to entertain. As a result, the film required formulaic structures in comparison to the creative latitude she wielded to write and make *Origin*. In an interview with David Remnick for *The New Yorker*, she makes this

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<sup>41</sup> Anna Lisa Raya, "'Selma' star David Oyelowo talks about the long path to becoming Martin Luther King Jr.," *Deadline*, November 17, 2014, <https://deadline.com/2014/11/selma-star-david-oyelowo-talks-about-the-long-path-to-becoming-martin-luther-king-jr-1201286465/>.

<sup>42</sup> Ibid.

stark comparison, declaring that, “[*Selma*] is constructed to be entertainment. And while I’m walking through and taking you through this time in history and the saga, it is constructed in a very traditional way to elicit the kind of big Hollywood entertainment and emotion. That’s what the film was meant to do. [*Origin*] breaks every screenwriting rule, every rule of filmmaking that I know.”<sup>43</sup> DuVernay was able to dispense with Hollywood rules because she initially worked within the system to establish her credibility as a filmmaker and expanded her entrepreneurship through the accrual of various connections and resources to build the four entities of ARRAY.<sup>44</sup> Initially, the film was slated to be produced and distributed as the fourth collaboration between DuVernay and Netflix. However, the director revealed that she and the streamer could not come to a consensus about the schedule to produce and distribute the film. DuVernay was determined to release *Origin* before the 2024 presidential election but says, “That timeline was a little more escalated than [Netflix] had the appetite for, and they were good enough to let it go.”<sup>45</sup> Her response, though diplomatic, hints at the possibility that the streamer could have denied DuVernay the opportunity to make the film according to the timeline she envisioned. After walking away from Netflix, DuVernay was able to return to independent filmmaking to adapt Wilkerson’s scholarly account into an experimental biopic and circumvent the industry through new financing strategies and mechanisms. The director and entrepreneur had done the pragmatic groundwork and in doing so, she could enjoy greater creative autonomy.

The correlation between independent filmmaking and creative autonomy in DuVernay’s trajectory between *Selma* and *Origin* also brings to mind Ed Guerrero’s observations about

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<sup>43</sup> David Remnick, “Ava DuVernay wants to Build a New System.”

<sup>44</sup> DuVernay states, “The good thing about it is that I didn’t go from studio to studio. I had an experience with one studio, a studio that I’ve worked with before, and have a nice relationship with, and they were just on a different timeline than I was.” Ibid.

<sup>45</sup> Rebecca Sun, “‘A Story That Broke All of Our Hearts’: The Making of ‘Origin,’” *The Hollywood Reporter*, January 5, 2024, <https://www.hollywoodreporter.com/movies/movie-features/ava-duvernay-making-movie-origin-1235778543/>.

independent Black filmmaking in the late twentieth century. Guerrero concludes the edict of independent Black filmmaking is to “create insurgent, new cinematic languages, images, and narratives” in opposition to the constraints of the mainstream film industry.<sup>46</sup> He writes:

These would be capable of decentering or opposing the staid filmic conventions of the sovereign Hollywood “norm” with its technological verisimilitude of violence, glossy, color-saturated surfaces, continuity editing, “invisible style,” and avoidance of political or social engagement that suggests the possibility of social change. Thus, through their experimental languages, black independent films often defy the standardization of the dominant cinema product, as well as the dulled expectations of its consumer audience, in order to tell the stories of emergent subjectivities in radically new ways.<sup>47</sup>

*Origin* portrays Wilkerson’s personal experiences of loss and mourning while researching and writing the book *Caste* in which she argues that race relations in the US are the product of a caste system. The film incorporates reconstructions, similar to those found in a docudrama, of the political and cultural examples the author cites throughout the book. This combination of the personal and the academic amounts to the director’s attempt to create an “experimental language” within the biopic genre. It also continues DuVernay’s “political or social engagement that suggests the possibility of social change” which is now a trademark of her filmmaking and media production given her commitment to portraying social justice issues in her work. *Origin* demonstrates how independent filmmaking, outside the constraints of Hollywood, coincides with greater opportunities for political engagement and experimentation.

By breaking with the industry, DuVernay also draws from a lineage of independent Black filmmaking by pursuing financing and production methods outside of Hollywood such as philanthropic contributions. Her approach to the financing, production, and distribution of *Origin* stems from her acknowledgement of the ways in which racial and gender disparities are

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<sup>46</sup> Guerrero, *Framing Blackness*, 169.

<sup>47</sup> *Ibid.*, 169.

entrenched in Hollywood. DuVernay describes the discussions within the industry that took place in 2020 in response to George Floyd's murder as "polite conversation," as opposed to meaningful action to address disparities and laments how the Covid pandemic in addition to recent labor strikes blunted progress, creating an uncertain future for Hollywood and its capacity to realize sustainable, long-lasting change. She states:

We're all flailing, trying to figure out what the next steps are for a healthy industry. And I think that is an opportunity for folks to come in with fresh ideas, and try to make new systems – not just exist within and act differently within the old system. We have to think about new ways to do it. That was one of the things we tried to tackle, with the way that we put this film together.<sup>48</sup>

DuVernay recognizes that Hollywood is built on entrenched biases and the benchmark of profitability is not fit for the purpose of advancing diversity and inclusion within the industry or narratives that challenge formulaic structures. The director and entrepreneur has the opportunity to conceive of "new systems" for film financing and production because of the media infrastructure she's developed through ARRAY. With *Origin*, the financial network of the nonprofit division ARRAY Alliance, the production expertise of ARRAY Filmworks, and the post-production equipment available at ARRAY Creative Campus were integral to bringing the film to fruition.

DuVernay was able to end her corporate collaboration with Netflix and, due to the resources she developed with ARRAY, the director could pursue an independent route to control the production and release of the project. Therefore, *Origin* was produced under the ARRAY Filmworks entity of the arts resource collective and under the leadership of Paul Garnes, president and head of production for the division.<sup>49</sup> DuVernay utilized a network of philanthropic

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<sup>48</sup> Remnick, "Ava DuVernay wants to Build a New System."

<sup>49</sup> Ibid.; Feldman, "How Ava DuVernay Raised \$38 Million."

contacts she had established through the development of ARRAY Alliance to finance the film. Regina Miller, the executive director of ARRAY Alliance, led fundraising efforts alongside DuVernay and Garnes and elicited donations from several philanthropists and nonprofit organizations, namely the Ford Foundation and its president, Darren Walker. In the end, *Origin* was shot over 37 days, across three countries, and for a budget of \$38 million.<sup>50</sup>

Walker encouraged DuVernay to expand into the nonprofit sector because of her interests in social justice issues and her work to redress race and gender disparities for creative professionals in the media industry. Walker, who directs the Ford Foundation's \$16 billion endowment, contributed \$10 million to the film and connected Miller with Roy Swan, who is responsible for the foundation's mission-related and program-related investments, including creative projects and educational initiatives.<sup>51</sup> Miller describes this fundraising approach as a "new model," "a hybrid blend of philanthropic and social investing dollars" for film productions that reflect the social missions of philanthropic individuals and nonprofit organizations.<sup>52</sup> In addition to the Ford Foundation, the MacArthur and Robert Wood Johnson foundations, Laurene Powell Jobs's Emerson Collective, Melinda French Gates's Pivotal Ventures, and the Justice for All (J4A) private equity fund – all contributed to the film's budget. DuVernay also received contributions from Anne Wojcicki, the CEO of 23andMe, and Agnes Gund, a philanthropist and art collector, as well as NBA players Chris Paul, Karl-Anthony Towns, Malcolm Brogdon, and Kevin Love.<sup>53</sup>

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<sup>50</sup> Feldman, "How Ava DuVernay Raised \$38 Million."

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.; Smith-Richardson, "Ava DuVernay: 'We need to wake up. We're less than a year away from a transition,'" *The Guardian*, December 11, 2023, <https://www.theguardian.com/film/2023/dec/11/ava-duvernay-we-need-to-wake-up-were-less-than-a-year-away-from-a-transition-of-power>. ; Sun, "The Making of 'Origin'"; Miller is also the Executive Director of the Kevin Love Fund ; Couch, "Aunjanue Ellis to Star in Ava DuVernay Film"; DuVernay accepting financial contributions from the CEO of 23andMe to adapt Wilkerson's work is contradictory to the argument in *Caste* against biologism. In the book, Wilkerson details the ways in which biologism has been used to

Historically, philanthropic and nonprofit organizations have financed independent films by minorities and women through grants. The nonprofit television network PBS (Public Broadcast Service) is an organization known for funding a range of independent films and documentaries since the 1970s, including independent Black films. For example, PBS, in association with its American Playhouse series (1980-1994), was integral in contributing to the \$1 million budget for Julie Dash's groundbreaking film, *Daughters of the Dust* (1991). Ed Guerrero explains the film's budget was "made up of \$650,000 in grant money from the public broadcast 'American Playhouse' series, \$150,000 from the Corporation for Public Broadcasting, with the remaining capital coming from independent, 'guerrilla' financing."<sup>54</sup> DuVernay notes the funding of documentaries by PBS as her inspiration for pursuing a philanthropic pathway to finance the film.<sup>55</sup> However, the director suggests her approach represents a new method for financing narrative films. DuVernay argues, "this is social impact investment by people with funds earmarked to create works, organizations, or movements for social good. The idea that films that are not documentaries can fit into that framework is what is new."<sup>56</sup> Expanding on the director's assessment, money for the arts from philanthropic, nonprofit organizations and wealthy benefactors is not new but the concept of impact investing where funds are allocated to a project based on its assessed potential to have a social impact *and* its capacity to generate profit is. By comparison, with strictly philanthropic, nonprofit financing methods, there is not the same impetus to make a profit.

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reinforce a caste system in the US based on the ideology that whiteness and European ancestry is inherently superior to Blackness and African ancestry.

<sup>54</sup> Guerrero, *Framing Blackness*, 175.

<sup>55</sup> David Rennick, "Ava DuVernay Wants to Build a New System."

<sup>56</sup> Feldman, "How Ava DuVernay Raised \$38 Million."

The various funding sources for *Origin* are connected by a shared support of DuVernay's filmmaking, a belief in the film's ability to have a social impact as a cinematic examination of social justice issues as well as be profitable. Recalling my discussion of Guerrero's concept of "guerrilla" cinema and the financing methods of independent Black filmmakers, DuVernay's approach to the financing of *Origin* evolves from the strategies of her predecessors to take advantage of contemporary methods of philanthropic investment. However, this new structure of investment is still contingent on profit. Likewise, the key metrics of a film's social impact that a philanthropic organization such as the Ford Foundation uses to measure the success of a production is unknown.

*Origin* premiered at the Venice Film Festival on September 6, 2023, and once again, DuVernay made history as the first Black American woman director to showcase a film at the oldest film festival in the world. After its debut, the film received a 9-minute ovation.<sup>57</sup> The film went on to have a grassroots theatrical distribution, going city-by-city and then country-by-country from September 2023 through June 2024, but did not have a worldwide theatrical release. The film was made available to stream on Hulu on June 10, 2024, but the profits from streaming are not reported. In the end, the film was a failure at the box office earning only \$5 million against a budget of \$38 million.<sup>58</sup>

Nevertheless, DuVernay's use of philanthropic funding allowed the director to bypass the racial and gender constraints of Hollywood to direct and produce a film about a Black woman. Erigha writes:

Indeed, the Hollywood Jim Crow renders movies by and about Black women unbankable and supposes they would be of little interest to domestic and international audiences, such

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<sup>57</sup> Patrick Brzeski, Alex Ritman, "Ava DuVernay's 'Origin' Wows Venice With Nine-Minute Standing Ovation," *The Hollywood Reporter*, September 6, 2023, <https://www.hollywoodreporter.com/movies/movie-news/ava-duvernays-origin-standing-ovation-venice-1235583384/>.

<sup>58</sup> "Origin," <https://www.imdb.com/title/tt13321244/>. accessed November 3, 2024.

that their presence in the film industry resembles that of a permanent underclass, with little opportunity to break into movie directing, much less forge successful careers.<sup>59</sup>

Setting aside questions about the viability of the financing model for *Origin*, DuVernay is still able to maintain her career as a director because of ARRAY, including ARRAY Alliance and its network of philanthropic connections. For that reason, DuVernay exercises greater creative autonomy and career longevity than directors, particularly Black women directors, who are dependent on the Hollywood system.

### **Mourning in *Selma* and *Origin***

The source material for DuVernay's film adaptation is still a controversial and odd choice for a biopic, however, even an experimental biopic. *Caste* is an academic study of race relations in America, not a biography about the life of the author. Wilkerson outlines extensive historical, political, and cultural references and case studies to illustrate the development and perpetuation of a caste system in America, from the US colonies and the institution of enslavement to Jim Crow segregation and the civil rights movement to BLM and the racist politics of the Trump administration. The author draws parallels between the US, India, and Nazi Germany to demonstrate the "pillars of caste," the key ideas and structures that maintain and reinforce the system of inequality. Wilkerson writes:

Caste and race are neither synonymous nor mutually exclusive. They can and do coexist in the same culture and serve to reinforce each other. Race, in the United States, is the visible agent of the unseen force of caste. Caste is the bones, race the skin. Race is what we can see, the physical traits that have been given arbitrary meaning, and become shorthand for who a person is. Caste is the powerful infrastructure that holds each group in its place.<sup>60</sup>

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<sup>59</sup> Erigha, *The Hollywood Jim Crow*, 109.

<sup>60</sup> Isabel Wilkerson, *Caste: The Origin of Our Discontents*, (London: Allen Lane, an imprint of Penguin Books, 2020), 19.

In the book, examples are organized around the principles of the system the author observes in order to reveal the “bones” of caste and demonstrate how it functions as a social “infrastructure.” For example, Wilkerson posits the third pillar of caste is “Endogamy and the Control of Marriage and Mating.” She cites anti-miscegenation laws prohibiting interracial marriage and relationships in the US and how these laws reinforced the idea of racial purity and kept races separate to perpetuate the dominance of one race over the other. These laws based on race formed the infrastructure of a caste system that enforces white supremacy. Wilkerson also elucidates a history of violent responses to the prospect of sexual relationships between Black men and white women, while Black women were habitually subjected to sexual assault by white men during the institution of chattel slavery. The violence worked to condition America into largely segregated society even after the end of legal segregation. Critically, the author notes how Nazi Germany took inspiration from Jim Crow laws in the US to aid in the dehumanization of Jewish citizens.<sup>61</sup>

While Wilkerson does offer a few personal anecdotes about her experiences with caste, she does not position herself as a protagonist in the book but rather as an educator guiding the reader through a dense amount of research. In fact, the author resists incorporating her personal story within the work. She writes, “To further document this phenomenon, I chose to describe scenes of caste throughout this work – some drawn reluctantly from my own encounters with caste and others told to me by the people who experienced them or who had intimate knowledge of them.”<sup>62</sup> Wilkerson positions herself as the messenger reporting the stories of others in alignment with her role as a journalist and researcher. To add credibility to her argument and demonstrate the pervasiveness of caste, she “reluctantly” includes her personal experiences in the narrative, though sparingly. *Caste* does not have a clear or chronological personal narrative and,

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<sup>61</sup> Wilkerson, *Caste*.

<sup>62</sup> *Ibid.*, 28.

therefore, is not an obvious choice to be adapted into a biopic. To make Wilkerson the main character in a film adaptation of the book goes against the intentions set by the author. Yet, when DuVernay learned of the personal losses Wilkerson suffered during the process of writing *Caste*, enduring the deaths of her husband, mother, and cousin in close succession over a 16-month period, her personal life became the anchor of the film's narrative in alignment with the director's aesthetics of mourning. Wilkerson's personal life is the thread of continuity onto which the director ties reconstructions of the examples of caste the author analyzes in the book.

DuVernay's early films frequently revolved around Black women and their experiences of mourning. Specifically, in *I Will Follow* and *Middle of Nowhere* mourning is depicted as an introspective and propulsive process for the Black women protagonists at the center of these narratives. The actions of Maye and Ruby are in response to their mourning. Maye cleans out the house she once shared with her aunt and draws on the lessons she learned from their relationship to guide her decisions as she moves forward with her life. Ruby opens herself up to the possibility of new love and a different future after being isolated from her husband because of his imprisonment, essentially losing him to mass incarceration, and being forced to reconcile the dissonance between the life she once envisioned for herself and her current reality. Both are shown to reflect on their situations and act. As such, mourning is shown to be a catalyst for personal growth and change – pushing each protagonist toward the next chapter in their life.

This representation of mourning as a catalyst for change is also present in *Selma* and *Queen Sugar*. In *Selma*, the deaths of Black people as a result of brutal racial violence drives the civil rights movement and reinforces its political imperative to achieve fully recognized citizenship through the enactment of legal protections for Black Americans. The film demonstrates how the civil rights movement was propelled forward by the collective mourning

of a Black community and sympathetic white liberals. This mourning placed a spotlight on the loss of life that resulted from racism and the unfulfilled promises of American democracy. In *Queen Sugar*, the death of their patriarch compels the Bordelon siblings to reflect on their lives and motivates their actions to save the family sugar farm. Michele Prettyman Beverly examines DuVernay's representations of mourning in both works, writing:

DuVernay's films affirm black lives, black bodies, and the rituals of mourning by treating these moments with a sense of care and intentionality. Her depictions of "transformative mourning" displace the distance of mourning as spectacle and instead use loss to collapse barriers, distance, time, and space. Navigating loss becomes possible as bodies are placed in close proximity to each other, to conflict, and to the sensate experiences of intimacy, allowing for a fuller engagement of what *was* and what remains.<sup>63</sup>

Across these depictions of mourning, DuVernay deploys slow-motion editing and close camera framing to "collapse barriers, distance, time, and space" to render emotional, intimate moments in the lives of Black people. The director's depictions of mourning are mostly personal and intimate, with the exception of *Selma*, which also shows mourning to be communal. Prettyman Beverly concludes, "In DuVernay's work, mourning and loss are tactile, palpable, visceral experiences not meant to be consumed as pathological spectacles, and viewers *become* mourners, breathing in the loss and the full weight of its possibilities."<sup>64</sup> The director creates an association between the visual representation of mourning and the internal emotion of grief which provokes viewers to empathize, "*become* mourners," and affirm the value of Black life depicted in her narratives. DuVernay's film adaptation of *Caste*, which centers Wilkerson mourning the loss of her loved ones, coincides with the director's earlier productions involving an aesthetics of mourning.

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<sup>63</sup> Beverly, "No Medicine for Melancholy," 82.

<sup>64</sup> *Ibid.*, 101.

While the narratives of *Selma* and *Origin* fit Prettyman Beverly's description of "transformative mourning," I suggest *Selma* also features the process of "political mourning" as conceptualized by Heather Pool. In DuVernay's productions, "transformative mourning" is a personal, individual process. Expanding the presentation of mourning beyond just the personal toll on King as a leader of the civil rights movement, DuVernay shows the collective mourning of the Black community and demonstrates how mourning can be politically impactful. Pool defines "political mourning" "as an affective communal response to a loss that threatens (or is perceived to threaten) the historical narrative, present expression, or future possibility of the political community. Political mourning is expressed through (1) public, often explicitly political, discussion of these ideals and (2) the political actions that directly respond to specific losses in an effort to incorporate the loss into a coherent narrative."<sup>65</sup> The political theorist outlines five occurrences that constitute moments of "political mourning" which include "contested identities, visibility, actors taking grief public, the inadequacy of legal responsibility, and political change."<sup>66</sup> In portraying the events of the 1965 voting rights campaign, including the death of a local Black citizen in Alabama, *Selma* demonstrates the process through which mourning becomes political and how it can result in tangible change. As such, *Selma* could elicit a political reaction from viewers by illustrating the connection between mourning and political change. Moreover, the film's capacity to impact the political consciousness of a viewer was furthered by its release in 2014 during BLM protests because the movement was in response to the violent deaths of Black Americans and recalled the plight of Black Americans during the civil rights movement. According to Pool, BLM is another movement motivated by political mourning,

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<sup>65</sup> Heather Pool, *Political Mourning*, 17.

<sup>66</sup> *Ibid.*, 42.

although political change in the form of legislation was unrealized in 2014 when *Selma* premiered.<sup>67</sup>

Claudia Rankine diagnoses mourning to be an ontological condition for Black life in America and therefore, integral to political movements for Black liberation. In her essay “The Condition of Black Life is One of Mourning,” the author describes the pervasive threat of police brutality and racial violence as the source of mourning that underpins the lives of Black Americans. Critically, Rankine makes a distinction between mourning during the civil rights movement and BLM:

Unlike earlier black-power movements that tried to fight or segregate for self-preservation, Black Lives Matter aligns with the dead, continues the mourning and refuses the forgetting in front of all of us. If the Rev. Martin Luther King Jr.’s civil rights movement made demands that altered the course of American lives and backed up those demands with the willingness to give up your life in service of your civil rights, with Black Lives Matter, a more internalized change is being asked for: recognition.<sup>68</sup>

Both movements harness the mourning that pervades the lives of Black Americans for political means. The civil rights movement used it to launch and reinforce its “demands” for legal acknowledgment and protection in American society. Conversely, 50 years after the civil rights movement and amid the continued precariousness of Black life, BLM uses mourning to insist on legal acknowledgement in the form of consequences for police officers and criminal justice reform in addition to the recognition of the intrinsic value of Black life. The representation of King and the civil rights movement in *Selma* and its release during the early days of BLM highlights the differences in mourning Rankine identifies because the film invites the viewer to place the movements side by side.

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<sup>67</sup> Ibid., 127-149.

<sup>68</sup> Claudia Rankine, “The Condition of Black Life is One of Mourning”; On Racial Violence,” *The New York Times*, June 22, 2015, <https://www.nytimes.com/2015/06/22/magazine/the-condition-of-black-life-is-one-of-mourning.html>.

In *Origin*, DuVernay once again represents mourning as an intimate process through the film's depiction of Wilkerson's personal losses. The film also attempts to create an analogy connecting the author's personal mourning to the wider history of loss and trauma caused by the caste system she examines in her book. However, this analogy ultimately fails because of DuVernay's choice of the biopic as a framework. The biopic narrative, its focus on an individual, cannot contain the expansive political argument of *Caste*. Critically, DuVernay's *Origin* does not demonstrate how the deaths of Wilkerson's loved ones are caused by a caste system and because of this, there is a disconnect between the film's depiction of personal mourning and its use of reconstruction. I argue the film does not illustrate the political utility of mourning and how it can motivate the civic engagement of a community or a movement to demand change within a society. *Origin* also does not convey the significance of voting, in particular, as a potential solution to the consequences of the caste system in the US. While DuVernay may have wanted to appeal to viewers through personal mourning, the combination of a biopic narrative and docudrama reconstructions to create an analogy linking Wilkerson's lived experiences with the political argument of her book does not succeed. Therefore, the film is unable to achieve the director's stated aim to have a political impact ahead of the 2024 presidential election.

In numerous promotional interviews for the film, DuVernay details her motivation to produce and distribute *Origin* before the election because the narrative explores the root of divisions underpinning far-right extremism and Donald Trump's presidential candidacy. For example, she highlights the connection between book burnings in Nazi Germany as a precursor to the Holocaust and book banning in the US as a result of far-right politics. DuVernay declares, "My hope is that it instigates some conversation about things we should be focusing on in this country as we head toward an election – hey, anybody see we're taking books off shelves?"

Women can't control their own bodies? [...] I felt an urgency around getting it out there.”<sup>69</sup> While the reconstructions throughout *Origin* animate Wilkerson's examples of the process of dehumanization within the caste system, it falls short of highlighting a political process to challenge it because the film's depiction of mourning revolves around the author's personal losses.

In *Selma*, the community is mobilized by mourning to demand political change, elucidating a process of political mourning. In *Origin*, the focus on an individual author's research into an oppressive system, while simultaneously mourning her loved ones, does not offer a process to dismantle caste. Knowledge of the system's existence is the major conclusion of the film's narrative. While awareness of the mechanisms of oppression is significant, how knowledge equates to change, how it mobilizes people to participate politically in society, is not evident in the film. Consequently, there remains a question about *Origin*'s capacity to have a social impact and for whom. The film did not have a substantial theatrical release and was ultimately a flop at the box office. Although *Origin* was made available to stream on platforms such as Hulu and Amazon Prime, a MAGA Republican is not going to watch the film and then disavow far-right extremism. The audience for *Origin* is likely to be people who are already familiar with progressive ideas about systemic oppression in addition to those who are familiar with the work of DuVernay and/or Wilkerson. While the same could be said of *Selma*, the film was not produced with the particular aim of having a political effect. In that case, is DuVernay preaching to the political choir with *Origin*?

Furthermore, how can a film's social impact be quantified? Sherry B. Ortner addresses this question by analyzing films from Participant Media, a film company that specializes in

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<sup>69</sup> Sun, “The Making of ‘Origin.’”

narratives about social issues such as healthcare, climate change, and human rights with the goal of making a profit *and* having a social impact. Given this “double-bottom line,” the company is classified as a “social enterprise” or an entity that exists in the gap between corporations and nonprofit organizations within in the neoliberal landscape. On the one hand, the company depends on major studios (owned by corporations) to market and distribute their films and on the other, it partners with NGOs (whose funding can be dependent on the contributions of corporate sponsors) to create social impact campaigns to supplement their narratives with tangible actions like climate pledges. Ortner assesses how this dynamic affects the ability of Participant Media to make political films and what qualifies as social impact in their partnership with NGOs. She concludes:

Thus, films that could have been political were softened up, and films that were more overtly political were undercut by the marketing and even sometimes by the redirection of the social-action campaigns. Social-action campaigns in turn were almost entirely technologically driven, seeking low-level, quantifiable fixes that never challenged the larger status quo.<sup>70</sup>

Consequently, corporate interests and NGOs are strange bedfellows and it translates into films that are devoid of substantial political critique and social media campaigns that are focused on technical solutions that address a quantifiable problem not the system causing it – solutions that address the symptom not the disease.

As evidence of this dynamic, Ortner cites DuVernay’s breakout film *Middle of Nowhere*. After the director won Best Director at the 2012 Sundance Film Festival, the film was picked up by Participant Media for distribution and the subsequent social impact campaign involving nonprofit efforts to reduce the cost of phone calls between the incarcerated and their families

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<sup>70</sup> Sherry B. Ortner, “Social Impact without Social Justice: Film and Politics in the Neoliberal Landscape,” *American Ethnologist* 44, no. 3 (2017): 536-537, <https://doi.org/10.1111/amet.12527>.

which culminated in legislative change by the Federal Communications Commission who “announced that it was setting new rules about capping interstate phone rates to and from prisons (although rates for intrastate calls still vary widely).”<sup>71</sup> While this is an impressive, concrete example of social impact, it is still localized to a symptom of mass incarceration (high phone call rates are an economic burden for families of the incarcerated and contribute to the ways in which the incarcerated are isolated from their loved ones) as opposed to addressing the inequality of the US criminal justice system by, for example, campaigning to abolish prisons. Nonetheless, *Middle of Nowhere* demonstrates a clear social impact whereas *Origin* has not been associated with a social impact campaign beyond the director’s stated aims for the film. Furthermore, the degree to which corporate interests affected the production and distribution of the film even as a project financed through nonprofit, philanthropic organizations has not been ascertained.

In the following sections, I consider the relationship between the financing of each film and the appearance of formal techniques in *Selma* and *Origin*. I analyze DuVernay’s use of close-up shots, audio distortion, and slow-motion editing to constitute depictions of mourning. *Selma*, a studio-financed film, adheres to the conventions of the Hollywood biopic to celebrate the activism of King. Although the film utilizes the popular, recognizable conventions of the biopic indicative of its commercial production, DuVernay does expand on said conventions to portray how mourning motivated the civil rights movement by incorporating a history of community activism within the individual focus of the narrative. With *Origin*, an independently financed feature, DuVernay exercises the greater creative autonomy enabled by philanthropic funding to produce an experimental film about *Caste* in which the author is the protagonist in a narrative

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<sup>71</sup> Ibid., 535.

combining biographical details about Wilkerson's personal losses with reconstructions of caste throughout history.

### **Community Activism and the Aesthetics of Political Mourning in *Selma***

*Selma* was produced among several other biopics about prominent Black figures in American history. Hobbs suggests the uptick in biopics about Black lives corresponds with “more black directors emerging or black documentary filmmakers turning to the biopics genre” and “a crop of anniversaries of highly significant events in twentieth-century black history on which there has been enough time for [...] perspective to be gained.”<sup>72</sup> As such, Hobbs analyzes *Selma*, *Jimi: All Is by My Side* (dir. John Ridley, 2013), *Nina* (dir. Cynthia Mort, 2016), and *Miles Ahead* (dir. Don Cheadle, 2016) as examples of this trend. In particular, *Selma* is an exemplar of both an emerging Black director and an anniversary of a significant event in Black history.

Additionally, the premiere of *Selma* in 2014 coincided with politically conservative attacks on historic civil rights legislation. Judicial challenges to historic voting rights legislation made *Selma*'s narrative particularly relevant. Following the decision in the 2013 Supreme Court case *Shelby County v. Holder*, Republican-controlled states, primarily in the South, enacted laws restricting access to voting including polling place closures, voter ID laws, and proof of citizenship mandates. The consequences of the Section 4(b) provision of the 1965 Voting Rights Act being struck down became apparent after the 2014 midterm election, when Republicans secured a majority in Congress following record-low voter turnout. Desmond S. King and Rogers M. Smith explain the *Shelby v. Holder* decision “reinforces modern Republican efforts to make voting more difficult, which will inevitably impose a disproportionate burden on

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<sup>72</sup> Hobbs, “Prominent Afro-Americans in Biopics,” 415.

Democratic constituencies such as poor and racial and ethnic minorities.”<sup>73</sup> *Selma* chronicles the campaign to achieve voting rights for Black Americans under federal law. The campaign was marred by racial violence and political attempts to suppress the efforts of civil rights activists. Coincidentally, the film was produced and released during a period of renewed voter suppression and incidents of racial violence that placed a spotlight on the ongoing precariousness of Black life and citizenship in America.

The film’s production took place a year after George Zimmerman’s acquittal in 2013 for the shooting death of unarmed teenager Trayvon Martin in 2012. Moreover, *Selma* was in production during the Ferguson protests in response to the fatal shooting of Mike Brown, an unarmed teenager, by police officers on August 9, 2014. Protests in the city went on for a week until August 14, 2014. At the film’s New York City premiere in Manhattan on December 14, 2014, the cast held a protest in support of BLM and in response to the death of Eric Garner. After there was no indictment in the Garner case, the cast wore “I Can’t Breathe” T-shirts at the premiere in a moment of synergy with a nearby group of “an estimated 50,000 chanting protesters.” Their T-shirts referenced the plea Garner repeated while he was held in a chokehold by an NYPD police officer on July 17, 2014.<sup>74</sup> The widespread protests that occurred during the production of *Selma* represent an act of communal mourning in response to the violent deaths of Martin, Brown, and Garner. An example of art imitating life, *Selma* was produced in an environment of mourning that recalled incidents of racial violence that once galvanized the activists depicted in the film.

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<sup>73</sup> King and Smith, “The Last Stand? Shelby County v. Holder,” 25.

<sup>74</sup> Alex Suskind, “How DuVernay struck a chord with Selma,” *The Guardian*, Dec 17, 2014, <https://www.theguardian.com/film/2014/dec/17/ava-duvernay-film-director-selma>.

In a departure from other Hollywood productions about the civil rights movement such as *Malcolm X* (1992), *The Butler* (2013), and *Judas and the Black Messiah* (2021) that center the activism and experiences of Black men during the civil rights movement, *Selma* expands its narrative about an influential Black male figure in King to highlight the contributions of Black women activists Annie Lee Cooper, Amelia Boynton Robinson, Diane Nash, and Coretta Scott King. The film also challenges the white savior trope prevalent in films about race relations like *Mississippi Burning* (1988), *The Help* (2011), and *Green Book* (2018) by portraying King and President Johnson as two equally matched political strategists who disagree about how to achieve voting rights legislation. As a result of their differing viewpoints, tensions arise between the two but neither King nor Johnson is shown to be the sole architect of the 1965 voting rights campaign – it is a collaborative effort sustained by community activism. Therefore, *Selma* critically challenges narratives about individual exceptionalism and white saviors during the civil rights era perpetuated by Hollywood historical dramas and biopics.

The opening sequence of *Selma* characterizes the civil rights movement as an organized response to anti-black violence in American society. King (Oyelowo), looking directly into the camera, practices his speech prior to receiving the 1964 Nobel Peace Prize. He stops in frustration at trying to find the right words and shares a tender moment of reassurance with Coretta Scott King (Ejogo) before the award ceremony. In a hotel room in Norway, the couple is away from America, away from the movement, and can consider what a quiet life might look like. This intimate moment represents a distinction between the man who desires a quiet existence with his family and the activist icon at the forefront of the civil rights movement. This is the portrait of an individual that is quintessential to the biopic. Later, King accepts the award and declares: “I accept this honor for our lost ones, whose deaths pave our path. I accept this honor for the more than 20 million American Negroes who are motivated by dignity. Together

we believe that what the illusion of supremacy has destroyed, the truth of equality can nourish.”<sup>75</sup>

As King speaks, the scene cuts to a re-creation of the bombing at the 16<sup>th</sup> street Baptist church in Birmingham, Alabama on September 15, 1963 that killed four young Black girls (Addie Mae Collins, Cynthia Wesley, Carole Robertson, and Carol Denise McNair). Re-creation refers to the creative depiction of actual events in the life of a figure which is a central tenet of the biopic genre. King and the Southern Christian Leadership Conference (SCLC) led an anti-segregation campaign for civil rights in Birmingham in 1963 and after the bombing, the reverend delivered a speech at a funeral for three of the four victims.<sup>76</sup> The sequence begins with close and mid-shots in the stairwell of the 16th Street Baptist Church a year prior to the award ceremony. A group of Black children descend the stairs. Young Black girls, wearing church dresses and white gloves, talk innocuously about their hair before their conversation is interrupted by a bomb blast. A mid-shot of the stairwell fades into a series of closely framed, slow-motion shots of debris and small bodies flying across the room. The shots are set to muffled audio and when the dust settles, the camera zooms out into a wide shot of the bomb’s destruction and the scattered bodies of four girls. The combination of slow-motion editing, close framing, and audio distortion draws the viewer into the scene and relates the sensation of being in close proximity to the blast. As Beverly observes, it is a “tactile, palpable, visceral experience” and the opposite of a spectacle.<sup>77</sup> The viewer is physically drawn into the sequence through visual and aural cues. The church bombing sequence prompts the viewer to make a correlation between King’s words and the loss

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<sup>75</sup> DuVernay, *Selma*.

<sup>76</sup> Donald Q. Cochran writes, “At the funeral for three of the church bombing victims, Reverend Martin Luther King, Jr. eloquently predicted the short-term effects that the bombing of the Sixteenth Street Baptist Church would have on the conscience of White America.” “Ghosts of Alabama: The Prosecution of Bobby Frank Cherry for the Bombing of the Sixteenth Street Baptist Church,” *Michigan Journal of Race & Law* 12, no.1, (2006): 31, <https://heinonline.org/HOL/P?h=hein.journals/mjrl12&i=9>.

<sup>77</sup> Beverly, “No Medicine for Melancholy,” 82.

of life exemplified by this incident of racial violence and the mourning it elicited. Therefore, the film suggests the mourning caused by the violent deaths of these four girls is part of what motivates the movement, including this particular campaign for voting rights.

Danyelle Greene explains how DuVernay centers Black girlhood and the racial violence intrinsic to the American South in this scene: “As she invites the audience into the world of black girlhood – an experience not often explored in mainstream media – she interrupts their wholesome images with a devastating explosion. She replaces it with sobering imagery of the girls’ world in pieces.”<sup>78</sup> The focus on Black girlhood is a part of DuVernay’s minority appropriation of the genre. In order to situate King within the community he advocated for, the director amends the conventions of the genre to constitute a narrative in which the individual is contrasted with the collective – a collective that encompasses a Black girlhood under threat of racial violence.

From the opening onwards, a pattern develops throughout the film in which the depiction of an incident of racial violence is followed by a depiction of how it mobilizes and reinforces the movement. In the sequence of Jimmie Lee Jackson’s (Lakeith Stanfield) death, for example, DuVernay deploys close camera framing and slow-motion editing to illustrate the terror of the incident and humanize the victim. Following a night march, sheriffs violently intercept a group of Black protesters at a restaurant. In the chaos, a sheriff shoots and kills Jackson. Similar to the film’s depiction of the church bombing, close framing, distorted audio, and slow-motion editing are integral to this sequence. After the shot is fired, slow-motion close-up shots focus on Jackson’s face, his pained expression, and the horror on the faces of

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<sup>78</sup> Danyelle Greene, “Illuminating Shadowed Histories: Centering Black Women’s Activism in *Selma*,” *Black Camera* 10, no. 2, (2019): 216, <https://muse.jhu.edu/article/725360>.

his family members who witness his death. The illusion of time slowing down during a traumatic event draws the viewer into the violence unfolding on-screen.

At his funeral service, King delivers a sermon and proclaims that mourning Jackson's death means continuing the campaign for voting rights:

We will not let your sacrifice pass in vain, dear brother. We will not let it go! We will finish what you were after! We will get what you were denied! We will vote and we will put these men out of office! We will take their power! We will win what you were slaughtered for! [...] We will do it for all of our lost ones. All of those like Jimmie Lee Jackson, who have gone too soon, taken by hate!<sup>79</sup>

King's repetition of the opening words "we will" in each sentence adds emphasis and builds to a point of exclamation. The repetition and delivery stir the bereaved in attendance to be motivated rather than defeated by Jackson's death. On the one hand, this re-creation represents "transformative mourning" in that the funeral is a celebration and acknowledgment of Jackson's life, his value and humanity as a "dear brother." Prettyman Beverly argues, "while mourning is a routine social, emotional and (for some) religious ritual, it is also an act of defiance. Mourning black lives attends to both the grieving process and to the more radical improbability of celebrating black life even as it is being devalued and taken from us."<sup>80</sup> On the other hand, the funeral sequence and the proceeding re-creation of the 1963 Birmingham church bombing illustrates Pool's theory of political mourning as a process initiated by a death or deaths that captures the attention of the polity.

Pool examines how the death of Emmett Till forced Americans, specifically white liberals in northern cities, to reckon with the exclusion of Black Americans from full participation and protection in American democracy. She writes, "While the murder itself was

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<sup>79</sup> DuVernay, *Selma*.

<sup>80</sup> Beverly, *No Medicine for Melancholy*, 100.

disturbing, the failure of the legal system was even more so and indicated the need for wholesale political change [...] Till's body provided a means to reconstruct a coalition across racial lines."<sup>81</sup> The brutal murder of a smart, charismatic Black youth for offending a white woman, the lack of consequences for the perpetrators, and Mamie Till-Mobley's decision to have an open casket funeral and publicize her son's death revealed the fallacy of American ideals of equality and justice. In doing so, Till's death provoked political mourning and galvanized the emerging civil rights movement in the 1950s. This death struck a chord because of a series of circumstances that made it stand out among the pervasiveness of Black deaths in the South in relation to the history of Black men lynched by violent, white mobs for their perceived criminality or disruption of the racial hierarchy. Pool concludes:

Till's murder was different because it occurred shortly after a widely visible battle over contested identities [the ruling in *Brown vs Board of Education*], achieved stunning visibility, prompted his mother to unprecedented public action, demonstrated the failure of the Mississippi legal system to attain anything like justice, and catalyzed social mobilization to call for political change.<sup>82</sup>

Till's death embodies the five occurrences Pool outlines as constituting the process of political mourning: contested identities, visibility, actors taking their grief public, legal failure that contributed to a taking up of collective responsibility, and political change.

The depictions of the 1963 church bombing and Jackson's death in *Selma* illustrate how political mourning continued to mobilize the movement after Till. Using Pool's framework, the deaths shown in the film portray the contestation of identities about race and law by demonstrating the stark contrast between the reality of race in American society and the notion of America as a democracy with a just legal system. The visibility of these deaths and "actors

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<sup>81</sup> Pool, *Political Mourning*, 87.

<sup>82</sup> *Ibid.*, 91.

taking their grief public” is portrayed through King’s acceptance speech and sermon as well as the Bloody Sunday sequence later in the film. The pervasiveness of police brutality and the necessity of a voting rights campaign to challenge racial discrimination spotlighted legal failures, which in turn motivated a sense of collective responsibility. This is manifested in the successful march from Selma to Montgomery by a racially diverse coalition shown through archival footage at the end of the film. Finally, the 1965 Voting Rights Act was the culmination of calls for political change instigated by deaths that glaringly contradicted American ideals. DuVernay’s depiction of political mourning is integral to her minority appropriation of the biopic genre to situate King’s life within a larger frame of activism in the Black community, specifically, and American society, overall.

The Bloody Sunday sequence in *Selma* shifts from expansive space to close detail to once again place the viewer within an incident of racial violence. Reverend Hosea Williams (Wendell Pierce) and John Lewis (Stephan James) lead a group of protesters across the Edmund Pettus Bridge on March 7, 1965, and are met by armed state troopers and mounted patrolmen. The authorities begin to pursue the protesters, and the bridge descends into chaos after attempts at de-escalation by Williams fail. Journalists reporting on the scene are kept at a distance behind police barricades. The sequence fast forwards to *New York Times* journalist Roy Reed (John Lavelle) relaying the event to his editors from a phone booth. As he describes how the violence unfolded, the viewer witnesses the terror of Bloody Sunday in tandem with Reed’s account. Unsteady, handheld close and mid-shots depict police battering Black bodies with batons and relate the chaos of the incident. The sequence demonstrates the physical and aural disorientation that results from a violent assault through slow-motion editing and muffled audio, especially the closely framed shots of the injuries sustained by Lewis and Amelia

Boynton (Lorraine Toussaint). The combination of techniques conveys the extent of the assault and recalls the violence of chattel slavery – drawing a throughline between two histories of anti-Black violence in America. Specifically, slow-motion mid-shots of mounted patrolmen swinging bullwhips as they go after protesters create an image reminiscent of overseers pursuing the enslaved. Reed recalls:

Suddenly, there was a sharp sound, like a gunshot, and a gray cloud spewed over the troopers and the Negroes. But before the cloud hid it all, there were several seconds of unobstructed view [...] From the hospital came reports of victims suffering fractures of ribs, heads, arms, and legs.<sup>83</sup>

The bodily injuries of protesters, “fractures of ribs, heads, arms, and legs,” are given immediacy through DuVernay’s use of visual and audio techniques. The film’s depiction of transformative and political mourning as a reaction to racial violence, which is initiated by the opening sequence of the Birmingham church bombing, is compounded by the Bloody Sunday sequence because it is shown to be yet another motivating incident for the movement. The effect is cumulative, as Beverley notes, “Both the historical and cinematic narrative galvanized mourning as a vehicle for transformation and a resistant bulwark to the devaluation of black life. The film, punctuated with brutality, vacillates between suspension and movement.”<sup>84</sup> *Selma* transforms the perception of Black life through an affirmation of its value as well as reveals a process capable of achieving political change. As such, the film’s depiction of mourning is both transformative and political.

The Bloody Sunday sequence has become a central focus in scholarship about *Selma*. David G. Holmes remarks, “The infamous ‘Bloody Sunday’ scene on Edmund Pettus Bridge was exquisitely horrific. *Selma* awakened the social consciousness within some and fueled it

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<sup>83</sup> DuVernay, *Selma*.

<sup>84</sup> Beverly, “No Medicine for Melancholy,” 96.

within others.”<sup>85</sup> Likewise, Delphine Letort considers DuVernay’s depiction to be a formulation of Black agency through the reappropriation of archival footage. She writes:

DuVernay introduces black agency through instilling movement and color in the reenacted scenes; she counters the impersonal look that media photographs and footage invited through developing characterization; the beaten figures are no longer anonymous faces in newflash reports, but characters whose individual commitment to the struggle is developed.<sup>86</sup>

The Bloody Sunday sequence recontextualizes archival news broadcasts about the incident that appear on television sets throughout the sequence. The “anonymous faces” of Black citizens shown being trampled by mounted police in archival news footage become central characters such as Boynton in DuVernay’s film.<sup>87</sup> The director situates the viewer on the bridge among protesters fleeing for their lives and being hunted down by law enforcement – it is a stark contrast to news footage that was shot from behind police barricades. In addition, the film shows white Americans across the country watching news broadcasts, witnessing the horror of Bloody Sunday unfold on their television screens, and being motivated to join the movement. The role of the media in amplifying the movement is surmised by Andrew Young’s (André Holland) statement as he watches Bloody Sunday on the news: “Seventy million people are watching this.”<sup>88</sup> This representation exemplifies the conduit role the media played in creating the “visibility” of Pool’s political mourning framework and garnering support for the civil rights movement, specifically from white liberals. Viewed in the wider context of DuVernay’s oeuvre,

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<sup>85</sup> David G. Holmes, “Seen and Heard: Negotiating the Black Female Ethos in *Selma*,” *Black Camera: An International Film Journal* 10, no.2 (2019): 185, doi: 10.2979/blackcamera.10.2.14.

<sup>86</sup> Delphine Letort, “Close-Up: Ava DuVernay’s *Selma* (2014): The Historical record and the American Imaginary: Adapting History in *Selma*,” *Black Camera: An International Film Journal* 10, no.2 (2019): 200, <https://doi.org/10.2979/blackcamera.10.2.15>.

<sup>87</sup> Archival news footage from NBC News shows marchers being beaten to the ground and pursued by mounted police officers. “Bloody Sunday: A Flashback of the Landmark Selma to Montgomery marches,” Video, *NBC News*, March 21, 2018, <https://www.nbcnews.com/video/bloody-sunday-a-flashback-of-the-landmark-selma-to-montgomery-marches-1191243331868>.

<sup>88</sup> DuVernay, *Selma*.

the Bloody Sunday sequence brings to mind the director's use of archival footage in her later documentary productions with Netflix. In *13TH*, *When They See Us*, and *Colin in Black & White*, DuVernay uses archival footage to interrogate the manifestations of racial inequality in the US.

Taken together, the sequences of Bloody Sunday and Jimmie Lee Jackson's death evoke the contemporary BLM protests after the deaths of unarmed Black people, especially Black men and boys. Jimmie Lee Jackson is Mike Brown, he is Trayvon Martin, he is countless others. The confrontation between law enforcement and protesters on the Edmund Pettis Bridge recalls police officers in riot gear and military-grade tanks lobbing tear-gas and shooting protesters with rubber bullets in Ferguson during the aftermath of Brown's death. Consequently, the political mourning DuVernay depicts is still prevalent and now undergirds the BLM movement. The film's depiction of a correlation between mourning and political activation throughout the civil rights movement, the 1965 voting rights campaign in this case, demonstrates how mourning became an act of resistance and a demand for change in the form of legal protection for Black life. The film's release in 2014 amid BLM protests, showcases how the rallying cry of "Black Lives Matter" is in many ways the same demand but also, as Rankine observes, an insistence on the recognition of Black life's inherent value.

Furthermore, DuVernay illustrates political mourning in the characterization of Coretta Scott King as part of her intervention to represent Black women's activism during the civil rights movement. The film's depiction highlights how Scott King was at the forefront of the movement alongside her husband, an activist in her own right. A confrontation between King and Scott King emphasizes her agency. Set in a dimly lit living room, a conversation unfolds between the couple after listening to a tape of sexually explicit sounds and a threatening

message sent by the FBI. King asserts that the sound on the tape is not him, while Scott King acknowledges she is aware of his indiscretions even if this particular instance is not him.

Astutely, Scott King relates the constant presence of death in their lives. She maintains:

I can't see life sometimes because of the fog of death constantly hanging over. People actually say that they will stop the blood running through the hearts of our children. [...] How they're going to kill my children. And what they'll do to you and how they'll do it. How many years have I had to listen to this? The filth, deranged and twisted, and just ignorant enough to be serious.<sup>89</sup>

Scott King's words recall the film's opening sequence and the deaths of Black children because of racial violence. Consequently, her commitment to the civil rights movement is not solely tied to her husband but reflects the impact of political mourning on her life as an activist.

Barbara Reynolds, who knew Coretta Scott King as a friend, critiques the film's portrayal of marital discord and argues the film diminishes Scott King's activism, and therefore, her legacy outside that of her husband's: "The film's misrepresentation of Coretta continues a disservice done to her life and accomplishments in many accounts of the Civil Rights era. She was not a tormented victim. She was more than an accessory to her iconic husband's story."<sup>90</sup> According to Reynolds, Scott King's lifetime of advocating for human rights, fighting for disarmament, gay/lesbian rights, and an end to poverty, often in defiance of "attempts by male-dominated black leadership to sideline her" has not received adequate acknowledgment.<sup>91</sup> While a feature film about Scott King's activism independent of her husband's has yet to be made, *Selma* does offer an account of her activism early in the film in a scene where she is called on to give a speech while King is in jail. The inclusion of both these scenes does not depict Scott King as a

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<sup>89</sup> Ibid.

<sup>90</sup> Barbara Reynolds, "The biggest problem with Selma has nothing to do with LBJ or the Oscars," *The Washington Post*, Jan 19, 2015, <https://www.washingtonpost.com/posteverything/wp/2015/01/19/the-biggest-problem-with-selma-has-nothing-to-do-with-lbj-or-the-oscars>.

<sup>91</sup> Reynolds, "The biggest problem with Selma."

“tormented victim” but speaks to a larger history of her activism, her agency in her marriage, and how integral she was to the movement in her own right.

The depiction of King’s extramarital affairs also highlights contradictions in his public image as a preacher and an activist. Acknowledging how King fell short of perfection enriches historical discourse by humanizing the activist as opposed to perpetuating a caricature of morality. King, a man of tremendous courage, still struggled with his morals. This fallibility, although disappointing, is humanizing and relatable. Lamont H. Yeakey discusses how the marital confrontation scene is impactful but questions its necessity. Yeakey argues, “It was done with sensitivity and care while remaining true to the strength and character of their marriage. Yet, was it necessary to include this intrusion into their personal lives for *Selma*’s development, no matter how prudently it was treated?”<sup>92</sup> Historical figures, especially those who are Black, should not solely be represented as pillars of virtue in the media and in historical discourses. When they are represented this way, it reinforces Black respectability politics that demand changemakers be above reproach in order to combat racism and dispel stereotypes. DuVernay’s minority appropriation to include King’s relatable fallibility challenges the whitewashed ideal of the activist and expands on the perception of who can be a catalyst for social change.

To that effect, DuVernay extends the image of Black leadership to represent generational conflict and Black women’s activism within the civil rights movement. The voting rights campaign in Selma brought together multiple organizations, including Student Nonviolent Coordinating Committee (SNCC), Southern Christian Leadership Conference (SCLC) and the National Association for the Advancement of Colored People (NAACP). Each organization had

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<sup>92</sup> Lamont H. Yeakey, “Introduction: The Film and History of Selma, Alabama,” *Black Camera* 10, no.2, (2019): 172, <https://doi.org/10.2979/blackcamera.10.2.13>.

their own approaches to ending racial discrimination but agreed about the need for legislative protection. SNCC, a group of university student volunteers, formed the initial boots-on-the-ground element of the campaign by working in communities and attempting to register Black voters. Although the leadership of the aforementioned organizations was dominated by Black men, Black women were integral to carrying out initiatives like voter registration drives. Ella Baker, one of the founders of SNCC, was a crucial leader of the civil rights movement and advised the grassroots tactics used by student activists.<sup>93</sup> In *Selma*, Diane Nash (Tessa Thompson), James Forman (Trai Byers), and Lewis represent SNCC and a generational clash with the older King and the SCLC.

Regarding gender, DuVernay's representation challenges the dominance of Black men as the driving force pushing the civil rights movement forward. The efforts of Black women activists are often overshadowed by the depiction of their male counterparts in film and television narratives about the movement. Greene discusses DuVernay's intervention, though limited, to challenge the status quo. The characterizations of Nash, Boynton, Cooper (Oprah Winfrey), Mahalia Jackson (Ledisi), and Scott King form the director's explorations of the movement's gender conflict. Sexism in social justice activism is another layer of discrimination Black women endure, exemplifying how Black women are a double minority facing intersectional discrimination because of race and gender. Greene writes, "DuVernay foreshadows the later events of 'Bloody Sunday,' and highlights Nash's presence alongside prominent male figures of civil rights history," citing a scene in which Nash describes Selma as "the next great battle" while riding in a car with King and his advisors Ralph Abernathy (Colman Domingo),

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<sup>93</sup> Lester K. Spence, "Ella Baker and the challenge of black rule," *Contemporary Political Theory* 19, no.4, (2020): 551-72, <https://doi.org/10.1057/s41296020-00448-8>.

Andrew Young , and James Orange (Omar J. Dorsey).<sup>94</sup> Nash’s phrase captures the series of campaigns and initiatives that made up the movement’s pursuit of federal legislation to enshrine the civil rights of Black Americans into law, while recognizing the contributions made by Black women activists, who were critical to the successes of the movement but were often prevented from occupying positions of leadership on the basis of gender. DuVernay’s representation creates space for discourse about sexism within the civil rights movement by presenting Black women as essential to organizing efforts. The inclusion of Black women’s activism within the narrative establishes a potential for discourse about the movement from a perspective of intersectionality that evaluates the impact of racism and sexism on the lives of Black women.

Nonetheless, the film’s characterization of Black women activists and the representation of SNCC is muted in comparison to King and the SCLC. Yeakey describes the film’s representation of SNCC as one of five major criticisms and asserts “insufficient attention was given to SNCC, undoubtedly the most important organization coming into Dallas County to work for black voter registration.”<sup>95</sup> Throughout the film, there are several confrontations between SNCC, Lewis and Forman, and SCLC, King and his group of advisers — Abernathy, Young, and Williams — over how the campaign in Selma should proceed. However, the brevity of these scenes reflects the film’s biopic focus on King as an individual. Despite her expansion of the narrative to include Black women activists and SNCC, *Selma* conforms to the conventions of a Hollywood biopic by prioritizing the characterization of King as a great man. Furthermore, it would be impossible to represent every perspective of a historical event within the format of a film. Even a narrative film about SNCC would struggle to detail the organization in its entirety and include a comprehensive depiction of how class and gender operated among

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<sup>94</sup> Greene, “Illuminating Shadowed Histories,” 218.

<sup>95</sup> Yeakey, “The Film and History of Selma, Alabama,” 172.

the leadership and the rank-and-file members. The film's limited portrayal of SNCC and Black women activism relates to the constraints of the biopic. Therefore, there is a need for various narratives that explore gender and class issues within the civil rights movement as opposed to narratives about prominent individuals remaining a default focal point. Crucially, DuVernay's minority appropriation of the biopic constitutes a significant attempt to add nuance to a narrative about the civil rights movement and challenge the limits of the genre.

### **Temporality and the Aesthetics of Personal Mourning in *Origin***

*Origin* recalls DuVernay's filmmaking in *Selma* and deploys many conventions of the biopic. The Hollywood biopic contrasts an influential individual's hardships with their achievements to emphasize the magnitude of their accomplishments. The core narrative of *Origin* dramatizes the tribulations Wilkerson endures while researching and writing her seminal book. This is comparable to the depiction of King in *Selma*, in which his fallibility and vulnerability as a man is balanced against his monumental activism. It is because King led major civil rights victories despite his individual shortcomings, and it is because Wilkerson persists in her research despite her personal tragedies that they are influential figures and their stories make for captivating narratives on screen. *Origin* aligns with Hobbs's definition of the "momentary biopic" as a narrative about a particular period in Wilkerson's life as well as another subset of the biopic genre, narratives about an exceptionally intelligent individual. Critically, as a film about a Black woman author and scholar, DuVernay's film also challenges the historical trend of the genre regarding narratives about white, male genius which proliferated during the studio era and continues today in films such as the Academy Award-winning film *Oppenheimer* (2023) directed by Christopher Nolan and released the same year as *Origin*.

Moreover, *Origin* builds upon DuVernay's depictions of mourning. The film shows Wilkerson propelled forward by the personal losses she endures to complete *Caste*. Wilkerson's mourning is shown as a motivating process that results in an anthropological text, which becomes an affirmation of her life as a Black woman and the lives of her loved ones. This affirmation is then situated within the oppressive system of caste that Wilkerson outlines in the histories of America, Nazi Germany, and India through the film's reconstructions of events the author examines as examples of caste. In this regard, I refer to Hayes's definition of reconstruction as it relates to the docudrama genre and the creative depictions of historical events that I cite in chapter two.<sup>96</sup> DuVernay's re-creation (the biopic genre) of Wilkerson's mourning is placed alongside reconstructions (the docudrama genre) of violent and traumatic events that have resulted from caste in different countries and throughout history.<sup>97</sup> The film attempts two things at once: a biopic about Wilkerson and a docudrama based on the book *Caste*. This is the experimental bent of *Origin* and the purpose of these reconstructions is to be instructive about how caste functions. In addition to the conventions of the biopic wherein historical events in an individual's life are re-created, *Origin* deploys reconstruction as it appears in docudramas to animate history and educate the viewer. As such, *Origin* coincides with Hayes's definition of docudrama and is comparable to DuVernay's filmmaking in *When They See Us*.<sup>98</sup>

In *Origin*, DuVernay strives to combine a narrative of personal, "transformative mourning" with an educational narrative about Wilkerson's book *Caste* and the historical

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<sup>96</sup> Hayes writes, "[...] the unique contribution of docudrama is dramatization which uses trained actors to perform scripted reconstructions of real events—reconstructions that may include invented dialog, narration, music, and fictional or composite characters." "Rethinking Docudrama," 216.

<sup>97</sup> The film's opening title states, "This film is a dramatization inspired by the book 'Caste: The Origins of Our Discontents' and is an artistic interpretation of the author's life and writing process." *Origin*, directed by Ava DuVernay, (ARRAY Filmworks and Black Bear Pictures, 2023), [https://www.amazon.co.uk/gp/video/detail/B0CVVDTT6H/ref=atv\\_hm\\_mys\\_c\\_uJQOV1\\_2\\_2](https://www.amazon.co.uk/gp/video/detail/B0CVVDTT6H/ref=atv_hm_mys_c_uJQOV1_2_2).

<sup>98</sup> Hayes, "Rethinking Docudrama," 216.

accounts that substantiate the author's argument. Wilkerson's mourning becomes an entry point for the viewer to be introduced to her theory and possibly adopt it as a part of their political consciousness. However, I argue this experimental narrative, in attempting to represent both the personal and the educational, does not effectively portray either. The viewer walks away with surface-level knowledge about Wilkerson and a minimal understanding of her comprehensive and exhaustive research in a nearly 500-page work.

By making Wilkerson the protagonist of *Origin*, DuVernay returns to narratives revolving around Black women that characterized her independent filmmaking at the outset of her filmmaking career. *Origin*, similar to DuVernay's early independent films *I Will Follow* (2010) and *Middle of Nowhere* (2012), chronicles a Black woman's mourning as a transformative process. It is through the process of mourning that these women overcome obstacles and arrive at a greater understanding of themselves, their families, and society. In the coda of *Film Blackness*, Michael Boyce Gillespie observes a "black quiet and temporality" in the characterization of Ruby in *Middle of Nowhere*.<sup>99</sup> He writes, "the film delicately tracks a black woman who endures as an affective vessel of temporalities."<sup>100</sup> Ruby, who is stuck in a moment of inertia waiting for her husband to be released from prison, embodies converging temporalities – the confluence of the past, present, and future. Gillespie writes, "the film details how Ruby quietly persists and moves with the memories of the past, the everyday diffusion of New Jim Crow and carcel time, and the advancing desire of this new attachment."<sup>101</sup> It is through mourning the life she envisioned for herself and reckoning with her present connection to mass incarceration that Ruby is able to open herself up to the prospect of love and a new future.

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<sup>99</sup> Gillespie, *Film Blackness*, 159-160.

<sup>100</sup> *Ibid.*, 160.

<sup>101</sup> *Ibid.*, 160.

Like Ruby, DuVernay also portrays Wilkerson as “an affective vessel of temporalities.” She is a scholar mining the past to understand BLM and the far-right political extremism of MAGA Republicans with the hope of illustrating a better future is possible. This investigation of the past is depicted through reconstructions that are grafted onto Wilkerson’s present of researching her book while mourning her loved ones. Sequences of Wilkerson developing her book in the present are spliced with reconstructions of past events that inform her argument about a caste system in America. In this way, DuVernay employs the representation of a Black woman as “a vessel of temporalities” to depict Wilkerson’s encounters with history – the juxtaposition of her present in the film’s diegesis and reconstructions set in the Jim Crow South, Nazi Germany, and in India between the early twentieth century and present day.

In order to represent such temporalities, *Origin* deploys an experimental narrative structure that involves multiple timelines. The opening of the film is a reconstruction of the night Trayvon Martin was stalked and killed by George Zimmerman in 2012. In *Origin*, the incident becomes the catalyst for Wilkerson’s research about the nature of oppression in the US and her argument that the construct of race is a symptom of a larger organizing social structure: caste. *Origin* reorients the narrative of the incident to privilege Martin’s (Myles Frost) experience. A mid-shot tracking sequence shows Martin walking through a neighborhood at night and talking on the phone with his girlfriend Rachel Jeantel on his way to a convenience store to purchase a snack. The sequence follows Martin into the store and as he exits a mid-shot from behind him captures his reflection in the glass door as he pulls the hood of his sweatshirt onto his head because of rainy weather. Crucially, the sequence disrupts and defies Zimmerman’s narrative that Martin was a menacing figure out of place in a Florida neighborhood because he was wearing a hoodie and looked suspicious.

In the film's re-creation, Wilkerson (Aunjanue Ellis-Taylor) is offered an opportunity to write a news article about the Martin case, but she initially resists out of wanting to focus more on long-form writing.<sup>102</sup> Nonetheless, the author ends up listening to the audio recordings of 911 calls from the night of the incident – calls from Zimmerman and neighbors who overheard the altercation. As Wilkerson listens to the calls, the narrative splinters into two timelines: a re-creation of the author listening to the 911 audio in her home office and the continuation of the reconstruction that opens the film, which ends with the fatal confrontation between Martin and Zimmerman. The sequence shifts between close and mid-shots of Wilkerson's facial expressions, showing her physical distress in response to what she hears, and the reconstruction. The juxtaposition of the two sequences illustrates the discrepancy between Martin's reality and the stereotypical conclusions Zimmerman made about the teenager's criminality. When Zimmerman says to the 911 operator that "These assholes always get away," the viewer has already witnessed the mundanity of Martin walking to the store in the film's opening and now explicitly knows this declaration to be rooted in a racist falsehood.<sup>103</sup> The sequence is similar to *When They See Us* and the opening of episode two that I discuss in the previous chapter. The sequence in *When They See Us* uses the juxtaposition of archival audio and dramatized images to illustrate a contradiction between Black and brown boyhood and news narratives about superpredators and wilding monsters that was a byproduct of the myth regarding Black criminality. As the

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<sup>102</sup> Wilkerson first theorized about a caste system in the US in an article responding to the death of Trayvon Martin. Isabel Wilkerson, "In Florida, A Death Foretold," *New York Times*, March 31, 2012, <https://www.nytimes.com/2012/04/01/opinion/sunday/a-native-caste-society.html>.

<sup>103</sup> George Yancy and Janine Jones include a transcript of Zimmerman's 911 call in the introduction of a collection of essays about the incident. *Pursuing Trayvon Martin: Historical Contexts and Contemporary Manifestations of Racial Dynamics*, eds. George Yancy and Janine Jones, (Lanham: Lexington Books, 2012), 2-3, <https://ebookcentral.proquest.com/lib/york-ebooks/detail.action?docID=1076201>; Ava DuVernay, in a promotional interview about *Origin*, reveals the actual 911 calls were used in the film. "Ava DuVernay & Aunjanue Ellis-Taylor Speak On 'Origin' Film, Intentional Filmmaking + More," posted January 17, 2024, by Breakfast Club Power 105.1, YouTube, <https://www.youtube.com/watch?v=iMq6jNTXEJo>.

reconstruction progresses, a mid-shot sequence shows Martin's defensive reaction after Zimmerman exits his vehicle and approaches him. Their violent altercation is rendered through a sequence of handheld close and mid-shots that uses slow-motion editing. The unsteady camera movements and motion blur convey the chaos of the physical assault and how Martin fought for his life. The close shot of Zimmerman's gun firing into Martin's chest contrasts with a close shot of Wilkerson reacting to the sound of gunfire on the audio. Through this representation, DuVernay depicts a convergence between Wilkerson's present and the past (historical) moment of Martin's death.

In the sequence, Zimmerman is also a disembodied figure. The viewer does not see his face or body in full, only an assemblage of limbs interacting with Martin. At the end of the sequence, Martin's still body is framed by a bag of Skittles lying next to him in the foreground of the shot. DuVernay again uses juxtaposition to recontextualize a historical moment. However, instead of showing a contrast between two images or a soundbite and an image, the contrast exists within the same camera frame and juxtaposes the mundanity of his actions with his senseless death. By doing so, DuVernay provokes the viewer to mourn this loss of life anew or for the first time. The two registers of the sequence, the re-creation of Wilkerson listening to the audio and the reconstruction of the altercation between Martin and Zimmerman, bring together the past and present to reframe the fatal incident and portray Martin as an innocent young Black boy who was stalked, shot and killed by a man that could not see his humanity.

Scenes of violence in *Origin* like Martin's death are indicative of DuVernay's filmmaking and the "transformative mourning" it engenders. Her filmmaking affirms the value of the lives lost and what remains for those still living. DuVernay habitually uses close camera framing, audio distortion, and slow-motion editing to imbue the viewer with a close proximity to violent

interactions. The climatic sequence in *Origin* demonstrates this significant facet of DuVernay's filmmaking. After losing her husband, her mother, and her cousin in a matter of months, Wilkerson continues to write *Caste* and conceptualizes the pillars of caste while renovating her mother's house to sell it and settle her estate. The renovation of the house becomes a physical manifestation of Wilkerson's mourning and her writing process, both tasks becoming a tribute to her loved ones. There are handheld close-to-mid-shots of Wilkerson defining the pillars of caste on a whiteboard in her mother's house while construction takes place around her. Voiceover narration (spoken by Ellis as Wilkerson) underscores the sequence to represent the author's thinking process and to explain the pillars of caste. The voiceover explanations correspond with reconstructions and this is where multiple timelines in the film begin to converge. The film's reconstructions of historical events begin to overlap in a sequence that cuts between each one of them and the film's re-creation of Wilkerson's research to define each pillar of caste and draw parallels between these disparate histories and cultures.

Up to this point in the film, the reconstructions of Nazi Germany, the Jim Crow South, and Dalits in present-day India have coincided with Wilkerson's research and citations in the book. These reconstructions include the illicit relationship between August Landmesser (Finn Wittrock), a German man, and Irma Eckler, a German Jewish woman, in Nazi Germany, the Black anthropological researchers Allison (Isha Blaaker) and Elizabeth Stubbs Davis (Jasmine Cephas Jones) who risked their lives to travel to Mississippi and study a caste system based on race in the Deep South, and Dr. Bhimrao Ramji Ambedkar (Gaurav J. Pathania), who defied caste to become a Dalit professor in the early twentieth century.

The film's climax also reconstructs occurrences in present-day India and the Middle Passage during the Transatlantic Slave Trade. In particular, *Origin* depicts the practice of Dalits

laboring as “manual scavengers” in India because of their caste status and the harrowing journey the enslaved endured in the cargo holds of ships. The sequence begins with close-up shots of a Dalit man being covered in oil as a protective measure before manually cleaning a public toilet. It then cuts to a close shot of Wilkerson’s eyes focused on a laptop while voiceover narration states, “The trade and sale of African people demolished communities, obliterated families and tore flesh from spirit.”<sup>104</sup> Subsequently, a reconstruction then shows the bodies of the enslaved in the cargo hold of a slave ship to reiterate that they were individuals stripped of their communities, their lives, and forced into enslavement. It starts with a slow-motion, extreme close-up shot of chained hands and zooms out into a panning mid-shot of naked Black bodies. Chained together and stacked on top of one another, the enslaved cry out in agony. The viewer is brought into close proximity with the enslaved and placed in the cargo hold alongside the victims of the Transatlantic Slave Trade. Back in the present day of the film’s re-creation, Wilkerson writes out “Pillar: Terror and Cruelty” on a whiteboard to connect the reconstruction of chattel slavery to the seventh pillar of caste in the book: “Terror as Enforcement, Cruelty as a Means of Control.”<sup>105</sup> The sequence then cuts to a reconstruction of Nazi Germany and the dehumanization of Jewish people at the Lichtenberg concentration camp. It depicts how Jewish people were stripped of their possessions, given a uniform, and had their hair shaved to eliminate distinguishing features, while the voiceover narrates: “They were no longer personalities to engage with. They became a single mass. Purposely easier for SS officers to distance themselves from.”<sup>106</sup> Again, DuVernay deploys a combination of unsteady, handheld shots and panning shots

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<sup>104</sup> DuVernay, *Origin*.

<sup>105</sup> Ibid; Wilkerson, *Caste*, 151-158.

<sup>106</sup> DuVernay, *Origin*.

from mid-to-close range to bring the viewer proximal to the dehumanizing experience of Jewish people in Nazi Germany.

After the initial image of the Lichtenberg concentration camp, the sequence cuts to a zoom-in, mid-shot of Wilkerson writing “Pillar: Inherent Superiority vs. Inherent Inferiority” on the whiteboard. Voiceover narration connects the subsequently shown reconstruction to examples of the dehumanization that occurs within a caste system. It states:

Indian activists explained that manual scavenging is not a form of employment but an injustice akin to slavery. It is one of the most prominent forms of discrimination against Dalits and it is central to the violation of their human rights, to their dehumanization. Through violent storms at sea, starvation, mutilation, and rape, black people were stacked and squeezed into the hulls of ships to be sold into further unfathomable terror. Their bodies did not belong to them but to the dominating caste [...] Loving mothers, headstrong nephews, dedicated bakers and watchmakers, all [Jews] merged into a single mass of undifferentiated bodies, no longer seen as humans deserving empathy, but as objects over whom control could be exerted. They were no longer people. They were numbers. Dehumanized.<sup>107</sup>

In succession, the sequence cuts between the corresponding reconstructions: a Dalit man submerged up to his shoulders in a receptacle of excrement from a public toilet, the horrors aboard slave ships including sexual assault, a Jewish woman being shot dead at a concentration camp after attempting to reunite with her child, and finally, Martin’s fatal encounter with Zimmerman. The sequence is reminiscent of the expository mode and the evidentiary editing DuVernay utilizes throughout her documentary filmmaking with Netflix. It strings together all of these tragedies from across history, one after the other, to demonstrate a particular perspective — how all of them were the result of a caste system. To that effect, the sequence pairs a low-angle, mid-shot of a Jewish woman being shot in the head with a comparable low-angle, mid-shot of Martin being shot in the chest. It also solidifies that the depiction of Martin is a reconstruction.

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<sup>107</sup> Ibid.

Although his death was an event that occurred in Wilkerson's life during her writing process for the book, it is intentionally placed in the film as an example of caste. Critically, the similarities between these two images collapse time and space to convey the continuity of dehumanization between Nazi Germany and America circa 2012. Therefore, the violence portrayed in the sequence is not shown as a spectacle but to illustrate what was experienced and what continues to be perpetuated because of caste. The viewer's recognition of this dehumanization is an affirmation of the lives depicted and suggests Beverly's analysis of "transformative mourning" in DuVernay's early productions.<sup>108</sup> The transformation is twofold: protagonists are transformed by loss and the viewer is transformed by their recognition of the loss because the narrative involves historically dehumanized bodies. The continuation of this type of depiction across two films that bookend the director's engagement with a Hollywood system of production, the latter representing her return to independent methods of production, indicate it to be a critical aspect of her filmmaking.

However, *Origin* foremost shows mourning to be the source of Wilkerson's personal motivation to pursue her research and complete her book. While the viewer is invited to mourn Wilkerson's loved ones and the dehumanized bodies the author exhumes through her research, they are not shown the process by which mourning becomes political. The process Pool outlines is not evident. For instance, *Origin* does not depict how Martin's death became a catalyst for the founding of BLM and led to widespread protests. While the director sought to have a political impact by releasing the film before the 2024 presidential election, the film is not instructive about how to turn the death and mourning that results from dehumanization into political change. In *Selma*, the Birmingham church bombing, Jackson's funeral, and Bloody Sunday, as well as

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<sup>108</sup> Beverly, "No Medicine for Melancholy."

allusions to the numerous other deaths underpinning the civil rights movement, are juxtaposed with the successful Selma to Montgomery march and the passage of the 1965 Voting Rights Act. As such, these tragedies are shown to be the propulsive force that led to tangible political change.

In *Origin*, the reconstructions, though impactfully rendered, present a wide assemblage of the information detailed in *Caste* but do not demonstrate how to harness this knowledge to create the better future the author, and presumably the director, envisions. Yet, personal mourning is not incompatible with political mourning. Mamie Till-Mobley's personal mourning of her murdered child led her to share her grief with the world and that decision was a catalyst for an emerging civil rights movement – the personal became political through a process that made mourning public and collective. *Origin* offers heart-wrenching historical knowledge with no instruction on how to use it to shape society. This is by no means a requirement of socially-engaged cinema, but it is incongruous with DuVernay's intention to have a political impact with this particular film and the clear educational narratives of her Netflix era productions.

## Conclusion

Despite the differences in production and distribution between the two films, *Selma* and *Origin* represent a significant aspect of DuVernay's filmmaking as depictions that encompass the director's aesthetics of mourning. Both films are indicative of Beverly's assessment of "transformative mourning" in the director's early work. DuVernay shows mourning to be a source of personal motivation and evolution for her characters – the loss of a loved one and the process of overcoming grief propels protagonists forward in their lives. This depiction subsumes the viewer into a sense of mourning by bringing them into close proximity to the rituals of mourning for historically dehumanized bodies and the violence often responsible for their

demise. Critically, mourning in the director's oeuvre opposes the spectacle typically attached to these bodies, specifically Black bodies, in mainstream media representations. In addition to her early feature films *I Will Follow* and *Middle of Nowhere*, this rendering of mourning is also present in the initial two episodes of *Queen Sugar* directed by DuVernay that revolve around the death of the Bordelon family patriarch which I analyze in chapter one and place within the conventions of melodrama. In *Selma* and *Origin*, the re-creation of events in an individual's life is indicative of the biopic genre as well as crucial to the representation of mourning DuVernay develops.

In addition to "transformative mourning," as defined by Beverly, I argue *Selma* is also an illustration of "political mourning," as theorized by Pool. The film portrays several incidents of racial violence and the communal mourning elicited during the civil rights movement. The depictions of the Birmingham church bombing, Jimmie Lee Jackson's murder, and Bloody Sunday – each represented through a combination of closely framed shots, audio distortion, and slow-motion editing – bring the viewer up close to the tragedies animating the movement. These incidents reinforced the movement's political imperative to achieve legal protections for Black Americans under federal law. Every tragedy became motivation to keep pushing toward the goal of political change. *Selma*, through a focus on the boots-on-the-ground activism of local Black citizens, shows how mourning was a crucial and propulsive factor for the civil rights movement.

By comparison, *Origin* does not portray political mourning in the adaptation of Isabel Wilkerson's book *Caste*. The film attempts to connect Wilkerson's personal mourning after losing her husband, mother, and cousin while writing the book to the dehumanization of Black Americans, Jews in Nazi Germany, and Dalits in India, which the author's thesis argues is a consequence of an oppressive caste system. Although the director uses most of the same formal

techniques that appear in *Selma*, the addition of reconstructions indicative of the docudrama genre to portray the examples of violent dehumanization Wilkerson cites throughout her book fails to demonstrate to the viewer how such tragedies can be channeled into tangible political change. DuVernay does not successfully create an educational narrative that adequately explains the function of caste in the US, despite the application of techniques prevalent in her documentary work produced by Netflix. Furthermore, the director's decision to adapt Wilkerson's book into a biopic is ultimately a disservice to the complex argument the author presents. The sequence in *Origin* of Wilkerson developing the pillars of caste, a core concept of the book, condenses 60 pages of comprehensive information about eight different pillars into the film's 15-minute ending. A documentary outlining the pillars of caste akin to DuVernay's *13TH* and its detailed scrutiny of the US criminal justice system or a biopic about Wilkerson overcoming the loss of her loved ones akin to *I Will Follow* would have better showcased the strengths of DuVernay's filmmaking: her ability to unpack social justice issues, on the one hand, and her expertise in depicting Black women with nuance and interiority, on the other.

Nonetheless, *Origin* stands out as a significant accomplishment in independent Black filmmaking because of how it was brought to fruition through DuVernay's entrepreneurship via ARRAY. In its early stages of development during the production of *Selma*, ARRAY grew over a ten year period to become a fully realized independent media infrastructure by 2023 and the production of *Origin*. DuVernay's expansion of ARRAY during her rise to prominence in Hollywood demonstrates her understanding of the history and strategies of independent Black filmmakers such as Haile Gerima and how crucial it is for historically marginalized artists to have independent avenues to finance, produce, and distribute their art outside of mainstream institutions. In this way, the realities of racial and gender inequality that DuVernay habitually

explores in her art are also addressed through her entrepreneurship to resist marginalization and a loss of creative autonomy as a Black woman filmmaker as well as create opportunities for similarly positioned artists. As such, *Origin* exemplifies how creative entrepreneurship can sustain the careers of independent Black filmmakers outside of the Hollywood system of production.

## Conclusion

### The “Liberated Territory” of DuVernay’s ARRAY

This thesis has traced the trajectory of Ava DuVernay’s art and entrepreneurship by analyzing six of the director’s productions during what I have argued is a significant period in her career. The decade spanning 2013 to 2023 includes the historical and political moment of the Black Lives Matter movement and its influence on the media industry, exemplified by calls for greater Black representation and opportunities for Black filmmakers. BLM’s impact on media representation coincides with the height of DuVernay’s engagement with Hollywood and its institutions thus far, but also her retreat from Hollywood and return to independent filmmaking after efforts to cultivate diversity began to wane. Following her career transition from film publicist to independent filmmaker, DuVernay made her entrance into Hollywood with the major studio production *Selma* (2014). The Academy Award-winning film afforded the filmmaker opportunities to expand on her socially-engaged art through collaborations with Oprah Winfrey and Netflix. From 2016 to 2022, DuVernay helmed several critically-acclaimed productions including *Queen Sugar* (2016-2022), *13TH* (2016), *When They See Us* (2019), and *Colin in Black & White* (2021) – the first with Winfrey for OWN and the latter three with Netflix. These productions also facilitated DuVernay’s development of ARRAY, which she expanded to include four entities: ARRAY Releasing, ARRAY Filmworks, ARRAY Alliance, and ARRAY Creative Campus. DuVernay’s use of ARRAY to independently produce her latest feature *Origin* (2023) showcases the capacity of the media infrastructure to sustain her filmmaking career. With ARRAY, DuVernay is now in a position to create independent opportunities for herself as well as

other artists from underrepresented communities. In this conclusion, I will focus on ARRAY and its public programming events to examine its impact beyond supporting DuVernay's filmmaking.

Throughout the thesis, I have considered the sociopolitical and industrial contexts of these productions to assess how DuVernay's art and entrepreneurship were shaped by them. Overlapping political and industrial concerns have directly impacted her use of different genres and formats, I argued, including melodrama, documentary, and biopic across film and television projects. Amid these pressures, I suggested that DuVernay adopted different genres during this period to broaden her storytelling practices, foregrounding more nuanced characterizations of Black people in opposition to historical stereotypes, while simultaneously advancing her commitment to the exploration of social justice issues through art. In conjunction with these developments in her filmmaking, DuVernay's entrepreneurial acumen proved crucial for achieving her artistic aims in an industry not designed to support the careers of women filmmakers, specifically Black women filmmakers who are affected by both racial and gender disparities in media. In my analysis of each of these productions I have shown how DuVernay's art and entrepreneurship are inextricably linked.

To illustrate the interconnectedness of DuVernay's art and entrepreneurship, I contextualized her career trajectory alongside Netflix's original programming strategies, the sociopolitical influence of BLM, and the precariousness of diversity in Hollywood. Likewise, I analyzed key aspects of the director's filmmaking including her use of close camera framing, slow-motion editing, and audio distortion to immerse the viewer into a scene and relate a proximity with protagonists. Across different genres and formats, these elements stand out as a part of DuVernay's filmmaking. Furthermore, the director deploys the evidentiary editing of the expository mode of documentary filmmaking, as defined by Bill Nichols, to juxtapose the causes

of racial inequality with the consequences of it – the detrimental impact for Black Americans.<sup>1</sup> Therefore, my methodology combines a discussion of industrial factors and DuVernay’s cinematic style, technique, and manipulation of genre, to explore how she seeks to redress racial and gender inequality in American society on screen and off. In doing so, I demonstrate the director’s specific praxis and how it is responsive to industry dynamics regarding streaming platforms and marginalized perspectives in media.

Each chapter of the thesis focused on productions that represent a critical progression in DuVernay’s career from 2013 to 2023. In chapter one, I looked at the conventions of melodrama in DuVernay’s adaptation of Natalie Baszile’s 2014 novel *Queen Sugar* into a television series (2016-2022) for the Oprah Winfrey Network (OWN). Informed by Patricia Hill Collins’s theory of “controlling images” of Black women, I suggested that DuVernay’s characterizations of Charley, Nova, and Ralph Angel challenge the stereotypical depictions of Black womanhood and Black masculinity that have proliferated in mainstream representations.<sup>2</sup> The series also invokes contemporary social justice discourses through plotlines involving BLM and the sociopolitical issues driving the movement – namely police brutality, the crisis of mass incarceration, and the movement’s pursuit of criminal justice reform. Moreover, DuVernay’s collaboration with media mogul Oprah Winfrey to bring the series to fruition allowed the director and entrepreneur to institute diverse employment practices such as only hiring women directors across seven seasons to redress gender disparities in the industry. Again, I used Collins’s scholarship to survey DuVernay’s employment practices, also known as “The Ava Effect,” and concluded that they are indicative of Black women’s activism and the critical component of coalition-building.<sup>3</sup>

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<sup>1</sup> Nichols, *Introduction to Documentary*, 121.

<sup>2</sup> Collins, *Black Feminist Thought*.

<sup>3</sup> Ibid.

In chapter two, I examined the collaboration between DuVernay and Netflix. The streamer's development of original programming strategies concerning nonfiction content coupled with an industry push to produce Black representations amid campaigns for diversity in media and in response to BLM created an opportunity for DuVernay to advance her documentary filmmaking and the ability of ARRAY to distribute films by diverse artists. *13TH*, *When They See Us*, and *Colin in Black & White* are the results of this moment wherein politics influenced the industry and DuVernay was able to take advantage and further her career. I argued the documentary and two docudramas are educational narratives about racial inequality in the US that deploy evidentiary editing to depict the manifestations of racism and the negative impact on the lives of Black men and boys from three different perspectives – the development of the US criminal justice system, a miscarriage of justice case, and the experiences of a notable Black figure. As such, these productions demonstrate the continuation of DuVernay's focus on social justice issues in her filmmaking. At its peak from 2016 to 2021, the collaboration between DuVernay and Netflix illustrated what is possible when Black women directors have the support and backing of a major studio. However, when the collaboration between DuVernay and Netflix became untenable for the director, she was able to use ARRAY as an alternative route to pursue her filmmaking. I concluded these three productions showcase DuVernay's artistic and political progression to deploy documentary techniques in different formats and extend her examination of racial inequality in the US criminal justice system. Furthermore, the arc of the working relationship between DuVernay and Netflix involves the director's evolution to become a consequential filmmaker and her entrepreneurial endeavors to create a safety net capable of supporting her art as well as empowering other diverse artists through the expansion of ARRAY.

In chapter three, I assessed the two bookends of DuVernay's engagement with Hollywood production, *Selma* and *Origin*, and how the trajectory between the two films demonstrates that entrepreneurship is critical to the career longevity of Black filmmakers. Each film is a different mode of filmmaking, studio production versus independent filmmaking, and the limitations placed on creative autonomy for the director when operating within them. With *Selma*, DuVernay was brought onto the production to fulfil the institutional logics of the studio which prioritizes recouping the largest possible returns from theatrical exhibition. In turn, these institutional logics restricted DuVernay's creative autonomy. In comparison, DuVernay was able to independently produce *Origin* after deciding to end an agreement with Netflix and despite the recent unraveling of Diversity, Equity, and Inclusion (DEI) initiatives that showcases the propensity of Hollywood to sour on Black filmmakers. Independent financing and the infrastructure of ARRAY, including the nonprofit arm ARRAY Alliance and the post-production equipment available on ARRAY Creative Campus, allowed DuVernay to exercise greater autonomy as the writer, director, and producer of *Origin*. Despite differences in production, both films are biopics. I analyzed DuVernay's use of the biopic genre in *Selma* and *Origin* to convey a narrative about influential Black figures. *Selma* represents the director's "minority appropriation" of the genre's conventions to depict a nuanced narrative about Rev. Dr. Martin Luther King Jr. and the 1965 voting rights campaign in opposition to whitewashed narratives about the civil rights movement.<sup>4</sup> Comparatively, *Origin* is an experimental narrative based on Isabel Wilkerson's book *Caste: The Origins of Our Discontents* (2020) that couples a re-creation of Wilkerson's experiences while writing the book, which is indicative of the biopic, with reconstructions of the examples of oppression the author cites in her book, which is emblematic of the docudrama. Although *Origin*

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<sup>4</sup> Bingham, *Whose Lives Are They Anyway?*

is a marker of DuVernay's creative autonomy, the experimental narrative does not adequately portray either Wilkerson's personal losses or her argument that race relations in the US are indicative of a caste system. Nonetheless, both films are connected as depictions of mourning that show the process of overcoming grief to be a propulsive and motivating force – a depiction prevalent across DuVernay's oeuvre. Therefore, *Selma* and *Origin* represent a key aspect of the director's filmmaking.

### **The Future of ARRAY**

In these final pages, I want to consider the future of DuVernay's ARRAY and its promotion of diversity in the entertainment industry despite the stagnation and even reversal of progress in Hollywood. Beginning in 2013, BLM and the #OscarsSoWhite social media campaign placed a spotlight on diverse representation in contemporary discourses about Hollywood. In response to these events, commitments were made in the name of cultivating more inclusive representations of race, class, and gender in media. However, as of 2023, the unsustainability of such commitments is becoming evident as diversity remains precarious and, in some cases, is being intentionally undone. In this context, ARRAY has become an even more important independent infrastructure for media production and grassroots distribution that facilitates creative opportunities for artists from underrepresented communities.

DuVernay's work to create her own lane within the entertainment industry and empower other artists is a critical example of how to manifest sustainable diversity by using innovative entrepreneurship to address inequality. Given the critical juncture at which Hollywood now stands, DuVernay's art and entrepreneurship demonstrates a possible way forward for diverse artists to exist outside the gatekeeping structures of Hollywood, particularly amidst the current

conservative backlash against DEI initiatives. The director continually carves out her own path, creating opportunities for herself, as opposed to waiting for permission or a greenlight from film and television executives.

This entrepreneurial inclination has served DuVernay well throughout her transition from publicist to filmmaker and remains the key to both her individual success and to her empowerment of marginalized artists. As I noted in my introduction, the director cites Gerima's "liberated territory" as an inspiration to build ARRAY: "With ARRAY I have a liberated territory, if Hollywood kicks me out, decides it doesn't want me there, I can always do my thing over here."<sup>5</sup> DuVernay's entrepreneurship exemplifies a solution to entrenched racial and gender disparities in the media industry. Instead of working within the studio system, attempting to establish a foothold of change in a resistant environment, marginalized artists should be entrepreneurial and pursue an independent model for media production, distribution, and education – decentering Hollywood institutions that fundamentally were not designed to support their art or their communities. Nonetheless, the establishment of a "liberated territory" leaves the racial hierarchy of the Hollywood Jim Crow, as theorized by Maryann Erigha, intact because it requires marginalized artists to separate from the mainstream of the industry, its power and influence, and create an independent, siloed space that will admittedly have less reach and accessibility for audiences.<sup>6</sup>

Notably, DuVernay's development and expansion of ARRAY occurred simultaneously with the progression of her filmmaking career. The director's focus on expanding ARRAY during the height of her popularity and access in Hollywood relates her knowledge of the Hollywood Jim Crow and how it would ultimately constrain her abilities as a Black woman

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<sup>5</sup> Liptak, "Ava DuVernay Built a Safety Net."

<sup>6</sup> Erigha, *The Hollywood Jim Crow*.

filmmaker. It began with the relaunch of AFFRM as ARRAY in 2015 to represent the director and entrepreneur's multicultural approach to supporting the work of diverse artists. In 2016, the distribution arm ARRAY Releasing entered into a distribution agreement with Netflix and brought films by independent filmmakers such as Gerima to a wider audience through streaming. In 2018, DuVernay started the nonprofit ARRAY Alliance and built ARRAY Creative Campus to house post-production and exhibition facilities including the Amanda Theater. ARRAY Filmworks is an evolution of DuVernay's initial production company Forward Movement and is responsible for each of the six productions analyzed in this thesis as well as a feature film by director Ramin Bahrani (*White Tiger*, 2021). Lastly, since 2018, ARRAY Public Programming has steadily increased to encompass a multitude of events and initiatives that benefit the local community in Historic Filipinotown, Los Angeles where ARRAY is located as well as an international community of diverse filmmakers and social justice advocates.

This is evidenced by ARRAY's extensive public programming to screen diverse film and television productions at the Amanda Theater that encapsulate various aesthetics, cultures, languages, genres, and formats; to offer mentorship and professional development training for artists from underrepresented communities; and to hold events involving the intersection of art and political activism. ARRAY Public Programming events include: the 2018 Evolve Entertainment Film Summit, a one day event for early career filmmakers and creative professionals; the 2020 #ARRAYVoices event to promote the work of Afro-Brazilian filmmakers in response to racial bias in the Brazilian film industry; the 2021 Liberated Territory: A Masterclass by Haile Gerima event, a 6-day workshop for 15 diverse filmmaking fellows to learn from the legendary L.A. Rebellion filmmaker about "the catalyst of storytelling and a story's structure crafted from one's personal narrative accent"; the 2022 Constructing

Justice: Transforming the Built Environment event, a collaboration between the Law Enforcement Accountability Project (LEAP) under ARRAY Alliance and the nonprofit Art For Justice about what restorative justice looks like in communities affected by mass incarceration and police brutality; the 2023 ARRAY Masterclass: A Night with Niecy Nash-Betts event where the award-winning actress and producer, who has starred in multiple productions by DuVernay, shared her professional expertise in successfully navigating the entertainment industry; and lastly, as mentioned in chapter two, the 2024 ARRAY Watch + Vote event, where booths for early voting were set up at ARRAY Creative Campus and three of DuVernay's productions (*Selma*, *13TH*, and *Origin*) were screened to promote the importance of civic engagement and encourage the local community to vote in the 2024 presidential election.<sup>7</sup>

I detail the public programming at ARRAY at length to showcase its scale, variety, and ambition as a vehicle for political advocacy. Critically, DuVernay's entrepreneurship through ARRAY extends beyond building a company or studio just to enable the production and distribution of her filmmaking. The director and entrepreneur has created a collective to empower artists from underrepresented communities as well as the civic engagement of her fellow citizens. After the success of *Selma*, DuVernay delivered a keynote address at the 2015 South-by-Southwest (SXSW) conference and spoke about the need for artists to think in

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<sup>7</sup> "Evolve Entertainment Film Summit," *ARRAY NOW*, accessed December 4, 2024; <https://arraynow.com/public-programming/evolve-entertainment-film-summit/>; "#ARRAYVoices," *ARRAY NOW*, accessed December 4, 2024, <https://arraynow.com/public-programming/array-voices/>; "Liberated Territory: A Masterclass by Haile Gerima," *ARRAY NOW*, accessed December 4, 2024, <https://arraynow.com/public-programming/liberated-territory/>; "Constructing Justice: Transforming the Built Environment," *ARRAY NOW*, accessed December 4, 2024, <https://arraynow.com/public-programming/constructing-justice-transforming-the-built-environment/>; "ARRAY Masterclass: A Night with Niecy Nash-Betts," *ARRAY NOW*, accessed December 4, 2024, <https://arraynow.com/public-programming/array-masterclass-a-night-with-niecy-nash-betts/>; "ARRAY WATCH + VOTE," *ARRAY NOW*, accessed December 4, 2024, <https://arraynow.com/public-programming/array-watch-vote/>; Art For Justice was fund dedicated to addressing mass incarceration and criminal justice reform from 2017 to 2023 that was financed by philanthropist Agnes Gund. "About," *Art For Justice*, accessed December 4, 2024, <https://artforjusticefund.org/#about>.

collective terms about the impact of their work. She stated, “If your dream only includes you, it’s too small.”<sup>8</sup> DuVernay’s art and entrepreneurship from 2013 to 2023 is the embodiment of this well-known quote. As she has advanced in her career, both inside and outside of Hollywood, DuVernay remains cognizant of how to bring others along with her. The future of ARRAY as a liberated territory for underrepresented artists and political advocates, its sociopolitical impact, is set up to outlast the particularities of DuVernay’s career and therefore, her significance as a director and entrepreneur exceeds her individual filmmaking. It could also serve as a blueprint for up-and-coming Black filmmakers and other diverse artists of how to utilize entrepreneurship as a mechanism to enable their artistry. A future with multiple organizations founded by diverse artists and modeled after ARRAY could effectively counter the intrinsic racism and sexism of the entertainment industry and oppose Hollywood as the epicenter of cultural representation. Essentially, Ava DuVernay’s career presents an interesting case study of contemporary independent Black filmmaking to create narratives about the lives of Black people that involves the development of new strategies to navigate marginalization in Hollywood and considers innovative technologies such as streaming. Subsequent scholarship will undoubtedly include analysis of the significance of her art and entrepreneurship as it continues to develop. With this thesis, it is my intention to make a first critical contribution.

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<sup>8</sup> “Ava DuVernay | SXSW Live 2015.”

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