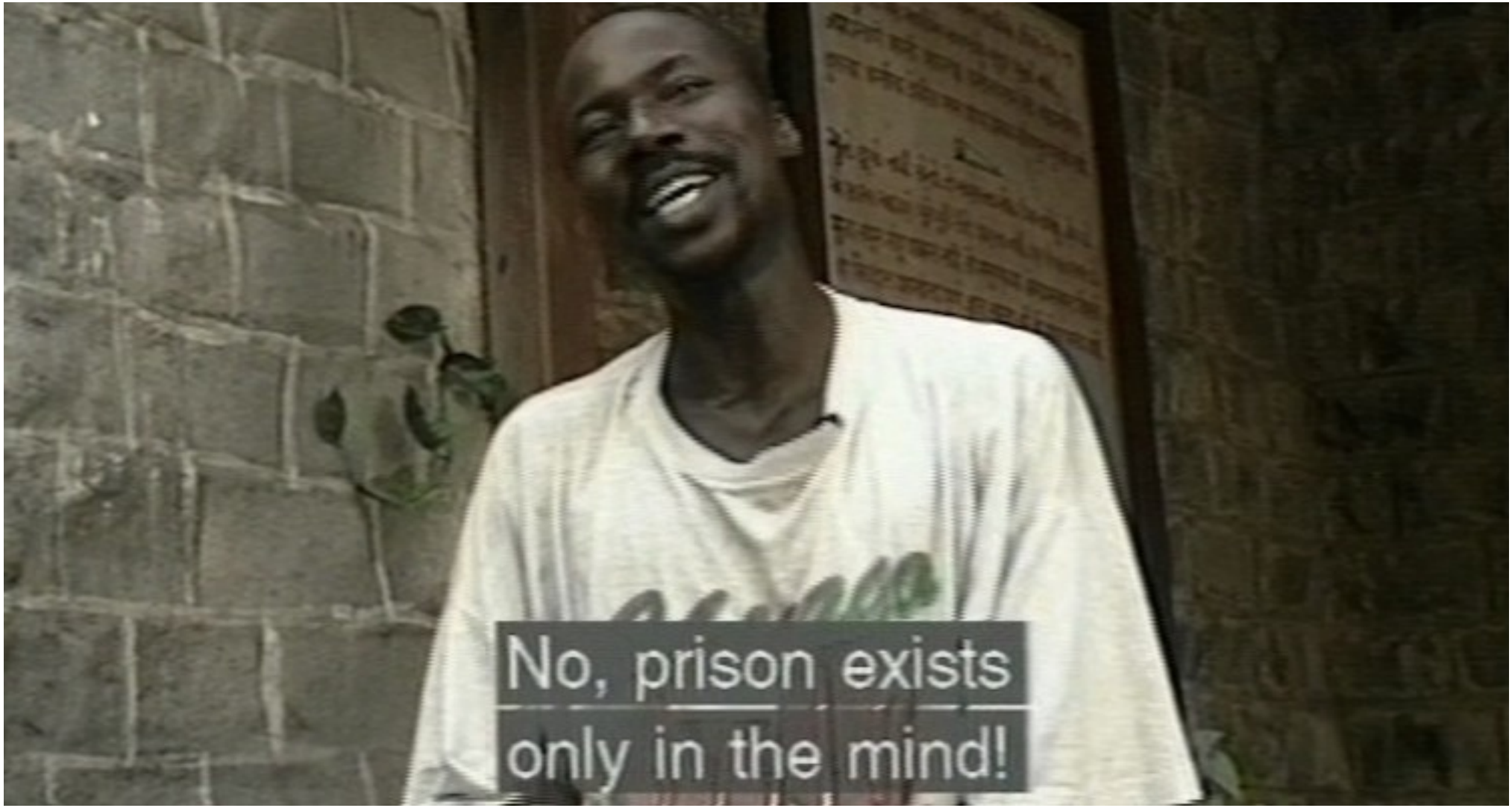

On Whose Behalf? Ethics in Indian Social Documentary Film and Practice

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Feature image: Harrison Cudjoe in *YCP 1997*.

> *"Prison exists only in the mind. Who isn't in prison? It's only a matter of a larger prison or a smaller prison."*
> *Harrison Cudjoe, prisoner and documentary subject, YCP 1997*

Socially marginalised groups and individuals feature prominently in Indian social documentary, a form concerned with transforming public attitudes, policy and social relations. Inclined to focus upon the activist impulse of these films, practitioners and scholars have largely overlooked the relationship between filmmakers and film subjects, in favour of the political positions and debates raised in these works. In their early realisations during the 1980s, Thomas Waugh viewed them as forms of Third Cinema, committed to Third World social and political struggles. (1) Since then, Manju Pendakur has described independently made Indian documentary films as the "voices of sanity, tolerance, and resistance" amidst a cacophony of fundamentalism, fascism, and greed." (2) In popular opinion, this cinema is seen as providing a space for debate around vexed issues in contemporary India such as those of livelihood, citizenship and identity. Within this critical schema, emphasis upon the political content of films, not only in the context of Indian social documentary, but more generally in relation to activist and social documentary, overshadows considerations of ethics and the organisation of the filmmaker-film subject relationship. For instance, discussion around social documentary film – whether specifically related to Indian subjects and social conflicts such as *Pink Saris* (Kim Longinotto, 2010), *Tomorrow We Disappear* (Jimmy Goldblum and Adam M. Weber, 2014) and *Bitter Seeds* (Micha Peled, 2011), or more broadly to global poverty and social deprivation such as *Payday* (Frederick Scott and Nicolas Jack Davies, 2014) – is contained within the scope of each film's knowledge claims and representation where the virtuous intention of the filmmaker is taken as an index of ethical conduct.

In this article, specifically in the context of Indian independent documentary, I attempt to draw ethics into the domain of criticism, and in particular, reflect upon the relationship between documentary ethics, inquiry and film form. I will examine documentary ethics through the practice of two independent documentary filmmakers that take as their subjects some of the most vulnerable and marginalised groups in Indian society: Dalits (ex-Untouchables) in *Seruppu* (2006) and long term incarcerated prisoners in *YCP 1997* (1997). While filmmaker Amudhan RP singlehandedly made *Seruppu*, *YCP 1997* is directed, filmed and edited by the filmmaking partnership of Anjali Monteiro and KP Jayasankar. (3) Each film, through a combination of informal conversations, interviews and observed events, creates a powerful narrative that argues for social justice and dignity for its subjects. At the same time, what makes these films notable is the way in which ethics play a central role in how the filmmakers organise their inquiry as well as the form of each film. By incorporating elements of the filmmaker-film subject relationship within the narrative, both films offer particularly useful ways to observe how ethics, in addition to political inquiry, play a constituent role in determining the rhetoric and form of documentary films. Specifically, both works, and the respective practices of the filmmakers, offer a particularly productive way to study the notions of obligation and vulnerability, both of which are central to discussions of filmmaker-film subject relationships in documentary ethics. Finally, I will also discuss the ways in which ethical obligations towards the viewer are discharged through the consideration of reflexivity in both the films.

In the Indian context, ethics assumes great importance in independent or non-institutional documentary making, where filmmaking practices are not subject to mandated ethics clearances, consent protocols or privacy agreements. Instead, relationships are primarily constituted in complex negotiations between individuals, through the prisms of personal values, beliefs and objectives. The near absence of industrial production houses in India's independent filmmaking world is a significant factor, as it places ethics obligations and responsibilities upon individual filmmakers. In the absence of prescribed indus-

try practices, ethics constitutes a sphere of multi-dimensional and project specific relationships between the filmmaker and the film subject. Thus my inquiry into ethics is conducted through a textual analysis of the films and interviews with individual filmmakers, who are responsible for determining their personal ethical conduct. (4)

Ethics in documentary studies is concerned with two primary areas; the unequal distribution of power in the filmmaker-film subject relationship, and the provision of methodological information to the spectator to facilitate critical and reflective viewing. Power, it is often argued, is concentrated with the filmmaker and acts of filmic representation have the potential to open up the filmed subject to an invasion of privacy, embarrassment, voyeurism, misrepresentation and various types of public harm. Brian Winston goes so far as to propose that above all else, including the viewers' "right to know," documentary filmmakers have a primary responsibility towards the wellbeing of the filmed subject. (5) Insofar as Brian Winston argues for power to be understood as concentrated in the documentary filmmaker, this argument potentially obscures a range of factors that determine any inter-subjective relationship. In Winston's schema, the agency of the subject is subsumed in the notion of his/her vulnerability, leading to the danger of a simplified, singular understanding of what are negotiated, contingent and bi-lateral human relationships, a point that becomes evident in the analysis of the two films discussed here.

The filmmakers

Filmmakers Anjali Monteiro and KP Jayasankar share a personal and professional partnership. Based in Mumbai, both are experienced media academics and have made nearly 40 documentaries together since 1987. Their films cover a range of issues related to identity, the environment, gender politics, and subaltern urban cultures.

(http://sensesofcinema.com/assets/uploads/2015/09/2.-Filmmakers-KP-Jayasankar-and-Anjali-Monteiro.jpg)

Filmmakers KP Jayasankar and Anjali Monteiro

Amudhan RP is best known for his films about caste and social discrimination – *Shit* (2003) and *Notes from the Crematorium* (2005) – as well as his trilogy about the anti-nuclear movement in Southern India – *Radiation Stories Part I, II and III* (2010–12). Based in Chennai, Amudhan is the founder-organiser of the Madurai Film Festival and the Chennai Film Festival on Democracy, and has established an informal network with grassroots people's groups to screen documentary films beyond the metropolitan circuits.

All these filmmakers come from backgrounds in community video making, and through their films attempt to bring socially relevant issues into the public domain, with a view to changing social relations. They hope to impress upon the viewing public the persuasive nature of the claims made by the film subjects and thus create a rationale for our concern and attention towards the subjects and the represented issues.

At the same time their concern with ethics renders their films particularly useful for asking questions around issues of obligation and responsibility. Who amongst the viewer, the artist and the subject assumes the greatest importance in terms of commanding the filmmaker's ethical obligations? To what extent do the filmmakers consider sharing creative control as a demonstration of ethical conduct?

Obligation

Obligation in relation to documentary practice is a contested area. According to Pratap Rughani, documentary filmmakers are often caught between a duty towards the wellbeing of their subjects, the viewer and their own independent artistic vision. (6) While Monteiro and Jayasankar, and Amudhan, agree upon general protocols such as "protect the vulnerable," each, at the risk of opening their films to criticism from viewers, demonstrates a primary obligation to their film subjects. The obligation towards the film subject, in my contention, reflects elements of the "Same-Other" ethical philosophy of Emmanuel Levinas that steers the filmmaker towards profound concern for the "spontaneity" of the Other. Rather than adhering to conduct that responds to a universalised understanding of right or wrong, Levinasian ethics, according to Elena Loizidou "puts aside considerations of duty or calculating concerns" to act without ego towards the alterity of the other. (7) It is this emphasis upon the other's alterity or distinct consciousness that restricts the filmmakers from opening up particular textual relationships of judgment and voyeurism between viewers and film subjects – values evident in Monteiro and Jayasankar's *YCP 1997*.

YCP 1997 is a film that emerged from the filmmaker's long-term interest in prisons and the public stigma attached to prisoners. The medium length documentary focuses upon four prisoners – three of who write poetry, and one of who is a classical musician. All are incarcerated in Pune's Yerawada Central Prison. Resisting the urge to emphasise the facts and claims around the individual criminal cases, the narrative is shaped by the philosophical approach to freedom contained in Cudjoe's quote at the beginning of this article. The filmmakers' focus upon the emotional and sensory deprivations of incarceration determines the treatment of the film's subjects, necessitating a departure from an indexical representational regime towards the visual grammar of abstraction and poetics that takes in the play of rhythm, light and shade, personal memory, gestures, emotion and longing. Through its evocative aesthetics, the narrative complicates the boundary between freedom and captivity by suggesting imagination, creativity and expression as the true realms of human freedom.

Two decisions indicate the way in which the filmmakers foreground the wellbeing of their subjects while formulating their inquiry. The first is a crucial omission. Unlike conventional journalistic or human-interest stories, the filmmakers do not reveal the crimes for which the subjects are incarcerated, a silence that provokes curiosity as each new subject is introduced. When I asked the filmmakers the reason behind this omission, Jayasankar explained,

> *We decided not to ask anyone about their crime and many viewers still ask us why we didn't include this information. They suggest that we should have put it next to their names. Our answer is, we all commit crimes – for instance we don't want to be known as tax evaders or digital pirates. (8)*

By choosing to not disclose information that would otherwise satisfy the curiosity of the viewers, the filmmakers discharge an obligation that preserves the "alterity" or symbolic autonomy of the film subject. Alterity in Levinasian ethics is a form of individual autonomy that refuses to be subordinated to the perception of the viewer or the beholder. Instead of assigning an identity primarily defined by each individual's alleged crime, the filmmakers act with a greater concern for the film subject at the risk of thwarting the desire of the viewer. Disclosing the nature of each crime, they believe, also potentially opens up a response of voyeurism, a condition where information instead of extending the thrust or argument of the film, invites the consumption of private knowledge. By excluding this information, the filmmakers depict an exercise of judgement that attempts to de-limit a sensationalist or salacious gaze towards the subject constituted by the knowledge of their criminal past. At the same time, the foregrounding of personal memory, artistic expression and the emotional realm of each film subject, symbolically recuperates each individual as a human subject.

A second instance from the same film demonstrates the ways in which the filmmakers take responsibility for the wellbeing of the subject beyond the formalised realm of informed consent. During the filming of *YCP 1997*, following the building of a trust relationship with the filmmakers, several of the subjects spoke critically about individual members of the jail management. Much of this information, according to the filmmakers, built a strong narrative of empathy and emotion around the hardships experienced by the subjects. However, the filmmakers took the decision to exclude these narratives from the film.

This decision, according to Jayasankar, was taken in consideration of the possibilities associated with the public criticism of authority figures, given that each individual had years of their prison terms left. In assuming responsibilities exceeding the realm of informed consent, the filmmakers' actions raise questions around the validity of informed consent itself. For instance, is consent always fully "informed" by the complete knowledge of unintended consequences? And how do filmmakers exercise judgement when they posses wider knowledge than the film participants?

Following the granting of voluntary and informed consent, the filmmakers' discretion in relation to the prisoners' criticisms of the authorities raises complex questions. While on the one hand it can be read as anticipatory action with the intention of minimising the risk of future harm to the subjects, this decision can equally be interpreted as an exercise of power by the filmmakers. They tread a fine line between exercising caution and over-estimating their own remit on behalf of the film subjects, but the deeper question here revolves around the intent behind their decision.

What this decision reveals, in the first instance, is a concern with addressing the possibility that consent may not be fully "informed" given the extreme emotional vulnerability of the subjects, combined with an unclear estimation of the consequences of making this information public. Taken at the risk of diminishing the affective elements of the narrative, the decision opens up the film to pointed criticism around simplification and heavy-handed intervention. Nevertheless, while the decision is debatable, it demonstrates the operation of a belief that takes into account variables such as power imbalances, contextual information and consequences beyond the formalised procurement of informed consent. At the same time, far from ignoring the concerns of the film subjects, the filmmakers extend support in material and substantial ways – an area to which we now turn.

Monteiro and Jayasankar work with socially marginalised groups whose vulnerability arises, among other things, from a lack of social and economic capital. Their discharge of obligation towards their film subjects, which includes a range of material support, brings to light a view of documentary practice as social participation, extending beyond the symbolic remit of raising awareness or generating public debate. In so far as individual films are concerned, Brian Winston is unequivocal in his belief that despite decades of films about a variety of social issues, these very issues continue to persist in society. (9) Documentaries, he believes, are unlikely to bring great change to the life conditions of the film subject. In contrast, film circulation, exhibition and critical acclaim in all likelihood brings symbolic and substantive benefits to the documentary filmmaker. Acknowledging this limitation in documentary's social efficacy, I believe, is vital if documentary filmmakers are to truly commit to decentring their moral authority in the filmmaker-participant relationship.

A small but significant action by Jayasankar and Monteiro reflects the way in which they seek to address this issue. Upon the completion and screening of *YCP 1997*, the prisoner Harrison Cudjoe approached the filmmakers with a request for assistance with his legal defence. Cudjoe had served eleven years at Yeravada Central Prison without conviction while under trial, and hoped to involve the filmmakers in mounting a new defence. Anjali Monteiro recounts the events;

> *Harrison asked us to help him with his case. He didn't have any case papers or documents but he had the name of the lawyer of the co-accused. We tracked this individual, found and photocopied the papers and requested a lawyer friend, who appeared for Harrison. He was acquitted in January 1998 for an offence he had been under trial for since 1986. Harrison started calling us his foster parents. (10)*

Two paradigms become apparent in this response. First, that the filmmakers define their film practice as a form of personal endeavour whose parameters are determined not by industrial codes, but by assessing real and present sets of circumstances. Second, their actions gesture towards the filmmakers' belief that documentary making is part of a broader set of practices including activism, advocacy and other material forms of participation linked to social interventions. Extending beyond the ethics of fair representation and documentary practice, the filmmakers' conduct signals a broader historical and social understanding of ethics as an obligation towards the reorganisation of inequitable social capital.

Vulnerability

Vulnerability in the context of documentary ethics has predominantly been used to describe the subordinate position of the subject in relation to the power and resources of the filmmaker. In the context of participants, vulnerability becomes apparent in narratives where particular dimensions of the subject's life or personality may be aesthetically re-organised to highlight, for instance, drama or sensation. An example is the documentary *Stolen* (Violeta Ayala and Dan Fallshaw, 2009). The protagonist Fatim Sellami and community organisations jointly denounced her representation as a slave, arguing that Sellami's words were deceptively edited and mistranslated to create a sensationalist impression of rampant slavery in the Algerian refugee camps in which the film is set. In its broadest sense vulnerability as a state of being results from the handover of control and the displacement of agency, a possibility that exists in any inter-subjective relationship.

Vulnerability also becomes relevant in circumstances where documentary filmmakers assume moral obligations to demonstrate their genuine commitment towards the wellbeing of the subject. Kate Nash draws upon Levinas to illuminate filmmaker-subject relationships and brings in the important dimension of "vulnerability" in relation to the filmmaker. (11) In addition to their moral duty or responsibility towards the subject, Nash suggests that filmmakers themselves become vulnerable when they are "captivated by an obligation to take responsibility" in order to prove worthy of the subject's trust. (12) Insofar as independent practice is concerned, this area is especially significant as industrial or professional obligations are displaced by filmmakers' personal commitment to particular social issues, communities and individuals. Often films emerge from an extended duration of research, inquiry and contact between the filmmakers and film subjects, granting each cinematic site a unique value that is particular rather than replicable or transferable.

Extending the notion of vulnerability into the symbolic domain, activist filmmakers are seen to render themselves vulnerable by virtue of their personal investment in the realisation of their film project. The making of Amudhan's feature documentary *Seruppu* (2006) is a case in point. *Seruppu* is grounded in the filmmaker's political participation in the anti–caste movements of the 1980s in Tamil Nadu, Southern India. Filmed in extended and close proximity to the community over a period of 40 days, the film mounts evidence of the historical discrimination and injustice faced by the Arundhatiyar (ex-Untouchable) cobbler community of Dharamanathapuram, Tiruchirapalli. Comprising informal and often chanced upon conversations between the filmmaker and community members, rather than re-arranged or staged events, its largely handheld camera work responds to the pro-filmic. Determined not to portray the community as victims, the narrative devotes considerable attention to traditional skills, community history and the organised structure of community life – dimensions that resist spectator responses of pity.

(http://sensesofcinema.com/assets/uploads/2015/09/3.-Seruppu.jpg)

Seruppu

The vulnerable position of the filmmaker becomes evident in the events that followed Amudhan's initial approach to the community with his proposed documentary. The community members were enthusiastic but their consent became contingent upon their approval of Amudhan's political credentials. In order to fulfil their requirements, Amudhan organised a public screening of *Shit*, his film that militates against the practices of caste-based livelihoods, in particular that of manual scavenging, a task socially assigned to the ex-Untouchable or Dalit individuals. It was only after his political sympathies and unequivocal political position against caste-based discrimination had been established that Amudhan was granted, he claims, the "freedom and responsibility to represent the aspirations of the community." (13) Amudhan reflexively includes this mediated entry in the film narrative, where it is recounted by an on-screen subject to an acquaintance.

Opening themselves to judgement, approval or criticism from the film subject, the desire to prove worthy of the subject's trust redistributes power in complex ways. Not unlike the process that filmmakers employ to select appropriate film participants, the demands of the subject expose the filmmaker to a measure of judgement and evaluation. If denied access, the filmmaker risks the erasure of the project, or worse, the disapproval of a community, the responsibility for whose social wellbeing the filmmaker has undertaken through the symbolic means of making a documentary film. The filmmaker therefore becomes vulnerable in order to meet obligations towards the Other, as well as to prove their worthiness as the translator of the narratives of the selected community for the wider public.

Later, at the editing stage, the condition of vulnerability is once more foregrounded, when Amudhan makes a decision to share creative control over the final cut of the film. Sharing the right to final cut is a contentious area in documentary practice, where filmmakers often wish to retain authorial and artistic control while constructing ethically sound representations. Bringing the rough-cut to the community in a direct, unmediated manner, invites a range of critical views and opinions about the film, and in the process redistributes Amudhan's symbolic authorial power amongst the film subjects.

From an initial duration of 122 minutes, Amudhan, through a process of community consultation, shaped the current 75-minute version of the film. In this sharing of editorial control, the filmmaker once more becomes vulnerable, and open to questioning regarding creative decisions, representation, and, more importantly whether the film is likely to achieve the objective of change sought by the community.

The opportunity to demand proofs and evidence of the filmmaker's credentials gives the subject a measure of power, and indicates the way power is mobile and responsive to the relative strength of individual desires. In submitting to the terms of trust demanded by the Arundhatiyar community, Amudhan's actions reorganised power such that the objectives and desires of both the director and the subjects determined the final form of the film. The interaction also shows the ways in which the political consciousness of an activist and socially minded filmmaker takes into account not only historical issues, but representational regimes and cultural politics, an area equally shaped by the exercise of power and capital.

Reflexivity

> *I feel reluctant to expose myself as nothing much has come my way. I've become allergic to the camera.*
> *Harrison Cudjoe in YCP 1997*
>
> *Older Arundhatiyar Man: "You are taking my interview, will there be some help for us?"*
> *Amudhan: "Yes, with this film, we can document your life, people who can help will come to know about you, you can make use of them later.*
> *Old Man: "So there is no help, finally it is an advertisement, you are making an advertisement that people are suffering."*
> *Conversation from Seruppu*

Reflexivity or "purposive" self-awareness, according to Jay Ruby encourages spectators to understand film process and thus engage critically with documentary claims of truth and objectivity. (14) Once the process of construction is disclosed, instead of claiming objectivity or truth, the documentary filmmaker acknowledges his/her position as an organiser of meaning. Reflexivity, or the revealing of the film process, is primarily aimed at the ethics of viewing, where additional elements of the film become available for evaluation and interpretation by individual viewers. By undermining the claim to authentic-

ity, reflexivity also raises doubts about the very process of documentary communication, widely considered a discourse of facts and information. In his extensive discussion of reflexivity, Bill Nichols interprets it as a political aesthetic, which agitates against "the ability to provide persuasive evidence, the possibility of indisputable argument, the unbreakable bond between the image and that which it represents." (15)

In this final section, I turn to the filmmaker-spectator relationship, an area of critical and valid concern evident through the textual organisation of both the films. *Seruppu*, through the off-shot audio presence of the cinematographer-filmmaker Amudhan, and *YCP 1997*, through several references made by Harrison Cudjoe to his participation in the film, indicate that there is more to reflexivity than merely revealing the constructed nature of each film. Expanding the notion of reflexivity, both works include statements where individual subjects convey a sense of futility around documentary participation, an element that functions as a form of reflexive critique within each narrative.

The ambivalent sentiment expressed in the statements quoted at the head of this section is accepted rather than interrogated by the filmmakers, but by virtue of their narrative presence, these utterances draw attention to, and work towards undermining, historical notions of authority invested in the documentary form. In so far as social documentary is concerned, in the post-colonial Indian context, it occupies a privileged public position, derived from a national history of Griersonian public utility documentary. Produced by institutions including government bodies, educational institutions and NGOs, documentary occupied and continues to be seen as a medium of social communication, adapted to suit the purposes of state building and social development. On the other hand, independent documentary has performed as a site of critical social and political discourse, by agitating on behalf of those involved in struggle against injustice. In these narratives the filmmaker typically assumes the singular authority of making an analytical argument supported by multiple proofs such as location shooting, and eyewitness or testimonial accounts of individuals. In both forms, the speaking position of the filmmaker, as well as the constructedness of the documentary, are unavailable for consideration, thus bestowing authority upon the film, not unlike that of a legal or scientific text.

While the assumed position of public orator is frequently critiqued by Indian documentary filmmakers who choose to work with personal styles of filmmaking, reflexive critique strives towards new viewer relationships with the social documentary form. In choosing to disclose a self-critique and gesturing towards the dissonance between the beliefs of the participant and those of the filmmaker, the works in question invite the viewer into a dialogue, which cannot be resolved simply within the narrative space of the film. By refusing to conclusively respond to the doubts raised by the participants, the filmmakers decentre their authority and transfer it to the viewer, in an invitation to participate in the argument. The refusal to assimilate the contradictions into a singular narrative presents the viewer with the opportunity to bring their subjectivity to the matter and take cognisance of their responsibility as viewers and citizens. By making available, as Ruby contends, material additional to the narrative thrust of the film, the filmmakers open up a space of reflection and evaluation, central to the ethic of viewing.

Conclusion

In this article, I have presented instances from non-institutional independent production environments, where ethics has played a determining role in the ways that a documentary field of inquiry, representational grammar and argumentation are organised. While the consideration of ethics is not central to the narrative of social documentary films in the Indian context, where historical issues and political theses determine the cinematic arguments being prosecuted, the two filmmakers presented here offer an alternative that incorporates ethical considerations into their practice, as well as the film narrative.

This permits a way of viewing documentary practice not only as a form of industrial cultural production, but a form concerned with the very nature of documentary participation, where participation itself attempts to bring about a redistribution of power and the possibility of material benefit. While all the independent filmmakers discussed here pursue political and social reorganisation, the actual nature of the filmmaker-subject relationship, in the form of sharing editorial control, or the provision of material aid, also addresses criticism of social documentary as a form of Griersonian liberal oratory.

Specifically through their misgivings about the practice of informed consent, and their favouring of a situated and intuitive process of decision-making, Monteiro and Jayasankar depict a substantial critique of the ways in which informed consent forms the bedrock of industrial documentary ethics agreements. As independent filmmakers, working outside the purview of legally enforceable criteria, these filmmakers nevertheless demonstrate a commitment to the wellbeing of the subject that takes into account a wide range of anticipated and future consequences of participation, rather than a primary concern with minimising the possibility of legal liability or disputation.

At the same time, moving beyond the realm of historical content, the filmmakers present opportunities for reflective spectatorship, aimed at the construction of not only socially aware publics, but also analytical and critical publics. Crucially, reflexive critique distinguishes independent documentary from historical institutional documentary cinema as well as contemporary television and satellite documentary, where the spectator is invited to consume narrative with minimal reflection upon its construction. Through the incorporation of reflexive critique, these independent filmmakers disrupt patterns of uncritical media consumption, a vital practice in the moving-image dominated Indian cultural landscape of today.

Endnotes

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