Film Studies

SAMPLER

INCLUDING

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Rates of Exchange
Human Trafficking and the Global Marketplace

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Introduction[1]

Since 1992, the world has witnessed significant geopolitical shifts that have exacerbated border permeability. The fall of the "iron curtain" in Eastern Europe and the consolidation of the transnational constitutional order of the European Union have facilitated transnational movement and given rise to fears of an encroaching Eastern threat, seen in the Polish plumber of a UKIP[2] fever dream. Meanwhile, global business and economic expansion, granted renewed strength through enhancements in communication and transportation technologies as well as trade policies implemented through international financial institutions, have increased demand for overseas resources of labor, goods, and services. This is not so much a new phenomenon, as a rapidly accelerating one.

In the wake of these changes, there has been a resurgence of human trafficking films, many of which readily tap into the gendered and racialized aspects of the changing social landscape (Andrjasevic, 2007; Brown et al., 2010). The popular genre film, *Taken* (Pierre Morel, France, 2008) for instance, invokes the multiple anxieties in a story of a young American girl who visits Paris only to be kidnapped by Albanian mobsters and auctioned off to Arab sheiks before she is rescued by her renegade, one-time CIA agent father. These narratives of subjugation and confinement followed by repatriation or death dramatize the fantasy of managing the unruly wandering body of economic migrants. Meanwhile, the frame of explicit criminality provides comfort by delineating movement and identifying offense, offender, and (errant) victim. Further reassurance comes as these dramatizations celebrate the capacity of cinema to visualize the unseen paths and to manage this new,

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complicated landscape. In a manner, the film enacts the strict border maintenance and social policing recommended in response to the social panics around sexual slavery that surface alongside the surges in globalization (Kempadoo, 2011).

Conversely, the documentary, invested with epistemological and ontological authority, contributes to this cycle with films that intentionally complicate the landscape. They visualize the many cultural flows of people, technology, and capital (or "ethnoscapes," "technoscapes," and "financescapes" – to use the suffix that identifies the varied, uneven, and socially imagined aspects of these flows). And in doing so, many also recognize the global landscape "as a complex, overlapping, disjunctive order" (Appadurai, 1990: 296) which has outgrown the simple formulations and binarisms and defies a straightforward resurrection of borders.

In their exploration of human trafficking, these films locate the disjunctions, inequities, and lived challenges of the new global order. Defined as the "recruitment, transportation, transfer, harboring or receipt of persons … for the purpose of exploitation [including] … prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery" (UN Protocol on Traffic, 2000: Article 3a), human trafficking invokes the intersection of human movement and trade. While dramatic features center on the ethnoscape as territory in need of management, the documentaries call attention to the economic underpinnings, presenting the intersecting ethno-, finance-, and technoscapes that inform global enterprise. In doing so, they not only animate the complexities of economic globalization, but they also highlight the injustices that take place in the interstices – those zones where licit and illicit economies overlap and test human trafficking's definitional borders.

The disruptive cartography is further enhanced by an engagement with the genre hybridity that inheres to the documentary mode. The task of representing reality has been long fraught and explored in documentary scholarship, or as Michael Renov notes, "Every documentary representation depends upon its own detour from the real, through the defiles of the audio-visual signifier" (1993: 7). Although far from unclassifiable, some of the films play with the expectations of generic distinction, highlighting the fictional elements of the documentary or the documentary elements of a fiction. Thematically and formally, then, they call attention to the instabilities of border control, lifting the topic of human trafficking from a frame of pure criminality and placing it within the common flows of the contemporary global economy.

The Other Europe

In contrast to the narratives of popular European cinema that agonize over the encroachment of the East, the documentary *Det Andet Europa* (*The Other Europe*) (Poul-Erik Heilbuth, Denmark, 2006) argues that far from posing a domestic threat, undocumented workers play a fundamental and inextricable role in the European economy. To address this topic, the filmmaker deploys two distinct strategies. First,

Heilbuth focuses on Spain's many greenhouses, which grow vegetables that are then sold in supermarkets throughout Europe. He interviews employers and government officials who concede the centrality of clandestine workers to the economy; the cost of employing a European is prohibitive – even if Europeans would be willing to take these positions, which they are not. He also concentrates on the African workers and their stories of dangerous passage and living conditions. Having braved death, many now endure separation from their families to whom they send the bulk of their wages. According to the director, this income plays a significant role in the revenue of developing nations – more so than aid from the West. These testimonies, combined with the consumable data of numbers and statistics, outline the unofficial flows of labor, people, and finance.

As if to underscore the overlap of these circuits and the prominence of a shadow economy, Heilbuth incorporates a re-enactment of the 2004 Morecambe Bay disaster in which 23 Chinese cockle-pickers lost their lives in what is considered to be one of Britain's worst industrial accidents. Threading this fictional component through the documentary dramatizes the dangers the African laborers describe and confers vivid urgency to a hidden topic. At the same time, these fluctuations between re-enactment, the fictive element that illustrates testimony, and the more popularly accepted documentary features of eyewitness testimony and observation mirror the instability of borders within the many scapes of the global economy. Later, Heilbuth visits China and the families of the victims, finding poverty and grief: the sources and outcomes of migration and undocumented labor. If there is a Europe endangered by this immigration issue, it is the other Europe Heilbuth presents onscreen.

Nick Broomfield's *Ghosts* (UK, 2006) draws on the Morecambe Bay disaster in order to explore similar themes. However, instead of a documentary that relies on re-enactment, Broomfield – known principally as a documentary filmmaker – relies on documentary conceits within a fictional feature film that is more inspired by the tragedy than directly based on it. Long takes, a hand-held camera in social space, and video contribute the formal register of realism and highlight the more mundane elements of labor. For the filming of the work sequences, whether in the poultry processing plant, the orchards, or the fields, Broomfield opted to film days of work. The shooting strategy mimics the observational documentary, allowing for the inclusion of the non-cinematic moments of staring, awkward silences, and even boredom, all of which are part of a day's work. This strategy results in the depiction of the liminal moments that are so familiar, and yet typically absent from the spectacle of popular cinema, not to mention consumer consciousness. In this way, the patience of the observational mode recovers the disarticulation of worker, work, and product, creating a site of multiple scapes, performing a unity that combats the alienating elements of global capitalism. These flows are not distinct and separate, but features of this larger map.

Improvised dialogue and the use of non-actors may confer authenticity, but perhaps more importantly foster an encounter of documentary and drama that lays a conceptual foundation for the overlapping and intersecting flows of people and finance. Ai Qin Lin, a former undocumented worker, plays a version of herself in the

protagonist Ai Qin from the Fujian province. The performance engineers an occasion for her own testimony of a hidden experience as it also allows, through the performance of a self that is not the self, the enactment of the uncertain status of the clandestine worker within policy and industry. These generic border-crossings recall other passages across shifting scapes and permeable boundaries. Moreover, they gesture to the intersections of the criminal and the mainstream, where financial bondage and coercion underlie even the most seemingly legitimate economies.

Smuggled into the United Kingdom in order to provide for her family back home, Ai Qin is bound by debt to snakeheads, living in filthy and overcrowded quarters and made to work long hours for below subsistence wages by the recruitment company. Her marginalization persists despite her key function in the European economy. In one scene, Ai Qin and her colleagues enter Tesco to shop for dinner; there they see the bundles of spring onions – likely the ones they had picked and prepared earlier that day – that are priced beyond their budget. The sequence stages an encounter of the invisible workers with the fruits of their labor on the turf of the benefiting corporation, making manifest the relationships that go unseen. Unable to make enough money to repay debts and support their families, the workers are driven to seek out increasingly dangerous forms of work, and in the case of *Ghosts*, this is represented through the evocation of a horrific industrial tragedy. This terminology ("industrial") is essential for recognizing the place of this tragedy within a larger framework of Britain's economy and the expectations of health and safety protections within the workplace. Exposing the range of threats faced by illegal immigrants, Broomfield refuses a view of globalization through the lens of stricter border management – generic and geopolitical – as he opens questions about obligations within industrial practice.

The twin documentaries *Fra Thailand til Thy* (*Love on Delivery*) and *Fra Thy til Thailand* (*Ticket to Paradise*) (Janus Metz, Denmark, 2008), and *Otan erthei i mama gia ta Hristougenna* (*When Mother Comes Home for Christmas*) (Nilita Vachani, Greece/India/Germany, 1996) further engage and trouble the boundaries between the official and unofficial in films that visualize the collision of global flows taking place within the domestic sphere.

Early in *When Mother Comes Home for Christmas*, Josephine Perera, a Sri Lankan housemaid, cares for her European charge as they sit together in a flat in Greece before a television playing the American soap opera, *The Young and the Restless* (CBS-TV, 1973–2009). With understated eloquence and efficiency the scene presents the interconnection and overlap of ethnoscapes and mediascapes that undergird the documentary. Having finally secured a work visa in Greece, Josephine is able to return home and visit the family she has not seen in eight years. Following Josephine on her journey, the documentary offers a look at the national practices of exporting labor and the unseen human costs arising from the uneven distribution of global capital. The resulting disparity is not only financial but emotional as well. As an observational documentary, the formal elements are more traditional than the former examples. And yet, the film, with its relative absence of filmmaker presence and standardized talking head interviews, carries the impression of a scripted

narrative. This does not diminish the truth-claims, but rather, enhances the presentation of a world hidden within another landscape.

The film opens with Josephine praying in a Greek church for her family's well-being and for a house they might one day share. Her catalogue of hopes is interrupted by informational titles that expand on the implications of these domestic dreams and are intertwined with national financial operations. Almost one out of ten Sri Lankans work abroad as the local economy "depends on the export of labor," an export that has since exceeded that of tea in earnings. The titles continue: "70% of women workers are housemaids in foreign lands. They send their earnings to families left behind." This seemingly informal labor economy has institutional and national underpinnings, revealed in the presence of the Sri Lanka Bureau of Foreign Employment (SLBFE). According to its website (SLBFE, n.d.), the bureau "has given the highest priority to prompting [*sic*] foreign employment and maintains a database that lists jobs available by country and by local recruiting agent." This public corporation, operating under the jurisdiction of the Ministry of Foreign Employment Provision, finances itself through the fees and commissions paid through recruitment agencies, thereby positioning itself as a legal hub for trade in human resources. The bureau regulates services, provides training, aids in visa acquisitions, and "[protects] foreign migrants"; protective measures include the monitoring of recruitment agencies, the provision of safe houses, and scholarship funds for the children of migrants.

"Our Concern Today, Your Well Being [*sic*] Tomorrow!" reads the bureau's curious slogan, which overflows with potential meanings. At first glance, the motto promises local workers jobs that can bring financial well-being to them and their families. Read as a promise to recruiters, this can take on a grimmer cast: The national concern of an impoverished population can be transformed into the well-being of the foreign employer. Broader interpretation suggests benefits to the economy through the circulation and exchange of products and goods, human and otherwise. As Josephine prepares for her trip home, making purchases for her family, a song produced by the SLBFE plays on the soundtrack. "How lucky I am to live in a foreign land … Return home with treasures for everyone," a woman sings. This combination hints at the possibilities of this economy and draws attention to those that benefit: a larger global exchange economy beginning with the companies that find even more consumers for their products, and a national economy that finds additional sources of revenue. Local development appears as well: Josephine has helped her son, Suresh, to buy a bus to build his own transportation industry, an alternative to the government transit system and to a private competitor who runs a fleet of eight buses.

The depiction of the SLBFE and its training schemes indicates the institutionalization of an informal economy. The women learn how to vacuum, bake, clean, and prepare a European tea service. In a more provocative instant, they are trained on how to use condoms, a hint at sexual encounters, wanted or coerced. The sequence begins with the lecture and demonstrations by the instructor, before leading into the tinny notes of a recorded lecture. The disembodied voice charges the housemaids to be clean and tidy, whether working or not. It encourages, "Show your

master or madam that you are working hard … If they see you working hard, they will be very happy. Your future will be a great success." Editing connects this sequence in Sri Lanka to Josephine's life in Europe. As the lecture plays, a housemaid trainee cleans with the other trainees standing in the reflection behind. A match cut joins them to Josephine, alone, in Greece, framed and boxed in by the mirror she wipes down. The army of Sri Lankan housemaids is invisible in this European picture. There may be success to come, but from the start, the cost is implied in visions of isolation and exile.

Supported by the government, this domestic export of foreign labor would seem to fall outside the definition of trafficking, which brings to mind force, captivity, and slavery. Yet not only do financial and state pressures exert their own forms of coercion, asking one group to sacrifice for the freedom and comfort of others, but there are also significant risks involved in this legal trade. In 2012, Human Rights Watch praised the establishment of a global labor standard, noting a decade of reports of "pervasive abuses and labor exploitation, including excessively long working hours without rest; unpaid wages for months or years; forced confinement in the workplace; food deprivation; verbal, physical, and sexual abuse; and forced labor including debt bondage and trafficking" (Varia and Becker, 2012).

Although reports of abuse and enforced servitude lurk at the margins of *When Mother Comes Home for Christmas*, there are clear indications of the disparity of treatment. According to Josephine, a Sri Lankan housemaid in the Middle East earns $100 per month whereas in Europe, one earns $500 per month. Her experience, as it turns out, is perhaps closer to these circumstances than the film indicates. The SLBFE does not have any trade agreements with Europe, and negotiates primarily with the Middle East and East Asia. Josephine, who was working illegally in Greece until shortly before the film, had initially gone through the SLBFE to Kuwait on a two-year contract. While there, she managed to pay a ring of smugglers to take her into Greece. Her story becomes one of the few success stories of this trade in people. Her employers, who were "influential and connected," helped Josephine procure a work visa by getting her papers as a trained nurse.[3]

Even as a rare success story, it is one suffused with sacrifice and struggle: returning home is a rarity, and her family suffers in her absence. Shortly after Josephine is introduced as one of Sri Lanka's primary exports, the film argues for an emotional economy tied to the financial and global one. Josephine's son Suresh may enjoy more clear benefits, but her younger son Suminda stays in Bosco Boarding and Orphanage in Hatton, Sri Lanka. A heartbreaking sequence animates the dramatic disparities in a capital of care as it compares Josephine's daily tending to her charge, Isadora, with the stark existence of Suminda in Sri Lanka. In Greece, Isadora lies on a soft bed, soothed by soft pastel colors and surrounded by giant stuffed animals. She says her evening prayers in the gaze of a loving father, and the doting Josephine. Back in the Sri Lankan orphanage, a group of boys stand in darkness as all their voices join in unison to read out their evening prayer, one whose words are grim even in the best circumstances ("if I should die before I wake …"). The depictions of morning activities maintain the stark comparison. The boys move about in an echoing dark space

surrounded by walls made of stone, each component contributing to a portrait of a cold and austere life.

The contrast continues in a scene illustrating Isadora's morning routine. She is sprawled across her bed as a fluffy cat leaps up to join her. Josephine enters and softly strokes the girl's back, whispering at her that it's morning, and time to wake. In the bathroom, Isadora splashes in the tub, chattering to Josephine, and basking in the joys of this one-on-one attention. Things are not so kind at the orphanage, where the boys gather in a dark room, pouring jugs of water on themselves as they are chastised for talking. They dress behind a wire barrier whose actual function is unclear but whose cinematic function is not. Here we find the captivity and callousness that come in this legitimate economy of human servitude. Moreover, Suminda is not alone in this orphanage; his peers directly address the camera, introducing themselves and stating where their parents now work and in what capacity. Yes it's a boarding house, but also an orphanage: Whether their parents have been stolen into slavery or are participating in this foreign export system voluntarily, the children at home are abandoned, and longing for their parents.

The final sequence of the film is deliberately open-ended, combining an epistolary voice-over with glimpses of life in Sri Lanka, producing a juxtaposition that communicates the structuring absence of the local economy. Josephine reads a letter to Suresh and his wife, Chooti, over an image of Chooti sweeping the bus Josephine's money has purchased for them. The voice-over notes two weeks have passed since her return, but the days have been filled with work, preventing any peaceful, solitary moments. "My arms ache with all the cleaning. Otherwise, I am well." She laments the speed of her visit, the failure to accomplish her goals, and the time spent bickering. She asks the family to help care for Suminda, as he needs to improve his performance in order to attend a better school. As she reads these last parts of her letter, the camera sits on a train, capturing the movement of continuing departure and hinting at global traffic. Over this scene, Josephine observes, "More and more girls from Lanka cross the borders illegally into Greece and suffer great hardship. I am so lucky to have a visa." This is the bittersweet irony: Josephine is lucky. As an economic migrant, she has secured papers and avoided the slavery faced by many. At the same time, her ambition to provide for her family is met with frustration and suffering, emotional and practical. With sequences such as this, Vachani illustrates the painful personal cost of the global economy and its institutionalized human trade.

Inspired by the proliferation of international marriages taking place in a remote fishing community in North Jutland, the documentary *Love on Delivery* and its sequel/companion piece *Ticket to Paradise* offer a surprisingly gentle examination of a phenomenon upon which flows of people, finance, and labor converge. The depiction of these expedient (yet often affectionate) arrangements places marriage within contexts of sex work, domestic labor, and economic migration. But rather than flatten the landscape, this approach provides a richer and more nuanced understanding of contemporary global flows.

At the center of these transactions stands Sommai, a former prostitute who met her husband Niels in Pattaya, one of Thailand's sex cities where Niels was, by his own

admission, a "sex tourist." Once the sole Thai woman in the region, she has since brokered multiple marriages between lonely Danish men and Thai women looking for ways to support their families.

From the start, marriage is presented as a commercial transaction as Sommai and her husband Niels write an advertisement for her niece, Kae, who seeks a Danish husband. While it could be tempting to read this as a simple lonely hearts advert, the narrative positioning suggests otherwise as interviews reveal the history of the couple on screen. Connecting the writing of this advert to the history of the couple forges an association between sex work, marriage, and a global industry predicated on the movement of people.

Beyond the history of Sommai, traces of sex trade pervade both films, implicitly and explicitly. In a sequence showing the Thai cultural events that have popped up in the region, an observational camera finds the women preparing for the festivities, applying make-up and donning skimpy clothes. Their excitement stems from the diaspora community fostered through such events and from the potential the evening can hold. These evenings function as meeting spaces, a site of marriage brokering as indicated in one Dane's fond recollection: It was at one such event that Sommai first showed him a photograph of her other niece Mong, prompting love at first sight and his decision to make her his wife. (Mong's response is decidedly more cynical, wondering how he could know such a thing.) Meanwhile, the women dance with each other in ways that suggest both the pleasures of the disco and a knowing performance of their sexual appeal for the men looking on. In *Ticket to Paradise*, set in Thailand five months after the end of *Love on Delivery*, the young Saeng meets with Sommai to learn of potential prospects of international marriage. However, when she learns that at 23, she is still too young to migrate to Denmark, Saeng moves to Pattaya to become a prostitute. There she will not only be able to provide for her family, including her young son, but she may, like Sommai, meet a foreigner to marry. The films do not disavow the potential for affection in these unions, but they are nonetheless positioned on the continuum of a (global) trade in bodies.

The films identify this trade in bodies – both prostitution and marriage – as labor by highlighting the training and information exchange necessary in cultivating successful domesticity. *Ticket to Paradise* features women learning Danish in a building labeled "Thai Integration Centre," an apparently formal acknowledgment of the informal marriage economy. Instructors also provide guidance on cultural matters and visa issues. *Love on Delivery* presents training on a more casual level. Women convene to discuss the problems they encounter, such as the challenges of sexual intercourse with Danish men, who are larger than their Thai counterparts. Sommai, however, provides more explicit instruction and management of the potential unions. She teaches Kae Danish phrases, including "Good morning," "Good night," "Does it taste good," and "I have a headache," the latter two indicating the type of domestic work expected of Kae: cooking and company. Sommai explains that a kiss is required with each good morning and good night, and repeatedly tells her not to be "shy," that she is expected to give hugs and kisses. Indeed, this admonishment not

to be shy carries through this film and into the next, where Saeng's friend tells her not to be shy in matters of fellatio and intercourse.

Marital expectations are only one dimension of this labor. When the women discuss their reasoning for the move, they refer to their plans to work in Denmark. They do not simply sell their bodies in exchange for economic support; they trade their bodies for an opportunity to make money to send back home. The transaction encompasses more than the bride and groom as the women strive to provide for their families in Thailand. "I would like a job so I could send money home," explains Kae. Mong outlines this larger goal on her commute to the fish processing plant where she works. Sitting on the bus, she speaks of her Aunt Sommai, who "sent money home to our family." She continues, "I thought of coming to Denmark for a long time until Aunt Sommai got me here. I was sure that my life would be so much better." As Mong speaks, she is visible both in her bus seat and in the window's reflection, an expression of both her possible ambivalence regarding this better life, and her doubled position: She lives in Denmark to provide for her family in Thailand. *Ticket to Paradise* illustrates the fruits of her labor, presenting the different houses that Sommai's financing has purchased. These new model homes stand in contrast to the shacks that are also a part of the small village.

The agency of these women entering an uneasy, but otherwise free, alliance may seem to be in conflict with the basic definition of human trafficking as modern slavery. Associations are further diminished as Metz avoids the more grueling and brutal stories, neglecting the abusive, captive marriages this scenario spurs. And the cases of Thai and Somali prostitutes in Denmark only exist in hints, as when the women complain that Danish men tend to presume they are for sale.[4] Nevertheless, Metz's documentaries present an exchange economy involved in the practice of moving bodies, wherein parties are bonded and where questions of domestic labor and financial dealings sit at the fore. While the transactions carry an affective, and indeed, affectionate dimension, they are intimately tied to the operations that underpin a trafficking economy.

These films complicate the terrain in important ways, not only as texts that give economic (or transactional) value to domestic labor but as texts that open a place for agency in contemporary phenomena of trafficking and migration. These are not stories of innocents abducted and enslaved, whose only relief comes from repatriation. These are more difficult stories, of the bodily negotiations that take place on a global landscape, where one barters oneself for economic security. As Siddharth Kara observes, the risk of sex trafficking in Thailand is tied to cultural obligations of parental caretaking, where women can be sold into prostitution to provide for their families (Kara, 2009). Arranged marriage inhabits the other side of this coin. That genuine affection can also bloom in these arrangements does not dispel the dangers, nor does it dismiss the root causes of poverty and global disparity. The presence of emotion serves to remind us of how very much is bound up in financial and bureaucratic transactions. Lines are not so clearly drawn in this field. This attention to the range of domestic compromises within these global economic operations traces the complex and at times contradictory affinities and expediencies in these arrangements.

Mobilizing Confinements

Movement is prominent in the films discussed so far. Bodies cross borders in various ways. Transit and transition are multiply figured. *Ghosts* and *The Other Europe* address irregular migration as they expose the clandestine integration into mainstream economics. *When Mother Comes Home for Christmas*, *Love on Delivery*, and *Ticket to Paradise* show the import and export of domestic workers that, while not human trafficking, arguably inhabits a space on that continuum. The next set of films takes up another transitional state, delving into the slavery-like conditions of legal enterprise and international policy. In doing so, they recalibrate the portrait of economic globalization as something that confines rather than liberates, and that very possibly ushers in a new set of human rights abuses. In effect, they introduce a laborscape into the realm of cultural flows, depicting the discontinuities, inequities, and increased complications as workers are disarticulated from their labor, held captive within the flows of finance and technology.

Stephanie Black's documentaries explore the national and international financial policies and practices, which mirror old, now illegal frameworks of slavery. *H-2 Worker* (US, 1990) takes its name from the H-2A temporary agricultural program that brings "nonimmigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature" (H-2A, n.d.). *H-2 Worker* depicts the lives of Jamaican and Caribbean workers who come to Florida for six months out of each year to cut sugar cane by hand.

The workers live in overcrowded and dilapidated barracks and receive little subsistence in terms of food, wages, and medical care for workplace injuries. Interviews with workers and company representatives offer contrasting perspectives. In one sequence, men wash in outdoor pumps, hanging their clothes over the balconies of their building. Over this image, the representative of the Florida Sugar Cane League declares that the men's conditions are fully compliant with US regulations. He continues by praising their own efforts to provide Jamaican food for the workers, a statement that reaches for support in an image of a lunch line, each tray slopped with rice. The representative declares that this would not be a suitable diet for Americans, but is acceptable to these workers. The workers, however, beg to differ. They say they cannot do this hard work on a diet of rice, and must supplement their rations with purchases from the company store. These purchases, meanwhile, deplete an already meager wage that drops below the US minimum. And yet, according to the company officials, the practices meet every standard.

A culture of fear dominates. One worker repeatedly asks Black if she is with the government; a shopkeeper describes the workers as silent, frightened of losing their jobs and being deported. Indeed, workers who submit to interviews explain that the companies give the names of "troublemakers" to the Jamaican government, to ensure their removal from future work rosters.

Black repeatedly draws connections between the old slave trade and this new scheme of contingent labor. At each step, the film links the old and new plantations, perhaps most so when pointing out the history of the H-2 program, which began in

1943, shortly after the "U.S. Sugar Cane Corporation was indicted for conspiracy to enslave black American workers" (H-2 Worker, n.d.). One of those African-American workers describes his experience, rousted in the middle of the night to work, and threatened with knives and rifles at every step. It was almost the same as prison, he declares.

Global capital informs the maintenance of this laborscape. According to an intertitle, the US government aggressively subsidizes domestic sugar production whilst imposing severe quotas on sugar imports. The restrictions on the imported product do not extend to the import of labor, whose arrival scenes reverberate with scenes of other historical transports. Taking place under cover of night, men line up to take decrepit busses to the "camps" (their word). The account of a US guest worker scheme recalls the nightmares of deportation, internment, and even the Atlantic passage.

Black's next documentary *Life and Debt* (US, 2001) continues this exploration, this time around the impact of global financial institutions – the International Monetary Fund and the World Bank – in Jamaica. The film argues that these global lenders have not produced development in Jamaica as promised. Rather, the pressure to privatize has led to increased interest and cutbacks of aid, forcing Jamaica into economic dependence and impeding rights to an adequate standard of living and just and favorable working conditions. In other words, debt to global economic institutions is a form of debt bondage that leaves entire nations open to exploitation and abuse. Black's strategy is particularly noteworthy as its fuses the violation of human trafficking (debt bondage) with the violations of economic human rights as assured under the International Covenant on Economic, Social and Cultural Rights in the International Bill of Human Rights (UN). She makes this argument apparent throughout the film, particularly in the segment on Free Trade Zones, areas throughout Kingston, Jamaica that are available for use by foreign companies at low prices. These sites bring in materials tax-free, benefit from cheap Jamaican labor to manufacture goods, and then immediately transport completed goods to overseas markets. Interviews with the laborers support claims of exploitation and abuse of their economic rights: wages are low and frequently withheld, efforts to organize or strike result in blacklisting (the Jamaican government, in order to maintain this steady source of income, has prohibited unionization in the Free Trade Zones), and the set-up hinders most access to basic standards of living.

The images that accompany these stories remind the viewer of the human cost and the specter of violence in these scenarios. Living conditions of the women interviewed are substandard as they stand before threadbare homes. The subsistence level and the disparity of distribution is evident throughout a film that counterpoints the tourist's Jamaica with that of the locals. One sequence shows a flourishing local chicken plant devastated by the dumping of US low-grade chicken parts. Substandard food floods the region, as there are no trade protections. The checkpoint at the Free Trade Zone is adorned with barbed wire, a sight that contradicts any trace of freedom in this space as it so clearly evokes the concentration camp. This imagery filters the violation through the charged lens of political rights, prompting recognition of the human cost of these economic policies.

With the Free Trade Zone sequence, *Life and Debt* introduces confinement within global flows. Although the Jamaican economy is integrated into the international marketplace, the Jamaican people are bound by debt to the IMF and World Bank, compelled to work in exploitative conditions, with, in effect, no way out. Disparity and asymmetry within formal economic policy comes to the fore in this discussion of globalization.

A cycle of factory documentaries continues this examination, recognizing that the transnational movement of finance may pose greater threats than the transnational movement of people. While many of the films so far have shown how flows of people and labor combine and overlap in globalizing processes, these films call attention to their disarticulation.

Maquilapolis: City of Factories (Vicky Funari and Sergio de la Torre, Mexico/US, 2006) offers a diary of workers' struggles in an industrial district in Tijuana where raw products become commodities with the assistance of free trade agreements, tax benefits, and cheap labor. Internal migrants come to work here at substantial risk, as the protagonists explain, to their safety and security, with poor working conditions, exposure to toxic chemicals, and frequently withheld payments. Although much of its power comes from the individual testimonies and the stories of their struggle for justice, the film introduces a compelling component of re-enactment: As if performing calisthenics the subjects of the film gather on the landscape and replicate the movements of work, en masse, but outside the factories. These gestures recognize the work done and restore this labor to the bodies of the worker.

At the same time, the activity introduces a play that slyly ushers the documentary into the consideration of intersecting scapes; the women in motion perform their experience of labor for a documentary economy. And like the other forms of experimentation and hybridity that characterize some of the earlier films discussed, the re-enactments here come less out of a necessity to provide B-roll footage, than out of a spirit that seeks to test the borders of the documentary, as these new flows test geopolitical and bodily borders. Offscreen collaboration further tests the expected documentary economy in which filmmakers traffic in the work and work product of their social actors. Funari and de la Torre worked with the maquiladoras of Tijuana and the community organizers at all stages – from preproduction to outreach – in order to "ensure that the film's voice will be truly that of its subjects" (Maquilapolis, n.d.). The performance may enact the disarticulations, but the activity as combined with the overall project seeks to rejoin the workers with their voice, their agency, and their labor.

A set of documentaries focused on Chinese factories offer vivid tallies, tracing costs from production line to distributor to end product, giving both numbers and depictions of lives on all ends of the chain. *Mardi Gras: Made in China* (David Redmon, US, 2006) juxtaposes scenes of carefree revelry with scenes of life in a Chinese bead factory, complete with the unholy trinity – seen in several of the aforementioned documentaries – of long hours, low pay, and exposure to toxic materials. One worker calculates her compensation for this work: one cent for 12 necklaces with her monthly pay topping out at US$62. The price of a strand is a day's wages for

these laborers. *China Blue* (Micha X. Peled, US, 2005) offers a similar accounting in a focus on the operations of a blue jeans factory from the perspective of a young worker, Jasmine Li, whose story is related through observational footage, an occasional interview clip, but also a voice-over diary. This diary, a composite of multiple testimonies, functions on multiple levels: it produces a source of personal identification; it offers organizational structure; and it may even gesture to another diary of a young girl – a diary that once again invokes the relationship between confinement, the present conditions, and political human rights abuses. Li describes her long working days and low pay made lower by an absence of minimum wage, fines for falling asleep, deductions for food and lodging and a "deposit" – money withheld in the first month in order to stop a worker from leaving the factory. Meanwhile, sequences depicting business meetings between the factory manager and the international distributors give an economic rationale for this treatment. The distributors want to purchase their jeans at a lower cost so they might in turn sell them at prices attractive to the European and Turkish consumers. The practices behind making affordable jeans are predicated on practices that confine and abuse the workers.

A Decent Factory (Thomas Balmès, France/Finland/UK/Australia/Denmark, 2004) follows Nokia's internal ethics advisor and a British ethics consultant on a trip to Shenzhen, China, to audit the operations of a factory making parts for Nokia phones. Nokia, a company based in Finland, takes advantage of the lower costs of manufacture and wages. However, on this tour, they learn that the conditions in these workplaces would not be sustainable within the legal framework of Europe. In effect, the basic subsistence level and labor rights demanded in Europe are not met in these factories, and the European company benefits from this arrangement. The sequences here do not provide scenes of tragic violence, such as the industrial disaster at Morecambe Bay; these scenes do not even provide extreme examples of sweatshop labor, with underage girls toiling for pennies. The film is more elegant in its ethical inquiries. Coercion and exploitation arrive in the form of the absence of contracts and the economic need of the workers who risk losing their jobs should they complain. And there are causes for complaint. Much like the situations depicted in *China Blue*, the rural migrants live in cramped, monitored dormitories at a cost deducted from their pay – a less than minimum wage salary. The pay is hardly augmented by the involuntary overtime or the six-day workweek of 12-hour shifts.

The health and safety conditions are equally dismal, if not as threatening as the nightmare scenarios of sexual slavery and cruel sweatshops. Toxic chemicals are stored in the place where the workers make their tea; upon the visitors observing this danger, the manager demands the bins are stored elsewhere. The women work without magnifying mirrors, straining their eyes over detailed work. Most startling, and best expressed through film, is the sound: the factory environment is a deafening one, and the workers have no ear protection. Conversation cannot be heard by anyone – on and offscreen alike.

These violations fall short of the horrifying visions supplied by body farming or sex traffic films. However, they highlight the exploitation of workers that arises out of the flows of finance and labor that benefit European (and by implication,

American) corporations. In addition, the lack of grave abuses contributes to this ongoing asymmetrical relationship: these interactions are not clearly actionable, and not so readily ended or avoided. The film's epilogue articulates the ambivalence of the circumstance. Hanna Kaskinen, head of the ethics department, has retired from Nokia, unable to reconcile what she has witnessed with her mission to correct these practices. She explains this as she walks along a snow-covered path, when she spots dog waste. Maintaining distance, she attempts to manage this blemish on the landscape, poking and burying it with her ski pole. She finally manages to toss the waste out of sight into the nearby shrubbery. Out of sight might be out of mind, but the film's work reminds us of these connections and relationships, of the ugliness that mars the transnational economic ecosystem, hidden though it may be from view, and the shades of slavery that haunt the European landscape.

The incorporation of new global technologies in film makes this new world order explicit. Alex Rivera's *Why Cybraceros?* (US, 1997) combines science fiction with mockumentary in a five-minute spoof of a very real promotional film, *Why Braceros?* (US, ca. 1959). Produced by Wilding Picture Productions for the Council of California Growers, *Braceros* outlines the use of workers under the Braceros program for temporary immigrant Mexican labor (1942–1964) that likely served as a template for the H-2 program. Rivera's short follows the same line of explanation and defense, explaining the value of such assistance for American production before revealing the twist: the Mexican workers can telecommute as they operate robots over the Internet. As the website explains, 'The Cybracero, as a trouble free, no commitment, low cost laborer, is the perfect immigrant. The Cybracero is the hi-tech face of the age-old American Dream" (Why Cybraceros?, n.d.). Cybraceros and the workers of this film are pure labor exported through circuits of technology and finance; people are of minimal concern in this portrait, which has disarticulated the labor from the human, the flows of labor from the flows of people.[5] At the same time, its generic play once again gestures to the enmeshment of flows, perhaps in this case, the dominating flow of capital that informs all others.

These fantasies are not so far off. The very real use of technologies in restricting movement whilst exporting labor is the topic of multiple documentaries about call centers. *Nalini by Day, Nancy by Night* (Sonali Gulati, US, 2005), *John & Jane* (Ashim Ahluwalia, India, 2005), and *Bombay Calling* (Ben Addelman and Samir Mallal, Canada, 2006), for instance, focus on the Indian context, addressing the impact of economic globalization on local, human culture. This transformation is made evident in the titles of the first two films, which address the changes in culture brought on through this new form of work, new hours, and an expectation to tailor one's professional self to the cultural preferences of the overseas client.

By this point, I have clearly pressed the definition of human trafficking to its limits, unpacking the variations in transportation, coercion, and exploitation. The intent here is not to diminish the suffering of those held captive, subject to forced violations of their bodies in beating, rape, and dismemberment. Rather, I seek to open up a more complex overview, where trafficking occurs not only in operations veiled in underground criminality but also in arrangements hidden by distance and state complicity.

If the clandestine elements of a criminal trade did not sufficiently obfuscate the circuits and practices, the temporary nature of contemporary slavery does: people pass in and out of exploitative conditions and confinement as the practice itself seems to drift in and out of legality courtesy of economic globalization. Films about trafficking become means of visualizing these unseen currents, and more importantly, of introducing the human element into the flows of capital, labor, and technology. In this way, these documentaries articulate concerns with globalization in its present incarnation, and ask us to see globalization and human trafficking as issues beyond the movement of people, tamed and managed through security measures. Instead, as they present a more complex landscape and test their own borders between fiction and non-fiction, they invite new thinking about policies, about the needed forms of protection on a transnational level, and about the ways that these global flows affect us all.

Notes

1 This chapter incorporates elements of the chapter "Foreign Exchange" in Brown, Iordanova, and Torchin (2010: 49–83). Portions have also been drawn from the book's "Close-Ups" section.
2 UKIP refers to the UK Independence Party, which seeks withdrawal from the European Union.
3 From a personal communication with NilitaVachani, May 5, 2009.
4 One reason for this absence – structural or otherwise – may be the invisibility of those participating in a criminal enterprise, which necessarily operates clandestinely and eschews the spotlight of the camera. Some documentaries do manage to film rather than imagine these cases. *The Price of Sex* (Mimi Chakarova, US, 2011), for instance, is a documentary that provides rare eyewitness testimony and hidden camera footage; but this remains a challenge for the documentary filmmaker.
5 Rivera has since built on this idea with his film *Sleep Dealers* (Mexico/US, 2008). In a dystopic future, the US borders are closed. Instead, major cities in Mexico serve as technological and labor hubs where workers literally plug their bodies into a network to control robots throughout the world.

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27

The World Viewed
Documentary Observing and the Culture of Surveillance

Elizabeth Cowie

Stanley Cavell, in *The World Viewed*, suggests that the magic of cinema arises, "Not by literally presenting us with the world, but by permitting us to view it unseen" (1979: 40). He argues that, "In viewing films, the sense of invisibility is an expression of modern privacy or anonymity. It is as though the world's projection explains our forms of unknownness and of our inability to know" (40–41). We are displaced from our now-time of ongoing reality, overlooking from a distance another world but, Cavell argues, the film screen overcomes our fixed separation, so that our displacement is experienced "as our natural condition." He asks, "What do we wish to view in this way? What specific forms discover this fundamental condition of the medium of film?" (40). Cavell here is discussing movies, fictional films, but our relation to documentary film, too, is that of "watchers," voyeurs in the ordinary sense of this word. In fiction a world is constructed for us to observe, and our understanding is enabled by that construction, however difficult. Cavell refers to this as an activity of attention: "The discontinuities [within the film] are those of *attention*. You are given bits of the world, and you must put them together into those [characters'] lives, one way or another, as you have yours" (156, italics in the original).

In documentary film the world is observed for us to view, but this too is only in "bits" whose selection and combination are no less constructed. Robert Bresson identifies an issue arising here when he notes:

> Problem. To make what you see be seen, through the intermediary of a machine that does not see it as you see it. … And to make what you understand be understood, through the intermediary of a machine that does not understand it as you do. (Bresson, 1950: 79)

A Companion to Contemporary Documentary Film, First Edition. Edited by Alexandra Juhasz and Alisa Lebow.

Watching is presented by Cavell as being a positive potential of film, of documentary, what then are its dangers? It is video surveillance and CCTV that have given rise to the greatest public concern to date, while these most closely parallel the documentary's observational gaze and desire to show life as it happens, indeed similar fixed cameras are now used to record ongoing life as public information, or "infotainment," such as the British series, *Educating Essex*.[1] Harun Farocki has argued, however, that "With the increase in electronic control structures, everyday life will become just as hard to portray and dramatize as everyday work already is" (2002: 107).

The documentaries discussed here address these concerns, while at the same time a number develop what Roland Schöny has called a specific "aesthetic of surveillance" (2008: 3), which he identifies in contemporary art video that engages the processes of surveillance through using CCTV and other surveillance footage to reflect upon and critique it. Can such works challenge the gaze of surveillance, as Andrea Mubi Brighenti suggests, through "the uncanny fact that in some way, through the technological setup, the object stares back … It is a feeling of *Unheimlichkeit*, which questions the changing boundaries of the human itself within complex socio-technical assemblages" (2010: 185). Explored here is the way that the "understanding" Bresson refers to, but which the camera as such cannot produce, is enabled in these documentary works.

Watching involves all the senses, as the introduction to this section noted, but it is the role of vision in watching that has dominated surveillance studies (Lyon, 2006; 2007: 56–62), and a key reference here has been Foucault's use of the Panopticon of Bentham's prison architecture as the exemplar for the control of an all-seeing gaze. Foucault characterized this as a "type of power that can properly be called panopticism," such that "We live in a society where panopticism reigns" (2001a: 58), and which, in *Discipline and Punish*, he argues characterizes modernity's "disciplinary society" (1977: 216). Foucault later noted, however, that the Panopticon "is modern in one sense, but we can also say that it is completely archaic," insofar as the idea it draws on is "the oldest dream in the world" of "an eye, a gaze, a principle of surveillance" (2007: 66). Foucault is concerned to analyze not this dream, but the practices of surveillance that characterize modernity, and for which the gaze is only one technique. For it is not the looking, but the observing that is central to the watching of surveillance for both Bentham and Foucault.

The new principle in Bentham's proposals for prison reform[2] was the Panopticon, an architectural feature that would afford a continuous gaze and thereby enable the constant observation or "inspection" of the prisoners, although he was never able to realize this effectively in his architectural designs.[3] Such observation would ensure that the prisoner – and by extension, the asylum inmate, hospital carer, or school student – was undertaking the required activity effectively, thus being "disciplined."[4] Moreover, Bentham required that the distribution of inmates to be observed would be according to strict classification by age, class, gender, and crime, to prevent improper mixing, such as, for example, sexual activity.[5] As a result, Foucault writes, "the prison with all the corrective technology at its disposal is to be resituated at the

point where the codified power to punish turns into a disciplinary power to observe" (1977: 224). Foucault demonstrates the way in which disciplining, the way we are trained or educated, or brought to follow a certain code of conduct, arises through being observed.

The Panopticon's importance for Foucault is therefore not the watching as such but rather the architectural arrangement it proposed that configures the prison as a place where criminality is made visible, just as the hospital is a place of visibility for illness, and the asylum is a place of visibility of madness.[6] Véronique Voruz notes that places of visibility are "the condition of possibility of statements that can only be uttered from such places, and from subject-positions within" (2012: 133). We don't see "madness," it is made visible in language, which structures perception of the mad, and how those identified as mad understand themselves to be thought of as mad. Moreover, as Deleuze notes, quoted too by Voruz, "The subject who sees is himself a place within visibility, a function derived from visibility" (Deleuze, 1988: 57: Voruz, 2012: 233). The gaze is the "absolute eye of knowledge" through a "suzerainty of the visible" (Foucault, 1975: 204) in which the statement, language, has primacy (Deleuze, 1988: 67). It is the observing gaze and its knowledges that is power in the disciplinary society, an epistemophilia that seeks to know the bodies and minds of us all involving an inherent sadism "relayed by the scopic drive" (Voruz, 2012: 138). It is a play of forces producing what Foucault called the "deathly malice of knowledge" (2011: 198).

CCTV has come to be seen as realizing Bentham's dream of the Panopticon, apparently resolving the architectural problems of optical viewpoint, yet it does not enable the panopticism that concerned Foucault, namely, as a form of power. This arises, Foucault argued, with the supervision that surveillance enables, and through "examination" by someone, a teacher, factory foreman, physician, psychiatrist, "and who, so long as he exercised power, had the possibility of both supervising and constituting a knowledge concerning those he supervised … [t]his new knowledge … was organised around the norm, in terms of what was normal or not, correct or not, in terms of what one must do, or not do." Examination "was the basis of the power, the form of knowledge-power, that was to give rise not, as in the case of the inquiry, to the great sciences of observation, but to what we call the 'human sciences' – of psychiatry, psychology and sociology" (2001a: 59).[7] Specific disciplines, "panopticisms" (1977: 223) or "panoptic techniques" (224), Foucault writes, "characterise, classify, specialise; they distribute along a scale, around a norm, hierarchise individuals in relation to one another and, if necessary, disqualify and invalidate" (223).

The surveillance camera, as also the algorithm of network surveillance, doesn't observe, it records; it becomes disciplinary when the being-looked-at is organized in relation to sets of values, of required behavior, and of norms. This requires a human agent as watcher, or a computer programmed with the "values" of a disciplinary discourse. As Voruz notes, the "gaze is not about *what one sees* but rather *how one looks*" (2012: 135, italics in original). Moreover, Foucault comments in an interview in 1977, "It would be wrong to say that the principle of visibility governs all technologies of power used since the eighteenth century." For "the procedures of power that

are at work in modern societies are much more numerous, diverse and rich" (1996: 227). One such procedure of power he calls "biopolitics," the regulation of populations through data. The observing gaze now addresses, not the prisoner, worker, or hospital patient, but the indexes of human activity, for example, transforming the record of a family event – a birth, a death – into a statistic. Being registered as data does not itself control, this only arises through the analysis of such data to enable *rationally organized* control in which individuals are known insofar as they are part of multiplicities. These forms of observation are now being replaced by digital searchable databases, and our identity as a citizen and individual is located not only on barcoded driving licenses, social security numbers, and so on but also through biometric identification devices. Deleuze refers to this as a society of control, where the individual addressed through these technologies of power is a "dividual," divided into segmented traits that can be subjected to procedures of control, such as testing, or differentially enabled access to information via passwords (Deleuze, 1992: 5). Control was of course always part of the disciplinary through, as Foucault emphasized, its role in power-knowledge, which remains central to the digital and cyberspace, in the extraction of knowledge from us as we surf the Web.

The idea of control through being *watched*, anywhere and anytime, nevertheless is central to the widespread opposition to CCTV, as well as forms of data-gathering. This is explored by David Bond in his film *Erasing David*, which documents through direct filming and re-enactment, his personal experiment to test the extent and effectiveness of contemporary surveillance by attempting to disappear for 30 days, and evade the efforts of the private detectives he has hired to find him. The film's advertising tag, "He has nothing to hide but does he have nothing to fear?" suggests, however, a different story – of anxiety and paranoia (Figure 27.1). Like Morgan

Figure 27.1 Seen on cctv monitor as he embarks on disappearing, Bond asks: "What could other people do with my data?" *Erasing David* (David Bond and Melinda McDougall, 2010).

Figure 27.2 David Bond's hunted look as he tries to evade the detectives. *Erasing David* (David Bond and Melinda McDougall, 2010, produced by Green Lions).

Spurlock's *Super Size Me* (2004), *Erasing David* is performative, for Bond develops the personal direct-filming approach of Michael Moore and Nick Broomfield in becoming the subject of, as well as investigator in the film, in order to demonstrate the power and danger of surveillance. As a result, Bond also performs it as a spectacle of paranoia for us as he becomes the hunted (Figure 27.2), on the watch for anything or anyone that might reveal his whereabouts, something that he acknowledges on his website, "When I look at the film now and see myself looking pale and gaunt it takes me back to how frightening it was at the time – but I reckon I'm more careful now than I've ever been with my data" (http://erasingdavid.com/discussion/paranoid-moi/, accessed August 10, 2014). It is through space, and Bond's placing within spaces, that Lorna Muir (2012) suggests the film figures his increasing paranoia, as when we see Bond watching a bank of CCTV screens that record near his home, the camera pulls back from its usual mid-shot to a medium-long shot showing him "lost in a sea of images which continually produce data" (271).

While the focus of the film is on dataveillance, what we see are the detectives, for, as Muir observes, "The data trails generated by these practices are not screened, but the devices which mediate them are" (270) and she suggests that this is due to the "largely 'invisible' nature" of dataveillance. Muir concludes that films such as *Erasing David* and the fictional *Minority Report* that address the "information city" do so by representing the spaces in which "digital monitoring practices occur with continued reference to the material in their mise-en-scène" in order to signify the immaterial and invisible data surveillance. That such strategies in film and video are common, she argues, "also suggests that the control paradigm of Deleuze is potentially challenged or resisted" (277), in placing dataveillance in an embodied and material space. If so, this is quite separate from and perhaps opposed to the

fear, and paranoia, that these films represent and engender through the suspense created by their plot-lines.

Instead, the challenge Muir identifies, and which I explore further in relation to *Standard Operating Procedure*, may be understood in terms of the critique of knowledge and its powers that Foucault developed in his discussion of Nietzsche's essay on history and genealogy, distinguishing two opposed forms, *connaissance* and *savoir* (in English these are both "knowledge"). *Connaissance* is the gaze of the neutral historian-observer that "recognizes," while individuality and singularity is suppressed, leading to objective knowledge and thus power. In contrast, the gaze of genealogy, of *savoir*, "refuses the certainty of absolutes" and becomes a gaze

> that distinguishes, separates, and disperses; that is capable of liberating divergence and marginal elements – the kind of dissociating view that is capable of decomposing itself, capable of shattering the unity of man's being through which it was thought that he could extend his sovereignty to the events of the past. (Nietzsche, 1998: 379)

It is a "perspectival knowledge" (382) that makes apparent "its grounding in a particular place and time" for, as Nietzsche argues

> There is only a perspective seeing, only a perspective "knowing"; the more affects we allow to speak about a thing, the more eyes, various eyes we are able to use for the same thing, the more complete will be our "concept" of the thing, our "objectivity." (Nietzsche, 1994: 92).[8] *Savoir*, for Foucault, is the will to knowledge that undoes the certainty of "a" knowledge, given and complete, once and for all.

Documentary, in re-presenting recorded reality, observes, which may be as *connaissance*, in a discursive ordering of "observation," of classification, and differentiation within a disciplining discourse that is itself a mode of power. But its gaze as an organized statement may allow other ways of looking, other eyes not accredited within a site of visibility such as the prison or clinic, and allow other voicings to be heard, as *savoir*. For documentary, this suggests, it is not the taking back of the surveilling gaze of *connaissance* that is necessary, but a different way of looking, and of how to see that organizes the recorded seen and heard, and as a repositioning of the already-seen and heard, namely, the "archive" of audiovisual documents.

Jacques Rancière extends and develops Foucault's critique of "knowledge" in his concept of a "distribution of the sensible" as an ordering of the sensible, of that which is capable of being apprehended by the senses, both material and intellectual, in a distribution that determines the set of possibilities and modalities of what is the visible and the audible as the known, as well as what can be said, thought, made, or done. It apportions places and forms of participation in a common domain or world, thereby establishing the modes of perception within the sensible order (2004: 12) In his concept of the "sensible" Rancière opposes the "distribution" that separates art and politics, the thought and the felt, not to make them the same, but to enable an

understanding of the possibilities of each. He argues that "The aesthetic is in effect, a division of knowledge, an interference in the order of sensible experience which brings social positions, tastes, attitudes, knowledges and illusions into correspondence" (2006: 6).

It is with his concept of "dissensus" that Rancière identifies the chance for change in the distribution of the sensible. Dissensus as such does not produce change, or involve disagreement, rather it names the process of a fissuring of the sensible order made possible not by a "perception" of a new "fact" but by the perception of an incompleteness, "a gap in the sensible itself" (2010: 38). Such a gap presses upon us, demanding a thinking otherwise and anew that in art can then be political as "the aesthetic anticipation of the future" (2004: 29), in a reconfiguration of the sensible, of the felt and the known through sensible forms and material structures that can figure our encounter in a future becoming. (We might think here, too, of Deleuze's "irrational interval" that is also the opening of a gap, and a thinking of what is not yet, and not yet thought – and a movement between before and after in the now.)

How might documentary *savoir* be undertaken in relation to surveillance activities? In what ways can the "aesthetic experience" (Rancière, 2006: 4) of documentary disturb the distribution of the sensible? Simon Menner, in his photo-exhibition and ongoing web project, *Images from the Secret STASI Archives or: what does Big Brother see, while he is watching you?*,[9] has photographed images, objects, and equipment that he found in this archive, and from this miscellany a story emerges of everyday surveillance that, re-presented, is also a story of life lived – the photos taken of homes that were to be searched ensured that everything was replaced as it had been, and the occupants would be unaware that the State Security Service (STASI) had been there. But now these photos are a record of household equipment, of objects used, of room décor, and a way of living. These, and the images of training in disguises, and of STASI spies filming Allied spies, that now seem comical, are also chilling as an index of the all-pervasive STASI machine of spying. Menner asks: "Can the terror such a repressive system spreads be found in these images? Or is the 'gaze of evil' pretty banal and we have to attach the terror ourselves?" It is in Menner's re-photographing that we are brought to encounter these images, and the gap, the missing that he points to, namely the problem of how to "see" terror, that is, to think it.

Trevor Paglen, an artist geographer, has been exploring the secret activities of the US military and intelligence agencies – the "black world" – over the last eight years through making it visible and knowable in images or digital mapping by the technology of surveillance itself – telescopic and astrophotographic equipment. As a result his photographs (see Paglen, 2010) are not what the eye might see. For example, Helen Chang, writing about Paglen's work, notes that:

> In *The Fence (Lake Kickapoo, Texas)* (2010), what looks like a fiery sunset is actually the electromagnetic image of the radar perimeter that blankets the entire US, its microwave frequencies shifted into the visible spectrum. Paglen calls "the Fence" – serving to track any satellite flying over the US, as well as its early missile warning system – Earth's largest galactic footprint. (Chang, 2011)

In the series *Limit Telephotography*, Paglen employs high-end optical systems to photograph top-secret governmental sites; and in *The Other Night Sky*, he uses the data of amateur satellite watchers to track and photograph classified spacecraft in Earth's orbit. In other works Paglen transforms documents such as passports, flight data, and aliases of CIA operatives into art objects.[10] In his work, what is known as one thing becomes another, disturbing the fixity of the visible as the factual knowable.

The desire for a "bird's eye view," and to see the world from one's chair via computer screen, is addressed in Renata Marquez and Wellington Cançado's film *Global Safari (Powered by Google)* (2010).[11] The world is traversed on safari, but no longer as only white colonial game hunters, via Google Earth's images that are produced through the commercial satellite, GeoEye, a joint venture with the US National Geospatial-Intelligence Agency, but which are restricted to a lower spatial resolution, producing a form of myopia. Marquez and Cançado (2010: 131) note:

> No eye is neutral, much less the watchful eye of the satellites with their politically adjustable myopias. We call *Myopia Space* the geometric range between the height limit of the reach of a satellite in the exact point where the image is presented with resolution and our own vision.

This is variable, so the "*Myopia Index* measures the cloudiness of the public character of the territory in Google Earth" (131). For its images are not uniform, being collected from a variety of sources with different interests, and thus it is "a powerful atlas of political, economic and technological dynamics in today's world. Its accuracy resides in the range or the lack of definition of the available images" (129). Lagos is not seen with the same sharpness as New York, and not everywhere is visible; we see Google's partial, unequal viewing of the world *as* an incompleteness and as veiling a perspectivalism that orders our experience of the world.

Global Safari explores the pleasures of surveillance at home through our encounter with the snapshot, the unrepeatable – contingent – moment caught by our gaze as it searches the already-seen of the satellite camera's recording (Figure 27.3 and Figure 27.4). It starts at the same location used by Charles and Ray Eames for their earlier film, *Powers of Ten*, commissioned by IBM (1968 and 1977).[12] *Powers of Ten*, while a key reference for *Global Safari*, is not however about a panoptic gaze "but a statement about our capacity to imagine the unknown, to represent it with available tools, and about the desire to see the imaginary of lives (a picnic in a park) that explains the reason for the enigmatic things we create and our relationship to them in the world" (Marquez and Cançado, 2010: 128), it was "a visual fable about scientific optimism and the consequences of changes in scale" (133). *Powers of Ten* presents the analog aerial image of a family picnic in Chicago, zooming out using a scale up to 10^{24} so that, as the voice-over explains, "every ten seconds we view the starting point from ten times farther out until our own galaxy is visible only as a speck of light among many others" in order to show the relative size of the world. In contrast, Google Earth "is an immersive demo on the spreading of technology and

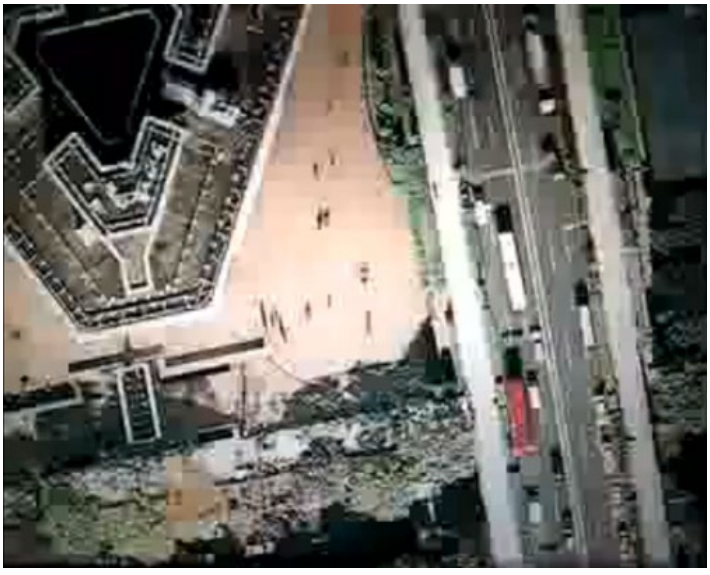

Figure 27.3 Tokyo, January 2007, *Global Safari* (Renata Marquez and Wellington Cançado, 2009). Traversing the globe, zooming in and out using the scale of 1024, from Chicago to Belo Horizonte, Dubai, Mexico City, Istanbul, Beijing, Paris, Moscow, London, and Tokyo, each sequence is accompanied by haunting original music, and a voice-over story in the language of the country.

Figure 27.4 Zoomed into a tennis match, at circa 35° 55′ 14.80″ N 139° 38′ 25.49″ E. *Global Safari* (Renata Marquez and Wellington Cançado, 2009).

the exponential dismantling of the notion of scale" which it does "in the era of googols" (133), the term designating 10^{100} from which Google derives its name.

It is another aspect of Foucault's work that I want to now consider, in which he is concerned with "three modes of objectification that transform human beings into subjects." One mode objectivizes "the productive subject, the subject who labors." Another mode divides the subject "inside himself or divided from others … Examples are the mad or sane, the sick or healthy, the criminals and the 'good boys'" (Foucault, 2001b: 327). Frederick Wiseman's films have focused on the kinds of "places of visibility" of such dividing that Foucault addressed, notably in *Titicut Follies* (1967), *High School* (1968*), Law and Order* (1969), *Hospital* (1970), *Basic Training* (1971), *Juvenile Court* (1973), *Welfare* (1975), all involving state agencies, but also in his documentaries that explore other kinds of spaces and their visibility, such as *Zoo* (1993) or *Boxing Gym* (2010). Moreover, Wiseman's use of an observing camera in his documentaries in these places of visibility makes palpable for the spectator the objectification Foucault identifies, in a sadistic, surveilling gaze that exposes its subjects as objects for our view. His films, however, also engage us as *savoir*, through the multiple perspectives of and upon the participants they present, demanding us to think outside of our given categories of madness, or the sex criminal, and the medical, to understand differently what we see and the way we are shown what we see.

Foucault's third mode is "how men have learned to recognize themselves as subjects," explored in his work on sexuality (2001b: 327–328). Here a different way of seeing is important, namely seeing or imagining oneself being seen, that is another aspect of the gaze as surveillance whereby the disciplining power of the gaze is both an observing that produces statements, knowledge, that "speak" the persons who are objects of the gaze, and an internalizing on the part of those persons. He comments, "Two different things are involved here: the observing gaze, the act of observation on the one hand, and internalization on the other" (1996: 232). It is "an observing gaze that each individual feels weighing on him, and ends up internalizing to the point that he is his own overseer: everyone in this way exercises surveillance over and against himself" (233).[13] In the prison or asylum, this may produce compliant inmates, but it is also the very way we are subjects as such. Our minds and bodies are seen anew through science and medicine, through their "eyes," and we become observers of ourselves in the terms of these discourses – medicine, madness, pedagogy, sexual relations. Social networking, notably Facebook, are new sites for producing for others such self-surveillance, leading in turn to surveillance, for example by employers, or police, but also by "friends," as in *Catfish* (Henry Joost, Ariel Schulman 2001), which I return to later in this essay. And we confide our observations of ourselves to others, and to a camera, for self-surveillance is a desire to know the self and to be known, realized in a powerful and poignant performance by Jonathan Caouette in his autobiographical documentary *Tarnation* (2003). Bond too, in *Erasing David*, speaks directly to camera, such as after his escape from city surveillance to the countryside, seen in big close-up but with an unnatural greenish hue from the night-vision camera. Ironically, as Muir notes, he "seems to feel a sense of security in his film camera as he uses it as

a comforting presence with which he can share data." Indeed, "Bond often talks to the camera as he would to a person or to a webcam, offering a deeper level of surveillance as he communicates his innermost thoughts and motivations to the machine" (2012: 272).

Life as CCTV: Surveillance Culture

The all-seeing eye is an image and idea in many cultures, as the gaze that judges, or as the one that fends off evil, and it seems realized in CCTV monitoring, as a prosthetic eye that, supposedly, "sees" better, in more places, not only the enclosed sites of the prison, or school, but also out on the streets, recording you and me, and making "places of visibility" ubiquitous. Its role for surveillance is threefold: firstly, used as security cameras that are monitored, it is a "watchman" but, as noted earlier, its multiple eyes require an agent who sees what the camera shows, and can cognize and interpret – correctly or incorrectly – what the "event" is: threatening or playful, consensual or imposed, and thus able to trigger action in the ongoing, now-time of the seen so that the prison warders/school security/police can intervene to break up a fight, or apprehend those undertaking disruptive/criminal activities. Secondly, cameras are used to deter criminal activity through the fear of detection, in shops and shopping malls, trains, buses, car parks, streets, and schools, making these spaces safer. Watched, citizens may modify their behavior in the now-time of their activities in relation to a possible, that is, imagined, gaze in present (if monitored) or future time (if not monitored). Here CCTV is disciplining through a self-surveillance – how might what I am doing or about to do appear to the other who is or maybe watching? Thirdly, CCTV recordings are treated as evidential documentation, their function now forensic in providing visual evidence of past events within a legal framework. As a result CCTV has been a key focus for concerns about privacy and human rights, while as a form of recording found reality it has been material for documentarists and artists, as this section will explore.

Nino Leitner's *Every Step You Take* (2007) is a searing examination of such surveillance that informs while engaging us in the very surveilling it critiques. Like *Suspect Nation*, in which *Observer* journalist Henry Porter explored the Blair government's excessive concern to collect personal data (broadcast by Channel 4, UK, 2006, dir. Neil Ferguson), the film draws on interviews with academic experts to examine how Britain became host to more cameras than anywhere in the world. It challenges the claims made for CCTV, not merely that often the police still arrive too late, but rather that the crime simply moves to where there are no cameras. Or, as in Southampton, where the cameras have a black surround, the film discovers that as a result passersby think they are street lights, thus defeating the aim of deterrence (the camera pole does have a sign, but it is too high up to read!). Face recognition remains inaccurate despite advances in the programming, because the camera's high-angle cannot deliver the required height-level image.

Figure 27.5 An expert explains that thousands of CCTV systems remain analog and their controlling software can be hacked, enabling live broadcasts all over the world to be watched. Seen here are a university graduate study lounge, a church in Poland, and public spaces and offices in the United Kingdom. *Every Step You Take* (Nino Leitner, 2007, produced by Nino Film).

The film shows that people in Britain do want security cameras, although they don't necessarily feel safer, in contrast to Austria, whose citizens feel safe enough and view CCTV as unnecessary. Austrians are, however, subject to monitoring through compulsory registration of their address, unlike Britain. Moreover, half of cameras are still analog, the film reveals, and can be hacked, as seen in shots of unprotected CCTV video from across the world (Figure 27.5). The group "Radio Netwatcher" demonstrated that police surveillance in Vienna, too, is hackable, and in a re-enactment in the film the police are shown watching a street for drug dealers – who did not appear – but who nevertheless find another scene of interest, in no way illegal but voyeuristically entertaining, when the camera tilts to an upstairs window and reveals a woman undressing.

The voyeuristic pleasures of the gaze, that might be called "surveillertainment," are introduced in the film's opening reference to *Big Brother* (Endemol, 2000, UK and worldwide, continuing) in re-enactments that mimic *Big Brother*'s camera surveillance, shown on a TV screen placed against a black background, onto which the film's camera performs a continual zoom. We see a woman sleeping, then having sex with a man – perhaps this is her dream, or it corresponds to what the viewer wishes to see? For next is a scene of disciplining consequent on the surveillance, as "Jade" is called to the Big Brother room and given a second warning for again disobeying instructions – this time that housemates do not return to bed or go to sleep. Then, over zooming and panning "vérité" shots of market stalls, busy streets, and crowds watching a royal procession, narrator Stuart Freeman's voice-over tells us: "We all like to watch people. Modern society is obsessed with visual stimulation. Our

voyeuristic gaze is especially aroused on the promise of getting to see real-life action. But what about being watched – constantly?" This not only by the state, but by your neighbors, who can buy bugging devices, or through the scheme involving Shoreditch TV, a local service run in London with government funds, which has a crime channel that allows people access to the CCTV cameras in their area, whereby they can be not just nosy but also spies.

Every Step You Take makes vivid the debates in surveillance studies by matching the narrator's and interviewees' accounts with images that put the viewer within the scene through movement within the frame, or amplified by close-up or high-angle shots, and by movement of our position of view, as the film itself tracks and zooms, using jump cuts, and fast editing, drawing us to identify as if we were the surveilled. But it also offers respite, in interludes of shots with music whose length – from 13 to 33 seconds – introduces a different tempo and rhythm, as a time of reflective engagement between new verbal and visual information, or with speeded-up filming, hurtling through London's streets.

Going out onto the streets of London, the film asks people their view of CCTV cameras:

MAN:	It doesn't bother me. I'd rather have that and safety than take a chance and not have them.
MAN 2:	It's a necessity for the safety of every individual.
GIRL:	You know, if it's not obvious I don't mind it quite so much.
MAN 3:	They look out for me anywhere any time they are.
INTERVIEWER:	But do you feel observed all the time?
YOUNG MAN:	No, I like cameras.

Which returns us to reality TV, and the wish to be seen that draws people to take part in *Big Brother*, or to agree to participate in observational non-fiction television programs such as *One Born Every Minute* or *Educating Essex*, that use similar fixed surveillance cameras to those in *Big Brother*. This has been called the "participatory panopticon" (Whitaker, 1999: 212).[14] Where before in the Panopticon the few watched the many, now, in the constructed or found spaces of visibility of these programs the many watch the few, which has been called the "synopticon" (Mathiesen, 1997), yet what is contrived is spectacle via surveillance. John Corner, in what he has termed "post-documentary," has identified a set of practices, forms, and functions that center around an "emphasis on microsocial narrative and their forms of play around the self observed and the self-in-performance" (2002: 266) with attendant pleasures in observing the gap between being and seeming. The "selving" that we observe, that is, the observation of a "true" self emerging from the performance, which was the object of direct cinema documentary, is now packaged in the reality game-show format created by *Big Brother*. Such a show does not simply entertain, however, for the surveilling camera allows us to observe and thus become involved as spectators in considering the possibility of different ways of being the self and being with the other, engaging forms and processes we commonly call "identification."

Re-seeing Surveillance: CCTV Artveillance

Artists have referred to surveillance in their work, through parody and jarring uncanniness, such as in Bansky's street art, and panoptICONS (2010) by Thomas voor 't Hekke and Bas van Oerle working together under the name of FRONT404, who write:

> The surveillance camera seems to have become a real pest that feeds on our privacy. To represent this, camera birds – city birds with cameras instead of heads – were placed throughout the city center of Utrecht where they feed on our presence. In addition, a camera bird in captivity was displayed to show the feeding process and to make the everyday breach of our privacy more personal and tangible. (http://rebelart.net/thomas-voor-t-hekke-bas-van-oerle-panopticons/006470/, accessed August 10, 2014)

Artists have also used surveillance technologies to make art. The incorporation of real-time filming, or the re-presentation of CCTV recordings used as "found footage" material by filmmakers and visual artists, has been a central way in which surveillance has been addressed. The fixed-site high-angle CCTV camera films from above, producing a specific spatial relation. "The recurring ideograms of spatial situations function as codes, which enable immediate identification of the substance of the overall context with the aesthetic of surveillance" (Schöny, 2008: 3). This is especially apparent in video installations that deploy real-time image feedback.

Bruce Nauman in *Video Surveillance Piece: Public Room, Private Room* (1969–1970) is addressing not surveillance but the gallery visitor's experience of herself within the work, using the live-image feedback of CCTV not only to create self-awareness but also through disorientation, a feeling of alienation. The installation is comprised of two identical rooms, one of which is hidden from the visitor. Walking into the "public" room, the visitor sees a ceiling-mounted surveillance camera pointed towards a closed-circuit monitor on the floor that is showing real-time (live) footage of a room that she may assume is the one she is in, but cannot see herself captured on the screen until she observes the monitor within the monitor, and discovers herself seen in another place, the hidden room. The effect is achieved by feeding the video monitoring of a room into its identical twin.[15] Such video installations are sculptural, depending on a specific spatial arrangement in which the gallery visitor is engaged.

Closed circuit video recordings used as "found footage" became part of video culture, as a performance that may be seen as an installation in the gallery – for example as two screens – or viewable on a cinema screen, or as a DVD. It has been suggested that surveillance is an intrinsic aspect of the video image, in its continuous filming as a "long-take" and live-recording, or "real-time," now overtaken by digital film (Duguet, 1988: 229–230). Serge Daney has distinguished electronic media – telelvision, advertising, techno-military – as the "visual," an "optical verification that things are functioning on a purely technical level: there are no reverse shots, nothing is missing, everything is sealed in a closed circuit." This contrasts with the cinematic as the image that "always occurs on the border between two force fields; its purpose is to testify to a certain alterity, and although the core is always there, something is always missing. The image is

always both more and less than itself" (Daney, 1991: 163). Here I want to consider the use of CCTV footage in Harun Farocki's *I Thought I Was Seeing Convicts* (2001, 25 min.) not only, as Christa Blümlinger (2004: 315) suggests, as restoring the possibility of the image in signifying something missing, and as introducing a certain alterity but also to show that it can be understood as genealogical in Foucault's terms.

I Thought I Was Seeing Convicts is an essay work viewable as two-screen video installation and as a one-screen DVD. It figures Foucault's disciplinary regime, using CCTV footage from Corcoran prison, California, staging the forms of control imposed through its re-presentations, notations, and juxtapositions. For example, the circular exercise yard is divided into segments, each with a camera; here prisoners spend just 30 minutes a day, and it is where fights regularly break out, often provoked as spectacle when guards select known enemies or members of rival gangs to be in the yard together. In response, a guard calls a warning, and fires a shot with a rubber bullet, but if the fight continues, live ammunition is used. Farocki uses an extract of prison video footage of such an event (first broadcast on CBS News *60 Minutes*, Mike Wallace, 1997) in which the fighting men are doubled on Farocki's split-screen, then in the left screen a title explains: "White gun smoke moves across the image: A guard has opened fire." William Martinez has been shot, and lies dead for over nine minutes until guards carry his body away (Figure 27.6). While this has been compressed to just over a minute, Malin Wahlberg comments that the doubled sequence

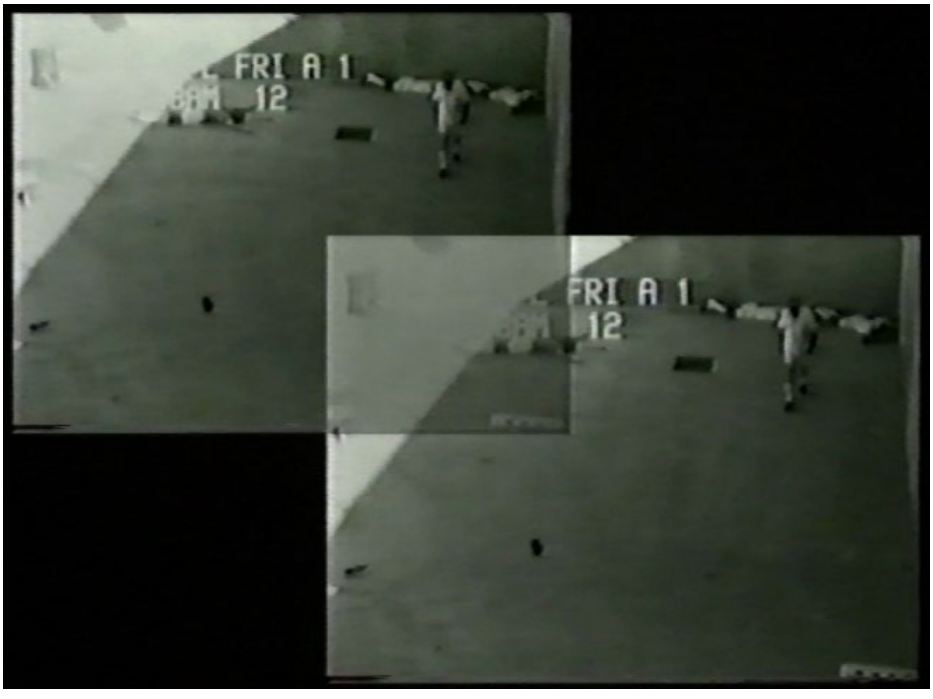

Figure 27.6 A still from a silent American film of a fictional prison scene juxtaposed with a CCTV incident image from Corcoran prison. *I Thought I Was Seeing Convicts* (Harun Farocki, 2001, produced by Generali Foundation and Harun Farocki Filmproduktion).

> accomplishes another of those contemplative moments that may be produced in moving images by the abstract duration of moderated speed, and the time-space measurement of editing. Two things are especially poignant in this passage of the film. First, the insufficient record of the surveillance tape, and, second, the principle according to which it has been preserved: the deviance and the fatal outcome of the inscribed event. (Wahlberg, 2004: 24)

We see inmates and their visitors, their surreptitious embraces caught on camera, speaking to emotions and desires that are corralled and forbidden. Inserted between these are shots from American movies of fictional prison scenes (Figure 27.7) that suggest possible imaginings, of escape or evasion of prison rules, referencing cinema's ability to represent the world, as does the work's title, which is a quotation from Roberto Rossellini's *Europa 51* (1952). Ingrid Bergman, working in a factory, sees her fellow-workers and says, "I thought I was seeing convicts"; Farocki explains that "the film has great meaning for me because it emphasizes an attitude of not wanting to acquiesce to a system of injustice" (2004: 300), but now, he suggests, "With the increase in electronic control structures, everyday life will become just as hard to portray and dramatize as everyday work already is" (2002: 107).

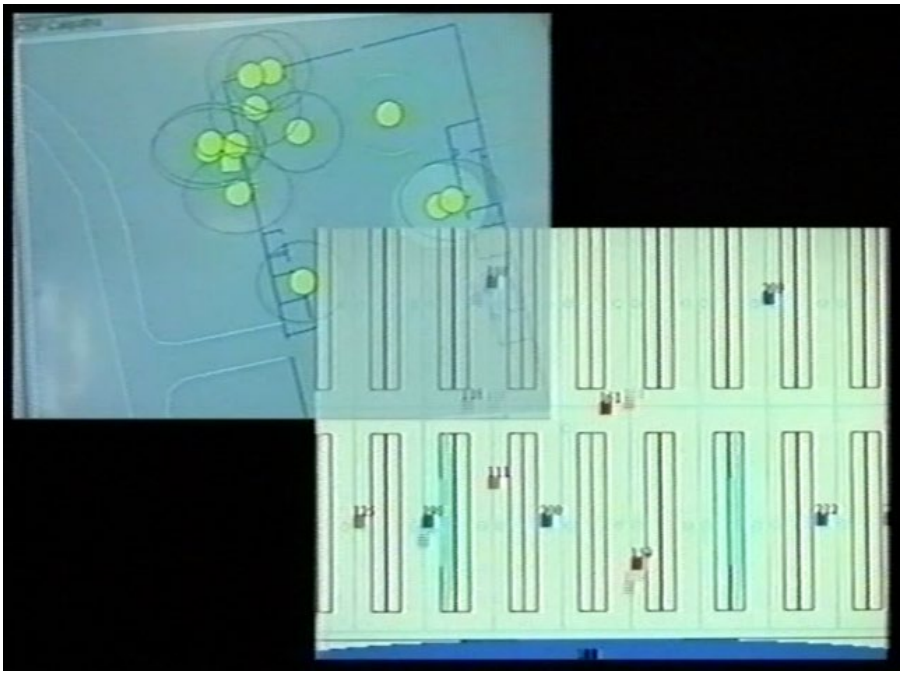

Figure 27.7 Titles on lower screen explain the image of supermarket customers' movements, "Click on any customer and his or her shopping list appears," while the yellow dots represent prison inmates who have been outfitted with electronic ankle bracelets, "Click on any inmate and learn his or her identity." Farocki asks: "What can be accelerated and increased in prison?' *I Thought I Was Seeing Convicts* (Harun Farocki, 2001, produced by Generali Foundation and Harun Farocki Filmproduktion).

Figure 27.8 William Martinez has been shot and lies dead for over nine minutes before guards carry his body away. *I Thought I Was Seeing Convicts* (Harun Farocki, 2001, produced by Generali Foundation and Harun Farocki Filmproduktion).

In the computer simulation imagery he presents, Farocki also addresses Deleuze's "control society," of "dividuals," using the reconstruction of customer movement through a supermarket based on statistics that map probable routes of purchasing, he juxtaposes these images with a real-time electronic representation of prisoners in the exercise yard where green dots represent inmates wearing electronic ankle bracelets; clicking on a dot brings up the information on the prisoner (Figure 27.8). The work is genealogical in bringing together a (hi)story from official and unofficial "archives," making incongruent connections through placing together contexts and perspectives normally kept separate. As Christa Blümlinger suggests, "the displacement of these specialised, little-known archives into the milieu of art exhibitions or experimental cinema is like an act of 'ready-made' in itself and represents an awareness of the *exhibition value* of an image" (2004: 321). Farocki commented:

> I show these pictures in double projection, which results in a softer montage. The simultaneous words and images are suggestive rather than descriptive. Apart from this I try to be spontaneous, like the sudden ideas one gets during good conversations. This is also supposed to counter the merciless logic of execution. (Farocki, 2004: 297)

While Farocki incorporates fictional film, Hollywood and art cinema, Manu Luksch's 50-minute film *Faceless* (2007) introduces fiction into the CCTV

recordings themselves, to address issues of resistance and memory. The film is part of a multi-platform project that she developed between 2002 and 2008, exploring London as the "most surveilled city on earth" through a series of installations, including *Mapping CCTV in Whitehall* (2008), showing the estimated range of 300 CCTV cameras within the SOCPA (Serious and Organized Crime and Police Act) restricted zone around Parliament in Whitehall, and a recording of one camera's unencrypted transmission.[16] Adhering to the requirement of her "Manifesto for CCTV Filmmakers" that "The filmmaker is not permitted to introduce any cameras or lighting into the location," the filmed material we see in *Faceless* is CCTV recordings acquired under the UK Data Protection Act which places a legal obligation on CCTV operators to provide applicants with a copy of any recordings which qualify as personal data, namely, those in which they have been caught on the camera. The film's medium is thus not simply a raw material of video, or captured light, but images that only exist because of contingent and particular social and legal circumstances, which Luksch calls "images with a legal superstructure" or "legal readymades" (Luksch and Patel, 2007: 73). The film's organizing trope is the facelessness of the other people in the requisitioned CCTV images – as required by law, their features are obscured by oval discs, unidentifiable and without identity. What we see in the real time of CCTV is the recording of carefully choreographed and planned performances staged before CCTV cameras at carefully chosen sites.

The film's uncanniness lies in being both an actual reality of the ordinary spaces of the city where any of us might be caught on a security camera, and a fictional world. We see the actions and movements of people in real time, documented by the CCTV, as evidenced by the time dating, enacted as part of the "science-fiction fairy tale" (Luksch and Patel, 2007: 73) of the new "RealTime Calendar" that was instituted to rescue people from anxiety about the future and guilt over the past that caused great unhappiness (Figure 27.9 and Figure 27.10). The present was continuously in short supply, explains Tilda Swinton's voice-over, but "In the luminous world of the New Machine, each moment of RealTime saturates consciousness. There is no memory, no anticipation, there is no past, so there can be no guilt and no future, therefore, no anxiety or fear." As a result, without memory or anticipation, faces have become vestigial. The film's sci-fi solution is to only live in the present. Monitored by overseers, people exist alternately as workers and as consumers, while their children, raised separately, are taught to live in "RealTime" that, the voice-over tells us, "orients the life of every citizen. Eating, resting, going to work, getting married – every act is tied to RealTime. And every act leaves a trace of data – a footprint in the snow of noise." But this is not human history, for without memory there is no knowledge of what has been, of what is past, and thus lost, or of what could be in the anticipation of what might be in a future time. Suddenly, however, a woman recovers her face, and after receiving a letter at work that urges her to dream, she begins to remember – which also brings the anguish of loss – but as a result she must flee, as an overseer is alerted to eliminate her. Escaping the gunshot, however, she then encounters "spectral" children who have escaped their "synchrocenters" and are no longer traceable. And she meets the sender of the letter, an escaped overseer and her husband in their life before RealTime, who tells of their past together, and their child. He

Figure 27.9 Tilda Swinton's voice-over narrates, "Another echo … She emerges from its spell. The pulse of RealTime impels her again." *Faceless* (Manu Luksch, 2007, produced by Ambient Information Systems and Amour Fou Filmproduktion).

Figure 27.10 "The pulse of RealTime orients the life of every citizen. Eating, resting, going to work, getting married – every act is tied to RealTime. And every act leaves a trace of data, a footprint in the snow of noise." *Faceless* (Manu Luksch, 2007, produced by Ambient Information Systems and Amour Fou Filmproduktion).

tells the woman she must destroy the New Machine by attacking its blind spot. Successful, the restoration of memory brings a different happiness, and instead of the regimented movements of dancers seen at the beginning and at times through the film, its conclusion shows freely moving people and children who can now make their future differently.

Faceless engages with CCTV as part of our imaginative world in our everyday encounter with recorded life everywhere around us, not only by introducing the uncanny possibility of seeing oneself otherwise, but also in its staging of the way we may modify our behavior. At the same time CCTV incites anxiety about security, about being safe in the world, as well as fear of being controlled by it gaze. In its fictional scenario, however, it explores the dystopia of escape into digital "now time" and the dataveillance it enables.

Documentary Surveillance

Documentary filming, like CCTV, imposes its gaze, demanding that the world be available not just to observation, but also to being recorded. In catching life unawares, documentary also seeks to "catch people out," revealing themselves in ways they had not sought or intended. It subjects not only the documentary participants that are its objects, but also the spectator subsequently, who cannot do otherwise than look, as the camera has. Neither we nor they can evade its gaze.

These important issues of ethics for documentary are too often addressed only as a question of consent in relation to participants, and not in terms of what is involved in waiving the right to determine how and by whom one is seen. For the spectator, however, the subjecting documentary gaze can engage us in these ethical issues, as Wiseman clearly does in *Titicut Follies*, when he subjects us to a sequence of over six minutes that follows one inmate. Jim, naked, his hands covering his genitals, is shaved by warders, drinks from a basin tap, and walks back to his cell with the warders as he shouts unintelligibly. He appears victim to the camera's surveilling gaze, which zooms into close-up, then back out again as he paces his cell, alternately facing and then turning away from the camera that all the while keeps him under inspection. The extended duration of these shots is conventionally excessive, becoming for the spectator interminable, inescapable. Playing to the camera perhaps, the warders question Jim about his past as a teacher, and he replies lucidly, naming schools and colleges, and invoking a life of normality. The final shots show Jim making direct eye contact with the camera's lens, addressing us, thus further queering our position as voyeur-spectators. Our wish to see and know all is here turned against us, as we see too much, and come to know what we may have wished to remain ignorant of.

Gary Hill, in *Blind Spot* (2003, 12.27 min.) explores the filming gaze as subjecting, for, Brighenti suggests, "the camera provides a vision that cannot be challenged, a gaze which is never averted," invoking the "asymmetrical vision of a visibility-as-control" (2010: 180). We watch a Maghrebi man in traditional dress caught on camera on a Marseilles street as he leaves a house, turning away from the camera to wave at someone further up the street, the camera slowly zooming in to him, as he turns his head again towards the camera, his face now seen in a large close-up, revealing a series of expressions on his face that we may read as reactions of curiosity, fear, and anger. The scene is transformed from "life caught unawares" not only by the man's look back at the camera but also by Hill's slowing down of the seen,

extending a brief moment into more than 12 minutes that become imposed on the spectator as a contemplative spectacle until broken by the man's returned gaze.

Documentary surveillance is addressed by the photographer, sculptor, and video artist William Noland in a series of works that show life filmed unawares. His series *Surveillance 1, Surveillance 2*, and *Surveillance 3* present the observing gaze and ambient sound of his hidden camera recordings as a watching through framing, juxtapositions, camera zooming and editing that invite the viewer to reflect on the found ironies and paradoxes of contemporary society. *Surveillance 3* shows scenes of police, and protesters awaiting the acceptance speech of President George Bush, and a young worker, in preparation for the launch of a new Diesel clothing store, cleaning the interior surface of the store's window. This young worker, Noland comments, is "safe within a hermetic, commercial universe, sealed off from the tumultuous events occurring just outside." The quiet dignity of simple labor, sensual and elegant, is juxtaposed with the edgy standoff between impassioned crowds and the dutifully stoic police officers." In *Occulted* (2006), filmed on London's streets, it is surveillance and the obliviousness of the surveilled that Noland observes. Noting the widespread surveillance of CCTV in London he writes, "A populace that willingly submits to surveillance is observed, revealed and exposed in ways that leave us to ponder the effects of suspicion on our interior lives."[17]

The Archive and Surveillance in Documentary

Surveillance and CCTV recordings are an archive of evidential material that can be deployed forensically, to produce an account in a court of law of how an event occurred, who was responsible, and how was it carried out. The event can then be judged as a crime, and the perpetrator as thief, murderer, a spy, or "terrorist." Any visual and auditory record can become historical or forensic evidence, whether television news, or our own snapshots and video innocently recorded that can become, after the event, potential forensic evidence. One of the most famous examples of this is Abraham Zapruder's film, on silent 16 mm color stock, of US President John F. Kennedy's motorcade in Dallas, Texas, in 1963, which thereby also captured the President's assassination, yet while analysis of this footage showed where the bullet came from, it could not enable the perpetrator(s) to be identified. In contrast, George Halliday's video recording of the extremely violent beating of African-American Rodney Glen King in 1991 by Los Angeles police officers following a high-speed car chase clearly identified the men, but not whether the excessive force was "reasonable," and they were initially acquitted, although a later Federal prosecution secured the conviction of three of the officers. Such material has now been termed "sousveillance" by Steve Mann (1998).

It is the use of the audiovisual as forensic evidence in documentary that I want to consider here through examining Errol Morris's two films *The Fog of War* (2003), which investigates the role of the recorded seen and heard in military decision-making, and *Standard Operating Procedure* (2008), which examines photographic

forensic evidence of war crime. Morris is a documentary filmmaker especially interested in evidence, both that of testimony and of the material and the visible, and these films critically address forensic visual evidence while also exploring "forensically," examining, comparing, and evaluating film and video recordings, for which, in *Standard Operating Procedure*, the digital and its algorithms have become central.

The Fog of War presents Robert McNamara, the US Secretary of Defense under Presidents John F. Kennedy and Lyndon B. Johnson from 1961 to 1968, addressing the camera, and explaining what he has learnt from his own participation in key events of the Second World War II, the Cuban Missile Crisis, and the Vietnam War, and through his work for Ford Motor Company. Morris presents this as 11 "history lessons" extracted from McNamara's account and that are also, he tells Homi Bhabha, intentionally ironic (Bhabha, 2008).

McNamara's words are accompanied by analog archive photos, audio and film recordings that are often digitally manipulated, derived from news and film archives, the presidents' libraries and archives, and, centrally for my discussion here, the Defense Visual Information Center's operation records, surveillance, and reconnaissance material. The film presents McNamara's verbal account, including remarks that he intended to be off-camera, as a *performance* of history alongside the seen and heard of archive material. This, while initially appearing to be illustrative of his words, becomes at key moments an implicit critique through the ironies that arise from the dramatic use of this footage in the film. Lesson 5, "Proportionality should be a guideline in war," centers on the US blanket bombing with incendiaries of Japanese cities at the end of the Second World War ordered by General LeMay, McNamara's commanding officer. We see archive footage – filmed as operational records – of the devastated cities alongside statistics stating that 60–98% were destroyed, and a comparison with US cities of a similar size. At first these accompany McNamara's voice-over, then continue afterward with an accelerating pace of image and music, dramatizing the emotional meaning, and critiquing the rationalism of LeMay's strategy and its modernist efficiency. The future possible but unrealized forensic role of the archive footage is acknowledged when McNamara observes, "LeMay said that if we'd lost the war we'd have all been prosecuted as war criminals, and I think he's right, he and I believe I, were behaving as war criminals." The film echoes here McNamara's views earlier in Lesson 1, "Empathy with the Enemy" and Lesson 2, "Rationality will not save us," where magnified archive surveillance photographs of the USSR's missile sites in Cuba are examined by a human observer seen in enlarged close-up by Morris's camera. Here, while the panoptic technique afforded knowledge, it could not guide the response, which instead, McNamara argued, required empathy – for by putting himself in Khruschev's shoes he understood how to develop a strategy to protect the United States by forcing the dismantling of the sites through giving something to Khruschev, namely the ability to claim that he had stopped the Americans invading Cuba.

Lesson 7, "Belief and seeing are both often wrong," is also the lesson of Morris's own body of film work, and as well it questions the very use of archive material itself and our belief that we can see, can read it "correctly." McNamara illustrates this

lesson with the Gulf of Tonkin incident that led to the development of full-blown US military action in Vietnam, when an attack on the USS *Maddox* on August 2, 1964 by the North Vietnamese navy was followed two days later by a mistaken reading of information that the ship was again under attack. In archive footage we see the officers looking at the sonar, and hear the voice of Admiral Sharp declaring to Washington that there were at least nine torpedoes in the water, adding "apparently," indicating that these might be mistaken sonar readings, and when asked to confirm if there had been torpedoes he replies "no doubt about that. I think" (Figure 27.11).

President Johnson, McNamara explains, authorized the bombing of North Vietnam in response, mistakenly believing that a second attack had occurred, and this supported

> his belief that it was a conscious decision on the part of the North Vietnamese political and military leaders to escalate the conflict and an indication that they would not stop short of winning – we were wrong, but we had a mindset that led to that action, and we were wrong, with such heavy consequences.

Both the sonar reading and Johnson's reading of what it implied of North Vietnamese intentions were wrong.

Morris, responding to the videotape of a US Marine shooting an Iraqi prisoner in Fallujah, writes, "Unhappily, an unerring fact of human nature is that we

Figure 27.11 The record of Admiral Sharpe, talking to General Burchinal is heard over shots of the sonar operators, as he explains that some of the torpedo reports appeared doubtful due to "freak weather effects and overeager sonar men," but asked whether there was a torpedo attack he replies, "No doubt about that … I think." *Fog of War* (Errol Morris, 2003, produced by Sony Pictures Classics, Radical Media, SenArt Films, and The Globe Department Store).

habitually reject the evidence of our own senses. If we want to believe something, then we often find a way to do so regardless of evidence to the contrary. Believing is seeing and not the other way around" (Morris, 2004). In *Standard Operating Procedure* the visual material is not surveillance film, but the shocking digital "trophy" photographs taken by US military personnel at Abu Ghraib prison that constituted visible evidence of orchestrated and illegal physical and mental abuse of the detainees by those personnel participating and by those who recorded it. What Morris investigates, controversially, is not the abuse visibly evidenced (that amounted to torture and thus a war crime, for which 11 men and women were convicted) but the role of belief and seeing.[18] Through interviews using his interrotron device, he presents the stories of five of the perpetrators, together with the accounts of their investigation by four personnel from the Military Police, the Army Criminal Investigation Division, and by the commanding officer of the prison, Brig. General Janis Karpinski. Unlike Corcoran prison, or Guantanamo Bay detention center, there was no CCTV at Abu Ghraib that could corroborate the claims made that such treatment was widespread and encouraged as "standard operating procedures." As a result, "The Abu Ghraib pictures attest to torture while providing alibis for the powerful. In this sense too, they are less comprehensive than they may seem, as secretive as they are revelatory" (White, 2009: 5). The film performs these images in three ways: framing them with a white border, as if they were from the era of black and white analog photographs, which are seen both digitally and as hard copy prints; by animating the scenes in the photographs, in stylized and dramatic re-enactments, as well as the prison space, and Sabrina Harman's letter; and by digital manipulation.

Special Agent Brent Pack, a military investigator, undertook the forensic analysis of the 12,000 photographs, identifying those engaged in possible prisoner abuse, and those in the area at the time. Interviewed by Morris for the film, he says, "The pictures spoke a thousand words," but the tying of them to a time, a place, and to individuals was needed, which he achieved by examining the digitally embedded metadata (Figure 27.12). This enabled him to determine when photos were taken, by which camera, and the duration of some of the incidents, and the extent of the effort involved in the actions of the perpetrators recorded in the images. From this information, and the images themselves, a view could be taken as to whether individual interactions were a violation of military protocol or on the contrary were "standard operating procedure." He interjects at one point, "How could all this go on without anyone noticing?"[19] thus assuming the absence of a disciplinary gaze that would have intervened but thereby pointing to the – ostensibly rogue – disciplinary gaze that drew forth these actions but which has remained veiled in the subsequent criminal investigations. He says, however, that all he can do is present to the court what he knows to be factual, not politics or personal feeling. Morris intercuts Pack's address to camera with computer-generated imaging as if entering the computer's hard drive, with numbers representing the time codes that were extracted from the metadata – we might see this as the data aesthetics that Sharon Lin Tay discusses in Chapter 26 in this section. These numbers, however, are then superimposed on

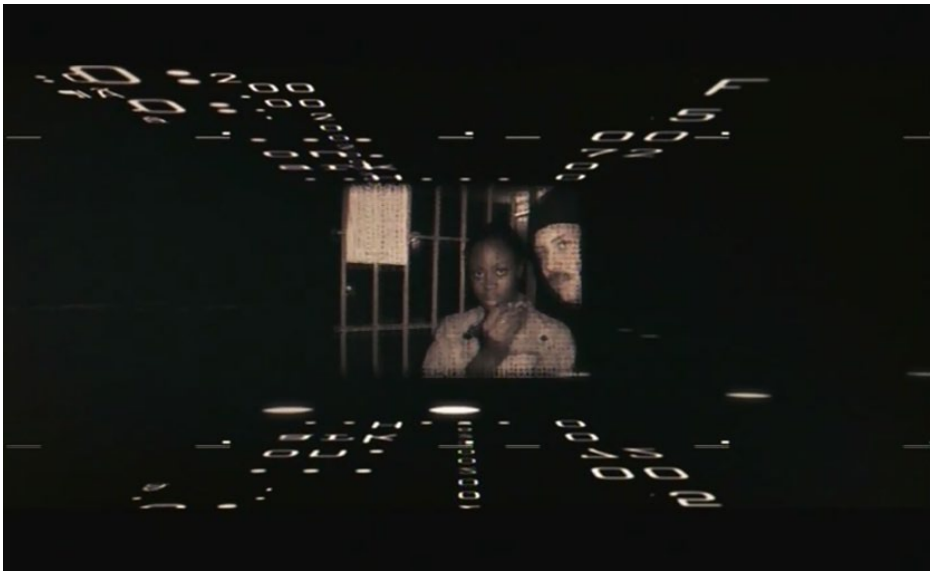

Figure 27.12 In voice-over, Special Agent Brent Pack explains: "the one time-setting that did stay constant is what we call metadata … a big two-dollar word for information about information, pictures have information inside the file that tells you about when that file was created, what software created it, the exposure settings …" *Standard Operating Procedure* (Errol Morris, 2008, produced by Participant Media (as Participant Productions) and Sony Pictures Classics).

some of the photographs themselves, giving visual representation to the data analysis that was conducted, and which stands in for the absent CCTV or data surveillance.

In contrast, later in the film, it is an indexical truth that Pack identifies when he comments about one photo that, "The facial expressions kinda set the tone for what they were thinking and feeling at the time, you look in their eyes and they look like they're having fun. This scene is what sealed it for me." In his review in the *Chicago Sun-Times*, Roger Ebert (2008) quotes Sergeant Javal Davis who says in the film, "Pictures only show you a fraction of a second, you don't see forward and you don't see backward you don't see outside the frame." For Ebert, Jarval is expressing the central questions of the film: "Why do these photos exist, why were they taken and what reality do they reflect? What do we think about these people?" For Morris, the film investigates self-deception, and the believing that is seeing on the part of all the participants. The data analysis no less than the indexical record are seen through "belief," are organized ways of "observing" that constitute, in Foucault's terms, the space of the visible. What Morris introduces is, in Daney's words, the visual – but also the words – as "both more and less than itself" through the multiple perspectives that make incomplete any one "view." Bhabha comments that "In the best sense, Errol Morris's films are disturbing works of

truth, history and art. They renew our hope that new ways of seeing can unsettle old ways of believing" (2008. Morris in his films, while not telling us how to see and know truly, nevertheless holds to this desire.

Conclusion

It has been argued here that the seeing of surveillance is distinct from the watching, the observing that produces disciplining. The CCTV camera's gaze does not watch, it becomes surveillance when it is analyzed, either in the real time of an event, or subsequently in a forensic examination. Our response to CCTV is imaginative, whether experiencing it as the embodied gaze of a person viewing it who thereby sees us, or on the contrary speculating that we remain unseen, because its gaze missed us or is not being observed or recorded. Documentary film, in contrast, is the record of a watching, observing, gaze that is organized to present a particular way of knowing, and thus knowledge. In this it is part of the disciplinary discourses identified by Foucault. Its deployment of recorded reality, however, always includes more and less than was observed by the filmmakers. Jean-Louis Comolli, filmmaker and film theorist, writes that the documentary must assume cinema's destiny, in a reference to André Bazin's "The Ontology of the Photographic Image," and

> thus have as its aesthetic goal our conversion into spectators of the sort of representations that are more than imperfect and less than deceptive, representations that can't quite tame the world. The world would be glimpsed in those representations that fail in their effects and miss their object. (Comolli, 1999: 42)

For documentary, he argues, "has to invent forms that give it a hold on what has not yet been grasped cinematically. Put it this way: it has an obligation to create" (43).

The films and art works discussed in this essay: as imaginative speculation; as embodied encounter with video; as sculptural; as genealogical; and as critique, demonstrate documentary's fraught but productive relationship to surveillance, interrogating our culture of surveillance, and the self-surveillance it engenders. They produce images and sounds that challenge assumptions of the spaces of visibility as being knowable, as inherently knowledge – *connaissance*. They refigure our experience of the "sensible" and thereby disturb the hierarchy of its distribution. Rancière suggests that "Images change our gaze and the landscape of the possible if they are not anticipated by their meaning and do not anticipate their effects" (2009: 105). While as documentary these works assert meanings, and seek effects, these are each incomplete, thereby engaging us in the gaps of meaning, and thus a certain dissensus, in the contingent apprehension of the unincluded, that is, of an evidential, and thus an apprehended, that is not authorized as the factual known.

Notes

1 *Educating Essex* was a seven-part series made for Channel 4, and broadcast in 2011. It follows a group of 16-year-olds preparing to taking public examinations (GCSEs) and their teachers, at Passmores School in Harlow, Essex, which has succeeded in achieving strong performances from its very wide range of students: a successful school in a challenging area. Channel 4's website explains: "The school was rigged with 65 fixed cameras – from the corridors to the canteen, and from the headteacher's office to the detention hall – to reveal every detail of daily life."

2 *Panopticon; Or, the Inspection-house: Containing the Idea of a New Principle of Construction Applicable to Any Sort of Establishment, In Which Persons of Any Description Are to Be Kept Under Inspection; and In Particular to Penitentiary-houses …*, Dublin and London, 3 vols., 1791 (republished as Bentham, 1843). Calls for, and specific proposals, for changes had been made earlier by the great prison reformer, John Howard, in *The State of the Prisons*, 1777.

3 Architectural historian Philip Steadman (2007), however, has shown that prisons incorporating the principle of the Panopticon were fundamentally flawed in their architectural realization due to problems of geometry and hence optical view, for no viewing point could be obtained which was not itself viewable by the prisoners, who were also able to see each other. Bentham himself realized these problems and sought to resolve them in his own designs. (In fact perhaps only one such prison was fully based on the Panopticon, Stateville, in Illinois, opened in 1925.)

4 Bentham also discusses the application of the principle of the Panopticon to other institutions: Letter XVIII: Manufactories, Letter XIX: Mad-houses, Letter XX: Hospitals, Letter XXI: Schools.

5 Bentham sets this out in "Postscript, Part I. Containing Further Particulars and Alterations Relative to the Plan of Construction Originally Proposed; Principally Adapted to the Purpose of a Panopticon Penitentiary-house. Section III: Of Separation As Between the Sexes" and in "Section IV: Of Separation Into Companies and Classes."

6 I have drawn here on the excellent examination of the gaze in Foucault by Véronique Voruz (2012).

7 Documentary becomes a discourse of knowledge-power when deployed within a particular discursive discipline.

8 "Let us be more wary of the dangerous old conceptual fairy-tale which has set up a 'pure will-less, painless, timeless, subject of knowledge', let us be wary of the tentacles of such contradictory concepts as 'pure reason', 'absolute spirituality', 'knowledge as such': here we are asked to think an eye which cannot be thought at all, an eye turned in no direction at all, an eye where the active and interpretative powers are to be suppressed, absent, but through which seeing still becomes a seeing-something, so it is an absurdity and non-concept of eye that is demanded. There is only a perspective seeing, only a perspective 'knowing'; the more affects we allow to speak about a thing, the more eyes, various eyes we are able to use for the same thing, the more complete will be our 'concept' of the thing, our 'objectivity' " (Nietzsche, 1994: 92).

9 Simon Menner's website, http://www.simonmenner.com/Seiten/Stasi/indexStasi.html, accessed August 9, 2014, and solo show June 24–August 20, 2011, "Images from the Secret Stasi Archives," Morgen Contemporary, Berlin, http://www.morgen-contemporary.com/index.php/lang-en/simon-menner-ausstellung, accessed August 9, 2014.

10 See http://disturber.net/focus-on-trevor-paglen/, accessed August 10, 2014. A related project is "Reversing the Panopticon" by Deborah Natsios and John Young in Cryptome, which publishes documents for publication that are prohibited by governments worldwide, in particular, material on cryptology; dual-use technologies; and national security and intelligence open, secret, and classified documents. Cartome, a newly inaugurated companion site to Cryptome, is an archive of spatial and geographic documents on privacy, cryptography, dual-use technologies, and national security and intelligence communicated by imagery systems: cartography, photography, photogrammetry, steganography, climatography, seismography, geography, camouflage, maps, images, drawings, charts, diagrams, imagery intelligence (IMINT), and their reverse-panopticon and counter-deception potential. See "Reversing the Panopticon," http://www.cryptome.org/cartome/reverse-panopticon.htm, accessed August 9, 2014.

11 Discussed by Marquez and Cançado (2010), the film is viewable on Vimeo.

12 The first film, *A Rough Sketch for a Proposed Film Dealing with the Powers of Ten and the Relative Size of Things in the Universe*, was a prototype and was completed in 1968; the second film, *Powers of Ten: A Film Dealing with the Relative Size of Things in the Universe and the Effect of Adding Another Zero*, was completed in 1977.

13 Bentham himself identified this feature in his project, for recognizing that it might be neither possible nor desirable to ensure continuous observation, "the next thing to be wished for is, that, at every instant, seeing reason to believe as much, and not being able to satisfy himself to the contrary, he should *conceive* himself to be so" (Letter I: Idea of the Inspection Principle; Bentham, 1843: 69).

14 It also produces, Lyon argues, what he calls "panopticommodity" whereby the participant's individuality becomes the entertainment commodity and "people market themselves." Self-disclosure apparently equates with freedom and authenticity. "But you individuate only by submitting to mass surveillance … we believe that our customized products express our individuality and our creativity" (2007: 8). In such individuation we become "dividuals" in Deleuze's sense.

15 See on this Catherine Taft's discussion of the work, and interview with Nauman (Taft, 2008: 182). A similar engagement of the viewer in a doubling and difference through CCTV is produced by Michael Snow's installation *De La* (1972), which iterates his film *La Région centrale* (1971), made on 16mm, with video; originally the machine mount designed for Snow by Montreal technician Pierre Abeloos to enable the highly complex rotation of the 16mm camera that filmed *La Région centrale*, in *De La*, it is a CCTV system, installed in the gallery, the camera moving in programmed patterns relaying its results to four monitors, one in a corner with its screen toward the machine sculpture situated on a pedestal in the center.

16 A map of the hundreds of cameras in the zone was made over two days of observation. The second part involved mapping the range of one of these cameras, no. 40 in Villiers Street, by intercepting its signal as it was transmitted wirelessly without encryption. As passers-by entered the marked area covered by camera no. 40, they were alerted to the camera's presence and handed a copy of the map of CCTV cameras in Whitehall, http://www.ambienttv.net/content/?q=mappingcctv, accessed August 10, 2014. Manu Luksch (2010) discusses the film in conversation with Seda Gürses and Michelle Teran.

17 See Noland's website, where short extracts of these works can also be viewed on this site: http://www.williamnoland.com/video/watch/occulted/.

18 *Standard Operating Procedure*, while unsuccessful at the box office, has received extensive academic critical attention. See for example, Judith Butler (2009); Julia Lesage (2009); the dossier in *Jump Cut*, 52 (2010) of papers first presented at SCMS 2010, by Bill Nichols, Linda Williams, Irina Leimbacher, and Jonathan Kahana; Caetlin Benson-Allott (2009); and Kris Fallon (2013). Kahana, focusing on the interviews, valuably addresses its complexity, arguing that "the film places the testimonial performances of the Abu Ghraib 'bad apples' within the discourse of trauma and the linguistics of the excuse" (2010: 1).

19 Pack's words in the film are often voiced over images, and may not be in the chronological order of his interview with Morris, hence what seems an interjection here may be an effect of Morris's editing.

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14

Nairobi-based Female Filmmakers

Screen Media Production between the Local and the Transnational

Robin Steedman

In 2002, Judy Kibinge's debut feature film *Dangerous Affair* burst onto the Kenyan film scene and sparked a new era of filmmaking in Nairobi. The film tells the story of Kui, a beautiful woman returned home to Nairobi from New York City looking to get married who falls for, and then marries, the notorious playboy, Murags. When his ex-girlfriend, Rose, also moves back to Nairobi the titular dangerous affair ensues, and while Rose and Murags end up together in the end, they do so as social pariahs. *Dangerous Affair* was a local success and "managed to secure distribution through local cinemas, and even establish a presence within Nairobi's VCD piracy networks" (McNamara 2016, p. 24) alongside winning Best East African Production at the Zanzibar International Film Festival in 2003. Kibinge's career is one that has been marked by transmedia fluency, and she has been active as a director, producer, and writer in Nairobi for over 15 years. Her career has spanned feature fiction, documentaries, television, and commissioned corporate work, and, additionally, she is now Executive Director of the East African documentary film fund Docubox, which she also founded. Films were being made in Kenya before *Dangerous Affair*, including *Saikati* (Mungai, 1992) and *The Battle of the Sacred Tree* (Kinyanjui, 1995), but it was *Dangerous Affair* that marked the start of a filmmaking renewal in which women have taken the lead (McNamara, 2016; Dovey, 2012), a shift made all the more significant because of the historical marginalization of women in African film industries (cf. Dovey, 2012). In Nairobi, the most successful and critically acclaimed filmmakers – both directors and producers – are women, and yet this creative formation remains woefully understudied, receiving only passing notes in the literature for being "interesting" (Bisschoff, 2012, p. 64,

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2015, p. 73; Dovey 2012, p. 22; Wenner 2015, p. 190). This chapter is the first detailed study of these unique women and their industry.

The concept of national cinema is a longstanding organizational principle in film studies, but one that has also been strongly contested, for, viewing "the world as a collection of nations (as in the United Nations) is to marginalise if not deny the possibilities of other ways of organising the world" (Dennison and Lim 2006, p. 6). The concept retains its usefulness in certain circumstances. Indeed, film scholar Andrew Higson argues for its continuing relevance "at the level of policy" because "governments continue to develop defensive strategies designed to protect and promote both the local cultural formation and the local economy" (2006, p. 20). In a supporting argument African film scholar Aboubakar Sanogo observes "any serious study of world cinema, in particular in its independent auteurist version, must come to terms with the indispensable role of the state as an enabler of that tradition" (2015, p. 144). Yet, within the Kenyan context, the state has not played this facilitating role, and instead the parastatal responsible for promoting the Kenyan film industry – the Kenya Film Commission (KFC) – has taken the approach of "selling Kenya as a [film] destination instead of really trying to build within the industry" (Matere, 2015).[1]

In a situation where the state provides almost no support (Kenya), it becomes ever more tenuous to hold the nation as the logical boundary of analysis, and instead, a transnational framework becomes more productive. Rather than a nationally bounded approach, this chapter will examine how connections are taking place across national borders, all the while situated in Nairobi. The vibrancy of Nairobi's screen media market is sustained by a confluence of artistic, commercial, and institutional networks – some local, some transnational – that intersect in the city. Of critical importance is the particular mode of working in this space where Nairobi-based female filmmakers fluidly shift formats between commercial and creative, short and feature, and television and documentary projects to seize any possible opportunity to create.[2] The women filmmakers discussed here are connected by their shared Kenyan nationality, but their more important connection is their choice to live and work in Nairobi.

Foundations: *Saikati*

The first noted film by a Nairobi-based female filmmaker is the feature-length fiction *Saikati* (1992). Directed by Anne Mungai,[3] the film – its narrative, as well as its production – conforms to the conventions and processes of so-called FESPACO, or "serious" African cinema. Mungai was part of the first generation of Nairobi-based female filmmakers, and alongside fellow graduates of the government-run Kenya Institute of Mass Communication (KIMC) Jane Murago Munene and Dommie Yambo-Odtte, and German trained Wanjiru Kinyanjui,[4] formed what

Ellerson terms "the vanguard of Kenya's female visionaries" (2010, p. 122). KIMC was government run at the time[5] and its graduates were "automatically absorbed" into the Film Production Department of the Ministry of Broadcasting and Information "where their job was to make documentaries along government lines" (Kinyanjui 2014, p. 69). Mungai was thus making *Saikati* within an institutional context deeply connected to the national development goals and agendas of the Kenyan state. The film tells the story of a young girl named Saikati from a Maasai village, who travels to Nairobi to work and escape an arranged marriage, only to realize that she belongs not in the city but in the Maasai Mara, and that she must return home to confront her problems and pursue her dream of getting an education. The dominant theme of the film is depicted visually from the outset. When Saikati first appears onscreen in the opening sequence, she is in a neat school uniform of pencil skirt, blouse, and tie. She is on her way to her village and once she arrives she immediately changes into a cloth wrapper and layers of ornate beaded necklaces and headpieces. This visual juxtaposition of urban/"modern" and "traditional"/rural life is the central tension that structures the entire film.

Mungai faced a great deal of difficulty making the film because of her gender. At the time she made the film, there were very few women working in the film industry, so she found herself in the position of giving instructions to a male crew that had difficulty respecting female authority (Mungai, 2015). Despite these challenges, Mungai produced, directed, wrote, and edited *Saikati*. She made the film while working at KIMC, which was funded by the German Friedrich Ebert Foundation[6] – and it was through their support of KIMC that Mungai was provided with the materials to make the film (Cham and Mungai 1994, p. 95). *Saikati* was shot on 16 mm film and the processing of the film was done in Kenya, with the exception of the optical soundtrack which Mungai did at Bavaria Studios in Munich because the necessary equipment did not exist in Kenya (Cham and Mungai 1994, pp. 96–97).[7] The film's crew was entirely Kenyan (Cham and Mungai 1994, p. 96). Financing the project was difficult and she "managed to get the crew… and the actors to work for only token pay from the school" since she "could not afford professional fees." She also received in-kind contributions from Serena Hotels and Air Kenya (Cham and Mungai 1994, pp. 95–96) – leading to product-placement sequences in the film. These struggles in film financing have been part of the African cinematic landscape since its beginnings in the 1960s.

Within a context of state supported filmmaking supplemented by transnational resources and corporate donations, Mungai was able to tell a personal and creative story. The film itself closely parallels Mungai's own life, and it was important to her to make a film that reflected her own experiences. She states:

> As a woman film-maker, I want to be free to describe what affects a woman from a rural background. After all, I did grow up in a village! … When I make films, I put a lot of myself into them, a lot of my childhood. It is what I want to express because it is what I know and what I've lived. (Mungai 1996, p. 65)

The need to tell her own story and assert her experiences as well as political views on those experiences helps explain why Mungai would go to the trouble of actually making the film. Mungai's film and early career are thus intelligible according to African film scholar Lizelle Bisschoff's argument that African women filmmakers often "enter the industry through a desire to tell their own stories" and that "commonly their main goal is to offer alternative representations of African women as a counter to western and masculinist hegemony" (2012, p. 168). *Saikati* argues against male gerontocratic control and asserts women's rights to independence through a story based closely on Mungai's lived experiences. African film scholar Melissa Thackway argues "the emergence of women's filmmaking has enabled women directors everywhere to deconstruct stereotypical representations of female characters that are generally filmed from a male point-of-view" (2003, p. 147). While Thackway's argument may stray toward the utopian, it cannot be simply discarded or we risk neglecting the very real structural inequality women in cinema face. For instance, "many of the great women directors who emerged on the continent in the 1970s, 1980s, and 1990s – such as Sarah Maldoror, Safi Faye, and Anne Mungai – have made very few films. Those that they have made have not been widely screened, and sometimes do not exist in modern, digital formats" (Dovey 2012, p. 22). As such, while Mungai is part of a generation of African filmmakers, both male and female, working to assert "authentic" national perspectives and create socio-political transformation, keeping gender in focus is essential to understanding Mungai's working context.

Transformations in the New Millennium

Many features of 1990s-era film productions such as *Saikati* continue to be enduring fixtures of Nairobi-based filmmaking, including the difficulty in finding financing for feature fiction films and the necessity of transnational sponsorship for this endeavor. Yet, there are key differences. Rather than being educated by, and working at, state institutions, the new generation has often trained at film schools abroad and frequently run their own small production companies, relying on their entrepreneurial instincts rather than state support. This generation is also part of a movement of young filmmakers on and off the African continent "whose cultural and educational backgrounds do not encourage a simple equation between political identity (as Africans) and artistic orientation" (Adesokan 2014, p. 248). The urban space of Nairobi is central to the emergence of a lively and sustainable screen media production industry in the new millennium. Much as Lagos is to Nollywood, Nairobi "is an environment that shapes [Nairobi-based films] materially" (Haynes 2007a, p. 13). While there is some film production elsewhere in the country (e.g. Mombasa (Overbergh 2015, p. 99)), Nairobi is the unquestionable center. Nairobi's centrality in filmmaking is paralleled by its significance in all

business: Indeed, "'everyone who counts' has his business there" (De Lame 2010, p. 153). A fast-growing ICT sector with the "presence of major global players" and local "technology incubators and labs" gives Nairobi the feel of an ICT hub, and state policy goals include setting up "Kenya as Africa's ICT hub by 2017" (Overbergh 2014, p. 208). Further, confidence and entrepreneurialism in creative industries "resonates a more general feeling of 'momentum' in Kenya" (Overbergh 2014, p. 209). Contemporary Nairobi is an area of technological and entrepreneurial growth that is emerging as a significant node in global networks, while at the same time maintaining its historical importance as the business center of Kenya.

The large presence of NGOs and international organizations in the city is also of crucial importance to filmmakers. The United Nations headquarters in Africa are in Nairobi (established in 1996), and additionally Nairobi is a "central hub for connections with an international civil society network" (McNamara 2016, p. 29 citing Taylor, 2004). NGOs are an essential client for local filmmakers: They are the "bread and butter of this industry" (Kamau, 2015). Nairobi is also a regional center for producing commercials. Thus, there is infrastructure in place in the city for filmmaking and potential commercial work for industry professionals. This is a key enabling condition because it creates a situation where film industry professionals can be constantly working on screen media, even if they cannot be working on fiction or creative projects. Another key feature of the city for sustaining Nairobi-based female filmmakers, is the local presence of international cultural institutions, and more specifically the Goethe-Institut and the Alliance Française. The Goethe-Institut sometimes provides funding for films – the Pan-African projects "Latitude – Quest for the Good Life" and "African Metropolis" are the most important – but the more significant role of these institutions is that they provide exhibition spaces. The auditoriums of the Goethe-Institut and Alliance Française, alongside the art center Pawa 254, are the most central spaces – both in terms of being spatially located in the center of town and in terms of importance – for local films to be exhibited (almost always for free) and are also the dominant spaces for screening art cinema and documentary films in the city. Nairobi does have conventional cinemas, but they tend to screen locally produced content only on an ad hoc basis in favor of focusing on Hollywood and sometimes Bollywood films, so the presence of transnational cultural institutions is essential to the local circulation of films by Nairobi-based female filmmakers.

The career of filmmaker Judy Kibinge has emerged as a result of many of these most important shifts in Nairobi-based filmmaking in the last 15 years. Before embarking on a career as a filmmaker, Kibinge had a successful career in advertising – she was Creative Director of McCann Erickson Kenya. She has a Bachelor of Arts in Design for Communications from Manchester Polytechnic, but never attended film school. In 1999, she left advertising to become an independent filmmaker and began directing commercial documentaries for the American multinational agricultural giant Monsanto. Subsequently, she made her first fiction film – the short *The Aftermath* (2002) – with M-Net New Directions, a project that

is part of M-Net Cares, the corporate social investment group of the transnational media corporation. The project is for "emerging directors and scriptwriters" and it "solicits proposals from first-time directors and writers." It then mentors the filmmakers and refines the projects to create 30-minute dramas it then broadcasts (Tomaselli and Shepperson 2014, p. 121). New Directions initially operated exclusively in South Africa, but it expanded in 1999 to include Zimbabwe, Tanzania, Kenya, Ethiopia, Ghana, and Nigeria and became known as New Directions Africa (Saks 2010, p. 74). Many high-profile Nairobi-based female filmmakers have been part of this project including Wanuri Kahiu who used it to make her short film *Ras Star* (2007).

Kibinge's breakout moment came when Executive Producer Njeri Karago asked her to direct *Dangerous Affair*, a project that sparked a great deal of excitement because Karago, who had worked as a producer in Hollywood, had raised the money for the film (Kibinge, 2015).[8] Furthermore, the film also received a great deal of press attention because so few films were being made locally at the time (Kibinge, 2015). *Dangerous Affair* was shot on the professional videocassette technology Betacam (Kibinge, 2015) and was distributed through Karago's company Baraka Films. Unlike Ghana where "no Ghanaian women had directed or produced a documentary or feature film before the advent of video movies" (Garritano 2013, p. 17), women like Anne Mungai, Wanjiru Kinyanjui, and others had produced films on celluloid, yet, for the first decades of production these films were few and far between. Much like other ventures from across the continent signaling a technological revolution, in Nairobi "equipment became cheaper, so barriers to entry were lower" (Kamau, 2015), but unlike Nigeria and Ghana "viable" local production would only emerge after *Dangerous Affair* (McNamara 2016, p. 24).

A romantic comedy about the loves, marriages, and affairs of young urban professionals, *Dangerous Affair* explored a subject not yet taken up in Kenyan cinema. The central protagonist Kui opens the film, returning home to Nairobi after working in New York City. The film is set in a middle-class milieu and its dominant locations are upscale bars, parties, and homes where a class of stylishly dressed young professionals unaffectedly discusses sex and romance. The technical quality of the film is uneven – the sound varies in volume and occasionally cuts out completely and the editing between scenes sometimes disrupts locational continuity – but these flaws are transcended by the bold honesty of its characterization. The characters are imagined as modern subjects – equally at home in "traditional" marriage rituals as in Christian Dior gowns and business suits – and the film sees the metropolis not as a space of immoral danger (as it is in *Saikati*) but simply as home. The film depicts what Anthropologist Rachel Spronk calls Nairobi's young professionals (2012. 2014). These young professionals are generally born and raised in Nairobi with only weak ties to their families' rural homes (Spronk 2014, p. 101). They are cosmopolitan and seek to connect with the world outside Kenya and they "see themselves as the frontrunners of a contemporary identity in which professional pride, progressive attitudes, and a fashionable outlook are important

markers" (Spronk 2014, pp. 107–108). As Spronk notes, "every generation perceives itself as modern: the interesting issue is how they do so" (2014, p. 107). In *Saikati*, progressivism meant women holding on to their rural roots while also becoming educated, whereas for the young professionals in *Dangerous Affair* there is no disjuncture between African authenticity and urban cosmopolitanism.

Kibinge has continued to work on commissioned projects, including corporate documentaries, because it has not been financially feasible to sustain her career making only fiction films. In her words: "I've never made any money on any drama. I've never paid rent off any dramatic film. In fact it costs you" (Kibinge 2015). In these circumstances, making corporate documentaries is a way of continuing to work as a filmmaker; yet even in these conditions, she found ways to explore the possibilities of storytelling. In her approach, corporate videos do not have to be "boring" and "any story, even corporate videos, can be proper feature-length documentaries that are gripping" (Kibinge, 2015). She brought this philosophy to her Transparency International film *A Voice in the Dark* (2005) (which was cut down to *The Man Who Knew Too Much* (2007)) and she continued this approach in her 60-minute documentary *Headlines in History* (2010) where she transformed a story about the corporate history of the Nation Media Group into "the story of Kenya seen through the eyes of the journalists who wrote the headlines about the nation" (Kibinge, 2015). *Headlines in History* blends archival footage and interviews, but transcends this educational and expository style of documentary making through a careful focus on character and Kibinge's unique ability to find drama in seemingly ordinary situations.

Like many Nairobi-based female filmmakers, Kibinge also runs a small production company called Seven Productions. She describes Seven as "really just me and my computer" (Kibinge, 2015), but she has produced a number of films through Seven. She made the 40-minute noir thrill *Killer Necklace* (2008) in partnership with M-Net New Directions and two documentaries: *Peace Wanted Alive* (2009), about the 2007/2008 Kenyan post-election violence and *Scarred: The Anatomy of a Massacre* (2015), about the 1984 massacre of Somali men at the Wagalla airstrip in the Wajir county of North Eastern Kenya.[9] *Scarred* is a passion project she developed over the course of four years after she met survivors of the massacre. She received financial support from the Open Society Initiative for Eastern Africa (OSIEA), the Nairobi-based branch of the American Open Society Foundation to make the film, but acted as the director, producer, and researcher.[10] *Scarred* is a particularly interesting example of her work. Based on her advertising background she wanted to have a "visual hook" running through the film and consequently she decided to photograph the scars of Wagalla survivors in a manner reminiscent of a fashion photo shoot (Kibinge, 2015).[11] The result of this unusual approach is dignified scar portraits. Each portrait is a close up black-and-white photo against an opaque background and the scars are the focal point. While the idea to have an anchoring visual theme in the film was drawn from her advertising background, the images themselves avoid merely aestheticizing or sanitizing the violence.

The portraits depict various body parts, but most include the victims' faces, and these portraits are especially evocative because the survivors look directly into the camera in an accusing demand for recognition. The portraits thus work to establish a human connection between victim and viewer, which is especially important given that the massacre has long been officially denied. The portraits thus boldly challenge the Kenyan government to recognize the Wagalla atrocity through showing the embodied evidence of wrongdoing provided by the scars. This sort of creativity and boundary pushing has been evident throughout her career regardless of the genre or medium used to tell a particular story.

As the example of Kibinge shows, binary categorizations of African screen media do little to explain trends in filmmaking because the filmmakers themselves work across these divisions (cf. Dovey, 2010).[12] As has been shown, much of the work of Nairobi-based female filmmakers shifts between formats and shows a diverse way of working that cannot solely be confined to "festival" work. Acclaimed "festival" filmmaker, Wanuri Kahiu, is notable here because while her international reputation is due to her fiction films (*Pumzi* (2010) and *From a Whisper* (2009) most notably), throughout her career she has moved between feature and short fiction films, documentaries,[13] television,[14] production,[15] and writing. In her words:

> I wouldn't have said that I would do documentaries but I started doing them because those were the jobs that were available … I mean all of it is storytelling and I love all of it, it's just that I really did think that I'd be doing more feature films and shorts than documentary projects. (Kahiu, 2015)

This format shifting is not a matter of artistic compromise – Kahiu made it very clear that she loves the storytelling afforded by documentary filmmaking – but an adaptation to a constantly evolving market.[16] Kahiu is but one example of this trend, and indeed this form of working is completely typical of women operating in film in Nairobi today.

The examples of Kibinge and Kahiu are among wider convergences taking place in African screen media production. In Nigeria and Ghana, where most films are viewed on television rather than in cinemas, the distinction between "film" and "television" is often blurred. As Moradewun Adejunmobi has explained, "cinema" and "television" are meaningfully differentiated not by the "specifics of the platform or the site of spectatorship" (2015, p. 124), but by their "potential for televisual recurrence," which she defines as "the ability to attract similarly constituted publics to the same or similarly themed and styled audiovisual texts on a fairly regular and recurrent basis" (2015, p. 121). This shift happened within the twenty-first-century context of detheatricalization across Africa and the expansion of the popularity of television viewership (Adejunmobi 2015, p. 124). Conventional differentiations between film and television are no longer sufficient within this context. Nairobi-based filmmakers also seek to have their films broadcast on television, but for broadcasters to buy films instead of conventional television series "the

quality of the movies will have to be consistent and will need to come in numbers" (Overbergh 2015, p. 110). While Nairobi-based female filmmakers are rarely disadvantaged because of the technical quality of their films (unlike the Riverwood[17] filmmakers Overbergh examines), they face the difficulty of generating the consistent quantity of films required to carve out a space for their films on television.

Nairobi-based filmmakers work in multiple formats (as previously mentioned), and this multi-format convergence helps explain why even despite a lack of state and social support a vibrant screen media industry of international caliber has developed in Nairobi. Working across formats can lead to new and innovative business models for making screen media content. A key example of this is Zamaradi Productions, led by veteran film producer Appie Matere. Zamaradi undertook a bold filmmaking experiment when they attempted – successfully – to produce 56 60-minute films for South African pay television company M-Net in a five-month period. All the films were shot at Zamaradi's studio, which consists of a large bungalow on an expansive property in a leafy suburb in North West Nairobi where they constructed a variety of interchangeable indoor and outdoor sets. While sitting outside the bungalow by a dilapidated pool that would soon become the set of a television show about a hotel under renovation, Matere described the process of shooting the 56 films as follows:

> It was so crazy because all the interiors had to be in this house for the films so that we can be able to work within the budget and within the timeframe … we had to build sets here for all of them. So this room now … could be a restaurant, in another half an hour you come back and it's a classroom. And the *fundis* [handy men] are on standby waiting to paint or whatever it was. … It was crazy. (Matere, 2015)

The pace of the shoot is reminiscent of Nollywood-style filmmaking, but the interesting element lies in the fact that Matere was able to adapt this mode of filmmaking to make television movies of the standard required by a major cross-continental broadcaster. She brought her skills, gained in the production of slick and successful local films like *Project Daddy* (Kibinge, 2004) and *Killer Necklace* (Kibinge, 2008), to the production of films in another format, and subsequently used the model developed through this project to shoot three television shows simultaneously.

Adejunmobi's theory provides a space to think of all of Matere's modes of production together, of both television and made for television movies as other aspects of filmmaking and vice versa. Adejunmobi discusses convergence in modes of viewing, and argues that film and television can no longer be meaningfully differentiated based on where and how they are watched. But this convergence is also happening at the level of production, where the same models can be employed, as the example of Matere demonstrates, to make both film and television. Thus, an in-depth examination of her work, and that of other Nairobi-based female filmmakers, shows that conventional definitions of "African cinema" as only embracing

film need to give way to the much wider concept of "African screen media" so as to be cognizant of the vital interplay between formats and modes of production happening in Nairobi today.

Re-emergence of "Festival" Films

Although there are exceptions, Nairobi-based femalefilmmakers have attracted attention largely because of their feature-length and short fiction films that have received acclaim on the international film festival circuit. Key examples include Anne Mungai (*Saikati*, 1992), Wanuri Kahiu (*Pumzi*, 2010), Hawa Essuman (*Soul Boy*, 2010), Ng'endo Mukii (*Yellow Fever*, 2012), and Judy Kibinge (*Something Necessary*, 2013), of which *Pumzi* is perhaps the most notable. It depicts a dystopian future and a postwar apocalyptic landscape where humankind lives in an underground colony. The colony is one of scarcity, powered by the kinetic energy inhabitants produce, where water is prized and all bodily fluids, including sweat and urine, must be recycled into drinking water. The narrative arc consists of the protagonist Asha, a worker at the virtual natural history museum, escaping the colony with a tree seed and sacrificing herself to plant it so that life can once again grow outside. The message of human impacted environmental destruction is clear, and the film participates in a long history of cautionary science fiction.[18] Yet, the film gives equal weight to the pleasurability of the viewing experience as it does to its eco-political message because of Kahiu's intentional strategy of composing the film of precisely framed photographically beautiful images (Kahiu, 2014). *Pumzi* is thus part of a longstanding film tradition, going back to the earliest African films, where pleasure and politics are "deeply imbricated with one another" (Dovey 2010, p. 3).

The contemporary filmmaking landscape Nairobi-based female filmmakers must navigate is one marked by the worldwide proliferation of film festivals. Film festivals have played a crucial role in bringing these filmmakers to international attention, and as such, using Dovey's definition of "festival" filmmakers as a tool for understanding Nairobi-based female filmmakers can be illuminating. She argues that "festival" filmmakers generally "come from middle class or upwardly mobile social environments, have had access to professional film training, and have traveled widely" (2015a, p. 6). These filmmakers also have international perspectives and desire "for their films to *travel* beyond their local contexts" while nevertheless remaining "marked" by those contexts (Dovey 2015a, p. 7). She argues via De Valck that another characteristic of "festival" filmmakers is the way they value artistry and creativity over commercial concerns (Dovey 2015a, p. 8), while also maintaining that "art" and "commerce" are always imbricated (Dovey 2015a, p. 5). Similarly, while the need to grow a local market for their films was continually mentioned in my interviews with them, Nairobi-based female filmmakers

generally make films first as a way of sharing their art and their ideas with the wider world and only second as a profit driven venture. Dovey's concept of "festival" filmmakers can capture emerging filmmakers, not just those who have already gained acclaim on the festival circuit, because its focus includes character traits and the personal background of filmmakers. As such, it is applicable not only to well-known Nairobi-based filmmakers, but also to "rising" stars.

"Festival" filmmakers tend to "spend their lives moving between their homes in Africa and elsewhere" (Dovey 2015a, p. 6). This is true of Nairobi's "festival" filmmakers who continually travel outside the country to study and work. This leads to Julien's important question: "What impact does residence abroad – or the continual shuttling between host country and homeland – have on literature and film by Africans?" (2015, p. 18) The mobility of "festival" filmmakers may be a sign of "these filmmakers' inability to convert symbolic capital accrued outside of the continent into other kinds of capital, particularly back home in Africa" (Dovey 2015a, p. 7). While promoting her now classic science-fiction short film *Pumzi*, Wanuri Kahiu said "I am a filmmaker when I'm outside the country – in Kenya, I'm a hustler" (Kermeliotis, 2010).[19] At this point Kahiu had not only released an innovative and highly regarded new film, but had also received 12 nominations and won five awards at the African Movie Academy Awards in 2009 for her film *From a Whisper*. Her statement reflects, in Dovey's terms, a failure to make the symbolic capital gained from success in prestigious international circuits "operative" (2015a, p. 5) back home in Kenya. A filmmaker may receive symbolic capital from attending or winning at prestigious festivals and awards, but a lack of recognition of that achievement within Kenya leads to a failure to find financial backing within the country to continue making films.[20]

The transnational mobility of filmmakers also impacts the content they produce. In a statement that typifies the experience and perspective of many Nairobi-based female filmmakers, Hawa Essuman (director of films such as *Soul Boy* (2010)) said:

> I would consider myself an African middle class individual … And there are so many people who would consider themselves as such … I mean, we crave art like most first world cities, I think it's because we've spent time in them. We care about the quality of life, we care about food, we care about fashion … It's a very interesting hybrid between – it's not actually, *it's not even a hybrid, it's just who we are*. Our education has been all over the world, sometimes predominantly the West. Our roots are very much continental, and we are looking for ourselves in the middle. (Essuman, 2015, my emphasis)

Essuman points to the vital influence travel and living between multiple spaces has on screen media production. A particularly cogent example of transnational mobility shaping a film is Ng'endo Mukii's documentary animation short *Yellow Fever* (2012). It explores a global hierarchy of female beauty standards that positions whiteness at its pinnacle and the psychological impact this has on African women. In a particularly evocative sequence, Mukii interviews her young

niece – depicted in animated form – and her niece plainly states "I really want to be American instead of a Kenyan. If I was American I would be white, white, white, white and I love being white" (see Figure 14.1). Animated interviews such as this are placed throughout the film and interspersed with live action female modern dancers who contort their bodies to depict the existential discomfort of trying to conform to unrealistic beauty standards. Mukii made the film while she was a student at the Royal College of Art in London, but the inspiration for her incisive critique of race and representation was her return to Nairobi after studying at the Rhode Island School of Design and living in the United States. The circular motion of travel and return opened her to a new perspective on issues she had never originally questioned while living in Nairobi and she began "looking at this issue of race and representation in media and trying to figure out where this added value of whiteness had come from in African countries" (Mukii, 2014).

Filmmakers are led to "festival" filmmaking through various trajectories. Some through film school training – Wanuri Kahiu did a Masters in Film Directing at UCLA and Ng'endo Mukii trained at the Rhode Island School of Design and the Royal College of Art in London for instance – but others through a "learning on the job" in Nairobi approach. A key example of this second trend is Hawa Essuman. She began her career in production before realizing she wanted to be a creator. At this point she joined the local television drama series *Makutano Junction*[21] in the directing department and worked there for four seasons (Essuman, 2015). She had the opportunity to make her first film *Selfish?* (2008) when she approached the local Nollywood-style[22] production house Jitu Films – which made "really low budget films" – about creating a film for them. There was "barely a script" and it

Figure 14.1 An animated interview in *Yellow Fever* (Ng'endo Mukii, 2012). Image courtesy of Ng'endo Mukii.

was shot in six days and the film has "so many problems it's ridiculous," but she described making the film as "a good education" (Essuman, 2015). Subsequently she experimented with short films, filmed with the help of friends, so she could discover what her "own filmic voice looked like" (Essuman, 2015). Following this she was accepted by One Fine Day Films[23] to direct *Soul Boy*, and at this point her career changed.

Soul Boy is a simple story of magical realism that follows a fairy-tale quest format; in this instance a young boy must complete a series of tasks to save his father's soul. It is set in Nairobi between the "slum" Kibera and upscale suburb Karen, and it shows both parts of the city – the richest and poorest – in the same bright color and their respective residents with the same depth and agency.[24] *Soul Boy* had its world premiere at the International Film Festival Rotterdam (IFFR) where it went on to win the Dioraphte Award (worth €10,000), and subsequently went on to win various awards at the African Movie Academy Awards, the Kalasha Awards (based in Nairobi), and the Zanzibar International Film Festival, to name only a few, and to screen at "virtually every other festival worldwide" (Wenner 2015, p. 189). *Soul Boy* was validated on an international film festival circuit, but its popularity within Nairobi (and specifically in the "slums" of Kibera and Mathare) shows the limits of "any easy dichotomy of festival cinema and popular film" (Dovey 2015b, pp. 131–132). After *Soul Boy's* successful festival run Essuman won the Director's Eye Prize at the African Film Festival of Cordoba (FCAT) in 2012 – worth €25,000 – to write a feature screenplay, and she is in the process of co-directing two documentaries, both of which have received prestigious international film festival support.[25] Essuman had a diverse career in production, television, and "video film" before *Soul Boy*, but it was unquestionably this film that launched her international career and gave her the status of a "festival" filmmaker.

Soul Boy is but one example of a wider trend in Nairobi-based filmmaking where female filmmakers receive funding (or a combination of funding and mentoring) from transnational partners. Similar dynamics can be observed with the participants of the Focus Features Africa First program. This program helped Wanuri Kahiu make *Pumzi* and also provided a grant for Ng'endo Mukii's film *The Teapot* (in production). "Deliberately inscribing itself in an artcinema context, cultivating a sense of cool cosmopolitanism, and invested in global auteurist cinema discourse," Africa First explicitly intended to make films for the festival circuit and related highbrow outlets (Sanogo 2015, p. 142). Its goal was to "produce first-rate short fiction films from Africa by discovering or enabling film directors early in their careers" (Sanogo 2015, p. 142). Yet, while these circuits have worked to the benefit of many Nairobi-based female filmmakers, this may only be for a time. Essuman spoke with particular clarity on the subject:

> In the international arena I think it is possible for you to find funding for your first and second feature. After that, there is a hope that you know how to do it by now …

> but if you know how to work a system that is finite you are not equipped to handle another system. You have to find a way to invent a new one. (Essuman, 2015)

Of critical importance here is the issue of sustainability: Many of the funding structures Nairobi-based female filmmakers have used to make their films are for *emerging* filmmakers (Africa First and New Directions are explicitly for emerging voices). Thus the need to make films for Kenyan audiences was repeatedly emphasized by Nairobi-based filmmakers in our discussions just as they seek prestige, audiences, and funding in other markets.

Many films by Nairobi-based female filmmakers have found success internationally, yet locally distribution is the biggest challenge the industry faces. There is essentially no distribution system in place that would enable an upmarket film to make a profit, and it is very difficult to even access many locally made films.[26] Nairobi's few cinemas almost exclusively screen foreign films and there is a pervasive culture of film piracy across the city. It is possible to buy a 50 KES (¢50 US) DVD of the latest release of films and television shows from around the world almost anywhere in the city. Furthermore, broadcasters in Kenya pay little for local content because they have a very cheap way of filling airtime in the form of imported content (Ghettuba, 2015). Although there is cautious optimism, this broadcast situation might change and lead to a boom in locally produced content since President Kenyatta announced, in 2013, that "the required quota for local content on television will be increased from 40 to 60 per cent," which would result in broadcasters having to commission more local productions or make more in-house productions, that is, if the law is enforced (Overbergh 2015, p. 109). The market for locally produced films is very small in Kenya, making international markets both on the continent and farther afield vitally important.[27]

Conclusion

This chapter participates in ongoing projects of "re-thinking" taking place in contemporary African screen media studies. The re-evaluation of existing ways of thinking about African film has always been at the heart of Nollywood and video film studies, and is exemplified in the entire corpus of Jonathan Haynes, *African Video Movies and Global Desires: A Ghanaian History*, and the seminal text *Viewing African Cinema in the Twenty-First Century: Art Films and the Nollywood Video* Revolution (the first attempt to bring the divergent fields of video and celluloid film scholarship into close conversation). Re-conceptualizing ideas of "Africanness" is another core debate in African film studies and the recent essay collection *Rethinking African Cultural Production* is exemplary for proposing new models for understanding the creative production of Africans when many of them "do not live in Africa" but rather live in other countries or "travel between Africa and

elsewhere" (Ekotto and Harrow 2015, p. 1). The case of Nairobi-based female filmmakers contributes to moving both of these important scholarly debates forward as it proposes new ways of thinking about screen media and African-ness.

Nairobi-based female filmmakers' work is daring and innovative and challenges many of the stereotypes that govern the study of women in filmmaking. Their diversity in switching between formats and genres reflects the struggles they face financing films in Nairobi, but even more than that it shows that their creativity and artistry cannot be limited to only one format. Ultimately, this chapter has shown that understanding the emergence of a unique industry led by women in Africa requires new ways of looking – specifically arguing for an approach that looks at transnational connections while remaining firmly grounded in local spaces – and that these "new looks" can illuminate the entire field of African screen media studies.

Notes

1 A core source of discontent among filmmakers is that the Kenyan government has no system for granting funding to filmmakers. They have a loan – called "Take 254" – that is offered through the Youth Enterprise Development Fund. Through Take 254, filmmakers can borrow up to 25 million shillings (approximately US$250,000) if they are under 35 (or part of companies where 70% of the employees are younger than 35). The loan has an interest rate of 8%, which must be repaid in full (with interest) in six years, and, depending on the size of the loan, the filmmaker gets a 2–3 month grace period and the project has to be completed within 4–6 months. The loan is widely considered laughably impractical because of its unrealistic timeframe for film completion and loan repayment, and veteran film and television producer Isabel Munyua went so far as to describe the loan's conditions as "insane" (2015).

2 Curiously, scholars have so far neglected this aspect of the careers of Nairobi-based female filmmakers. The work that does exist focuses on textual analysis of their fiction films (cf. Mukora, 2003; Omelsky, 2014; Giruzzi, 2015) or consists of short, and highly incomplete, descriptive surveys of industry trends (Kinyanjui, 2014; Okioma and Mugubi, 2015).

3 Mungai had made "short and medium-length documentaries on a number of topics dealing with women, health, youth, religion, agriculture, and education" all for television (Cham and Mungai 1994, p. 99) prior to *Saikati*, but this was the pivotal film in her career and her reputation as a filmmaker is almost entirely based on this production. Her subsequent films – like *Tough Choices* (1998) and *Promise of Love* (2000) – are almost entirely unknown.

4 Wanjiru Kinyanjui trained in screenwriting and directing at the German Academy for Film and Television Berlin (DFFB).

5 Since 2011, KIMC has been a Semi-Autonomous Government Agency (Kenya Institute of Mass Communication, 2017).

6 The Friedrich Ebert Foundation is a political foundation affiliated with, but independent from, the Social Democratic Party of Germany.

7 While KIMC once had a lab equipped to process 16 mm film, the equipment is no longer functional and it is not currently possible to process celluloid film in Kenya (Kinyanjui, 2015).

8 Subsequently, Karago and Kibinge collaborated on another urban romantic comedy called *Project Daddy*, which was similar in theme, aesthetics, and production style to *Dangerous Affair*.

9 In February 1984, the Kenyan Army forcibly gathered up to 5,000 Somali men from the Degodia clan and took them to Wagalla airstrip. This location then "became the scene of the worst atrocities and slaughter to be witnessed in Kenya's modern history" after four days of interrogation left hundreds dead (Anderson 2014, p. 658). The official position is that 57 died, but survivor testimonies account for almost 1,000 dead with perhaps 2,000 additional people missing (Anderson 2014, pp. 658–659). The exact death toll remains unknown.

10 Half the proceeds from DVDs sold go to the Wagalla Massacre Foundation. The film has had limited distribution, mostly consisting of free screenings in various parts of Kenya, after it premiered in Nairobi to a packed audience at the Louis Leakey Auditorium of the National Museum in February 2015.

11 Kibinge described the process as follows: "We set up a proper photo shoot and then when we started the photo shoot it was just pushing it a little bit more. Can you look in the camera lens? Which is something a bit strange to ask a victim of a massacre, show us your scars and look in the camera. It's almost like a fashion shoot" (Kibinge, 2015).

12 In defining the parameters of his *Dictionary of African Filmmakers*, film scholar Roy Armes chose to include only feature length films made or distributed on celluloid (2008, p. 3). The limitations of this technological division between "film" and "video" is clearly apparent in the entry on Kenyan film. Armes lists only three feature films and three filmmakers in Kenya's *entire history* (Sao Gamba, Anne Mungai, and Wanjiru Kinyanjui). He accounts for all other screen media production in a note, stating "a number of feature-length videos have been shot in Kenya in the 2000s" and an incomplete list of films, including shorts and documentaries, with no account of their importance (Armes 2008, p. 217). The fundamental transformations happening in Nairobi-based screen media industries in the new millennium are entirely obscured through this approach.

13 Wanuri Kahiu directed *For Our Land* (2009) for M-Net's "Great Africans Series" and is currently in-production on a number of documentary projects.

14 Wanuri Kahiu made one season of a TV show called *State House* (2014) for the East African pay-TV network Zuku.

15 Wanuri Kahiu runs a production company called Awali Entertainment with Rebecca Chandler. She is also credited as a producer on the African Metropolis short film *Homecoming* (Chuchu, 2013).

16 Wanuri Kahiu's frontiers are continually expanding and she is now working with the South African Triggerfish Animation Studios Story Lab project to make a feature film called *The Camel Racer* with Nnedi Okorafor.

17 Nairobi has a video film industry named Riverwood. Riverwood films, in opposition to the films of Nairobi-based female filmmakers, are ultra-low-budget, being made on budgets of 20-30,000 KES (US$200–300), DVD movies that circulate around River

Road on the East side of downtown Nairobi alongside music and "Hollywood, Bollywood or Nigerian filmfare" (Overbergh 2015, p. 99).

18 *Pumzi* has been noted most predominantly because of its unusual genre: Science fiction. It is cited by Kenneth W. Harrow as an example of the new "kinds of films that are now emerging" that demand "new kinds of critical approaches" (2015, p. 14). Other scholars have suggested *Pumzi* "provides a never-before-seen image of high-tech Africans in the future" (Womack 2013, p. 135) and displays a "new use" of film genre (Higgins 2015, p. 85).

19 This expression struck me, and throughout my research I asked each filmmaker I met what they thought of Kahiu's articulation – whether or not filmmaking in Nairobi is "a hustle." In response I received an almost unanimous, immediate, and enthusiastic yes.

20 The extent of this problem is demonstrated by the pervasive idea in Kenya that filmmaking is not a "real job."

21 Notably, while *Makutano Junction* is made in Kenya, it is produced by a global charity called Mediae that works to use entertainment for education, and the show has been on air since 2007.

22 The term Nollywood, while often used as shorthand to describe a particular genre of video film, actually refers to a specific industry in Southern Nigeria. Garritano cautions against using the shorthand since it obscures complex regional dynamics and differences between video industries (2013, p. 3) including intense competition (also see Haynes 2007b, p. 4). "Nollywood-style" is perhaps the more appropriate term.

23 One Fine Day Films (OFDF) is a German organization started by husband and wife team Marie Steinmann and Tom Tykwer that grew out of their existing Nairobi-based arts NGO One Fine Day e.V. (Slavkovic 2015, p. 205). It "is supported by the German-based DW Akademie, a media capacity building cooperation development group, and British-funded Nairobi-based organisation Ginger Ink Films" (McNamara 2016, p. 26). OFDF's first film *Soul Boy* (2010) was made with the system of using foreign professionals to mentor local talents – for instance Tykwer mentored the director Hawa Essuman. Following the success of *Soul Boy*, OFDF expanded to run a two-part project consisting of a workshop or "two week classroom-like 'mini film school'" (One Fine Day Films, 2016) whose participants are experienced filmmakers from across the continent and a film (whose participants would ideally be drawn from that workshop). This model produced *Nairobi Half Life* (Gitonga, 2012), *Something Necessary* (Kibinge, 2013), *Veve* (Mukali, 2014), and *Kati Kati* (Masya, 2016).

24 The film is thus in rather direct contrast to dominant images of Kibera as gray and dirty and its inhabitants as desolate – a difference that likely contributed to the film's local popularity. Kibera residents also praised it for its creativity (Dovey 2015b, p. 131).

25 Hawa Essuman is co-directing a documentary with Malou Reymann supported by a development grant from CPH:LAB (a project of the Copenhagen International Documentary Festival) and another, called *Silas*, with Anjali Nayar, which has received financing from the International Documentary Film Festival Amsterdam (IDFA) Bertha Fund. *Silas* is set to premier at the 2017 Toronto International Film Festival (TIFF).

26 Interestingly, distributions and sales problems are also pervasive in Riverwood. The type of filmmaking practice in Riverwood is reminiscent of Nollywood-style filmmaking because the films are made cheaply and quickly. However, the crucial distinction here is that unlike Nollywood Riverwood "does not seem to be widely viewed and is not hugely profitable" (Overbergh 2015, p. 100 via McNamara p. 2010) aside from the small core group of "successful comedians" (Overbergh 2015, p. 106), who were Riverwood's pioneers.

27 This transnational turn has countless precedents in film industries around the world (for instance post-Revolutionary Iranian cinema and Chinese Fifth Generation cinemas). In circumstances where the state can no longer support creative filmmaking (or chooses not to) filmmakers have looked to transnational sources of funding and circulation. Nairobi-based female filmmakers are no different.

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