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## **UNIT 3 FILMMAKER AND THE FILMED: RELATIONSHIP AND UNDERSTANDING ‘ETHICS’\***

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### **3.0 OBJECTIVES**

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After reading this Unit, you will be able to;

- Analyse the Relationship Between Filmmaker And Subject;
- Understand Various Ethical Issues in Filmmaking;
- Describe Ethical Responsibilities to Subjects And Viewers;
- Describe Ethical Challenges for the Filmmakers.

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### **3.1 INTRODUCTION**

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‘Relationship’ and ‘Morality’ are two key aspects of our day to day life. In order to keep a proper relationship with anybody, we need to follow some principles. One of them could be the principles of morality. Isn’t it? You may make a list of a number of situations in the past, when you were in a dilemma what to do, which course of action you need to follow etc. In the context of documentary filmmaking, particularly in case of ethnographic documentary, scholars have

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started showing their keen interest to study on the relationship of the filmmaker–filmed.

In this unit, we will discuss at length, how the relationship between filmmaker and subjects occupies the central place in making the documentary film. In addition to this, we would analyse many ethical questions raised by the documentarians during the course of making documentary film. As listed by *Olga Khrustaleva*, another research scholar on Ethics of Documentary Filmmaker, such ethical questions are (Khrustaleva, 2014) –”is it possible to document the reality without intervening, and without expressing a certain viewpoint? Does establishing friendly relationships with the subject benefit the story or not? Are filmmakers exploiting people by documenting their lives? How truthful are stories of people in a documentary if only a small percentage of footage is used in the final film?”

The unit would focus on various debates on the ethics of documentary filmmaking by including filmmakers’ experiences and opinions so that you would understand what ethics truly mean in the field of documentary filmmaking.

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## 3.2 FILM & THE FILMMAKER

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Who is a Filmmaker? The term “filmmaker” is usually referred to as the ‘Director’ or ‘Producer’ of a movie. With regard to the specific job of a ‘Filmmaker’, it varies from film to film. But it is true that they are responsible for taking the film from the basic idea to the finished product. Filmmakers may delegate various jobs to others depending on the situations. Those job duties may include Scripting, Budgeting, Casting, Hiring, Producing (Pre-production, Production & Post-production) and finally, Releasing the movie.

As far as Scripting for the movie is concerned, a script may be obtained through a number of ways. Filmmakers may write the script themselves based on an original idea, it may be purchased from a screenwriter, a writer may be commissioned to flash out an idea. However, irrespective of the methods adopted by the filmmaker for getting the script, they have the final say on how best a story or idea should be conveyed to the target audience through this particular ‘film’ medium. You must have heard that ‘Budgeting’ is the most important aspect of filmmaking. It is true that without a ‘profit’ (or we may call it a ‘success’), no film project is usually conceived. Filmmakers must come up with an estimated budget for the film based on the realistic assessment of the story line and the script decided by them. The assessment may be with regard to anything and everything related to filmmaking starting from the requirement for hiring the equipment, booking studio space to paying talents and crews. Once a detailed budget is made, filmmakers may look for the financiers. After the budget is in place, filmmakers begin the process of making the film, that is, casting for the movie by putting out advertisements or contacting actors, holding auditions and selecting the actors. Next important step for filmmakers includes hiring a camera crew, art director, music director, choreographer, stunt people, editors, film scorers and anyone/anything required for making of the film.

The production activities of a film are broadly broken-up in three stages: Pre-production, Production & Post-production. The purpose of Pre-production stage

is to coordinate and plan meticulously for the actual shooting of the movie. At this stage, shooting locations are selected, rehearsals are held, props are purchased, and the shooting schedule is finalised. The production phase closely deals with directing and coordinating the actors and the crew so that everything is done according to budget, time line and the intended story-telling pattern/treatment of the film. During the Post-production stage, filmmakers put all their concentrations on the process of editing the raw footage/shooting material into a meaningful picture with the help of editors and other technical experts. The process of editing deals with visual editing, dubbing, laying background music and other special effects.

Finally, the film sees the day of light after coming out of the dark room i.e. after the development of the final print of the film from the 'Film Lab'. Filmmakers also are responsible for managing the release of the finished product. With the advancement of technology, a film is being released in different theatres simultaneously through satellite using digital cinema distribution network like UFO. Satellite release does not use the conventional reel to project the movie in order to avoid the piracy and delays due to traffic. It simply allows the movie to be screened to be hands-free, as the signal is transmitted through satellite. It is the crucial moment for a filmmaker who would be eager to see the reactions of the audience. Before releasing a film, filmmakers do coordinate the advertising as well as the public relation campaign, fix a release date. A screening schedule is finalised once the film is released to the general public. Sometimes special screenings are planned for a specific limited audience. Isn't interesting to know: How does the making of a film follow so many steps systematically? You must have watched lot of films. But, have you ever thought that a Filmmaker has to handle every department of filmmaking with utmost care?

### 3.2.1 Film is Director's Medium

When a celebrity director of Bollywood, Mr. Shoojit Sircar, was asked to comment on what guarantees a great film, to which he said, "A great script alone can't guarantee a good film. A film is ultimately a director's medium." (Boxoffice, 2015). Rakeysh Omprakash Mehra, another famous Director of Bollywood has said that cinema is a director's medium and not that of an actor's (News18, 2015). According to him, there is no formula for a director to make a film. There should be a reason to tell the story. "I don't make movies for business. I chase passion. I want to tell stories. If I do it with true heart the films do well," Mehra says. Just like a 'Painter' needs colour to draw his/her thoughts on canvass, a Director needs a medium (Film) to tell his/her story.

### 3.2.2 Documentary Film: Is it Journalistic?

What is a documentary film? Is it the film like 'Jurassic Park' in English or non-fiction film like '*Bharat Ek Khoj*' in Hindi? From the beginning of the 20th century, there has been a constant effort towards defining documentary film since its genesis as a genre. At a time, when cinema in general was only emerging, documentary film was treated as a form or art (Khrustaleva, 2014). In an attempt to explain documentary, John Grierson developed three main principles of documentary in his book 'First Principles of Documentary' (Grierson, 1996) and he had given his reasons why it "has [a] big future" (Khrustaleva, 2014) as a genre of cinema.

Grierson believes that cinema has the “capacity for getting around, for observing and selecting from life itself, [and] can be exploited in a new and vital art form” and he also believes that documentary captures “the living scene and the living story” (Khrustaleva, 2014). As Khrustaleva raises a very pertinent question (Khrustaleva, 2014): “Are documentary filmmakers and journalists just observing reality or does the presence of the camera, or even a stranger with a notebook, alter the reality that they are supposedly observing?”

The second issue, as raised by Grierson, refers to the relationships with subjects or subjects. Grierson refers to subjects or subjects as ‘actors’. He strongly believes that “the original (or native) actor, and the original (or native) scene, are better guides to a screen interpretation of the modern world”- which he termed it as the “multifaceted interpretation of reality”. The philosophical question, as raised by Khrustaleva, at this juncture is (Khrustaleva, 2014): “how much reality there is left in documentary film”. As she writes further: “it is reality seen through a double prism– first through the prism of subjects, and then through the prism of a filmmaker”.

David MacDougall, a renowned filmmaker, comments on the reality of films, “An axe-head to you may be merely a paper-weight to me” (MacDougall, 1998). MacDougall considers films as objects and having multiple identities. He writes that just like the films are inwardly dialogic and juxtaposing the voices of author and subject, they seem to be outwardly so and appear as something quite different to each other.

The third thing that Grierson refers to the principles which emphasize the fact that the sense of reality and truth is greater in documentaries compared to fiction films. Grierson refers documentaries as “stories from the raw” and believes that it can achieve the “intimacy of knowledge” and consequently, it can be more effective than the fiction or ‘the acted story’ (Khrustaleva, 2014).

American documentary theorist Bill Nichols (Nichols, 2010) said that documentary film had no precise definition. However, he observes that “documentary has become the flagship for a cinema of social engagement and distinctive vision”. However, Nichols feels that “situations and events, actions and issues may be represented in a variety of ways.” (Nichols, n.d) and “modes of representation are basic ways of organizing texts in relation to certain recurrent features or conventions”. As Nichols writes further: “In documentary film, four modes of representation stand out as the dominant organizational patterns around which most texts are structured: **expository, observational, interactive, and reflexive**”. We have read about this in the Unit on Different Modes of Filmmaking.

Is documentary film journalistic? In order to answer this question, *Olga Khrustaleva* (Khrustaleva, 2014), writes, “Observational and interactive documentaries from Nichols’ classification seem to be the more ‘journalistic’ in a sense than expository and reflexive, though they also do not completely renounce the presence of the filmmaker.”

### 3.2.3 Filmmakers: Are they Gatekeepers?

After knowing various features, principles and modes of documentary, you may like to believe that filmmakers can play a very crucial role in disseminating the reality of a situation or event. Can filmmakers be considered as ‘Gatekeepers’?

It is true that the relationship between filmmakers and subjects is one of the key issues in the ethics of documentary film. But according to Khrustaleva (Khrustaleva, 2014), there are at least two aspects to it—the interaction that happens during the process of filming and the way a filmmaker chooses to represent them in the film.

Gatekeepers are people who “regulate the flow of information, language and knowledge” (Storm, 2007) and “determine what becomes a person’s social reality, a particular view of the world” (Shoemaker & Vos, 2009). As we all know, journalists have been traditionally considered gatekeepers as they decide which stories to cover and what information should be included in the story. We may consider “documentary filmmakers as gatekeepers too for several reasons including that only a small per cent of the footage is actually used in a film” (Khrustaleva, 2014).

With regard to the filmmaker’s role, or obligations, and to the question of whether or not a filmmaker can intervene in certain situations, Maccarone writes that the main reason for a journalists or a documentary filmmaker’s non-intervention is that the action “violates their subject’s autonomy”. (Maccarone, 2010) Since the presence of the camera already violates this autonomy in a way, it is almost difficult to act as an indifferent observer, especially when a filmmaker becomes part of the reality rather than just observing it.

While addressing various aspects of subjects’ representation including disclosure (how much information is used), exploitation (the difference in authority and control of a filmmaker and people filmed), victimizing subjects, privacy, participants’ consent, consequences participants face after a film is released, and the rights and responsibilities of a filmmaker, Pryluck writes about “collaborative editing as a way to involve the subjects more in the process and avoid exploitation” (Pryluck, 1976). However, many other researchers (Sanders, 2010; Nash, 2011) and Pryluck himself admit that it can have both positive and negative consequences on the documentary film.

**Check Your Progress 1**

**Note:** 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this unit.

1) How do you like to define a ‘Filmmaker’?

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- 2) How many modes of representation can be considered as the dominant organizational patterns in Documentary Film? Write features of each mode.

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- 3) Film is the Director's Medium. Do you agree with this? Is Documentary Film journalistic in nature? Justify your answer with suitable examples.

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- 4) Can we consider documentary filmmakers as 'Gatekeepers'? Justify your answer with suitable examples.

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### **3.3 ETHICS OF DOCUMENTARY FILM MAKING**

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By now, you must have understood the vital role of a filmmaker towards projecting the reality related to the subject of the documentary film. But at the same time, while making a documentary film we need to understand its potential impact on the actual lives of people as it features human beings as subjects. As the researchers understand that not only the viewer, but also the individuals and the communities are being affected by the film whose images are used by the film makers to make their points clear. Since the documentary film holds a tremendous power to change the lives of people, we must expect a great responsibility from the filmmakers towards using these images in an ethical way (Hartzell, 2003).

Ethics play a big role in the life of filmmakers to be truthful and honest to their subject. But it is not that easy to know that what kind of effect the actions of a filmmaker will have on individuals and cultures particularly when they are not known to him/her. Therefore, one cannot always be confident that he or she is acting in an ethical way (Hartzell, 2003).

However, first of all, we need to know what the real definition of ethics is. You may consider this standard dictionary entry: “Ethics: A theory or system dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such actions” (Fieser, 2008).

Ethics may be defined in numerous ways depending on which ethical theory is applied. We may consider four main ethical considerations as proposed by Lea Claire Hartzell, a research scholar and which can be classified into four major categories (Hartzell, 2003): (1) The intention of the Filmmaker, (2) the Filmmaker’s relationship with his/her subjects (3) the various responsibilities of the Filmmaker, and (4) how the filmmaker presents himself/herself, his/her work, and the subjects to an audience. With regard to intentions of a filmmaker, Hartzell questions: “do the means justify the ends?” (Hartzell, 2003). It is true that intentions of a filmmaker for a particular film ultimately affect the final product. But is it essential for a filmmaker to have ethical motivations for that project to be considered ethical? Is the vice-versa true? If the outcome of the film is beneficial to the subjects of the study then “does it matter if the filmmaker had ethical intentions?” (Hartzell, 2003).

With the changes in the film industry, concerns with regard to the ethics in documentary filmmaking intensified. In the late 1990s, U.S. documentary filmmakers were widely respected as media makers as well as recognized as independent voices at a time when the public lost their confidence in mainstream media and in the integrity of the political process. The interference and influence of politicians in media had an impact on the perception of documentary films as neutral and objective (Aufderheide, Jaszi & Chandra, n.d.). Consequently, documentary filmmakers came under scrutiny for the ethics of their practices. As Larry Chonko writes, “In order to understand ethical decision making, it is important for students to realize that not everyone makes decisions in the same way, using the same information, employing the same decision rules” (Chonko, 2012).

With regard to moral principles Khrustaleva contends, “Aristotelian ethics, or virtue ethics, focuses on the inner qualities of a person (or in this context, a filmmaker) that determine the way him or her deals with ethical dilemmas” (Khrustaleva, 2014). According to German philosopher Immanuel Kant (1724-1804), an honest and truthful process is the most important aspect of ethical considerations. As far as Consequentialist 1 theory is concerned, it emphasizes the final product (film). According to this perspective, it would be justified if by compromising on some ethical issues, the final product benefits the audience.

The more recent theories of ethics include libertarian theory and social responsibility theory. Whereas libertarian theory emphasizes the role of markets and economy in the media, social responsibility theory argues that audience is a key factor in ethical decision-making process (Siebert, Peterson, & Schramm, 1963).

### **3.3.1 Relationship Between Filmmaker and Subject**

It has been widely accepted among the Filmmakers that “Film is the Director’s Medium”. According to Kevin Spacey (HT, 2014), a Hollywood Actor and Filmmaker, “film is the director’s and editor’s medium while theatre is the actor’s

medium. One can be better in theatre in two weeks while for films, once it is released then you can see and get the response and accordingly improve.” We may substitute the word ‘Director’ with another word like ‘Filmmaker’ in order to have an easy impression about the job of a Director. But by doing so, we cannot simplify the Filmmaker’s work, particularly when a filmmaker sets out to make a documentary. The life of a filmmaker does not seem to be very easy as multiple challenges including a set of ethical issues are inherently entangled in the process of making a documentary. As identified by Wanda Bershen (Bershen, n.d.), a consultant on fundraising, festivals and distribution, the obvious challenges which are faced by a documentary filmmaker are: “How to portray the subjects of the film? What to shoot and what not to shoot? How to edit so that the film is true to its topic and subjects, yet also works as a compelling story for the audiences?” She also feels that whenever a filmmaker is working in a foreign country or culture (or subculture), it is quite challenging how to represent people with dignity and sensitivity to that place, time and experience etc. As aptly pointed out by Wanda (Bershen, n.d.), “at the heart of documentary production is the relationship between filmmaker and subjects—not often an equal balance of power.” And it is true that mostly, it is the filmmaker who determines how to maintain the balance.

With regard to the individual experience of several documentarians worldwide about handling of a variety of ethical issues while making the documentaries, many Directors/Filmmakers have expressed that while following the soldiers into many battles and recording the terrible fear and tension, never knowing what would happen next. While directors are wounded while covering the battles, there are certain restrictions placed on the filmmakers like for instance the military poses restrictions on the filming of wounded soldiers (Bershen, n.d.). As Wanda (Bershen, n.d.), further writes that the filmmakers deliberately avoid any graphic representations of violence, thinking that it would be a distraction from what they want to show. Although some documentarians consider their work on the film as of journalistic in nature; their primary concern is to counter many representations of war on film that are “limited and can’t quite reveal the humour, boredom and confusion inherent in combat.”

In United States, while the topics, ranging from major ethnic groups to the most exotic members of the sub-cultures, differ, most of these filmmakers are concerned with the relationship between filmmaker and the subject. Documentary film makers do not always stress interacting with their subjects. On the other hand, there was a time, the documentary “filmmaker’s ideal was a detached and exclusively observational attitude, expressed by the saying “fly on the wall (Spiegel, 1984)”.

Juxtaposition to this scenario of the detachment attitude of the filmmakers in the past, one may notice the sense of relationship of the filmmakers with their subjects going even deeper. Pauline Spiegel, an independent filmmaker and freelance writer, quotes the filmmaker Tony de Nonno saying (Spiegel, 1984): “I felt like a member of the family.” in the context of de Nonno’s relationship to a family of Sicilian Puppeteers living in New York those who were a part of de Nonno’s film “*It’s One Family, Knock on Wood*” (deals with the continuity and cooperation between generations in preserving a valuable craft tradition). She writes further, “The same thoughts are echoed by many other filmmakers (Spiegel, 1984)”.



### 3.3.2 Code of Ethics in Documentary Filmmaking

As Nichols raises a very vital question: “Can we establish standards for an ethical documentary practice?” (Nichols,). You would also agree with him on this point. This is not a purely rhetorical question. Do documentaries breach an ethical standard? Nichols puts several questions in series: “What might such a standard be and who might enforce it? What obligation does the filmmaker have to avoid distortion, misrepresentation, coercion or betrayal, be it overt or extremely subtle, even if such acts appear to serve a higher goal such as “getting the story told” or “exposing injustice”? What responsibility does the filmmaker have for ensuring that persuasive techniques do not distort established facts, rules of evidence and the principles of sound debate?”

Should a filmmaker act as a “Polite Guest” (Spiegel, 1984), as the term coined by Pauline Spiegel in her article ‘The Case of the Well-Mannered Guest’, published in 1984. As Spiegel feels that there are films like Tony de Nonno’s “*It’s One Family*” which are serious, effective and affecting but limited in their impact as something is missing, more could be said and shown to the audience. A sense of politeness, of silence towards their subject is observed to be the characteristics of these films. Many filmmakers including Tony de Nonno feels that challenging their subjects is like betraying the intimacy they have granted to them as outsiders. However, considering the filmmaker as stranger is the key since it sets the terms of the relationships, it determines the process of filmmaking, and it influences the nature the finished film.

As discussed earlier, the difference in the power of filmmakers and their subjects can often be best measured by their relative access to the means of representation. But it depends on few related questions: Do subjects have the means to represent themselves? Do they have alternative access to the media apart from that provided by a given filmmaker? If the answer is no, the filmmaker’s ethical obligation to avoid misrepresentation, exploitation and abuse rises correspondingly. In fact, the subjects who are dependent on the filmmaker to have their story told are the most vulnerable to misrepresentation and abuse.

### 3.3.3 Filmmakers: Their Role in addressing the Imbalance of Power

An ethical code allows the filmmakers to address the “imbalance of power that often arises between filmmakers and both their subjects and their audience” (Nichols, 2006). It confirms, among other things, the principle of informed consent for subjects, inflected to acknowledge that documentary filmmaking is more of an artistic practice than a scientific experiment.

As Pryluck suggests that when ethics is applied to documentary film it is not about morality, but more about aesthetics. “Ethical assumptions have aesthetic consequences, and aesthetic assumptions have ethical consequences” (Pryluck, 1973). It is evident that ‘ethics’ and ‘aesthetics’ intertwine in documentary film and filmmaker’s decision-making process and obligations should address both these aspects of documentary filmmaking.

## Check Your Progress 2

**Note:** 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this unit.

1) Define Ethics. What is the role of ethics in Documentary Filmmaking?

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2) What do you mean by Code of Ethics in Documentary Filmmaking? What is the need for this code ? Explain.

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3) According to you, what should be the role of a documentary filmmaker towards maintaining the balance of power between the filmmaker and both their subjects and their audience

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### **3.4 DOCUMENTARY FILMMAKING: ITS VARIOUS ETHICAL ISSUES AND RESPONSIBILITY**

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Whenever the filmmakers plan to record a true story, they should be asking few questions of themselves: “To film or not to film? How close to a subject is too close? How far is too far?” (Cipriani, 2014). It is true that sometimes lines are crossed, sometimes boundaries are set beforehand and sometimes the filmmaker and the audience disagree on where the line is, and a divide is created between them. But the filmmakers should try to judge that ‘thin line’ and maintain a balance between “do” or “not to do”.

### 3.4.1 Various Ethical Issues in Filmmaking

With regard to the ethical approaches and morally ambiguous boundaries, Gordon Quinn, an American documentary filmmaker, feels that filmmakers “need to have a sense of the ethical questions or concerns that will affect their work (Cipriani, 2014)”. “We as documentary filmmakers, I feel, have a responsibility towards ethics,” says Quinn. Quinn further adds, “You owe your audience to tell the truth, to get to the bottom of the story, to be accurate in what you’re presenting.” While citing an instance, Quinn recalled that while making one of his films, a particular subject no longer wanted to be involved. He along with his team held a meeting with the woman and convinced that she could watch the film before it was completed and express her concerns, if any. As Quinn feels that all the filmmakers say this to their subjects at the beginning that they are going to see the film before it’s done and they can see it when it can still be changed. It is true that all the filmmakers should try to convince the subjects that they are very much essential for the documentary; they are important for the story that it’s good for society in general to tell this story. Quinn suggests that at the end of the day, if a filmmaker can’t convince his/her subject then they should take them out of the movie. But Quinn admits that “the rules that apply to an average person, might not apply to someone who is already famous (Cipriani, 2014)”. Quinn further suggests that if the subjects are already famous, the filmmakers must ensure that if it’s really something that bothers them or that they are not happy with what they are going to be listened to. He asserts that at the end of the day it has to be the decision of the filmmaker.

Therefore, with all sense of responsibility, the required rules must be set by the documentarians themselves and should be maintained by them by respecting their conscientiously established boundaries without crossing lines set by both themselves and their subjects (Cipriani, 2014).

### 3.4.2 Ethical Responsibility to Subjects and Viewers

Aufderheide, Jaszi & Chandra write,

*“At a time when there is unprecedented financial pressure on filmmakers to lower costs and increase productivity, they reported that they routinely found themselves in situations where they needed to balance ethical responsibilities against practical considerations (Aufderheide, Jaszi & Chandra, n.d.)”.*

A study, conducted by Aufderheide, Jaszi & Chandra on ethical challenges as identified by the documentary filmmakers-directors and producer-directors-in the United States, was summarised: All the respondents commonly shared such principles as, in relation to subjects, “Do no harm” and “Protect the vulnerable,” and, in relation to viewers, “Honour the viewer’s trust.”

The first problem filmmakers confronts: how to cross these lines of privacy and the second problem refers to: how to understand the unfamiliar events which confront them in a strange environment. A process called “participant observation”, a kind of dedicated, alert hanging-out is the answer to both these questions (Spiegel, 1984). The method involves talking to subjects and observing events in the hope of gaining admission to more sensitive areas and more intimate

(and reliable) information. For filmmakers it is especially important that subjects feel at ease with all the bits and pieces of filming. The filmmaker's claim, like Tony de Nonno's, to be "a member of the family" is not only a comfortable fact, it's a claim to legitimacy. The trust of the subject implies a responsibility, an ethical imperative not to betray. The responsibility could be including "the choice of whom to film". However, the ethnographic filmmakers tend to focus on marginal peoples who are relatively powerless and voiceless.

As Pauline Spiegel believes that "some filmmakers feel that this responsibility can be fulfilled by a kind of contractual quid pro quo" (Spiegel, 1984). Filmmaker George Stoney said: "When I go to somebody with camera and microphone and I say, 'Look, give me your soul,' I've got to be able to say 'Look, it is going to help you, not hurt you.'" It is not the case with all filmmakers like Stoney, who made a concentrated effort to use his films to promote dialogue between under represented groups and government bureaucracy. What this quid pro quo implies is "an agreement, stated or unstated, with the subjects to produce a film that shows the subjects the way they see themselves" (Spiegel, 1984). Spiegel opines that in an anthropological context rather than an investigative one, it would be not just impolite but pointless to challenge what people say about themselves.

### 3.4.3 Ethics in Indian Social Documentary

Anand Patwardhan, an Indian documentary filmmaker known for his socio-political, human rights-oriented films for over four decades, writes in his article, *Ethics is the answer*: "We need liberation theologians, like Ambedkar and Gandhi, who can help people discard the worst features of their inherited religious culture and replace them with ethical interpretations (Patwardhan, 2017)". Some of his films explore the rise of religious fundamentalism, sectarianism and casteism in India, while others investigate nuclear nationalism and unsustainable development. Notable films include *Bombay: Our City (Hamara Shahar)* (1985), *In Memory of Friends* (1990), *In the Name of God (Ram ke Nam)* (1992), *Father, Son, and Holy War* (1995), *A Narmada Diary* (1995), *War and Peace* (2002) and *Jai Bhim Comrade* (2011), which have won national and international awards. You may see these documentaries made by Anand Patwardhan to judge yourself as a viewer whether he has crossed the ethical lines while handling various sensitive issues which have influenced Indian society to greater extent.

Patwardhan strongly believes that "Ethics is the answer" to all the dilemmas with regard to issues related to religion, culture etc. In order to argue on this issue, he writes that Gandhi's *Sarva Dharma Samabhava* (all religions are equal) cannot take the place of Ambedkar's constitutionally guaranteed democratic rights and we need the Constitution much more than we need holy books. As he writes, "Small wonder that Ambedkar and Gandhi, each in turn arrived at individual definitions of *Ahimsa*". It is equally applicable to all the documentary filmmakers while they are at a cross road of taking ethical decisions with regard to the involvement of their subjects in the film as well as interpretation of values, beliefs etc. for the viewers.

### Check Your Progress 3

**Note:** 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this unit.

1) Please mention five ethical issues affecting the work of filmmakers?

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2) Describe various ethical responsibilities to subjects and viewers of the Documentary Films.

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3) Watch a documentary film on any social issue (s) of India and mention regarding if at any point of time the filmmaker has crossed the ethical lines with regard to subjects as well as viewers.

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### 3.5 ETHICAL CHALLENGES FOR THE FILMMAKERS

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As discussed in the preceding sections the filmmaker faces a number of ethical challenges. *As Aufderheide, Jaszi & Chandra writes*, “Documentary filmmakers identify themselves as creative artists for whom ethical behaviour is at the core of their projects” (*Aufderheide, Jaszi & Chandra, n.d.*). In relation to subjects the filmmakers, often do not feel obliged to protect subjects because of two reasons: First, they believe that the subjects have themselves done harm. Secondly, some of them have independent access to media, such as celebrities or corporate executives with their own public relations arms. At the same time, in relation to viewers, filmmakers often justify the manipulation of individual facts, sequences, and meanings of images as they strongly feel that it helps tell a story more effectively so that viewers would grasp the main themes of a story as truthful as

they are. However, it has been noted during a survey that filmmakers generally expressed frustration in two areas (*Aufderheide, Jaszi & Chandra, n.d.*). Firstly, they are lack of clarity and standards in ethical practice. Secondly, filmmakers generally are intensely aware of moral dimensions of their craft, and of the economic and social pressures that affect them.

### 3.5.1 Documentary Filmmakers & Ethical Challenges

Unlike journalism, documentary filmmaking has largely been considered as an individual and freelance effort (*Aufderheide, Jaszi & Chandra, n.d.*). While working for large outlets, such as Discovery, National Geographic, and PBS (The Public Broadcasting Service Inc.), some of these outlets may ask filmmakers to observe standards and practices, and/or ethics codes derived from print journalism and broadcast news. But on the contrary, with regard to the observation of standards and ethics (and even independent fact checking), “documentary filmmakers have largely depended on individual judgment, guidance from executives, and occasional conversations at film festivals (*Aufderheide, Jaszi & Chandra, n.d.*)”.

### 3.5.2 Ethical Challenges During Filming and Editing

During a survey (*Aufderheide, Jaszi & Chandra, n.d.*), many of the filmmakers have confessed that due to commercial pressures, particularly in the cable business, they have made decisions which they consider them as ‘unethical’. It becomes challenging to “filmmakers’ understanding of their obligations to subjects in particular” due to the growing trend towards faster and cheaper documentaries. Many researchers believe that since budgets demand efficiencies that may be ethically troubling.

It may be very disturbing for you to read something narrated below but for your clarity, one instance is being cited here. While a filmmaker was on location shooting a wildlife film, trying to capture one animal hunting another, recalled (*Aufderheide, Jaszi & Chandra, n.d.*):

*We tried to shoot a few, and missed both of them. Unbeknownst to me, the [animal wrangler] broke the next rabbit’s leg, so it couldn’t run. So we got one. On the next take, they then asked, “Should we break its leg again?” . . . the DP [director of photography] was sitting there, saying “No, I’m sure you wouldn’t want to do it,” but nodding his head yes. I made the decision, let them break it. I regret it. It eats me up every day. I can sort of rationalize this, that it might be killed by a natural predator. But for us to inflict pain to get a better shot was the wrong thing to do.”*

As far as the “integrity of agreements made between producers and their subjects as a condition of filming” is concerned, it is also threatened due to the assembly-line nature of the production. At the time of editing and post-production, the producer who lines up subjects or oversees production is often separated from this process. Filmmaker feels frustrated as the stations do not always honour the agreements they have made with their subjects. In one example, as a filmmaker expressed during a survey (*Aufderheide, Jaszi & Chandra, n.d.*), “interviews were given and releases were signed on condition that they garble their voice and obscure their face . . . They didn’t garble the voice but did obscure the face.

That makes me uncomfortable; it puts them at risk.”

As the author (filmmaker) of this unit recalls his days in 1999 during a shoot of a documentary on Street Children entitled “Bringing into Focus” for IGNOU: “I could more often watch many children on the street of Delhi selling books, magazines, flowers at the traffic red light. One forenoon, I came on the streets of Delhi with my shooting crew so that I could talk to those children on camera & find out the reason behind they were on the street. Were they earning their livelihoods by choice or by compulsion? But, while a boy was talking to me on camera, an elderly man appeared like a ghost on the scene & whispered him to demand for money from us as he was obliging us by giving the interview. Although, I didn’t pay for his bite on camera, I gave him a ten rupees note in token of my appreciation for his cooperation as he didn’t leave the location despite being prompted for money.” However, demanding money for giving a bite on camera does not come automatically from the subject. It is due to many Documentary Filmmakers’ unethical decisions of offering money to the subjects to act in the documentary according to their wish (or like a fiction).

With regard to staying close versus staying distant with subjects, most filmmakers don’t try to stay distant from their subjects or “collaborators” (as termed by Ross Kauffman), as they feel that people who are being filmed are active participants and without their contribution a film wouldn’t be possible. As far as the issue of involvement versus non-involvement is concerned, *Aufderheide, Jaszi & Chandra* have reported in their survey that several filmmakers recalled many ethically challenging situations where they chose to directly intervene in a situation. To cite one, during filming, it was found out that a night watchman at the house for runaway kids was beating children. The filmmakers reported to the concerned authority and the guard was fired.

### 3.5.3 Decision-making Process

It is felt that ethical decision-making should be based on “rational justification” (Plaisance, 2008). Plaisance defines ethics as a “form of inquiry concerned with the process of finding rational justifications of our actions when the values that we hold come into conflict”. Patterson and Wilkins argued that “ethics begins where elements of a moral system conflict” (Patterson & Wilkins, 2008). Both the terms “moral systems” and “rational justification” create ambiguity as they often vary from country to country or journalist to journalist because some things that are considered the norm in some countries are considered deviant in others. This difference is largely due to the cultural, political and social background of a filmmaker.

Many filmmakers are motivated by their own reasons to impose upon themselves a series of rules governing style as well as content. It implies a set of limitations. Implicitly, it could be a contract between the filmmaker and the subject which leads to self-censorship (Spiegel, 1984). According to Spiegel, many filmmakers simply refuse to include anything which may make subject look bad as it is unethical. With regard to rationalisation of the issue of censorship, filmmakers claim that they only work on subjects about which they have positive feelings. They also claim that they have no wish or reason to show negative material. But on the contrary, it is felt that such films can be viewed with intellectually cautious as subjects speak entirely for themselves and the filmmaker speaks little.

Whenever the filmmaker intervenes, it is not to analyse them but to provide a context for the events on the screen. Despite these films tell us about other people's values and world views, it remains silent about the how and why of cultural process. It is left to the audience to draw the conclusion on its own. As Spiegel suggests, "it demands an extraordinary alert, educated and thoughtful audience- or else a class of social science students (Spiegel, 1984)".

After going through a detailed discussions on ethical issues and challenges, you might have realised that that everyone involved in filmmaking-subject and filmmaker-brings his or her own hopes, fears and expectations to a film. But the challenges for both, outsiders (filmmakers) looking in and insiders (subjects) looking in, lie with the balancing the responsibility of sympathy with the responsibility of honest interpretation (Spiegel, 1984).

Hope, as a filmmaker one can understand it better. But the audience is intelligent; it will understand and interpret the film it in its own way.

#### **Check Your Progress 4**

**Note:** 1) Use the space below for your answers.

2) Compare your answers with those given at the end of this unit.

- 1) What are the ethical challenges faced by the Documentary Filmmakers?  
Please write about some ethical challenges faced by any famous Indian Documentary Filmmaker.

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- 2) What kind of Ethical Challenges are faced by the documentary filmmakers during filming and editing process ?

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- 3) What are the factors which influence the ethical decision-making process?

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### 3.6 LET US SUM UP

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After watching a documentary film, the audience may ask: “Whose story is it?” Is the film our story or Director’s story or subject’s story? David MacDougall has raised various questions in this regard (MacDougall, 1998):

“(i) By what means can we distinguish the structures we believe are in our films from the structures that are discerned in them, often without our knowing, by their subjects? And

(ii) is a film in any sense the same object for those who made it, for whom it may have the status of disclosure, and for those who in passing have left their physical traces upon it?”

MacDougall opines that the question of “whose story?” thus has both the dimensions: ontological and moral. According to him, it is considered to be a rare book or film that emerges at the end of the process as the author pre-conceived it. Film itself as a channel of communication and if we ask, “Whose story is it?” in Aboriginal terms, we may have to broaden our conception of “what is narrative”.

It is evident that ‘Documentary Film’ plays a crucial role towards maintaining the balance in the relation between people and the government and between various segments of the society by showing them the ‘mirror’ by reflecting the unethical actions taken by them from time to time. On the contrary, a documentary ethics must approach a foundational level while addressing the need to respect the dignity and person of subjects and viewers alike. It is felt that instead of producing a set of dogma, “do this, do that”, the approach should acknowledge that questions of ethics which remain situated in an evolving historical context. Documentary filmmakers should use basic guidelines rather than rules, as “Art recoils from rules and a documentary ethics will do so, too. (*Aufderheide, Jaszi & Chandra, n.d.*)”

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### 3.7 FURTHER READINGS

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- i) **Media Ethics: Cases and Moral Reasoning.** Clifford G. Christians, Kim B. Rotzali & Mark Frackler (Longman)
- ii) **Media Ethics: Key Principles for Responsible Practice.** Patrick Lee & Plaisance (Ch-1: Ethics Theory. Ethics Theory: Application to Media)
- iii) **Transcultural Cinema.** David MacDougall. Edited and with an Introduction

- iv) *Documentary filmmaker Sanjay Kak's three films which are often known as the "Series on Indian Democracy"*

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### 3.9 UNIT END EXERCISES

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- 1) What do you mean by a 'Filmmaker' Discuss all modes of representation which can be considered as the dominant organizational patterns in Documentary Film? Please watch Television for a week and try to identify some documentaries having each of these modes of representation. Justify your answer.

- 2) Is Documentary Film journalistic in nature? Justify your answer in the context of ethical issues.
- 3) Can we consider documentary filmmakers as ‘Gatekeepers’? Justify your answer with suitable examples.
- 4) Define Ethics. What is the role of ethics in Documentary Filmmaking?
- 5) What do you mean by Code of Ethics in Documentary Filmmaking? What is the need for this code? Explain with suitable examples.
- 6) Discuss the role of a documentary filmmaker towards maintaining the balance of power between the filmmaker and both their subjects and their audience.
- 7) Discuss ethical issues affecting the work of filmmakers? Describe various ethical responsibilities to subjects and viewers of the Documentary Films.
- 8) What are the ethical challenges faced by the Documentary Filmmakers? Please read a book on any famous Indian Documentary Filmmaker (preferably a Biography or an ‘Auto-biography’) and write about some ethical challenges faced by the filmmaker during filming/editing process?

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### 3.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISE

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#### Check Your Progress 1

- 1) Try to define ‘Filmmaker’ in today’s scenario e.g. you may call either ‘Producer’ or ‘Director’ as a ‘Filmmaker’ with regard to the specific job of a ‘Filmmaker’ which varies from film to film which fulfils all the conditions to be called so.
- 2) Four modes of representation can be considered as the dominant organizational patterns in Documentary Film: expository, observational, interactive, and reflexive.
- 3) Try to read the reviews on films with regard to the comments of the director of the films published on Newspapers on print/on-line.
- 4) Gatekeepers are people who regulate the flow of information, language and knowledge and determine what becomes a person’s social reality, a particular view of the world.

#### Check Your Progress 2

- 1) Ethics: A theory or system dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such actions.
- 2) Code of Ethics in Documentary Filmmaking– To establish standards for an ethical documentary practice.
- 3) Imbalance of power that often arises between filmmakers and both their subjects and their audience.

### **Check Your Progress 3**

- 1) Filmmakers need to have a sense of the ethical question or concerns that affect their work.
- 2) Due to the unprecedented financial pressure on makers to lower costs and increase productivity, filmmakers find themselves in situations where they need to balance ethical responsibilities against practical considerations.
- 3) Patwardhan strongly believes that “Ethics is the answer” to all the dilemmas with regard to issues related to religion, culture etc.

### **Check Your Progress 4**

- 1) Documentary filmmakers largely depend on individual judgment, guidance from executives, and occasional conversations at film festivals.
- 2) At the time of editing and post-production, the producer who lines up subjects or oversees production is often separated from this process. Filmmaker feels frustrated as the stations do not always honour the agreements they have made with their subjects.
- 3) Ethical decision-making should be based on rational justification.

