

Documentary as Pedagogical Tool: Witnessing Gender-based Violence in Leslee Udwin's *India's Daughter*

Mukul Chaturvedi

Abstract

This article focuses on how films and documentaries are an effective pedagogical tool to discuss the challenges of representing gender-based violence and its cognitive and affective impact on the audience. While documentaries are often used to create social awareness and act as platforms of advocacy, they offer valuable insights to discuss the ethical, aesthetic, and political challenges of representing violence because of their claim of representing reality faithfully. Focusing on Leslee Udwin's *India's Daughter* (2015), a BBC documentary based on the gruesome Nirbhaya rape in Delhi on 16 December, 2012, that shocked the country and invited unprecedented media coverage both nationally and internationally, this article examines how the film raises fraught questions about the transcultural and transnational rhetorical acts of witnessing gender-based violence through mediated global communication networks. The article also reflects on how issues like narrative voice, point of view, affect and multiple possibilities of interpretation that arise in documentary representation resonate with discussions in literature classrooms.

Keywords: Gender-based violence, transnational, affective, realism, witnessing, representation

Introduction

Just before its worldwide release on International Women's Day (8 March, 2015) on NDTV, a restraining order was issued against *India's Daughter*

(Udwin, 2015) by the Indian government as it carried the interview of one of the convicted rapists who awaited trial. A letter to NDTV was written by well-known activists and lawyers asking them to postpone the telecast of the film. Citing ethical and legal objections, the letter particularly referred to the interview of the accused, hate speech, and misogynistic statements by the accused and the defence lawyer as shown in the film (Media, 2015). The letter specifically sought postponement of the telecast of the film until all legal processes were duly completed. The BBC, however, sprang into action on the other end and advanced its release to the March 4, 2015, and the film was shown to a worldwide audience, barring India. The documentary received a huge amount of publicity in international media which lamented India's decision to ban the film as immature and short sighted (Abdulali, 2015). There was intense polarization amongst scholars, women's rights activists, and lawyers in India who debated the issue vociferously and argued against the film on grounds of projecting a white saviour mentality, inadequate representation of the positive outcome of the Nirbhaya movement, disproportionate time given to the accused, contempt of court, and hate speech by the accused and his lawyers. On the other end of the spectrum, it was argued that the film adequately projected rape culture and did not breach any boundaries either legally or culturally. Thus, while Udwin wanted to showcase the 'Arab Spring moment' for gender equality in India (as the horrific rape resulted in massive outpouring of civil society protests and led to radical reform in rape laws), the film was perceived by mainstream Indian media channels as a racialized representation of Indian society, a reproduction of orientalist discourse, and an 'international conspiracy' to tarnish India's image.

Theoretical discussions of the documentary form have debated its representational challenges as the genre combines cinematic artifice with 'truth claims' and how that complicates its impact on the audience. As the basic premise of documentary is based on reality and its reconstruction for the audience, it involves ethical challenge and judgement about elements like point of view, perspective, what to include and exclude, and this blurs the distinction between fiction, documentary, and art. As Nichols (1991) notes, "what films have to say about the enduring human condition or about the pressing issues of the day can never be separated from how they say it, how this saying moves and affects us, how we engage with a word, not with a theory of it" (p. 6). The aesthetic

and ethical choices of the film maker as well as the image making and framing devices, determine the impact on the audience. However, as Bruzzi observes, “Continuously invoked by documentary theory is the idealized notion, on the one hand, of the pure documentary in which the relationship between the image and the real is straightforward and, on the other, the very impossibility of this aspiration” (2006, p. 5). Despite the impossibility, the criterion of faithfulness seems to haunt the documentary genre and popular reactions to it. Conventions like participant interviews, voice over narration, archival footage, reconstructed footage, news reports, and oral testimonies try to invoke a direct correlation with reality and if the documentary representation corresponds with our perception of reality, then it is deemed objective, otherwise it is accused of being biased. The representation of reality remains a fraught issue in the documentary, and this gets exacerbated if it involves an ‘outsider’, as in Udwin’s case, giving rise to tensions that are beyond the scope of the film. On the other hand, another documentary based on the Nirbhaya episode, made by an Indian filmmaker, Vibha Bakshi, called *Daughters of Mother India* (2014) has been described as an ode to her home country, a motherland that somehow, in the time since that terrible incident, is trying to piece together change (Arora 2015, para 2). Bakshi’s ‘responsible’ film highlights the role of the police in promoting gender sensitization training across the country, is a mandatory part of the National Police Academy Curriculum, and received the National Film Award. The irony is that both documentaries conflate verifiable truth claims with cinematic artifice and use affective manipulation to tell a compelling story. Interestingly, more than tracing the roots of gender-based violence, it is the complex and contrary narratives of the Indian nation that they represent that remains the focal point of discussions.

Cinematic Witness

India’s Daughter employs tropes of witnessing in presenting to the viewers an unspeakable case of brutality. We bear witness to the horrific instance of Nirbhaya rape that occurred three years before making of the documentary. The sense of immediacy is created when we are transported back to that particular day, December 16, 2012. The larger purpose of witnessing is to make us aware of the crime, its gruesome nature and the testimonial mode helps to create a moral connection between the witness/viewer and the victim. Incorporating a host of testimonies,

interviews, and audio-visual details, the film recreates for the viewer not just the crime but also the larger social and cultural landscape that is responsible for rape culture in India. The film turns the viewer into a witness and aims to evoke an empathetic response, a call for action. Constructed through a range of voices that speak from varying class, caste, gender, educational and geographical locations, the film offers to the audience a collaborative and participatory universe where the viewer is presented with a broad range of perspectives. Evidence of lived experience, and the interviews and testimonies presented in the film directly address the viewer in a seemingly 'authentic' voice despite their mediated and edited nature. In order to problematize the singularity and authority of a 'documentary voice', the strategy of including these 'speaking subjects' works well as it affords multiple way of knowing/ comprehending reality and also giving voice to those who are kept out of realms of representation. Minh-Ha (1990) argues that documentaries must resist their "totalizing quest", and should create a "space in which meaning remains fascinated by what escapes it and what exceeds it... displacing and emptying out the totality of establishment" (p. 28). The question of 'voice' remains central to Udwin's film since a major critique of the documentary is that it validates rape culture in India by including those voices that resort to victim blaming and offers sweeping generalizations about the causes of gender-based violence. In his seminal article "The Voice of Documentary", Nichols (1991), defines a film's voice as "something narrower than style: that which conveys to us a sense of a text's social point of view, of how it is speaking to us and how it is organizing the materials it is presenting to us" (p. 18). Noting that films structured around interviews have gained currency in contemporary documentary films, Nichols outlines a four-part typology of documentary 'voice' that includes interview-based direct address, the voice-of-god expository mode, observational cinema, and the self-reflexive mode. Udwin's film incorporates most of these approaches to diffuse authority and offers a more open-ended perspective to the viewer. However, the inherent power dynamics that define the relationship between the filmmaker and her subject determines the organization of the material, the outcome, and its reception by the audience.

Construction of the Film

The film begins with the footage of massive anti-rape protests in Delhi

with the voice-over announcing, “a woman is raped in India every 20 minutes”, and shows shouting protestors being bombarded by the police using water cannons. The footage of young protesters carrying placards signifies that the silence around the issue of rape is broken, and perhaps it is true because the public pressure in the aftermath of Nirbhaya movement led to the formation of Justice Verma Committee in 2012 that recommended major amendment in rape laws in India. Udwin has stated on various platforms that it was the unprecedented nature of anger and civil society protests that inspired her to come to India to make this film. *India's Daughter* tries to capture this cataclysmic moment and locate the causality of such occurrences. To that end, it employs both documentary *verité* approach and affective manipulation to impact the audience. The film starts with re-constructing the day of the crime, by showing the movement of the traffic, especially zooming in on the moving bus, where the crime occurred. The victim's parents describe how the day progressed and go on to describe their daughter's routine, her ethic of hard work, and how they are really proud of her achievements. The parents' testimony recreates for the viewer a family that despite its humble socio-economic background is forward-looking and aspirational and does not subscribe to regressive views. They go out of their way to support their daughter's education unlike a majority of lower middle class Indian families where a daughter is perceived as a burden to the family. The victim, whose identity is not revealed in the film, comes alive to the viewer through the tutor who also recalls many aspects of her personality like kind-hearted, studious, generous and concerned for the downtrodden. The girl comes across as a virtuous young woman who is hardworking, upwardly mobile and would grow up to take care of her family.

At the other end of the spectrum, we are shown the testimony of one of the perpetrators, Mukesh Singh, the bus conductor, who also begins by reconstructing the day's events and describes the usual trajectory of entertainment after a hard day's work, which is going out drinking with friends and womanizing. Unrepentant and remorseless, he describes the details in a matter-of-fact manner with an unmistakable air of misogyny, oblivious of the magnitude of the crime he has committed. The testimony of the accused is the most contentious aspect of the film, and one of the primary reasons for the restraining order against it. The most shocking and provocative statements made by the accused are selected by the film

maker which hold the victim responsible for her own rape and death. According to him, “good girls stayed home after dark.” He goes on to assert that “a girl is far more responsible for rape than a boy. Boys and girls are not equal ... About 20 per cent of girls are good”. The accused also talks against death penalty for the rapist, adding that it would lead to the killing of the rape victims by the perpetrators. The hate speech, victim blaming, and intensely sexist arguments by the accused are echoed by M.L. Sharma, one of the defence lawyers, who states “there is no place for women in Indian society”. A.P. Singh, the other defence lawyer, asserts:

If my daughter or sister engaged in pre-marital activities and disgraced herself and allowed herself to lose face and character by doing such things, I would most certainly take this sort of sister or daughter to my farmhouse, and in front of my entire family, I would put petrol on her and set her alight. (as cited in Vetticad, 2015)

Udwin’s selection of incendiary statements are aimed at highlighting the everyday expression of misogyny that would shock the sensibilities of the viewer and make her uncomfortable. To some extent, it serves that purpose but it is also the deep-rooted patriarchy and a culture of entitlement that allows men to expound these arguments without any compunction. One of the objectives of the filmmaker was to get into the mind of the rapist and understand the reasons for such violence. Despite the film’s efforts to show the abjectness of the accused’s daily existence, lack of education, and brutalization in childhood; the corollary, that poverty breeds violence does not hold true. The legal counsel for the accused, M.L. Sharma, despite all his legal education, uses similar misogynistic arguments couched in the language of patriarchal wisdom and projects himself to be the spokesperson for Indian culture. Education and affluence do not alter his views on women and their supposed role and place in society.

Much has been written against the film’s biased and reductive approach as it includes provocative statements, but it also incorporates non-linguistic sources like material landscape and environment to give a holistic picture and create an affective impact. Moving from the footage of an urban landscape that shows cosmopolitan and bourgeois young women and men who raise a war cry against rape that runs into violent protest, the film moves to the rural hinterland, where we see another accused Akshay Thakur’s wife and infant child in their home in Bihar.

Thakur's young wife is confident that her husband cannot be guilty of such a heinous crime and is ready to give her life to save his honour. The film also includes the interviews of parents of the accused to give their side of story. We learn how failure of crops and lack of stable source of income has driven the young men from village to the cities. The probing camera takes us to Ravidas colony, showing the squalor of the urban slum, where most of these perpetrators live. The inhabitants are mostly migrants who have no roots in the city and have come to earn a living. The film tries to capture the rural-urban, educated-uneducated, poor-rich divide and aims to probe the brutalized background of the perpetrators, as responsible for the crime. However, it fails to address the pervasive misogyny that cuts across classes as evident in the views of the defence lawyers, quoted above, and the views of the accused, Mukesh Singh. One of the reasons is the growing disaffection because of rising inequality in terms of access to material resources and even sexual gratification as mentioned by the accused on the camera when he speaks of being sexually deprived. Mukesh Singh claims that he had "sex 5 years ago", that too unsatisfactory, while the accused's lawyer attributes the moral depravity of the perpetrators, to the fulfilling of fantasies inspired by films. According to the lawyer, the perpetrators "left our Indian culture. They were under the imagination of the film culture, in which they could do anything". While it's easy to pick and blame Udwin's selection of sound bites as bordering on sensational, these statements are shockingly familiar and reflect a large-scale objectification and sexualization of women across various media and Bollywood films. Misogyny and victim blaming is deeply embedded in everyday lives and finds expression mostly whenever issues of rape are highlighted in media. The expert testimonies in the film offer analysis of the factors that are responsible for discriminatory attitudes against women. By including people like Sheila Dixit, Justice Leila Seth, Justice Gopal Subramanyam, historian Maria Misra, and the prison psychiatrist, the film shows how progressive and liberal attitudes coexist with primitive and regressive views. However, while these voices offer a range of perspectives, the film relies more on creating binaries than an intersectional understanding of gender, class, and caste, that are responsible for violence against women.

Tropes of Witnessing

Testimonial witnessing in *India's Daughter* attempts to probe the causes

of gender-based violence highlighting how it led to mass outpouring of grief, anger, and protest like never before. Witnessing here, as in most instances, is founded upon an empathy driven world where we are trying to create solidarity networks on the basis of our shared humanity and compassion for the vulnerable and the weak. The trope of witnessing can become a useful pedagogical tool in the classroom to sensitize students to the issues of oppression, exploitation and suffering. In fact, memoirs and autobiographies of the disenfranchised groups based on caste, class, gender, and disability, use the testimonial mode to bear witness to their experience of marginalization and injustice and call for support and solidarity. An analysis of rhetorical dimensions of witnessing in literary texts, and linguistic and visual framework of films offers a platform for engaged teaching practices that enables an understanding of human conditions. With a spurt in the use of digital technology and rise of multi modal class rooms, witnessing can provide useful conceptual framework to understand social injustices and responding with empathy. But it is important to ask whether witnessing spectres of suffering, injustice, and violence, constitute a homogenous spectatorship or comprise varying degrees of responses depending on the location and identity of the viewer.

In the larger context of economic globalization, neo liberalism, and with the expansion of mass media and access to digital technologies, it is far easier for the global community to witness acts of violence and various dimensions of human and non-human suffering. However, while witnessing sensitizes us to distant human suffering and creates transnational witnessing publics, it also creates, as Ignatieff (1985) points out, the possibility of “moral universalism” where local specificities get erased and homogenized. Given its worldwide release, and numerous awards, *India's Daughter* creates transnational witnessing publics; however, the impact of the film is different for diverse audiences. For some, the recognition of suffering may evoke empathy and moral responsibility but others may respond with fear and horror. Additionally, the spectacle of violence can also distance people from one another, create a divide between them, and there is a possibility that the viewer perceives violence, misogyny, and rape culture as an attribute of society rather than a product of material and historical conditions.

India's Daughter tries to capture a deeply stratified society ridden with economic and social inequality between classes and indicates that

migration, urban squalor, breaking up of village communities, desire for a better life in cities, create circumstances that are more alienating than assimilating. The disparity is played out glaringly in urban life where rich have access to all material and sensual pleasures (accused Mukesh Singh's reference to sexual deprivation and accessing it through payment) and that creates a deep sense of disquiet amongst large sections of people. While the film represents the disparity, it also chooses elements that are sensational and dramatic to make a compelling argument. The power of image making and framing in a documentary is crucial and the filmmaker's aesthetic choices have an ethical dimension. For instance, all of a sudden, an image of the tiger looms large on the screen just as the accused appears, highlighting the monstrosity of the rapist as opposed to the innocent victim. To heighten the impact, the film is interspersed with news footage of the protests, that solicits audience participation. "Wake up, wake up, we won't tolerate rape", seems to be the message of the film, and that is conveyed through the news footage of the protesting women. Witnessing thus works through affect and helps in establishing meaning and building connection with audience. According to Ignatieff, "Media witnessing depends more on affect than on cognition, and affectivity is the primary mode of connection between the victim and the witness. Since perceptually affect precedes cognition, and in the absence of prior social connections, it connects witness and victims" (1985, p. 86). The larger purpose of witnessing is to solicit an engaged response from the audience and seek support, solidarity, and a call for action. Moving beyond trauma, the film calls for an ethical responsibility. However, as Kaplan (2005) argues:

...witnessing happens when a text aims to move the viewer emotionally but without sensationalizing or overwhelming her with feeling that makes understanding impossible...Art that invites us to bear witness to injustice goes beyond moving us to identify with and help a specific individual and prepare us to take responsibility for preventing future occurrence. (p. 23)

Moving beyond the specific case on which the film is based, Udwin tries to make the viewer understand the causes of the prevalence of rape culture and to that end probes the mindsets of several protagonists and perpetrators. The purpose is to create a sense of discomfort in the viewer, by showing the normalization of misogynistic vocabulary that cuts across class boundaries. However, there are limits involved in

such rhetorical acts of witnessing as these are performative statements, collected and edited by the filmmaker, and framed in a particular manner to create the impact. Interestingly, while the film ran into trouble and could not be released, the misogynistic views of Mukesh Singh and the lawyer were leaked in the media and were played on most prime-time channels. Thus, instead of inculcating feelings of responsibility and doing something that such occurrences do not repeat in future, what gained visibility was the argument that the film could cause anxiety and panic and subsequently lead to law-and-order problems.

Conclusion

Witnessing through visual medium connects the audience to the events intimately, emphasizing urgency and immediacy. However, it is important to bear in mind the performative aspect of testimonial witnessing and how it is subject to affective manipulation. In a visual medium, how images are constructed and framed determines the response of the audience. Thus, while the realist documentary aesthetic is both persuasive and seductive, this naïve epistemology runs into trouble if we are trying to understand gender-based violence without any contextual framework, a charge that has been levelled against Udwin. Commenting on the paradox of the historical moment, Williams (1993) observes that “we exist in an era in which there is a remarkable hunger for documentary images of the real and at the same time a loss of faith in the objectivity of the image” (p. 795). The debate around *India's Daughter* exemplifies many of these paradoxes and critical discussions that arise in literature classrooms about realism, narrative voice, role of affect and multiple possibilities of interpretation.

Additionally, the aim of this article has been to bring into conversation how the concept of witnessing precarity, violence and human vulnerability through textual, aural and visual forms can lead to a transformative pedagogy that moves beyond the confines of classroom. Witnessing demands not just recognition of suffering but also an ethical response and including it in our pedagogical practices can encourage students to engage with issues that are silenced. *India's Daughter* also highlights that narratives, whether visual or literary, are constructed from different ideological positions and can become a site for contestation.

References

- Abdulali, S. (2015, March 12). Opinion | What Indians won't see. *The New York Times*. <https://www.nytimes.com/2015/03/13/opinion/banning-indias-daughter-is-a-terrible-idea.html>
- Arora, P. (2015, November 25). "Daughters of mother India" Reflects on changing minds, laws on violence against women. *India.com*. <https://www.india.com/news/india/daughters-of-mother-india-reflects-on-changing-minds-laws-on-violence-against-women-733533/>
- Bakshi, V. (Director). 2014. *Daughters of mother India*. [Documentary]. Vibha Bakshi.
- Bruzzi, S. (2006). *New documentary: A critical introduction*. Routledge.
- Ignatieff, M. (1985, September 1). Is nothing sacred? The ethics of television. Michael Ignatieff. <https://michaelignatieff.ca/article/1985/is-nothing-sacred-the-ethics-of-television/>
- Kaplan, E.A. (2005). *Trauma culture: The politics of terror and loss in media and literature*. Rutgers University Press.
- Media, J. (2015, March 6). Letter to NDTV regarding telecast of Leslee Udwin's film "India's Daughter." Media Studies Group. <https://www.mediastudiesgroup.org.in/letter-to-ndtv-regarding-telecast-of-lesleeduwins-film-indias-daughter/>
- Minh-Ha, T.T. (1990). Documentary is/not a name. *October*, 52, 76-98. <https://doi.org/10.2307/778886>
- Nichols, B. (1991). *Representing reality: Issues and concepts in documentary*. Indiana University Press.
- Udwin, L. (Director). 2015. *India's daughter*. [Documentary]. BBC.
- Vetticad, A.M.M. (2015, March 4). India's daughter must be telecast: It forces us to admit that anti-women attitudes are ubiquitous. *Scroll.in*. <https://scroll.in/article/711425/indias-daughter-must-be-telecast-it-forces-us-to-admit-that-anti-women-attitudes-are-ubiquitous>
- Williams, L. (2016). Mirrors without memories: Truth, history and the new documentary. In J. Kahana (Ed.), *The documentary film reader: History, theory, criticism* (pp. 794-807). Oxford University Press.

Mukul Chaturvedi is an Associate Professor in the Department of English, Zakir Husain Delhi College, Delhi University. Her areas of interest include testimonial literature, women's life writing, oral narratives, and gender and/in translation.
mukul.chaturvedi@outlook.com