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**Film that brings human rights to life (1)**

*Kate Nash*

*In this article I explore what feature-length films of the kind that are shown in human rights film festivals contribute to human rights culture. Analysing films that feature victims (including, in some detail, Sonita) and perpetrators (notably The Act of Killing), I argue that a viewer is called on to identify with the protagonist who drives forward a narrative of self-responsibilisation – regardless of any commitment s/he may make then to either organised political action or to ethical deconstruction of a film’s narrative. It is principally through work on the self to become a subject of human rights that human rights films are contributing to human rights culture – in advance of a global community of citizens and institutions that might regularly and routinely secure human rights for all.*

The aim of this article is to explore how the narratives of feature length films shown in human rights film festivals are contributing to human rights culture. Human rights are inherently cultural: they are not transcendent moral principles or just legally codified rules. Human rights are constructed as ideals, embedded in stories, schemas, rituals, that, through repetition, establish more or less common-sense understandings of who the subjects of human rights are and should be, what kinds of social relationships are important and should be fostered, who should settle disputes over what counts as justice and equality. Although it is rights of individuals that is at issue in human rights law, as Hannah Arendt famously argued, the enjoyment of human rights supposes community within which ‘the right to rights’ is recognised (Arendt 1979). Furthermore, it is only in relation to social, political and juridical institutions in which rights are claimed, violations are judged, and policies for social justice are made and administered that the possibility of actually realising respect for human rights beyond borders makes sense. It is with regard to both the formation of community and institutions that a culture of human rights across national borders is projected (see Nash 2009).

Of course, no such global community exists today, and the institutions that would ensure respect for universal human rights are, at best, only partially effective. In this respect a culture of human rights is work in progress – and success is far from guaranteed. The importance of what Richard Rorty has called ‘sad and sentimental stories’ for the formation of human rights culture in the West has been widely, and often critically, discussed (Rorty 1993; see also Hunt 2007; Festa 2010). On the face of it film would seem to be the most prominent way of spreading ‘sad and sentimental stories’ today. Film is especially powerful insofar as ‘seeing is believing’. But film is always also narrative, story-telling: it involves a plot, which protagonists drive forward to a resolution. Even in the least narrative forms of human rights films, the most straightforward documentaries or compilations of facts for a court case, there is always a narrative: there is a search for the truth, there are false trails, obstacles, there are often dangers the film-makers must confront, unexpected discoveries, secrets revealed. Feature-length films linked to human rights in particular are not only

intended to prick consciences and stimulate social awareness; they are also created to involve us emotionally in stories of suffering and its overcoming.

There is surprisingly little academic work on 'human rights film'. The analysis that has been done tends to give special importance to the viewer and to the action that s/he should undertake if human rights are to be realised. In her erudite and influential book, *Spectacular Rhetorics*, Wendy Hesford argues that viewers should become ethical witnesses. What is important for Hesford about human rights films (which she analyses in conjunction with photographic exhibitions and theatre productions) is 'developing – in audiences and ourselves – the capacity for ethical engagements and representations that expose the contending universalities that underlie culturally induced suffering' (Hesford 2011: 192). Chaudhuri glosses Hesford's thesis in more polemic terms as, 'Western viewers are interpolated as benevolent rescuers, like present day civilising missions, repeating the colonial view of other societies as repressive or barbaric' (Chaudhuri 2014: 7). In a similar vein, Sonia Tascón analyses the dominant themes of human rights films shown in Western film festivals as involving scenarios in which passive victims are rescued by the spectator who is privileged discursively, visually and geo-politically (Tascón 2015). For Hesford, we should become more critical of Western representations of rights as involving recognition and rescue - but without giving up on human rights altogether. Hesford's stated aim is to enable her readers to refuse and to construct alternatives to the neo-colonial and neo-liberal discourses, images and material practices that reproduce, and thereby, legitimate Western imaginaries of rescue and suffering. In her words, we should move from 'passive spectator to active witness' (Hesford 2011: 201).

In contrast, in *Creating the Witness*, Leshu Torchin argues that viewers of films representing genocide – which she analyses as a specific type of human rights film - are produced as 'witnessing publics': 'the testimonial encounter hails audiences, encouraging them to take both responsibility and action' (Torchin 2012: 3; see McLagan 2003). Torchin's analysis explicitly goes beyond representations: it is in the networks and practices through which films are produced and circulated and the contexts in which they are viewed that she sees 'responsibility and action' as called forth in 'justice movements', which are mobilised to include viewers's responses (Torchin 2012: 16). In practice, the making and showing of human rights films are very often linked to NGOs, to specific campaigns or to the work they do more generally. According to McLagan, the impact a film is expected to have, and how it is to be achieved, is increasingly built into pitches to foundations and governments for funding to get it produced (McLagan 2012).

My analysis in this article is closer to Torchin's emphasis on what human rights films do, on how narratives hail viewers, rather than on how films should be deconstructed in order to produce an ethical viewer who is properly positioned to further human rights. The deconstruction of privileged ways of looking undertaken by Hesford and others is important. It seems to me, however, that what is more basic to watching a human rights film than either organised political action (identified by Torchin as key to the films she analysed) or ethical deconstruction (as advocated by Hesford) is how viewers are called on by the 'sad and sentimental story' it tells.

My analysis is inspired by Joseph Slaughter's *Human Rights Inc.* Slaughter argues that the formation of a transnational culture of human rights involves *self-responsibilisation*. Slaughter analyses post-colonial novels as a form of 'Bildungsroman', a life narrative in which the protagonist, often the narrator, who is at first socially and psychologically alienated becomes 'incorporated' into society. That is to say, the heroine (the protagonist of the post-colonial novel is very often a woman) becomes socialised into the conventions of her society

– which themselves shift through the course of the novel, becoming ‘modernised’, a matter of personal choice rather than of the imposition of hierarchy or tradition. At the end of the novel the individual’s self-realisation and changes in their society enable a harmonious fit between their personality and their social context (2). The Bildungsroman was typically associated with incorporation into a national society – and indeed, as the work of Benedict Anderson shows – the novel was in part constitutive of the nation as an ‘imagined community’ in the eighteenth and nineteenth centuries (Anderson 1983). In the post-colonial novels Slaughter analyses, it is as a world citizen within a transnational community that organises itself around rights and responsibilities that the heroine is ‘incorporated’ – precisely because national citizenship is blocked. For Slaughter, what these stories are working through is the problem of human rights law - in advance of its institutionalisation in effective organisations and practices. According to Slaughter, what the post-colonial novel rehearses, and what it enables readers to work through, is how we may become the humans that human rights law supposes us always already to be (Slaughter 2007).

The analysis I present here is focussed on feature-length films of the kind that are shown in human rights film festivals in North America and Western Europe (3). I argue that the narratives of these films position viewers in ways that incite them to ‘self-responsibilise’, to become incorporated into transnational human rights culture that precedes respect for human rights in law and in practice. My analysis is organised through the ‘atrocities triangle’, according to which human rights violations involve a victim, a perpetrator, and a witness. I initially chose to use the atrocities triangle as an organising principle to tailor my analysis to human rights films as such: as a way of making at least a preliminary and rudimentary distinction amongst different kinds of films in terms of their content that was specific to the field of human rights (rather than by genre, for example); and because of the emphasis it gives to the ‘viewer/witness’ which seems so important if films are to contribute to human rights culture. However, the consequences of that methodological decision were more surprising and interesting than I had expected. I found that both films that feature victims and those that feature perpetrators as their protagonists lend themselves well to an analysis of ‘self-responsibilisation’. In feature-length human rights films, viewers are called on to identify as a world citizen through identification with the journeys of victims and perpetrators towards their own self-realisation as individuals with international rights and responsibilities.

Here I analyse ‘self-responsibilisation’ through the victim in *Sonita* (Rokhsareh Ghaem Maghami 2015) and through the perpetrator in *The Act of Killing* (Joshua Oppenheimer 2012). These films are extraordinarily clear as exemplars of ‘self-responsibilisation’, but they are not exceptional in the types of narratives they represent. To show that the two films I have chosen to analyse in detail are exemplars, not outliers, I also analyse notes I made at screenings and at the Q and A sessions of 16 feature-length films at the Human Rights Watch film festivals in London in 2016 and 2017, and the programme notes of 99 films (32 shown at the *Human Rights Watch* film festivals in London in 2016 and 2017, and 67 shown at the *Movies That Matter* film festival at The Hague in 2017).

### Identifying with the victim: Sonita

How are victims represented in human right films? Diane Meyers has argued persuasively that there are two types of victim of human rights abuses: the ‘pathetic’ victim who is persecuted and killed because of who they are (a Jew, a Tutsi, a woman); and the ‘heroic’ victim who is persecuted for what they say and what they do (Malala Yousafzai, Aung San Suu Kyi). As Meyers and others note, the pathetic victim is at odds with Western tastes today: a person who passively accepts the suffering to which they are subjected is often interpreted in popular culture as ‘a loser’; someone who is resigned to their fate, perhaps even

culpable in that resignation, is unworthy of our attention and respect (Meyers 2011; see also Orgad 2009; Butler and Athanasiou 2013: 114-5).

There has been a vast academic discussion of representations of ‘pathetic victims’ and suffering in Western media, particularly with regard to humanitarianism, compassion and pity. Pity for ‘innocent’ and therefore deserving victims undoubtedly plays an important part in humanitarian responses to suffering. Although photographs of children with ‘flies in their eyes’ are now very widely seen as problematic both inside and outside the NGO-sector, they are still used by fund-raisers as the most effective way for organisations to raise money for relief in times of emergencies (Chouliaraki 2012; Orgad 2013; Dogra 2012).

In relation to human rights, however, in contrast to humanitarianism, the passive, suffering victim is much less obviously appealing. It is the heroic victim who is most securely represented as possessing human rights. As Richard Wilson and Richard Brown note, in comparison with the language of ‘charity, protection, sentiment’ through which humanitarianism is articulated, ‘[i]ndividuals may require assistance to claim their rights, but the assumption [of human rights campaigns] is still one of self-directed individuals vigorously pursuing their claims, immunities, privileges, and liberties’ (Wilson and Brown 2009: 8). Hesford argues that humanitarian and human rights themes overlap in Western visual culture. She is critical of representations of women and children in the campaign video *So Deep a Violence* (Coalition Against Trafficking 2000) as constructing ‘deserving’ innocent victims to appeal to the public to support anti-sex trafficking legislation in the US. Hesford argues that ‘we need to be wary of the dilution of human rights appeals through humanitarian frameworks’ (Hesford 2011: 192). Similarly, Tascón argues that ‘the humanitarian gaze’ reproduces metaphors of victim and saviour in films shown in Western human rights film festivals (Tascón 2015).

In terms of ‘sad and sentimental stories’ supposed to sensitise witnesses to suffering that should be alleviated, the fields of humanitarianism and human rights undoubtedly overlap – perhaps especially in fund-raising activities. However, the construction of the ideal victim of human rights as a hero, as ‘stunningly agentic’, as Meyers puts it (Meyers 2011: 259), makes for an affinity between film and human rights. Narrative film focuses on and creates an identification with a protagonist, a heroine who drives the plot. Narrative film sets up conflicts, dilemmas, turning points – all of which require decisive action on the part of the main character. In addition, beyond their value as a plot device, the protagonist also provides many of the pleasures of film-viewing. Audiences’ pleasure in narrative movies comes from identification with an exceptional individual who overcomes difficulties and in so doing drives events forward to a resolution. ‘Pathetic victims’ do not make good protagonists, nor good vehicles for identification. ‘Heroic victims’, or victims who become heroes by taking control of their lives and vigorously pursuing and defending their rights, are excellent on both counts.

Of the films shown at the *Human Rights Watch* and *Movies That Matter* film festivals in 2016 and 2017, there was just one film that came close to representing ‘pathetic victims’. *Machines* (Rahul Jain, 2016) portrays adults and children who work twelve hour days in nightmarish conditions in Indian textile factories; some are shown as completely exhausted, barely able to stand up, far less to stand up for their rights. However, in interviews in the film, the workers tell us that they are not exploited, that they work in the factories of their own free will, that these are valuable jobs for them. In this respect, the film shows the workers as people who are exercising reason and agency – though it certainly calls the value of ‘agency’ in such constrained circumstances into question. Other films in the sample that focussed on victims who might have been considered ‘innocent’ or unable to resist are also

ambiguous in terms of their presentation of the ‘pathetic victim’. *Child Mother* (Ronen Zaretsky and Yael Kipper 2016), shown in London in 2017, focuses on now elderly women who were forced to marry older men at a very young age. However, the film enables them, in the words of the notes on the Human Rights Watch festival website, to ‘tell their life stories’ in interviews carried out by their own, now adult, children (Human Rights Watch 2017). In this sense, the film creates the women’s agency - at least on screen: in telling very intimate and painful stories that they have kept secret, even from their own children, they show how they have nevertheless made a life for themselves and their children, and we see them claiming dignity in the process of making the film. Similarly, *AI57* (Behrouz Nouranipour 2015) tells the stories of three young women living in a refugee camp in Turkey, who have been victims of rape and enslavement, and who have seen members of their families murdered. Again, however, they tell their own stories, and talk about the dreams they want to pursue, despite all that has happened to them and despite the precariousness of their situation. Even these films, then, which are highly confrontational in portraying the victims of human rights abuses, are much more multi-dimensional in their representations of victims of human rights violations than the archetypal ‘flies in their eyes’ photographs of humanitarianism.

Films with ‘heroic victims’ as their protagonists are much more typical of feature-length films shown at human rights film festivals. *Sonita* is exemplary of this kind of narrative. *Sonita* is typical in that, by far the majority of the films in the sample featured protagonists whose fundamental human rights had been or were being violated, and who at the same time showed exceptional physical and/or social courage in standing up for those rights. *Sonita* is notable in this regard for the clarity of the narrative the film-maker gives to her protagonist’s life. And as such it has been highly successful in gaining and winning over viewers. As the blurb on the website for the Seattle International Film Festival puts it, *Sonita* is a ‘certified crowd-pleaser that has won the audience-choice award at every festival it's played so far’. It was shown at the opening night of the Human Rights Watch Film Festival in London in 2016, and elsewhere in the festival as it travelled to New York, Chicago, and Sydney. Beyond the human rights festival circuit, it also received the Sundance Grand Jury prize for World Documentary and the Audience Award in 2016.

*Sonita* is both a victim and a heroine. When the film opens, we see the fourteen-year old Sonita Alizadeh working as a cleaner, living with her older sister and niece in a single room as a refugee without papers in Tehran and at risk of being made homeless. She dreams of exciting audiences with her rapping, creating a scrap book with her face pasted onto Rihanna’s in front of a crowd of fans, and gives concerts to younger girls in her school with a spoon in the place of a mic. We then see her negotiating with a recording studio, though it is illegal for women to sing solo in Iran. By the end of the film Sonita has escaped the very difficult conditions into which she has been forced by war and by patriarchal tradition and law. Throughout the film she manoeuvres energetically, cleverly and creatively to create conditions in which she is able to exercise her human rights as a young woman and as an artist. At the end of the film we see Sonita, dressed in jeans and a checked shirt, hair uncovered, rapping in Dari to an appreciative audience in San Francisco.

The main turning points in the narrative of the film in terms of Sonita’s human rights is the arrival of her mother in Tehran. She has come from Afghanistan to insist that Sonita return with her so that she can be ‘sold’ for \$9,000 to a much older man who will provide a dowry that will, in turn, enable her brother to pay for a bride for himself. Though the film shows a loving, respectful, even sympathetic relationship between mother and daughter, there is no doubt that her mother represents the violation of Sonita’s human rights. Her mother’s insistence that her daughter must sacrifice herself for her brother, her traditional dress (she

wears her headscarf long, black and tightly round her face rather than lightly, as Sonita wears hers, high on her head with hair showing), her lined face and missing teeth – all these code her as a force of backward looking, anti-modern patriarchal tradition, and show us what Sonita can expect of her own future if she obeys her family's demands. We understand from the film that the pressures of patriarchy and tradition can work through love, kindness kinship, not only through fear and violence. However, Sonita resists her mother's insistent appeals. 'For me only rapping and music are important', she tells her. While her mother waits for her to return with her to Herat, Sonita makes a video called 'Brides for Sale' in which she is seen protesting against the expectation that daughters should allow themselves to be sold. Dressed in white bridal wear, with (made up) bruised eyes and a bar code drawn on her forehead, she sings: 'I am perplexed by this tradition and these people. They sell girls for money. No right to choose'. With the help of the film's Director, Rokhsareh Ghaem Maghami, Sonita gets her video up on youtube, where it goes viral (it was also shown on Afghani TV). As a result of the video Sonita is offered a scholarship to study music at a college in Utah.

Sonita has to escape from the demands that are being made on her by tradition. There is no protection of her rights in any of the institutions in which she is embedded, neither in Iran nor Afghanistan. In Tehran, she has no claims on the state as a migrant without papers, and the progressive headteacher of Sonita's school in Tehran (which is run by an NGO to help working and street children) cannot help her. She does not have the funds to buy Sonita from her mother, who anyway insists that it is 'Afghan tradition' that she must marry. In the film, we see Sonita persuading Rokhsareh to give her mother some money to buy some time ('Would you buy me? I am for sale anyway?'). Rokhsareh is reluctant ('Sonita dear, I must record the truth. I must not interfere with your life'), but she eventually agrees. She also agrees to take Sonita to Afghanistan to get a passport so she can fly to the US. When Sonita gets to Kabul, we see her waiting, small, young and alone, watching the flashes of bombs and anti-aircraft fire from her hotel window, depressed and anxious, not knowing if she will get her passport. Finally, crying with joy, Sonita is given her passport, and she flies off to her new life in the USA. A victim and a heroine, Sonita has broken free of the traditional structures in which her human rights were not respected and made herself into a world citizen, an individual with rights she can exercise in her new life.

In my view, one of the reasons for the film's appeal to viewers is the way Sonita is represented as 'self-responsibilising' through the narrative of her life. In the film, Sonita realises herself artistically as a rapper – she realises her dreams as an individual; and at the same time she becomes a world citizen, a celebrated member of the transnational human rights community. In a youtube interview with Zarghuna Kargar, a BBC journalist and Afghan feminist, Sonita describes forced marriage as a 'traditional practice' and goes on to describe the type of femininity that is expected of young women in Afghanistan: silent, obedient, without a will of her own (Kargar 2015). That is to say, what Sonita tells us she was expected to be in Afghanistan was the very opposite of the human being with rights into which she has made herself, largely by her own efforts. In Slaughter's terms, Sonita has both created herself as a subject of human rights, and she has successfully incorporated herself as a world citizen in a community that respects those rights. In fact, at the Q and A that followed the showing of the film at the Human Rights Watch Film Festival in London in 2016, Sonita told the audience that her dream now is to be a women's rights lawyer and to end child marriage. On the video created for the Human Rights Watch website, you can see her pause immediately after she declares this to be her aim, waiting for the audience's applause - which soon follows (Human Rights Watch Film Festival 2016).

What is less clear from the way *Sonita* has circulated and the contexts of viewing in which it can be seen is what kind of action it requires of the witness/viewer. The film is associated with organisations that campaign against forced and child marriage. It is associated with the NGO that sponsored Sonita's scholarship, and with which she now works: the Strongheart Group in the US. It is also associated with Human Rights Watch. In general, the audiences who attend screenings at the Human Rights Watch Film Festival in London always include people from the region in which a film is set; they are never exclusively white Westerners. In the case of *Sonita*, for some of those who have seen the film and who plan to return to Afghanistan it may be inspiring, as it may be for people who see it inside the country, in the way it constructs forced and child marriage as human rights 'wrongs'. The film may also offer support to those who try to resist forced and child marriage in their immediate circles, wherever they live. For most people who see the film, however, whether in cinemas or online, where it is linked to NGO websites and campaigns, it seems that the most that is expected of us in terms of practical action is a donation. And even less may be expected of viewers who watch it in other contexts – as a DVD or online in their home, for example. Beyond donating money to organisations that work on the issue, and possibly learning more about the prevalence of forced and child marriage around the world, it is not clear what other action most of those who view the film might take.

If watching the film is understood as an end in itself for many, each audience member may themselves also be understood, then, as 'self-responsibilising'. Beyond the pleasures of watching the film (and *Sonita* is intellectually and emotionally compelling as well as entertaining), we experience fellow feeling with Sonita, and perhaps with other audience members. Although analysis of the film's narrative would need to be supplemented with audience research (we will return to this point in the conclusion), it may be that watching *Sonita* we enjoy the film, and at the same time we enjoy contributing to the construction of a culture of human rights, in which we are participating by watching the film. As viewers, we witness the suffering of an individual whose human rights are violated, and through her story we incorporate ourselves into a transnational community that takes rights and responsibilities seriously.

#### Are perpetrators human? Indonesian ghosts

Can perpetrators be part of humanity? Can those who violate rights be the subjects of human rights? In human rights law perpetrators have rights – to life, to a fair trial and to decent conditions of imprisonment. Do human rights films then also incorporate perpetrators into a transnational culture of human rights?

Classic propaganda represents 'the enemy' as evil, as beyond all understanding and sympathy. In contrast, films shown in human rights film festivals tend to humanise the perpetrators of human rights abuses. Films that focus explicitly on perpetrators are rarer than films that take victims as their protagonists – apart from the obvious difficulties of making such a film, might it also be that it is difficult to present a protagonist sympathetically enough to enable identification whilst at the same time condemning them for violations of human rights? Of the 99 films in the sample, only five dealt explicitly and unambiguously with perpetrators. The theme of these films is 'complexity'. The word is used in the programme notes: *The Apprentice* (Boo Junfeng 2016) is a fictional film of which it is said that it is 'a window into the complex world of the people who administer the death penalty'. And in the Q and A at the Human Rights Film Festival in London 2017, Shimon Dotan used 'complexity' as short-hand for what he wanted to show in his film *The Settlers* (Shimon Dotan 2016) about the variety of motivations of Israelis who choose to live, illegally, in the occupied territories of the West Bank. It is complexity in terms of identity that is evident in



films about perpetrators: who are these people? What kind of people are they? In *Dugma: the Button* (Paul Salahadin Refsdahl 2017) the film-maker interviewed and accompanied suicide bombers connected to the Syrian branch of Al Qaeda. The programme notes state that: 'Refsdal's mission to show the other side of this story succeeds with flying colours' (Movies that Matter 2017a). *Keep Quiet* (Sam Blair 2017) is about the leader of a right-wing party in Hungary who is involved in stirring up anti-semitic violence on the street. He quits the party when he discovers his parents were Jewish: 'Now he is trying to make peace with himself and his past. But how credible is he really?' (Movies that Matter 2017b). *No Place for a Rebel* (Maartje Wegdam and Ariadne Asimakopoulos 2017) concerns a perpetrator who is also a victim: kidnapped by Joseph Kony's Lord's Resistance Army, the protagonist went on to become a commander. The film is about him trying to remake his life in a context in which his neighbours fear him, and he fears being tried for the violence he has committed. According to the festival notes: '[A]bove all, the film shows the courageous attempt of a human being to re-shape his fate' (Movies that Matter 2017c).

Perhaps the best-known recent film about perpetrators, *The Act of Killing*, demonstrates many of the complexities of 'humanising' perpetrators. Although it does not fall within the sample – it was shown at the Human Rights Watch film festival in 2013 – it is widely celebrated and discussed in academic analysis and in mainstream and online media (4). It has also been the subject of a number of interviews with Joshua Oppenheimer, on which I will draw, as well as on his production notes, for the analysis of the film as (at least in the Director's intention) contributing to the transnational culture of human rights through 'self-responsibilisation'. Finally, the film has also been highly successful in terms of awards: it has won over 40 prizes, and was nominated for an Oscar for best documentary feature in 2014.

*The Act of Killing* is fascinating and disorienting to watch. It concerns events in Indonesia in 1965-66 in which up to three million people identified as communists and/or as Chinese were killed by paramilitaries and by contracted criminals in a few months following the US-backed military coup of General Suharto – who governed until 1998. The massacres have never been denied, but nor has it been permitted for the victims' families to speak openly about them in public. In fact, it is considered so dangerous to talk about the killings that families did not feel able to co-operate with Oppenheimer to make a film that would expose the truth of what had happened. To have their truth told, Oppenheimer then decided instead to persuade the killers to re-enact their violence, helping them to direct, script, shoot, and act in their own film (5). The killers were happy to star in their own movie, proud of what they had done. Selected footage of the film they made appears in *The Act of Killing*. The killers stage their film in a variety of genres: through a gangster movie, a Western, a horror film, even a musical, they act out how they garrotted people, cleaned up the blood – complaining about how it stank - tortured, burned villages, threw bodies in the river. The killers tell us that they are gangsters, and that 'gangster' means 'free man'. They did the killing for money, and they killed happily. Because they are 'free men', they don't care what people think; they live for 'Relax and Rolex'. They boast throughout the film about the numbers of people they killed, and the fact that they were able to do it. They also tell us that the idea of 'free men' comes from the film *Born Free* (James Hill and Tom McGowan 1966). Towards the end of the film we see footage they have shot, in which an overweight gangster in drag dances out of a huge paper fish to the soundtrack of *Born Free*, while others – taking the role of victims – thank Anwar Congo, the leader of the gang, for sending them straight to heaven. It is a still from this scene that appears on the publicity posters for the film.

Although the film is quite surreal, and opens up many possibilities of interpretation – especially as there is very little voiceover to help the viewer orient themselves - it seems that

one of Oppenheimer's aims in making it was to humanise the perpetrators. The film does not ask viewers straightforwardly to identify with Anwar Congo, the most prominent character in the narrative. However, according to Oppenheimer, it does demand of viewers that we follow Anwar on an emotional journey, that we enter sympathetically into (what I am calling) his 'self-responsibilisation'. In an interview with Matt Goldberg, Oppenheimer says the film ends on a note of hope, because we see that 'a man that's done awful, monstrous things that Anwar has done, is still a human being and still knows what he did is wrong, and can't stomach the truth of what he's done. There's hope there. There's hope there that even the most awful perpetrators are human...' (Goldberg 2014; see also Bradshaw 2013; Rapoid 2015). Effectively, according to Oppenheimer, Anwar makes himself into a subject of human rights: he recognises that he has done wrong and he regrets it deeply. Towards the end of the film, re-enacting the part of someone who was strangled by the gangsters, Anwar asks: 'Did the people I tortured feel the way I do here? My dignity has been destroyed'. And at the end of the film we see him apparently retching, sitting on the rooftop where he killed so many. In a sense, Anwar's reflexivity is a point of resolution in the narrative of the film: Oppenheimer has taken us on a journey with him to the point where we see him apparently feeling empathy and remorse.

There is certainly room for scepticism about Anwar's 'humanisation' in the film. The question of how viewers can know whether Anwar is really experiencing remorse, or whether he is rather performing empathy and remorse for the camera has been much discussed. As Janet Walker argues, however, ambiguity, the problem of knowing what it is that people (and indeed, even we ourselves) really feel is 'at the core of human experience' (Walker 2013: 16). I suggest that if we read the film as a narrative of self-responsibilisation, then regardless of whether he actually feels remorse or not, we can see Anwar's role as directly linked in the narrative to the fostering of a transnational culture of human rights.

The turning point of the film in terms of Anwar's self-responsibilisation comes when his old friend and 'fellow executioner', Adi Zulkadry flies in to join him on the film set. Adi seems much more knowing and sophisticated than Anwar, and it seems that his role in the film is to take up questions about the morality of the killings, the legitimacy of international law, and the truth of history directly for the camera. It is also with the arrival of Adi, in a tranquil scene when the two old friends are fishing together, that Anwar first expresses his doubts about what he has done. He tells Adi that he suffers from nightmares and that his sleep is disturbed. The intimacy of the scene, Anwar's serious face and quiet voice, quite different from how he has been boasting of his part in the killings up to now, make it seem that he is sincere. Adi tells him that, although he doesn't see why the government doesn't apologise for the killings to make the victims' families feel better, because the gangsters only did the killing for money, they are not guilty of any real crime, and they must stay strong and make themselves believe they are in the right.

Adi's role in the film from that point onwards – the middle section of the film - until he flies out again, is to engage Oppenheimer (who asks him question from off-camera), Anwar and the other gangsters, and by extension the viewer, in a series of reflections on how the killings should be judged. It is these reflections that link the film directly to Anwar's self-responsibilisation as a perpetrator of human rights abuses. In the fishing scene, Adi tells Anwar that he must toughen up; he might do well to see a doctor for his nerves. Those he killed, he assures him, were weak even when they had bodies. As long as Anwar doesn't allow himself to feel guilty, their spirits cannot hurt him. Later, on the gangsters' film set, after a re-enactment of torture and killing, which is carried out on a man whose stepfather was killed for being a communist in the 1960s and who breaks down in uncontrollable grief

during the scene, Adi tells his fellow gangsters that it is a mistake to make the film. Not because he is afraid of the law – there will be no legal reckoning because of the statute of limitations in Indonesia; but because it will falsify the version of history that makes the gangsters heroes. When people see the film, he says, they will think that it was not the communists who were cruel, it was the gangsters. When one of the gangsters suggests that the story of what happened should be told because it is the truth, Adi replies: ‘Not everything true should be made public’. Finally, as Adi is driving to the airport, apparently unwilling to continue with the film, Oppenheimer suggests to him that what the gangsters did, even if he thinks of it as war, was in violation of the Geneva Conventions. Adi is resolutely, and articulately defiant: ‘I don’t necessarily agree with those international laws’, he says. ‘When Bush was in power, Guantanamo was right. Saddam Hussein had weapons of mass destruction. That was right according to Bush, but now it’s wrong... War crimes are defined by the winners. I’m a winner so I can make my own definition.’ He is ready, he says to go to The Hague to be tried for war crimes and crimes against humanity. Not because he is guilty – he insists that he does not feel guilty, but because then he will be famous: ‘Please, get me called to The Hague!’

It is in contrast to Adi’s relativisation of human rights that we should understand Anwar’s self-responsibilisation. In a sense the film is a substitute for the trial to which the gangsters should have to submit in international human rights law, and to the judgement they will never have to face. Anwar and his fellow ‘free men’ will never be tried. There is no international pressure to do so, nor political will in Indonesia where the statute of limitations does indeed mean that the killers could not legally be brought to trial in domestic criminal courts for their actions. In Slaughter’s terms, the enjoyment of rights, and in this case the attribution of responsibilities, are blocked at the national level. The film is a kind of substitute trial in the place of international human rights law, in which the truth of what happens is exposed, and in which Anwar appears to judge himself as a perpetrator. Anwar, the perpetrator of terrible crimes against humanity, demonstrates remorse and regret because, on screen (and we cannot know what he really feels off screen) he does not accept Adi’s articulate defiance of international human rights. Anwar performs suffering remorse and regret as demonstrating that he does not believe in his own innocence: the fact that he did the killing for money does not excuse the pain he inflicted on his victims and their families. Above all, he does not relativise the facts of the killings, nor fundamental human rights. He does not say with Adi, ‘because I am a strong, ‘free’ man, because I can get away with it, I can make history anyway I choose’. Nor do we seem him instrumentalising human rights, defiantly picturing them only as props that contribute to his international fame and glory. As he stages his boastfulness about his crimes and his remorse, Anwar performs self-responsibilisation; he incorporates himself as a world citizen, a valid subject of human rights. In contrast to Adi, Anwar is a perpetrator who performs his own responsibility for the violation international human rights.

Through Anwar’s self-reponsibilisation as a perpetrator of crimes against humanity, and insofar viewers identify – or at the very least share fellow feeling - with Anwar, we are at the same time called on to self-responsibilise as world citizens. We learn about the massacres of the 1960s, which very few outside Indonesia know about at all – and we also learn about the role of the present government in covering up, even celebrating, the killings (6). Furthermore, insofar as we follow the narrative and wonder how far Anwar’s performance really represents self-indictment, we are drawn into judgement on the killings in the absence of any possibility of a legal trial. Insofar as audiences acknowledge Anwar’s humanity, as Oppenheimer argues that we should, however repellent we surely also find him, we are incorporated into a transnational culture of human rights. In *The Act of Killing*, in a kind of

dialogue with Adi's strong man relativism, by the end of the film Anwar's performance of retching embodies recognition of his responsibilities as a perpetrator, and of the rights of his victims. The 'anti-hero' of the film, and the viewers who follow him on his journey of self-responsibilisation, learn respect for the human rights of the victims of mass killings in Indonesia in the absence of law that would ensure punishment for their violation and redress for the victims.

### Just culture

In this article I have argued that what is most basic about viewing feature-length human rights films, in a sense prior to either political action or ethical judgement, is how narratives represent protagonists and position viewers to engage in self-responsibilisation. Drawing on Joseph Slaughter's work on the post-colonial novel, I have shown how self-responsibilisation works in the narrative of *Sonita*, through identification with the victim who is also a hero, and in *The Act of Killing*, through fellow-feeling with the complex, enigmatic perpetrator who performs remorse. I have also shown that these films, whilst representing very clear narratives of self-responsibilisation, are not exceptional with respect to films shown at the *Human Rights Watch* and *Movies that Matter* film festivals in recent years.

What is most basic about human rights films is, however, by no means the last word on their contribution to human rights culture. In terms of Stuart Hall's well-known essay on the circuit of communication, in focussing on narratives of self-responsibilisation, I have analysed what is encoded in these films. As Hall argues, encoding has a 'privileged position in the communicative exchange' because, even if audiences are not passive receivers of what is transmitted, even if we must always actively interpret what we see and hear to make it meaningful, we necessarily work with what is presented on screen. However, how audiences make what they see and hear meaningful can differ from the encoded 'preferred reading' of a film (Hall 2001). It follows that investigation of the contribution of films to human rights culture requires research on how audiences actually interpret the narratives. Especially given that many human rights issues are highly politicised, and given that audience members are likely to bring different national and regional identifications as well as historical and political affinities to screenings, viewers may well interpret films in terms of what Hall calls 'negotiated codes', broadly interpreting the dominant narrative as it is encoded but with certain reservations and qualifications, or even in terms of 'oppositional codes', refusing to understand and/or evaluating it quite differently from the 'preferred reading'.

In addition, research on human rights films as contributing to human rights culture involves situating human rights films in a wider context than that of encoding and decoding narratives. To what extent are the self-responsibilising narratives of human rights films, and the ways they are decoded by viewers, complicit with, negotiate or oppose geo-politics dominated by US and European states? Much has been written on human rights and neo-colonialism, whether in terms of military intervention or the cultural norms of emerging transnational elites (Douzinas 2007; Merry 2006). The self-responsibilisation of human rights films is very often staged (as it is in *Sonita*) through the representation of conflicts between modernity and tradition, or through the separation of the protagonist (as in *The Act of Killing*) from discourses constructed by collectivities – in Anwar's case, that of the gangsters and political elites - that support human rights abuses. In general, as we have noted, incorporation as a world citizen in these narratives is necessary because rights and justice is blocked at the national level. Focussing on the individual's self-responsibilisation, human rights films call the value of ascribed collective identities and of national sovereignty into question. However, 'human rights' are used in a range of ways in practice, often opposed to national, religious, and ethnic communities, sometimes making use of force in ways that violates the

spirit if not the letter of international human rights law. If, as I have argued here, human rights films do not necessarily reproduce ‘the humanitarian gaze’ that we should deconstruct and resist, and nor is their viewing inherently tied to ‘responsibility and action’ to further particular human rights claims, do these films only ever confirm the value of human rights as a matter of the progressive development of global consensus? And if so, are they then supportive also of abuses of human rights? Or do human rights films have a role to play in disentangling transnational support for human rights in general from international abuses of human rights in particular cases?

Finally, considering how human rights culture may be constructed in practice also means considering the wider economic and cultural context in which human rights films are becoming popular. To what extent does the self-responsibilising individual of human rights films resonate with the ‘responsible self’ identified by Foucauldians with practices and discourses of neo-liberal governmentality (see Lerner 2000)? Perhaps the construction of heroic victims, remorseful perpetrators and responsible witnesses ‘feels right’ because human rights films have an affinity with neo-liberal constructions of the self as responsible for making the right choices to produce itself as ‘market-ready’? Again, we might raise questions for further research into human rights films: is the subject of human rights they construct necessarily complicit with neo-liberalisation? Do human rights films ever work against ‘market fundamentalism’, either in their narratives or in their reception?

The analysis of human rights films as encoding a narrative of self-responsibilisation is, therefore, just the beginning of research to fully explore how they contribute to human rights culture. Nevertheless, showing that the narrative of self-responsibilisation is shared across a range of films, including *Sonita*, representing a heroic victim of human rights abuses, and *The Act of Killing*, which in contrast represents the perpetrator as a complex anti-hero, is a valuable first step. At the very least, we can conclude that the viewers of human rights films are not invariably positioned as enjoying the ‘humanitarian gaze’ of the privileged Westerner called on to rescue pathetic victims; nor are viewers necessarily called on by these films to take ‘responsibility and action’ to further human rights. Human rights films of the kind that are shown at human rights film festivals call on viewers to identify or to experience fellow feeling with protagonists who overcome obstacles at the local and national levels to become world citizens. They encode nuanced, even challenging narratives for urbane, cosmopolitan audiences. We will need concepts and tools that enable us to engage with such nuance if we are to analyse how films contribute to transnational human rights culture.

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### Notes

1. The title comes from the trailer for the Human Rights Watch Film Festival London 2016. Over footage that is overwhelmingly made up of triumphant individuals celebrating taking action against human rights abuses, the voice over and graphics on

the screen say: 'Meet courageous individuals on both sides of the lens... Celebrating the power of film... To bring human rights issues to life'.

2. This is of necessity a very brief account of Slaughter's thesis. In the book he identifies varieties of Bildungsroman. There is an affirmative, idealist version in which individual and society achieve mutual accord through consensus. There is also a 'dissensual' or critical Bildungsroman, in which accord is not discounted altogether but it is in a way deferred: the individual claims rights, as universals, in opposition to the dominant norms of their society (Slaughter 2007: 180-2). I read Slaughter's thesis as suggesting that these novels thereby contribute to a transnational culture of rights – which is not the same as the individual becoming integrated into a transnational society (with institutions that could realise respect for their universal rights).
3. The decision to focus on films shown in festivals was methodological, a pragmatic way of narrowing down the sample to facilitate the selection of films to analyse. My aim is not to study human rights film festivals as such, and the interesting research questions such studies raise are beyond the scope of this paper (see Jordanova and Torchin 2012; Tascón 2015; Tascón and Wils 2017).
4. There are a couple of excellent collections of essays on *The Act of Killing*: a special issue of *Film Quarterly* 2013 67/2 edited by B. Ruby Rich; and *Killer Images* edited by Joram ten Brink and Joshua Oppenheimer (2012).
5. Oppenheimer puts the brother of a victim centre-stage in *The Look of Silence* (Joshua Oppenheimer 2014), which is a much more conventional follow-up to *The Act of Killing*.
6. What is expected of audiences, then – with the exception of audiences in Indonesia - is not action. In Indonesia, the NGO Indonesian Human Rights Committee has shown the film, and – according to Oppenheimer, encouraged him to make it – with the aim of enabling people to talk about what happened from the point of view of the victims and their families, and to address the government's official version of events (Rapoid 2015). In most of the world, however, it is not associated with any activism or action at all.

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