This item was submitted to [Loughborough's Research Repository](#) by the author.
Items in Figshare are protected by copyright, with all rights reserved, unless otherwise indicated.

Art and epistemic injustice: Ursula Biemann's remote sensing and black sea files

PLEASE CITE THE PUBLISHED VERSION

http://dx.doi.org/10.1386/aps.3.1.45_1

PUBLISHER

© Intellect

VERSION

AM (Accepted Manuscript)

PUBLISHER STATEMENT

This work is made available according to the conditions of the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0) licence. Full details of this licence are available at:
<https://creativecommons.org/licenses/by-nc-nd/4.0/>

LICENCE

CC BY-NC-ND 4.0

REPOSITORY RECORD

Brown, Kathryn. 2019. "Art and Epistemic Injustice: Ursula Biemann's Remote Sensing and Black Sea Files".
figshare. <https://hdl.handle.net/2134/22239>.

The following is the penultimate version of an article published in *Art & the Public Sphere*, vol. 3, no. 1, December 2014, pp. 45–62. To quote from this article please refer to the final version available at DOI: http://dx.doi.org/10.1386/aps.3.1.45_1

Art and epistemic injustice: Ursula Biemann's *Remote Sensing* and *The Black Sea Files*

Kathryn Brown, Tilburg University

Email: kathrynbrown@mac.com

This article examines two video essays by Swiss artist Ursula Biemann, *Remote Sensing* (2001) and *The Black Sea Files* (2005a).¹ In their investigation of personal narratives drawn from female participants in the global sex trade and individuals involved in, or affected by, recent mining enterprises in Eastern Europe, these two works investigate ways in which the exercise of social power prevents certain individuals or groups from participating effectively in local and transnational arenas of public debate. I shall discuss Biemann's exploration of individual testimony and experiences of displacement – notably of women – in the context of Miranda Fricker's recent discussion of 'epistemic injustice' (2009). Examining the video essays in this philosophical framework will shed new light on the social and ethical issues that shape the communication and interpretation of personal histories throughout these works.

In her book, Fricker analyzes occurrences of 'epistemic injustice' under two headings. First, she investigates a specific exercise of social power that undermines a person's capacity to convey knowledge ('testimonial injustice'). It is argued that the perpetuation of background beliefs that operate to silence or systematically misinterpret individuals (or groups) denies those individuals a right to self-realization in a way that both undermines their self-confidence as speakers and diminishes their 'identity power' within society (2009: 4). Secondly, Fricker examines how assumptions that shape a community's social self-image might operate so as to deprive individuals of key concepts required for understanding themselves and their relations to others ('hermeneutical injustice') (2009: 4–7). A person might be harmed in her 'capacity as a subject of social understanding' if, for example, she is discriminated against, but does not have the conceptual tools to recognize that she has suffered an act of prejudice (2009: 6–7). The perpetuation of these two forms of epistemic injustice can be said to have important consequences not just for individuals, but for society more broadly. It not only diminishes the number and diversity of voices whose testimony contributes to the fabric of civic life, but also restricts the circulation of information that enables *all* members of a particular society to form an accurate image of that society, including their role and possibilities within it.

In the following discussion, I shall focus specifically on ways in which Biemann's video essays bring to light instances of *testimonial* injustice and require audiences to broaden their conception of the socio-political circumstances in which such injustice might arise. Biemann's

works will, therefore, be seen to extend the way in which epistemic injustice is conceptualized in Fricker's book. On the one hand, Biemann's videos make certain marginalized voices audible, thereby providing individuals with an opportunity to convey knowledge in a forum that might not otherwise be available to them. In this regard, they may be said to redress (to a limited extent) the balance created by the practice of testimonial injustice. On the other hand, however, the works also demonstrate the existence of social and institutional frameworks that combine to reinforce testimonial injustice at the level of the speaker in ways that render the provision of information uneven and unstable. I shall argue that this has consequences both for a conception of the social context in which the speakers are based and for the way in which the artworks communicate to their audiences.

The following discussion aims to show that *Remote Sensing* and *The Black Sea Files* do not just illuminate the distinctive harm of testimonial injustice, but also deepen current debates in analytical philosophy about the way in which such harm can be conceived of and understood in a broader socio-political framework. I shall argue further that by self-consciously locating her works in a network of image circulation, Biemann raises questions about the reliability and aesthetic potential of moving images that seek to illuminate such injustice at the intersection of art and documentary.

Testimony and attentive listening: *Remote Sensing*

Themes of displacement and migration motivate the narrative trajectories of both *Remote Sensing* and *The Black Sea Files*. The former juxtaposes individual travel itineraries and satellite pictures of the earth with images drawn from the lived experience of women who leave their homes (subject to varying degrees of coercion or in the hope of economic improvement) in order to participate in the sex industry. The work focuses primarily on border crossing between Mexico and the United States, the Czech Republic and Germany, and Burma and Thailand, as well as on the migration and trafficking of women and girls within and between countries in Europe, Asia, South East Asia and Africa. Travel routes are depicted anonymously through the presentation of passport photographs that have been reduced to black and white portraits, visually reminiscent of thermal imaging (Figure 1).

In her study of contemporary art's relationship to, and development of, notions of cosmopolitanism and globalization, Marsha Meskimmon asks 'what kinds of subject are produced through the present conditions of transnational, transcultural and transmedial exchange?' (2011: 6). This leads her to identify and discuss a range of artworks that portray subjectivity as part of a relational practice within 'multilayered networks', an aesthetic strategy that is often seen to have the positive result of staging or facilitating conversational exchanges across and through social and cultural differences (2011: 6). *Remote Sensing* offers a counterpoint to this constructive imbrication of dialogue and migration. Throughout the video, subjectivity is effaced by abstractly conveyed travel routes: names are replaced by 'passenger numbers', and voyages are demarcated by the arrival and departure times of buses and trains. The subject produced by this bland, easily reproducible information is a

depersonalized figure, stripped of a personal history and made comprehensible solely through a map of public transportation routes.

These images of migration are set in the context of yet another form of visual information-gathering, namely, sophisticated satellite technology that permits the acquisition of information about the world ‘remotely’ and in the absence of any contact with the object observed (Figure 2). These abstract scientific images contribute to the creation of a ‘world picture’ of the kind described by W. J. T. Mitchell, a representation of the globe that is ‘incredibly clear, realistic, and information-saturated (every inch of the world has now been scanned, and is searchable)’ (2011: 253). Yet, Biemann’s video tests both the optimism and epistemological promises that underpin the production of such a ‘world picture’ by debating the alleged neutrality of such scientific images and the amount of information they provide about the lived experience of individuals whose movements are tracked, catalogued, and interpreted solely from a distance. The work hinges on the paradox inherent in what it means to sense something ‘remotely’.² While the title of the work refers to a certain form of scientific image production, it also signifies the existence of a secure affective distance between the viewer and the experiences of those who are the subject of the work. The question arises as to how, if at all, an artwork such as this might reorient attention towards the experiences of women involved in the global sex industry by closing the gap between viewer’s own ‘sensory’ apparatus and the lived experience of others.

Throughout *Remote Sensing*, the patterns comprising a ‘technological geography’ are set against the emergence of individual ‘networks of survival’, migratory patterns that, as famously analyzed by Saskia Sassen, constitute ‘counter-geographies of globalization’ (2000: 503). Sassen’s pioneering study examined the emergence of transnational, clandestine profit-making operations (including illegal migration, the emergence of informal labour markets, and sex trafficking) that function in parallel to formal economic structures and institutions within and across nations. Although such operations are illegal and largely unseen, Sassen argues that they both support and are supported by ‘a global economic system and the associated development of various institutional supports for cross-border money flows and markets’ (2000: 504). State institutions might be willing to tolerate the presence of such operations, it is argued, if the latter reduce unemployment (through the export of labour) or facilitate an influx of money to the home nation through increased tourism (including, for example, sex tourism) or the remittance of funds by expatriate workers to their families (Sassen 2000: 505–7).

While Sassen focuses on the economic significance of cross-border migration and illegal trafficking in women and girls within clandestine ‘circuits’ of global exchange, Biemann’s video essay gives voice to individuals who participate in the sex trade. As Barbara Mennel rightly observes, in contrast to the construction and maintenance of an industry that exists to satisfy male heterosexual desire, *Remote Sensing* is notable for the ‘absence of men at level of description, analysis, interpretation, and commentary’ (2010: 349). Images of men structure the principal visual parameters of the video: men appear as customers in brothels, sex tourists, border officials, producers of scientific imagery, and passers-by. Yet, prominence is given to women’s voices. This takes the form of life narratives recounted by sex workers, commentaries

by women active in human rights agencies, and a voice-over by the artist herself. In this regard, sound and image stand in tension, each medium revealing a contrasting perspective on the sex industry.

At one level, *Remote Sensing* fulfils an important role by giving a platform to women who typically lack a forum for public self-expression and by illuminating the circumstances that led to their participation in the sex industry. My suggestion, however, is that the work goes beyond the straightforward idea of providing a speaking platform for those who might otherwise be denied an active voice. It does so by testing the viewer's capacity to act as an attentive listener and by questioning the assumptions that inform the way in which the testimony of individual sex workers is received, understood, and evaluated.

In the introduction to this article, I suggested that *Remote Sensing* references the existence of testimonial injustice suffered by women in the sex industry by highlighting the existence of frameworks that operate to deprive those individuals of a voice. Women who are kidnapped or duped into prostitution by promises of other forms of work, for example, generate cases where those individuals are often unable to exercise a right to protest or to petition for legal redress (they may be in a country illegally and hence unable to seek police assistance), let alone to enjoy an opportunity to narrate their experiences to an impartial third party. The video also illuminates cases where women self-censor or wait silently for clients, wary of the recording function of the camera. For Mennel, this aspect of the video deliberately replicates the 'commodification' of women in the sex industry and in the image-making systems that seek to control, analyze and communicate that industry: 'the women are not accorded any space to articulate desires, subjectivity, interiority, emotion, or relation beyond what takes on a function within the sex industry, reproducing the lack of humanity that we are to assume the video intends to criticize' (2010: 345).

I want to suggest, however, that there is a form of testimonial injustice at work in the video that extends beyond this dichotomy of speaking and silencing. Fricker describes testimonial injustice as arising when a listener fails to accord a speaker her due credibility and thereby forgoes the knowledge that the speaker seeks to communicate (2009: 17). Although the speaker is disadvantaged by virtue of the fact that her testimony is doubted or discounted, the listener also suffers a loss in so far as he or she misses out on potentially valuable information by failing to accord that testimony its full meaning. I shall return to this point below. In Fricker's account, it is the exercise of prejudice (motivated, for example, by background sexist or racist stereotypes) that prompts the listener to doubt or discount a speaker's testimony. The result, for Fricker, is that a specific wrong is done to the speaker (an 'epistemic wrong') that undermines the latter's social identity and/or confidence to convey knowledge to others:

To be wronged in one's capacity as a knower is to be wronged in a capacity essential to human value. When one is undermined or otherwise wronged in a capacity essential to human value, one suffers an intrinsic injustice. The form that this intrinsic injustice takes specifically in cases of testimonial injustice is that the subject is wronged in her

capacity as a giver of knowledge. The capacity to give knowledge to others is one side of that many-sided capacity so significant in human beings: namely, the capacity for reason (2009: 44).

By focusing on the motivating function of prejudice in cases of testimonial injustice, Fricker is able to link the occurrence of injustice to the ‘ethical culpability’ (2009: 43) of the listener. In other words, the harm that arises from testimonial injustice is not accidental, but is derived from the distorting effect of a particular background belief that could be rectified by the listener if he or she were to act in an ethically responsible manner.

My contention is that *Remote Sensing* brings to the fore another important way in which testimonial injustice can arise and thus broadens our conception of this harm and of the ‘ethical culpability’ on which such injustice rests. In ways that I shall explain, Biemann’s video demonstrates the paradox that testimonial injustice also arises in circumstances where a woman’s agency in deciding to become a sex worker is acknowledged by both speaker and listener. The paradox lies in the fact that affirming the speaker’s agency in one context (her ability to exercise choice) prompts the discounting of it in another (descriptions of unpleasant experiences or exploitative practices are not accorded their full weight). I shall argue that in cases where women ‘choose’ to enter the sex trade (for the purposes of, say, economic improvement), the listener dismisses aspects of the speaker’s testimony for reasons that are not linked to the impact of prejudicial stereotypes. In consequence, Biemann’s video essay broadens our conception of the circumstances that can give rise to instances of testimonial injustice.

As mentioned above, *Remote Sensing* contains testimony by women who have been forced into prostitution by sex traffickers. Typically, such women are viewed by neutral observers as the victims of crime and of the resulting circumstances in which they find themselves (ranging from forced labour to physical abuse and imprisonment). A more complicated situation arises in the reception of testimony provided by women who participate in the sex trade voluntarily. The video is designed to highlight the point that the exercise of ‘choice’ on the part of the individual has direct repercussions on the way in which her testimony is received and evaluated by the listener. Speaking towards the end of *Remote Sensing*, Bandana Pattanaik, of the Global Alliance Against Traffic in Women, notes that while descriptions of exploitation or abuse on the part of ‘victims’ triggers the sympathy of the listener, similar descriptions given by someone who has volunteered to participate in the sex industry are ‘more difficult to understand’ (RS 47:26). Another human rights worker, Iveta Bartunkova, is also recorded as noting – in neutral terms – that the overwhelming likelihood of unemployment in industrial areas is typically a motivating force behind many women’s decision ‘voluntarily’ to enter the sex industry in Eastern Europe (RS 17:20). The statements bring to the fore that the agency of the individual (typically viewed as evidence of positive empowerment) conditions the listener to give a less sympathetic response to that individual’s testimony regarding her decision to participate in the sex industry and her experiences of it: her

speech is weighed differently from that of a victim or even discounted by virtue of the fact that she volunteers and receives payment for her work.

In *Remote Sensing*, this contrast between agency and victimhood is reiterated by the narrator's emphasis on the binary opposition that structures images of the sex industry and its participants: we are told that 'there are either those who agree or those who are forced, those who reveal or those who mask the economies of female sexuality' (RS 48:44). One of the strengths of the video is to ask its audience to consider what constitutes a 'choice' made in the context of a restricted set of opportunities determined by gender inequality and, by extension, to consider how one might 'displace the boundaries that limit our imagination and resignify the feminine in sexual difference' (RS 48:58).

By testing the differing degrees of empathy that listeners typically accord to the speech of 'agents' and 'victims' in the sex industry, *Remote Sensing* reveals the paradox that when acknowledging an individual's decision to enter into the sex industry, the listener risks underestimating or overlooking the prevailing social injustices (e.g. unemployment, lack of access to education, domestic pressure, poverty) that informed her decision. In other words, our interpretative resources (including concepts of 'agency', 'freedom' and 'choice') may not 'fit' testimony that is provided to us from within a different social context. In *Development as Freedom*, Amartya Sen captures the problem of assessing the scope of personal agency and the value accorded to it when he states that

the freedom of agency that we individually have is inescapably qualified and constrained by the social, political and economic opportunities that are available to us. There is a deep complementarity between individual agency and social arrangements. It is important to give simultaneous recognition to the centrality of individual freedom *and* to the force of social influences on the extent and reach of individual freedom. (2001: xi–xii)

My argument is that by ignoring the ways in which 'social influences' circumscribe the scope of agency, Biemann's listener risks silencing the speaker, thereby compounding the commodification of women's bodies in the sex industry and perpetrating an act of testimonial injustice.³ *Remote Sensing* thus significantly broadens our view of epistemic injustice by demonstrating the imbrication of testimony and social justice: that which is understood to constitute 'freedom of agency' in one context may not do so in another.

While Fricker argues that we need actively to dispense with prejudicial stereotypes that shape an 'epistemically loaded social perception' of individuals or groups (Fricker 2009: 5), I am suggesting that we need to do more work than this, on the grounds that our social perceptions and interpretation of testimony are determined by matters that extend beyond the operation of prejudice alone. *Remote Sensing* illuminates the point that epistemic injustice can arise when we fail to have due regard to conflicts between the background socio-economic conditions that shape the contexts in which testimony is given and received. In this regard, it brings to light of a form of oppression that Iris Marion Young identified as arising from 'the

vast and deep injustices some groups suffer as a consequence of often unconscious assumptions and reactions of well-meaning people in ordinary interactions, media and cultural stereotypes, and structural features of bureaucratic hierarchies and market mechanisms – in short, the normal processes of everyday life’ (2011: 41).

It might be argued, in response, that if a listener discounts or underestimates a speaker’s testimony because he or she merely ignores certain background conditions of social justice (instead of exercising prejudice), we are confronted with a case of what Fricker describes as “‘circumstantial” epistemic bad luck’ on the part of the listener (2009: 33). He or she might simply be making a ‘non-culpable’ mistake in failing to accord due weight to a speaker’s words, and an act of testimonial injustice would not arise. I would disagree with this suggestion in the case of the present example. If one of Fricker’s aims is to show how prejudice affects our response to individual testimony, so too we need to be alert to inequalities across key concepts such as freedom of choice, voluntary action, and individual agency in similar cases. I am, therefore, imposing a higher standard of responsibility than Fricker by suggesting that willful or even negligent ignorance of prevailing social injustices that influence the giving and receiving of testimony constitutes ‘ethical culpability’ on the part of the listener. Adapting the central metaphor of Biemann’s video, we could say that, at the level of human interaction, ‘remote sensing’ is not ‘sensing’ at all.

Fricker balances her account of injustice with the positive concept of a ‘virtuous hearer’, namely, a person who is capable of exercising ‘testimonial sensibility’ to a speaker (2009: 5). This is a helpful way of conceiving of the work that *Remote Sensing* invites on the part of its audience. In its attempt to dismantle binary oppositions and to encourage the audience to reimagine the categories through which the global sex trade is communicated and individual female experiences of it narrated, Biemann’s video encourages us to become ‘virtuous hearers’, attentive to the background beliefs that shape our own conceptions of personal freedom and individual agency, as well as those that have defined the options open to those who address the camera. As members of an art audience our position shifts, therefore, from one of looking to one in which we are asked to listen to others while being alert to ‘the thousand negotiations she [a woman] makes in the sexual and emotional economy’ (RS 49:05).

The margins of the visible: *The Black Sea Files*

The ambition of making visible the range of micro-negotiations that take place within and around transnational circuits of socio-economic exchange comes to the fore, once again, in Biemann’s video essay of 2005 entitled *The Black Sea Files*. Comprised of ten segments or ‘files’, the work traces the construction of a subterranean pipeline, the Baku-Tbilisi-Ceyhan pipeline (BTC pipeline), designed to pump crude oil from the Caspian Sea to a terminal at Ceyhan on the Turkish coast. Built between 2003 and 2006 and traversing just over 1,700 kilometres, the BTC pipeline is one of the longest in the world and crosses Azerbaijan, Georgia and Turkey.

Biemann’s video is loosely structured by the route of the pipeline. As the artist follows the emerging ‘construction corridor’ that cuts through the landscape, attention shifts, however, from the engineering labour undertaken in connection with the project to the experiences of

workers, farmers, refugees, migrants, and sex workers who are drawn to, or displaced by, the construction operations. Just as *Remote Sensing* traces a series of cross-border migrations, so too *The Black Sea Files* brings to light the displacement of individuals and families that arises in connection with the execution of a major, internationally-financed infrastructure project. While the BTC pipeline was designed to be subterranean and hence ultimately invisible to passers-by, the video makes that point that the stories of those who inhabit the space surrounding the construction area risk a similar concealment, their interests passing unnoticed by those who focus on the broader economic and geopolitical significance of the project. This interplay between the visibility and invisibility of personal histories within liminal, transnational spaces thus develops one of the central themes of *Remote Sensing*. Extending the argument of the preceding section, my intention is to focus on the ways in which *The Black Sea Files* reveals certain problems that projects like the BTC pipeline pose for the provision of individual testimony and for determining the ethical responsibility of those who govern such new geographical spaces.

A cross-border infrastructure project such as this raises important human rights issues in connection with, for example, the compulsory acquisition of land, the environmental impact of construction, and the extent to which adequate communication channels are opened for local representation and complaints about the planning and execution of the works. Legal studies have been undertaken that analyze in detail the impact of the BTC project on residents in the affected countries and the issues that they have faced in pursuing legal remedies for matters such as non-payment of funds for the compulsory acquisition of their land and for alleged violations of the European Convention on Human Rights (Dufey 2009; Dufey and Kazimova 2013). It is beyond the scope of this article to trace the detailed legal ramifications of the project, the conflicts that have arisen between local laws and European human rights legislation, and statements issued by the United Kingdom concerning the consortium's failure to comply fully with, *inter alia*, guidelines issued by the Organization for Economic Co-operation and Development (Department for Business, Innovations and Skills 2011). Instead, my aim is to consider how Biemann uses her video practice to investigate the range of narratives that comprise an artificial, transnational space that has been carved out from the surrounding legal and geographical landscape.

Although *The Black Sea Files* reveals the impact of the BTC pipeline construction on the people whose lives it directly affects, Biemann encourages her audience not to think of the video essay as a source of objective, documentary information:

While generally my practice can be understood as a cognitive method akin to those used by geologists, journalists and anthropologists, this was a very subjective way of organizing knowledge, which, in my view, is more closely related to secret intelligence than, say, anthropology, because of its inherently transnational procedure and the pursuit of hidden and restricted knowledge. (Biemann 2005b: 64)

The video is organized in a way that suggests the gathering and communication of restricted, but objective intelligence: ‘field records’ are structured into separate ‘files’: the title of the work is described as a ‘code name’: and encounters and interviews are identified precisely by time, date, and location. Through the use of this terminology the work gently satirizes the viewer’s expectations of how covertly gathered information is organized and communicated to a restricted audience. The objectivity of this ‘secret’ intelligence is, however, undermined by the set up of the imagery: a split screen provides different perspectives on a single scene or event, and an accompanying musical score imparts a theatrical feel to many of the scenes (Figure 3).

Most importantly, however, Biemann’s authorial presence is asserted throughout the video both visually (through the use of a hand-held camera) and aurally (through her voiceovers and questions to interviewees). She describes this aspect of the work as ‘a decisive attempt to insert myself into the range of investigative practices performed in these different spheres of knowledge’ (i.e. the spheres of geology, journalism and anthropology) (2005b: 64). As T. J. Demos notes with respect to recent developments in video practice more widely, the mixing of documentary with subjective or contrived set-ups produces ‘a new mode of address that replaces the stultifying conventions of traditional documentary filmmaking and sensationalist media with the transformative capacity of representation to shift perspectives and invite collaborative and creative interpretation’ (2013: 209).

Mirroring the transnational aspect of the pipeline construction, Biemann moves between various research fields, a strategy that resists fixing the essay within a single informational or interpretative framework (Figure 4). Indeed, not every story recounted in the video is directly linked to the effects of the pipeline construction. Instead, the latter attracts and anchors a range of incidents and narratives ranging from news reports to community discussions, personal and family histories. Contrasting informational and aesthetic conduits are, therefore, elaborated along the trajectory of the pipeline as it traverses national borders.

Critical responses to Biemann’s video essays have focused on the aesthetic strategies that the artist uses to communicate truthful information about a place or condition by shifting attention between images or fragmenting a unitary perspective on a single event (Demos 2013; Charlesworth 2014). In *The Black Sea Files*, Biemann describes her conscious decision to ‘resist making the ultimate image that will capture the whole drama in one frame’ and to ‘resist freezing the moment into a symbol’ (BSF 16:56). This strategy is pertinent not just to the aesthetic or informational qualities of this video essay, but also to the specific ethical work that it requires on the part of the viewer. Mirroring John McDowell’s argument that, ‘any reasonably adult moral outlook’ cannot be reduced to the codification of a set of precepts (McDowell 1998: 57–8; Fricker 2009: 73–75), the visual style of Biemann’s works encourages a range of emotional and cognitive responses from the viewer in a way that generates ethical knowledge. By resisting a summative visual ‘symbol’, Biemann requires the viewer to listen carefully to the various pieces of testimony provided to her during the course of the exercise and thus encourages him or her to develop what Fricker describes as an enhanced ‘testimonial sensibility’ (2009: 71).

For the purposes of this section, I am interested primarily in the types of narrative that come to light in Biemann's information-gathering exercise and the identities of the speakers who volunteer (or fail to volunteer) their stories. Amongst the criticisms made of the BTC pipeline project by NGOs, local communities and human rights organizations was that the consortium failed to have due regard to the rights and interests of affected villagers in the planning of the project (Dufey and Kazimova 2013: 398–9).

On the one hand, Biemann's use of art to portray a 'fragmentary human geography' (2005b: 64) gives local community members the freedom to enunciate their reactions to the building of the pipeline and to describe the ways in which it has or will impact on their lives. On the other hand, however, as the video unfolds the viewer becomes increasingly aware of the existence of local structures and customs that operate to restrict the range of opinions and personal histories that are provided to the artist. In a 'field record' of interviews with farmers in villages in Azerbaijan, for example, it is the male members of households who explain the negotiations held with the BTC concession, handle and refer to copies of contracts, and lead community discussions while women perform work within the home (Figure 5). As one woman explains in a separate interview with Biemann: 'I don't know how much land we gave to the pipeline. My husband knows' (BSF 20:26).

A report produced by Amnesty International prior to construction of the BTC pipeline noted, specifically in relation to the examples of Turkey and Georgia, that women were unlikely to be 'represented equally in negotiations on land compensation', that bank accounts in the affected regions were typically in the name of male members of households, and that, despite labouring on and enjoying the benefits of the land, women were likely to have little means of 'controlling the assets gained once land has been acquired' (2003: 19). While acknowledging that the oil consortium was not responsible for social practices and laws that might operate to disadvantage women, the report went on to argue that the demands of corporate responsibility would require a contribution to 'the solution of a local human rights problem where it [the consortium] has the ability to exert its influence' (2003: 19).

Biemann's video subtly inquires into the ways in which the pipeline construction reinforces pre-existing structures of gender inequality by providing a platform for individuals to address the camera and by demonstrating the kind of information they can or are willing to convey.⁴ Developing the concerns of the Amnesty International report, the video asks not just how the construction corridor relates to local laws and human rights conventions, but how informal local structures impact on the number and diversity of voices that are heard within this artificially created, transnational space. The point at issue is not, therefore, the customs and traditions of a particular community, but the responsibility of a third party who is granted control over an exceptional space that impacts on that community: the absence of an individual's testimony in the former does not justify its absence in the latter.

Throughout *The Black Sea Files* examples of unevenness in the ways in which individuals conceptualize and communicate the advantages or disadvantages of the pipeline construction occur at the intersection of 'different economic strands' (BSF 34:08) within the countries through which the pipeline passes. The opening narration of the video states that

power resides ‘in the possession of vital resources or the power to procure them’ (BSF 00:49). While the transportation of oil is identified as the primary source of power in the video, field records depict the struggle of individuals and communities to find and use other resources for their own purposes of survival that, in different ways, have a connection to the construction and trajectory of the pipeline.

Taking up the central theme of *Remote Sensing*, ‘File 6’ of *The Black Sea Files* offers one such contrasting use of resources in its record of a conversation between Biemann, two female sex workers (Jula and Nara), and two pimps (BSF 25:39). The latter are not pictured during the conversation and are referred to anonymously in the introductory text as ‘Pimp 1’ and ‘Pimp 2’ (Figure 6). The conversation takes place in a hotel bedroom in Trabzon near the Turkish Black Sea, but the exchange is notably restricted in scope and frankness. The two young women are uncomfortable in front of the camera and unwilling to speak openly. In contrast to *Remote Sensing*, the voices of the two pimps dominate as they try to encourage the women to recount their stories in answer to Biemann’s questions. The pimps offer reassurances that the filmmaker is not a journalist, but then proceed to lie about the context of the interview: Biemann is described alternately as a maker of home movies, a tourist, someone who ‘strolls around’ filming people, a hobbyist, and ‘a major industrial employer in Eastern Europe and the Balkans’ (BSF 28:41). The mask of translation means that some of this information is hidden from the artist as she films: private (often untranslated) exchanges take place around her, subverting her stated aim of recording the personal histories of the sex workers.

The camera remains static throughout the interview and is trained solely on the two women. In contrast to this, images of industrial transit along international highways form an unbroken stream on the second video channel. Sex work, as a type of economic migration, is implicitly linked to the transnational route of the oil pipeline, a point that is reinforced by short a text appearing at the end of the interview: ‘The end of the Soviet era had an impact on female mobility and marketability. Even in oil rich Azerbaijan, women have to look for opportunities abroad. They move west-bound, using the same route as the oil’ (BSF 30:18). The sharing of a common geography creates a link, therefore, between the mining and transport of natural resources and the women’s use of their own bodies as a resource for the purpose of financial survival.

This imbrication of construction and sex work is neither incidental nor confined solely to the realm of metaphor. In the Amnesty International report referred to above, it was noted that a transient, male labour force throughout the affected regions was likely to trigger an ‘increase in the trafficking of women and children to “service” the pipeline workers’ and that there existed the ‘potential for violence against women along the pipeline route’ (2003: 22). These concerns were based on evidence derived from previous infrastructure projects in the region and statistics relating to the trafficking of girls and women in Turkey during the 1990s.

In the absence of reliable testimony, it is unclear how the two women in Biemann’s video come to be working in Trabzon. We learn only that one of them worked previously in a textile factory in Moscow and that the family of the other woman thinks that she currently works as a cleaner. Biemann’s own commentary on this part of the video focuses on the ways

in which the women subvert a meaningful exchange of information through their body language, their reticence, and their own privately shared humour:

It is this unspectacular and unassuming form of resistance [...] which I have often chosen as my object of representation. This is not because it has any real power to change economic relations, but because – in representation – the momentary, but highly symbolic, agency of women hardly ever comes into view. In the end, hard facts always tend towards a discourse of exploitation, rarely revealing strategies of mobility, slyness, and inventiveness, which are ultimately required in these geographies of survival. (2005b: 70)

The reasons for the young women's silence remains unclear. We are left to wonder whether they fear the consequences of speaking openly in front of the pimps, are concerned about their families discovering where and how they work, or – as Biemann implies in the quotation above – whether they are simply unwilling to divulge information about their private lives.

While this reticence has the effect of subverting the filmmaker's intentions, it does so in a way that reveals another important intersection between testimony and social justice. This takes the form of a reflection on the prevalence of social conditions that facilitate or inhibit the speech of particular individuals or groups. While women in local communities affected by the pipeline construction may have been discouraged from speaking by virtue of various local customs, the communicational failure recorded by Biemann in the hotel room results from the women's decision to self-censor in the presence of those who exert control over their working lives. I want to suggest that these testimonial failures pose broader questions about the ways in which public debate takes place within civil society.

In some respects this issue mirrors debates about the composition of the public sphere, as that concept was defined and elaborated by Jürgen Habermas in the early 1960s. Habermas famously traced the emergence of a European bourgeois public sphere that functioned 'as the corollary of a depersonalized state authority' and hence as an important check on that authority (1991: 19). In the substantial body of literature that has developed around Habermas's book, much feminist philosophy has enquired into the composition of the public sphere and the presence or absence of women's voices within it. While acknowledging the ideal implicit in the public sphere's claim to universality as characterized by Habermas, Joan Landes suggests that, in practice, the public sphere 'worked to rule out all interests that would not or could not lay claim to their own universality' (1998b: 135). By relegating certain voices to other domains such as 'mere' public opinion or social gatherings around the arts, the public sphere evolved, it is argued, in a fundamentally exclusionary way.

Biemann's work raises a more fundamental problem by questioning how testimony is given and received in new transnational spaces that elude a public sphere conceived of as body of reasoned opinion that operates as a check on government. By using the exceptional trajectory of the pipeline construction corridor to trace testimonial unevenness based on assumptions about gender or ethnicity, *The Black Sea Files* suggests that our conceptual

framework for epistemic justice needs to extend beyond the dichotomies of public and private, state institutions and concepts of the public sphere. The work also reveals an important intersection between testimonial (in)justice and corporate responsibility. By highlighting a way in which state and corporate interests can combine to create new transnational geographies, *The Black Sea Files* demonstrates the new demands that arise to ensure the adequate representation of those who inhabit that space and to enforce the responsibility of those who manage it. In other words, the cross-border infrastructure created to facilitate a new flow of financial resources requires an increase in the conceptual and regulatory resources we need in order to analyze and deal adequately with the problems of representation to which it gives rise.

In the first section of this article, I mentioned Fricker's argument that it is not only the speaker who suffers detriment in cases of testimonial injustice. Rather, as a consequence of his or her unethical behaviour, the *listener* might also miss potentially valuable information that the speaker would have imparted if her testimony had been fully and freely given. This argument forms an important counterpoint to the cases of injustice discussed in this article. While we might rightly inquire into the damage suffered by an individual or group following the discounting or ignoring of their testimony, Biemann's works invite us to have regard to the way in which the practice of testimonial injustice leads to an impoverishment of the resources that listeners need adequately to understand themselves and their social relations. These two video essays also suggest, however, that art can fulfil a powerful function in helping us to increase our conceptual resources to remedy such a lack.

I have argued that some parts of *Remote Sensing* and *The Black Sea Files* offer a platform for individual testimony while others reveal the existence of social conditions that inhibit or silence individual speakers. The latter is a feature of the works that renders their 'documentary' status ambiguous. Instead of simply imparting information, Biemann's video essays contain repeated silences and failures of communication, some of which I have discussed above. By resisting the urge to fill in these gaps or to comment on them, Biemann allows situations to unfold on their own terms. Mirroring the fragmentary structure of the narratives, the works inquire into how we piece together information about unfamiliar social situations and how we value and weigh information derived from different sources for the purposes of understanding both ourselves and others.

I have discussed *Remote Sensing* and *The Black Sea Files* within the philosophical framework of epistemic injustice generally, and testimonial injustice in particular, because the ideas motivating these discussions illuminate a central thread of the two video essays. In complementary fashion, the two works reveal important ways in which we might expand the debate about testimonial injustice. I have argued that rather than viewing the occurrence of this form of harm as arising primarily from the exercise of prejudice on the part of listeners, we need to have adequate regard to the background social conditions and conceptual frameworks that affect the way in which testimony is given and received. While *Remote Sensing* prompts a consideration of assumptions relating to notions of individual agency and circumstances that operate to limit such agency, *The Black Sea Files* examines the implications of forgoing a speaker's testimony because of the listener's acceptance of social pressures,

customs and power structures that inhibit the speaker. While art may not be able to offer an effective remedy to instances of testimonial injustice, Biemann's video works increase the range of conceptual resources required to recognize and challenge the social conditions that perpetuate such injustice.

References

Amnesty International (2003), *Human Rights on the Line: The Baku-Tbilisi-Ceyhan Pipeline Project*, London: Amnesty International.

Biemann, Ursula (2001), *Remote Sensing*, video essay, 53 mins.

— (2005a) *The Black Sea Files*, synchronized video essay, 43 mins.

— (2005b) *Embedded Fieldwork and Global Oil Circulation: Black Sea Files*, <http://www.geobodies.org/books-and-texts/texts>. Accessed 11 June 2014.

— (n.d.) Geobodies, www.geobodies.org. Accessed 11 June 2014.

Campbell, James B. and Wynne, Randolph H (2011), *Introduction to Remote Sensing*, New York: The Guildford Press.

Charlesworth, Amy (2014), 'Navigating Spheres: Shifts in Emphasis, the Documentary, the "Video Essay" and the Social', *Art & the Public Sphere*, 3: 1, 2014, 31–44.

Demos, T. J. (2013), *The Migrant Image: The Art and Politics of Documentary During Global Crisis*, London: Duke University Press.

Department for Business, Innovation and Skills, UK Ministerial Department (2011), *Baku-Tbilisi-Ceyhan (BTC) Pipeline: Follow up to the Revised Statement by the UK National Contact Point*, 5 October, <https://www.gov.uk/government/publications> Accessed 16 June 2014.

Dufey, Annie (2009), *Project Finance, Sustainable Development and Human Rights. Case Study 1: The Baku-Tbilisi-Ceyhan (BTC) Pipeline*, London: International Institute for Environment and Development.

Dufey, Annie and Kazimova, Rasmiya (2013), 'Baku-Tbilisi-Ceyhan Project: Implications of Project Finance', in Sheldon Leader and David Ong (eds), *Global Project Finance, Human Rights and Sustainable Development*, Cambridge: Cambridge University Press.

Fischer, Jaimey and Prager, Brad (eds) (2010), *The Collapse of the Conventional: German Film and its Politics at the Turn of the Twenty-First Century*, Detroit, MI: Wayne State University Press.

Fricker, Miranda (2009), *Epistemic Injustice: Power and the Ethics of Knowing*, Oxford: Oxford University Press.

Global Alliance Against Traffic in Women (n.d.), www.gaatw.org. Accessed 9 June 2014.

Habermas, Jürgen (1991), *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, (trans. Thomas Burger with Frederick Lawrence), Cambridge, MA: The MIT Press.

Harris, Jonathan (ed.) (2011), *Globalization and Contemporary Art*, Malden, MA and Oxford: Wiley-Blackwell.

Hesford, Wendy S. and Kozol, Wendy (2005), *Just Advocacy? Women's Human Rights, Transnational Feminisms, and the Politics of Representation*, New Brunswick, NJ: Rutgers University Press.

Landes, Joan B (ed.) (1998), *Feminism, the Public and the Private*, Oxford: Oxford University Press.

— (1998b) 'The Public and the Private Sphere: A Feminist Reconsideration' in Joan B. Landes (ed.), *Feminism, the Public and the Private*, Oxford: Oxford University Press.

Langton, Rae (1993), 'Speech Acts and Unspeakable Acts', *Philosophy and Public Affairs*, 22: 4, pp. 305–30.

— (1998), 'Subordination, Silence, and Pornography's Authority', in R. Post (ed.), *Censorship and Silencing: Practices of Cultural Regulation*, Los Angeles: J. Paul Getty Trust and Oxford University Press, pp. 261–84.

Leader, Sheldon and Ong, David (eds) (2013), *Global Project Finance, Human Rights and Sustainable Development*, Cambridge: Cambridge University Press.

McDowell, John (1998), *Mind, Value, and Reality*, Cambridge MA: Harvard University Press.

Mennel, Barbara (2010), 'The Global Elsewhere: Ursula Biemann's Multimedia Countergeography', in Jaimey Fischer and Brad Prager (eds), *The Collapse of the Conventional: German Film and its Politics at the Turn of the Twenty-First Century*, Detroit, MI: Wayne State University Press, pp. 333–59.

Meskimmon, Marsha (2011), *Contemporary Art and the Cosmopolitan Imagination*, London and New York: Routledge.

Mitchell, W. J. T. (2011), 'World Pictures: Globalization and Visual Culture' in Jonathan Harris (ed.), *Globalization and Contemporary Art*, Malden, MA and Oxford: Wiley-Blackwell, pp. 253–64.

Post, R. (ed.) (1998), *Censorship and Silencing: Practices of Cultural Regulation*, Los Angeles: J. Paul Getty Trust and Oxford University Press.

Sassen, Saskia (2000), 'Women's Burden: Counter-geographies of Globalization and the Feminization of Survival', *Journal of International Affairs*, 53: 2, pp. 503–24.

Sen, Amartya (2001), *Development as Freedom*, Oxford: Oxford University Press.

Smith, Isabella (ed.) (2014), *Ursula Biemann: Carbon Ecologies*, International New Media Gallery, <http://www.inmg.org.uk/archive/biemann/catalogue/> . Accessed 11 June 2014.

Young, Iris M. (2011), *Justice and the Politics of Difference*, Princeton, NJ: Princeton University Press.

Images

Figure 1: Ursula Biemann, still from *Remote Sensing*, video essay, 53 mins, 2001. Image © 2014 Ursula Biemann, provided courtesy of the artist.

Figure 2: Ursula Biemann, still from *Remote Sensing*, video essay, 53 mins, 2001. Image © 2014 Ursula Biemann, provided courtesy of the artist.

Figure 3: Ursula Biemann, still from *The Black Sea Files*, synchronized video essay, 43 minutes, 2005. Image © 2015 Ursula Biemann, provided courtesy of the artist.

Figure 4: Ursula Biemann, still from *The Black Sea Files*, synchronized video essay, 43 minutes, 2005. Image © 2014 Ursula Biemann, provided courtesy of the artist.

Figure 5: Ursula Biemann, still from *The Black Sea Files*, synchronized video essay, 43 minutes, 2005. Image © 2014 Ursula Biemann, provided courtesy of the artist.

Figure 6: Ursula Biemann, still from *The Black Sea Files*, synchronized video essay, 43 minutes, 2005. Image © 2014 Ursula Biemann, provided courtesy of the artist.

¹ Referred to as *RS* and *BSF*.

² Various scientific definitions of remote sensing and the history of this form of image-making are discussed in Campbell and Wynne (2011: 6–20).

³ There is an overlap here with arguments about pornography as a type of speech act that silences women (Langton 1993, 1998). Fricker also discusses potential intersections between this view and her account of testimonial injustice (2009: 140). Consideration of this aspect of Fricker's description of epistemic injustice is beyond the scope of the present article.

⁴ In addition to drawing attention to the impact of gender on the provision of testimony, *The Black Sea Files* also traces various ethnic tensions that inform narratives of displacement around the BTC pipeline, notably in relation to the forced migration of Kurdish waste pickers from the fringes of Istanbul and Ankara.