

## Chau Dance Code

This is Moushumi Choudury, a remarkable young woman. She is a Chau dancer from a village called Maldi in Purulia, West Bengal, India. Not only is she a female Chau Dancer in what is a predominantly male dominated heritage tradition, but in addition she won the 2019 Grand Prize in the Asia-Pacific Youth ICH Storytelling Contest for her photo story 'Breaking the Glass Ceiling: One Step at a Time'.



*Chau dancer Moushumi Choudury and her father, Jagannath Choudury, also a well-known Chau dancer. Copyright Banglanatak dot com 2019*

Film and documentary makers, professional photographers and researchers often visit the Chau dancers in Purulia to meet with the dancers and to record their dances. Sometimes feature films are made for commercial distribution, sometimes photographers will sell images of the dancers to the general public, sometimes learned articles are published containing information about and images of the dancers. In addition Chau dancers are often approached by organisers of festivals and fairs to perform at these events. Too often however little or no benefit is passed back to the dancers either in terms of remuneration or attribution.

This happened to Moushumi. In 2019, Zee5, an Indian digital entertainment streaming service with 76.4 million monthly active users (June 2019),<sup>1</sup> streamed a film called Jobordokhol. This is described as 'a 2018 Bengali drama film starring Raja Goswami, Geetashree and Chhanda Chatterjee. Brothers Amlan and Ajin visit their ancestral home in Moubhandar, to evict Protiba Devi and her family, who have been living there for ages. On arrival, Amlan and Ajin meet Mita, a free-spirited girl, who changes their perception towards life.' The film credits a long list of actors, stills coordinators, hairdressers, directors, camera people, editors, make-up production; artists – and others.

The film also featured Moushumi and other dancers from her all female group. While the Chau dancers were paid for their performances in the film, they were not credited individually. They are mentioned only as 'The Mitali Chao Dance Group'. That Mita – the star of the film – is the leader of an all female Chau dance group is an important factor in the film. Of course we never see Moushumi's face nor those of the other Chau dancers. At the point at which she (Moushumi)

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<sup>1</sup> <https://www.indiantelevision.com/iworld/over-the-top-services/zee5-mau-touches-764-mn-in-q1-of-fy-20-190723>

finishes her dance, Mita takes over, so when the mask is removed, we see Mita and not Moushumi. But the film relied on Moushumi's expertise as a Chau dancer, and on the expertise of her fellow dancers.

The law on Performers' Rights in India allows performers including dancers to claim to be identified as the performer of a performance. But imagine how difficult it would be for Moushumi to negotiate with such a large and powerful organisation as Zee5 for the right to be recognised for her input into the film in the credits. Imagine also how important this credit is for Moushumi. It is through recognition – being named – that more doors can open and in so doing help with her, and her community's, sustainability into the future.

To address this problem, and a number of others that the Chau community in Purulia told us that they have encountered in their dealings with film-makers, performance organisers and researchers, the HIPAMs team developed a Chau Dance Code. This Code contains a number of principles that are embedded in Indian law, such as the right of attribution for Performers, and a number that emanate from general human rights norms, such as the right to culture. The purpose of this Code is to lay out the hopes and expectations of the members of the Chau dance community in their dealings with these different groups who draw on and often profit from their dance. The Chau Dance Code will be distributed among these groups generally, and each time that the Chau dancers interact with one of these groups for a particular project or event, the organisers will individually be given a copy of this Code. The aim is that through this process, respect will be shown for the Chau dancers and their intangible heritage, and that they will be given due acknowledgement and remuneration to ensure that their heritage continues into the future.

## **Chau Dance Code**

Chau Dance is a tradition passed down through the generations in our community. Well known in India and abroad, Chau Dance has been inscribed on the UNESCO Representative List of the Intangible Cultural Heritage of Humanity. Chau Dance heritage includes dancers, Jhumur singers, traditional musicians and those who make traditional musical instruments used in performances. However:

- Some of our artists are not acknowledged for their performances in films and elsewhere
- Some of our artists do not get paid fairly for our performances

### **What we would like:**

1. We would like to keep performing Chau Dance
2. We would like people to understand the meaning of Chau Pala (productions)
3. We would like people to respect our Chau heritage
4. We would like to be paid fairly for our performances
5. We would like to have a share of benefits from commercial use of our work by others
6. We would like to be treated with respect

### **People who organise performance events can help us by:**

1. Treating us with respect
2. Respecting the heritage of Chau
3. Employing musicians using traditional instruments where requested
4. Ensuring safe and appropriate places for performing
5. Telling people about the meaning and value of our Chau Dance heritage
6. Paying us fairly for our performances
7. Attributing us and acknowledging our contributions
8. Not engaging performers who say they are Chau dancers when they are not

### **People who do research, report for the media or make films and television programmes involving Chau dance can help us by:**

1. Treating us with respect
2. Respecting the heritage of Chau
3. Telling people about the meaning and value of our Chau heritage
4. Consulting and involving us in projects about our lives and work
5. Paying us fairly for our performances
6. Attributing us and acknowledging our contributions in books, films, and other products they create

### **Annex: Foundational principles**

These have been adapted from the UNESCO Intangible Heritage Convention's Ethical Principles (2015) and the general Human Rights framework.

1. Intangible cultural heritage is practised and transmitted in accordance with the principles of human rights, respect for the environment and mutual respect between people.
2. Communities (including groups and, where applicable, individuals) decide what their intangible cultural heritage is, and its meaning and value.
3. Communities play the main role in safeguarding their own intangible cultural heritage, and should be supported appropriately in doing so.
4. Mutual respect for communities and their intangible cultural heritage should guide all activities for intangible cultural heritage safeguarding.
5. Safeguarding activities should be undertaken with the participation, and free, prior and informed consent of the communities concerned.
6. Communities should be involved through collaboration, dialogue, negotiation and consultation in safeguarding their intangible cultural heritage.
7. Community requirements for secrecy and privacy in regard to their intangible cultural heritage should be respected.
8. Communities should have continued access to the instruments, objects, artefacts, cultural and natural spaces and places of memory they need for expressing their intangible cultural heritage.
9. Communities should be recognised and attributed appropriately for works based on their intangible cultural heritage, and protected from decontextualization, commodification and misrepresentation, according to their needs.
10. Communities should benefit from the moral and material interests resulting from their intangible cultural heritage, including when it is used and adapted by members of the communities or others.
11. Communities should be able to share fairly in the benefits from safeguarding, practising and transmitting their intangible cultural heritage.