MoMA

Magazine

American Artist. Still from *2015*. 2019. High-definition video (color, sound), 21:56 min.

Channel Zero

Read an excerpt from the *Signals: How Video Transformed the World* exhibition catalogue, about artists who use video to take on urgent questions around witnessing, protest, policing, and race.

Aria Dean

Mar 7, 2023

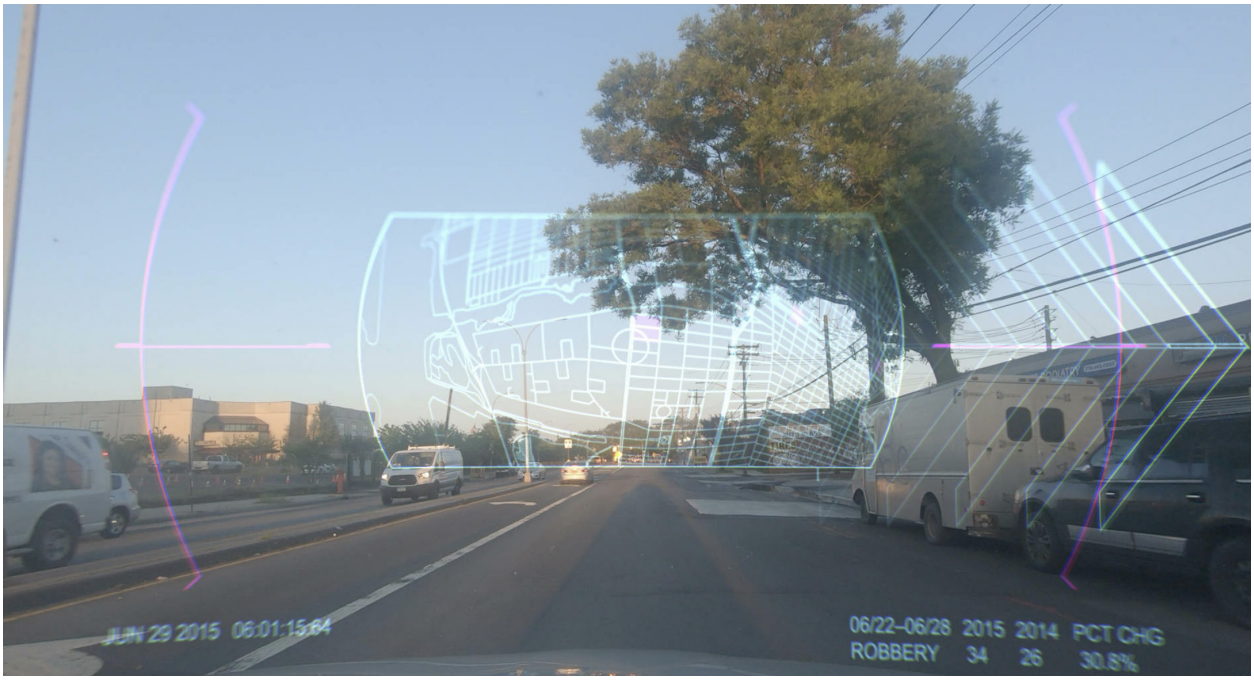
During the 2018 trial of Chicago police officer Jason Van Dyke for the murder of Laquan McDonald, Van Dyke's lawyers presented as part of their defense a 3D-animated reconstruction of the event. The animation "included overhead views of the scene and what McDonald would have looked like from Van Dyke's point of view" based on the officer's account of the event, Chicago's WGN9 reported. In this narrative, "McDonald moved toward Van Dyke—a direct contradiction to state testimony that said the teen walked away from police."[1] Beyond state testimony, the officer's statement and the animation's visual account directly oppose recovered and widely circulated dashcam footage of the event.

Much of Van Dyke's trial was spent discussing the validity of the animation when compared with the footage, eyewitness accounts, and state testimony. The prosecution argued that not only was the animation absurd—in it, McDonald moves toward Van Dyke at an inhuman speed, covering roughly twenty-five feet in the span of four seconds—but its other basic details differed from what was shown in the recovered clip: McDonald's dress, the quality of light at the time of the shooting, and so on.

Details aside, the very suggestion that a simulation made from a subjective verbal account could be weighed against video evidence in a court of law signals a reconfiguration in the life of the recorded image, a paradigmatic shift in our allegiance to the evidentiary truth of the moving image. What's more, instances like the McDonald case display this yet-unnamed new paradigm's mobilization on a mass scale, in sinister real-world applications beyond the annals of media theory. A court's willingness to accept the animation as evidence and debate it in detail is surprising. This apparent glitch—or potential new feature—in our system of thought prompts an assessment of the impact of the police brutality video in contemporary culture and its status as a kind of widely distributed vernacular cinema. Since at least 1992, when video of Rodney King being beaten by the LAPD and the acquittal of the offending officers sparked riots, it has been clear that such evidence does little to ensure legal justice in instances of police brutality against Black people. For the past three decades, public opinion has tended toward a progressive outrage in such instances, but verdicts do not reflect this sentiment.

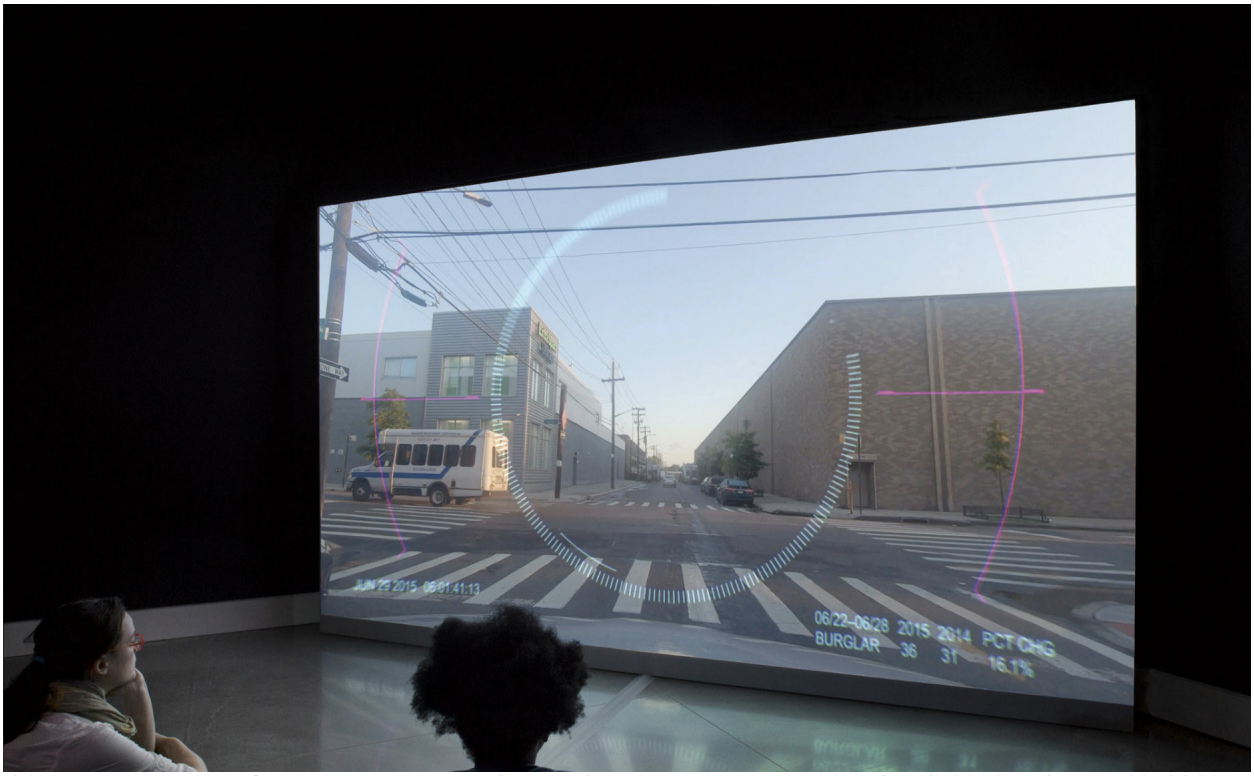
This consistent divergence, a cognitive dissonance between representation and reality when it comes to anti-Black violence—and, frankly, a confusion about which is which—has only become more dramatic. As Louis-Georges Schwartz wrote in 2016, another landmark year in America's negotiations with its rampant and violent anti-Blackness, "an examination of recent examples suggests that the problem is not just one of representation but also one of interpretation."[2] The important question is no longer how such material can be used to prevent police violence. It is, rather, why doesn't it? What does it do instead, and how?

In "Counter-forensics and Photography," Thomas Keenan writes that "photographic evidence must be considered in terms of the forum or the debate into which its testimony is entered."[3] In the case of the police brutality video, this forum is not just a court of law but also the spectacular public tribunal of the online sphere. In both arenas, such videos should be figured as "operational images," to borrow Harun Farocki's term. Operational images are those that "do not portray a process but are themselves part of a process."[4] The police brutality clip is embedded in at least two processes. On one hand, it is mobilized as a part of the judicial process. On the other hand, it is mobilized in the social process of grappling with anti-Blackness. Both of these processes participate in the production of social reality, and they repeatedly tangle with one another.



American Artist. *2015*. 2019

American Artist's *2015* explores this entanglement, fixing as its object a narrative point just before the police brutality event and its resulting documentation. Created for the 2019 exhibition *My Blue Window*, mounted at the Queens Museum, the work is an immersive high-definition video depicting an early morning in New York in 2015. The calm atmosphere becomes eerie when we realize that we are looking at the dashcam footage from a police car. The windshield is overlaid with a computer interface: a kind of digital dashboard for predictive policing, an artificial-intelligence tool that forecasts the locations of possible crimes before any crimes occur. As the patrol car drives through Brownsville, our view is layered with navigation-system graphics noting the purported likelihood of burglaries, even murder. Occasionally, scrolling text declares "CRIME DETERRED"—even though there is nothing happening and no one on the streets. Within this hallucinatory, video game–like world, viewers are both implicated in and made keenly aware of multiple perspectives, placed on the dividing line between Blue Lives and Black Lives. We begin to see the ways in which historical bias may be encoded within seemingly neutral technologies and how an area or an entire population may be deemed criminal in the absence of actual crime. The artwork presents a moment of overlap between two points of view: that of a specific technical computer/camera, trained to search and destroy, and its human agent, the police officer.



2015 on view as part of *American Artist: My Blue Window*, Queens Museum, October 6, 2019–February 23, 2020

Through this combination, *2015* raises questions about perspective and viewer identification in moving images, drawing on decades of film-theoretical discourse arguing that the "ideological effects of perspective depend upon identification with the camera."[5] According to psychoanalytic film theory and popular film discourses, a first-person point of view produces empathy and identification from the audience. American Artist has stated that, when viewing the video, "you're in the position of the police officer, watching dashcam footage. It has this voyeuristic aspect to it. The title 'My Blue Window' is alluding to the mental space of the police officer, identifying with this notion of blueness. How does that make you feel? It doesn't make me feel good."[6]

And yet we cannot forget the presence of the computer/camera in *2015*. The predictive-policing algorithm and its visual representation will likely appear quite nonsensical to the viewer, producing not identification but alienation. The video displays an operationalized image produced for computers, not for humans—or, at the very least, an image made in tandem with and subject to computer logic. The computer latches onto elements of the visual field that would seem, to the human eye, utterly unrelated to criminal activity, laying bare the absurdities of the pattern-recognition tools upon which entire industries rely. Absurdity turns to horror when we consider that the use of these tools has often been a matter of life and death. "A computer can of course process images," Farocki writes, "but it needs no real images to determine the veracity or the falsity of the image it is fed."[7] The computer looks for patterns endemic to its own logic and does not care if reality has another story to tell.

American Artist. *2015*. 2019

Farocki continues, “If a program in a sequence of images only draws in what it is looking for, whether it be colored lines as markers in an aerial landscape or the baseboard in the hall of a research institute used to orient an autonomous robot, then we’re seeing a kind of disavowal of what is being marked.”[8] Here Farocki parallels Sylvia Wynter’s 1992 text “No Humans Involved,” in which the philosopher describes the ways in which the official language applied to Black males in policing in Los Angeles in the 1990s absented them as subjects. For Wynter, this operation is an ideological one that finds its expression through language as a “classifying logic,” with the phrase “No Humans Involved” placing the “Black Conceptual Other outside ‘the universe of obligation.’”[9] American Artist presents an updated, immediately technical manifestation of this absenting, a double bind: literally and figuratively, no humans are involved—yet crime is spotted everywhere. *2015* displays a disturbing and dominant regime of vision that not only excludes Black men from “the universe of obligation” but also produces a technical program of the functional and conceptual annihilation of the Black subject.

This collusion of computer/camera and police officer in the “eye” through which we witness the scene in *2015* models the imbrication of technology and ideology we experience in human action. In much of their recent work, American Artist is preoccupied with the notion of “Blue Life,” a concept that plays on the color of police uniforms across municipalities and converts it into a lifestyle or a kind of identity. The emergence of Blue Lives Matter as a countermovement to Black Lives Matter is curious, since police is, to the understanding of most, a verb or a job. To identify as police—unlike identifying as, say, an accountant—is to identify as a fleshy gear in the machine of state-sanctioned violence (justified by the rhetoric of liberal peacekeeping), while at the same time asking for such a life to matter within the same largely humanistic conceptual edifice in which we must ask for Black lives to matter.[10]

In the age of Blue Lives Matter, to view a scene from the perspective of a police officer is to view it from a peculiar—yet fully explicated—form of parasubjectivity. Such parasubjectivity is not unique in our age, as it coincides with other mutations of the subject brought on by our total imbrication, materially and conceptually, in the operations of speculative capitalism, in our entanglement with digital networks, and in a new awareness of our bodily unsovereignty gained courtesy of COVID-19. At all levels, we are a machine for living, killing, and dying. The police, specifically, are, as Steve Martinot and Jared Sexton write, "a machine for killing and incarcerating."[11] Through an appropriation of the Black Lives Matter formula, Blue Lives Matter marks but one expression of a near-totalizing binding together of life, identity, the state, and—in the twenty-first century—the machine. At the same time, as they do this killing and incarcerating, the police are intended to appear neutral; to follow Nico Baumbach's framing, their business can only be carried out effectively if we—and they—normalize it.[12] It is for this reason that the transition of Blue Life to a viable concept is so intriguing. Through it, the police become a paradox—a spectacular and identitarian neutrality.

The question of neutrality, and of perspective, is thus even more crucial to the police brutality video than is immediately obvious. Consider, for instance, the murder of Philando Castile by a police officer in Minnesota in 2016. The primary record of the event is citizen-produced video content in the form of the live stream of the incident made by Castile's partner, Diamond Reynolds, who was sitting in the passenger seat next to him. Normally, such first-person footage would elicit identification with Reynolds because of its formal mechanisms (if not because of her and Castile's glaring innocence): Reynolds and the camera coincided, and the video was circulated in real time (the live stream theoretically indicating a rawness, a lack of tampering). The mere existence of critical public discourse about the clip—for example, about Reynolds's and Castile's personal histories, an exercise repeated with each instance of police brutality—is disturbing evidence not only of the strange difficulty of identifying with the Black subject but also of the inability of classical film and media theory to describe the functions of such an object.

Surely, part of the difficulty in exploring the structural dynamics of the police brutality video is the ethical urgency of its contents. However, approaching it and the so-called cinema of policing overall formally and structurally is an equally rich political-theoretical project, to which *2015* and other artworks have contributed. For instance, Peter Friedl's *Liberty City* (2007) attempts to deconstruct the "standard historical scene" of the anti-Black police brutality event by "inverting [its] dramatic structure."[13] To do this, Friedl stages an altercation between Black men and a white police officer in which, instead of the officer assaulting the Black men, the Black men beat the officer. The scene is shot from across the street, at night, on grainy digital video, recalling the Rodney King tape and the general aesthetic of vernacular video. But can a police brutality clip, whether staged or real, have a dramatic structure? According to Frank B. Wilderson III, probably not. The narrative arc of a slave who is Black, he writes, is "not an arc at all, but a flat line."[14]

Peter Friedl. *Liberty City*. 2007

Liberty City isolates and models the same principle that actual videos of police brutality exhibit time and time again: that something sort of wrong happens when such an altercation is represented to us. Even inverted, it is unsatisfying—there is no triumph. At best (or worst), the video has you waiting for another cop to show up and for the violence to capsize. This flatness is strange and difficult to describe. It's like the old optical illusion: "Is it two faces or a vase? Faces? Or vase?" It's both.

Signals: How Video Transformed the World, organized by Stuart Comer, The Lonti Ebers Chief Curator of Media and Performance, and Michelle Kuo, The Marlene Hess Curator of Painting and Sculpture, with Erica Papernik-Shimizu, Associate Curator, Department of Media and Performance, and Lina Kavaliunas, Curatorial Assistant, Piper Marshall, Exhibition Coordinator, Eana Kim, Marica and Jan Vilcek Fellow, and Rattanamol Singh Johal, Mellon-Marron Museum Research Consortium Fellow, Department of Painting and Sculpture, is on view at MoMA March 5–July 8, 2023.

1. Julie Unruh and Nancy Loo, "Jurors Watch 3D Animation of Laquan McDonald Shooting," WGN9, September 25, 2018, wgntv.com/news/jason-van-dyke-trialcontinues-tuesday/. ↑

2. Louis-Georges Schwartz, "In Plain View: Video Evidence," *Artforum* 54, no. 10 (Summer 2016). ↑

3. Thomas Keenan, "Counterforensics and Photography," *Grey Room* 55 (Spring 2014): 65. ↑

4. Harun Farocki, notes for *Eye/Machine III* (2003) on the artist's website, harunfarocki.de/installations/2000s/2003/eye-machine-iii.html. ↑

5. Kaja Silverman, "The Gaze," in *The Threshold of the Visible World* (London: Routledge, 1996), 125. Silverman is referring, in turn, to Jean-Louis Baudry's foundational essay "Ideological Effects of the Basic Cinematographic Apparatus," *Film Quarterly* 28, no. 2 (Winter 1974–75): 39–47. ↑

6. American Artist, "Slowing Down to See Black and Blue," interview by Julie Hoangmy Ho, *New York Times*, October 23, 2019. ↑

7. Harun Farocki, "War Always Finds a Way," in Farocki and Rodney Graham, *HF, RG: Harun Farocki, Rodney Graham*, exh. cat. (Paris: Black Jack/Jeu de Paume, 2009), 110. ↑

8. Farocki, "War Always Finds a Way," 110. ↑

9. Sylvia Wynter, "'No Humans Involved': An Open Letter to My Colleagues" (1992), *Forum N.H.I.: Knowledge for the Twenty-First Century* 1, no. 1 (Fall 1994): 44, 57. ↑

10. Fred Moten and Denise Ferreira da Silva, among other artists and academics, have offered an alternative anti-humanistic reading of the phrase "Black lives matter," but in the popular imagination it generally remains within the realm of humanist understandings of proper life and living. ↑

11. Steve Martinot and Jared Sexton, "The Avant-Garde of White Supremacy," *Social Identities* 9, no. 2 (2003): 176. ↑

12. Nico Baumbach, *Cinema/Politics/Philosophy* (New York: Columbia University Press, 2018), 44–47. ↑

13. Erna Hecey Gallery, notes for Peter Friedl's *Liberty City* (2007), ernahecey.com/artists/27-peterfriedl/works/9384-peter-friedlliberty-city-2007/. ↑

14. Frank B. Wilderson III, *Afropessimism* (New York: Liveright, 2020), 102. ↑