



With (-drawing) publicity: leaked images at the witness stand

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Who [...] would be the Dupin of the digital?
(Cornelia Vismann: Image and Law - a Troubled Relationship, in: Parallax, Vol. 14, No. 4. 2008: Routledge:)

Zeuxis and Parrhasius were asked to paint a still life with grapes. While birds considered the grapes in Zeuxis' painting to be real, he in turn thought so of the curtain in front of the grapes painted by Parrhasius. Last-mentioned therefore won the competition (an early form of deciding a verdict), because he had deceived both bird and human eyes. This legend from the 5th century A.C.N., passed down in Pliny's *Naturalis Historiae*, is interesting not merely as an anecdote concerning spatial-illusory painting. A history of jurisprudence can also be told on its basis: since the 19th century, the power to conceal and uncover has been regulated by the judicial dogma of publicity via the medium of the curtain, a cultural technique with its roots in Roman theater¹.

A contemporary update of the complex intertwining of the public sphere, participation, and decision making in secret, will be ventured here: spies, present in urban

spaces as first-degree witnesses, provide documentary raw material records of public violence in changing formations. Usually deployed where diplomacy fails, they observe, themselves unnoticed, through various interfaces, architectural mechanisms, and surveillance technologies. Thus, when users of recording devices register crimes medially, they contribute to open-source investigations as invisible co-producers. At the other end of the spectrum is the detective agency Forensic Architecture, whose work consists of extracting, condensing, and synchronizing information from this footage as a basis of evidence. Where Siegfried Kracauer's philosophical treatise on the detective novel from 1935 still referred to behavior and clothing as a means of assuring impersonality and inconspicuousness, Forensic Architecture recognizes spying as a reservoir of oppositional resistance to contemporary visual politics.

This presentation focuses on the promise of uncovering, which I argue functions through the interaction of street presence (linked to a documentary use of media) and secret procedure (linked to a forensic use of media). Who holds the agency to select and reach a judgment? While some of the images that become legally significant are collected via public (social media) calls for footage of a specific

¹ Cf. Cornelia Vismann: *Medien der Rechtsprechung*, herausgegeben von Alexandra Kemmerer und Markus Krajewski. 2011: S. Fischer.

event or crime, other data comes from leaked sources. The political imaginary evoked by the notion of <leaked information> will be explored: what new ambivalences emerge, when a highly institutional agency processes the leaked material so it can become an image at the witness stand?

KEYWORDS

**Spatial-illusory painting,
Recording devices,
Forensic use of media,
New ambivalences**