

Cross-disciplinary drama in the courtroom

Av Liv Hausken

Symposium: A Thousand Eyes – Media Technology, Law, and Aesthetics

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From the seminar *A Thousand Eyes*, Eyal Weizman via Skype. Photo: Tiana Ringseth.

On Thursday 22 September the legal profession ascended the podium at the Henie Onstad Art Centre. The jurists came in connection with the symposium *A Thousand Eyes – Media Technology, Law, and Aesthetics*. More than half of those in the room were artists, more than half of the lecturers were jurists—a remarkable setting for which the art centre at Høvikodden deserves kudos.

The symposium was arranged in connection with the launching of a book; the book was published in connection with an exhibition; the symposium took up the themes of the exhibition in broader perspective.

The jumping-off point was Judy Radul's 2009 exhibition *World Rehearsal Court*, seen at the Henie Onstad Art Centre through 2 October. The large-scale installation is based on Radul's research into how recent visual technology has taken a gradually larger role in the courtroom. One is shown an evidence room with various objects, some photographs, and a series of computer-controlled cameras transmitting images of what passes at certain points within and outside the gallery, to rows of monitors in the exhibition space. Furthermore, in a glass-enclosed room within the exhibition hall a seven-channel video installation lasting a total of four hours presents material based on trial transcripts from the International Court of Justice in The Hague.



Costas Douzinas. Photo: Tiana Ringseth.

The Art Centre had invited jurists, artists, and architects to the symposium to explore in various ways the use of images and video technology in a legal context. Costas Douzinas, Professor of Law at Birkbeck College of the University of London, presented a philosophically well-informed reflection on how the law's basic skepticism of images (which he called iconoclastic) is challenged by the introduction of video screens and cameras in the courtroom. Lawyer Morten Bergsmo, one of Norway's foremost experts on international criminal law with twelve years' experience with the International Court in The Hague, discussed the meaning of beauty in international legal institutions by reflecting on the logo of the International Court, the esthetic qualities of the Court's buildings, the design of its web pages, and the robes worn by the justices. Siri Frigaard, Chief Public Prosecutor and Director of the Norwegian National Authority for Prosecution of Organized and Other Serious Crime and a jurist with long experience with international war crimes, discussed the importance of photographs and video in the investigation of the Indonesian occupation of East Timor in 1999 and the ensuing legal process.



Model Court with Lorenzo Pezzani and Sidsel Meineche Hansen. Photo: Tiana Ringseth.

Sidsel Meineche Hansen and Lorenzo Pezzani of the Centre for Research Architecture, Goldsmiths College, University of London represented the artistic and research project *Model Court*. They directed attention toward the audiovisual infrastructure employed at the trial of Francois Bazaramba, a Rwandan pastor whom the Finnish court in Porvoo sentenced to life in prison for participation in the genocide in Rwanda in 1994.

Via an unstable Skype connection to London the attendees heard fragments of a focused lecture by Eyal Weizman, director of the same center at Goldsmiths. His theme was the impact of forensic technology in the investigation of war crimes and the work of identifying the remains of Josef Mengele, the German doctor who conducted extreme experiments on prisoners in the concentration camp at Auschwitz during World War II. Mengele was found in Brazil in 1985. Central in the effort to convince the public of the probable accuracy of his identification was a portrait, half a photo of Mengele, half an x-ray image of the



Eyal Sivan. Photo: Tiana Ringseth.

Documentary filmmaker Eyal Sivan also returned to the investigation of war crimes after World War II, lecturing on the use of film in the 1946 Nuremberg tribunal and how this has influenced documentary filmmaking as such. Sivan's account of well-known documentary-film practices demonstrated some of the possibilities of re-examining this archival material and revising it, seeing it with new eyes, placing the public in new positions relative to the material—all of this to illuminate the relationship between image, law, and justice.

It became a powerful day. Much can and should be said after so much was stirred up in a short time. Three things are especially striking.



Judy Radul and Anders Ryssdal. Photo: Tiana Ringseth.

First: cross-disciplinary work is a real challenge. Experts from various disciplines speak different languages and often have inaccurate notions of others' practices. Putting practitioners from varied fields together creates the opportunity to discover these differences in language, these prejudices. At a later meeting artists will know that jurists have a well thought-out position on the use of images in a judiciary context: drawings and photographs have never been regarded as neutral forms of presentation in judicial circumstances. Jurists, on the other hand, will know that esthetics does not necessarily involve beauty, but may refer to sense-based cognition (aesthesis). In addition to allowing such basic cross-disciplinary misunderstandings about one's counterparts to reveal themselves as the program unfolded, the organizers had also made concrete exchanges among the disciplines possible. On the program a dialog occurred between artist Judy Radul and lawyer Anders Ryssdal, as did a concluding panel debate led by author and curator Monika Szweczyk that lifted the symposium in the direction of a rarely seen mutual exchange of knowledge and ideas between disciplines and practices.

Second: limitation is an art. The symposium invited broad discussion of media technology, jurisprudence, and esthetics. This is an interesting frame for discussion, but it can be difficult to say anything in a general or informative way about the relationship between these three large conceptual areas. Even if we considered esthetics as a concept within the arts and jurisprudence as a matter of trial law, the question of the impact of media technology in court will not simply be one question but many, and they are only marginally connected. The question of the evidential power of photography may not primarily involve the use of images in the courtroom, but is rather a question of the status of photographs as technical evidence in criminal cases (like DNA, fingerprints, etc.) and other forms of substantiation. The situation with video is comparable. As with photography, video can be brought up in discussions of what can be accepted as circumstantial evidence. But video is also a technology for transmitting audio-visual signals between various places, cities, and continents, so that for example witnesses and the accused can be kept physically separated during the trial. The symposium's title, *A Thousand Eyes*, points toward a third issue of importance for video, namely surveillance: the thousand eyes that see, and the public that is seen. As surveillance technology, video should be related to electronic monitoring of traffic and patient registry, all of which raises questions about data retention and privacy. Video is not just one technology.



Marit Paasche. Photo: Tiana Ringseth.

The program seemed at first to sprawl in many directions: logos and robes, buildings and infrastructure, forensics, documentary film, and perceptual regimes. Much suggested that the symposium could not thematically and conceptually cohere and that thinking would not be advanced as a result. In practice something happened, however, which may have been planned by the organizers but wasn't obvious to someone coming from outside. Everything gathered around much more defined themes, which made it possible to see close connections between the varied contributions. That is, people didn't actually talk about the role of modern technologies in jurisprudence, but about visual culture with emphasis on photography, film, and video in relation to architecture and how specific pictorial forms have been used in specific cases in specific courtrooms. It was about architecture and space mediated by images, how people in geographically separated places can be linked to the same room, how forensic evidence (forensics, from "forum") are presented in a courtroom, and how gazes, spaces, and screens are organized and organize access to information and power. Thus in practice the symposium became a relatively focused and unified place for thinking about images and the law.



A Thousand Eyes. Photo: Tiana Ringseth.

Third: a discussion grounded in specific practices challenges established points of view. Even with a relatively defined problematic there is always the danger of mere recirculation of pre-existing standpoints. By grounding the symposium in an exhibition (before) and letting it be followed by a book (after) the Henie Onstad Art Centre has done something so simple and brilliant as to challenge us with the specific and allow us to bring with us even more to chew on on our way home. If you take the exhibition seriously it affects the symposium; if you take the symposium seriously it affects the exhibition. Few indeed have the time or patience to see four hours of a video installation, but after one attends the symposium, the video installation stands out even more than earlier as the key to the exhibition: the seven screens are subordinate; the indicted and what they are indicted for are more important. There is a soldier and a former president; there are accusations of mass murder. There is an international court. The same elements occur in almost all the lectures in the seminar, and most of the invited jurists represent precisely these things: international law, genocide. All the screens emphasize how each case is angled, framed, presented in definite ways. In this context, however, the many screens also do something more: they seem to demonstrate that war crimes and genocide are not simply criminal acts against specific human groups, but against humanity. Perhaps this is what one is practicing, working on, trying to get right in *World Rehearsal Court*: to create a place in a glass-enclosed room where the audience can experience a dress rehearsal of an instructional work in which violations of human rights are illuminated, clarified, and condemned so that we can live on in one and the same world.

Translation from the Norwegian by Richard Simpson.