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# Prison Sights: Carceral Counter-Visions in Documentary Film

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**Abstract**

This dissertation examines the shared politics of visuality that govern American domestic civilian and foreign military prisons. Though scholars have pointed to the interlocking systems of power that govern both spaces, this visuality renders them as fundamentally distinct in the public imagination. I argue that challenging and demystifying these power structures requires an interrogation of the visual regimes that help sustain them. This project builds on nascent scholarship by criminologists who have begun to theorize what has been termed "carceral visuality," or the intertwined hegemonic ideological and visual frameworks that discipline how citizens see and think about incarceration. I examine how carceral visuality operates in distinct, but interconnected ways across four prison sites and documentaries about them: Louisiana State Penitentiary (more commonly referred to as Angola), Attica Correctional Facility, Guantánamo Bay, and Abu Ghraib.

Across each site, I trace how a set of dialectical tensions organize their visual fields: inside/outside, visible/invisible, presence/absence, and past/present. I argue that the formal capacities of documentary film offer unique potential to challenge the naturalized visions of the carceral state through their ability to exploit these tensions. The documentaries discussed in this dissertation operate as "carceral counter-visions," as they play with these tensions to fashion alternative ways for publics to see these prisons and to understand differently their relationship to the carceral state.

Chapter one looks at the centrality of the inside/outside boundary in both the visuality of the Angola penitentiary and the public activism surrounding a trio of Black Panthers known as the Angola 3, who collectively spent over 100 years in solitary confinement. I argue that as Angola operates as both a prison and tourist site, it paradoxically positions the public as distanced spectators from the racialized bodies of the prison, even as visitors come into their proximity. I then analyze the ways in which this boundary runs through a group of documentaries about the Angola 3: *In the Land of the Free…*(Vadim Jean, 2010), *Herman's House* (Angad Singh Bhalla, 2012), and its related web documentary *The Deeper They Bury Me* (Bhalla and Ted Biggs, 2016). I argue that these films draw on, and play with, these same boundaries between inside/outside in order to disrupt the public's otherwise distanced relationship to the trio of men.

Chapter two examines the visuality of the 1971 prisoner uprising at the Attica State Penitentiary. I explore how the large collection of visual and written archival materials from the rebellion are deployed across four documentaries that span roughly 30 years: Third World Newsreel's *Teach Our Children* (1972), Cinda Firestone's *Attica* (1974), Brad Lichtenstein's *Ghosts of Attica* (2001), and David Marshall and Christine Christopher's *Criminal Injustice: Death and Politics at Attica* (2013). The tension between past/present is central to the political work in these films. I contend that each exploits the gap between the archive and the embodied experience of those who survived the rebellion in order to disrupt the detached spectator's viewing position and to bring them into a closer proximate relationship with the social conditions that produced the rebellion in the first place.

Chapters three and four shift to the military prisons Guantánamo Bay and Abu Ghraib. In chapter three, I discuss how Guantánamo Bay's visuality has been framed as inherently

transparent and open. Through carefully curated public relations tours and imagery that depict it as a tourist site, the very exceptionality of the Guantánamo prison becomes normalized. I then analyze two documentaries about prisoners at Guantánamo that draw attention to the erasure of torture from the prison's visual field: Laura Poitras's *The Oath* (2012) and Patricio Henriquez and Luc Côté's 2010 documentary *You Don't Like the Truth: Four Days in Guantánamo Bay.* I argue that both documentaries are governed by an "aesthetic of failure" that self-reflexively highlights how little access the filmmakers, and the public, have to the prison. This failure productively calls attention to how the desire for full transparency into Guantánamo is fraught with a problematic set of assumptions and beliefs about the political power of transparency.

In chapter four, I analyze two documentaries about the Abu Ghraib photographs and abuse scandal that rocked the American military: Rory Kennedy's *Ghosts of Abu Ghraib* (2007) and Errol Morris's *Standard Operating Procedure* (2008). I argue that the American military bureaucracy is an underexamined, yet significant force in the production of the visual field in which the detainee bodies appeared. While *Ghosts of Abu Ghraib* and *Standard Operating Procedure* have rarely been read alongside one another, I contend that both documentaries can be read as critiques of this military bureaucracy and that they both attempt to re-shape the American viewer's relationship to the photographs and to the bureaucracies that enabled the torture.

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## Introduction

Alison Maclean and Tobais Perse's documentary *Persons of Interest* (2004) interrogates the conditions of visibility that underlie the mass arrests of Arabs and Muslims by the Immigration and Naturalization Service (INS) and Federal Bureau of Investigations (FBI) in the weeks following the September 11 attacks. Set in a nearly empty room, Maclean and Perse interview twelve Arab or Muslim citizens, immigrants, and/or their families, who explain the impact of the arrests and imprisonment on them and their loved ones. Some of those formerly detained talk about their imprisonment, the isolation they experienced, and their inability to contact their families or lawyers. For those still imprisoned or who had been deported after their arrest, their loved ones stand in as proxies and testify to the destruction of their families. On one level, the documentary bears witness to the trauma of the interviewees, and the interviews simultaneously reaffirm their humanity and contest the faulty and racist logic that justified the arrests in the first place. But as the documentary creates a space for them to share their stories, it also calls attention to the ways that sight and the act of looking structure how certain bodies are seen and categorized as "dangerous."

*Persons of Interest* plays with the formal conventions of the talking head in documentary film to highlight the interplay between the spectacle of the Muslim and Arab body and the invisibility of these victims from the public eye and from mainstream discourse. The documentary's mise-en-scene visually metaphorizes the interviewees' simultaneous hypervisibility and invisibility in a post-September 11 landscape. In some interviews, for example, interviewees use the room as a performative space to reenact their experience of detention. It becomes a way for the interviewees to mark the absence of the penal space from public view and scrutiny, as well as a way to signify the obscurity into which they disappeared.

In one interview, for example, Salem Jaffer explains to the camera his experience of incarceration. In a voiceover, he notes the length of time he spent in solitary confinement: “Out of 37 or 38 days, about a month, I was in solitary confinement, and it was lit up 24 hours a day.” This remark is overlaid with noises of his footsteps, his rustling clothes, and his sigh, all of which capture the banality and boredom of solitary confinement. The sound design, coupled with Jaffer’s physical reenactment, is a split between voice and body as well as a temporal split between the past memory recounted in the voiceover with the physical movements and their accompanying sound effects in the present (figure 1). As the voiceover ends, Jaffer rises from the bench, takes a few steps, and remarks “Sometimes I would just go to the wash basin and take some water and put it on my face ‘cause I…I’m always kind of…without water I was all dried, and that made me uncomfortable.” As he speaks, he mimics the action of cupping his hands under a faucet and splashing the water on his face, a reenactment that confronts viewers with a memory for which there is no visible evidence.

Figure 1. Screenshot from *Persons of Interest* (2004).

An hour in length, *Persons of Interest* navigates a tension between the immediacy of the interview subjects’ testimonies and the sheer amount of stories of unlawful detentions that remain untold. Bhaskar Sarkar and Janet Walker argue that "[w]hen testimony does occur, the

presence of a given story sharer – a survivor of Hitler's Holocaust, for example – highlights the absence of others who are not, or are no longer, present" (6). The testimonies in *Persons of Interest* function similarly insofar as some interviewees discuss the absence of their family members who have either been deported or remain locked up. Moreover, the film literally counts how many interviews viewers have seen by cutting at certain points to a black screen with a large white number at the beginning of some interviews. The purpose in doing so becomes clearer in the documentary's epilogue, where it notes that "[a]n estimated 5,000 Arab or Muslim non-citizens have been detained since September 11, 2001." The vast disparity between the numbers twelve and five thousand is a testament to how many voices are yet to be heard, and as a result, the interviewees become stand-ins for the thousands whose stories we have not heard and may never hear.

*Persons of Interest* uses the documentary mode to examine what is a central concern of this dissertation: what happens when a prison *site* becomes a *sight*? In other words, how do the visual regimes of the carceral state structure the conditions under which prisoners and prisons are visible and how do these regimes shape the public's understanding of their relationship to incarceration? For *Persons of Interest*, its concern lies in how the hypervisibility of Muslim and Arab bodies and the invisibility of the arrests and the carceral spaces emboldened the War on Terror's carceral regime and generated little outrage across society. But its focus on the liminal, non-site of the detention center is only one side of the coin. *Prison Sights: Carceral Counter-Visions in Documentary Film* examines the inverse of the invisible carceral space, as it focuses on four sites that have achieved high levels of cultural visibility: Louisiana State Penitentiary (Angola), Attica Correctional Facility, Guantánamo Bay, and Abu Ghraib. Together, the invisibility of some carceral sites and the hypervisibility of others reflect the carceral state's

highly constructed and restrictive visual field in which prisons often enter the public's view in specific ways. Moreover, this tension between hypervisibility and invisibility shapes the logics of racialization through which some bodies are become both suspicious and criminalized and also invisible and disposable. This visual field is shaped by what Michelle Brown argues is "the quintessential carceral image: the racialized body displayed in confinement" ("Visual Criminology" 185). I argue that undoing the "common sense" role of prisons in American society, and the racial logics of incarceration, requires disrupting the visual regimes that sustain it.

To this end, I examine a group of prison documentaries that engage with, challenge, and disrupt the regimes of visuality that govern the United States' domestic civilian and foreign military prisons. But while scholarly analyses have been written about prison media representations in narrative fiction film and television, prison documentaries have received far less critical attention, even though they are a significant site through which carceral images and discourses circulate. Furthermore, as *Persons of Interest* illustrates, the formal capacities of documentary film offer unique potential to highlight, challenge, and disrupt the naturalized visions of the carceral state through their ability to exploit a set of dialectical tensions that organize the dominant visual field of incarceration. I trace how the tensions between inside/outside, visible/invisible, presence/absence, and past/present govern prison representations and, in some cases, shape how the prison sites consciously represent themselves to the public. As I will discuss shortly, the documentaries analyzed in this dissertation employ a variety of tactics and strategies that not only draw attention to the mediation of prisons in visual culture, but also attempt to construct new positions from which to see them.

This project builds on the nascent scholarship by criminologists (see Judah Schept and Michelle Brown) who have begun to theorize what has been termed "carceral visuality," or the intertwined relationship between the hegemonic ideological frameworks that discipline how citizens see and think about incarceration and its attendant visual practices. My choice to focus on particular prison sites allows me to interrogate how carceral visuality operates in distinct, but interconnected ways across both domestic and military prisons, which have often been seen as distinct and disparate in the public imaginary. Broadly speaking, these operations can be divided into historical *processes* and historical *events*. For both Angola and Guantánamo Bay, their notoriety derives in part from their use of solitary confinement and indefinite detention. For Attica and Abu Ghraib, their visibility stems from specific historical moments that became flash points in the public consciousness: the 1971 Attica Prison rebellion and the Abu Ghraib torture scandal in 2003. These pairings simultaneously allow me to investigate the particularities of each site and to connect them to the power relations and structures that extend beyond the individual prisons. To understand the kinds of visibility these prisons achieved, I draw on an array of materials that mediate each site, such as photographs, news reports, press releases, government documents, ethnographic studies, and autobiographies.

Even as scholars in disciplines such as critical race studies and prison studies have pointed out the continuities across American domestic and military prisons, they continue to be treated in mainstream political discourse as fundamentally distinct.[1] Dylan Rodríguez makes such a point when discussing the myopia amongst liberal antiwar activists who organized against indefinite detention and torture at military prisons like Guantánamo Bay and Abu Ghraib:

> Yet even as the bodies of tortured captives *somewhere else* become the racially constituted hypervisible and accessible raw material of a common counterstate

> and antiwar critique, the intimate and proximate bodies of the locally and intimately imprisoned all but disappear from the political and moral register of U.S. civil society and its resident establishment Left (10, emphasis original).

In this observation, Rodríguez highlights the spatial work carceral visuality performs, in which two parts of an interconnected carceral system register as disparate and distinct across the boundary of here/there. This in turn has implications on the shape and scope of activist work against the carceral state.

Scholarship on prison documentaries has thus far replicated the distinctions Rodriguez identifies between domestic and military prisons. *Prison Sights* seeks to challenge this by tracing the continuities and discontinuities across the sites and their respective documentaries. For both Angola and Guantánamo Bay, their visuality is constructed through their dual operation as sites of exhibition and incarceration. The public is invited to look at and, in some cases, experience the prisons through carefully curated tours of both Angola and Guantánamo Bay, or through other events, such as Angola's bi-annual prison rodeo. For Attica and Abu Ghraib, archival documentation has been central to shaping the visibility of the two sites. Both prisons became sights through moments of extreme violence that broke into public visual culture. The archives of this violence have shaped the historical legacies and dominant narratives about both prisons, and the accessibility and dispersal of the respective prisons' archives have in part determined what the public knows about the violence at these sites.

Documentary filmmakers have used the cultural visibility of these four prisons to bring to the public's awareness stories about these sites that have either not received much attention or have fallen out of the public eye. Through the urgency of the individual issues the films raise, they navigate a tension between the specificity of individual stories and the larger power

structures and modes of oppression that produced them. It is precisely through this tension that these films construct what I argue are "carceral counter-visions" that attempt to disrupt or undermine the hegemonic spectatorial relationship between the public, the prison sites, and the power structures that organize them. Weaving close film analysis with filmmaker interviews, production histories, and contexts of distribution and exhibition, I consider how these documentaries attempt to fashion alternative ways for spectators to see the prison and the ways they construct new conditions of visibility that may allow viewers to recognize the power structures embedded in the carceral state.

**Carceral Visuality**

Over the past several decades, the metastasizing carceral state has engendered a visual paradox between its most visible forms, such as the hundreds of new jails and prisons that have been constructed, and its less visible effects on many aspects of American life, such as the operation of government institutions and questions of who can access public benefits and services. Indeed, Katherine Beckett and Naomi Murakawa warn that greater attention must be paid to the "shadow carceral state," or a set of liminal civil and administrative avenues for imposing penal sanctions, such as "immigration and family courts, civil detention facilities, and even county clerks' offices," all of which reproduce carceral power outside of formally recognized penal institutions (222). Their phrase "shadow carceral state" captures an inherent tension between the hypervisible facets of the carceral state – such as prison sites and prisoners in cages – and its far less visible manifestations in other aspects of American society.

This paradox has been most thoroughly explored by scholars working within the discipline of visual criminology, who have attempted to theorize how visual media shape attitudes and perceptions about crime and punishment.[2] The criminologist Judah Schept invokes the phrase "carceral visuality" to explain what he calls the "political-epistemological work" that "structures the very possibility for perceiving mass incarceration" (216). Schept draws on the work of Nicholas Mirzoeff, who traces the conservative origins of visuality and its role in the maintenance of authority and state power. Mirzoeff locates the first appearance of the term in the work of the 19th century Scottish historian Thomas Carlyle, whose reactionary, anti-abolitionist writings articulated a type of imperialist power embodied by "heroes," or certain leaders, who could visualize the course of history. For Mirzoeff, visuality "is not composed simply of visual perceptions in the physical sense, but is formed by a set of relations combining information, imagination, and insight into a rendition of physical and psychic space" (*The Right to Look* 3). In making this claim, Mirzoeff draws on Jacques Rancière's notion of the "distribution of the sensible." Rancière contends that aesthetics determine the very conditions under which people engage in the political, a "delimitation of spaces and times, of the visible and the invisible, of speech and noise, that simultaneously determines the place and the stakes of politics as a form of experience" (13). Likewise, Mirzoeff sees visuality as the means by which state power defines and delimits the conditions for what is and is not seeable, speakable, thinkable, visible, and audible.

Visuality, in other words, naturalizes the existing social order across the axes of race, gender, class, sexuality, and nation. Mirzoeff outlines three historically constitutive and overlapping complexes of visuality through which bodies in the West have been organized and managed: the plantation complex (1660-1860), the imperial complex (1860-1945), and the

military-industrial complex (1945-present). As the names of the complexes imply, visuality is rooted in the authority of colonialist and imperialist might, which asserts its power through a tripartite process of classifying, separating, and aestheticizing, through which the social order is naturalized as "common sense." Under the plantation complex, for example, the plantation overseer surveilled and controlled the labor of slaves through the physical arrangement of bodies across the plantation. Mirzoeff explains that the category of the slave was "first classified by natural history, which created a relevant modality of 'species,' then separated from 'free' space by mapping, while the force of law embodied in slave codes that sustained the logic of division, enforced it against challenge, thereby making it seem 'right,' and hence aesthetic" (*The Right to Look* 49). The plantation complex is an example of visuality's dual nature as an ideological project that organizes the world through labels and classifications, and as a way to order and manage the world's physical space.

Mirzoeff's framework is useful for explaining how the carceral state enacts the tripartite processes of visuality to categorize and pathologize certain bodies as inherently criminal or criminally suspect. The result of the categories of "the criminal, the illegal alien, and the terrorist suspect," Lisa Marie Cacho argues, is that they are "treated as obvious, self-inflected, and necessary outcomes of law-breaking rather than as effects of the law or as produced by the law" (4). Allan Sekula's work on the democratizing of photographic portraiture in the 19th century has clear implications for how visual technologies have been mobilized in the service of carceral visuality. As Sekula argues, photographic portraiture was integrated into the policing of criminals via the mugshot, and a "new juridical photographic realism" helped construct bureaucratic classification systems designed to regulate the deviant criminal bodies of the Victorian underclass (5). The spread of photographic portraiture illuminated two opposing, yet

related poles through which photographs derived their ideological significance. These poles, the honorific conventions linked to bourgeois photographic portraiture, and the repressive conventions linked to the racist pseudosciences of phrenology and eugenics, meant that "[e]very portrait implicitly took its place within a social and moral hierarchy" (10). Together, the mugshots of criminals and the photographic portraits of bourgeois subjects constitute what Sekula calls a "shadow archive," or a reservoir of images to which all photographic portraits belong that "encompasses an entire social terrain while positioning individuals within that terrain" (10). The implication of the shadow archive, Leigh Raiford argues, is that "race from the nineteenth century onward became more distinctly visible and identifiable, *common sense* confirmed by scientific apparatus" (12, emphasis mine).

One need not look much further than the television or movie screen to see how closely carceral visuality is intertwined with the visual image. Indeed, Alison Griffiths shows that even in its early days, cinema had a relationship with the penitentiary, both in terms of representing the prison to the public, but also through film screenings inside prisons that have allowed prisoners to see representations of the outside world. What she calls the "carceral imaginary" is cinema's ability to help shape the public's imagination about what goes on inside prisons, and through film exhibitions in prison, also shape inmates' imaginations about life outside prison walls (1). And as a more contemporary example, the popularity of Netflix's *Orange is the New Black* (2013-2019) reflects the public's ongoing interest in prison representations and narratives.

However, I contend that prison documentaries are unique sites through which we can trace the contours of carceral visuality to better understand how it functions. One reason is because unlike fictional works, prison documentaries are indelibly shaped by the politics of access that govern whether a filmmaker may film within a prison and whom they may film. Even

those who are granted permission must abide by the rules and restrictions placed upon them by the prison administration. Secondly, examining the politics of access raised by prison documentaries allows for an analysis of how the carceral state disciplines the gaze of the public. While fictional prison narratives can move seamlessly between the prison's inside and outside in service of the viewer's identification and alignment with its characters, prison documentaries are more clearly bound to the real-world limitations of institutional access as well as access to their incarcerated subjects. Through the case studies in this project, I analyze how documentary film has been recruited both in service of carceral visuality and as a tool to disrupt it. This in turn allows for a better understanding of the types of strategies and approaches for denaturalizing the authorized view of the carceral state, as well as the limitations of these strategies.

Indeed, the proliferation of reality television programs about prison, such as MSNBC's *Lockup* (2005-2017) and A&E's *60 Days In* (2016 – present), often buttress and reinforce the hegemonic logics of the carceral state. Prison reality television programs tantalize viewers by offering them an exposé of what *really* goes on behind prison walls, often relying on their status as ostensibly non-fiction works to show a world hidden from the public's view. They rely on a mixture of spectacle and voyeuristic pleasure by showing violent confrontations between inmates as well as between inmates and guards. John Riofrio observes that at the center of these shows is a paradox in which the populations that the neoliberal state intends to disappear into the prison system instead become hypervisible (143). Riofrio posits that rather than illustrate the horrors of the carceral state, these shows instead normalize the violence of incarceration and downplay its ties to the racist, sexist, and heteronormative ideologies that undergird it (145). Instead of calling into question dominant carceral logics, these shows, in the words of Mirzoeff,

aestheticize and thus normalize them by framing incarceration and punishment as necessary parts of maintaining order in society at large.

In other words, to see inside the prison does not guarantee that it will upend the ideologies and power structures that drive incarceration. To this end, *Prison Sights* challenges the widely-held assumptions of liberal prison reformers who argue that greater transparency within the prison system will necessarily curb its worst excesses and even potentially shift public sentiment against the "law and order" politics that drive mass incarceration. Indeed, debates about reducing state violence in the realms of policing and imprisonment have frequently centered around the need for visual technologies that may provide increased transparency and visibility. Advocates of police body cameras, for example, often argue that the technology will change police officer behavior and make officers more easily accountable to citizens.[3] For marginalized groups, however, the increased visibility under the carceral state often means more surveillance and confinement, rather than an opportunity for political empowerment.

The documentaries I analyze navigate a tension between bearing witness to the horrors of incarceration while also avoiding reifying the racialized dynamics of increased visibility under the carceral state. Alexandra Juhasz warns the filming of prison documentaries runs the risk of reproducing a subject/object position of the victim documentary, thereby reinforcing the very insider/outsider binary that defines imprisonment in the first place (73). To avoid reifying the distance between the filmmaker, audience, and incarcerated subject, Juhasz draws on the principles of feminist documentary filmmaking, which emphasize non-hierarchy and collaboration. While no filmmaking practice can guarantee this in its entirety, (especially once the film is shown to audiences), efforts to work closely with incarcerated subjects and to be sensitive to the strategies for representing them can draw attention to the structures that racialize

particular bodies and discipline the public's gaze toward these bodies and institutions. This in turn offers the potential to reshape spectators see and encounter these carceral structures in their daily lives.

**Racialization and the War on Terror**

Along with the rise of mass incarceration from the 1970s onward, another major outgrowth of the carceral state was spawned by the War on Terror. The rhetoric of combatting terrorism has drawn on, and also reinvigorated, fears of Islam through the racialization of the figure of the Muslim. This racialization has generated widespread paranoia and suspicion of those whose bodies, dress, and speech mark them as fundamentally "Other" to white, Western society. As Nadine Naber argues, the racism and xenophobia that animates the War on Terror emerges out of the interplay between what she calls "cultural racism" and "nation-based racism." Cultural racism is "a process of Othering that constructs perceived cultural (e.g., Arab), religious (e.g., Muslim), or civilizational (e.g., Arab and/or Muslim) differences as natural and insurmountable" (Naber). Nation-based racism, on the other hand, treats foreigners as criminally suspect threats to the nation, to civilization, and to its security. Taken together, "cultural and nation-based racism have operated transnationally to justify U.S. imperialist ambitions and practices in Muslim majority countries as well as the targeting and profiling of persons perceived to be "Arab/Middle Eastern/Muslim" in the diaspora" (Naber). Certainly, discourses of Islamophobia far precede the War on Terror. However, they have been mobilized across the Bush, Obama, and Trump administrations to justify the surveillance, imprisonment, and deportation of those who are or are perceived to be Arab, Middle Eastern, or Muslim.

While the carceral logics of the War on Terror are animated by these Islamophobic and Orientalist discourses, they are also buttressed by logics emanating from the United States' domestic prison regime. The carceral dragnet has expanded through the rhetoric of terrorism, which has racialized Islam by framing Islamic fundamentalism as an existential threat to American society and the West's way of life. Noting the interrelation between the two, Sohail Daulatzai argues "[t]he carceral logic and captive power that has historically been forged around Blackness in the United States not only makes legible this new emerging threat [of "terror"], but it also becomes the template for the exporting of this prison regime to the colony in the 'War on Terror'" (136). While there has often been a tendency to discuss prisons like Guantánamo Bay as spaces of "exception," this effaces the similarities between both domestic and military prison sites.[4] For instance, James Forman Jr. points out that the treatment of detainees under the War on Terror is directly influenced by the normalized harsh treatment of prisoners in the domestic prison setting, particularly in terms of the use of supermax prisons and the policies of humiliation and degradation of inmates, is reinscribed in the containment and prosecution of alleged suspects of terrorism under the War on Terror.[5]

But even while the visual politics of the detainee and the terrorist body are informed by anti-Black racism in the United States, they are also categories produced at the intersection of other historical impulses. Histories of Orientalist discourses, anti-Arab racism, and Islamophobia converge on the detainee and terrorist to produce a figure who appears to be inherently anti-modern and a threat to the liberal order of Western multicultural society. Sunaina Marr Maira points to an assemblage of loosely-related images that aid in the construction of these categories, such as the "murky mug shots of the hijackers and photos of Muslim and Arab men charged in other terrorist cases, images that blur into the iconic photos of 'Islamic fundamentalists,'

'militant Arab nationalists,' and kaffieyh-swathed Palestinians that permeate the U.S. media and cultural imaginary" (59). This shadow archive informs the paranoid gaze of American society; the War on Terror interpellates fellow citizens to surveil those whose presumed cultural and national distance from the American homeland marks them as potential, on-going threats to the nation.

The visual culture of detention under the War on Terror has also been shaped by both the carefully circumscribed images released out of Guantánamo Bay and the unexpected leak of images of torture out of Abu Ghraib. But as I discuss in chapters three and four, the hypervisibility of the detainee body also involves the erasure of their subjectivity and humanity, such as in the images of detainees in sensory deprivation gear at Guantánamo Bay or the images of torture at Abu Ghraib. One effect of this is that Americans viewing images of "enemy combatants" shifts their positionality as spectators in ways different from watching, say, documentaries about domestic prisons. As Brown argues, the Abu Ghraib photographs are "indicative of many of the primary ways in which punishment serves as a space in which to differentiate according to race, ethnicity, and citizenship" (*The Culture of Punishment* 138). We could expand Brown's assertion to also take into account how the visual culture of Guantánamo Bay and Abu Ghraib have served to construct particular viewing publics across axes of race and nationality. It is the question of spectatorship across both domestic and military prison sites that I turn to next.

**Penal Spectators and Prison Documentaries**

From the days of executions in the town square, public officials have been concerned with citizens' relationship to both the punished and to the act of punishment itself. As Michel

Foucault masterfully details in *Discipline & Punish*, the era pre-dating the modern penitentiary was defined by the "spectacle of the scaffold." Unlike contemporary forms of punishment that take place behind prison walls and beyond the scrutiny of the public eye, prior forms of corporal punishment were designed precisely for public viewership. Caleb Smith notes that the public execution "was not only an exercise of power against a condemned body but also a public spectacle with a carefully managed system of meanings and values" (7-8). Though what may come to mind is that of a blood-thirsty circus, public executions were theaters of punishment in which the convict, the executioner, and the audiences all had specific roles to play. And because the criminal offense was portrayed as an attack on the sovereign himself, the execution of the offender's body in the public eye was intended to reinforce the sovereign's power (Foucault 48). But this inability to manage how the crowd may respond to execution would herald its end, as a public execution could engender unintended reactions in onlookers, who might feel sympathy for the accused instead of allegiance toward the king (Foucault 59-61).

However, the transition from public executions to punishment meted out behind penitentiary walls did not sunder the public's relationship to prisoners or to punishment, but instead reshaped it. As Smith argues, the penitentiary "was much more than an innovation in penal policy. It stood for a revolution in the relationship between the people and the powers that governed them" (14). The rise of the penitentiary instantiated the panoptic power of the modern disciplinary state that Foucault has outlined. Using Jeremy Bentham's design of the panopticon as a metaphor, Foucault traces the ways in which the modern penal institution produces docile, obedient subjects, not through the "spectacle of the scaffold" but through a process of internal self-discipline. This notion of self-discipline shaped the architecture of the Eastern State Penitentiary in Philadelphia, the second penitentiary built in the United States, which placed

prisoners in proto-solitary confinement cells where they ate, worked, and slept in total solitude. Such extremely harsh conditions were designed to inspire penance, moral improvement, and greater religious conviction in prisoners by depriving them of any community or relationships while incarcerated (Guenther *Solitary Confinement* 15). And for those on the outside, the looming, gothic exterior of the original penitentiaries was intended to inspire fear and awe in citizens as they encountered them while walking through the city (Story, *Prison Land* 8). The edifice itself thus served as its own disciplinary mechanism, reminding citizens to be wary of running afoul of the law.

*Prison Sights* examines how filmmakers have exploited the spectatorial relationship between viewing publics, prisons, and documentary film. I take heed of Story's argument that to more fully comprehend the power and scope of the carceral state, prisons should not be treated only as edifices that exist "over there," in an imagined location far from citizens' eyes, but should instead be viewed as "a set of relationships dispersed across a set of landscapes we don't always view or conceive of as carceral" (*Prison Land* 10). Though this dissertation is organized around four distinct prison sites, I focus on the types of relationships engendered by the visibility of these prisons. That is, I examine how the public mediation of the prisons imagine, construct, and interpellate particular racialized viewing publics. To do so, I draw on Michelle Brown's conception of the "penal spectator." For Brown, the penal spectator has no direct connection to formal penal institutions and instead accesses prisons through cultural texts that mediate and disseminate cultural understandings of punishment.[6] Even as the penal spectator sees and reads about prisons in popular culture, they are "afforded the convenience of the highly mediated, fleeting gaze" that is "fundamentally voyeuristic, distracting, and yet authoritative, inhibiting a deeper interrogation of punishment" (*The Culture of Punishment* 13). Through cultural

representations of prisons, penal spectators engage in moral judgment without being confronted with their own complicity in, and proximity to, the project of punishment and its centrality to American society. As a result, prison representations have great power to shape the public imaginary, as they frequently reproduce neoliberal discourses that buttress carceral logics that emphasize personal responsibility and the importance of property rights.

Though scholars have recognized cinema as a significant site through which images and discourses of crime and punishment circulate, they have had little to say about how documentary specifically constructs the penal spectator's relationship to the carceral state. Instead, many analyses of prison films have focused on their representational politics, which flattens the distinctions between narrative fictional cinema and documentary and obscures the different ways these modes and genres construct viewing publics. For example, the criminologist Nicole Rafter's widely-cited *Shots in the Mirror: Crime Films and Society* spends only a few brief pages on documentary films about crime and punishment in her chapter about fiction and non-fiction prison and execution films. Even as she usefully discusses how the postmodern, self-reflexive shift in documentary filmmaking shapes representations of these issues in works such as Errol Morris's *The Thin Blue Line* (1988) and Nick Broomfield's *Aileen Wuornos: The Selling of a Serial Killer* (1992), Rafter does not delve into how these fiction films hail spectators differently than documentaries, nor does she explore the implications of those differences (180). Brown performs a similar elision, placing documentaries like *Capturing the Friedmans* (Andrew Jarecki, 2003) and prison reality television programs such as *Lockdown* (2007 – present) alongside fictional films like *The Matrix* (Lana and Lilly Wachowski, 1999) and *Minority Report* (Steven Spielberg, 2002) (*The Culture of Punishment* 69-72). While this allows Rafter and Brown to show the pervasiveness of carceral logics across a range of film and television

programs, it also misses valuable opportunities to explore how these works differently hail and construct viewers.

While narrative fictional cinema relies on the identificatory pleasure between the spectator and characters on-screen, documentary film's rootedness in the historical world creates a fundamentally different relation between documentary subjects and their viewers. Speaking of the affective power of fictional narrative prison films, Brown argues that "[w]ith their characteristic bleak and oppressive worldviews, these films have routinely served as extreme settings in which to act out the fundamental tensions of the human condition: struggles to preserve individual identity, humanity, and dignity in the face of inflexible power structures and corrupt authorities" ("Visual Criminology" 64). Although Brown sees potential power in these tensions to challenge the penal spectator's preconceived assumptions about imprisonment, her invocation of the "human condition" runs the risk of perpetuating a universalized humanism that is ultimately detached from the specific social order that reproduces carceral power. To this end, the documentaries I examine in this dissertation exhibit an interest or preoccupation with the ways in which an overarching carceral visuality structures the public's gaze toward prisons. These works, to varying degrees, challenge the dominant visual field of incarceration and construct different vantage points from which to see carceral sites and subjects. Rooted in the historic and social specificity of working with and around prison regulations and incarcerated people, these documentaries create a space in which viewers can reflect on how the carceral state organizes their own spectatorial positions.

Perhaps nowhere is the tension between the individual and the institution in prison documentaries more evident than in the figure of the talking head. A staple of the documentary form more generally, the talking head within prison documentaries occupies a particularly vexed

position. On the one hand, incarcerated talking heads can provide a perspective and voice often marginalized from mainstream public discourses on prisons and punishment. At the same time, filming prisoners behind bars has its own risks and pitfalls; even documentaries critical of the prison system may unintentionally pathologize racialized carceral subjects as inherently dangerous. Story makes such a point when discussing the tendency for prison documentaries to rely on shots of prisoners behind bars, as she asks "[t]o see another Black man in a cage – what does that tell us? Does it feign to tell us something we don't already know while secretly telling us, actually, that Black people are cage-able, dangerous, criminal?" (Story et al, 108).

Sometimes by choice and sometimes out of necessity, the documentaries discussed in this dissertation avoid filming interviewees behind bars. Instead, filmmakers fashion alternative strategies for presenting interviewees who have effectively been disappeared by the state. As I mentioned earlier, some of these strategies include employing a disjunctive sound/image relationship, using animation, and by presenting photographic portraits of the interviewees. While the effects of these strategies vary widely across the films, they comprise a collection of texts that attempt to fashion alternative ways of seeing prisoners and prisoners. In the process, they also attempt to disrupt the implicit inside/outside boundary that governs many prison representations and that shapes the penal spectator's imagined relationship to the prison system.

**Carceral Counter-visions in Documentary**

In my use of the term "counter-visions," I am specifically drawing on Mirzoeff's notion of counter-visuality, which he also terms the "right to look." If visuality establishes the authorized view of society, then the right to look "refuses to allow authority to suture its interpretation of the

sensible to power, first as law then as the aesthetic" (*The Right to Look* 25). That is, counter-visuality challenges the authority of visuality and with it, its authorized view of society. Mirzoeff shows the ways in which visuality is an on-going ideological struggle, one subject to contestation by those dispossessed under the current social order. With each complex, he details different types of counter-visual projects that have challenged visuality's authority, from slave revolts to the neo-realism of *Battle of Algiers* (Gillo Pontecorvo, 1966) to the embodied protests of the Black Lives Matter movement.[7] While these projects at times centers on making visible the previously invisible or ignored (such as in viral cellphone videos of police brutality recorded by onlookers), counter-visuality is more than simply the use of imagery that challenges the state's authority. Instead, counter-visuality constitutes a challenge to the normalized schemas and frameworks through which we understand society and the world around us.[8]

What I call carceral counter-visions, then, are a collection of works that confront the dominant visual, discursive, and ideological frameworks that define carceral visuality. The power of carceral counter-visual works, Brown argues, lies in their ability to contest dominant neoliberal discourses on crime and punishment that emphasize individual culpability and responsibility over the structural conditions that produce harm, social vulnerability, and carceral conditions in the first place. Counter-visual prison works "creat[e] explicit connections and contexts for understanding the link between social vulnerability and carceral formations," which in turn "create an opportunity to see and thereby challenge state violence" (Brown, "Visual Criminology" 183). In some cases, these strategies involve embodied protests with banners and signs with slogans such as "Bring Our Loved Ones Home," emphasizing the often invisible and affective bonds that have been severed by the carceral state ("Visual Criminology" 186-187). Throughout Brown's overview, one can see a concerted attempt in these works to disrupt the

imagined spatial distance between those incarcerated and those beyond prison walls. They also attempt to frame the carceral state as something that actively produces harm instead of preventing it.

In an effort to avoid reifying the dynamics of the racialized body in the cage as the predominant carceral image, some photographers and filmmakers have sought to fashion alternative ways of seeing the carceral state by exploring the tensions between its most hypervisible and invisible aspects. Rather than take spectators inside of a prison, these works point to the difficulties, and at times, the complete impossibility, of seeing the carceral state. For example, the geographer and artist Trevor Paglen engages in what he calls "limit telephotography," in which he uses telephoto camera lenses and telescopes to try to photograph parts of the American national security state, such as military installations, secret military prisons, and orbiting satellites (figure 2). His frequently grainy photographs simultaneously highlight that there is something to be seen even as the images themselves reveal very little. Paglen's work demonstrates that the failure to see can be as important as seeing, as it offers new and different visual perspectives and vantage points for the spectator to look at the national security state, hinting at a world that is nearby and yet physically out of reach. Indeed, Blake Fitzpatrick argues in Paglen's work, "[d]ocumentary as revelation and as mode of visual, social, and political disclosure is here given way to the impossibility of revelation, as one way of showing a secret" (139).

Figure 2. Photograph by Trevor Paglen.

The counter-visual prison documentaries I discuss in this project frequently balance a tension between representing the experience and suffering caused by imprisonment and resisting the frequently objectifying and pathologizing gaze of the camera in carceral settings. For some documentaries, this consists of employing strategies that emphasize the inherent inaccessibility of particular prison spaces – such as the solitary confinement cells of the Angola prison discussed in the following chapter – and with it, the impossibility of representing the embodied experience of life in a cage. In other cases, filmmakers must wrestle with the ethics of using images of state violence against prisoners in their documentaries and devise modes of seeing them without replicating the violent gaze of the state.

**Chapter Breakdown**

This dissertation is divided into four chapters; the first two focus on American domestic prison sites while the final two are centered around military prisons operated under the War on Terror. Chapter one interrogates the inside/outside boundary that governs prison representations. I specifically examine the visuality of the Louisiana State Penitentiary (more commonly referred to as Angola) in Angola, Louisiana and the public activism surrounding a trio of Black Panthers

known as the Angola 3, who collectively spent over 100 years in solitary confinement. I analyze how Angola's visuality is organized through the inside/outside boundary, as it operates as both a prison and a tourist site for the public. In its role as both prison and tourist attraction, I argue that the prison paradoxically positions the public as distanced spectators from the racialized bodies of the prison, even as visitors comes into the proximity of prisoners. I then analyze the ways in which the inside/outside boundary runs through a group of documentaries about the Angola 3: *In the Land of the Free…*(Vadim Jean, 2010), *Herman's House* (Angad Singh Bhalla, 2012), and its related web documentary *The Deeper They Bury Me* (Bhalla and Ted Biggs, 2016). I argue that these films draw on, and play with, these same prison boundaries in order to challenge and disrupt the public's otherwise distanced relationship to the trio of men.

Chapter two focuses on the visuality of the 1971 prison rebellion at the Attica State Penitentiary in Attica, New York. Here, the archives of the Attica rebellion are of central concern. The rebellion generated a large collection of both visual and written material, such as state-recorded footage of inmate surveillance and torture, footage of the uprising recorded by journalists, as well as an archive of activist materials. I explore how this archival material shapes four documentaries about the rebellion that span roughly 30 years: Third World Newsreel's *Teach Our Children* (1972), Cinda Firestone's *Attica* (1974), Brad Lichtenstein's *Ghosts of Attica* (2001), and David Marshall and Christine Christopher's *Criminal Injustice: Death and Politics at Attica* (2013). Much like the inside/outside boundary that runs through the documentaries in chapter one, the tension between past/present is central to the political work in these films. Each documentary challenges the state's dominant narrative of the rebellion and its aftermath, drawing heavily on the Attica archives in their respective responses. I contend that each documentary exploits the gap between the archive and the embodied experience of those

involved in the rebellion. In doing so, these documentaries reuse the archival photographs and footage in ways intended to disrupt a detached spectator's viewing position and to bring them into a closer proximate relationship with the social conditions that produced the rebellion in the first place.

Chapters three and four shift focus to the two most culturally visible prisons of the War on Terror, Guantánamo Bay and Abu Ghraib. In bringing these sites into relation with one another, I contrast the vastly different circumstances in which they have become visible to the public. Moreover, I explore the continuities that exist between these prisons and the sites I discuss in the first two chapters. Chapter three examines how Guantánamo Bay's visuality, like that of the Angola prison in chapter one, has been framed as inherently transparent and open. Through carefully curated public relations tours and imagery that depict it as a tourist site, the very exceptionality of the Guantánamo prison becomes normalized. I then analyze two documentaries about prisoners at Guantánamo that critically challenge the erasure of torture and violence from the prison's visual field: Laura Poitras' *The Oath* (2012) and Patricio Henriquez and Luc Côté's 2010 documentary *You Don't Like the Truth: Four Days in Guantánamo Bay. The Oath* examines the intertwined fates of two men: Salim Hamdan, at the time a prisoner in Guantánamo Bay and the plaintiff in the Supreme Court case *Hamdan v. Rumsfeld*, and his brother-in-law, Abu Jandal, bin Laden's former bodyguard who drives a taxi in Yemen and counsels young men interested in jihad. *You Don't Like the Truth* examines the case of Omar Khadr, who at the time was a teenager imprisoned in Guantánamo after being accused of killing the American soldier Christopher Speers during an al-Qaeda firefight. I argue that both documentaries are governed by an "aesthetic of failure" that disrupt and frustrate the viewer's desire for a transparent look into Guantánamo Bay. By failure, I am not suggesting that the

documentaries are themselves "failures," but, rather, that they self-reflexively highlight how little access they, and the public, have to the prison. I contend this failure productively calls attention to how the desire for full transparency into Guantánamo is fraught with a problematic set of assumptions and beliefs about the political power of transparency.

My fourth chapter examines two documentaries about the Abu Ghraib photographs and ensuing abuse scandal that rocked the American military: Rory Kennedy's *Ghosts of Abu Ghraib* (2007) and Errol Morris' *Standard Operating Procedure* (2008). Like the Attica rebellion discussed in chapter two, the Abu Ghraib torture scandal produced a variety of photographs and video of prisoner abuse and torture taken by state officials. Taken together, the Attica rebellion and the Abu Ghraib scandal reveal the interconnected and overlapping racialized violence endemic to the prison system that stretches across time and space. But as this chapter elucidates, one of the fundamental differences between the two is not only the different context in which the violence unfolded – an American military prison – but also the role of digital photography in producing the images of atrocity and in the spread of the images around the globe. To this end, I argue that the American military bureaucracy is an underexamined, yet significant force in the production of the visual field in which the detainee bodies appeared. While *Ghosts of Abu Ghraib* and *Standard Operating Procedure* have rarely been read alongside one another, I contend that both documentaries can be read as critiques of this military bureaucracy and that both films attempt to re-shape the American viewer's relationship to the photographs and to the structures that produced the violence in the first place. I contend that *Ghosts of Abu Ghraib*'s invocation of Stanley Milgram's experiments on obedience is a limited framework through which the abuse at Abu Ghraib can be understood. However, I argue that the film transcends this limited approach through a critical counter-gaze engendered by two other strategies:

interviewing former Abu Ghraib detainees and having interviewees hold printed copies of the digital images. In doing so, the film creates a space that challenges the hegemonic viewing position of the American public toward the photographs. *Standard Operating Procedure*, on the other hand, focuses on the digital photographs of torture and digital media's role in how the scandal was narrated and understood by the wider public. I argue that this approach establishes a tension between the metadata used by the military to construct a timeline of the abuse and the embodied experience of detention and torture at Abu Ghraib.

In my conclusion, I discuss the ways in which filmmakers have begun to move beyond the traditional documentary format to construct carceral counter-visons. I examine the potentialities of new media ecology – specifically, the capacities of immersive digital media like virtual reality – to construct carceral counter-visions. I focus on The Guardian's virtual reality documentary *6x9: A Virtual Experience of Solitary Confinement* and the ways in which it both challenges, but also reifies, the relationship between the public and the prison. I then discuss two feature-length prison documentaries, *The Prison in Twelve Landscapes* (Brett Story, 2016) and *The Sentence* (Rudy Valdez, 2018), that both resituate the prison beyond the institutions themselves. Through an essay film structure, *The Prison in Twelve Landscapes* investigates the dispersal of carceral power across the contemporary United States, while *The Sentence* is comprised of a collection of home movies Valdez filmed of his sister's family while she was incarcerated, which bear witness to the carceral state's devastation of his family. Though the two films differ greatly in their aesthetic and rhetorical approaches, they are united in their efforts to move the penal spectator's gaze beyond the bounds of walls of the prison site itself.

## Chapter One: Angola

The Louisiana State Penitentiary (commonly referred to as Angola) in Angola, Louisiana stands at a sprawling 18,000 acres and is the largest maximum-security prison in the United States. A former slave plantation turned prison at the end of the Civil War, Angola's history quite literally embodies Angela Davis's claim that there is "a clear relationship between the rise of the prison-industrial-complex in the era of global capitalism and the persistence of structures in the punishment that originated with slavery" (35). The racial violence of the Angola plantation was transmuted through its shift into a penal institution, and for much of its existence, it was known as "America's Bloodiest Prison." A culture of violence and neglect pervaded the prison, at one point leading 37 inmates to slice their Achilles tendons with razor blades in protest of their working conditions.[9] While the violence began to subside as a result of court-ordered federal oversight beginning in the 1970s, it was under the supervision of warden Burl Cain (1995 – 2016) that Angola came to be seen as a model institution with low rates of inmate violence. The prison's turnaround has been partially credited to Cain's controversial emphasis on religious programming and the need for "moral rehabilitation" of inmates.[10]

As Dennis Childs remarks, Angola "has successfully transformed itself into a tourist attraction that treats the (un)hallowed ground of racial genocide as an occasion for fun, relaxation, and the production of white supremacist mythology" (97-98). Indeed, Angola now actively courts the gaze of the public through its biannual prison rodeo and crafts fair, its golf course, its gift shop, and its prison museum. Taken together, this strange assortment of public attractions on prison grounds is part of a performance of progressive penality that sanitizes Angola's history of racial violence that originates in chattel slavery. Its ignominious history, along with its tourist attractions, has made it the most photographed prison in the United States

and a site of interest and fascination for filmmakers, photographers, journalists, and others (Brooks). Angola's visuality enlists a variety of images, performances, and discourses that mask the violence inherent to incarceration and that instead reproduce its highly constructed appearance as a safe, progressive institution.

This particular vision of Angola is produced by one the fundamental binaries that govern prison representations: that of the inside/outside boundary. This boundary, as I discuss further below, is both material and ideological. It materially defines the parts of the prison accessible to the public, as well as which bodies are visible or are kept out of sight. The prison boundary also reinforces a particular ideological framework that, as Jennifer Turner argues, "serve[s] to hide the crucial role of prisons in current society" (28). That is, if the transformation of Angola is simply seen as the institution's march from plantation to model prison, it not only effaces the historical connections between chattel slavery and contemporary mass incarceration, but also obscures the centrality of mass incarceration to contemporary racialized forms of governance. This is what Sadiya Hartman refers to as the "afterlife of slavery," or the continued devaluation of black lives within society and the unequal access to institutions and resources (6).

In this chapter, I interrogate the operation of the inside/outside boundary through the case of the Angola 3, in which a trio of Black Panthers – Robert King, Herman Wallace, and Albert Woodfox – collectively spent over 100 years in Closed Cell Restriction (CCR), Angola's form of solitary confinement (figure 3). At Angola, they founded the first prison chapter of the Black Panthers and worked to organize prisoners against the Angola prison administration. As a result, they became targets of the prison regime and were eventually charged and convicted (with dubious evidence) of two prison murders. Wallace and Woodfox were convicted of the murder of prison guard Brent Miller, while King was convicted of the murder of a fellow inmate. The

men believed they had been framed and punished by the Angola administration for their political beliefs and activism. Collectively, the trio spent over one hundred years in solitary confinement, languishing in obscurity until the 1990s, when lawyers began to take up their cases and their lengthy sentences in solitary confinement garnered attention from human rights and prison activists. King was the first two have his conviction overturned in 2001, while Wallace would be released in 2013 shortly before passing away, and Woodfox in 2016.

Figure 3. Photograph from International Coalition to Free the Angola 3.

The case of the Angola 3 illuminates the centrality of the inside/outside boundary to the maintenance of Angola's visuality. Moreover, it also illuminates how these boundaries are harnessed by activists in service of projects that are intended to disrupt and challenge the prison's visuality. This chapter examines three documentaries that engage in these counter-visual efforts as they advocate for the immediate release of the Angola 3 from prison: Vadim Jean's *In the Land of the Free…* (2010), Angad Singh Bhalla's *Herman's House* (2012), and Bhalla and

Ted Bigg's interactive web documentary *The Deeper They Bury Me* (2015). I contend that each film draws on and deploys the inside/outside boundary as a central rhetorical feature of their address to viewers. As they do so, however, they reveal the potentialities and the limitations of these boundaries for probing Angola's visuality, particularly in terms of how they can be used to critique and challenge the prison's place within American society.

Out of the three documentaries I discuss, *In the Land of the Free…* delves most deeply into the state's flawed legal cases against the Angola 3. It examines the misconduct by both prison officials and the Louisiana District Attorney's office as the state built its legal cases against the trio, and it also criticizes both the Angola prison administration and the United States legal system for their roles in perpetuating the trio's imprisonment. The documentary points to the interrelated carceral boundary formed by the prison and legal system, which reproduces the very system of racial control that the Angola prison administration insists no longer exists in its contemporary setting. The film centers itself around the talking head and Angola 3 member Robert King, who, at the time of filming, was the only member of the trio to have been released from Angola. King's experience as both a simultaneous insider and outsider of Angola allows the film to explore how its carceral boundaries extend beyond the walls of the prison. I also explore the limitations of the film's focus on these boundaries, which I contrast with the approaches taken by *Herman's House* and *The Deeper They Bury Me*.

*Herman's House* focuses on the artistic collaboration between the Angola 3 member Herman Wallace and the artist Jackie Sumell, as he designs a dream house for her over a series of letters that eventually becomes the basis for her art exhibition "The House That Herman Built." *Herman's House* follows Sumell from the debut of her exhibition in New York City to her eventual relocation to New Orleans as she attempts to build a real-life version of Wallace's

dream home. Unlike *In the Land of the Free…*, whose power as an activist documentary stems from its focus on the legal arguments that justify the Angola 3's release, *Herman's House* is more interested in the power of art to challenge how the public sees prisons and thinks about their relationship to them. Sumell's activism brings her into contact with a variety of people who have sustained relationships with Wallace across the prison boundary. Through a sustained focus on these relationships, the film breaks down the trope of the inside/outside, and with it, the position of the insider/outsider. I point to the ways in which the shifting boundaries of geography, race, class, and gender complicate, and at times frustrate, Sumell's efforts to build solidarity for Wallace's case. Sumell's activism highlights how the inside/outside boundary extends beyond the walls of the prison, which in turn offers alternative visions for building community and solidarity against the prison system.

I then conclude by turning to the web documentary (web doc) *The Deeper They Bury Me*, which draws on hours of unused phone conversations with Wallace that were left over from *Herman's House*. Like *Herman's House*, the web doc is interested in the relationships that are structured by the inside/outside boundary. However, while *Herman's House* captures the slew of relationships Wallace maintains while incarcerated, *The Deeper They Bury Me* focuses specifically on the relationship between the user and Wallace. I examine how the shift in medium, and the use of animation, photography, and a navigable web doc interface, bring the user "inside" Angola. This not only draw attentions to Wallace's disappearance, but also works to disrupt the imagined boundaries that separate him from the user. The web doc highlights Wallace's subjective experience in solitary confinement, and in the process, works to reframe the user's relationship to him, in an effort to circumvent the boundaries that pervade and are perpetuated by standard carceral imagery.

**Angola's Visuality**

While the inside/outside boundary is not unique to Angola, examining the prison's visuality illustrates how the boundary constructs thresholds of visibility between prisoners, between prisoners and prison staff, and between prisoners and those outside Angola's walls. For instance, the inside/outside boundary does not only refer to where Angola physically sits, but also to the internal structures that physically separate and discipline bodies (such as through CCR), to the restrictions that govern access to prisoners, and to the types of media that prisoners may access.[11] For those unable to physically visit Angola and who do not have some level of unmediated access to the site, prison rules and regulations mediate other types of contact. Some are partial restrictions, such as prison phone calls, in which prisoners must abide by prison regulations, are subject to a time limit (generally 15 minutes) and are made at the expense of whomever the inmate calls. Furthermore, phone privileges are at the mercy of prison officials, who determine how often prisoners have phone access and who they may call. In other circumstances, the relationship between the inside and outside is fully mediated by the prison, primarily by the ways they allow only a highly circumscribed sample of the outside world to prisoners by limiting both the types of media to which they have access (including newspapers, magazines, and the television shows and films screened) and the media outlets who may access the prison. As the journalist James Ridgeway observed, while Angola may welcome as many as over a thousand visitors a month, it took him nearly two years and the threat of an ACLU lawsuit for him to gain access to the prison (Ridgeway).

Of course, it is not surprising that a prison is reluctant to allow people to see the actual conditions of confinement and punishment, but what is notable are the kinds of performances of punishment the prison allows visitors to participate in. Perhaps the most peculiar and noteworthy

part of Angola's visuality is its biannual prison rodeo and crafts fair. Billed as the "Wildest Show in the South," a $20 ticket allows spectators to enter prison grounds and watch inmates perform as amateur "cowboys" in a stadium that holds as many as 7,500 people. Though some of the prisoner participants have never ridden a horse before entering the arena, they are in part motivated to perform by the possibility of winning commissary rewards in one of the ten different rodeo events. In front of the crowds, prisoners compete in a variety of daring and dangerous rodeo stunts, such as in the event "Guts and Glory" that requires prisoners to grab a $100 poker chip attached to the head of an angry bull. And while attendees are primarily drawn to the prison for the rodeo's gruesome spectacle, they also have the opportunity to peruse and purchase crafts made and sold by certain "trusty" prisoners who have earned the privilege based on a record of good behavior. While the rodeo and crafts fair provides audiences with a voyeuristic spectacle for their entertainment, Cain and the Angola prison administration have touted it as a component of the prison's rehabilitation program.

Even as this event allows the public greater access to the prison and to inmates than may be traditionally expected of American prisons, it also enforces dominant racial, sexual, and gender codes through commodified displays of racial violence. As Melissa Schrift argues, Angola's rodeo relies on a "historical backdrop of deeply ingrained racial and sexual codes, violence, and state authoritarianism" (332). And, as Jessica Adams puts it, "[t]he desire for the forbidden that is visible at the prison/plantation when it opens to visitors reveals the impulse to manifest or bring to the surface those fundamental relationships that shape the self—the intimacy between apparent opposites like freedom and incarceration, master and slave, living and dead" (154). What both Schrift and Adams point to are the ways that the inside/outside boundary operates on both an imaginative and material level, as it allows spectators to see prisoners as

Others, racialized and treated as disposable while the rodeo extracts them from the social contexts of punishment. [12] The rodeo and crafts show exemplifies a kind of prison tourism that, Brown argues, "intersects with the production of penality in ways that proliferate with little impetus for thoughtful consideration or interrogation of what punishment may mean" (*The Culture of Punishment* 92). Citizen engagement with these frameworks is what Brown refers to as "penal subjectivity," or a set of "performances of punishment" that allow us to "step into or out of self-conscious modes of awareness as moral spectators and deliberative citizens" (*The Culture of Punishment* 5). Angola mediates the outsider's gaze through its tourist opportunities, which constitute performances that aim to perpetuate spatialized power relationships, a collective "us" constructed against those incarcerated.

While Angola's main draw to outsiders may be its tourist attractions, the prison has also been a source of carceral imagery and narratives. That is, Angola occupies a unique position, as it has not only been a site of documentary film interest – most notably, the Oscar-nominated *The Farm* (Liz Garbus, Jonathan Stack, Wilbert Rideau, 1998) – but it has also served as location shooting for the Hollywood films *Dead Man Walking* (Tim Robbins, 1995), *The Green Mile* (Frank Darabont, 1999) and *Monster's Ball* (Marc Forster, 2001). To this end, Angola embodies what Alison Griffiths refers to as the "carceral imaginary," or cinema's ability to help shape the public's imagination about what goes on inside prisons, and through film exhibitions in prison, also shape inmates' imaginations about life outside prison walls (1). Angola is thus both a site of imagination for outsiders and also a site where those very images that feed the public imagination are produced. As grounds for both incarceration and entertainment, Angola embodies a gaze that simultaneously mines the spectacle of incarceration as it also renders invisible a majority of the prisoner bodies it has locked away. Spectators are interpellated into

consumers of carceral violence, using the architectures of confinement and incapacitation as a type of identity formation masquerading as entertainment.

The case of the Angola 3 exemplifies the variegated and at times contradictory visual field of the Angola prison. At once, the prison makes itself and some of its prisoners hypervisible subjects to be looked at by the public. But even as it encourages some forms of public voyeuristic pleasure, it erases and renders invisible other prisoner bodies from these very same spectators. The confinement of the Angola 3 in CCR for decades allowed the prison administration to silence their voices and prevent continued political activism and organizing that could possibly disrupt the prison's power structures. But even as these boundaries have been used to silence outspoken prisoners, they have also been harnessed by activists who have sought to amplify the story and the voices of King, Wallace, and Woodfox. Indeed, as the documentaries I discuss below illustrate, these boundaries can both be tools of repression as well as tools to forge counter-visions of the prison and of carceral power.

### *In the Land of the Free…*

Out of the three documentaries in this chapter, Vadim Jean's *In the Land of the Free…* most closely scrutinizes and addresses the specifics of the shaky legal cases against the Angola 3. It argues that the cases against King, Woodfox, and Wallace have never been based on solid evidence, and that the state has instead presented flawed evidence against them in court and also withheld potentially damaging information about its cases from juries. But while it does focus primarily on the likelihood that Woodfox and Wallace did not murder Brent Miller, it contextualizes the legal battles and their incarceration within historic and contemporary racial disparities of the criminal justice system, allowing the documentary to address more broadly the

role of incarceration and solitary confinement in the United States. *In the Land of the Free…* contends that what has happened to the trio was not simply a miscarriage of justice in need of rectification, but that their suffering exemplifies both the historic and continued racial injustices perpetuated by the United States legal and prison systems.

While the boundary between the inside and outside of the prison is partially what defines the film's and the viewer's relationships to Woodfox and Wallace, the film also destabilizes and complicates this very boundary, as well. Thus, as much as the case of the Angola 3 is about their disappearance into solitary confinement for decades and about the prison's ability to engender and maintain their invisibility, it also focuses on the ways certain forms of hypervisible black bodies come to shape not only perceptions of King, Wallace, and Woodfox, but more broadly form the foundation for a sprawling criminal justice apparatus of which the trio are victims. Thus, the documentary simultaneously challenges assumptions that the prison and the court system are merely about maintaining "law and order" by instead showing how such discourses are mobilized to uphold the thresholds of visibility and invisibility, particularly of racialized, politically active prisoners. At the same time, it places these boundaries within a wider historical context through an examination of the ways Angola's history as a slave plantation rhymes with the prison's contemporary forms of punishment, as well as by focusing on how these structures of racism have always concurrently operated outside of Angola's walls. Thus, the very construction of carceral visuality is bound up with older forms of racial control and surveillance.

For the penal spectator, then, *In the Land of the Free…* constructs a space to reconsider not only how these material boundaries organize spectatorial relationships to the carceral space, but to see how the carceral boundaries extend beyond the very ones that imprison

Wallace and Woodfox. By focusing on the relationship between the legal system and the prison system, *In the Land of the Free…* illustrates how and where these boundaries extend beyond prison walls. The film thus exemplifies Orit Kamir's argument that there are similarities between films and legal decisions and rhetoric, as both construct communities through the activities of judgment and analysis (28). As Kamir points out, films about the law have the potential to produce communities of viewers who are shaped by the legal films they watch. That is, mediating the law plays an important role in how we position ourselves in relation to others in our social world. For those who have had little interaction with the legal system – predominantly white, upper-middle-class citizens – and who are thus perhaps more likely to believe in the integrity of the criminal justice system, the film reduces the distance between prison and the courtroom, showing how it reproduces racial boundaries. Rather than framing the experience of the Angola 3 as a rare miscarriage of justice, viewers are instead positioned to interrogate the very nature of the justice system itself, and the ways in which it often works differently for racial minorities.

The opening sequence of *In the Land of the Free…* connects Angola's visuality to the Angola 3, highlighting the ways the inside/outside threshold of Angola structures the viewer's relationship to them. For the penal spectator who is distanced from the tangibility of incarceration, this opening attempts to capture some embodied, experiential sense of solitary confinement, even if it can only hint at what this experience feels like. Beginning with a dark screen and King's voice, we first hear, rather than see: "You don't cry tears, you don't cry literally. The soul cries, and it's kind of hard to describe when the soul cries. I mean, it's a deep – it's an agony, you know?" As he speaks, the screen remains dark until the camera, slowly tracking upward, reaches a slot in a door, and it becomes clear that the camera and viewer are

peering into the cramped interior of a solitary confinement cell. This moment clarifies King's remarks, making it apparent he is referring to the experience of living in a solitary confinement cell. We then hear Woodfox and Wallace's voices as they describe the dimensions of their cell and proclaim their innocence while a montage of close-up and extra close-up shots of the space visually signify the claustrophobia to which King, Woodfox, and Wallace both describe and experience. This opening furthermore renders the film's title doubly ironic, as its invocation of the mythologized "land of the free" highlights both the Angola 3's lack of physical freedom in solitary confinement and their lack of opportunities for fair, speedy trials that render just and fair verdicts.

The opening's sound-image relationship also foregrounds the interrelated connections between visuality, access, and power that operate in both Angola and the Angola 3's case. That is, the empty cell in which no prisoner body is present is coupled with the recordings from Wallace, Woodfox, and King. Upon listening, King has a much clearer and crisper voice because he is mic'd for the film, while the recordings of Wallace and Woodfox's voices are noticeably grainier because they are recorded from prison phones. Beyond the material differences in sound quality, the opening constructs Woodfox and Wallace as figures of what Michel Chion refers to as the acousmêtre, the voice that cannot be localized to an onscreen body (24). As is the case with all three documentaries discussed in this chapter, our only access to Wallace and Woodfox is through these recordings, though each documentary deploys their voices differently. By drawing attention to their position as acousmêtres in this opening sequence, the film highlights the ways that solitary confinement specifically, and Angola more generally, facilitates the very literal disappearance of the prisoner body. While Chion equates the acousmêtre with "ubiquity, panpoticism, omniscience, and omnipotence," the very nature of this sequence establishes

Woodfox and Wallace as the very opposite; they are disempowered, offscreen, and out of sight (24). Instead of signifying the power of the acousmêtre, the opening establishes how closely bound the relationship of penal power is to questions of sight and accessibility, illustrating both visually and aurally the ways that the prison system reshapes our relationships to incarcerated people

As *Prison Sights* argues, both United States domestic and military prison sites are organized around a shared politics of visibility that simultaneously enact different forms of racial surveillance. One of the strategies of *In the Land of the Free…* to visualize Angola's visuality is to tie it to the criminal justice system. Rather than focusing solely on Angola's regime of visuality, *In the Land of the Free…* highlights the ways in which both solitary confinement and the criminal justice system work to construct and regulate this carceral visuality. After this opening sequence, the film visually moves us from the cramped space of the solitary cell to bird's eye view shots of the Angola prison before cutting to another bird's eye view of the Louisiana state capitol in Baton Rouge. It links the three spaces together, suggesting that what happens in Angola or in a solitary confinement cell cannot be divorced from what happens at the higher echelons of state power. By connecting these spaces together, King's representational weight within the documentary comes from his ability to bridge the gap between these spaces and between the inside of Angola and the outside world. Described in a voiceover narration as a "one man who knows what they [Woodfox and Wallace] are suffering because he, too, endured a similar fate," and who "will not rest until his comrades are free," King's struggle for Woodfox and Wallace is framed as both a humanitarian and political one. A shot of King walking away from the camera and toward the capitol is a symbolic confrontation between him and the legal system as he explains in a voiceover, "[t]he case of the Angola 3 and especially Herman and

Albert, epitomizes the injustices that you might see in this country. And if there is any case that requires some type of judicial scrutiny, it is this case."

As I have argued earlier in this chapter, Angola's carceral visuality constructs its narrative of penal progress by allowing outsiders to cross the prison boundary. By doing so, tourists engage in an embodied experience of the prison system, one that solidifies an identity of whiteness against the racialized prisoner body and also allows Angola to perform a sense of penal progress by demonstrating ostensible examples of prisoner rehabilitation. *In the Land of the Free…* challenges the very notion of this progress through the construction of a temporal dialectic between past and present, one in which the roots of Angola's racist history cannot be divorced from the specifics of the Angola 3's struggles. Indeed, King at one point remarks that "when you entered into Angola, it was like entering into a past. And it's like that to a great degree, but it was like that especially during the time when Herman and Albert first went there." In the context of this remark, King refers to the fact that even after the Civil Rights Act of 1964 had been signed, Angola remained segregated until reforms in the 1970s integrated prisoners. Moreover, Angola's geographical isolation also reinforces this sense in which the prison exists in a different time and place. But the documentary also uses the dialectic to question the prison's historical distance from its racist practices, suggesting that contrary to its self-constructed narrative, these forms of racial violence and control have not disappeared but simply changed in form.

These vestiges are alluded to early in the film, for instance, when King remarks that "after you're dead, the state of Louisiana can claim your body. Your people don't even have to get it; you belong to the state. And this is terrible." Following his remarks, the film cuts from images of a prison funeral procession and grave markers in a cemetery to archival footage of

prisoners working in the Angola prison fields under the gaze of a white overseer, and Jackson's narration begins to explain Angola's history as a slave plantation turned prison. The editing of these two scenes implies that the sense of ownership the state of Louisiana exerts over inmate bodies is rooted in the history of slavery. A series of dissolves between various archival images and footage of the Angola prison fields moves viewers through the different eras of the prison, beginning with archival footage that appears to be from the 1890s up through contemporary footage of prisoners at work. Without a doubt, this imagery draws heavily on the iconography of slaves working the plantation, suggesting that the prisoner bodies the viewers see differ little from those who worked on the Angola slave plantation. Even as the film moves from shots of prisoners working Angola's fields to shots of the prison rodeo, these images take on a new meaning and significance. By appearing in the same progression as the images of the prisoners working the slave plantation, the rodeo no longer comes to rehabilitation, but instead represents another perverse form of ownership over prisoner bodies.

The documentary implies that the history of Angola and the vulnerability of the bodies held there cannot be divorced from larger structural societal issues. After this brief history of Angola, the film moves us "150 miles down the Mississippi River" to a post-segregation New Orleans. While this allows the film to provide viewers with a brief history of the trio's upbringing and of the crimes that would land them in Angola, it also establishes a logic that links New Orleans and the poverty and police brutality endemic to the African-American communities there to Angola. In doing so, *In the Land of the Free…* avoids a tendency of many prison documentaries to individualize prisoner stories in ways that normalize and obscure the structural conditions that help account for the rise of the carceral state in the first place.[13] Instead, the documentary connects the brutality of Angola to that of New Orleans, suggesting that they are

interconnected even if geographically distinct and disparate, thereby problematizing the ways that carceral visuality works to relegate prisons, and in this case, specifically Angola, to the margins of society. Through archival footage and talking head testimony from Robert King, former Angola prisoners, and friends of the trio, we are given a sense of the ways the daily lives of African-Americans living in New Orleans could not be divorced from Angola. The archival footage consists of shots of African-Americans living in poverty, of neighborhoods of dilapidated housing, and of police violence directed at black men. By appearing directly after the segment on Angola's prison history, the film teases out a set of interrelated and interlocking factors that characterize the milieu of the United States carceral system in which Angola operates, such as the criminalization of blackness, the living conditions of African-Americans in New Orleans in the face of de facto segregation. As these archival images suggest, such social conditions produce and sustain systems of confinement and control of black bodies. But the placement of this footage illustrates the ways the logics of incarceration and confinement to extend beyond the prison, challenging our conceptualization of where the carceral space is situated.

But as *In the Land of the Free…*shows, carceral visuality not only obscures the interconnections between the prison space and other forms of policing and surveillance beyond prison walls, but also does the ideological work of rendering some bodies hypervisible and others invisible. Thus, the archival footage of New Orleans not only implicitly links the carceral boundaries of Angola and the city, but also illustrates the ways in which these images are tied up with a larger set of public discourses that reproduce racialized logics of criminality. Indeed, just as Angola's tourist activities allow visitors to differentiate themselves both imaginatively and spatially from prisoner bodies, the images of poverty, of police brutality, and of the mugshots of

Wallace and Woodfox also come to bear on the media coverage of Brent Miller's murder. The film shows us a newspaper clipping whose headline reads "'Black Power' Backers Blamed In Guard's Death," which captures the ways that the case was narrated through a lens of racialized panic and on the specter of black rebellion and violence. Thus, in the same way that the visitors to Angola define themselves against the black bodies they see at the rodeo or arts and crafts fair, the public images and discourses surrounding the Angola 3 work to allow the public to define themselves against the ostensible deviance and criminality of trio.

This becomes clearer once we see the stark contrast between the coverage of the Angola 3 and of Brent Miller. In stark contrast, Miller's widow Leontine ("Teenie") Verrett is filmed sitting on her porch, looking at photographs of her and Miller, reminiscing about him and explaining the significance of the photographs she holds. The setting of the interview with Verrett – on both her front porch and in her kitchen – situates her within the domestic setting and establishes her as a sympathetic victim, particularly in a space far different than that of the Angola prison or the urban space of New Orleans. Likewise, the photographs of Miller – of him smiling or playing football – are equally benign. However, while we may initially assume that Verrett's position as the sympathetic widow mourning her late husband would make her an opposition witness to Woodfox and Wallace, her doubts about the convictions are in part what allows Vadim to call into question the state's case against the men. This moment has the effect of undermining assumptions made about the public images of Woodfox and Wallace, pointing out how the images that circulated relied on an already existing set of racial tropes.

This distinction between the racialized discourses of blackness and whiteness, illustrated through the differences in the public depictions of the Angola 3 and the images of Miller, illuminate the role these images and discourses have played in shaping perceptions of the Angola

3. Part of what *In the Land of the Free…* explores, then, are the ways in which outsiders play a central role in shaping these perceptions and the voices that are silenced or marginalized in the process. King's own status as a former insider is juxtaposed with outsider accounts of the case, who maintain that Woodfox and Wallace murdered Miller. For example, former Angola Deputy Warden Lloyd Hoyle confidently asserts "[i]n my mind, I got 40 years of experience around convicts, those three men [Woodfox, Wallace, and Chester Jackson] murdered that boy." Hoyle's remark that he has "40 years of experience around convicts" as justification for his belief that Woodfox and Wallace were guilty of Miller's murder is obviously drawn from the flawed belief that his time working with convicts makes him an authority on the case of Miller's murder. Also featured is author Anne Butler, whose book *Dying to Tell: Angola, Crime, Consequence, Conclusion at Louisiana State Penitentiary* argued that the original verdicts against Woodfox and Wallace were correct. Butler not only contributed to the public discourse on the Angola 3 case, but was also a member of the grand jury for Woodfox's 1992 appeal. And though the film does not contradict either Hoyle or Butler's arguments in the interviews, their inclusion highlights the ways in which the public discourse on the Angola 3 was shaped by those aligned with state power.

The intervention made by *In the Land of the Free…* is in part related to the very conditions of how carceral visuality affects how we read and see images, how we discuss and debate particular events, and what the boundaries of those debates even are. Through the documentary mode, the film interrogates the very notion of juridical "truth" as it is constructed in both the courtroom and the court of public opinion. Indeed, in her analysis of courtroom documentaries, Kristen Fuhs identifies similarities between the law — and specifically, the courtroom trial — and documentary film, in that both rely on systems of representation,

performance, and narrative to negotiate our relationship to the social world (782-783). I would add to Fuh's point that these systems also work to authorize the view of visuality, both through the legal system but also the media representations and images of the courtroom and of defendants, victims, and the judicial process. These images help to construct particular relationships that the penal spectator may have to the rest of society. Indeed, to return to Kamir's point from earlier in this chapter, films about legal decisions have the potential to construct communities of viewers by engaging them in the process of rendering judgments about the case. By including opposition witnesses such as Hoyle and Butler, the film undercuts assumptions about who we presume to be reliable.

As the film digs into the inconsistencies of the state's case against the trio, it undermines the confident declarations made by Butler and Hoyle. For example, eyewitness accounts of the murder offered conflicting stories in which different inmates who had supposedly witnessed Miller's murder could only place either Wallace or Woodfox at the scene, but never both at the same time. The courtroom thus appears not as an independent arbiter of justice, but is instead bound up on the "inside" along with the prison, helping to sustain Angola's visuality. Indeed, Mirzoeff argues that law is precisely what sustains visuality's authority (*The Right to Look* 25). By highlighting the partial evidence and the withheld information about deals that the state made with witnesses in exchange for their testimony, the film ties Angola's visuality and the Angola 3 to the courtroom, establishing the ways in which the courtroom and the prison are not distinct and separate spaces, but are instead interconnected and sustain each other. By making this connection between the courtroom, legal system, and the prison, the film emphasizes the need for activist efforts to keep the public memory of the Angola 3 alive. Even after the 1990s, in which Woodfox, Wallace, and King all have new legal representation that challenges their

respective sentences, little appears to have changed in the intervening twenty years since their original convictions. Rather than placing its faith within the legal system to right its own wrongs, the film emphasizes the need for activist efforts outside the courtroom that will keep their public memory alive. Malik Rahim and activist and artist Jackie Sumell (who I discuss at greater length later in this chapter) serve as two examples as activists whose efforts to spreading the word about the plight of the Angola 3 is crucial to combatting their silence via solitary confinement.

In this respect, situating King as one of the main talking heads who has also traversed this inside/outside threshold imbues him with an oppositional voice that effectively challenged United States legal institutions. King's new lawyer, Chris Aberlee, is able to get King a new trial in the year 2000 (29 years after his original sentence) because the original grand jury had systematically excluded women from serving on it. As the case against King falls apart because the original witnesses recanted their testimony, admitting that they had not seen the crime take place, the state of Louisiana eventually strikes a bargain with King, in which he pleads to a lesser crime in exchange for his freedom. Initially reluctant to take a deal that would compromise his values, Woodfox and Wallace convince King to take the deal so that he can actively organize on their behalf outside of prison.

King's own power as an oppositional voice against dominant legal and social structures is most clearly metaphorized when he and Aberlee return to the courtroom in which the deal with the state was initially struck. King and Aberlee are filmed walking up and into the courthouse and up the stairs to the courtroom, and as they walk, they reminisce about the circumstances surrounding the deal, including the state's initial offer to charge King with accessory after the fact, which it then changed to conspiracy to commit murder. As King explains, he did not want to take a deal that would compromise his values, but at the behest of Woodfox and Wallace,

accepted the deal so that he could organize and raise support outside the prison. As they discuss his eventual choice to accept the deal, King walks into the courtroom with Aberlee. Standing with Aberlee in the empty courtroom, King reenacts his defiance in the courtroom, raising his left hand for his sworn testimony. A long shot of King with his left fist raised, evoking the Black Power fist, symbolizes the ways in which his position as a member of the Black Panthers clashes with what the courtroom, and the law more broadly, has come to symbolize within the film (figure 4). The entire scene, part reenactment and part verbal memory, allows King to control the narrative, to imbue himself as the authenticator of truth, rather than allowing the court, or figures like Hoyle and Butler, to have that privilege.

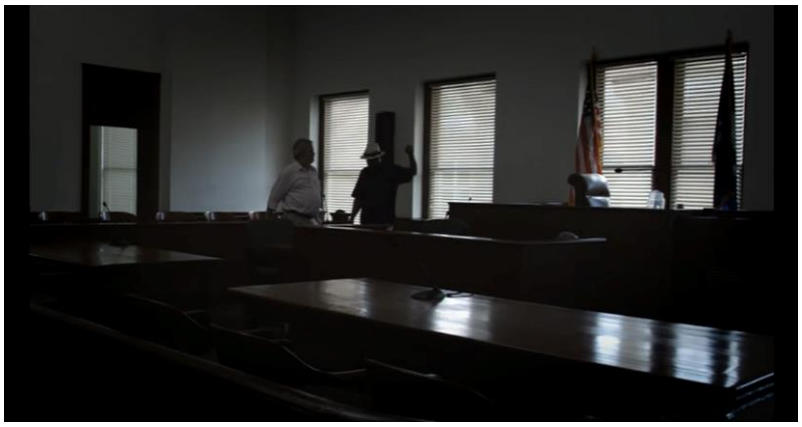

Figure 4. Screenshot from *In the Land of the Free…*(2010).

In its focus on King's struggle and his eventual legal victory, the film strikes a hopeful note regarding what it may portend for Woodfox and Wallace. But it also notes how this struggle for justice does not end with them, and the last part of the film widens its scope to consider the ways in which mass incarceration, and solitary confinement specifically, continue to pose legal and humanitarian violations of those in prison. Woodfox and Wallace's lawyer Scott Fleming discusses the rise in solitary confinement as a practice through the United States and explains that while Wallace and Woodfox are perhaps some of the first to spend such lengthy sentences in

solitary confinement, there will be many more who will suffer the same fate. Though Woodfox's conviction was overturned on September 11, 2008, the court system remains unwilling to free him. Through a bit of dialectical editing, the film shifts to a point-counterpoint structure that facilitates a dialogue between Fleming and Louisiana's attorney general at that time, James D. "Buddy" Caldwell. Filmed as separate interviews, this editing allows Fleming, and the documentary, to challenge some of the fundamental claims made by Caldwell, who becomes a stand-in and representative of the state of Louisiana's legal system. This editing stages a confrontation between two differing legal perspectives, pointing to the flaws in the state's case against Woodfox and Wallace, making one final plea for their freedom.

In its celebration of King's release and its feeling of optimism regarding Woodfox and Wallace's chances of getting out of Angola, the film's reliance on the trope of the inside/outside binary risks limiting how we think and conceive of activist work to fight back against mass incarceration, as well as works that provide a counter-visual challenge to carceral visuality. The geographer and documentary filmmaker Brett Story remarks that one of the shortfalls facing much of the documentary and academic work on prisons is "a tendency to take the supposed closed circuit of the 'criminal justice system' as a given…prisons are investigated (and in the case of so much scholarship and many prison documentaries, *described* rather than investigated) as simply a response to crime or a function of an overly punitive law and order regime, then options for analysis and deconstruction are deeply circumscribed" (Story et. al 2, emphasis original). Indeed, one of the limitations of *In the Land of the Free…* is its own organization around the issues of an overly punitive legal system and its institutional racism. While it rightly points out how the courtroom sustains Angola's visuality, it often relies on and reproduces the very inside/outside threshold. By relying on this binary, the film builds a political argument

about the case, allowing it to delve into its specifics and challenge the state's convictions against Woodfox and Wallace, and also to explore its implications for practices of solitary confinement and mass incarceration across the United States. At the same time, this runs the risk of delimiting how we think about the carceral spaces and the expansiveness of the carceral state, one which extends beyond the clearly delineated spaces of the courtroom and prison.

***Herman's House***

While *In the Land of the Free…* interrogates the physical and mediated boundaries that shape public perceptions and dominant representations of the Angola 3, Angad Singh Bhalla's *Herman's House* draws on Herman Wallace's embodied experience of solitary confinement as a focal point for challenging the incarceration of Wallace and Albert Woodfox. As a result, Bhalla's film also features a different set of approaches and strategies to address the position of the penal spectator. By engaging with the question of the inmate's subjective experience of imprisonment and solitary confinement, *Herman's House* encourages the penal spectator to consider their own embodiment in order to call attention to the inhumane effects solitary confinement has on inmates. In contrast to *In the Land of the Free…*, Bhalla's documentary removes the viewer from the closed circuit of the criminal justice system and instead points to what Nicole Fleetwood has referred to as the "porous boundaries of the US carceral system" that come to shape the affective relationships between inmates and their friends and loved ones (491). That is, in her reference to these "porous boundaries," Fleetwood identifies the ways that the brick and concrete prison boundaries facilitate and shape certain kinds of relationships, be they familial or intimate. Fleetwood discusses this in the context of family photographs taken in prison and the ways they "can communicate across prison walls sensory experiences of feeling

and touching that challenge the structural rigidity of carcerality and yet can only happen through the institution itself" (500). Fleetwood's focus on prison photographs provides a useful framework through which we can think about both how prison affects the relationship between those on the inside and outside, as well as how those relationships can be used to reconfigure those boundaries.

The subjects of *Herman's House* are Wallace and Jackie Sumell, an artist who collaborated with Wallace to develop the art exhibition and installation "The House That Herman Built." Posing the question to Wallace of "[w]hat sort of house does a man who has lived in a 6-foot-by-9-foot cell for over 30 years dream of?", Sumell's exhibition features a life-sized wooden replica of his 6x9 cell juxtaposed with a model of the dream house that he designed with her through phone calls and letters. The installation allows attendees to walk through the replica and to imagine for themselves what it would be like to spend decades within such a claustrophobic space. *Herman's House* chronicles the completion of Sumell's exhibition, its premiere in New York City, and her eventual relocation to New Orleans, where she purchases a home for herself and searches for the property and the capital to build a life-size version of Wallace's dream house that would serve as a community center for at-risk youth. The film reflects the focus of Sumell's project on Wallace's physical experience, as the viewer is asked to consider what the ramifications are of confining someone to a 6x9 cell for decades on end. How does it affect the very way they inhabit their body? How would it affect us if we were in that situation? But beyond this, the film also encourages viewers to consider the ways that the boundaries of solitary confinement structure and shape how and what kinds of relationships are possible between those held within the prison and those on the outside.

In her phenomenological study of solitary confinement, Lisa Guenther argues that the

practice “works by turning prisoners’ constitutive relationality against themselves, turning their own capacities to feel, perceive, and relate to others in a meaningful world into instruments of their own undoing” (*Solitary Confinement* xiii). While solitary confinement does not outwardly appear to be harmful to prisoners, Guenther posits that this extreme separation from others leads to an unhinging of oneself from reality. In other words, we are constituted by our relationships to others, and when those relations are denied, as is the case in solitary confinement, prisoners “become unhinged from the world, confined to a space in which all they can do is turn around or pace back and forth, blocked from an openended perception of the world as a space of mutual belonging and interactions with others (*Solitary Confinement* 165). It is precisely this lack of interaction with others and the inability to exit the confines of one’s own solitary cell that often leaves prisoners unmoored from reality, in many cases causing or exacerbating mental illnesses.

Sumell learned of these horrors from attending a lecture by Robert King on the cruelty of solitary confinement and the case of the Angola 3, and afterward began a correspondence with Wallace. A Brooklyn-born artist, Sumell’s work has often sought to connect the personal to the political. Her 2001 activist project “No Bush” protested the George W. Bush administration’s ban on federal funding of overseas family planning groups that offer abortion counseling and services. Sumell called for women to mail her baggies of their pubic hair, and the 200-plus submissions were eventually displayed during the National Organization of Women’s march in Washington, D.C. a few months after Bush’s inauguration. While certainly not as raunchy, “The House That Herman Built” explores the ways the political and legislative decisions made by those in power are exercised on individuals’ bodies and also provides a tangible example of this connection while offering a meaningful way to connect the public to a space that is off-limits to them. In an interview, Sumell explains that “The House That Herman Built” is meant to produce

a different relationship between attendees and the issue mass incarceration than the one they would have if they were reading stories about it in the news: "But when I started to talk about Herman's house as a project, it provides a little bit of distance from the tragedy and gives you a moment to reflect on what's being said, and often you can actually accept the tragedy, and connect to it. The tragedy of Wallace's situation doesn't become part of this barrage of sad; it provides hope in a lot of ways, as simple as that. And so, people, by nature, prefer to connect to hope than tragedy" (qtd. in Himada 21-22).

Implicit in Sumell's remark, I would argue, is an acknowledgment of the highly mediated relationship between the penal spectator and Wallace's incarceration. That is, she recognizes, and attempts to circumvent, the mediated distance produced by news articles that may render readers passive in the face of tragedy by instead encouraging the act of imagining as a step toward engagement and action. There is, of course, danger in this act of imagining. On the one hand, as Guenther argues, to resist the spread of solitary confinement as a disciplinary tool, one must attempt to imagine what that experience is like, even while recognizing the impossibility of doing so. "The act of imagining," she contends, "opens up an *elsewhere* and an *otherwise* within our current situation; it allows us to transpose ourselves into another place and time, another social position, and another subjectivity" (*Solitary Confinement* 165, emphasis original). That is, if we imaginatively occupy the subject position of a prisoner in solitary confinement, one may be more inclined to resist and protest against its use a disciplinary tool. But on the other hand, the act of imagination may rely "carceral fantasies" (in the words of Griffiths) that draw on and reinforce racialized imaginaries and assumptions about prisons to begin with. When considering that some of the most dominant images of imprisonment – particularly that of black or brown bodies in prison cells – continue to circulate across many mainstream prison documentaries,

there runs the risk of simply reinforcing this imagery without an interrogation as to how they have come to be constructed.

The effectiveness of Sumell's exhibition relies on the attendee's own recognition and consideration of their embodied presence in this particular time and space. Unlike more traditional forms of prison tourism, which Michelle Brown argues "leave participants suspended in the context of vast omissions even as they encourage their audience to participate vicariously in past judgments," Sumell's project keeps participants rooted in the present by asking them to actively imagine Wallace's current condition and experience (*The Culture of Punishment* 87). Sumell's project draws its affective power from the simultaneity of the attendee's experience with that of Wallace's incarceration, which has the potential to implicate the attendee in a way that other forms of penal tourism may not. In other words, by recognizing their sense of embodied place within the replica cell, the attendee may also think about Wallace's own simultaneous experience. Because he is out of our sight, disappeared within solitary confinement, "The House That Herman Built" nudges us to think about the forms of punishment that we are willing to tolerate, or even question whether we know about them in the first place. The installation draws on Judith Butler's conception of precarity, a shared recognition of intersubjective bonds that link us together. For Butler, "the apprehension of another's precarity is implicitly an apprehension of our own, although the singular determination of lives makes it impossible to assimilate the one into the other" (xvi–xvii). But of course, even while Sumell's exhibition can spur recognition of that shared precarity – that is, the attendee may recognize not only Wallace's suffering, but also how they, too could be in a similar position – such precarity is unevenly distributed. Thus, "The House That Herman Built" relies on the attendee's recognition

of the various privileges that might play a role in determining their own bodily vulnerability and their chances of ending up in prison to begin with.

While the act of entering the replica cell is one way in which the exhibition attempts to forge a connection between attendees and Wallace, the miniature balsa wood replica of his dream house and accompanying CAD model and audio tour establishes Wallace's subjectivity in another way. The house is presented as an extension of Wallace, and Sumell frames Wallace's imagining of his dream house as a way to save his psyche from the oppressive "dungeon" of Camp J in Angola; as he remarks in *Herman's House*, "[y]ou look at the house, you're looking at me." The dream house is not particularly extravagant; as a prison architect interviewed in *Herman's House* notes, the house design is rather bourgeois in nature. Featuring a garden adorning the outside, the house's interior consists of things such as a well-stocked pantry, a master bedroom with a fireplace, a 6 foot by 9 foot hot tub, and a swimming pool with a large Black Panther painted on the pool's floor. While the spatial design bears traces of Wallace's decades in solitary confinement, the house also seeks to transcend his prison identity. For example, its décor, such as his choice of African art in the master bedroom, the Black Panther in the swimming pool, and the set of revolutionary figures in the kitchen are markers of his own cultural and political commitments. Moreover, the effort to fully realize Wallace's dream house and to turn it into a community center for at-risk youth in New Orleans – one of the efforts captured in *Herman's House* – further destabilizes the boundaries between inside and outside, allowing Wallace to define himself in ways that avoid reducing him to the monolithic identity of prisoner or inmate.

As Brown has noted in her discussion of carceral counter-imagery, one of the difficulties facing activists who seek to disrupt and upend the visual language of carceral visuality is that

they "must address the catch-22 of the spectacle of disappearance and the human-in-a-cage as the sole modes of visibility," a dilemma that has in turn produced a "political urgency for making sure that the incarcerated are visible *as disappeared subjects*" ("Visual Criminology" 185, emphasis original). She observes that one way in which activists and community members have organized against prison expansion and mass incarceration is through the use of signs at protests that highlight the relationships between them and their incarcerated loved ones ("Visual Criminology" 187).[14] The power of these signs is that they locate prisoners within the web of social relationships to which they belong in an attempt to reframe how we imagine our own relationship to them. Likewise, Wallace's relationships are a central focus of *Herman's House*; the film renders him as a visible "disappeared subject" precisely by situating him within a network of friends and supporters. Indeed, in her brief remarks on the film, Guenther notes how central this is to an alternate imagining of Wallace, as "Herman becomes visible both in the sound of his voice on the telephone and in the responses of people who listen to him" ("Inhabiting the House" 163). Through its focus on the relationships sustained by Wallace across prison walls, and the focus on his collaborative work with Sumell, the film redraws the very boundaries that come to constitute the penal space. It asks us to think less about the prison as only a space that confines bodies but also to think about how the prison inserts itself into the relationships sustained by the people held in these spaces.

We can see some of the different ways of engaging the spectator's relationship to the carceral imaginary by way of comparing how *In the Land of the Free…* draws on the penal spectator's imagination much differently. In the opening of Vadim's film, viewers are asked to imagine what Wallace and Woodfox's cells may look like, but this does not necessarily ask the spectator to imaginatively transpose himself or herself into that cell. The opening of *Herman's*

*House*, on the other hand, more directly engages with the viewer's imagination through its sound-image relationship. We are presented with a black screen and audio of Wallace explaining the dimensions of his cell: "I can only make about four steps forward before I touch the door. And if I turn in an about face at any place in this cell I'm going to bump into something. I'm in the cell for 23 hours a day. I'm used to it and that's one of the bad things about it." This opening not only asks viewers to imagine the design of Wallace's cell and the process of moving through it, but also frames it a site of lived experience, of a place where he resides, which in turn shapes his relationship to the rest of the world both inside and outside the prison.

Furthermore, this opening establishes the spectatorial dynamics between Wallace and the viewer that are present throughout the film. Never in our sight, save for a few old photographs shown briefly, Wallace is both an absent body and a central acousmatic figure. Indeed, Bhalla, had no interest in actually trying to physically show us Wallace, remarking that he "wanted people to feel the frustration of separation" (Mensour & Kilibarda). Even images of Angola are notably absent from the film (except for a bird's-eye view shot of the prison at the end of the film) in an effort to avoid prejudicing people against Wallace (Bhalla). Unlike *In the Land of the Free…* where the voices of Wallace and Woodfox are ultimately subordinated to the film's discursive structure, Wallace's voice in *Herman's House* feels as if it enters or spills over into the various places Sumell travels. The film's emphasis on physical space, geography, and mobility often highlights her embodied presence in the outside world as it simultaneously draws attention to Wallace's very lack of physical freedom. When Wallace speaks, the film never cuts to a static image of him or evidentiary images that are meant to confirm what he is saying. Instead, the camera remains doggedly fixed on what is going on in the outside world, a juxtaposition between the physical freedom enjoyed by Sumell and the sense of immobility that

Wallace's voice signifies.

Wallace's corporeal experience of living in his solitary confinement cell detaches his voice and body in ways that also produce a feeling of separation between him and the viewer. At one point, for example, Wallace describes his embodied experience of being released from solitary confinement into one of Angola's dormitories for eight months before eventually being placed back in solitary confinement. In an audio track, Wallace provides a detailed description of the bodily experience of the sensations felt when he moved into a more open space, while a roving camera moves along the outside of Sumell's replica cell before cutting to a series of cramped, close-up shots of its interior in a stylized black and white. As it does, Wallace explains:

> Being in a cage for such an extended period of time, it has its downfalls. You may not feel it, you may not know it, you may think that you're okay, and you just perfunctorily move about. However, when you was removed from out of that type of situation and placed in an open environment where you're even breathing that oxygen and it's getting into your lungs and you're feeling something growing within you. You begin to develop a different mode within your body. I even watched my body, I looked in the mirror and I seen muscles and shit begin to pop out. I began to run even faster. And I'm saying whoa, what the hell is going on here? Much was preserved. But then, I got locked up again after eight months. Being locked up like that, the whole body just got confused.

With the replica cell as our visual guide, the film invites us to imagine Wallace's move from solitary to the dormitory. But this act of imagining is complicated by the scene's sound-image relationship. Instead of relying on the standard prison documentary iconography of Wallace in a cell from which he talks talking about his experience of moving from solitary confinement to the dormitory, the film frustrates our desires to see him through a series of shots that in many ways

de-naturalize the carceral space itself. This is further complicated by Wallace's own testimony, which centers solely on an embodied experience that is invisible to the spectator. His descriptions point to an experience of incarceration that is impossible to reenact, one that challenges some of the very basics of how we may imagine or engage in carceral fantasies. The sound-image relationship, in other words, is void of any traditional imagery we may associate with incarceration. The penal spectator is thus oriented toward a different kind of relationship to Wallace. Indeed, as he discusses watching his body in the mirror, we see a blurry set of people who appear to be walking outside, possibly across the street in front of wherever the exhibition is being held. The blurriness of those bodies serves as an apt metaphor for our own spectatorial relationship to Wallace, as his present absence means that we are unable to ever get a clear glimpse of him (figure 5). On another level, the fact that the camera peers out at these figures from the confines of the replica cell also directs our attention to Wallace's visual relationship to the outside world. That is, as much as we are unable to see him, he is unable to see us.

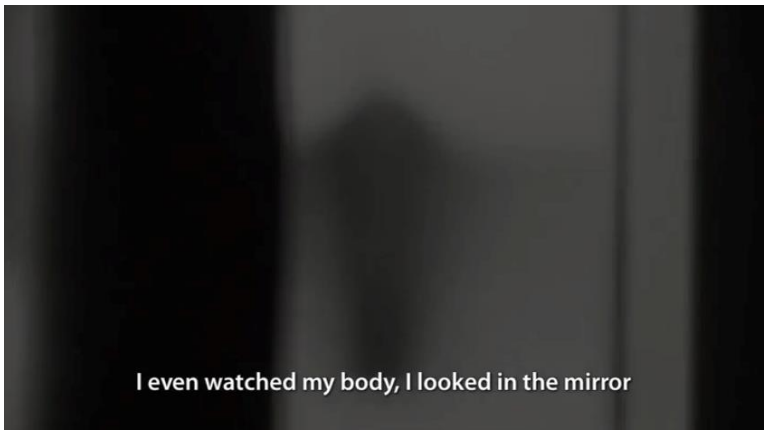


Figure 5. Screenshot from *Herman's House* (2012).

While *Herman's House* uses these visual strategies to draw attention to Wallace's physical absence from the film, the relationships Wallace has with Sumell and others become one of the film's other primary strategies for rendering Wallace's absence. By making these

relationships a main focus of the documentary, *Herman's House* allows Wallace to become visible in another way, and also points to the ways in which the markers of race, class, gender, and geography come to bear on the kinds of relationships Wallace has and how they are sustained. In other words, by focusing on these relationships, *Herman's House* shows the ways the prison's boundaries extend beyond its physical walls and is instead insinuated in the daily lives of those who sustain relationships with Wallace. We are able to see how collaborative relationships, attempts at constructing solidarity through activist networks, and familial relationships are impacted by an expansive carceral state, one whose impacts extend beyond the individual bodies that are warehoused in prisons.

Indeed, Bhalla's own choice for how he approached Wallace and his incarceration was borne out of a desire to not make Wallace a "cause" (Bhalla). Such an approach takes heed of Alexandra Juhasz's warning that one of the risks inherent within filming prison documentaries is reproducing a subject/object position of the victim documentary, thereby reinforcing the very insider/outsider binary that defines imprisonment in the first place (73). The film avoids reproducing these binaries by resisting the tidy distinction between Wallace as a "cause" and Sumell as a selfless activist. Instead, we see moments in which Wallace and Sumell butt heads and moments of friction between the two as they attempt to make Wallace's dream house a reality. To this end, Wallace is upfront about the thorny power differentials inherent in such a collaborative relationship and the ways in which they both stand to benefit in different ways: "Everybody has an agenda. Jackie has an agenda. Jackie has a career. One can very well say the same thing about me. That I am using Jackie in order to highlight my own struggle, in order to highlight it to the point that where it would serve to help my freedom. But let's not take away the relationship that Jackie and I have built during the process of this."

The acknowledgment of these power differentials and Bhalla's desire to avoid the simplistic reduction of both Wallace and Sumell to essentialized roles break down the tropes of the insider and outsider. While carceral visuality establishes a threshold between the inside and outside in which prisoners are spatially separated from the outside world and occupy a particularly static identity as inmate, *Herman's House* complicates this binary through its focus on the relationship and collaboration between Wallace and Sumell and Sumell's own efforts to build solidarity in the struggle for Wallace's freedom. What these relationships – and the moments of tension as well as mutual support in them – reveal are the ways that what it means to be an "insider" or "outsider" shift. Specifically, the film captures some of the ways that different bodies are constituted as insiders and outsiders within the carceral state and the ways they are marked with either privilege or precarity.

We see this, for example, in the film's introduction to Wallace's sister Vickie and in her attendance at the exhibition *The House That Herman Built*. The moments with Vickie capture her unwavering strength in the face of a family tragedy, but also underscore the financial and emotional labor that goes into maintaining relationships across prison boundaries. Indeed, we are introduced to Vickie during a moment of this labor, as she shops at a supermarket for ingredients for deserts she is baking to celebrate Wallace's birthday. The film then follows her to her home where she bakes the deserts but also shows the camera a set of memorial photographs of her younger sister, her mother, and her son. She also pulls out a family photo album, showing off photographs of her mother and her stepfather as well as a photograph of Wallace. Vickie remarks that her stepfather refuses to visit Wallace in prison because in her words, "he feels to believe you shouldn't have been in there. What you went in there for you did have to do what you did."

Rather than situating Wallace within a carceral context, the scene places Wallace within an alternate framework of familial relations. Here, he is seen as a son and a brother. But furthermore, these moments also attest to the stress incarceration places on families. Though she only briefly alludes to her stepfather's refusal to visit Angola, the scene nonetheless highlights the amount of emotional labor that Vickie puts into maintaining her relationship with Wallace. In the scene, she remarks that she has been visiting Wallace in prison for over forty years, and as we watch her baking the cookies and cupcakes, what becomes clear is not only Vickie's devotion to her brother, but also the ways in which the burden of incarceration falls unequally across lines of race, class, and gender. As Megan Comfort argues, the tendency to focus on how mass incarceration affects women has primarily centered around female inmates, while less attention has been paid to the millions of women who are responsible for maintaining familial and intimate bonds with those incarcerated (8). Given the vast racial disparities in incarceration rates, then, these burdens fall primarily on women of color (Fleetwood 500). Thus, these first two scenes with Vickie, both in the supermarket and her home, point to the ways in which the boundaries of the carceral system not only shape the lives of the prisoners who are warehoused, but also affect the bonds of loved ones who provide support and care for those imprisoned.

The mediated and distanced boundaries between the penal spectator and Wallace are thrown into stark relief when Vickie travels to New York City to attend the opening of Sumell's exhibition. Filming Vickie's arrival by taxi outside the exhibition space, we watch Sumell and Vickie embrace on the street and then follow the two up an elevator into the exhibition space. The elevator doors open into the exhibition, crowded with attendees who are milling about, chatting, and admiring Sumell's work, and it is difficult not to notice the predominately white crowd and the bar serving drinks nearby the replica cell. This heightens the gulf between Vickie

and the rest of those in attendance, particularly as she confronts the replica cell. The camera follows Vickie in a medium or medium close-up shot, capturing her initial silent reaction to the cell as she walks up to its door. Sumell asks if she thinks she can enter it, to which Vickie responds, "No, no, no" before she becomes teary and lays her head on Sumell's shoulder. The film cuts away to a close-up shot of two exhibition attendees – both white males – as one looks closely at Wallace's miniature dream house and the other stands in the replica cell before walking out. Later, Vickie does enter the replica and sits on the cell bed before remarking "I don't like this." These are intensely personal moments that also highlight the different levels of distance occupied by penal spectators, specifically Vickie's lack of distance that is juxtaposed with the other attendees.

Vickie's relationship with Wallace is, of course, not the only focus of the documentary. Other relationships in the film illustrate the varying ways in which the carceral space structures and shapes connections between those on the prison's inside and outside of it in ways that fall across a variety of identity markers. Certainly, the friendship that develops between Sumell and Vickie highlights the primacy of these identity markers in shaping the penal spectator's relationship to incarceration. But as the film continues, the ways in which these identity markers shift – and the boundaries between insider and outsider along with them – illustrate how these boundaries challenge the very processes of building solidarity and in organizing against incarceration. Indeed, if Vickie's presence in the documentary highlights the gendered and racialized burdens that fall upon her, Sumell's move to New Orleans calls attention to the slew of privileges and tensions that characterize her activist work and that challenge her efforts to build solidarity for Wallace's cause. These shifting boundaries, which position Sumell as an outsider to Louisiana and the South more generally, reveal what Judah Schept argues is the "political-

epistemological work of carceral visuality" that "structures the very possibilities for perceiving mass incarceration" (216). While Schept points out how carceral visuality obscures and naturalizes the everyday violence of the state and renders only spectacular forms of violence abhorrent, I would add that it also naturalizes the physical and imagined spatial distance between those in prison and those on the outside, making the process of constructing a sense of solidarity more difficult to achieve. By following Sumell's activist work in the film, *Herman's House* implicitly highlights the boundaries that shape and challenge acts of building community and solidarity, thereby creating a space for the viewer to consider their own subject position.

We see Sumell's own position as a white, East Coast activist highlighted in a couple of instances in the film. The first is during a conversation Sumell has with a real estate agent who is helping her search for property suitable to build Wallace's dream house. While they are checking out a possible site, Sumell raises a concern about potential neighbor reactions to Wallace living in the house. The agent explains "Okay, you're from New York, and I know people have different maybe thoughts, but around here, it's almost like 'Who cares?' No offense, but who would care? If he bought the property next to me, I wouldn't care. He gets in my way, you know, you've got guns, you know? I mean, heck, why would it bother anybody?" A somewhat bemused and surprised Sumell raises her eyebrows at the casual remark about guns, simply answering "Right…" in response. At another point, Sumell meets Wallace's friend Malik Rahim, who explains the viewpoint of those in New Orleans who will be opposed to the project: "You ain't gonna do nothing to honor this nigger that we hate. One thing, we hate you, because you're down here talking about starting this. You ain't from the South. You're a white girl from New York. You need to take your Yankee ass back to New York."

These differences are also on display in a conversation Sumell has with an older African-American man sitting in his yard as Sumell is searching for potential properties in New Orleans. Initially inquiring about a plot of land across the street from the man's house, Sumell explains to him why she wants the land, mentioning Wallace's 30 years in solitary confinement and her efforts to build his dream house. What follows is an argument between the two about the (in)justice of solitary confinement for that length of time and of the criminal justice system more broadly. While Sumell argues that solitary confinement for 30 years is cruel and unusual punishment, the man insists "you had to do something to get there. You broke the law, you gotta live with it." Mentioning Wallace's membership with the Black Panthers as the reason for his placement in solitary confinement, the man cuts her off: "So what? I don't like the Black Panthers, I came up with 'em, I never would join none of 'em." The two briefly spar about what the Panthers stood for, and upon learning Sumell is 35, the man responds "[y]ou know nothin' about it. We're looking at the same thing but we see different ways of it."

All three moments highlight Sumell's position as an outsider within the South and the ideological barriers that frustrate potential efforts for coalition building. Even though the interlocutor into the above scene openly recognizes and acknowledges that the laws in the country are not applied fairly, he remains steadfast in his contention that the people currently in prison are there "because they're supposed to be there." It is a remark that reproduces the authorized view of carceral visuality, in which the prison system is seen as a tool of criminal justice that locks away those who deserve to be there. The inclusion of this scene within the film, particularly coming after Rahim's remarks about Sumell's position as an outsider in Louisiana, serves to capture the efforts and the frustrations of dialoguing with others who may hold

opposing viewpoints. And as *Herman's House* illustrates, there is no particular silver bullet for effectively challenging this opposition.

I want to juxtapose this argument with a scene that comes slightly later in the film, when, during her search for land, Sumell purchases her own house in the Lower Ninth Ward.[15] Having fully relocated to New Orleans, we see multiple shots of Sumell riding her bike through the neighborhood or walking her dog as she continues to search for property and capital to build Wallace's dream house. While Sumell remains focused on the task of building Wallace's house, we also see how she has integrated into the neighborhood. This is exemplified in the sequence that introduces us to her house in which she is also spending some time with her neighbor's children. In the kitchen, Sumell shows one of the children how to crack an egg into a bowl while in a voiceover she explains the role she sees herself, and her house, serving the community: "My children are any child that comes into this house and, like, says I'm hungry, you know? Erica's kids [Sumell's neighbor] are a really special situation because Erica has been doing this on her own. You know, her life partner has been in and out of jail, and so they all end up here at any given time."

The scene evokes a sense of domestic tranquility at the same time that Sumell's voiceover gestures toward the precarity of her neighbor's situation. The impact of incarceration and the carceral state more generally haunt the margins of the scene. This is perhaps best captured in a long shot of Sumell and the children standing in the kitchen while the camera films them through a window that has metal bars affixed to it. The metal bars disrupt this otherwise idyllic domestic scene, quite literally metaphorizing the intrusive feeling of incarceration into the private space of the home (figure 6). Both the shot and the scene as a whole recenter the focus from Angola onto the ways in which the prison stands at the center of many social formations and affects the lives

of those who may not even be in prison. Much like the scenes with Vickie, this moment points to the ways in which the burdens for those maintaining familial and intimate ties with those incarcerated falls across racialized and gendered lines. And in doing so, it also resituates the boundaries between the inside of the carceral space and the outside by pointing to how it comes to re-form and re-shape people's relationships and daily lives. This also reconceptualizes the kinds of activist work that can go into resisting the carceral state or ameliorating its effects. In this scene, Sumell's house operates as a makeshift community center in the same way that Wallace's dream house is intended to be.

Figure 6. Screenshot from *Herman's House* (2012).

While it is never clear what the utilitarian politics of Sumell's project are – that is, how, and if, it could actually get Wallace out of Angola – both her exhibition and Bhalla's film are engaged with the question of the different relationships that Wallace's confinement has produced. Certainly, there are relationships and commitments between Wallace and Sumell, between the two of them and Vickie, as well as numerous others. Both her project and the film allow others to consider their own relationship to Wallace, even if they do not have contact with him. In other words, Wallace's confinement and suffering is something in which we are all implicated, even if we are not the ones who put him there or who kept him in solitary

confinement. As much as *Herman's House* asks us to think about Wallace's absence from the film, it, like *In the Land of the Free…*, positions viewers to consider how community activism can serve an important purpose for seeing the conditions of the prison space differently.

### *The Deeper They Bury Me*

I want to turn now to the final film I will discuss in this chapter, the interactive web documentary, or webdoc for short, *The Deeper They Bury Me* (which is a line taken from Wallace's poem "A Defined Voice")[16]. Released two years after *Herman's House*, *The Deeper They Bury Me* features audio content from around 40-50 hours of conversations between Bhalla and Wallace that did not make it into the film. The webdoc recontextualizes these recordings as a phone call between the user and Wallace, in which one has twenty minutes — the time allowed for a prison phone call — to navigate the documentary. Eschewing the linearity of *Herman's House*, the webdoc covers an array of topics, from the history of Angola, Wallace's upbringing, his relationship to the Black Panther Party, and the daily moments of humiliation he is subjected to in solitary confinement. Users can initially enter one of two spaces, either Wallace's dream house or his solitary confinement cell, and after moving through both, unlock other spaces. While the content of each part of *The Deeper They Bury Me* changes as the user moves through it, the general interactive structure remains the same: users can drag their mouse to get anywhere between a 180-degree to 360-degree view of their surroundings, and can click on different highlighted parts of the environment to interact with them. Once a user clicks an object, the film plays an audio clip of Herman in which he remarks on something related to that object. When navigating through the webdoc, it becomes apparent that it is not possible to fully explore the

entire documentary within a single twenty-minute session (the user's progress is saved, so they can pick up where they left off after accepting another call).

In this final section, I argue that *The Deeper They Bury Me* continues its exploration of the ways that the social relationships between those incarcerated and those on the outside can complicate, challenge, and disrupt the penal spectator's relationship to the prison system. While *Herman's House* is concerned with Wallace and Sumell's collaborative relationship and the network of friends and support that he has, the webdoc uses its interactive structure to make the user's relationship to Wallace its central focus. It collapses the distance between the two through a mixture of animation and archival imagery, which draws attention to Wallace's subjective experience in solitary confinement and also brings the user within the webdoc's imagined rendering of the carceral space. The interactive features and the aesthetic choices point to the highly mediated relationship between Wallace and the user, even as it attempts to reduce this distance, ultimately producing a paradoxical relationship between Wallace and the user in which we are brought closer to him and Angola even as the webdoc announces our distance from him.

The issue of interactivity is central for considering how *The Deeper They Bury Me* plays with and attempts to reshape the boundaries between the user and Wallace. Indeed, as Kate Nash argues, one of the fundamental differences between a DVD documentary and a webdoc is the way in which in which they position spectators, as the latter "invites the user to play a role in the presentational order of the documentary" (199). Her emphasis on the ways that webdocs uniquely position spectators/users intersects with Brown's theorization of the penal spectator who is distanced from the space and the practice of incarceration and punishment. The interactive structure and the experience it provides the user is central to getting them to recognize the distance between them and Wallace, as well as to get them to conceive of their relationship to

him differently after navigating through the webdoc. By allowing users to "enter" the space of Angola, *The Deeper They Bury Me* can both draw attention to the inaccessibility of the prison's interior and of Wallace from the outside world, but can also encourage them to consider their own subjectivity and embodiment in relation to his incarceration. Indeed, as Judith Aston and Sandra Gaudenzi argue, interactivity requires the user to "play an active role in the negotiation of the 'reality' being conveyed" and also "requires a physical action to take place between the user/participant and the digital artefact [sic]" (126). The physical actions required by *The Deeper They Bury Me* provides the opportunity for the user to become aware of their physical, embodied presence, particularly when Wallace's subjectivity is a central part of the webdoc's focus.

While the interactive structure is one way the webdoc focuses the user on their embodiment, the use of animation and illustration draws attention to Wallace's subjectivity and embodied experience in solitary confinement. While animation and illustration are used sparingly in *Herman's House*, they dominate the webdoc; there is little in the way of actual documentary footage of either Angola or of Wallace. As Annabelle Roe has argued, the use of animation within documentary film does not threaten its representative abilities, but instead allows them to "convey visually the 'world in here' of subjective, conscious experience — subject matters traditionally beyond the documentary purview" (2). For *The Deeper They Bury Me*, animation and illustration foreground the inaccessibility of both Angola's solitary confinement cells and of Wallace, and also attempts to capture the ways in which it impacts his psyche and shapes his daily life. Much like in Sumell's exhibition and in *Herman's House*, the webdoc attempts to make the user aware of their own subjective, embodied position by asking them to consider it in relation to Wallace's.

This question of embodiment is also raised through the film's sound design, and more specifically, with Wallace's voice. Aside from a photograph of Wallace seen briefly in the opening montage, there are no other images of him in *The Deeper They Bury Me*. With no other visual images of him, and without his physical presence in front of the camera, his voice comes to play an important role in constructing the user's relationship to him. Of course, while this is also the case for *Herman's House*, his absence in the two films produces different effects. Because *Herman's House* focuses so much on the relationships Wallace has with those beyond prison walls, his voice is always deployed in relation to his network of family, friends, and supporters. On the other hand, the recordings of Wallace in *The Deeper They Bury Me* are re-contextualized as a one-on-one encounter with the user. In other words, there is no one else besides the user to whom Wallace is speaking. Along with this different aural relationship, the visual perspective we occupy while navigating the documentary further complicates the boundaries between Wallace and the user. The user is always situated within a point-of-view shot, which has the effect of producing a greater sense of immersion while exploring both Angola and Wallace's life. When we look around Wallace's solitary confinement cell, for instance, are we looking through his eyes or our own?

The indeterminacy of embodiment is perhaps most clearly articulated through the opening two sequences that the user must navigate before other parts of the webdoc can be unlocked. After accepting the phone call from Wallace, the user can initially enter two spaces, one titled "I Can Only Dream," an artistic rendering of a part of his dream house, and the other titled "Surviving A Cage," in which users enter an illustrated version of Wallace's solitary cell. The juxtaposition of the two spaces both stand in stark contrast to one another, but at the same time also illuminate some of their similarities. While Wallace's dream house is, of course, pure

imagination, the illustrated solitary confinement cell is also built from the descriptions of Wallace's letters and phone calls. In both cases, then, they are constructed out of imagination and fantasy; even if the cell in the webdoc is based on the design of Wallace's actual cell, its illustration points to the fact that it is only accessible to us through imagination. The common thread of imagination that links these two spaces together becomes more apparent after entering the solitary cell, in which users are able to click on and interact with a set of highlighted items in the cell. Clicking each time cuts to a recording of Wallace talking about it in some way, while an accompanying animation visually articulates his words. For instance, clicking on the toilet's flush button initiates a recording of Wallace discussing his total lack of privacy in his cell to the point that he's being watched on camera even while he uses the toilet. As we listen to the recording, animated faces and eyes appear, giving a sense of being surveilled even if neither he nor we can see to whom the watchful eyes belong (figure 7). As much as it gives a glimpse into the realities of Wallace's daily life in Angola, it blurs those lines between reality and imagination through these drawings and animations.


Figure 7. Screenshot from *The Deeper They Bury Me* (2015).

However, the focus on Wallace's embodiment does not come at the expense of an interrogation of the larger historical, social, and cultural issues intertwined with his incarceration.

While the webdoc does not make an explicit argument about how these issues have shaped his extended imprisonment in solitary confinement, it nonetheless provides the potential for the user to connect Wallace's subjectivity to a longer history of racialized punishment. In part, this is due to the choice to include both a focus on his embodiment and the historical context that provides glimpses into Wallace's life growing up in poverty in segregated New Orleans, into his involvement with the Black Panthers, and into his experiences in Angola in the 1970s. It also unlocks two other sections that address Wallace's indefinite detention in solitary confinement (containing an excerpted recorded interview with Wallace's lawyer Nick Trenticosta) and a section in which Wallace contextualizes the Black Panthers' political organizing in Angola within the rebellions and strikes in prisons across the nation in the 1960s and 1970s.

One of the ways in which the webdoc forges connections between contemporary and historical aspects of racialized punishment is through the visual treatment of its historical material. In these historical sections, there is a marked shift from the illustration and animation that dominates the opening two sections to archival photographs that help provide visual confirmation for the events Wallace discusses. But rather than simply using them for evidentiary purposes, *The Deeper They Bury Me* spatializes the photographs through a series of pans and zooms that produces the 2.5-dimensional photographic effect popularized by the documentary *The Kid Stays in the Picture* (Brett Morgen and Nanette Burstein, 2002). This spatialization produces a sense of photographic depth and removes some of the spectatorial distance between the user and the webdoc. This 2.5-D effect is coupled with continuously tracking camera movement across the series of photographs, producing the sense that they are not discrete images but instead belong to a large panorama. These visual effects are another way in which the webdoc plays with the threshold between inside and outside because they quite literally give the

sense that the user is closer to the images, engaging them in a way that would not be possible if these photographs were being shown as a series of discrete, two-dimensional images. For example, as Wallace discusses the segregation of Angola, the camera tracks across a photograph of racially segregated prisoners walking down two parallel walkways into a prison building. We are positioned behind the black inmates, occupying the same line of sight they do (figure 8).


Figure 8. Screenshot from *The Deeper They Bury Me* (2015).

In other moments, the photographs not only collapse the distance between webdoc and user, but also collapse the threshold between Angola and the world outside it. Within the above sequence, Wallace implies that Angola's racial segregation was at least a partial cause of the violence he witnessed there. He recounts watching an inmate named Catfish get stabbed to death while attempting to rape another inmate: "The strangest thing occurred to me was that the death penalty was in effect. No black man who killed another black man in prison was brought under these charges. The state was encouraging us to kill each other." As he speaks, the camera tracks across a photograph of a prisoner positioned in a fighting stance followed by the fade-in of a lynched body. The two photographs are positioned side-by-side, logically connecting two types of state-sanctioned violence and reflecting Angela Davis' claim that "[a]s the dominance of imprisonment increased and lynching waned under the impact, the public dimension of imprisonment began to give way to hidden forms of violence" (54). That is, even though the

murder of Catfish happens out of sight behind prison walls in comparison to the spectacle of public violence of lynching, the juxtaposition of the two photographs collapses the types of violence and the spaces in which they happen. This suggests that the extrajudicial racial violence happening outside the prison walls is not much different than what happens inside the prison and also draws a historical connection between two different eras of American history.

Coupling this look at the historical context with the focus on Wallace's subjectivity confronts the user with a historical continuum of state violence against black bodies. Ranging from lynchings to the sheer neglect of prison safety to solitary confinement, the types of violence the webdoc points to are distinct but interconnected. And while *The Deeper They Bury Me* may not openly articulate this, it nonetheless provides a space for the user to place Wallace's suffering, and Angola, within this historical framework. To this end, *The Deeper They Bury Me* reflects Brown's argument that penal imagery must "open up a set of questions which it cannot close off. It must open up a space that requires work, rather than resolution" (*The Culture of Punishment* 82). Because the webdoc provides no overarching argument or explanation for how all of the content in it fits together, the user is required to make these connections themselves.

*The Deeper They Bury Me* ends after either the twenty minutes has expired or after entering the prison dormitory, at which point they are given the option to end the call. Upon ending the call, the documentary cuts away from its interactive interface to prerecorded video footage. As soft music plays, we see a low angle shot of a lone bird sitting in a tree. Onscreen text explains that Wallace was sent back to solitary confinement after 8 months in a dormitory, and that he was finally released from Angola after being diagnosed with terminal liver cancer. In a voiceover, Wallace explains the impact he believed his diagnosis had on others: "Many people believe that things happen for a reason, and it all depends upon how someone lives their life and

this illness that I have – I think it gives people, or rather – has given people a wake-up call of what's going on inside these prisons. Solitary confinement. It destroys the person physically and mentally." As he finishes speaking, the webdoc cuts to more prerecorded footage of a black man (a stand-in for Wallace) walking through what appears to be a coastal region of Louisiana. In a voiceover, Wallace reads his poem "The Deeper They Bury Me" in which he defiantly declares "the louder my voice / the deeper they bury me." As the poem ends, the figure walks out into the water into the sunset, disappearing from the frame, as onscreen text briefly explains the overturning of Wallace's conviction and his death that came three days later.

By featuring a presumed stand-in for Wallace walking along the coast of Louisiana, outside of prison walls, *The Deeper They Bury Me*'s eulogy for Wallace emphasizes a sense of mobility and freedom. It is, of course, not a literal depiction of his experience outside of Angola (he was already gravely ill and bed-ridden by the time he was released from prison), but instead symbolizes the inability to suppress Wallace. The poem is in some ways a celebration of Wallace's spirit against the literal attempts by Angola to silence his voice and make him disappear from the public eye. To end the webdoc with footage of someone walking through Louisiana, into the water, and off into the sunset celebrates Wallace's freedom while it at the same time celebrates the challenge he always posed to the visuality of Angola – that is, his refusal to disappear on their terms.

**Conclusion**

The case of the Angola 3 raises a set of larger questions about the ways in which visuality intersects with both legal and prison systems. Specifically, the documentaries discussed in this chapter are engaged with how the Angola prison, and its use of solitary confinement, is meant to

disappear those who stand in opposition to, and challenge, the social order and hierarchies of the prison space. Indeed, as Story argues, solitary confinement is not a technocratic tool for disciplining prisoners, but instead "enables the prison system, as a social formation, to both respond to and anticipate political challenges from those subjected to captivity" ("The Prison Inside" 47). In considering solitary confinement, and imprisonment more broadly, as not only tools of punishment, but as imbricated within social structures that are used to enact forms of social control, then we can broaden how we think about imprisonment. To this end, each documentary engages with the inside/outside binary that structures the Angola 3's relationship to the outside world, and they ask viewers, in different ways, to visualize the relationship between the individual experience of prison and the larger legal and penal architectures that shape and determine the prisoner's relationship to the rest of the public. These documentaries importantly position the individual suffering of the Angola 3 within the context of a longer history of racial violence and control in the United States, attempting to show that the embodied experience of the Angola 3 members cannot be divorced from these histories or the abstract structures that are used to control them.

More than this, these films use a variety of counter-visual strategies in order to call attention to the different ways of organizing or building solidarity between those incarcerated and those on the outside. While *In the Land of the Free…* uses King's experience as the focal point for further organizing to be done on behalf of Wallace and Woodfox, it also works within the inside/outside boundary in order to point out how the space of Angola and solitary confinement are not fully separate from the rest of society, but are instead imbricated in a larger set of power structures and hierarchies. On the other hand, *Herman's House* and *The Deeper They Bury Me* engage more reflexively with the boundaries between prison and the rest of

society, using the process of imagining as a foundation to building a solidarity movement and to undermine and collapse these boundaries.

Together, the suffering of the Angola 3 and these documentaries about them reveal the ways in which solitary confinement can be used as both a tool of political and social control, and, furthermore, the ways in which carceral visuality often renders the violence of this particular kind of confinement invisible. In my next chapter, I shift my focus to the 1971 Attica prison rebellion, which was a hypervisible, racialized spectacle that laid bare to the public moments of state violence against corrections officers and prisoners. Thus, while the documentaries in this chapter allow me to explore a particular facet of carceral visuality, the second chapter focuses more on what happens when moments of prison violence are not invisible and out of sight, but are instead spectacles that receive international news coverage.

## Chapter Two: Attica

On September 9, 2016, inmates across the United States began the largest prison strike in United States history, as they protested the widespread inhumane labor and living conditions endemic to the country's prison system.[17] Organized by the Industrial Workers of the World's Incarcerated Workers Organizing Committee, roughly 24,000 prisoners from 29 prisons across 12 states participated in the protests, releasing a statement which intoned, "[o]n September 9th of 1971 prisoners took over and shut down Attica, New York State's most notorious prison. On September 9th of 2016, we will begin an action to shut down prisons all across this country. We will not only demand the end to prison slavery, we will end it ourselves by ceasing to be slaves." Their choice to strike on the 45th anniversary of the Attica prison rebellion illustrated its continued relevance as part of a history of prison organizing and activism, as well as a cultural trauma whose wound has never fully healed.

The 1971 rebellion represented a tension between Nixonian "law and order" politics, Cold War hysteria, and a set of revolts that had swept the country. During the rebellion, prisoners took 39 corrections officers hostage and occupied the prison's main yard for four days. The demands from the rebellious inmates centered primarily around long-awaited changes to prison life, such as improved sanitary conditions for food and healthier dietary options for inmates, guaranteed freedom of speech and religious practice, as well as basic labor protections that included 8-hour workdays, with pay that at least met the New York minimum wage. After four days of negotiations between the inmates and the state corrections commissioner Russell Oswald stalled, New York's governor Nelson Rockefeller ordered state troopers to enter the prison and retake it by force. State troopers removed badges that would identify who they were before beginning to drop tear gas from helicopters flying above the prison yard, while others entered

with rifles and began to fire indiscriminately. At the end of the shooting, 10 hostages and 29 inmates had been killed by the troopers, while four additional inmates would later die from further disciplinary reprisals by prison corrections officers. Justifications for the heavy-handed state violence began immediately with false rumors that inmates had castrated their white hostages. These invocations of black criminality and barbarism signaled to a broader white American society the potential threat the rebels posed to the social order.

Though the Attica Correctional Facility was located in a small, sleepy town in upstate New York, the rebellion became a media spectacle. Reporters from high-profile newspapers such as the *New York Times*, camera crews from different television news stations, and state troopers who filmed surveillance footage of the four-day standoff all descended on the town of Attica. This in turn generated an incredible amount of photographs and camera footage, an archive of images that were then marshaled into pre-existing discursive contexts. As Jordan Camp argues, "[i]n subsequent state- and mass-mediated narratives, it was the insurgent prisoners rather than prison guards or state troopers who were represented as symbols of disorder and criminality," and the "specter of criminality, violence, and lawlessness once again placed security, law, and order at the center of political discourse" (71). But even as mass-media representations of the rebellion did little more than reinforce the state's dominant narrative about the dangers of the Attica rebels and the threat they posed to civil society, the 2016 national prison strike's invocation of the 1971 rebellion illustrates its continued polysemy.

To this end, this chapter examines how documentary filmmakers have drawn on the archives of the Attica rebellion to contest dominant state narratives about it, in the process reframing the historical meaning behind Attica and its violent aftermath. While the first chapter considered the centrality of the inside/outside prison boundary to both Angola's visuality and to

activist efforts to free the Angola 3, this chapter examines how documentary filmmakers have drawn on the binary of past/present in their efforts to revise the historical and cultural memories of the rebellion. I analyze four documentaries about the rebellion that span over 30 years: Christine Choy and Susan Robeson's 1972 documentary *Teach Our Children*, Cinda Firestone's 1974 film *Attica*, Brad Lichtenstein's 2001 documentary *Ghosts of Attica*, and Christine Christopher and David Marshall's 2012 film *Criminal Injustice: Death and Politics at Attica*. While these documentaries represent a diverse group of works about Attica and its aftermath, they all, to varying degrees, draw on the archival photographs and footage to construct counter-narratives about the rebellion. Through these archival materials, they exploit the gap between the archive and the embodied experience of those involved in the violence. I argue that through this gap, the documentaries attempt to reframe the relationship the public has to the state violence more broadly.

**The Visuality of Rebellion and the Archive**

While the brutality of the carceral state is in some ways easier to document and share with the ubiquity of cell phone cameras and access to social media, the Attica rebellion unfolded at a particular moment of social unrest and revolutionary fervor across both the United States and the globe. As Daniel Berger argues, in the 1960s and early 1970s, the prison was an important material and discursive site for organizing leftist radical politics, as it had come to symbolize the regimes of racial and social oppression that organized society (*Captive Nation* 80-81). Prison rebellions took on an explicitly political character that inspired the New Left and the Black Panther Party, while prisoners simultaneously drew from these movements in the explication of their own radical politics (*Captive Nation* 93-94). It was at this time that Angela Davis and

George Jackson, two of the most famous prison theorists and activists, entered mainstream public consciousness. Jackson became radicalized while serving a one-year-to-life indeterminate sentence in San Quentin State Prison for a 1960 gas station robbery. He became a revolutionary thinker who could passionately articulate the experience of incarceration, its wider relationship to the black experience, and its imbrication within United States capitalism. A book of his letters, *Soledad Brother: The Prison Letters of George Jackson*, captured his move toward increasingly radical political stances. The book made visible the oppressive nature of the prison system on both a structural level as well in the daily, lived experience of those incarcerated (Jackson xi).[18]

Prison activists sought to disrupt the visual field of the prison system, which is premised on the very invisibility and disappearance of the prison and its inmates from the public's view. The Attica rebellion followed such a logic; even as a spontaneous uprising, it was also an outcry intended to get the attention of the outside world. The Attica rebels demonstrated a sophisticated understanding of how to use media representation to address the outside world. News crews and photographers were allowed into the prison yard, which allowed the rebels to speak directly to the public. The rebels chose L.D. Barkley as their official spokesperson, and once the cameras were rolling, Barkley read a passionate speech addressed to the "people of the United States of America," in which he declared:

> We are men. We are not beasts and we do not intend to be beaten or driven as such. The entire prison populace, that means each and every one of us here, have set forth to change forever the ruthless brutalization and disregard for the lives of the prisoners here and throughout the United States. What has happened here is but the sound before the fury of those who are oppressed. We will not compromise on any terms except those terms that are agreeable to us. We've

> called upon all the conscientious citizens of America to assist us in putting an end to this situation that threatens the lives of not only us, but of each and every one of you, as well.

Barkley's speech, which also laid out the rebels' demands for prison improvements, asked the public to find common cause with the Attica rebels and their struggle against dehumanizing prison conditions. The cameras also captured the unified, communal spirit of the rebels in the yard, particularly in one iconic photograph in which the rebels stood together, fists in the air (figure 9).

Figure 9. Photograph by Associated Press.

The footage from the yard was marshaled into pre-existing discursive contexts by television and print media. National newspapers, particularly *The New York Times*, covered the rebellion by tapping into the already-existing discourses about national racial unrest and left-wing radicalism. Berger argues that *The New York Times* and other newspapers ran photographs of the stand-off that situated Attica as a struggle between order and disorder ("Regarding" 217-221). These images, such as Oswald surrounded by inmates during the negotiations, or of inmates with masked faces holding makeshift weapons, often framed them as dangerous,

disorderly, and threats to the stability represented by state officials like Oswald. Thus, misinformation or outright falsehoods – such as the rumor that the rebels had castrated the hostage Mike Smith and stuffed his testicles in his mouth – were not only spread by news outlets like *The New York Times*, but also served to confirm the pre-existing beliefs about black radical violence. Headlines such as "I Saw Seven Throats Cut" and "State Troopers Assert They Chose Targets Carefully During Storming of Prison: Many Are Skeptical Shots Caused Death" venerated the supposed eye-witness accounts of state troopers.

Despite the surfeit of images and footage of the rebellion, some of the basic facts of the rebellion continue to remain unsettled. Indeed, for the victims of the state troopers' violence and their families, basic facts as to who bore responsibility remained – and continue to remain – unsettled. Despite the existence of footage that directly captured what *did* happen, the ongoing confusion about the events underscores the limitations of visual documents for educating the public. The televised proceedings of the McKay Commission – the investigative body formed to settle the facts about the rebellion – was a further testament to this. On public television, the Commission attempted to fully understand the root causes of the rebellion, what transpired during the standoff, and what happened when state troopers retook the prison. They did by conducting exhaustive interviews with all parties involved, including the rebels, the state troopers, the Attica Observers (a group of outsider representatives considered to be sympathetic to the inmates' grievances), as well as those in the Rockefeller administration. One year after the end of the rebellion, the commission released the book of its findings and also announced that a one-hour documentary of the report's main points would be released and run on public television. Both the book and the accompanying documentary were popular with the public; the book became a widely-read finalist for the National Book Award, while the hour-long report was

broadcast on over two hundred PBS stations (Kahana 240). As the report complicated and challenged some of the pillars of the state's narrative about Attica, other published works also contradicted this narrative. *The New York Times* reporter and Attica Observer Tom Wicker published his on-the-ground chronicle of the events in *A Time To Die*, and state prosecutor-turned-whistleblower Malcolm Bell published *The Turkey Shoot: Tracking the Attica Cover-Up*. Wicker's account of his time as an Observer provided a sympathetic portrayal of the rebels in the face of an indifferent and stubborn Rockefeller administration, while Bell detailed how the administration actively avoided prosecuting state troopers for any crimes committed, even as it simultaneously sought to prosecute the rebel inmates.

For those on the left, Attica symbolized the failures of the prison system and the horrors of state violence more generally. Rather than treating the rebellion as a local conflagration, Liz Samuels observes that the 1970s prison abolition movement drew on and folded the carnage of Attica into other anti-prison activist efforts. Declarations that "Attica is all of us" situated the events in a wider array of prison violence (34n4). Attica thus served as fodder for leftist cultural production. Benny Andrews and Rudolf Baranik co-edited *The Attica Book*, published by the Black Emergency Cultural Coalition and Artists and Writers Protest Against the War in Vietnam. That these two groups published *The Attica Book* indicated how activists on the left saw the Attica rebellion as part of a broader set of challenges both at home and abroad. *The Attica Book* was comprised of works by a variety of visual artists, such as May Stevens, Nancy Spero, Leon Glub, and Romare Beardon, and also featured poetry written by inmates in prisons across the United States. The book's introduction made reference to the national importance of the Attica rebellion, declaring that "Attica – one year old – is no longer a locality upstate New York. This three-syllable word is a battle cry and lament – the Guernica of America's dispossessed" (Black

Emergency). Andrews and Baranik's invocation of the anti-war power of Picasso's *Guernica* positioned Attica as an event illustrated the horrors of the prison system, the police state, and the racial oppression that animated both.

Collectively, this polysemous collection of documents and other items come to form the Attica archives. They vary broadly in both scope and forms of storage. Contained within formal institutions of state archives are documents such as newspaper clippings about the rebellion and its aftermath, the Elizabeth Fink Papers (named after the civil rights lawyer who represented the prisoners killed and injured in the rebellion), and other documents produced by the New York State government and State Troopers after the massacre. But beyond this, there are also the visual materials discussed above, the books written about Attica, and the alternative archives of cultural texts that challenged dominant depictions of the Attica events, such as poems, music, and films.[19] The historical legacy of the rebellion has been shaped by an enduring tension between the hypervisibility of the rebels and the state's violent response to their demands and the invisibility of both its victims – the rebels, the hostages, and their families – and of the perpetrators. To this end, the Attica archives have been central in sustaining the dual poles of hypervisibility and invisibility.

Heather Ann Thompson's experience of trying to access official state documents from the Attica aftermath that would indicate what the state knew and when about the state troopers involved in murdering hostages and inmates is instructive. In her comprehensive history of the rebellion, *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy*, she details her struggle to find the archival materials that would allow her definitively name the state troopers and prison guards responsible for murdering Attica inmates after the rebellion ended. Her introduction, aptly titled "State Secrets," recounts a moment in which she stumbles upon a

treasure trove of archival materials that provided the names of the state troopers that she was looking for. Prior to the publication of her book, these names had not been made public, and this serendipitous discovery illustrates how closely intertwined access to the Attica archives is to an understanding of exactly what transpired during the rebellion. However, as she makes clear, much information remains hidden from view – often quite literally – as it either exists in heavily redacted documents or is still inaccessible in archives across New York state. By introducing the history of Attica with a story about archival access, Thompson foregrounds the significance of the archives themselves in carceral visuality's production, and reproduction, of state power. The difficulty in obtaining access to the full Attica archives is indicative of the continued struggle over both the narrative of Attica itself, as well as its significance to the wider public.

The filmmakers' use of the Attica archives to challenge the state's official narrative is part of a much longer tradition in which filmmakers have reappropriated archival documents to rework their ostensible dominant meanings. Stella Bruzzi observes that archival material has often been used in documentary film for two major purposes: to complement an historical argument being made or to serve as a critical tool for political arguments (21). As far back as Esfir Shub's *The Fall of the Romanov Dynasty* (1927), documentary filmmakers have used the archive for the latter purpose, reappropriating archival footage in ways that contradict the documents' original, intended meanings. Shub, for example, used primarily pro-Czarist footage to create a film that was highly critical of the Russian czars. Later works, such as *The Atomic Café* (Kevin Rafferty, Jayne Loader, Pierce Rafferty, 1982), consists entirely of reappropriated government documents, primarily United States' Cold War propaganda, that are edited together to subvert the original intentions of the materials. *Atomic Café* is an example of how the "official" purposes of government archival documents can be reused to expose and lay bare their

dominant ideologies. Here, the Attica documentaries often use the archival footage filmed both by the news media and the state in order to expose and critique the dominant racist ideologies inherent to these images.

The use of this archival footage throughout all four documentaries also points to the historically situated perspective of the penal spectator and the ways that subject position shifts over time. As I mention in the introduction of this dissertation, Michelle Brown's notion of the penal spectator addresses the ways in which many citizens access the prison through mediated representations, rather than through the tangible, firsthand experience of incarceration. Each Attica documentary attempts to bridge this gap between the embodied experience of the rebels in the yard and the public who either watched the events unfold in the media at the time, or are temporally distanced from them now. While *Attica* and *Teach Our Children* were filmed in the aftermath of Attica, *Ghosts of Attica* and *Criminal Injustice* are filmed decades later, addressing a different set of audiences in far different political moments. This temporal distance raises a particular set of questions: How do these documentaries attempt to address spectators differently across the decades? How does the significance of the archival images and their usage change over time? The latter question in particular is something that *Criminal Injustice* engages with, as it shows the ongoing significance of the state's refusal to declassify all of its archival materials relating to the uprising archive and what those implications are for understanding state violence against prisoners and for the historical memory of the events themselves. In my analysis of all four documentaries, I focus on the counter-visual potential of these films by examining how they each use these archival materials to different ends.

***Teach Our Children***

The filmmaking collective Third World Newsreel produced and distributed the first documentary about Attica in 1972, titled *Teach Our Children*. Directed by Christine Choy and Susan Robeson (the granddaughter of Paul Robeson), the thirty-three-minute documentary is less interested in the particulars of the rebellion than it is in placing it within a larger set of anti-imperialist contexts and discourses.[20] *Teach Our Children* emerged out of a set of debates and conflicts within particular moments of leftist activist filmmaking during the 1960s and early 1970s. Third World Newsreel was formed after the dissolution of Newsreel, a loose collection of agitprop filmmaking groups associated with the New Left that operated in cities across the United States. Newsreel intervened in the cultural conflicts of the 1960s and, as Michael Renov argues, "occupied a crucial position in the largely unconscious construction of a political imaginary for the New Left" (6). Their films were often of low technical quality and were quickly produced, aesthetic choices that reflected the misguided attempts of the collective's predominantly white, middle-class makeup to construct a film language that would speak to an idealized (and fictional) working-class audience (Young 114).

The collapse of Newsreel and the rise of Third World Newsreel was the result of a set of power struggles regarding the former's hierarchy and direction. These conflicts centered around the efforts by women and people of color to break through the collective's male-dominated, white, middle- and upper-class power structure.[21] While Newsreel's white caucus had the money, equipment, and filmmaking skills, the Third World caucus insisted that the group reorient its focus toward issues facing the Third World and its people. They wanted to be trained in filmmaking in order to produce films that addressed Newsreel's blind spots, and thus move it away from the provincial interests of the white caucus. The arguments reached a fever pitch, resulting in the exit of the white members of Newsreel. After the dust settled, only three

members remained: Christine Choy, Susan Robeson, and Robert Zelner. From the ashes of Newsreel, the trio formed Third World Newsreel, with the intent to continue making political films that could speak to working-class black and brown audiences.

Both Newsreel and Third World Newsreel relied on alternative distribution networks to screen their films, and Newsreel chapters across the country ensured that the films would be distributed and screened through the organization.[22] As Hamid Naficy argues, one legacy of the 1960s was the rise of "a collective basis for personal identity and political action, best expressed at the time in the emergence of various forms of collective living, collective action, and collective countercultural productions, including film and video collectives" (63). The collective filmmaking process, Naficy continues, transforms the position of the individual spectator constructed by classical Hollywood cinema into one of collective reception (63). This conception of the collective audience is fundamental to both Newsreel and Third World Newsreel's spectatorial address and exhibition practices. Newsreel film screenings were often accompanied by a discussion session afterward that allowed audiences and filmmakers to talk about the issues raised by the film. Likewise, Third World Newsreel emphasized the importance of the collective's shift toward representing women and people of color in its ranks, and with it, "greater outreach to community-based audiences" ("TWN History"). Such an approach conceives of the audiences who attended Third World Newsreel screenings as part of a community directly impacted by the issues in the films.

Unlike the other documentaries discussed in this chapter, *Teach Our Children* relies the least on the Attica archival footage. This is in part is because the documentary is not interested in interrogating the particulars of the rebellion. Rather, it uses Attica to connect the oppressiveness of the prison system with other forms of oppression in United States society and abroad. *Teach*

*Our Children* challenges and disrupts the "common sense" boundaries that separate Attica – and prisons more generally – from the outside world. In the face of the spectacular violence that resulted from retaking the prison, Choy and Robeson's documentary attempts to redefine what constitutes state violence. It offers a definition that encompasses the spectacle of Attica, American imperialism, as well as the more invisible or quotidian forms of violence and oppression experienced by people of color in the United States. In the logic of the documentary, the Attica rebellion belongs to a constellation of moments of state violence against racialized bodies. *Teach Our Children'*s treatment of the rebellion, then, is less about challenging the state's narrative of the events. Instead, it imagines a viewing audience of poor and working-class racial minorities, and in doing so, attempts to illuminate the broader social order that they inhabit, one that not only produces violent rebellions like Attica, but one also responsible for oppression across the United States and the globe.

The title *Teach Our Children* raises the issue of spectatorial address. Its inclusion of the word "our" begs some fundamental questions: Who belongs to this "our"? What is being taught? And by whom? These questions have further implications, not only for the address to spectators, but also for how the film constructs the relationship between the viewer and the Attica rebels. The film challenges some of the very definitions that organize and structure society – such as the terms "prison" and "genocide" – and in the process, asks spectators to re-envision what constitutes the prisoner and the prison. The documentary also emphasizes the various ways that these forms of violence – spectacular or quotidian – specifically impact racialized bodies, a focus that helps construct a multiracial identification across viewing groups. If the penal spectator is someone who has never experienced the "overwhelming tangibility" of the prison system, then

*Teach Our Children* posits that its viewers have experienced the prison in ways that may not be immediately perceptible.

Just as the film's title implies an expansive (or indeterminate) address to spectators, its opening treats practices of punishment and incarceration not as technocratic tools of the criminal justice system, but as a part of a larger apparatus of social exclusion and control. It opens with shots of Attica's exterior and a voiceover of someone (presumed to be an inmate in Attica) declaring "[t]he segregation prisoners from the mainline population because of their political beliefs. We demand an immediate end…" The audio drops out as the film cuts to an intertitle that reads "DON'T BE SHOCKED WHEN I / SAY I WAS IN PRISON. / YOU'RE STILL IN PRISON. / THAT'S WHAT AMERICAN MEANS, / PRISON. / MALCOLM X." The intertitle is followed by *verite* footage of black and Latino residents out in their urban communities; we see children playing and adults commingling before they fade to a white-on-black title screen. These opening sequences redefine the prison space as a site of political control and an extension of class struggles for racial minorities, one that suppresses politically active prisoners and their voices. As Jonathan Kahana argues, *Teach Our Children* uses the montage of images as metonyms that links together a chain of meaning stretching from the prisoner to the resident of the ghetto to international Third World citizens (265). The associative logic of this montage connects the material space of the prison to other forms of punishment and social inequality.

The violent spectacle of Attica is further decentered after the film's title screen. The documentary briefly returns to Attica, through a clip of prisoner L.D. Barkley reading from the Attica Liberation Faction's Manifesto of Demands. It again situates the rebellion within a broader context of prison and urban uprisings. Barkley declares:

> What has happened here is but the sound before the fury of those who are oppressed. We will not compromise on any terms except those terms that are agreeable to us. We call upon all the conscientious citizens of America to assist us in putting an end to this situation that threatens the lives of not only us, but the lives of each and every one of you, as well.

Barkley is followed by more intertitles that list the names of different prisons and urban areas that have been sites of other rebellions: Tombs, Soledad, Rikers, Attica, San Quentin, Trenton, Auburn, Danbury, Sing Sing, Lewisburg, Rahway, and Green Haven. The "sound before the fury" in Attica is briefly displaced by the fury of other rebellions and insurrections. The widespread feelings of unrest are illustrated by archival footage from some of these uprisings, which feature images of police violence against black and brown bodies, of conflagrations, of destroyed property, and of the National Guard patrolling the streets. Barkley's exhortation for the "conscientious citizens of America" to help find a peaceful end at Attica, coupled with other footage of urban unrest, reads more generally as a plea for citizens to fight state violence. It also signals to the viewer that the spectacles of violence at Attica are by no means exceptional or uncommon.

However, a tension exists in *Teach Our Children* between the spectacle of state violence that manifests in carceral spaces and the far more insidious and invisible forms that impact racialized and minoritized communities more broadly. The victims of both forms of violence often include the residents of the ghettoes, where vulnerable working-class and racialized groups live and where many of the prison's populace are from. As I discussed in the previous chapter, the constructed binary between the prison's "inside" and its "outside" fundamentally shapes the relationship between the penal spectator and the prison system. This prison boundary is invoked

in X's declaration earlier in the film, but it is reinforced by interview subjects whose lived experiences embody his claim. In one interview, a Latino man, his wife, and their children sit in their living room while he explains that the lack of jobs that pay livable wages forces him and others into a carceral-like existence: "There's really no difference from the places we live in and the way we live to the life in prisons. There's no difference. The only difference may be that in our communities, the bars are invisible and we don't see them, and in the prison, you do."

While the interviewee's point is more or less a rewording of X's declaration, its power relies on the lived experience from which he draws. He gives voice to an experience that otherwise remains invisible, or is conceptualized as fundamentally distinct from the violence at Attica in the dominant public imaginary. In this way, *Teach Our Children* constructs a counter-visual address directed toward fellow urban residents. This address challenges the categories and definitions of state violence and imprisonment. It allows for the community-based audiences to make sense of their own experiences in relation to those of the Attica rebels. Indeed, Judah Schept contends that visuality "is a mechanism by which the quotidian violence underwriting authority is made illegible and unseeable," particularly in comparison to moments like the Attica rebellion that achieve such a high level of visibility within public visual culture (1). In other words, carceral visuality renders the violence of Attica as fundamentally distinct and recognizable as *actual* violence. *Teach Our Children* troubles this distinction by placing Attica on a continuum of state-sanctioned violence that occurs under different forms and under different levels of visibility.[23] Furthermore, it highlights these links to underscore a continuity of the same kinds of violence that persist under seemingly shifting systems of control and punishment. After the interviewee makes the remark about the invisibility of the prison bars, the film alternates between shots of dilapidated urban spaces with black and Latino residents and illustrations of

crowded slave ships (figure 10). While the connection is reductive – the residents are not slaves, certainly – the juxtaposition of these forms of state violence challenge viewers to consider how they fit within a longer historical lineage of state violence.

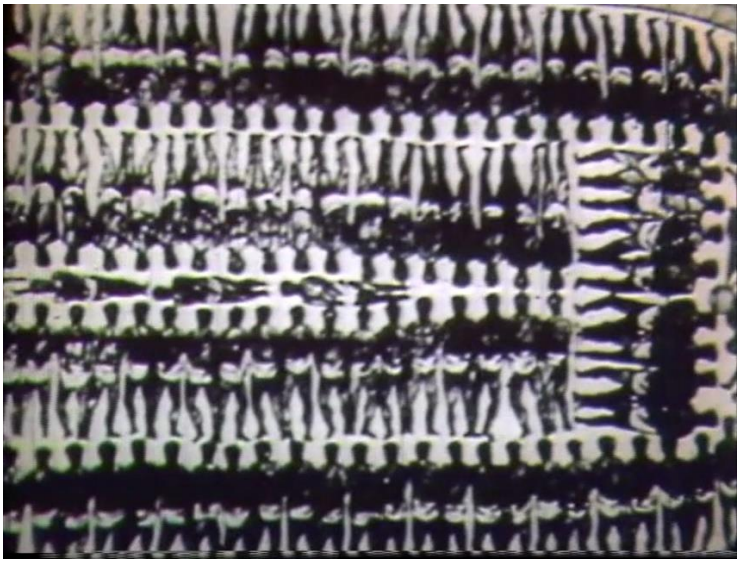

Figure 10. Screenshot from *Teach Our Children* (1972).

The interview that follows this sequence radically expands the very terms with which this violence is conceptualized. A young woman speaks about her life in the ghetto, invoking and expanding the word genocide to describe her situation:

> I have five children, I can speak about genocide in every aspect that you can look at it in. Gotta live in a housing project, we have no facilities here, the children are playing — we have a lot out there, a concrete lot about 25-40 feet — we have here in this one building about 70 children. Can you see little kids out there playing in the concrete lot with glass and everything? […] Genocide in its fullest extent is putting people on top of people, packing 'em up like rats and keeping people from knowing who they are, what they are, and what they should be about doing.

Having come after the images of slaves crowded on a slave ship, the woman's remarks evoke a historical continuity between two forms of racial violence. As the woman speaks, the camera zooms out from a medium shot to a long shot, and in the process, reveals an Attica poster hanging above where she is seated. The poster's presence is a visual reminder of the event itself, and it also places the woman's discussion of genocide and social inequality in relation to the violence at Attica. Together, her interview and the mise-en-scene indicate the ways that the racial and economic injustice in the ghetto cannot be divorced from the events at Attica, and vice versa.

The second section of *Teach Our Children* shifts in both tone and visual strategy, as viewers are moved from the cramped confines of urban life to the realm of international politics. A series of crudely animated sequences lampoon Richard Nixon, Nelson Rockefeller, and prison commissioner Russell Oswald while it also connects them to the United States' imperialist adventures abroad. The animated portion of *Teach Our Children* begins with a series of hand-drawn apartment buildings designed to look like the crowded tenements previously discussed by the interview subjects. The Uncle Sam figure enters the frame from the right and waves a set of American flags. The visages of the three men are superimposed onto Uncle Sam while hand-drawn outlines of Southeast Asia, Africa, and South America cycle through the left side of the frame. While Attica is not Vietnam, and while Oswald and Rockefeller are not Nixon, *Teach Our Children* nevertheless attempts to underscore the continuities between them.

By the time the documentary moves to its final sequence, in which it more directly addresses the specifics of the Attica rebellion, the viewer is already primed to view the rebellion in the broader context of international anti-colonial struggles. This section begins with footage of Oswald announcing that the failure to find a peaceful solution has necessitated action by state troopers, followed by footage of Rockefeller acknowledging to reporters his responsibility for

the decision. Following the previous section, the presence of Oswald and Rockefeller has a significantly different meaning by this point. Because the two have been equated with Nixon and are also framed as representatives of United States imperialism, the action they take against the inmates is equated with American military violence abroad. This is alluded to in an interview with a former Attica prisoner who recounts an argument he had with corrections officers over a visitation with his sisters. He remarks that "they gassed me, matter of fact, they used the type of gas that they banned from using in Vietnam, the nausea gas, the gas that makes you throw up." Whether or not this is true, Young notes, "matters less than the inmate's belief that Attica prisoners receive the same treatment as their Vietnamese counterparts" (170). It matters less for the viewer, who is being asked to see the Attica rebellion as another instance of United States military power to oppress black and brown bodies.

This struggle between military power and Attica rebels is not only captured on the archival footage filmed by the state troopers, but also articulated in one interviewee's description of the violence. He asserts that the state troopers entered the prison "with bazookas, AK-47s. They came in there with machine guns, they came in there with flamethrowers" and used that force to shoot "one brother that was holding a black liberation flag…They shot him off the balcony, and they continued to shoot him while he was on the ground." As footage of the massacre plays, the interviewee continues explaining that the state troopers singled out politically active inmates who were accused of being "a follower of George Jackson," or part of the Black Liberation Army or the Black Panthers. The interviewee's remarks, coupled with the archival footage, reframes Attica as not only an assertion of state power over rebellious inmates, but as a tool for eliminating politically active prisoners. Thus, the footage of the violence

transcends its status as a historical document, and instead frames the rebels as victims of the same type of imperialist violence seen in Vietnam.

The documentary ends with footage of prisoners in San Quentin working out in an exercise yard, intercut with footage of armed revolutionaries in Africa, Asia, and Latina America. The ending's montage structure attempts to collapse the boundaries between "here" and "there" by suggesting that prisoners and armed revolutionaries are engaged in a common international struggle. The prisoners' exercise regimens suggest that they are preparing for their continued struggle against not only the conditions in San Quentin, but also against the power structures that produce inequality and oppression both in the United States and abroad. For the viewer whose sympathies and political commitments may lie with this international perspective, the film encourages them to join the struggle, as well.

### *Attica*

While *Teach Our Children* places the Attica rebellion in worldwide struggles against American imperialism, Cinda Firestone's *Attica* addresses the specifics of Attica and its aftermath. Firestone's film was the first full-length documentary about the uprising and the massacre to be released. Prior to directing *Attica*, Firestone worked as an assistant editor to the documentary filmmaker Emile de Antonio, whose use of archival documents and whose dialectical editing strategies Firestone employs and adapts in *Attica*. Firestone draws heavily from a variety of visual sources: the televised McKay Commission proceedings, the footage of the prisoners' encampment taken by Barnes and Lamarche from WGR-TV in Buffalo, the surveillance footage captured by New York state troopers before and during the massacre, as well as her own photographs and interviews with current and former Attica rebels. Firestone's film is, on one

level, an interrogation of, and challenge to, the state's dominant narrative of events and its justifications for its heavy-handed militarized response to the rebellion.

*Attica* is also a meditation on the mediation of the rebellion. Firestone's incorporation of these varying visual materials and media call attention to the viewer's act of spectating, and offers the opportunity for them to consider the role these materials play in shaping interpretations of the rebellion. Firestone's dialectical editing organizes clashes between two opposing forms of knowledge production: that of the state's dominant narrative of the rebellion, and the opposing perspective of what Jordan Camp refers to as the Attica rebels' "subjugated knowledge of the event" between the state and the rebels' competing discourses (84). More than simply illuminating the mendacity of state officials, Firestone's use of varying source materials and mediums – photographs, interviews, television footage, film footage – provide a rich site from which to examine how Attica, as well as the prisoners, become visible to the outside world

In other words, *Attica* is a rigorous interrogation of Attica's visuality, particularly in terms of how state violence against citizens is filtered and mediated to the distanced penal spectators. One of the ways in which the film does this is through its exploration of the politics of visibility shaping the public's relationship to both the prison and the rebelling inmates. Michelle Brown points out that American citizens "are much more likely to screen the prison rather than visit it" (*The Culture of Punishment* 56). With its use of photographs, film, and television, *Attica* calls attention to the very act of spectatorship itself and the varying spectatorial positions occupied by those watching the events unfold. There are thus two levels of visibility within Firestone's film. One level is rooted in the rebels' demand to simply be seen in the public eye. The second level is rooted in the ways the different mediums – photography, film, and television – highlight the varying levels of mediation, each of which is embedded with its own

power dynamics that organize and shape the spectator's relationship to the rebels and to the prison.

Recognizing the role that mediation plays in Firestone's film, Kahana argues that a primary focus of *Attica* is to "contest[] the very notion of the public on which the commission based its use of noncommercial video" (241). In other words, the broadcast of the McKay Commission's proceedings on public television was accompanied by a set of assumptions about "the transparency of video, its effects of real time and self-evidence, and the notions of social commonality these qualities are thought to reflect," all of which work to construct a common public addressed by the televisual medium (241). Firestone's film, Kahana argues, challenges the transparency of this medium because it illustrates how that assumed transparency enabled public officials to obfuscate and lie in their justifications for using violence to retake the prison (242-247). Kahana's argument captures some of the ways in which the state's visuality authorized its own viewpoint through television, as it drew on the assumed transparency of the medium in its address to viewers. In further teasing out some of the concepts from his analysis, I examine how the use of photographs and the state surveillance footage, which he discusses in far less detail, are also used by Firestone to highlight the very acts of mediating the rebellion to distanced penal spectators.

Unlike *Teach Our Children*, Firestone's film was screened not only in politically engaged contexts, but also in more mainstream public venues. Though *Attica* was primarily distributed through Tri-Continental Films, it also received secondary distribution through Newsreel (Nichols *Newsreel* 88). Bill Nichols' interviews with a couple of Newsreel members (along with his personal criticisms of the film) offers a skeptical look at the efficacy of the film's political critique of the state's response to the rebellion and to the existence of prisons more generally. As

a Newsreel member explains to Nichols, Firestone's film fails to clearly make the point that the prison is a necessary institution in a capitalist society, and that "[t]here have to be prisons, there have to be military forces, and with prisons and those military forces, they have to confine people" (88-89). For at least some leftist mediamakers, Firestone's film failed to articulate the clear relationship between Attica and the larger contexts of social control in which the rebellion unfolded. Unable to provide viewers with an understanding of how closely intertwined Attica was to the capitalist state, the film would not be able to allow them to understand that preventing future prison violence required the destruction of the capitalist state. From this leftist perspective, it failed to provide audiences with an understanding of how the archival images they saw onscreen related to a broader set of social concerns and issues.

At the same time, *Attica* also received positive reviews in mainstream press outlets. *The New York Times* praised the film as "an exceptionally moving, outraged recollection of that terrible event" (Canby). And Penelope Gilliat of *The New Yorker* referred to it as "an aching, precise study of the days between the ninth and thirteenth of September, 1971, in a particularly harsh New York State prison" (Gilliat). These reviews emphasized the film's emotional impact as a central part of its political power. While both Nichols and the mainstream press praised the Firestone's willingness to let the inmates speak for themselves on camera, the latter viewed her treatment of the archival footage as providing an important glimpse into the interiority of the rebels. The divergent responses from these different viewing contexts suggest that depending on one's viewing position, Firestone's use of archival footage offers the viewer varying levels of insight into the root causes of the rebellion and the massacre.

Kahana's point about the presumed transparency of the televisual medium thus raises a second issue: in what ways can the public access reliable, truthful information about the rebels,

the conditions in Attica, and what actually happened during the massacre? While Firestone's documentary venerates the rebels' perspective and their "subjugated knowledge," it also illustrates how the inability to see inside the prison makes it difficult to obtain reliable information about the rebellion. The film's opening works on this dual level. It draws on the knowledge of the inmate Jerry Rosenberg while it also calls attention to the visual dynamics of incarceration that shape the viewer's relationship to Rosenberg and the institution. After a scrolling intertitle provides a brief history of what transpired during the rebellion, the documentary's opening shot is of Attica off in the distance while a sign in the foreground warns trespassers to keep out. This is followed by archival footage of a corrections officer inside a prison (presumably Attica) who slides a barred door shut and walks away from the camera. The footage produces a sense of exclusion, a feeling echoed by the inmate Jerry Rosenberg. As Rosenberg begins to speak, we do not see him, but instead see a close-up shot of "ATTICA CORRECTIONAL FACILITY" on the outside of the prison's entrance, followed by a zoom out to a long shot of the medieval-looking prison entrance and walls. During this sequence, Rosenberg explains the institution's perspective toward the inmates: "You're here now, you're in Attica. We are the bosses. You do what we tell you. When we tell you to walk, you walk. When we tell you to eat, you eat. When we tell you to sleep, you sleep. When we tell you not to talk, you don't talk. They don't look at us like human beings. Meanwhile, they are the ones that are animals."

It is not until Rosenberg is almost finished with his remarks that he appears onscreen for the first time, in the form of a close-up photograph of his face (figure 11). Because Attica would not let Firestone film the rebels who were still incarcerated, she instead photographed them. The still photographs of the inmates are often displayed onscreen while they speak and often capture

moments of impassioned and expressive speech. These moments create a disjunctive sound-image relationship that, Kahana argues, is a "cinematic approximation of prison, the mark of an experience of repression the film shares with prisoners" (250). More than this, however, it puts the burden on the spectator to reconsider their relationship to inmates like Rosenberg. The content of his remarks focuses on the dehumanizing nature of incarceration, a point visually emphasized through his very absence as an embodied subject in front of the camera.

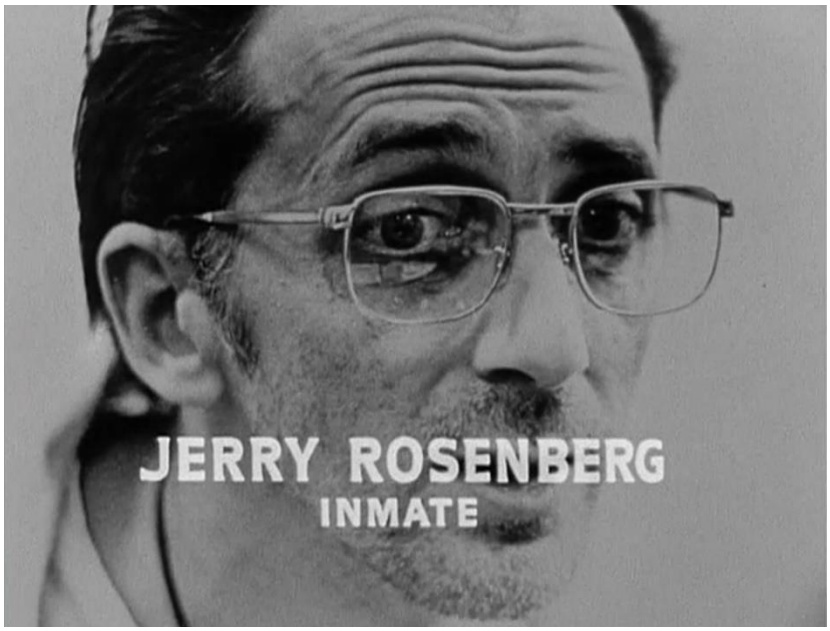


Figure 11. Screenshot from *Attica* (1974).

While Kahana argues that these photographs approximate incarceration, Firestone's use of them resists the tendency to relegate the photographed inmates to the status of abject figures. As Brown argues, "[c]onventional carceral images such as the figures of bodies in aggregate masses, including prison tiers, tent camps and seas of dislocated humans, or individualized photos of mug shots and chained actors in orange jumpsuits framed for punitive consumption" often individualize and depoliticize incarceration and punishment ("Visual Criminology" 180). At first glance, Firestone's use of the photographs (as well as other footage of the rebels'

encampments) may appear to perpetuate this depoliticization. However, the production of these photographs within the context of the Attica prison also illuminates how the prison frames and shapes the spectator's visual relationship to the inmates. That is, the photographs are used in the film precisely because the Attica prison administration would not allow Firestone to film inside prison walls. The gap between the stasis of the photographs and the inmates' speech draws attention to how prisons shape the conditions under which prisoners become visible to the public. In other words, Firestone's photographic documentation of the interview subjects also works to heighten the viewer's awareness of the ways the prison seeks to mediate and control inmate visibility and speech.

It is significant Firestone uses the photographs so early in the documentary, as it raises a broader set of issues regarding how dominant narratives about the rebels are transmitted through other media forms and outlets. The mixed-use of these mediums offers the viewer the opportunity to re-think the significance and meaning behind some of the dominant visual images from the rebellion. The production of these dominant narratives relied in part on the visual images of the rebels, the hostages, and the state troopers gathered on the other side of the prison walls. Through the recontextualization of these images within *Attica*, the viewer is able to revisit these dominant narratives and challenge their original meaning.[24] To challenge these narratives, Firestone uses the footage Barnes and LaMarche filmed inside the prison yard and couples it with audio from other rebel interviewees. The content of the interviews attests to the unity found in the yard; in this different context, images that might signify lawlessness or disorder instead signify the opposite.

The embodied immediacy of Barnes and LaMarche's footage also stands in stark contrast to the state's surveillance footage it took before and during the retaking of the prison. The

aesthetic differences metaphorize the two different relationships the viewer has to the rebels. If the color footage from inside D-Yard captures a ground-level perspective that humanizes them and allows them to personally articulate their demands, then the surveillance footage embodies the state's violent, dehumanizing gaze. To make this point, Firestone juxtaposes inmate Flip Crawley's remarks over a loudspeaker that "[w]e are not advocating violence. We are advocating communication and understanding" with shots of state troopers gathering their forces and firepower outside the prison walls. The state's monopoly on violence is fully on display when Firestone cuts to the footage of the militarized force attacking the hostages and inmates. While *Attica* uses onscreen text to announce that what we are seeing has been filmed by the state troopers, the visual quality of the footage also marks this change in perspective. Often filmed from high angle positions, the footage contains crosshairs from the troopers' rifles, and sutures the viewer's perspective to the state's violent gaze.

Though Firestone does not self-reflexively call attention to this shift, it is obviously much different than the other viewer positions engendered by the photographs, the televised McKay proceedings, and Firestone's filmed interviews. But while the spectator occupies the viewpoint of the state, the sequences disavow the state's surveillant gaze. Rather, the subject position of the viewer is disrupted through the disjunction between the state's visual field and the experiences of those who suffer under its gaze. As if to call attention to how little the footage reveals in terms of graphic detail, it is coupled with inmate voiceovers who describe what they saw in the yard. Chuck Pernasalice, for example, remarks that "[y]ou could smell the blood and hear all the people screaming. Like, at first they thought they were shooting rubber bullets and all these people started getting up and you'd see them getting blown apart." Another remarks: "I got my leg shot off. The state trooper walks over to me and says 'You won't rebel no more, will you

nigger? And hit me in the leg with the gun butt, the one that was shot on."

The perspectival differences here – the totalizing gaze of the surveillance footage coupled with the on-the-ground perspective of the interview subjects – draw a stark contrast between the different modes of knowledge production that confront the penal spectator. How these perspectives are mediated through public discourse is of obvious interest to Firestone; shortly after the sequence with the surveillance footage, the documentary turns to the falsehoods perpetuated by state officials that were used to justify the militarized response in the first place. The two lies that served as pretexts for the violence were that the inmates had slit the hostages' throats and that they had castrated hostage Mike Smith and shoved his testicles in his mouth. Initially reported as fact by journalists, the eventual revelation that these were lies was eventually printed by newspapers, but not before the initial false narratives of rebel violence had taken hold. The camera emphasizes this point as it slowly pans in an extreme close-up across a newspaper headline that reads "'I Saw Seven Throats Cut'." Furthermore, the focus on the headline, followed by a cut to a medium shot of the newspaper, highlights both the materiality of the documents as well as how they constructed and crafted dominant narratives about Attica.

But what this question of eyewitness testimony also raises is a broader issue of the state's claim to the "right to look." The structure of *Attica* challenges the visuality of the state and its ability to authoritatively make claims about what events mean and signify. In a discussion of civilians filming police officers and their actions, Tyler Wall and Travis Linnemann argue that there exists on behalf of police officers a "paternalistic distrust in the public's ability, or rather, 'inability' to remain objective when confronted with unauthorized images of police power," in which the civilians' "inability to properly 'see' clearly demarcates a boundary between the honorable, trustworthy state and the suspicious masses of civil society" (139). Wall and

Linnemann's remarks can be applied to the events of Attica and Firestone's documentary, particularly in terms of whose sight and ability to see is deemed trustworthy. As officials such as Walter Dunbar explain how they interpret and understand the images of torture and degradation, the viewer is implicitly asked by the film whether or not they agree with those assertions.

The contrast Wall and Linnemann identify is present in an exchange between Dunbar, the New York State Deputy Commissioner of Corrections and the rebel Frank "Big Black" Smith. Firestone excerpts footage from Dunbar's testimony in the McKay Commission, in which he is asked to explain the state troopers' decision to strip the rebels nude and have them crawl on their hands and knees across the prison yard. The film cuts between photographic images of the nude inmates in the yard and the footage of Dunbar as he weakly provides a rationale for these decisions. Later, he remarks: "if you look at it as I do and try to report it to you […] in view of the situation, I'm only trying to say the number of causalities reflect to me quite honestly that there was this excellent self-discipline and self-control and good plan." Dunbar's references to looking and to viewing the situation function both as references to literal sight but also to the ways in which visuality privileges its own authority over that of the public looking at the situation.

Between Dunbar's appearances, Firestone inserts interviews with the inmate Frank Smith, whose emotional, impassioned remarks in his interviews serve as an affective counterweight to the remarks of state officials. Smith had served as a guard for the negotiating team and more broadly worked "security" in the yard and was tortured by state troopers for six hours after they had regained control of the prison. He was forced to lay on a table with a football under his chin and a shotgun pointed at his head while troopers told him that if at any point the football were to fall, he would be shot. In the film's interviews, he discusses the torture

he endured while, as with all current inmates interviewed, the film maintains a focus on a series of still photographs of Smith in the place of footage of the interview. Smith begins the interview clip by describing what happened to him: "I was taken out of the yard and I was put on a table nude, laying on the table with my head looking up at the catwalk, being spit on, hot shells thrown on my body, cigarettes thrown on my testicles. […] My body at present, have cigar burns, cigarette burns, all over it. My testicles, at times, bother me now from cigarette butts, sticks, rifles." As Smith recounts this vicious torture, the film moves through a series of still photographs. It begins with a close-up photograph of Smith, cutting to a birds-eye-view photograph of him in the yard on the table before cutting to another of Firestone's photographs of Smith.

What is notable about the sequence is the sound-image relationship between Firestone's photography and the audio track of Smith's interview. Though there are no moving images during Smith's interview, at multiple points, the camera zooms in on the photographs to extreme close-ups of his face. These slow zooms, which focus the viewer's attention squarely on Smith's visage, also simultaneously challenge our perceptive abilities. That is, while the zoom on the photographs of Smith may allow for increased scrutiny of his physiognomy, it ironically discloses nothing extra to us. As Smith details the lasting scars and pain from this torture, the zoom onto his face both humanizes him – allowing us to read that pain in his facial expression – while it simultaneously refuses to reveal the physical traces of this violence. Indeed, if, as Kahana argues, these photographs are meant to cinematically approximate incarceration, I would argue that they also mimic and make visible the ways in which imprisonment often hides the state violence to which prisoners are either subject or always potentially subject.

Like *Teach Our Children*, *Attica* also highlights the relationship between the spectacular

nature of the rebellion and the multitude of otherwise invisible issues in the prison that sparked the rebellion in the first place. Thus, in the last portion of the documentary, *Attica* shifts its focus toward aspects of the prison system that might otherwise be invisible to those outside the prison. Voices from prisoners talk about a slew of issues, such as the about the inability of prisons to actually rehabilitate those incarcerated, the use of prisoners as cheap labor, the racial and cultural discrepancies between inmates and the correctional officers, as well as the symbiotic relationship between the prison of Attica and the town in which it is located. One former inmate voices his belief that there will continue to be more Atticas, suggesting that the fundamental problems of the prison system have not yet been resolved. And to this end, Frank Smith exclaims that "the people in the street don't think about this…when they cast those votes, that's what they've gotta think about. Where that money is going, what is it for, what is it doing for the man behind the wall? We aren't lost; they're hiding us." Against this audio is a long shot of the outside of the Attica prison, visually articulating Smith's point that the prisoners are being hidden from the rest of the population.

The inclusion of these various voices, then, is one way in which Firestone attempts to make visible those who have disappeared, or who only become visible to us through the scope of a trooper rifle. Engaged with these particular politics of visibility, the documentary seems to suggest that inmates must become visible, either physically or through getting their voices heard, as the first step toward engendering a change in consciousness for the rest of the United States populace. Near the end of the film, multiple inmates discuss the ways in which the events of Attica constituted a political awakening for them, one that holds the possibility of a wider political awakening for others outside the prison. The film thus ends on an optimistic note. It incorporates footage of a Harlem funeral march commemorating those killed in Attica, invoking

a sense of community and political awareness of those on the outside. As we watch footage of people marching through the streets, inmates speak about the importance of reaching the people in the street. Smith, for example, exclaims that people must "wake up" and make their feelings known to people in power. The disjunctive sound-image relationship here connects two apparent disparate spaces: the prison space from which the inmates speak, and the world outside the prison in which the marchers have gathered. As in *Teach Our Children*, Firestone's documentary implies that spaces inside and outside Attica's walls are fundamentally linked, and that to understand that is one of the first steps toward dismantling the structures that produced the violence at Attica in the first place.

### *Ghosts of Attica*

In the aftermath of the Attica rebellion, narratives predictably solidified around who was to blame for the uprising. Ronald Reagan, then governor of California, published an op-ed in *The New York Times* a month after the rebellion, in which he asserted that "[b]y a strange twist of logic, rapists, murderers, robbers, and narcotics pushers are being portrayed as folk heroes, who somehow have been incarcerated for their political beliefs" (Reagan). Likewise, Vice President Spiro Agnew also penned an op-ed in which he argued that the "roots" of the violence at Attica lay in the choices made by "responsible leaders of both races" whose "editorial elevation of convicted felons into 'revolutionary leaders'" legitimized the violent rhetoric of Black Panther leaders and other radical groups (Agnew). As state actors sought to place blame on the rebels, there were also efforts within the prison system to neutralize the impact of activist prisoners. The Attica rebellion had far-reaching implications for the prison system more generally; while the prison administration made some short-term improvements to Attica, commissioner Oswald

publicly argued for “maxi-maxi” prisons, a proto-solitary confinement facility that would isolate rebellious prisoners who threatened the stability of the correctional system (“Oswald Stresses Gains”). While such facilities were never built, they helped lay the intellectual groundwork for what would eventually become the “supermax” prison model that could hold hundreds of prisoners in isolation.[25]

The fallout from the state violence at Attica threatened to both derail Nelson Rockefeller’s presidential ambitions and to subsume the nascent administration for the newly elected New York governor Hugh Carey. In December 1971, the state convened a grand jury and began issuing indictments against prisoners for crimes committed during the rebellion. As the state began taking Attica prisoners to trial, prosecutors watched as many of their cases against individual rebels fell apart due to shaky or non-existent evidence against them. Malcolm Bell further complicated the state’s efforts to absolve itself of responsibility. Bell joined New York State’s Attica investigation and was tasked with gathering information about possible crimes committed by state troopers during the prison’s retaking. Although Bell uncovered credible evidence that crimes had been committed, he found himself stymied by his superiors, who appeared to have little interest in prosecuting any state troopers or corrections officers. Believing that his office would bury evidence of these crimes, Bell reluctantly became a whistleblower, and on April 8, 1975, *The New York Times* broke the story of Bell’s allegations.

The ongoing lawsuits, and Bell’s accusations, turned the rebellion’s aftermath into a public relations nightmare for Governor Carey. On New Year’s Eve, 1976, Governor Carey announced that all inmates who had either been found guilty or pled out in Attica cases would be pardoned or have their sentences commuted. Furthermore, all inquiries into potential illegal actions by state troopers and corrections officers during the rebellion would be dropped. Carey’s

attempt to close the case on Attica, which had continued to be a political nightmare for his administration, did not, however, allow him to grant pardons in advance, meaning that cases against the state could continue (Thompson *Blood* 459).

In the years after Carey's pardons and the shuttering of all inquiries into wrongdoing at Attica, a class-action lawsuit by the prisoners against the State of New York began winding its way through the courts. The former inmates and former hostages attempted to make their voices heard even as state officials attempted to move on. Even as the Attica rebellion was no longer a matter of state investigation, the lawsuits were reminders of the public trauma that had resulted and the many remaining unanswered questions. The remainder of this chapter examines how *Ghosts of Attica* and *Criminal Injustice: Death and Politics at Attica* use the temporal distance from rebellion to construct a fundamentally different relationship between publics, the rebellion, and the Attica archives. The use of the Attica archives in *Teach Our Children* and *Attica* reflect a sense of immediacy in the years following the rebellion. While *Attica* makes ample use of the archival documents, its impact relies less on this temporal disparity between past and present, and instead uses that archival footage to contradict claims made by state officials. Similarly, *Teach Our Children* uses these archival documents not to evoke a feeling of temporal disparity in the viewer, but instead to create a sense of sameness and simultaneity across different geographical and temporal contexts. With a greater sense of distance from the rebellion, *Ghosts of Attica* and *Criminal Injustice* evoke what Jaimie Baron refers to as the "archive effect." The archive effect, Baron argues, is an "*experience of reception* rather than an indication of official sanction or storage location" that is experienced only if "the viewer of a given film perceives certain documents within that film as coming from another, previous — and primary — context of use or intended use" (7, emphasis original).

Baron's treatment of the archive as a mode of reception is of particular interest here, as it illustrates how archival documents can be deployed to "generate a sense of multiple contexts and double meaning, even if these are vague and indeterminate" (25). Certainly, the notion that texts are open to multiple, contradictory readings based on the audience is nothing new. But I am particularly interested in how this translates to the question of spectatorship within the context of Attica's carceral visuality. Baron's conception of the "archive effect" is one that has important implications for how we think of the penal spectator's relationship to these documentary films. That is, the experience of a temporal disparity produced by the archive effect is one of the primary means by which the films articulate the continued relevance of Attica decades later.

Filmed in the year 2000 for the television channel Court TV (and narrated by Susan Sarandon), *Ghosts of Attica* follows the parallel legal battles facing former inmates and hostages as they attempt to obtain compensation from the state of New York. The film centers primarily around three figures: Liz Fink, the head of the legal team working to obtain financial damages for the prisoners, Frank Smith, the former Attica prisoner who now works as Fink's partner, and Mike Smith, an Attica hostage who was shot by troopers as they entered the yard. The documentary follows the former inmates as they travel to Rochester, New York, to testify in front of a judge about what they experienced in the yard. The film also follows the formation of the nascent Forgotten Victims of Attica, a group comprised of former hostages and their family members who also seek compensation from the state. In the film, former hostages discuss their frustrations with their inability to get compensated by the state, while others express their grievances that the former inmates have received compensation in the class-action lawsuit. These legal struggles and the discordant voices illuminate the ideological divides between the former inmates and the hostages. The documentary, however, challenges this ideological division by

making the argument that the state was only interested in protecting itself, an argument that attempts to upend the neat division between prisoner and corrections officer.

*Ghosts of Attica* functions most explicitly as an extra-juridical space that, in the face of the glacial legal pace of courtroom proceedings and legal defeats, allows both inmates and hostages to express their grievances against the state of New York. The documentary's focus on the legal battle, and its appearance on the Court TV channel, establish the discursive framework for the film's reception. Furthermore, it also illuminates the relationship between the legal system and carceral visuality. As we saw in the previous chapter with the documentary *In the Land of the Free…*, the legal system is a tool that authorizes visuality and helps one construct their sense of place in the social order. In the context of *Ghosts of Attica*, the law is both a tool to fight for justice on behalf of the former inmates, but it is also a way for the state to protect itself from any actual blame.

As the director Lichtenstein explained to me in an interview, part of his motivation behind filming *Ghosts of Attica* was to tell the "definitive" story of the rebellion. He differentiated his film from those by Firestone and Choy, whose works he felt were directed more toward the activists who were directly involved in the struggle against the state. *Ghosts of Attica*, on the other hand, was intended to address a general audience with varying levels of knowledge about the rebellion. Such a distinction raises questions about the very motivations behind what it means to have a "definitive" story of Attica in the first place, or what such a story would look like. Lichtenstein's film at once engages in an act of historical memory through its use of archival documents, while it also continues an ongoing fight for justice for the Attica victims. My interest lies less in whether or not Lichtenstein's film measures up to his stated desire, but, rather, what that desire tells us about the nature of Attica's history and from whose

perspective the "definitive" story is being told. Attica's history, it appears, is so contested it has generated a desire for a "definitive" account. Indeed, his remark is particularly noteworthy given that at the time of the filming and production of *Ghosts of Attica*, Heather Ann Thompson had yet to discover the archival documents that revealed the identities behind the state troopers who killed the inmates and hostages.

The opening sequence of *Ghosts of Attica* employs a dialectical editing of the archive to establish the conflict as one between the state and the prisoners. An audio track of L.D. Barkley reading the Attica Liberation Faction's Manifesto of Demands is overlaid with sounds of sirens and helicopter blades whirring, while the documentary cross-cuts between footage of the inmates in the yard and state troopers preparing for the assault on the outside of the prison walls. As Barkley declares, "[w]e want the governor to guarantee that there will be no reprisals," the audio track cuts out, replaced by sounds of gunfire and footage of the chaotic violence in the yard. This opening frames the conflict as one between the prison population and state power, where both inmates and hostages were expendable in the state's efforts to reassert its authority. Ending with photographs of dead inmates and hostages lying in the prison yard, the film fades to black and then to Fink and Smith's law office, while onscreen text announces a temporal shift of "29 Years Later."

This distance between 1971 and 2000 allows the film to connect Attica's racial violence to the present, particularly in the ways that the racial and class politics embedded in the rebellion continue to manifest in the arguments about the lawsuit. As Fink explains it, this is a conflict between the former inmates – whom she refers to repeatedly as a "third world population" – and state power, a point echoed by Frank Smith when he explains the state's perspective on retaking the institution: "We don't have to be accountable to these third-class citizens, so we'll

go in there and kill ‘em all up. And they said ‘all niggers,’ but everybody was a nigger, whites and blacks, and Puerto Ricans and whoever else that was out there. We all was niggers.” But in making this distinction between the racialized inmate populace and the state, Fink also challenges the dichotomy of inmate versus correctional officer, a distinction that obscures the fact that both groups were ultimately victims of violent state power acting with impunity: “I feel for them. You know, they would’ve done a lot better to align themselves with us. They would’ve gotten some justice. But they refused to do that. They still don’t get it. No one ever thought that they could save the hostages by using 4500 rounds of ammunition. […] It was about showing the world when you rebel. That was its purpose. And they didn’t care about the hostages. They were just fodder.”

Mike Smith challenges this division between inmate and hostage.[26] Smith was one of the hostages who suffered the most bodily harm, and in the film, he is the hostage who is most explicitly sympathetic to the inmates. Smith’s integrity is established through archival footage of him interviewed in the Attica yard that is juxtaposed with his contemporary opinions on the inmates and on how the state handled the rebellion. Interviewed in the yard, he remarks “I just hope that the commissioner and the other people in the committee that they’ve gathered together can come up with a solution to solve these people’s problems.” This statement is met with clapping by the inmates as one of them exclaims that Smith is “[t]he only human officer in the institution.” Fading back to Smith twenty-nine years later, his remarks indicate that his position on the inmates has not changed: “People have a tendency to blame the inmates for the riot. I think that it’s easier to blame the inmates, but these people are no different than anyone else. And if the state would have addressed the issues, I don’t think the riot would have ever happened.”

While the talking head interviews are critical of the state's actions, the film uses the archive to stage a confrontation between past and present, doing so to illustrate how the trauma of Attica remains present in the lives of the former inmates. The former inmates' physical presence in the film is juxtaposed against the archival images and footage of violence in the prison yard as state troopers took control of it. This juxtaposition provides an opportunity for viewers to see the ways the events of Attica continue to resonate in the present. While the archives record the fact there was indeed violence and torture that took place in the yard, Fink points out that the very explanation by the state directly contradicts the photograph and filmic evidence. She argues that "the highest levels of officialdom in the state of New York never admitted that atrocities happened at Attica. And their position has always been that nothing happened. That none of this happened. After the assault was over, they were all beaten, brutalized and tortured. That's what it's about." During these remarks, the film cuts between shots of the former inmates on the bus to Rochester and the archival images of prisoners being tortured in the yard by state troopers (figures 4-5). The state's claim that "none of this happened," as Fink phrases it, resonates with Mirzoeff's conception of visuality. Mirzoeff, following Jacques Rancière, draws on his phrase "[m]ove on, there's nothing to see here" to describe how state power uses its authority to establish the parameters of what is seeable and sayable (*The Right to Look* 1). The existence of these archival photographs and their use within the documentary obviously contradict the state's claims. But more than this, they call attention to the limits of the archive in terms of its efficacy and reliability in helping in the fight for justice.

In other words, the implication here is not simply that providing these photographs of torture is itself definitive proof of anything, nor is it suggesting that the presentation of the photographs alone will reshape how we think about the meaning of Attica. That is, if the state

has still claimed that nothing illegal happened, even in the face of documented torture and degradation, are we able to rely on these archival images alone to make the case for compensation on behalf of the inmates? *Ghosts of Attica* suggests we cannot, and instead attempts to make its argument in part by producing an affective experience in the viewer through the use of the archive effect, which Baron argues can provide contemporary viewers with the experience of a historical moment that has already passed. It is a privileging of the bodily memory over the official institutional memory that the film vindicates.

This becomes clear when the former inmates arrive at the Rochester hotel. To prepare them for testifying in front of a judge, Fink and her assistants meet them in a hotel conference room and listen to them as they recount what they witnessed and experienced in the Attica yard. The film cuts between different inmates recounting what they saw and what they experienced. These descriptions and memories are recounted verbally as they recount what they saw, but are also recounted physically, as they point to the scars they still have from being shot. Other descriptions are animated through physical gestures as a means of trying to capture and approximate their experiences. As they speak, the film slowly fades from the conference room to the past footage of brutalization and torture in the prison yard, putting the prisoner memories in direct competition with the archival footage (figure 12). The sound hierarchy establishes this clash between past and present, as the prisoner testimonies are layered on the chaotic sounds of gunshots, the whirring of helicopters, and a voice over a loudspeaker instructing the inmates to drop their weapons. This is not only a temporal disjunction between past and present, but one of perspective, as well. The footage filmed by the troopers is almost always from a detached, high angle that looks down upon the inmates in the yard. The former inmate testimonies, however, provide us the on-the-ground perspective that the trooper's footage simply cannot. By hearing

this testimony, the film constructs a dialectic between the mental images they conjure with the archival footage we watch onscreen. This has a destabilizing effect on the violent gaze of the state, and it allows the former prisoners to reclaim a sense of agency by narrating their experiences of the violence. It also significantly reduces the historical distance between the archival footage and present day. That is, for the spectator, there is no convenience of distance here; the convergence of past and present implies that the events of Attica continue to inhabit the contemporary legal and cultural terrain of our world.

Figure 12. Screenshot from *Ghosts of Attica* (2001).

*Ghosts of Attica* concludes with the settlement reached between former inmates and the state of New York, a deal which, Fink ruefully notes, is not justice. Similarly, the former hostages are left continuing to search for justice for themselves, fighting for a settlement that the state denies they are owed. Such an ending draws attention to the fact that the legal structures alone cannot be relied upon to deliver the justice either group seeks. The inability for both groups to achieve this justice, and the state's resistance to providing it, emphasizes the ways in which the very legal mechanisms that failed to protect the inmates and hostages in 1971 continue to fail. By evoking this temporal disparity between 1971 and 2000, the film shows how little has

changed, and the ways in which the state is ultimately invested in protecting itself at the expense of the inmates and hostages.

### *Criminal Injustice*

In 2005, the state of New York reached a $12 million settlement with the Forgotten Victims of Attica, an amount split between 50 former hostages and their families. While the State of New York admitted that the families had been mistreated in the aftermath of Attica, it did not comply with the families' request that they receive an official apology from the governor of New York, George Pataki.[27] The Attica Task Force, a body formed to address the issue of compensation and to make other recommendations to the governor, feared a "slippery slope" if the governor's office apologized "for the decisions of their predecessors whose actions were based upon the prevailing contemporary social standards of their earlier era" (Stashenko). Furthermore, the state also refused to open any sealed documents relating to the rebellion. While the families considered the settlement to be the closure of this chapter of their lives, this was not the case for the state.

The documentary *Criminal Injustice: Death and Politics at Attica* was filmed after previously sealed archival records were opened and produced new revelations about the uprising. In 2011, on the 40th anniversary of the uprising, the state of New York allowed historian Heather Ann Thompson and filmmaker Christine Christopher to examine the archives before their cataloging.[28] Christopher then worked with fellow director David Marshall on what would eventually become *Criminal Injustice*, a film whose existence reflects the unsettled history and continued new revelations over what is known about Attica. The documentary makes use of a mixture of Attica's archival footage and couples it with talking head interviews that often serve

to contradict the dominant narratives regarding what transpired during the rebellion and the timeline by which it occurred.

*Criminal Injustice* was originally exhibited through a national PBS broadcast, and as Christopher explained in an interview, was primarily intended for audiences with an interest in history (Christopher). Since its broadcast on PBS, the film is being distributed through Icarus Films, an academic film distributor. Within these distribution contexts, the film has circulated as an educational tool for primarily academic audiences. Christopher and Thompson also screened the film at events in the central and upstate New York area, and found that it resonated with audiences in the region. This is, of course, not particularly surprising. Christopher recounted a sold-out screening with Thompson at the State University of New York at Geneseo, in which she realized that the audience was not made up of students who were obligated to be there, but, rather, interested members from the surrounding community. What is interesting about Christopher's anecdotes is that it offers an insight into the shifting subject position of the penal spectator, who may find themselves at varying distances from the events. While proximity does not necessarily determine deep knowledge of the event, the public screenings that featured a talkback opportunity afterward allowed for a shared dialogue between Christopher and members of the community who had a connection to the rebellion.

Christopher's work in the Attica archives provides a useful insight into how that experience informs the documentary's approach toward the history of the rebellion. She explained that sifting through the uncatalogued archival materials and handling the personal effects of the rebels was a powerful emotional experience. She emphasized the materiality of the archives and the experience of holding items such as a box of inmate spokesman L.D. Barkley's possessions, which included his bloody shirt. Her experience with these objects illustrates their

affective power that always remains in excess of their documentation within the film. Christopher also remarked that her experience with Attica artifacts was not limited to those in the formal, institutional archives. Instead, through friends and acquaintances, and later through screenings of the film, she met others who showed her items they owned that were related to the rebellion (Christopher). These informal social networks of people affected by Attica reveal the ways that the memories of Attica, and its material past, cannot be reduced to what is held in the State of New York Attica archives.

While *Ghosts of Attica* affectively engages the penal spectator through the archival gap between past and present, *Criminal Injustice* focuses on the political machinations by Rockefeller and President Richard Nixon that shaped the state response to the uprising. The archives are used to advance the argument that the aftermath of Attica was a cover-up motivated by two related issues: the rise of the "law and order" discourse toward crime and criminality in United States politics, and Nelson Rockefeller's presidential ambitions. The film argues that the "law and order" discourse greatly influenced and circumscribed Rockefeller's responses to the inmates' demands. His choice to have state police violently retake the prison was, first and foremost, done for political expediency. Death and politics are, then, inextricably linked.

While the use of the term "cover-up" suggests a conspiratorial tone, *Criminal Injustice* avoids appearing paranoid by focusing somewhat narrowly on the questions surrounding the death of L.D. Barkley. The questions concerning how Barkley died become a metonym for the state's continued duplicity in matters regarding the deaths of inmates and hostages. In the film's search for answers, it uses interviews with Barkley's sister Traycee Barkley Timian, and the former Attica inmate Melvin Marshall, who claims to have seen Barkley killed by troopers in the yard. Both talking heads affectively engage the viewer and also challenge some of the widely

held beliefs about both Barkley and the circumstances of his death. Timian's frustration, indignation, and desire to set the record straight on who her brother was and how we died are matched by Marshall's tearful recounting of his experience in the prison yard as state troopers regained control of the institution. While Barkley's original cause of death was attributed to a ricocheting bullet, later autopsy reports contradicted the state's claim, instead suggesting that he was shot in the back from close range, and thus deliberately murdered by state troopers. While the film does not purport to determine exactly when Barkley was murdered, it makes the point that the state is an unreliable narrator whose justifications for retaking the prison ring false in light of the country's mood toward criminality and Rockefeller's political ambitions.

At the same time, *Criminal Injustice* situates the story of Barkley's death within a larger set of details and questions about Attica, ones that are put forth by another set of interview subjects who have also been personally affected by Attica and its aftermath. These include former hostage Mike Smith and Dee Quinn, daughter of slain guard William Quinn, as well as former Attica Observers such as Tom Wicker, Senator John Dunne, Assemblyman Arthur Eve, and Minister Raymond B.T. Scott, all of whom were on hand to help with the negotiations and who witnessed the carnage, as well. And finally, the film also uses interviews with historian Heather Ann Thompson and political scientist Valeria Sinclair-Chapman to provide social and historical context for the rebellion, using their academic credentials to establish a sense of credibility to the film's overall argument.

One notable difference between the use of talking heads in *Ghosts of Attica* and *Criminal Injustice* is how the latter marshals all of them in advancing an argument about the impact of Rockefeller's political ambitions on how he handled the rebellion. Whereas *Ghosts of Attica* reflects the ideological differences between some of the former hostages and inmates through the

remarks made by some of its interview subjects, the presence of Quinn and Timian in *Criminal Injustice* work to undo these divisions. That is, in *Ghosts of Attica,* Fink's claim that the former hostages and inmates are linked is presented as more or less her opinion. This is differently reflected in *Criminal Injustice*, as the discursive structure of the film, and its overall organization, implicitly link the families of the former hostages and the families of the former inmates under the same struggle. Both women lost family members in the rebellion, and it is this sense of loss that links them together. While neither was at Attica during the rebellion, they are nonetheless framed as victims, and the film's inclusion of their voices challenges the binary between inmate and correctional officer.

Much like with *Ghosts of Attica*, *Criminal Injustice* privileges the voices of the inmates and hostages over Rockefeller and the state of New York's correctional administration. This is literalized in the film's opening sequence, which cuts to a clip of Rockefeller as he is asked by a reporter "[w]hat's your feeling about what you know of the unfolding facts of Attica?" What follows is not Rockefeller's answer to the question, but instead a cut to Attica Observer B.T. Raymond Scott, who seems to answer the question for him: "Nixon and Rockefeller wanted to maintain their power, so they were willing to lie, they were willing to cheat, they were willing to be heavy-handed, they were willing to infiltrate, they were willing to set up people to be killed, and they did that." As Scott begins to speak, the film cuts back to Rockefeller answering the reporter's question, with his voice is displaced by Scott's. This displacement of Rockefeller's voice metaphorizes the film's overall challenge to the state's narrative of Attica, in which those official talking heads of power are replaced by others who can provide the facts of Attica as they unfolded. Further destabilizing Rockefeller's authority is Mike Smith, whose remarks follow Scott's: "I think we were all pawns. Not just the inmates, the hostages, and all of our families

and anybody involved was a pawn to his own political expectations and the political control that they were able to express in the interpretation of this event."

The competing interpretations of the event, as *Criminal Injustice* seems to suggest, are rooted in how the state itself interpreted the black and brown bodies that entered its visual field. For Rockefeller and Nixon, Attica was not simply about rebellious inmates, but was also about racial minorities who challenged the racist structures embedded within the fabric of society. Thus, while the rebellion was a deeply racialized challenge to the structures of power both within the prison and within the broader society. *Criminal Injustice* juxtaposes the competing perspectives of the state perspective with that of the inmates and Attica Observers. As Sinclair-Chapman notes in part of her interview, Rockefeller viewed the rebellion as "barbarians at the gate," threatening the very fabric of society. This discourse of criminality stands in comparison to Scott's insistence that the rebellion was borne out of a struggle for basic human rights. Thus, the death of L.D. Barkley exemplifies the very lack of rights afforded to black and brown bodies who were deemed expendable and outside protection of the law.

This lack of protection is referenced in the very opening of the documentary, in which an intertitle quotes the McKay Commission's report on Attica: "Forty-three citizens of New York died at Attica Correctional Facility between September 9 and 13, 1971. The State Police assault which ended the four-day prison uprising was the bloodiest one-day encounter between Americans since the Civil War…" Regarding this remark, Anoop Mirpuri points out that "the commission located Attica within the tortuous history of state and civilian efforts to manage those who have been viewed as exceptions to the norms of liberal governance: the Indian and the slave," aligning the prisoners with groups whose bodies had been placed outside the legal protection of the state (133). While *Criminal Injustice* does not explicitly take up Mirpuri's

argument, its opening foregrounds the state's perspective toward the disposable lives of those in the Attica yard. The documentary's overarching argument articulates Mirpuri's point, even without explicitly attempting to do so. In other words, both inmates and hostages occupied positions akin to that of the Indian and the slave, in which both were subject to extra-juridical death at the hands of state power.

Mirpuri's point is made by former Attica Observer John Dunne, who recounts seeing state troopers force inmates to strip down and line up with their hands over their heads. The film cuts between Dunne's interview and the archival images of prisoners nude in the yard, either standing in lines or forced to lie on the ground. Dunne's final remarks are "I had a feeling that this was like a group of slaves being led onto a slave ship. In fact I said to [Walter] Dunbar, if you have any pictures of this, you should really destroy them. It was a terrible sight." Dunne's remarks, coupled with the archival images, are of interest here for a couple of reasons. One is Dunne's historical recontextualization of the images, aided by the film's cuts between him and the photographs. Through this editing, Dunne's remarks rework our visual relationship to the images, by placing them within a longer history of state-sponsored racial violence against African-Americans, and by asking the viewer to see the bodies in this way. In other words, the visual relation of the camera, and the spectator, to the prisoners is embedded within a longer set of practices of racial control. Furthermore, Dunne's remark to Dunbar about destroying the photographs is itself a rather remarkable claim, insofar as it captures the fragility of the archive itself (and the ease with which documents can be destroyed or disappear). It is the fact that these archival images are still around that has helped Attica maintain political significance over the following decades.

Within the context of Dunne and Mirpuri's claims, we can see Barkley's death as

emblematizing the very disposability of black and brown bodies to the state. Barkley's alleged murder symbolizes the ways in which both inmates and hostages were ejected from legal protections by the state. Marshall's testimony regarding what he saw in the yard is central to this argument, as he maintains that he saw Barkley purposely gunned down by one of the officers during the retaking, contradicting the state's claim that Barkley died due to a ricocheting bullet. As an eyewitness, the film uses Marshall's testimony to make its case that Barkley's death is tied to a larger set of issues concerning the use of state power and violence. Marshall's eyewitness account is intercut with a set of other talking heads, such as Mike Smith, Dee Quinn, and Tom Wicker. Though none of their interviews discuss Barkley, they nonetheless authenticate Marshall's remarks, as they testify to the chaotic nature of the rebellion. The story of Barkley's death, in other words, is weaved into a larger tapestry of stories told by the interview subjects, all of which exemplify the brutality of the state's response.

As Marshall recounts the events leading up to Barkley's death, *Criminal Injustice* shifts between archival footage and Marshall's presence. Like *Ghosts of Attica*, the viewer is asked to compare the eyewitness testimony from former inmates and hostages to the archival footage, pointing to the limits of what the materially degraded quality of the footage reveals about the events. Indeed, Marshall's affective reaction and his embodied presence as he tells the story generate a sense of authenticity. Though he remains seated throughout the interview, he nevertheless moves within the frame, such as when he stamps his feet to imitate the inmate Tommy Hicks running toward the hostages. But while the film moves between Marshall's interview and the archival footage from the yard, the camera remains focused on him as he talks about Barkley's last moments. This has an affective impact on the viewer, as they are focused solely on Marshall's emotional and gut-wrenching testimony. The testimony also highlights how

much remains unknown about what took place in the yard as the state troopers secured the institution.

Marshall's declaration at the end of his interview that "they murdered him" hinges in part on the vagueness of the "they." Rather than referring to a specific individual, the expansiveness of the pronoun allows the film to make the case that "they" does not refer necessarily to the state troopers themselves, but instead to those at the highest echelons of power. Indeed, this connection is made through a cut from Marshall's testimony to a recorded phone conversation between Nixon and Rockefeller, which captures their racist sentiments about the rebellion. The audio is initially accompanied by a shot of Nixon on his phone in the Oval Office as we hear him tell Rockefeller "I want you to know that I just back you to the hilt. You did the right thing; it's a tragedy that these poor fellas were shot, but I just want you to know that's my view and I've told the troops around here that I back that right to the hilt." As Nixon speaks, the film cuts to photographs of murdered inmates and hostages, while he inquires whether or not it was "primarily blacks" who were involved in the rebellion. As Rockefeller responds by stating that "the whole thing was led by the blacks," Nixon responds that "we just cannot tolerate this kind of anarchy," as the film cuts back to a close-up photograph of Nixon again on the phone. The uncomplicated narrative put forth by Nixon, that this was a response to "anarchy," underscores the ways in which the visibility of racialized prisoner bodies constitutes a threat to the status quo of the established power structures. Like *Teach Our Children*, the film draws on the visages of Nixon and Rockefeller to make connections between the rebellion and the wider political and social power structures that the rebels sought to challenge (figure 13**)**. By cutting between Nixon's visage and the dead bodies of prisoners and inmates, the film draws a direct link between the White House and the massacre of Attica, and more specifically, to the death of

Barkley. This point is made clear by a final extreme close-up on Nixon's face, which situates him as a representative and metonym for an authoritarian use of state power.


Figure 13. Screenshot from *Criminal Injustice* (2012).

The viewer is asked to compare the authenticity of Marshall's and Rockefeller's narratives. Rendered as a voice with no physical, embodied referent, Rockefeller is physically distanced from us when compared to the overwhelming presence we feel in Marshall's interview. The distance of Rockefeller also functions as a metaphor for his distance during the rebellion, in which he refused to visit the prison or meet with the Attica Observers to help peacefully resolve the situation. That is, Rockefeller simply cannot know what happened at Attica because he never went. *Criminal Injustice* thus suggests that Marshall's eyewitness account, forty years removed from the violence, is both more accurate and carries more authentic weight than Rockefeller's remarks in 1971. The film opens up a space in which Marshall's testimony can exist beside, and contradict, the duplicitous claims made by Rockefeller and Nixon.

While *Criminal Injustice* runs the risk of focusing too greatly on Rockefeller's impact on how the response to the rebellion unfolded at the expense of some of the actors involved, it nevertheless provides an arena for further challenging dominant narratives about Attica. The inclusion of Quinn and Timian has an effect similar to that of *Ghosts of Attica*. Their presence

undoes the binary between inmate and hostage and illustrates how both families of inmates and hostages were victimized by the state. Timian's presence in particular allows her, and the documentary, to situate Barkley as someone whose identity transcends that of Attica inmate. Together, Quinn and Timian help illustrate the ways in which the events of Attica had human impacts beyond the injury and death of inmates and hostages. Thus, the film fittingly allows Quinn the last word, as she declares that "Attica is a powerful lesson, a cautionary tale, about the lengths that people are willing to go to keep and gain power – political power – not in some third world nation. Right here."

**Conclusion**

The events of Attica and the contents of its archive highlight some of the seemingly contradictory aspects of the four-day standoff. For an event so widely covered and documented, some of the basic, fundamental questions about it have remained difficult to answer, and the state of New York has gone to great lengths to avoid answering them. As a case study in carceral visuality, the documentaries in this chapter articulate some of the limits of what the archive can tell us. As these films attempt to revise the dominant narrative of Attica, they simultaneously reveal the gaps, fissures, and absences within the archives for events that appeared to be excessively documented. Each documentary articulates a different response to the state's dominant narrative, though all of the films rely to some degree on the gap between the archive and the embodied experience of those involved. *Teach Our Children* and *Attica* are driven by a sense of immediacy in Attica's aftermath in order to highlight not only the state's duplicity, but also to make connections to other forms of violence beyond the walls of Attica. The arguments and the impact of *Ghosts of Attica* and *Criminal Injustice* both rely more heavily on the viewer's

temporal distance between the events and their viewing of the documentary decades later. For the penal spectator who is distanced from the event, the latter two films reveal some of the ways in which the archive can be used to bridge that distance, particularly by exploiting the gap between the contemporary embodied presence of the inmates and the archival documents.

These archives are important because, as *Ghosts of Attica* and *Criminal Injustice* show us, the struggle over Attica's significance is not merely about setting a historical record straight. Instead, it is also about the continued importance of the social, cultural, and legal issues that the Attica rebellion raises. As Mumia Abu-Jamal has observed, Attica was a precursor to Abu Ghraib, an example of what happens when "the Prison Nation goes Global [sic]" (Pugliese 78). The events at Attica and Abu Ghraib are not only two examples of the brutality of prisons. They also demonstrate the importance of the archive to laying bare and subverting the structures of power that give rise to that abuse in the first place. And while the torture and degradation at Abu Ghraib may be more recent in the cultural memory, due in part to the digital technologies that enabled the documentation of that torture, Attica remains an important moment in the history of prison rebellions and prison activism in the United States.

## Chapter Three: Guantánamo Bay

Speaking explicitly of the War on Terror, W.J.T. Mitchell argues that in our multimedia-saturated age, "[t]he shaping of perceptions of history does not have to wait for historians or poets, but is immediately represented in audio-visual-textual images transmitted globally" (xi). As proof of the power of images to shape such perceptions, Mitchell observes that while the Obama administration may have released the Bush administration's infamous torture memorandums, "[w]hat is not public . . . is the visible evidence that would show what the consequences of these memos were for actual human bodies. It is a testimony to the widespread conviction that images are more powerful than words, that the Obama administration was willing to release the verbal memos, but not the visible manifestation of their effects" (129). Mitchell's remarks draw attention to the concurrent logics of hypervisibility and invisibility that structure the War on Terror's visual field. Certain parts are hypervisible, such as the brown terrorist body that justifies the curtailing of civil liberties and a widespread torture regime, or the design of military prisons to hold these bodies. But at the same time, those very spaces and bodies often disappear from the visual register, as the torture inflicted upon detainees, the torturers responsible for that violence, and frequently the prisons themselves are hidden from the public.[29] This visual framework was embodied in Vice President Dick Cheney's assertion in an interview on *Meet the Press* that the success of the War on Terror would hinge on the United States' ability to "work sort of the dark side" and "spend time in the shadows in the intelligence world" (Cheney).

Cheney's visual language, coming five days after the September 11 attacks, anticipated how the saturation of war imagery across the internet and media outlets would obscure the "dark side" of the War on Terror's carceral networks. Even as the spectacle of the War on Terror has

receded from view, the structures that shape how the public sees it are constant and ongoing, part of what John Louis Lucaites and Jon Simons call the "paradox of the in/visibility of war," or the "gap between the lived-experience of life in a war zone…and the visual, mediated experience of war in public, popular culture" (3). Lucaites and Simons argue that even as certain spectacles of war are insinuated into the daily lives of American citizens (such as military spectacles in films and television or military ceremonies at sporting events), other types of wartime experiences and images are absent, such as the destruction of occupied lands or the suffering of soldiers with posttraumatic stress disorder (3). The contradictions they observe can be extended to military prisons, as well. As Michelle Brown argues,

> Through indefinite detention, the practice of extraordinary rendition, and new legal categories, such as that of the unlawful enemy combatant, a penal architecture was established which resulted in practices intended to be *clandestine, invisible, and simultaneously, common, acceptable, and global*" (*The Culture of Punishment* 124, emphasis mine).

The carceral network of the War on Terror, Brown observes, is paradoxical insofar as it is seemingly invisible and shrouded in secrecy while it simultaneously exists as a publicly acknowledged part of the Bush, Obama, and Trump administrations' tactics in detaining and prosecuting alleged terrorists.

The military prisons Guantánamo Bay and Abu Ghraib best exemplify the above contradictions. Prior to Abu Ghraib's closure, the two prisons shared intertwined techniques of detention and torture. Indeed, the Guantánamo commandant General Geoffrey Miller was ordered to Iraq to "Gitmoize" Abu Ghraib (McCoy 114). But even as Guantánamo Bay and Abu Ghraib have been the most well-known of the military prisons operated under the War on Terror,

they have achieved vastly different kinds of cultural visibility. Unlike Abu Ghraib's hypervisibility that came through leaked photographs and video of detainee torture (which I will discuss in the next chapter), Guantánamo Bay has been far more accommodating to visiting members of the public, as it offers routine public relations tours to visitors interested in getting a glimpse of the prison. Shortly after its opening, 25 members of Congress visited Camp X-Ray and more or less uniformly boasted of the high quality of treatment that was simply "too good for the bastards" imprisoned there (Rosenberg "Congressional Visitors Find Base Jail OK"). Indeed, not unlike the Angola prison that I discuss in chapter one, Guantánamo Bay boasts its own golf course, along with other recreation activities for members of the military and their families, such as a movie theater and bowling alley.[30]

The strategically deployed, sanitized public images of Guantánamo Bay have allowed the U.S. government to boast of its commitment to the transparency of the prison. Secretary of Defense Donald Rumsfeld insisted that "[a]rguably, no detention facility in the history of warfare has been more transparent or received more scrutiny than Guantánamo" ("Rumsfeld defends Gitmo facility"). Taking into account the highly constructed nature of this "transparency," this chapter examines how documentary filmmakers have challenged and denaturalized the very discourses of transparency that the government proffers. I analyze two critically understudied documentaries that, in different ways, are interested in the structures that discipline the public's gaze toward the prison: Laura Poitras' *The Oath* (2010) and Luc Côté and Patricio Henriquez's *You Don't Like the Truth: Four Days Inside Guantánamo* (2010). Both films contest and complicate essentialist images and discourses of Muslims, not through corrective "good" images, but through challenging the structures of visuality that shape how the Muslim body is seen and read, particularly in regards to its construction by a hegemonic Western imagination. These films

play with the conventions of the documentary talking head to grapple with the carceral and legal structures that circumscribe the public's visual relation to Guantánamo Bay and its detainees. Through strategies such as disrupting sound-image relationships of talking heads, as well as the self-reflexive filming of detainee surveillance video, these documentaries interrogate how Guantánamo silences detainees and renders them physically inaccessible and invisible. These tactics also call attention to the viewer's own spectatorial position, challenging them to consider how the visuality of Guantánamo drastically shapes how they see its prisoners.

*The Oath* centers around two men: Salim Hamdan, a Guantánamo Bay prisoner, a former driver for Osama bin Laden, and the plaintiff in *Hamdan v. Rumsfeld*, and his brother-in-law Abu Jandal, bin Laden's former bodyguard who, at the time of filming, was a free man driving a taxi in Yemen. The film follows their divergent but intertwined paths, and in the process, raises serious questions about the effectiveness of the War on Terror's tactics for interrogating and prosecuting alleged terrorists. *You Don't Like the Truth*, on the other hand, is centered around a declassified video of a four-day interrogation conducted by the Canadian Security Intelligence Services of Omar Khadr. Khadr is a Canadian citizen who was 15 when he was captured by United States forces in Afghanistan and taken to Guantánamo Bay, where he was subsequently detained and tortured. The footage is interspersed with a variety of talking heads whose remarks about Khadr challenge depictions of him as a terrorist. Though Khadr and Hamdan's cases are vastly different in many ways, as their levels of visual and cultural visibility, these films nonetheless demonstrate a shared interest in strategies that challenge the notions of Guantánamo's "transparency" and that also examine how the prison's detainees appear in public visual culture.

**Guantánamo's Visuality**

"The image that would come to define Guantánamo forever in the eyes of the world," according to Karen Greenberg, "displayed the detainees, kneeling in the day's heat, goggled and earmuffed, bound and shackled at the wrists, dressed in fluorescent orange jumpsuits and caps and turquoise face masks, facing away from one another and bending in submission toward a concertina wire fence" (87). Clad in sensory deprivation gear, the detainees hardly resembled the men who were reputed to be so dangerous that, in the words of Chairman of the Joint Chiefs of Staff General Richard Myers, they "would chew through a hydraulics cable" to bring a plane down (Fenton). The iconic photograph of the first detainees to arrive at Guantánamo, taken by Navy Petty Officer Shane McCoy, indexes many of the visual dynamics that have broadly come to define Guantánamo's visuality (figure 14). The chain link fence through which McCoy took the photograph creates a frame within a frame, an extra layer of enclosure around the detainees that, Anjali Nath comments, "may provide a view 'into' Guantánamo," though one in which "the bodies themselves remain out of view, and the methods of torture are specifically non-spectacular" ("Toward the Dark Side" 547). That is, Guantánamo has never been fully impenetrable, as the previously mentioned public relations tours illustrate. Instead, offering members of the public – primarily journalists and members of Congress – highly strategic state-constructed views of the prison has "normalize[d] this exceptionalized front in the war on terror" (Grinberg 58). Muneer Ahmad (who served as Khadr's lawyer for a period of time) refers to this construction as "visible but not too visible, close but not too close," in which the American public sees enough of the prison to feel reassured of their national safety without needing to confront their complicity in the torture taking place at the prison (1695).

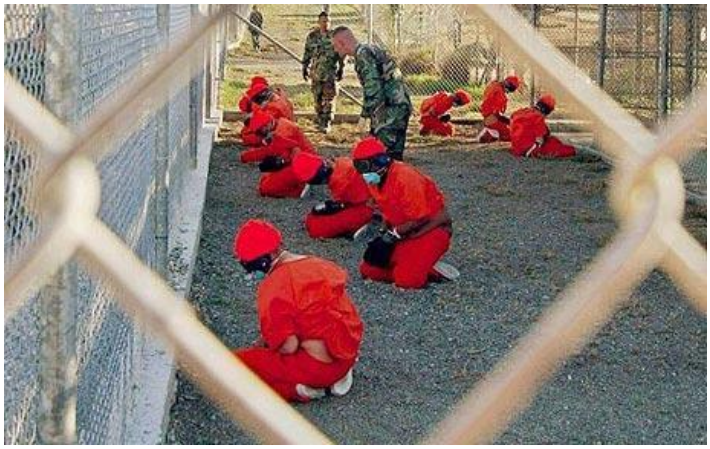

Figure 14. Photograph by Shane McCoy.

Though the image taken by McCoy created a firestorm of controversy that brought far more international attention and scrutiny to the prison than the United States military expected or desired, there has been little in the way of other imagery that has come out of Guantánamo. While the Abu Ghraib torture photographs ostensibly offered a look into the treatment of detainees on the night shift (even if the scenes of humiliation and torture had been deliberately performed for the camera), the images that have come out of Guantánamo have on their face been far less controversial and objectionable. The veritable absence of *unapproved* images out of Guantánamo, such as force feedings or other forms of torture, has helped buttress claims by government officials that Guantánamo lives up to its official motto of "Safe, Humane, Legal, Transparent." However, the prison's restrictive visual field has been echoed by its characterization as a "legal black hole," a visual metaphor that evokes the disappearance of both law and detainees into the prison site. The geographer Derek Gregory refers to Guantánamo as a "nonplace," while Amy Kaplan asks "[w]here in the world is Guantánamo?" (Gregory, "Angel of Iraq" 319; Kaplan 832). These appeals to the seeming placelessness of Guantánamo are, obviously, not about where the prison can be physically be located. Rather, they address the unclear and contradictory place that the prison occupies in the American legal and imaginative

landscape. This legal ambiguity emerged out of the United States' lease of Guantánamo after the Spanish-American War, which the United States forced the Cuban government to adopt into its constitution in exchange for the withdrawal of American troops. While Cuba has "ultimate sovereignty" over the land on which Guantánamo sits, the United States has complete control of the Guantánamo naval base and prison. This positioning allows the United States to claim that the prison is outside of its legal jurisdiction, but also outside the scope of international law.

As scholars have noted, however, this description of Guantánamo as a legal black hole, while fairly commonplace, is inaccurate. Instead, Guantánamo is characterized by an excess of law, rather than an absence. In the process of becoming a central prison under the War on Terror, Guantánamo accumulated sediment from over a century "of memoranda and minutes, acts and amendments, treaties and the terms of the lease itself" (Gregory, "Black Flag" 412). Likewise, Laleh Khalili points out that the prison is marked by "[p]rocedural excess and an intricately constructed legal edifice," an "excess of law, rules, procedures, legal performances made by the government to legitimate control, and contested by those who seek to subject the detainees there to an alternate regime of legality" (73-74). This legal architecture is also deeply racialized; it has served as an apparatus of biopolitical management not only for those deemed enemy combatants under the War on Terror, but also for previous populations viewed as threats to the nation's body politic. In the early 1990s, Guantánamo held Haitian and Cuban refugees, eventually housing a detention camp for HIV-positive Haitians. Naomi Paik draws a connection between the United States' detainment of Haitian refugees to the capture and incapacitation of those designated enemy combatants under the War on Terror. She contends that the court rulings that forced the United States to release Haitian refugees left unchanged the legal ambiguity in which they languished (154). On a legal level, the Bush administration took advantage of "the indefinite

legal status of this ‘useful corner of the world’ – this time to render rightless the enemy combatants of the War on Terror” (Paik 154).

The legacies of these imperial legal architectures produce the figure of the enemy combatant, whose apprehension and indefinite detention is justified by a racialized terrorist threat. The racialized Muslim as terrorist emerges out of a complex set of global racial formations that are themselves informed by older Orientalist and Islamophobic discourses (Rana 25-49). In other words, as Louise Cainkar and Saher Selod point out, the post-9/11 racialization of Islam and Muslims was not instantiated by the attacks, but had already been primed by previous decades of essentializing discourses and representations (166-167). Following the mass arrests of Arab and South Asian immigrants by immigrant enforcement after, the Muslim body has come to be signified by a collection of visual signifiers, such as having dark skin along with wearing a beard or through forms of dress like the hijab. However, hate crimes committed against Sikhs who were mistaken for Muslims suggest that Western cultural anxieties about these symbols have less to do with the specific religious practices of particular Muslims and more to do with a broader cultural anxiety about the need to secure the United States and its borders against a racialized foreign adversary. This is what Louise Amoore refers to as “vigilant visualities,” or an “emerging watchful politics” that “‘looks out’ with an anticipatory gaze” (140). The imagined terrorist, who serves as an ongoing and ever-present threat to an American way of life, animates state-sponsored initiatives like Homeland Security’s “If You See Something, Say Something” campaign, which seeks to interpellate ordinary citizens into the broader national security apparatus by asking them to keep a watchful eye on their fellow citizens and non-citizens, while simultaneously framing any individuals or communities deemed threatening as non-citizens.

The cultural imaginary of Guantánamo Bay specifically, and the War on Terror more broadly, have been shaped by this interplay between the hypervisible terrorist and enemy combatant and the invisibility of the state violence committed against those bodies in the name of combatting terrorism. Mediamakers have thus felt an imperative to either envision or attempt to document that which takes place in the shadows of the War on Terror.[31] Documentary film has specifically been a site which has addressed this desire to uncover hidden truths about the War on Terror in order to contest the dominant narratives put forth by the U.S. government. Charles Musser speculates that filmmakers found renewed interest in questions of truth within documentary film in response to the Bush administration's consolidation of its executive power and the failures of the mainstream media to hold it accountable (10). The conflict between these dominant narratives and the counter-hegemonic ones embodies what Jane Gaines terms the "imaged wars," or a struggle "about how we view -- *how we see what we see as well as what we make of the images that we see and what they make of us*" (36, emphasis original).

In other words, the imaged wars are not only about the kinds of representations of the War on Terror that dominate news media outlets. It also refers to how war is documented, how these images are framed, and the spaces in which those representations circulate. While an exhaustive discussion of each documentary about Guantánamo Bay is beyond the scope of this chapter, I do want to provide a brief overview of some strategies filmmakers have employed for representing the prison and the stories of torture that come out of it. Some works, such as those in the PBS Frontline series *The Guantánamo Files* (2017), broadly reflect what Julia Lesage refers to as "torture epistephilia," or "the thirst for knowledge about official U.S. support of torture," evidenced by sheer amount of information that has, and continues to be, published in books and on the Internet (Lesage). For example, the documentaries that comprise *The*

*Guantánamo Files* series take critical stances on both the human rights violations at Guantánamo Bay and their dubious legal justifications. Each documentary is organized around arguments put forth by a "voice of God" narrator under which all other evidence is subsumed. These films reflect a notion of torture epistephilia centered around informing the viewer of the debates about the prison, the prison conditions, and the treatment of the detainees.

Another work that occupies a similar place in this corpus is the *Witness to Guantánamo* (2009 – present) web project, which features interviews with a range of individuals, such as former detainees, lawyers who represent detainees, government officials, journalists, chaplains, and others.[32] As of this writing, the website contains 158 recorded interviews with people from 20 countries, and offers the most comprehensive set of testimonies available about Guantánamo Bay. Unlike *The Guantánamo Files* series, *Witness to Guantánamo* does not advance a unified, overarching argument about the prison, torture, or the War on Terror. Rather, users watch brief talking head interviews categorized based on "Point of View" (such as attorney, chaplain, detainee, detainee family), "Issues" (such as "America's Reputation," "Closing Guantánamo," and "Day in the Life") and "Associated Country." The user can watch a variety of testimonials and perspectives by those who have either experienced firsthand the torture in Guantánamo or have attempted to navigate the bureaucracies and the restrictions that prevent outsiders from contacting or visiting detainees. Both *The Guantánamo Files* and *Witness to Guantánamo* evince what Lesage sees as a downside of torture epistephilia, "a desire for ever more information and analysis without ever putting a punctuation mark to the topic, a kind of compulsive logorrhea that surely must stand as a symptom for a larger social disorder" (Lesage). Her concern is that this proliferation of endless information risks obfuscating the systemic, societal conditions that have fostered a culture of torture in the first place.

While *The Guantánamo Files* and *Witness to Guantánamo* are driven by an imperative to educate viewers on torture's place in the War on Terror, another group of documentaries have emerged that are more directly concerned torture's absence from the public's visual field. Documentaries such as Channel 4's *Torture: The Guantánamo Guidebook* (2005), Michael Winterbottom's *The Road to Guantánamo* (2006), along with *The Oath* and *You Don't Like the Truth*, all self-consciously engage with the very representability of torture and detention. They question how Guantánamo's restrictive visual field shapes the public's relationship to torture and how it can be disrupted. To this end, reenactment is one of the fundamental tactics through which *Torture: The Guantánamo Guidebook* and *The Road to Guantánamo* engage with the visuality of torture. While reenactments have been part of documentary film's history since the Lumière brothers' actuality films, political documentary filmmakers have used reenactments as a tool of exposé, a strategy to visualize that for which no visual evidence exists or for which only one's memories remain. Reenactments reflect, in the words of Bill Nichols, "*a* view rather than *the* view from which the past yields up its truth" ("Documentary Reenactment" 80, emphasis original). They offer alternative perspectives and points of view that serve as powerful rejoinders to truth claims made by those in power. Rithy Panh's *S-21: The Khmer Rouge Killing Machine*, for example, documents former S-21 prison guards as they reenact the scenes of torture in which they participated. For Panh, the point of these reenactments is not to approach some sort of indexical truth, but to instead bring a traumatic past into the present, one often purposely ignored by Cambodian society at large.

These complex relationships between past and present reenactments are at play in both Channel 4's *Torture: The Guantánamo Guidebook* (2005) and Michael Winterbottom's *Road to Guantánamo* (2006). While Channel 4 and Winterbottom's films share a certain torture

epistephilia with *The Guantánamo Files* and *Witness to Guantánamo* insofar as they are invested in knowing what goes on behind Guantánamo's walls, they use reenactments to foreground their inability to really know or represent such information. *Torture: The Guantánamo Guidebook* simulates the environment of the prison based on declassified United States government documents and military manuals. Volunteers agree to spend 48 hours as detainees in a makeshift prison, subject to a lighter version of the torture detainees suffer in Guantánamo Bay. And as a docudrama, *The Road to Guantánamo* reenacts the torture of the "Tipton Three" in an attempt to both approximate the violence of their imprisonment and point out how this violence rarely enters public visual culture. In both documentaries, words – be they from military manuals or detainee testimony – inform the reenactments even as they also fail to fully capture the violence and humiliation of the "enhanced interrogation techniques." That is, the films contribute to the public imagination of torture, but in doing so, highlight both the inadequacy of their own representations as well as the ways the restrictive visual field prevents these tortured bodies from coming into public view. These films use detainee statements to bear witness to war crimes committed by American soldiers and their allies and to call attention to the violence that happens beyond the public eye. However, as has been evidenced by the brief outrage over the release of the Abu Ghraib photographs (which I discuss in the following chapter), indexical images of detainee torture do not necessarily translate into fundamental shifts in political power. Indeed, it is always a risk that the detainee's testimony will only reinforce the imagined distance between the audience who receives the detainee testimony and the spaces in which that violence occurred.

This reliance on detainee suffering as a strategy to challenge the injustices of Guantánamo allows victims to bear witness to the violence of state power and to make public those experiences, but it also raises a complex set of representational and ethical issues. As Nath

argues, in the visual economy of the War on Terror and Guantánamo, "the desire for 'real' images of pain, legible evidence of torture, and grievable subjects who are worthy of compassion," which "often hinges on legibility within existing tropes of racial and cultural difference" ("Toward the Dark Side" 540). Thus, as films like *Road to Guantánamo* use reenactment to visualize the torture that happens beyond the public eye, it simultaneously draws on a set of tropes that make the Tipton Three legible as grievable subjects to Western audiences ("Toward the Dark Side" 540-548). To some degree, both *The Oath* and *You Don't Like the Truth* participate in these humanizing discourses as a means of illustrating the sheer cruelty of the prison. In their address to viewers, then, films such as *The Oath* and *You Don't Like the Truth* often presume a Western, liberal subject as spectator, one whose presumed geographic and cultural distance from the prisoners may render them less sympathetic to detainee suffering without the humanizing discourses that renders them as legible and thus grievable subjects. This is most apparent in *You Don't Like the Truth,* as multiple interviewees highlight Khadr's status as a young boy in order to humanize him and raise the incomprehensibility of his imprisonment in Guantánamo. And in *The Oath,* Jandal is humanized through the shots of him interacting with his son and through his meetings with young men seeking religious counsel.

But even as both films may participate to differing degrees in this humanizing discourse, they nonetheless also employ varying strategies for visually and rhetorically challenging the penal architectures of the War on Terror and Guantánamo. These strategies hinge on disrupting the dominant spectatorial relationship between the Western viewer and the suffering detainee subject. Through its shots of the Guantánamo Bay landscape, *The Oath* makes the prison's margins the center of the film, and in the process, draws attention to the ways the U.S. government deliberately structures public images of the prison and the torture that goes on inside

it. For *You Don't Like the Truth*, the documentary constructs multiple gazes through which the viewer sees Khadr, by both showing the interrogation footage as well as filming interview subjects watching the footage. In doing so, the film focuses as much on the gaze at Khadr as it does on the interrogation footage itself, and in the process engenders a reflection on the very dynamics of how Western spectators see detainee bodies.

***The Oath***

Laura Poitras is a filmmaker, artist, and journalist whose oeuvre is comprised of works that frequently deal with issues of mass surveillance and the erosion of civil liberties under the War on Terror. She directed three documentaries that constitute what she refers to as her "9/11 trilogy": *My Country, My Country* (2006), which follows the Sunni physician Riyadh al-Adhad as he runs for office under Iraq's first democratic elections (and whose filming led to her placement on an FBI watchlist); *The Oath* (2010), which examines the policies of indefinite detention and torture at Guantánamo Bay; and *Citizenfour* (2014), which captures the unfolding events and revelations surrounding National Security Agency whistleblower Edward Snowden's leaks after he contacts Poitras and journalist Glenn Greenwald to aid him in releasing the documents.

Along with these films, Poitras also developed an art exhibition titled *Astro Noise* (the name of the encrypted file Snowden gave to Poitras containing the evidence of mass surveillance) for The Whitney Museum of American Art in New York City. The exhibition is comprised of installations of documentary footage shot by Poitras, along with FBI documents about herself that she obtained through the Freedom of Information Act. Together, they were repurposed into an examination of the secrecy of the surveillance state and the kinds of information it tries to withhold from citizens. Poitras used redaction and censorship as aesthetic

tools to examine how the national security apparatus attempts to structure and control American citizens' gazes toward it. She also published the edited collection *Astro Noise: A Survival Guide for Living Under Total Surveillance* as a companion piece to the exhibition. The book contains writings about issues of mass surveillance by a variety of artists, as well as some of Poitras' personal journal entries from 2012-2013, which detail Snowden's initial attempts to contact her alongside entries that express feelings of stress and anxiety that come from living with the knowledge of being surveilled.

Poitras' work then, can be more broadly characterized as an examination of the visuality of the American national security state. Like visual artists such as Trevor Paglen and Edmund Clark, Poitras's work often foregrounds the inherent impossibility of transparent representation in visual media. Instead, her work explores the limits of this representation, and in the process, configures new ways of looking at the security state and the very processes it uses to hide itself from view. In doing so, her work alludes to aspects of the national security state and the War on Terror that exist but cannot be fully visualized, such as NSA buildings or the torture that goes on behind prison walls. This approach, most evident in *The Oath* and *Astro Noise,* differs greatly from the vérité style of her earlier film *My Country, My Country*. Indeed, Poitras muses on her change in perspective in a journal entry published in *Astro Noise*, in which she remarks "*My Country, My Country* seems so naive in retrospect. As if appealing to people's consciences could change anything. Ten years into this war it is obvious there are other forces at work" (91). Her admission as to the limits of *My Country, My Country* to effect political change raises questions about how to change the minds of Western viewers, and more specifically American viewers, about the war in Iraq, if an appeal to their conscience fails to do so.[33]

*The Oath* searches for an answer to this question through its self-reflexive engagement with the state-manufactured visibility and incarceration at Guantánamo Bay. The film focuses on two men: Abu Jandal, the former bodyguard for Osama bin Laden, and his brother-in-law Salim Hamdan, a Guantánamo Bay prisoner who was bin Laden's driver and stands charged with providing material support for terrorism and engaging in a conspiracy to commit terrorism by allegedly transporting supplies and weapons as bin Laden's driver. Hamdan was also the plaintiff in the Supreme Court case *Hamdan v. Rumsfeld*, in which the court ruled that the military commissions established by the Bush administration violated the Uniform Code of Military Justice and Common Article 3 of the Geneva Conventions. The film follows Jandal's daily life as he raises his son, drives a taxi cab for a living, provides religious instruction for youths curious about Islam and jihad, and expresses deep regret for recruiting Hamdan to Al-Qaeda. Poitras attempts, and fails, to document Hamdan's trial at a Guantánamo Bay military commission because she is denied permission by the military to film in the courtroom. The inability to document Hamdan's trial ends up becoming a central (non)event in the film and serves as a way for *The Oath* to comment on the secretive nature of the military commissions trials. It is this failure that renders Hamdan a perpetual absence, accentuated by Jandal's voluble presence in front of the camera. While absence and invisibility are the obvious status quo for detainees, the failure to film Hamdan's trial draws attention to the conditions that created his absence in the first place.

The very inability for *The Oath* to achieve what it has set out to do – interview Hamdan and cover his military commission trial – forces the film to employ a set of representational strategies that draw attention to the military's restrictions on who and what Poitras and the cinematographer Kirsten Johnson are allowed to film. In this sense, *The Oath* embraces what

some have called an "aesthetic of failure," in which the film purposely foregrounds its inability to film Hamdan. Though politically committed documentary film has historically been invested in raising social awareness and providing marginalized groups visibility and a voice, filmmakers have also harnessed failure as a response to the assumed desire for documentary to both reveal and illuminate. Here, I am not referring to failure in the pejorative sense, nor am I making a value judgment about the film's efficacy as a political text. Instead, I am positioning it within a longer history of documentaries that have drawn on failure in order to produce political and social commentary. In his discussion of the "aesthetic of failure," Paul Arthur mentions Ross McElwee's *Sherman's March* (1987) and Michael Moore's *Roger & Me* (1989) as examples of performative documentaries that feature a bumbling male antihero who fails to achieve his stated goals. Both McElwee and Moore inscribe themselves in their films, and Arthur sees their on-camera failures, such as in McElwee's failure to get a date, and Moore's failed attempt to confront General Motors CEO Roger Smith over the closure of the GM plant in Moore's hometown of Flint, Michigan, as a reflection of suspicions about documentary's ability to "speak from a totalizing framework of knowledge about some full intelligible reality" (128). Because documentary film has been traditionally associated with what Bill Nichols calls the "discourses of sobriety" which include "science, economics, politics, foreign policy, education, religion, welfare," and that "regard their relation to the real as direct, immediate, transparent," documentaries such as McElwee's and Moore's play with assumptions about documentary's access to truth and knowledge (*Representing Reality* 3-4).

Unlike the documentaries Arthur discusses, failure in *The Oath* is not a source of ironic humor. It instead contradicts the claims made by the American government and military regarding the openness, transparency, and inherently normality of Guantánamo. In this context,

failure becomes a way to resist the objectifying and disciplinary gaze of the camera toward the detainee body, a gaze which may do little more than reinforce a gulf between Western spectators and bodies that are characterized as "deviant" and "dangerous." Failure frustrates the desire to see, and thus has the potential to disrupt the dominant visual field of Guantánamo and produce new ways of looking at the prison, not through an emphasis of what is visible to the wider public, but by highlighting what is hidden from view. Poitras makes this point in reference to Hamdan's absence: "I feel okay (perhaps good) that you never see him because that is the situation with many of those still imprisoned" (qtd. in Ratner 16). The film is materially impacted by the government's restrictions on Hamdan, and as a result, its aesthetics draw attention to the ways state power shapes how citizens' acts of looking. Indeed, the initial introductions to Hamdan and Jandal establish the viewer's unequal visual relationship to the two; Hamdan is a perpetually absent, spectral figure, while Jandal has a commanding presence in front of the camera.

*The Oath* continually draws on documents that articulate Hamdan's presence and absence within the film, such as letters he writes (read aloud by an actor), photographs of him, and courtroom drawings. Hamdan first appears in the film's opening scene, which begins with footage from his interrogation by the U.S. military after his capture in Afghanistan in 2001 (figure 15). A hooded Hamdan sits on the floor as military personnel stand around him. The footage is grainy, no doubt in part because of the quality of video camera used by the military to record the interrogation. However, the image quality is further compromised because Poitras's camera records the footage as it plays on a computer screen. The edges of the monitor are present in the opening shot and the camera slowly zooms in on the screen and onto Hamdan's hooded head, rendering the already flickering image grainier and more unstable. By the time Hamdan's hood is removed and his face is revealed, the triply mediated visage is blurry enough to make

any distinguishing facial features unrecognizable. The footage establishes Hamdan as a ghostly presence, a spectral trace, who is only available in the film through layers of mediation. To include the edge of the computer screen in the opening shot reminds viewers of this mediation and reflexively foregrounds the film's limitations in documenting Hamdan's incarceration. He is, of course, never physically accessible to the camera, and as the film highlights its own limitations for visualizing him, it also draws attention to the ways Guantánamo Bay – and the War on Terror more broadly – shape the visual field in which Hamdan and other detainees may appear.

Figure 15. Screenshot from *The Oath* (2010).

On the other hand, *The Oath* treats Jandal noticeably different. The first time we see him, he is seated on a couch in his home next to his son Habib as the two look at a photograph of Jandal and Hamdan posing together and a photograph of Habib as a baby. This scene raises a couple of issues that recur throughout the film, namely, Hamdan's disappearance and Jandal's complicated identity as both doting father and militant fighter. Habib tells him that when he grows up, he wants to be a "jihadist," further explaining "like you." In some ways, the moment is entirely normal – a young child tells his father that he wants to be like him when he grows up. In moments such as these, a more complex portrait of Jandal emerges, and Poitras avoids

oversimplifying his identity as solely that of a former member of al-Qaeda. It is not even until the next scene in which Jandal is driving his taxi that onscreen text indicates who he is, a choice that helps to avoid initially prejudicing the audience's view of Jandal.

The scenes of him in his taxicab are filmed with a camera sitting on the dashboard, which captures not only his interactions with the passengers, but also document the busy streets of the Yemini capital San'a. The bustling mise-en-scène of these scenes, along with the glimpses of the city, grounds Jandal's life with a geographic specificity that starkly contrasts with Hamdan's life in Guantánamo Bay. The scenes in the taxi also emphasize mobility; at a few different points in the film, a camera sits at the front of Hamdan's taxi as he drives through city streets. Unlike other moments in the taxi with Jandal, these images are not framed by the car's interior, and as a result, there is a sensation of the camera floating forward, unencumbered in space. This sense of embodiment crucially provides viewers with an understanding of the spatial mobility and freedom that Jandal experiences.

By way of these divergent introductions, *The Oath* challenges dominant discourses on terrorism, as well as images of terrorists constructed through and circulated by state discourses that position Arab and Muslim identities as fundamentally anti-modern and antithetical to Western value systems. The often static and monolithic beliefs about terrorists are referenced early in the film. At one point, we see archival footage of a 2006 episode of CBS' *60 Minutes,* in which Michael Scheuer, former CIA Intelligence Officer and Chief of the CIA's bin Laden Unit from 1996-1999, declares that if it were up to him, Jandal would be locked up because "anyone who is as dedicated as he is, we ought to be taking care of him one way or another." Likewise, Hamdan's lawyer, Lieutenant Commander Brian Mizer, explains at a meeting for families of Guantánamo Bay prisoners that "Americans, and particularly the American government, cannot

understand how bin Laden had farmers, had mechanics, had cooks. They see Mr. Hamdan standing next to bin Laden, and so therefore he must be a terrorist." Both examples highlight the ways in which the threat of terrorism, or even the most tenuous association to it, is used to baselessly determine guilt.

Contra Scheuer's remarks, Jandal is a much more complex and slippery figure than one may assume, and by capturing this complexity, Poitras makes an effective case against the tendency to treat the terms "terrorism" or "terrorist" as static or catch-all. In part, the film captures what would otherwise be invisible moments of Jandal's daily life, such as when he is driving his taxi cab, or when we see him preparing his son for school or instructing him in religious practice. At other moments, we watch Jandal as he provides religious instruction to young men. Most interestingly, these meetings display the layered and conflicted thoughts Jandal appears to have about his relationship to jihad and Al-Qaeda. His depiction of his time in Al-Qaeda is never straightforward, and the film never tries to prejudice us one way or the other. It avoids a clear and concise narrative of his time as bin Laden's bodyguard and instead allows Jandal to speak for himself, though, as we learn, he is often contradictory and evasive in how he recounts his time as a member of Al-Qaeda or what his current relationship to the organization is. For example, when Poitras asks Jandal if he would have participated in the September 11 attacks had he not been imprisoned in Yemen at the time, he explains that he would not because he prefers to "confront them on the battlefield, soldier to soldier." The next day, however, he is filmed demanding that yesterday's remark be deleted from the record. While moments such as these could be interpreted as examples of Jandal's mendacity and his unreliability as a narrator, they also reveal his own seeming internal struggle with his relationship to Al-Qaeda and his sensitivity to how he is perceived by others.

Hamdan's absence is also a way for *The Oath* to highlight the structures of invisibility that govern both the Guantánamo Bay prison and the military commission trial. While Poitras was in Yemen interviewing Jandal, cinematographer Kirsten Johnson went to Guantánamo Bay to film Hamdan's trial. However, Johnson was neither allowed to film the trial nor to interview Hamdan. Instead, Johnson films the Guantánamo Bay landscape, producing haunting portraits that become substitutes for Hamdan's absent body (figure 16). Johnson's camera is static as she records the landscape, and this lack of movement elicits a feeling of tranquility, particularly in her shots of the sky and the Guantánamo Bay horizon. Even shots of the prison are often taken at angles that obscure or prevent it from fully dominating the frame, ultimately rendering it non-descript, as if they were simply generic buildings. These compositions often vacillate between the peaceful and the foreboding, sometimes in the same shot. In these shots, Hamdan is nowhere to be seen and is thus even further removed from the film than in the opening interrogation footage. Indeed, it is Hamdan's very lack of physical presence that accentuates his story and that serves as the most critical challenge to Guantánamo's visuality. Through strategies such as filming the placid landscapes of the island, *The Oath* recenters what sits at the margins, which is the violence and torture Hamdan and others suffer.

Figure 16. Screenshot from *The Oath* (2010).

What Johnson's images of the landscape immediately signal is that this is not an exposé into the Guantánamo prison. Instead, it is through the landscape that *The Oath* both attempts to represent the space of the prison and Hamdan's incarceration while it simultaneously calls attention to the ways in which the United States government fundamentally restricts this access. That is, the landscape functions as a substitute for Hamdan's corporeal presence. Poitras instructed Johnson to "look for evidence in the landscape of a crime that can't be seen" (qtd. in Ratner 16). Poitras' instruction represents the paradoxical and absurd task faced not only by Johnson, but by the film as a whole: attempt to record that which remains unseen and invisible. What viewers experience in these shots is a focus on the exterior and the surface: the outside of buildings and the natural landscapes that surround them. What haunts their margins (sometimes literally, when the prison appears on the edges of the frame) is the violence that goes on inside of these buildings, and Johnson's cinematography is suggestive of the violence committed against prisoners but that is hidden from the public's visual field. Reflecting on the process of filming at Guantánamo Bay, Johnson remarks that "if it is possible to compose frames that evoke melancholy or consternation, it is because something is present in the landscape that allows it," and that "[w]ith each composition, I worked to make a frame that would indicate an environment where it was possible to see and yet meaning was still hidden" (356).

Furthermore, Johnson's compositions, coupled with the sound design, visually and aurally articulate the uncertain and liminal legal status that Guantánamo Bay and Hamdan occupy. Letters written by Hamdan to his family are read by an actor against the backdrops of Johnson's landscapes. The acousmatic voice that reads Hamdan's letters performs a double displacement, insofar as the sound-image relation does not align a voice with a synchronized, speaking body and, furthermore, it is not even Hamdan's own voice which reads these letters.

Regarding the acousmêtre, Michel Chion argues that the spectator perceives this voice as "'offscreen,' outside the image, and at the same time in the image," further noting that "[i]t's as if the voice were wandering along the surface, *at once inside and outside,* seeking a place to settle" (23, emphasis mine). This liminal space Chion describes evokes the spectral qualities of Hamdan's presence in the film and his inability to be located within a prison that also seems as if it is placeless. By emphasizing the aural over an embodied presence in front of the camera, *The Oath* paradoxically accentuates Hamdan's presence, as it highlights how much of the prison remains unseen by the public.

Guantánamo Bay is not the only impenetrable and elusive space Poitras and Johnson attempt to document, as they are also unable to record Hamdan's military commissions trial. The opacity of both the prison and the courtroom in the film illustrate how they function together as a closed circuit, as the seeming non-place of Guantánamo Bay is intertwined with a legal process that also operates cloaked in secrecy. Khalili argues that the military commissions by which Hamdan was tried "provided a mechanism for making detainees invisible even as the ritual of trial gave the small handful brought to court a severely circumscribed and surveilled platform from which to speak" (87). As a means of illustrating this opaqueness of the trials and the invisibility Khalili identifies, *The Oath* substitutes a series of intertitles for footage of the legal proceedings that they are not allowed to film. As the trial begins, the film cuts to a black intertitle with white text that reads "[t]he prosecution begins its case. Cameras are prohibited in the courtroom." This intertitle visualizes several different kinds of absence: absence of evidence, absence of a fair trial, as well as absence of Hamdan's own agency as a defendant.

The film's critical treatment of the military commissions proceedings fits more broadly into its criticism of the national security state. It may initially appear that the film contrasts two

different styles of interrogation, the persuasive tactics centered on emotional and interpersonal strategies for obtaining intelligence and the coercive methods of "enhanced interrogation" allowed under the War on Terror. These different interrogation styles appear to produce vastly different outcomes for both men. Poitras waits until late in *The Oath* to reveal that Jandal was imprisoned in Yemen for his suspected involvement in the Al-Qaeda bombing of the U.S. Navy guided-missile destroyer *USS Cole* in October 2000. While in prison, he was questioned by the FBI shortly after the September 11 attacks. Poitras includes footage of Jandal's FBI interrogator Ali Soufan's testimony before the United States Senate Judiciary Committee, in which he argues against the use of "enhanced interrogation" strategies by citing the treasure trove of actionable intelligence he obtained from Jandal through persuasive interrogation techniques. Though Jandal downplays the interrogation in an interview with Poitras by claiming that he only provided the FBI with information that was already well-known, the interrogation documents tell a different story. The film cuts to the archival documents, which reveal the treasure trove of information about Al-Qaeda that Jandal provided his interrogators. It is also from these documents that we learn Jandal provided the authorities with Hamdan's name.

What are we to make of this late reveal? Of course, it reframes much of how we interpret Jandal's previous remarks, particularly in terms of his feelings of guilt about Hamdan's incarceration. But it also reveals a cruel irony at the heart of the film. Jandal gets off far easier than Hamdan, as we learn he agreed to enter the Yemeni re-education program known as The Dialogue Committee, which uses religious instruction and discussion to convince former militants to refrain from committing violent acts in Yemen or killing foreigners. The Yemeni government also provided Jandal with the money to purchase a taxi in order to help him re-integrate into society. Poitras's point here is not to validate the interrogation strategies used by

Soufan, but to instead highlight how state discourses on terrorism, generated through the lens of fear, radically impact how guilt and culpability are determined and assessed. That is, *The Oath* is not making the case that it should be Jandal in Guantánamo instead of Hamdan, but that there is an inherent arbitrariness to the ways in which the entire national security apparatus assesses and determines guilt, such that someone who was a driver for bin Laden is baselessly determined to be a national security risk for the United States.

After we learn this information, *The Oath* juxtaposes Hamdan and Jandal's vastly different outcomes through its return to the verdict of Hamdan's trial. Hamdan is found not guilty of the most serious charge of conspiracy to commit terrorism, but is found guilty of providing material support for terrorism (a charge created by the United States Congress specifically for Hamdan's trial). He is sentenced to time served, plus five months, ultimately considered a loss for the United States government in its first military commission trial. The trial's anticlimactic end does little to vindicate the coercive methods of interrogation and detention under the War on Terror, and we are given no sense that Hamdan's suffering has in any way aided in the prevention of future terrorist attacks. Hamdan and Jandal's intertwined stories, with the inclusion of Soufan's testimony, encourages viewers to consider alternative and more humane ways for gathering intelligence. But the juxtaposition of the different interrogation styles also registers a cruel irony, in which the strategies championed by Soufan are what led to Hamdan's arrest and torture. There can thus be no clear delineation between Soufan's interrogation style and "enhanced interrogation."

The evident ambivalence and guilt Jandal feels about his role in Hamdan's detention and torture becomes particularly acute in the film's final scenes. Its ending returns us to the dialectic of presence and absence with which it began. A black intertitle with white text reads "Salim

Hamdan was reunited with his family on January 8, 2009" and cuts to a nighttime shot of an exterior of a house. The suggestion here is that the house is Hamdan's, though it is impossible to know, as the film cuts to another intertitle that states "[h]e has refused to be filmed or speak to the media since his release." There is another cut to a black screen, and Poitras can be heard asking Jandal "[i]s Salim the same person you left seven years ago?" Jandal explains how Hamdan's reclusiveness since his release from prison is a direct result from of the years he spent in solitary confinement. Even if Hamdan is out of Guantánamo, the shot of the house implies a self-imposed imprisonment, a withdrawal from the public prompted by the trauma of his detention and torture. Thus, the return to Jandal may initially seem ironic, as the man who provides viewers with the final word on Hamdan's condition since leaving prison is also the one who appears directly responsible for his imprisonment in the first place. But Hamdan's suffering cannot be laid solely at Jandal's feet, and this moment captures the ways in which both men are caught up in the deliberate and groundless ways in which the United States determines guilt.

### *You Don't Like the Truth*

On July 15, 2008, the Canadian Supreme Court declassified seven hours of video footage of a four-day interrogation of the sixteen-year-old Canadian citizen Omar Khadr that had taken place in the early months of 2003. The interrogation was conducted at Guantánamo Bay by the Canadian Security and Intelligence Services (CSIS) and the Central Intelligence Agency (CIA). Khadr had been captured on July 27, 2002 in an al-Qaeda safe house in Afghanistan by the United States military after a firefight transpired between al-Qaeda members and U.S. Delta Force soldiers. Khadr was accused of throwing a grenade that killed soldier Christopher Speer (a claim that has since been proven to be highly suspect). He was subsequently detained and

tortured in Bagram Air Base before being transferred to Guantánamo. In the interrogation footage, an initially excited Khadr welcomes the sight of a Canadian official whom he mistakenly believes is going to help him return to Canada. Unclear to Khadr at the time is that the Canadian official is not there to get him out of prison. The official is an interrogator from CSIS whose goal was to gather intelligence from Khadr on the whereabouts of his father, who was alleged to have ties to al-Qaeda and to Osama bin Laden. As the interrogation proceeds over the course of four days, Khadr grows increasingly despondent and withdrawn as he realizes that he will not be returning to Canada, and the psychological and physical trauma from his torture in Bagram becomes evident as the interrogators push him to provide information that he does not have.

In an effort to elicit outrage and sympathy on Khadr's behalf, his lawyers released a ten-minute clip of the interrogation to the public. However, as Sherene Razack observes, there was little outrage from Canadians regarding the interrogation videos and the revelations of psychological and physical torture (Razack 59). Instead of public outcry, the footage contributed to the already contentious representational politics of the case. Debates about Khadr in the media were driven by Orientalist discourses about whether the suffering teenage boy in the video was a "worthy" victim – that is, a child soldier who needed to be rescued by his government – or a terrorist who should remain imprisoned. The poles of this debate were further reflected in two predominant images of Khadr that circulated across media outlets. One was a photographic portrait of 14-year-old Khadr before he had been captured and imprisoned, while the other was usually a still image taken from his interrogation video (figures 17 and 18). Moreover, media representations of Khadr's family and his upbringing seemed to confirm that they did not belong to the Canadian body politic. A year after Khadr had been in Guantánamo, the Canadian

Broadcasting Corporation premiered a documentary that contained interviews with Khadr's brother Abdurahman, who told cameras that "[w]e are an al-Qaeda family." In the same documentary, Khadr's mother criticized the values of Canadian society, remarking that she did not want to raise her son in Canada because "by the time he's 12 or 13 he'll be on drugs or having some homosexual relation or this and that?"

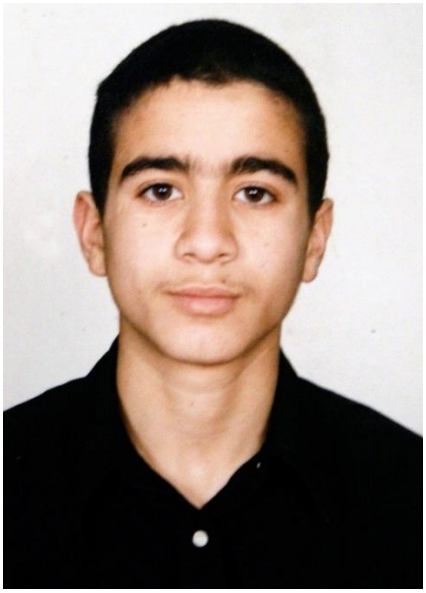

Figure 17. Photograph from Reuters.

Figure 18. Screenshot from *You Don't Like the Truth* (2010).

This coverage of Khadr and his family confirmed to the public their racial and cultural Otherness in Canada. Jessica Foran argues that media depictions of Khadr and his family were

inflected with a set of colonial racialized and gendered assumptions about populations from the global South that are used to justify the militarized violence to which Khadr was subjected (212-213). Foran also notes that the focus on Khadr's static identities as either child soldier or terrorist prevented a "more thorough interrogation of the temporal duration of Khadr's detention and his…embodied experiences of incarceration, violence, and torture, which are historically and spatially bound and crucial features of his struggle" (201). Along with foreclosing a consideration of his embodied experience, these images and discourses worked to justify Khadr's indefinite detention and torture.

The complicated representational politics that fuel these competing and contradictory narratives of Khadr's "true" identity are explored in Patricio Henriquez and Luc Côté's 2010 documentary *You Don't Like the Truth: 4 Days in Guantánamo Bay*. The documentary is organized around excerpts of the declassified interrogation footage, which it reappropriates in order to challenge the depictions of Khadr as an al-Qaeda soldier. It follows the chronology of the four-day interrogation, and identifies each day with a title: Day One: Hope; Day Two: Breakdown; Day Three: Blackmail; Day Four: Failure. The surveillance footage is interspersed with talking head interviews from a variety of people, such as psychologists, journalists, fellow detainees at Guantánamo, Khadr's family members, his legal representation, and even Damien Corsetti, a former interrogator who was at Bagram the same time as Khadr. The interviews cover a wide array of topics about Khadr and his case, such as his upbringing, his experiences in Bagram and Guantánamo, as well as the issues posed by the military commissions trial. On one level, the documentary offers a necessary corrective to media depictions of Khadr as a terrorist; the interviewees provide far greater nuance to his complicated situation, and also push back

against key accusations made by the American government regarding Khadr's involvement in the firefight.

Rather than simply challenging the depictions of Khadr that had cemented in mainstream media depictions, the film constructs a complicated, multilayered gaze through which the interview subjects and the viewer encounter the interrogation footage. Like my analysis of the documentaries about the Attica rebellion in chapter two, *You Don't Like the Truth* raises a similar set of issues regarding the ethics of reappropriating images of state violence and how one can avoid reproducing the dynamics of that violent gaze. The footage of Khadr appears onscreen divided into four quadrants, consisting of three separate cameras hidden in the interrogation room, and one quadrant that contains nothing and remains black (figure 19). One camera, hidden behind a venetian blind whose slats are visible in the image, is fixated solely on Khadr. Another camera opposite the wall from Khadr records him and his three interrogators, while the third camera is focused solely on the lead CSIS interrogator. Even though the footage is on one level a passive record of the interrogation, the act of recording actively produces Khadr as a suspect, terrorist body within the racialized regime of the War on Terror. The film's use of this footage raises a set of questions: What are the limits of what this surveillance footage tells us? What exists beyond the frame? And how do we look at the footage in a way that does not simply reinforce the smothering, penal gaze directed toward Khadr?

Figure 19. Screenshot from *You Don't Like the Truth* (2010).

To consider how the film constructs its multi-layered gaze toward the footage, it is necessary to first consider the politics of redaction and secrecy that shape the contexts in which the footage was both produced and intended to circulate. In her discussion of the aesthetics of redaction under the War on Terror, Nath argues, "detainees were rendered into files, figures, and statistics, which create a rational order in military prisons; their bodies are thereby made visible to the state through bureaucratic categorization" ("Beyond the Public Eye" 22). While Nath is referring to redacted documents released through FOIA requests or other avenues, we can also see the footage of Khadr as part of this record keeping. Khadr's interrogation, filmed to be a record of what he said and what, if any, actionable intelligence he provided, is also the manner in which he becomes visible to the wider public. That is, Khadr becomes visible through the bureaucratic, record-keeping processes of the state. The release of the interrogation footage to the public both provides a glimpse into the otherwise off-limits world of interrogations while it also obscures things about that very world. For one, we are only privy to footage of the Canadian interrogation; the interrogations by Khadr's American captors remain classified (Jenkins). And even in the footage that was released, audio that is considered sensitive is redacted at the request of CSIS. Moreover, unlike Khadr, who is fully visible, the faces of the three interrogators are censored with black circles. The ability for CSIS to successfully redact sensitive information and

censor the identities of the interrogators is indicative of the power asymmetry and unequal visual rights between the state and its detainees.

The film's opening calls attention to the viewer's own act of looking at Khadr, an implicit acknowledgment of the power differentials between him and his captors. *You Don't Like the Truth* begins with footage of Khadr before his interrogation has started, in which he is being seated by the American military police. Khadr sits silently in a chair as they leave the interrogation room; nothing happens in the clip, nor is the viewer given any context as to who is in the footage, where it was filmed, or what it is about. This opening shot of inaction leaves the viewer waiting for something to happen or for an explanation in the documentary about what they are looking at. As the viewer waits, they may find themselves scrutinizing Khadr's visage on the grainy footage. This establishes the power dynamics between him and viewers with which, I contend, the film self-reflexively engages with and also disrupts. The surveillance footage, as Joseph Pugliese argues, "materializes a number of critical visual relations and effects. On one level, the grid of the blind functions as a metonym for the embedded series of cages, bars and prisons that constitute Khadr's everyday conditions of existence. On another level, the slats mark a symbolic bar that separates the free spectator from the imprisoned Khadr" (111-112). The footage's mise-en-scène, as Pugliese notes, evokes the carceral conditions under which Khadr must live. Another relation that Pugliese does not mention is symbolized by the empty quadrant. Rather than constituting nothing, it marks the absence of a potential fourth camera angle. That is, there is no camera placed behind Khadr that might give viewers an unencumbered look at the interrogators sitting in front of him. Although it is debatable as to how much this would reveal, particularly given the fact that their faces are censored, it nonetheless signifies the denial of

another point of view of the interrogation, one that is potentially more focused on those in the room, instead of on Khadr.

But while the documentary is obviously concerned with Khadr's treatment by the interrogators, it also attempts to construct a critical counter-gaze that disrupts the dominant power relations of the surveillance footage. To do so, the film self-reflexively calls attention to the act of looking at, and interpreting, the video of Khadr's interrogation. The most obvious way it does so is by literally filming interview subject as they watch the surveillance footage on a laptop (figure 20). The interviewees range from former Guantánamo prisoners who were incarcerated alongside Khadr to those who belonged to the apparatus that kept him detained, such as the former guard Corsetti and Khadr's psychiatrist, Brigadier General Dr. Stephen Xenakis.[34] In some ways, this is one of the film's blind spots, as it does not push figures like Xenakis or Corsetti on their role in Khadr's confinement (though Corsetti voluntarily discusses his feelings of guilt and complicity over the course of the interview). Though the film does not directly wrestle with the potential risks or downsides of interviewing former agents of the state about Khadr's situation – an issue I return to in the following chapter on the Abu Ghraib torture scandal – it does offer an opportunity to consider how these differently positioned interview subjects are implicated in Khadr's suffering.


Figure 20. Screenshot from *You Don't Like the Truth* (2010).

This act of watching, interacting with, and interpreting the footage produces a distancing effect in which Khadr is triply mediated: once by the CCTV cameras, then again on the laptop, which is then filmed for the documentary. Furthermore, the speculation on Khadr's internal state reminds us of the unequal and asymmetrical visual rights between the spectator and Khadr. That is, the interviewees' interactions with the image point to the fact that Khadr cannot speak for himself, and instead, it is others who speak for him. Physically inaccessible, Khadr exists in the documentary as a visible body produced through the racial regimes of surveillance, interrogation, and detention. The film pushes back against this racialization of Khadr as dangerous detainee through its sustained focus on Khadr's suffering, as well as its recognition of that suffering by others. Interviewees who watch the surveillance footage are sympathetic to Khadr and critical of his interrogators. As much as it renders Khadr a speechless subject, it also positions him within a larger network of individuals who bear witness to, and recognize, his suffering and anguish.

Moreover, the focus on the image of Khadr is underscored through the framing of the documentary images themselves. Much of the screen in *You Don't Like the Truth* consists of black, negative space upon which the interrogation footage and the interviews appear in self-contained frames juxtaposed against one another (figure 21). Such a visual style has similarities with the work of Harun Farocki's documentaries, which use a split-screen to position two frames

in opposite corners of the screen. This produces the effect of what Farocki calls a "soft montage," or a "a general relatedness, rather than a strict opposition or equation" (Silverman & Farocki 142). Like the multiple frames in Farocki's films, the frames in *You Don't Like the Truth* makes the viewer aware of the very process of how images are framed. These individual frames at once evoke multiple meanings. The framing of the interviewees retains a surveillance aesthetic, in which interviewees and viewers continue to inhabit the surveillant gaze of the Guantánamo prison. But the inclusion of the laptop in many of these interviews also recalls the aesthetic of windows on a computer monitor. As Anne Friedberg argues about the computer screen, it is "both a 'page' and a 'window,' at once opaque and transparent" (19). This simultaneous opacity and transparency is also at work in the screens through which the interviewees and the viewer see Khadr. Much like the footage of Hamdan on the computer monitor that opens *The Oath*, Khadr's interrogation footage on the laptop screen heightens the sense of his absence in Guantánamo and his inaccessibility to us.

Figure 21. Screenshot from *You Don't Like the Truth* (2010).

The film's self-reflexive approach to the act of looking at Khadr tries to facilitate a different encounter between the viewer and the surveillance footage. We see this in the interview with the former military interrogator Damien Corsetti, who had been an interrogator at Bagram

when Khadr was held there. Corsetti was an infamous interrogator; he earned the nicknames "The King of Torture" and "Monster" (the latter of which is also tattooed in Italian across his stomach) and was later charged and acquitted of detainee abuse. In the interview, Corsetti speaks candidly about the conditions he worked under as an interrogator, the anger his fellow soldiers had toward the detainees a year after the September 11 attacks, and the severe wounds Khadr had sustained by the time he arrived at Bagram. His testimony is of particular note because of his open and admitted role in torturing detainees. He tells the camera, "I did some very bad things. I became that monster that was written about me. I became it, I embodied it. And unfortunately, that's gonna come back to bite me in the ass. But you know, I have to own it. I have to say I did these things. I have to admit I took part in this." As both torturer and a sympathetic distanced spectator to Khadr, Corsetti's relatively frank admission of his role in torturing detainees makes his viewing of the footage as much about him as it does about Khadr.

During the interview, Corsetti watches a rather cold and callous exchange between the leader interrogator and a sobbing Khadr. In a split screen between the surveillance footage and Corsetti, the interrogation unfolds as viewers also watch him watching the footage. The viewer's attention is split between the two, and Corsetti's engagement becomes a greater point of focus when the camera zooms to an extreme close-up of his face as he furrows his brow and his jaw slightly drops (figure 22). Through this camera movement, the film invites us to scrutinize Corsetti just as he scrutinizes the video. Such a focus on his physiognomy accomplishes two things here. One is that it reminds viewers of the affective and interpretive engagement that is always present when interacting with images. And secondly, it allows viewers to mimic Corsetti's interpretive act by asking us to do the same to him, as they perhaps speculate on what

he may be thinking or feeling. It thus offers a reminder about Khadr's own lack of control over his image and his right to be filmed.

Figure 22. Screenshot from *You Don't Like the Truth* (2010).

As Corsetti watches the interrogation, he explains why the existence of the footage is itself problematic:

> This is exactly why, as an interrogator, you wouldn't want cameras in the interrogation room. We fought that off both in Bagram and at Abu Ghraib; we didn't want cameras in there... I'll say this, it looks, the treatment that he's getting is very harsh. But, if I were still in intelligence, that's probably how I would conduct my interrogations.

According to Corsetti, then, one does not want to produce a visual record that can potentially be later looked at by people outside of the military and intelligence community. Once the footage is no longer viewed only by spectators in the intelligence agencies, it becomes a far more unstable text that is open to a set of contradictory and competing interpretations. While those in military intelligence may use interrogation footage solely as a record of what the detainee has said, its circulation to a wider public may bring scrutiny to the actions of the interrogators or to the prison. Corsetti's point draws on a similar discourse to that of the Abu Ghraib torture scandal, in

which the crimes of torture, as Brown argues, "were configured as visual, a problem of spectatorship and record-keeping, as opposed to the physical and psychological acts themselves" (*The Culture of Punishment* 130).

While Corsetti provides one viewpoint from that of the perpetrator, the film also draws on the voices of Mozzam Begg, Richard Belmar, Omar Deghayes, Mamdou Habib, and Ruhal Ahmed, all of whom were imprisoned with Kahdr either in Bagram or Guantánamo. Their perspectives as other victims of the War on Terror's prison and torture regime provides further illumination of what transpired in the shadows of those prisons. Through their talking head testimony, they provide details about Khadr's experience in Bagram and Guantánamo. The details do not only concern the torture and abuse he endured from guards and interrogators, but they offer more quotidian and mundane details about Khadr as a person. Begg, for instance, recounts the beauty of Khadr's voice when he recited the Koran and the obvious peace it brought him as he did so. Ahmed talks about how he bonded with Khadr over a love of movies. Ahmed and two other prisoners were allowed to watch weekly films, and after returning to their cells from the screenings, they would spend two to three hours regaling Khadr with the details of what they had watched.

While these stories contradict the state's depictions of Khadr as a dangerous extremist, they also implicitly draw attention to what lies beyond the frames of the surveillance footage. The testimonies from Corsetti and the former detainees point to the gulf between the surveillance footage and how much else remains unknowable about Guantánamo. Thus, even as viewers get a glimpse into the interrogation room, the interviewee testimony is a reminder of how little anyone on the outside actually sees, both in regard to Khadr's incarceration, but more generally of those in Guantánamo and in other military prisons. Supplementing footage presented and edited by the

state with other forms (such as documentary film) and genres becomes a necessary way to present voices that challenge and contradict those of Khadr's interrogators.[35] Taken together, the voices of Corsetti, Begg, Belmar, Deghayes, Habib, and Ahmed are grounded in their own individual experiences, but they also become part of a collective voice, one which bridges the gap between detainee and torturer, between victim and culprit.

Aside from the talking head interviews, the second way in which *You Don't Like the Truth* challenges the gaze of the surveillance cameras is through its focus on Khadr's embodied experience of incarceration. If the use of the laptop draws attention to the mediation of the detainee body, then this focus on Khadr's bodily integrity highlights what remains outside the frame: the torture Khadr endured at Bagram and Guantánamo. In the face of the paucity of visible evidence of Khadr being tortured, the film uses the very absence of his body to encourage viewers to consider how the War on Terror renders this violence invisible. When one of Khadr's Canadian lawyers, Dennis Edney, discusses the affidavit written for the Canadian Supreme Court that attests to his torture, the film cuts to a picture of Khadr while the affidavit is read aloud by a voice actor. As the excerpt is read aloud, several pictures from the Abu Ghraib torture scandal appear against a black backdrop. While the voice actor is the auditory stand-in for Khadr, the photographs are visual stand-ins for his body. Though the photographs are documentation of torture, they are, obviously, not documentation of Khadr's torture. That they can function as stand-ins for Khadr's body in detention signifies the systemic nature of torture and the continuum of torture methods across different geographies of incarceration as it also reminds viewers of the fact that what images of torture they see are but a miniscule amount of the violence that has gone otherwise undocumented or remains classified within U.S. intelligence agencies.

In addition to the visual and aural stand-ins, Khadr's body is used as evidence of the imperceptible, yet lasting traces of torture. This struggle over the mediation of torture, and even its acknowledgement, is most apparent on day two of his interrogation, when Khadr raises the fact that he lied to both the Americans and to his current interrogators because he feared being tortured again. Notably, the lead interrogator never confirms that what Khadr endured was torture. When Khadr tells him "they [the Americans] tortured me very badly in Bagram," the interrogator's response is to rephrase Khadr's claim in the form of question: "They tortured you very badly in Bagram?" And when Khadr pulls off his vest to show him the evidence of torture and his need for medical attention, the interrogator tells him that he appears to be receiving good medical care at Guantánamo, and later weakly jokes that even if the sandwich he gave Khadr was bad, he did not think it constituted torture.

Their conversation constitutes what Pugliese in a different context calls a "discursive black site," in which torture is not only visually redacted and kept out of the public eye, but is also either denied outright or its significance downplayed to the work of a "few bad apples" (162).[36] When Khadr cries out "I lost my eyes. I lost my feet, everything," the interrogator replies dispassionately: "No, you still have your eyes and your feet at the end of your legs, you know." Pugliese argues that this exchange marks a rupture between Khadr's "dissolution of his sense of embodied reality" and the interrogator's detached perspective that negates that reality (114). Faced with the visible evidence of Khadr's torture, the interrogator both sees, and yet purposely refuses to see. His refusal to acknowledge the existence of Khadr's wounds, or that they are the result of torture, emblematizes carceral visuality's disavowal of an existing culture of torture against detainees. And it is precisely this disavowal and erasures of evidence of torture that the documentary ultimately attempts to challenge.

When the interrogators leave a crying Khadr alone in hopes he will calm down and they can resume questioning him, the film duplicates the footage from the camera that is focused solely on him. The other surveillance camera angles are replaced with simultaneous synchronized images of him sobbing and calling for his mother. Khadr's suffering produces a particular sense of discomfort in us, as we are privy to an intensely private moment that feels inappropriate to watch. Indeed, the film signals to the viewer that this is a privileged moment by virtue of the fact that it is the only time in which the filmmakers alter the footage. The four images of Khadr mimic and literalize what Elaine Scarry argues is the torture victim's experience of their world shrinking around them to the point that it does not extend beyond the walls of the room in which they are being tortured (40-41). What is more, the shift to these synchronized images means that there is nothing else for the viewer to look at beside Khadr's body, even as they are already aware of the limits of their vision and what they can see in the footage. The very act of scrutinizing the video footage reveals what is invisible to us: the attempts to hide the state violence against Khadr.

The choice to emphasize this scene consciously upends the dynamics of witnessing shaped by the War on Terror. By asking the viewer to concentrate fully on Khadr's agony in these synchronized frames, the film disrupts the Western viewer's dominant spectatorial positions afforded by the War on Terror, in which the wounded detainee body is either totally effaced or, as in the case with the Abu Ghraib photographs, appears only in contexts of the most spectacular forms of torture. This point was unintentionally made on a National Public Radio show by host Robert Siegel, who, in a conversation with contributor Tom Gjelten about the Khadr footage, remarked specifically about his breakdown, "[n]ow, whatever this is, whatever this interrogation was like, he wasn't being waterboarded, you wouldn't call that torture. It didn't

even seem to be the most harsh questioning one could imagine" ("Video Released"). Siegel's reference to imagination can be read as a remark on what the public imagines to constitute torture. This sequence challenges the association of torture with only spectacular brutality. Instead, it places Khadr's suffering in a broader temporal context, in which the physical and psychological trauma from his torture at Bagram continues to linger into the present moment in the interrogation room. This ultimately draws attention to Khadr's earlier experiences of torture, which lie beyond the frame and out of both the viewer and the interrogators' sight. Moreover, Khadr's tortured body is no longer a "discursive black hole," as it becomes the only thing to watch onscreen.

Like *The Oath*, a notion of failure emerges in *You Don't Like the Truth*, most notably foregrounded in the film's final day titled "Failure." This title signals the impasse reached by Khadr and his interrogators. By day four, the interrogators' growing frustration with Khadr is palpable, as they see his claims that he does not have information to offer as proof that he actually does, but has instead chosen to hide it. The day's title, however, raises the question of who, exactly, has failed. On its face, the failure seems to be on the part of the interrogators, as they have not gained any actionable intelligence from Khadr. But it is not evident that the interrogators could ever succeed, as there is no indication that Khadr knows more than what he tells his interrogators. Nor does the failure lie with Khadr, who by this point is clearly not going to get himself out of the Guantánamo prison, regardless of what he tells his captors. Instead, it is a systemic failure of the War on Terror's detention and interrogation procedures. As is evident throughout the interrogation footage, the human costs associated with these procedures greatly outweigh whatever potentials may exist for intelligence gathering.

It is also a societal failure to act, a collective failure on the part of Canadian society to rescue Khadr. Even as this is a documentary about Khadr's case, it is also about the public's visual relationship to him, and the ways in which that relationship translates to inaction. Indeed, Crosetti argues during his interview that the Canadian public's continued support for Prime Minister Stephen Harper's government reflects an implicit approval of Khadr's treatment. Thus, if the video alone failed to provoke public outrage, *You Don't Like the Truth* examines how to reframe the public's relationship to Khadr so that they feel implicated in his suffering and compelled to act on his behalf. The film's surveillance aesthetics and its self-reflexive interview strategies attempt to unsettle the imagined boundary between the viewer, Khadr, and Guantánamo Bay by upending the dichotomies between home/abroad and domestic/foreign that position him as an Orientalized Other who exists outside the civilizational boundaries of Canadian society.

The surveillance footage ends as the interrogators say their goodbyes to Khadr and chastise him for refusing to cooperate with them over the course of the four-day interrogation. As the door closes behind them, Khadr wipes his eyes and rests his head on his knees before laying crumpled across the couch. Though it is unclear how long Khadr is alone in the interrogation room, his wait feels interminable. The film slowly zooms in on the surveillance footage, rendering it increasingly pixelated and blurry, achieving an effect similar to the treatment of the footage of Hamdan in the opening of *The Oath.* The film then cuts to two juxtaposed photographs of him, one of him as a boy, and one as a grown man with a beard. They mark a passage of time that, as with Hamdan, signify his invisibility in Guantánamo. After an intertitle explains that on October 25, 2010, Khadr pleaded guilty to the crimes brought against him by the U.S. government in exchange for a sentence of no more than 8 years, the credits begin to roll.

The film then returns to the surveillance footage, and viewers watch as Khadr is handcuffed by the military police and led out of the interrogation room. Rather than allowing the intertitle to serve as the documentary's ending, the footage is a final reference to the situation in which Khadr is trapped. That is, if the film ended on the intertitle, it may suggest that some sort of definitive end has been reached, whereas the return to the surveillance footage signifies Khadr's state of limbo that he would continue to inhabit until his release on bail in 2015.

The unwillingness of Canadian society to contend with Khadr's confinement remained evident in 2017, when Prime Minister Justin Trudeau's government sparked public furor with its $10.5 million dollar settlement to Khadr and its formal apology on behalf of Canada for its failure to protect him from torture. To return to Razack's above point, Khadr has been subject to two competing, but not entirely contradictory, narratives: that he is either a dangerous Muslim man, or a child soldier in need of rescuing by the West. As Razack points out, both narratives allow to us avoid confronting "how we have violated Khadr's rights and bodily integrity" (61). Razack's point is one that I believe *You Don't Like the Truth* addresses: how the figure of Khadr — at the time, inaccessible to us as a detainee in Guantánamo Bay — circulates in the public and embodies a multitude of meanings. The film frequently returns to the spectator's relationship to Khadr, and in doing so, engenders a reflection on both how Western publics make sense of and interpret the images of him that we see in the surveillance footage, but also how such a relationship is in part organized by the overarching penal structure of Guantánamo Bay, which had kept him held in what has commonly been known as a "legal black hole." In doing so, *You Don't Like the Truth* encourages us to think about the ways in which both images of detainees, but also the larger events of the War on Terror, are filtered, mediated, and presented to us.

**Conclusion**

Nicholas Mirzoeff's phrase "the banality of images" refers to the saturation of war imagery in media outlets, a "deliberate effort by those fighting the war to reduce its visual impact by saturating our senses with non-stop indistinguishable and undistinguished images" (*Watching Babylon* 14). In the intervening years, the phenomena Mirzoeff observed in 2005 has changed dramatically. Eighteen years after the September 11 attack, public fatigue over the endless War on Terror has set in, and as a result, the glut of images from the frontlines of battle have disappeared, even with extended American military entanglements abroad and military spending that continues apace. Consistently occluded in the American imagery of the War on Terror, however, has been the documented impact of this military power on the populations who live under its destabilizing social effects. At the same time, it would be a mistake to assume that simply seeing images of these effects would drastically change how the War on Terror is conducted. Even the public fury over the images of torture from Abu Ghraib was relatively short-lived and resulted in no systemic changes to its detention policies. The obstinacy of the War on Terror's legal and carceral architectures was further evidenced by the Obama administration's failed efforts to close Guantánamo Bay.

Both *The Oath* and *You Don't Like the Truth* engage the dynamics of visibility and invisibility, transparency and opacity that characterize the War on Terror's visual field. Hamdan and Khadr occupy diametrically opposed positions within these films; Hamdan is an absence throughout *The Oath*, whereas Khadr is a hypervisible body in the interrogation footage released by the Canadian government. Through an aesthetic of failure, the documentaries lay bare how these twin dynamics operate and affect the way various Western publics understand their relationship to Guantánamo Bay detainees. In *The Oath*, failure translates into an inability to see Hamdan and his military commissions trial. By denying the spectator visual access to him, the

film illuminates the structures of secrecy that organize the public's relationship to Guantánamo Bay. In *You Don't Like the Truth*, Khadr's hypervisibility in the surveillance footage ironically obscures more than it reveals about the prison. Working to undo the racial and imperial logics of violence that render Khadr vulnerable to both state-sanctioned violence and premature death, the film's self-reflexive focus on spectatorship situates him within a wider network of individuals, such as his family members, his legal team, and fellow former Guantánamo detainees. This self-reflexivity also calls attention to how much lies beyond the frame, and the ways in which Khadr's hypervisible body obscures his previous experiences of torture and the day-to-day brutality of indefinite detention.

Taken together, *The Oath* and *You Don't Like the Truth* disrupt the discourses of transparency proffered by the Bush administration about Guantánamo Bay. Their varying strategies for documenting and visualizing Hamdan and Khadr's incarceration and torture challenge the curated and banal public images of Guantánamo Bay by highlighting the very constructed nature of those public images. That is, the documentaries do not attempt to bring viewers into parts of the prison that have remained out of sight, but they instead show how the spectator's gaze is organized by the structures of invisibility that govern the prison. The films thus offer new potentialities for re-thinking how spectators see and imagine their relationship to the American military prisons that exist as part of both the American carceral landscape and within a transnational circuit of carcerality. Moreover, they begin to map a path for techniques to disrupt the ideological underpinnings of the dominant public gaze toward American military prisons and their prisoners.

## Chapter Four: Abu Ghraib

In January 2004, Specialist Joseph Darby turned over to the United States Army's Criminal Investigation Division Command (CID) a set of CDs that contained images of soldiers humiliating and sexually abusing detainees at the Abu Ghraib prison in Iraq. Darby had discovered the images after borrowing the discs from Charles Graner so that he could copy some his tourists photographs of Iraq. Darby agonized for a month over what he should do with these photographs before finally turning the evidence into CID and providing a sworn statement. His whistleblowing prompted an internal Army investigation that eventually became public on April 28, 2004 by CBS' *60 Minutes II*, followed days later by Seymour Hersh's article in the *New Yorker*, which published more of the Abu Ghraib photographs. The photographs shocked both the American public and the world: images of Iraqi men handcuffed in stress positions, stripped down to their underwear or left completely nude, at times forced to either perform sexual acts or simulate them. Their American captors, some of whom were women, appeared in the photographs smiling gleefully as they degraded the detainees. The abuse was broadly characterized by the Bush administration as the work of a "few bad apples," while an unnamed former intelligence official quipped that the perpetrators were "recycled hillbillies from Cumberland, Maryland" (Hersh 41). The soldiers were framed by both the Bush administration and in dominant media representations as "uneducated white trash," a racialized, classed depiction intended to offer the public psychological justification for their actions and that also allowed the Bush administration to deflect criticism from the systemic torture and abuse in the prisons (Mason 40).

But the Bush administration's response to the public furor also indicated that they took issue with another problem. In his apology in front of the Senate Armed Services Committee,

Secretary of Defense Donald Rumsfeld explained that the military had to adjust to this "information age where people are running around with digital cameras and taking these unbelievable photographs and then passing them off, against the law, to the media, to our surprise, when they had not even arrived in the Pentagon" (Borger**)**. These remarks, Michelle Brown points out, illustrate the Bush administration's position on the photographs "as something to be regulated and rendered invisible through state channels" (*The Culture of Punishment* 134). Indeed, this had already been made abundantly clear by Colonel Thomas Pappas, who oversaw the Abu Ghraib cell blocks where the torture took place. After the images reached the public, Pappas granted soldiers and interrogators a 48-hour amnesty period in which they could destroy any images of torture or abuse they had documented, after which they could be subject to criminal prosecution for possessing them.

Rumsfeld's remarks highlight a fundamental distinction between the existence of Guantánamo Bay and Abu Ghraib in public visual culture. As I discussed in chapter three, there has been a paucity of images of Guantánamo, and what few images have reached the public have been orchestrated and approved through official governmental channels. Though the Bush administration insisted that they were open and transparent about Guantánamo Bay, the photographs from Abu Ghraib, of course, offered a far different "transparent" look inside the prison. Far different from the manufactured photographs from Guantánamo Bay, the images from Abu Ghraib were far more visceral in their impact, both for what they showed – the torture and humiliation of Iraqi detainees – and for the fact that they reached the public through leaks to the press. As Philip Gourevitch and Errol Morris describe it, "the fact that taking the pictures was part of the action [of torture] gives them a heightened sense of raw exposé, as stolen glimpses of

something we were otherwise forbidden to see, something that had to be leaked to the press" (262).

But even if the public interpreted the photographs as an unmediated look into Abu Ghraib, they had little impact on the political fortunes of the Bush administration. Moreover, the release of the photographs highlighted a distinct tension between how much they showed and the systemic nature of the abuse. Thus, as Gourevitch and Morris note, "the photographs performed a profound public service; or they would have, if they didn't make it so easy to think that they were the whole story" (264). As they point out, there is a high likelihood that without the photographs, the public would never have known about the torture at Abu Ghraib. But as I discuss at greater length below, the release of the photographs foreclosed an interrogation of the broader systemic nature of the abuse across American military prisons. It was not simply the case that the public was duped into ignoring these broader structural questions. As Danner points out, the Abu Ghraib scandal was part of a broader "bureaucratic war" being fought by the Bush administration to determine "how far the US government may legally extend its power in prosecuting the war on terror" (73). This bureaucratic war involved the proliferation of several government investigations and the convening of numerous Congressional oversight hearings, all of which helped frame discussions of the photographs in relation to questions regarding the systemic nature of humiliation, abuse, and torture at American military prisons. Certainly, these efforts did not shut down other critical interpretations of the photographs or counter-discourses that challenged the Bush administration's official responses. But the fact that Brigadier General Janis Karpinski was the only high ranking officer to be relieved of her duties (and later demoted) demonstrated the limited fallout of the scandal on military and government officials.

This chapter examines two documentaries about the Abu Ghraib scandal that attempt to make visible the bureaucratic structures and processes that the Bush administration sought to obscure, Rory Kennedy's *Ghosts of Abu Ghraib* (2007) and Errol Morris's *Standard Operating Procedure* (2008). Though both documentaries investigate and attempt to understand precisely what occurred at the prison, their approaches are fundamentally different. Kennedy's film draws on archival documents and talking head interviews in an attempt to trace the chain of command that authorized the torture at Abu Ghraib, while Morris's film focuses far more on the digital technology at the heart of the scandal. Though the two works have much to say about Abu Ghraib from vastly different perspectives, they have rarely been analyzed together.[37] However, I argue that reading both documentaries alongside one another productively illuminates how both are, at one level, an investigation into what Anne McClintock calls the "performance of bureaucratic rationalization" in which the photographs were intended to "*produce* the bodies of 'the enemy' and make the prisoners *legible* as enemies, thereby putatively 'legitimizing' the occupation" (59, emphasis original). What I call the "visuality of bureaucracy" is the dual hypervisibility of the "enemy" body produced through regimes of torture and the invisibility of the bureaucratic architectures that sustain them.

Both the Bush administration and the mainstream media's attention on the photographed actions of the soldiers prevented a more sustained focus on, and investigation into, the "bureaucratic rationalization" that produced the torture in the first place. I contend that both *Ghosts of Abu Ghraib* and *Standard Operating Procedure* wrestle with the very question of how to make visible the bureaucracies that remained invisible in the aftermath of Abu Ghraib. They also attempt to create new strategies to resist the visuality of bureaucracy. This involves a reframing of the relationship between the "enemy" bodies produced through torture in the

photographs and the publics who viewed them. Indeed, describing her own reaction to the photographs, Wendy Kozol notes that even as she is morally repelled by the images, she is also hailed "through the soldiers' thumbs up and smiles at the camera," which ultimately "implicate me affectively in ways that destabilize the assuredness of my political opposition to the War on Terror" (155). I thus examine how both films try to disrupt the normative relationship between the viewer, the photographs, and the structures from which the images emerged. I read the films in relation to one another, as their divergent aesthetic approaches usefully illustrate both the benefits and limitations to different strategies for resisting the visuality of bureaucracy.

**The Visuality of Bureaucracy**

In considering how governmental bureaucracies sought to limit and frame the investigation into the abuse at Abu Ghraib, it is first necessary to establish how the photographs were discussed in the broader American public discourse. This is because these responses helped determine how various publics – and especially those within the United States – understood their relationship to, and their complicity in, the violence in the photographs. Indeed, two types of responses came to dominate these discussions. For some, the photographs evoked much longer histories of torture, abuse, and racial and gendered domination that both the United States, and the Western world more broadly, had participated in and perpetuated. Joseph Pugliese recalls that upon seeing the photographs, he recognized "a vast, dense, historically stratified archive of images" that "encompassed everything from lynching photography, Orientalist views of the harem, fascist and white supremacist iconography, colonial and imperial photography, pornography" (56). Likewise, Liz Philipose points out that the photographs index discourses and images of "orientalism, terrorism, lynchings, and whiteness" (1066). In such responses, critics often

attempted to place the photographs within broader historical contexts as a means of revealing how the torture committed by American soldiers was part of a much older script that they participated in.

On the other side of the political spectrum were critics who felt that the photographs were either not controversial or that it was simply the nasty outcome of life in a war zone. These responses often minimized the abuse or framed it as exceptional, both geographically and morally remote from the rest of the military and the American nation. These discourses framed the abuse in cultural terms, with one Bush administration official invoking American cinema as he claimed it was "*Animal House* on the night shift," while the conservative political commentator Rush Limbaugh insisted that the soldiers were "blowing off steam" and participating in abuse that was little more than the equivalent of fraternity hazing rituals (Borger, Meyer**)**.

In some ways, these subjectivities were produced in and through the broad and often invisible military bureaucracies in which the soldiers and detainees co-existed. It may initially seem odd to frame the discussion of the Abu Ghraib photographs within the context of bureaucracies, as the photographs appear to be evidence of the breakdown of the rigid standard operating procedures for handling detainees. They instead show the chaos that erupts precisely when those procedures fall apart in the close confines of detention. But even if Abu Ghraib ostensibly appeared to be "*Animal House* on the night shift," what the images of humiliation and degradation show, Jasbir Puar argues, is the construction of the Muslim and Arab body as "pathologically sexually deviant and as potentially homosexual," as the torture "performs an initiation into or confirmation of what is already suspected of the body" (87). Likewise, Judith Butler also recognizes the ways in which torture "was not merely an effort to find ways to shame

and humiliate the prisoners of Abu Ghraib and Guantánamo on the basis of their presumptive cultural formation," but also a way to "coercively produce the Arab subject and the Arab mind" (126). The photographs are, in other words, productions of a national subjectivity that involves the visual production of "deviant" terrorist bodies in the visual frames of war.

If these photographs emerged out of a set of bureaucratic structures, then the reactions they engendered are necessarily shaped by these bureaucracies as well. I thus raise the diametrically opposed discussions about the Abu Ghraib photographs that unfolded across the American political spectrum because they demonstrate an effort to articulate how viewing publics should see and understand their relationship to the torturers and to the tortured detainee bodies. Even as these reactions established ideological frameworks to explain why the soldiers tortured Iraqi prisoners, or whether it even constituted torture in the first place, the images, Wendy Kozol argues, produce a social subjectivity "within a visual logic not necessarily tethered to the material bodies of prisoners or soldiers" (152). Even for those Western spectators who find themselves repulsed by the images, they may nonetheless identify with the American soldiers via the "close-up framings and smiling gestures" that "establish a relational connection" with the viewer, particular as the Iraqi prisoners in the images do not register as political subjects, but only as faceless victims (Kozol 156).

What Butler, McClintock, and Puar all highlight is how the confinement and torture of detainees quite literally produces the racialized and gendered bodies that are pathologized as terrorists. This is one way the visuality of bureaucracy operates; as detainee bodies are categorized as terrorists, they become part of a hypervisible monolithic grouping while their individual subjectivity is invisible, effectively obscured and erased. Through her readings of various torture memorandums, prison logs, and other government documents, Laleh Khalili

shows how this erasure occurs through an excessive set of legal and procedural regulations that dictate how soldiers and interrogators are to handle detainees. Soldiers and interrogators document a mass of information about detainee bodies and their behaviors while confined. This proliferation of information, Khalili argues, erases the detainee's subjectivity, while in other cases, the "bureaucratic prose" describing how a detainee is interrogated or punished "conceals the brutality of the process of punishment," and thus obscures the severity of their torture (154-155). Mohammed al-Qahtani's interrogation logs at Guantánamo Bay, for instance, "simply draw a veil on this horror and transform the process by which a man is humiliated, made to piss his pants, and nearly lose his mind into a neatly logged record of information extraction" (Khalili 163).[38]

If, as I have argued throughout this project, carceral visuality permits an authorized view of the carceral state, then the bureaucracy of the War on Terror helps buttress it. In part, this is because this massive bureaucracy organizes and structures information and therefore plays a central role in how it is narrativized. Indeed, while Khalili does not directly mention this, the War on Terror's bureaucracy does more than produce data points and information, but also provides it with a narrative structure. In the aftermath of the Abu Ghraib scandal, the military attempted to place a clear and structured narrative on the meaning of the photographs. In his discussion of the bureaucratic war that unfolded in the aftermath of the Abu Ghraib scandal, Danner argues that the Bush administration, with a Republican Congress at its back,

> managed to orchestrate a slowly unfolding series of inquiry, almost all of them carried out within the military by officers who by definition can only direct their gaze down the chain of command, not up it, and who are each empowered to examine only a limited and precisely define number of links in the chain of

> command that connects the highest levels of the government to what happened on the ground in Abu Ghraib and elsewhere in the War on Terror (40).

Danner's remark about the gaze is instructive, if only for thinking about the ways in which the military and governmental bureaucracies attempted to control and restrict the public gaze toward the photographs. The reports produced by the different inquiries into Abu Ghraib are rife with passive voice that obscure the actual subjects of individual sentences. For instance, in his reading of the Schlesinger Report, a Department of Defense investigation of Abu Ghraib, Pugliese argues that the document is "marked by a series of rhetorical strategies deigned to shift responsibility for torture of Iraqi prisoners at Abu Ghraib from the highest governmental level of authority to the circumscribed parameters of a few 'deviant' individuals" (57).

The Abu Ghraib photographic metadata became a central piece to these bureaucratic narratives about what unfolded at the prison. It was Army Special Agent Brent Pack, a military investigator, who was first assigned to make sense of the Abu Ghraib digital archive. Pack was given twelve CDs worth of photographs taken by soldiers at Abu Ghraib and was tasked with finding all photographs that depicted possible detainee abuse. Culling this archive of images down from roughly 1,400 to 280 "representative" images, Pack then determined which photographs constituted abuse or torture and which were simply examples of "standard operating procedure." The photographs' metadata, which contained information such as the times when photographs had been taken or the make and model of the camera taking a photograph, allowed Pack to determine when particular moments of abuse occurred and to also establish whose cameras were responsible for taking which photographs. Pack then used this metadata, along with emails and other documents, to construct a coherent timeline through which the photographed abuse could be ordered and ultimately understood. This timeline would be used for

subsequent military investigations (as well as in *Standard Operating Procedure*), such as the "Fay/Jones report, named after the chief investigators Major General George Fay and Lieutenant General Anthony R. Jones (officially titled *Investigation of Intelligence Activities at Abu Ghraib*).

The Fay/Jones Report attempts to provide an overview of the kinds of abuse that occurred at the prison by cross-referencing the photographs and Pack's timeline with the Abu Ghraib prisoner logs. In total, the Fay-Jones report lists 44 incidents of detainee abuse, divided up between instances of physical abuse, abuse using military dogs, humiliating treatment of detainees, and detainee isolation abuse. The incident list reflects the dry, bureaucratic prose of military documents to which Khalili refers. Stripped of any language that details the affective charge of the prisoner abuse, the incident descriptions in the Fay/Jones report often employ the passive voice and thus downplay or obscure soldiers' involvements in incidents of torture. For instance, one such incident description mentions a detainee who "claimed he was slammed to the ground, punched, and forced to crawl naked to his cell with a sandbag over his head" (75). Accompanying the descriptions of torture and abuse is a chart that organizes the incidents by date, "nature of alleged abuse," and any associated comments included by Fay. This chart, Brian Johnsrud argues, "is the tale driven by organised, numbered metadata. The story of the Fey Report's incidents is a-temporal and lists incidents that occurred at Abu Ghraib with disregard for any causal relationships that draw attention to the repetition of torture" (160). Moreover, even as the chart provides some semblance of an "overview" of the varied incidents of torture and abuse at the prison, it can never explain *why* they occur, or what underwrites the particular kinds of racist, sexist, and gendered abuse that soldiers inflicted upon detainees.

The metadata and dispassionate accounts of abuse produce a detached sense of objectivity. It provides, in other words, an illusion of mastery that prevents alternative counter-interpretations from challenging the dominant narrative that the abuse was the result of a "few bad apples." Here, we can see the ways in which bureaucracy actively works to sunder the relationship between the abuse at the prison and its relationship to the larger systemic violence of American prisons. In his study of American political elites' rhetorical framings of the scandal, Jared Del Rosso argues "the [Bush] administration and its supporters in Congress interpretively sealed off Abu Ghraib, preventing the violence there, at least temporarily, from polluting the broader political projects of the Bush administration" (62). The various bureaucratic and oversight maneuvers were able, in other words, to make it difficult to trace a chain of command that was suspected to lead to the upper echelons of the White House.[39]

The proceduralism and bureaucracy that I have discussed here poses a set of representational challenges to filmmakers and other mediamakers. That is, how does one visualize and narrativize the structures and processes of bureaucracy that categorize bodies and render them invisible? Fabrizio Cilento argues that these representational difficulties have produced a turn toward the genre of the ultraprocedural drama in a set of post-9/11 films, such as *Rendition* (Gavin Hood, 2007), *The Hurt Locker* (Kathryn Bigelow, 2008), *Standard Operating Procedure*, *Zero Dark Thirty* (Kathryn Bigelow, 2012) and the television series *Homeland* (2011 – present).[40] Rather than try to simply reconstruct events for which there may be no visual record, particularly in cases of torture or detainee rendition, these films "adopt an administrative approach and confront the War on Terror's otherwise labyrinthine micronarratives" (135).[41] They follow characters as they maneuver within and through the bureaucracies of various institutions, rarely providing viewers insight into what drives these protagonists. The attention to

the proceduralist efforts of these characters "raise[s] awareness of the difficulty in creating an effective geopolitical map because power cannot be located or is so volatile that we can never point a finger directly at it" (Cilento 135). The focus on proceduralism and bureaucracy in these works thus frustrates the desire to assign blame to specific individuals at the highest echelons of power, to name those who are responsible for the decisions carried out by soldiers and interrogators. As Liam Kennedy argues in his analysis of the proceduralism of *Zero Dark Thirty*, the naturalization of the perpetual war after September 11 has led to an "aporia of representation" in cinematic and televisual representations of the War on Terror, which "reflects the limits of documentary and democratic forms of representation and investigation" (966-967).

While Cilento and others have focused primarily on how fictional narratives represent the bureaucracy of the War on Terror, a collection of documentary films have also tried to make sense of the expansive bureaucracies that organize everything from surveillance to detention to drone strikes. Though these films do not explicitly set out to document these bureaucracies per se, they do so in their efforts to understand the chain of command that makes decisions. Films such as *Taxi to the Dark Side* (Alex Gibney, 2007), *Citizenfour* (Laura Poitras, 2014), and *National Bird* (Sonia Kennebeck, 2016) all attempt to navigate and trace the diffusion of power across the bureaucracies, chains of command, and invisible infrastructures that have come to define the national security state. For example, while *Citizenfour* and *National Bird* are not about torture but are instead respectively about Edward Snowden's NSA whistleblowing and the United States' increasing use of drone warfare, they are films about the outgrowths of the interminable War on Terror. They draw primarily on talking head interviews with those who have been part of these chains of command as well as various archival documents that provide paper trails of these bureaucracies.

Both *Ghosts of Abu Ghraib* and *Standard Operating Procedure* examine the invisible bureaucratic structures and processes that produced the torture at Abu Ghraib and that also structure how the photographs were seen by others. To this end, they explore a contradiction in the secrecy that is at the heart of the security state. Trevor Paglen identifies this contradiction as one in which the array of institutions and operations designed to "conceal, render invisible, mask, misrepresent, or hide the relations, programs, sites, or events under their purview" must necessarily consist of the "same 'stuff' that everything else (ie the nonsecret world) is made of" (760). In this way, both documentaries try to make visible the bureaucracy of the War on Terror, and in the process, develop different frameworks for understanding the torture scandal that place the pictures within a broader context of the geographies of the American carceral archipelago. They also offer different manners in which spectators may conceive of their relationship to the photographs themselves. Rather than seeing the photographs as documents of isolated abuse, the films work to disrupt the hegemonic frameworks through which the photographs are seen by attempting to visualize the structures of violence that produced them in the first place.

### *Ghosts of Abu Ghraib*

Rory Kennedy's *Ghosts of Abu Ghraib* seeks to answer two fundamental questions about the torture scandal: who was ultimately responsible for the torture? And how did this environment in which torture became both common and accepted take hold? The film proceeds to bring together talking head interviews with perpetrators of torture at the prison, former detainee victims, government officials, lawyers, and journalists, along with archival evidence including the Abu Ghraib photographs and documents such as the Bush administration's infamous torture memorandums. The documentary marshals these various forms of evidence in order to give a

historical overview of the administration's decision to disregard the Geneva Conventions, its creation of the legal category "enemy combatant," and its decision to allow "enhanced interrogation techniques" to be used during detainee interrogations. In doing so, *Ghosts of Abu Ghraib* serves as an examination of how the otherwise invisible bureaucratic structures of war produced the hypervisible spectacle of torture that is embodied in the leaked photographs.

This interest in the chain of command from Abu Ghraib to the upper echelons of power in the Bush administration is clear from its outset, as the film is bookended by archival footage of the Milgram Experiment. Organized by the Yale University psychologist Stanley Milgram, the Milgram Experiment studied the willingness of ordinary people to obey authority figures who ordered them to physically harm others. The volunteers were instructed by an actor in a lab coat (referred to as the "experimenter") to ask a series of questions to an unidentified person on the other side of a wall, and with each incorrect answer, administer an increasingly painful shock to them. As the shocks increased in voltage with each wrong answer – beginning at 15 volts and ending at 450 volts – the screams from the man on the other side of the wall became louder. Unbeknownst to the volunteers, this was an actor who was not being shocked, but had instead been instructed to provide incorrect answers. In the footage, we see three different volunteers express discomfort to the experimenter over administering the shocks, who assures them that the shocks were not permanently harmful and that they were ultimately not responsible for the man's well-being. Milgram's experiment found that a majority of the volunteers were willing to administer the highest voltage shock when instructed to do so, an outcome that appeared to show that people would obey authority figures and inflict harm on others if it was of no immediate consequence to them.

To see how this footage functions as a framework for explaining the torture at Abu Ghraib, it is first necessary to consider who the film presumes its audience to be. In an interview with Amy Goodman from *Democracy Now!*, Kennedy alludes to the fact that the documentary was created with an American public as the assumed viewer: "To me, the film is not just about what happened at Abu Ghraib. *It's about who we are as Americans*. And, you know, are we going to be a country that says it's OK to torture, to treat some people inhumanely?" (Kennedy, emphasis mine). This intended appeal to the American public regarding the country's identity in crisis provides a useful insight into how the film uses the Milgram footage to address and hail an American audience, as well as how it discursively frames the visual relationship viewers have to the Abu Ghraib photographs. The footage is, in this case, frames the torture captured in the photographs as the outcome of a bureaucratic chain of command that produced the culture of torture at Abu Ghraib. And indeed, many of the soldiers interviewed in *Ghosts of Abu Ghraib* describe themselves as powerless actors who were required to take orders from those who outranked them.

Even as the Milgram Experiment footage foregrounds the film's interest in the chains of command implicated in the torture scandal, it is quite limited in its explanatory power. Even if the experiment provides some insight into why, under certain circumstances, people may follow orders they disagree with, the use of the Milgram Experiment footage in a documentary about Abu Ghraib evacuates the historical, cultural, and social specificity from the images themselves. The Milgram footage features only white, male participants, and thus cannot account for the forms of racialized and gendered violence depicted in the Abu Ghraib archives. In other words, this approach limits the film's ability to comment on *why* the torture took the specific forms that

it did in the photographs. Moreover, it perpetuates an identification with the soldiers, instead of a more sustained focus on the victimized Iraqi detainees.

However, I want to argue that even as the Milgram Experiment footage has obvious limitations as to what insights it offers viewers about Abu Ghraib, the film also constructs far more critical approaches to viewing the photographs and understanding their production. These approaches transcend the limited Milgram framework by disrupting a tendency for the viewer to initially identify with the perpetrators. We see this alternative framework emerge early in the film and after the Milgram footage, in which former soldiers at Abu Ghraib try to describe to Kennedy the experience of living and working at the prison. The interviewees call the prison a "desert bowl of misery" and recount a stench of "sweat and trash and feces and urine" while images of dim hallways, a painting of Hussein on the wall, and the prison's hanging chambers evoke a feeling of ghostliness and haunting that many of the soldiers directly reference. As the soldier Sam Provance explains, "[y]ou knew the history, and I mean like, you felt like it was a haunted place. At nighttime, there were certain hallways you wouldn't want to go down by yourself because, you know, you're afraid there might be a ghost or something and you knew if something was there, it was really pissed off." Another, Javal Davis, describes his reaction to the realization that the barracks in which he would live contained two incinerators that had been used to burn prisoner bodies:"[w]oah, where are we living at? You know how many lost souls displaced souls, are walking around here?"

Initially, the descriptions of Abu Ghraib's ghostliness seem to serve as justification for why torture occurred, as soldiers highlight the immense stress and pressure they faced while living and working in the prison. But these references to ghosts and to hauntings also conjure other images, as well: those of Iraqi prisoners murdered by the Hussein regime, along with the

murdered ghost detainee Manadel al-Jamadi, who was tortured to death by CIA agents. Wendy Hesford argues that these ghostly invocations "demonstrate the intercontextuality of torture: the Abu Ghraib prison is construed by the military personnel as a property with a haunting past, and as a structure of feeling that calls forth certain ghostly actions" (76). The term "ghosts" in the documentary's title, in other words, evokes both past and present. This intercontexuality offers a framework that has the potential to produce a more critical visuality, one that allows the viewer to situate the photographs and the torture scandal in a broader historical context. It challenges the ahistorical usage of the Milgram Experiment footage and instead gestures toward a historic palimpsest of violence embedded in the torture at Abu Ghraib.

*Ghosts of Abu Ghraib* at times presents a framework in which the distanced penal spectator to see and examine the photographs in a way that problematizes a clear identification with the perpetrators. One of the ways in which the film achieves this is by having some interviewees hold printed photographs of the leaked Abu Ghraib images during their interviews. Because the Abu Ghraib scandal is marked by what Liam Kennedy argues is the "promiscuity" of digital images that can quickly go viral, the presence of the individual printed photographs on-screen constructs different spectatorial relationships between the viewer and the torture images than seeing them purely as digital images. To see printed, physical copies of the photographs emphasizes a set of relational aspects that exist between the documentary viewer, the interviewee, and the photographs themselves.

A point at which this is most evident is in the film's examination of the death of ghost detainee al-Jamadi, whose identity became known after photographs of U.S. Army specialists Sabrina Harman and Charles Graner posed next to his corpse leaked to the public. The film pieces together the timeline and the specifics of al-Jamadi's death through an interview with a

former prisoner who overheard sounds of al-Jamadi being tortured, as well as an interview with Harman. Harman's interview begins in a medium close-up shot before the camera slowly zooms out to reveal that the she is holding the iconic photograph of her smiling and giving a thumbs-up next to al-Jamadi's body (figure 23). She first explains how she and Graner came across al-Jamadi's corpse before discussing the motivation behind her pose in the infamous photograph. Holding the picture, she recounts that she chose to pose next to the body after initially assuming that it was "just a dead guy," only later realizing that al-Jamadi had been murdered during an interrogation.

Figure 23. Screenshot from *Ghosts of Abu Ghraib* (2007).

The visual field fractures as Harman holds the photograph of herself. Viewers are forced to split their attention between the photographic image and her embodied presence in front of the camera. However, even in the photograph's visceral immediacy, the interview's mise-en-scène distances the spectator from it. This juxtaposition highlights the act of looking at the photograph itself, not unlike the shots of interviewees watching interrogation footage of Omar Khadr in the documentary *You Don't Like the Truth: 4 Days Inside Guantánamo* (Luc Côté and Patricio Henriquez, 2010) discussed in the previous chapter. In highlighting the spectator's relationship to both the photograph and to Harman as the interview subject, the film also positions Harman as both spectator and perpetrator, embodying what Michelle Brown describes as the changing role

of the soldiers at Abu Ghraib from "spectators to exhibitionists to torturers" (*The Culture of Punishment* 131). To watch Harman discuss the photograph is to also witness her perform her own act of penal spectatorship as she labels al-Jamadi as "another dead guy." As this interview highlights Harman's visual relationship to both the photograph and to al-Jamadi, it, in the words of Brown, also creates a space in which the viewer may "reflect upon one's own relationship to punishment and its most extreme practices up-close" (*The Culture of Punishment* 125). Harman's remark about al-Jamadi underscores the brutal racialization and dehumanizing logics that affect how Harman sees al-Jamadi in the present. It also illustrates the ways the photograph participates in the broader racial and national logics that produced the Abu Ghraib photographs and of how detainees are seen under the War on Terror.

A second strategy *Ghosts of Abu Ghraib* uses to disrupt the dominant relationship that exists between the documentary viewer, the interviewee, and the Abu Ghraib photographs is in the film's interviews with former Abu Ghraib detainees. Unlike *Standard Operating Procedure*, *Ghosts of Abu Ghraib* provides a space for former detainees to testify to their experiences of confinement and torture. These interviews help support the film's thesis that the torture at Abu Ghraib was systemic in nature, as the former detainees both recall instances of abuse they either witnessed or experienced firsthand and also explain that abuse was not the exception, but was actively encouraged amongst interrogators and prison guards alike. Some former prisoners are filmed in extreme close-up to protect their identity, while others are filmed in traditional medium close-up shots. While these interviews offer important eyewitness testimony to policies of systemic abuse and torture, these interviews, as is the case with nearly all prison documentaries, run the risk of objectifying and pathologizing the interview subjects. That is, even if their verbal testimony is searing and gut-wrenching, the documentary runs the risk of reinforcing the

detainee's position as distanced, pathologized Other, as they speak from the limited enunciative position as victims of torture.

However, the printed photographs of torture also produce moments of rupture in the interviews that upend this limited enunciative position. That is, the Iraqi detainees become something other than abject and "inhuman" victims of torture that the they may appear to be in Abu Ghraib photographs. This is most evident in the interview with the former prisoner Abu Abbas. In his interview, Abbas holds a printed photograph of a man handcuffed to a bedframe, wearing only underwear and a black hood (figure 24-25). As he looks at the image, he remarks "[o]h...this is my brother. My older brother," and kisses the photograph. Wiping his eyes, Abbas explains that his brother had been tortured by prison guards in an effort to get him to confess: "They used to bring him naked. His arm was injured. They would make him hold buckets of water and run down the cellblock. I was ordered to watch him." In the recognition of his brother and in his tender kiss of the photograph, Abbas rescues the tortured subject's identity from the abjection and alterity in which the photograph initially positions him. Unlike Harman's dismissal of al-Jamadi as "another dead guy," here the viewer is confronted with the detainee as someone with a family, with a personal history and a life that exceeds the frame of torture and degradation. While the bureaucracy of the War on Terror helps produce the racialized, abject bodies of the detainee, this moment functions as a refusal to accept this negation of Abbas's brother's personhood.


Figure 24. Screenshot from *Ghosts of Abu Ghraib* (2007).

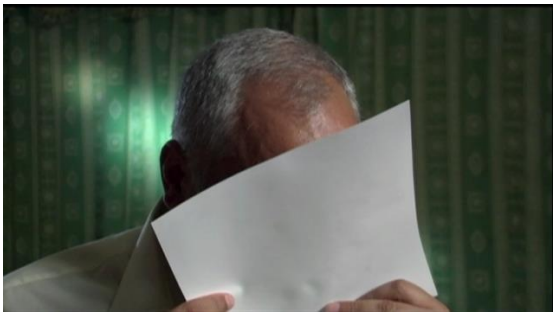

Figure 25. Screenshot from *Ghosts of Abu Ghraib* (2007).

This radical moment of rupture embodies Nicholas Mirzoeff's conception of the "right to look" that I discuss in the dissertation's introduction. As Mirzoeff argues, the "right to look" is the assertion of one's selfhood, an insistence "on the irreducible autonomy of all citizens" (*The Right to Look*, 24). The bureaucracies of the War on Terror and the visuality of Abu Ghraib are deeply intertwined. Visuality's power to name, categorize, and aestheticize has helped produce the figure of the "terrorist" body within the bureaucracy of the War on Terror. Subsequently, this has shaped the dynamics of the spectator's gaze toward the Abu Ghraib scandal and the reactions to the visually documented torture of detainees. Here, Abbas's gaze toward the photograph and his choice to embrace, rather than recoil at the sight of his brother's torture, becomes as significant as what he tells the camera about his brother's treatment. His reaction to the photograph – his choice to kiss it, rather than recoil – evinces a specific understanding of the photographic image. Rather than respond to it as an indexical document, Abbas's gesture of the

kiss frames the photograph as embodying the presence of his brother. This kiss highlights the affective dimensions of the photograph, a dimension that challenges bureaucracy's refusal to acknowledge the subjectivity of the detainees. Thus, as the interview emphasizes Abbas's gaze toward the photograph, it also creates a space that allows the spectator to "not only confront state terror but also the role of visuality, subject formations, and the archival desires that sustain those actions" (Kozol 157).

The film ends with a return to the problematic Milgram Experiment framework that opens the film. In the film's final sequence, grainy footage of videos taken by soldiers at Abu Ghraib play as MPs in voiceovers explain how Abu Ghraib personally affected them. Davis, for instance, declares "that place turned me into a monster" while Harman proclaims "[y]ou'll go crazy if you don't adapt to what you're seeing." At the film's end, archival audio of Milgram reading the grim conclusions from his experiment reinforces the narrow and ahistorical understanding of the scandal. Moreover, by ending with a return to the personal impact that Abu Ghraib had on the soldiers and not the detainee, the documentary unfortunately perpetuates a dynamic in which it is the soldiers, and not the detainees, who are considered the ultimate victims. But at the same time, the film at times constructs a critical gaze that allows Western viewers to avoid clearly identifying with the American torturers, and that enables them to instead recognize the humanity and social subjectivity of the tortured detainees. That is, it produces a space in which the viewer may ultimately reject the Milgram Experiment footage as a suitable framework for understanding the victims of the scandal.

***Standard Operating Procedure***

Like *Ghosts of Abu Ghraib*, Errol Morris's *Standard Operating Procedure* examines how American governmental and military bureaucracies shaped the dominant narratives that emerged in the aftermath of the prison scandal. But while *Ghosts of Abu Ghraib* tries to delineate the chain of command that ultimately authorized the torture captured in the soldiers' photographs and videos, the focus of *Standard Operating Procedure* is on the digital technologies that were integral to the production of the images and their dissemination across the globe. Though it is organized primarily around the testimony from the "bad apples" convicted of detainee abuse, Morris's documentary differs in scope and focus from *Ghosts of Abu Ghraib*, as it does not assign blame to particular soldiers, nor does it attempt to learn more about who authorized the "enhanced interrogation techniques" at the prison. Instead, *Standard Operating Procedure* interrogates the unruly and expansive Abu Ghraib archive, as it seeks to understand how the photographs and video became the entire story of the scandal. Morris's film also questions the limits of what these images tell the publics that encounter them. To this end, the film is far more interested in the ways the camera served as the "ultimate third party" to the abuse (Danner 17).

Morris's documentaries have long raised questions about the reliability of memory, the accessibility of the past, the stability of "truth," and the authenticity and verisimilitude of the documentary form. It is not surprising, then, that *Standard Operating Procedure* likewise takes what appears to be an idiosyncratic approach to understanding what transpired at Abu Ghraib, one that does not assign culpability, nor does it answer the fundamental questions about what drove the soldiers to torture detainees in the first place. Indeed, Morris's films embody what Linda Williams sees as the terrain of postmodern documentary filmmaking, in which certain films recognize the inaccessibility of a single truth and are instead "acutely aware that the individuals whose lives are caught up in events are not so much self-coherent and consistent

identities as they are actors in competing narratives" (12). Morris's *The Thin Blue Line* (1988) exemplifies this approach in its examination of the wrongful conviction of accused cop killer and death row inmate Randal Adams. Through a set of interviews with Adams, his accuser (and the actual culprit) David Harris, eye witnesses, police officers, and the defense attorneys for Adams, Morris reveals the conscious and unconscious biases of his interview subjects through their varying contradictory recollections and stories about the murder and Adams's guilt. It is not that Morris accedes to an absolutely relativist perspective in regards to the truth, but that he instead uses the contradictions and misstatements by the interviewees to undermine the definitive sense that Adams is guilty. Likewise, *Standard Operating Procedure* does not cast outright blame on the soldiers involved in the torture, nor does it follow *Ghosts of Abu Ghraib* in pointing the finger at high-ranking Bush administration officials who set the interrogation and detention policies across the military prisons.

Morris's approach to the subject matter proved controversial, and the film was a box office failure. Nonetheless, *Standard Operating Procedure* has generated intense debates amongst critics and scholars regarding the film's focus on digital technology's place in the torture scandal. Kris Fallon argues that critical reactions to the film can be broadly separated into two camps, depending on how one perceives the film's scope and focus (Fallon 35-36). Those critical of the film have tended to criticize its focus on the digital photographs and their representational limits as misguided and a missed opportunity to assign blame to the architects of the torture policies. For instance, Bill Nichols critiques a perceived myopia of the film, arguing that it fails to take interest in "how a specific institutional framework and a set of inhumane policies can construct sociopathic behavior" (Nichols). Others criticized the film's reliance on the testimony of the "bad apples" who justify their actions without pushback from Morris or

without testimony from torture victims. Still others bristled at the film's aesthetic choices, deeming the high-resolution cinematic reenactments and use of computer-generated imagery as inappropriate given the subject matter (Fallon 35-36).

For those more positively disposed to *Standard Operating Procedure*'s approach, this presumed failure to definitively conclude anything about the scandal or the Bush administration's position on detainee torture is precisely the film's point. That is, the film is neither interested in assigning blame to someone up the chain of command (though it is sympathetic to the soldiers who were prosecuted) nor in making claims about what "really" happened at the prison, because it is about the very mediation of the events themselves in public culture. As Caetlin Benson-Allot argues, "[f]raming the Abu Ghraib photographs as multideterminant and elusive also enables *Standard Operating Procedure* to foreground the new problems digital media pose for photographic epistemology" (43). Likewise, Williams, drawing on Judith Butler's conception of the "frame," argues that the film's relentless interrogation of the digital photographs helps "show us the difference between a frame that 'conducts dehumanizing norms' and a frame that might be capable of questioning these very norms to open up our seeing and knowledge to elusive and contingent truths that lie beyond the frame's limits" (31). These analyses of *Standard Operating Procedure* center around how the Abu Ghraib images and digital photography shape perceptions and narratives about the torture scandal.

The film's focus on the digital photographs echoes Danner's assertion that the Abu Ghraib images ended up obscuring more than they revealed and helped "to block a full public understanding of how the scandal arose and how what Americans did at Abu Ghraib was ultimately tied to what they had been doing in Afghanistan, Guantánamo, and elsewhere in the 'war on terror" (xiii). From this perspective, *Standard Operating Procedure* is not myopically

focused on the photographs over the institutional structures, as Nichols would suggest, but instead foregrounds the precise limits of what the images may be able to tell the public about what unfolded at Abu Ghraib. It enacts a critical visuality that not only closely reads the individual photographs, but positions the images within the broader bureaucratic structures in which the detainees existed and in which the photographs were taken. The film attempts to visualize these structures in multiple ways, by employing CGI visualizations of the metadata embedded in the photographs and in drawing on other forms of evidence, such as prisoner intake logs, Harman's letters home to her wife, and soldier eyewitness testimonies. Taken together, these different forms of evidence are deployed in *Standard Operating Procedure* to illuminate the structures that not only documented the tortured bodies, but produced them.

The film's credit sequence juxtaposes the individual photographs against the institutional structures that produced the torture. Against a black backdrop, images from the Abu Ghraib archives begin to appear and float from the front of the screen off into the distance. The first photographs that are visible are not of the iconic torture images that shocked the world but are instead pictures of sunrises taken beyond the walls of Abu Ghraib. Given the documentary's focus on the torture scandal, it is curious that the first photographs in this sequence should be ones so banal that they could easily appear on a postcard. Standing in stark contrast to the images of torture and degradation that appear later in the opening sequence, the choice to open with these photographs serves as a reminder that the same people who participated in the detainee torture and abuse also used the camera to take far more innocuous pictures of the Iraqi landscape and of soldiers goofing off. Here, the film exudes what Fallon argues is its database aesthetic that foregrounds the pictures' status as a random cluster of images that lack a clear organizational logic (38-39). In other words, the organization of the images (or lack thereof) emphasizes the

fact that the banal and the violent coexisted on the same digital camera memory cards. As Fallon points out, moments such as this in the film highlight the polysemous meanings that the images may embody and that "the images themselves mean nothing outside of a specific discursive context" (41).

A central focus of the film is, then, to understand this discursive context. As Williams points out, one of the questions Morris poses over and over to the MPs during their interviews is a version of "'[w]hat were you thinking when you did what you did?'" (34). Beyond this, the film also seems to frequently pose the question of "how do you read and interpret these photographs of atrocity? What do these images mean to you as you examine them now?" Much of the interviews in *Standard Operating Procedure,* both with the MPs and with the forensic investigator Brent Pack, center around this question of what they see in the images and how they interpret them. Pack's technocratic and detached position as an investigator positions him as a perfect foil to both Morris and to the MPs, who strive to complicate the bureaucratic interpretations of the photographs Pack offers. Pack decisively states that to Morris,

> Photographs are what they are. You can interpret them differently, but what the photograph depicts is what it is. You can put any kind of meaning to it, but you are seeing what happened at that snapshot in time. You could read emotion on their face and feelings in their eyes, but it's nothing that can be entered into fact. All you can do is report what's in the picture.

Such a confident position is challenged by MP Megan Ambuhl, who argues for a far more limited perspective on the explanatory power of the photographs: "The pictures only show you a fraction of a second. You don't see forward and you don't see backward. You don't see outside the frame." While the film's position is clearly sympathetic to Ambuhl's perspective on the

ontology of the photograph, it also emphasizes how the photographs were incorporated into the larger bureaucratic narratives about the torture scandal.

But while much has been made about the documentary's examination of these dueling perspectives between Pack and Ambuhl (and by extension, the other MPs), critics have had less to say about another tension that emerges in the film between the digital photographs' metadata and Morris's reenactments. The film's treatment of the metadata, Benson-Allot argues, "dramatizes the sleight of hand by which the Army substituted mystification for interpretation and effectively exploited a wider cultural suspicion that digital images hold more than they show" (43). This metadata, as discussed above in relation to the Fay/Jones report, was used to "close down political interpretation; by reducing torture to metadata, it attempted to redirect the thorny question of culpability" (43). I would add to Benson-Allot's claim here that Morris does not only ironize the use of metadata in Pack's assessment of the innocence or guilt of the soldiers involved in the torture. The interviews with Pack also illustrate the ways in which the tortured body is abstracted into data by the government bureaucracies, robbing them of their subjectivity in ways similar to the erasure of detainee subjectivity in the Bush administration's bureaucratic memorandums.

This tension between the corporeal tortured body and the one abstracted into data is particularly acute when Pack describes his methodical process for analyzing the metadata contained in the photographs. As Pack defines the term metadata for Morris, the film cuts to a black screen in which numbers and letters float in space, not unlike the photographs in the film's opening (figures 26-28). This visualization threatens to overwhelm the viewer, as the CGI animation produces a feeling that the camera is moving forward through space amongst a sea of data that is appears ultimately meaningless. Letters and numbers float in space before they are

combined into individual photographs, suggesting that these images are, at their very base, nothing more than data. This sequence splits the viewer's attention between the data and the abuse depicted in the images, as the morass of digits comes together to form the image of Charles Graner posing to strike a detainee's head. Ironically, even as this sequence may purport that the digital images contain more than they may initially reveal upon first glance, the metadata actually makes it slightly more difficult to see exactly what is going on in the image. While the sequence challenges the assumption that the photographs are themselves transparent glimpses into the torture at Abu Ghraib, it also perfectly metaphorizes both Pack's and the Army's bureaucratic approach to the photographs. Elsewhere, Pack explains how he cross-referenced the timestamps from the metadata with the Abu Ghraib guard logs that contained incidents that occurred at the prison. The film cuts to pages of the logs, highlighting entries, such as "chow served to all – 20092 observed to eat but then observed to be throwing up everything." Much in the way that the detainee body disappears from the metadata Pack discusses, the visuality of detention at Abu Ghraib is reduced to prisoner numbers and dry descriptions of detainee actions.

Figure 26. Screenshot from *Standard Operating Procedure* (2008).

Figure 27. Screenshot from *Standard Operating Procedure* (2008).

Figure 28. Screenshot from *Standard Operating Procedure* (2008).

Morris contrasts Pack's belief in the inherent transparency of the photographic image with a self-reflexive emphasis on the highly mediated nature of both the Abu Ghraib images and the documentary more generally. This is particularly noticeable when Morris asks certain interviewees to examine and explain particular photographs from the Abu Ghraib archives. For instance, Morris asks the specialist Roman Krol to discuss one of the photographs that he is in, in which he had thrown a Nerf football at a handcuffed detainee lying on the prison floor. The interview begins as Krol approaches the Interrotron to look at the photograph that Morris holds up to the camera on his end. Krol's eyes and nose fill the screen at this moment, both rupturing the space between him and the camera and also making it feel as if he is peering at the viewer (figures 29-30). Sitting back in the chair in the standard medium close-up shot, the film cuts from

Krol to the photograph he was examining, and in a voiceover, Krol identifies the soldiers in the photograph who are standing around a handcuffed detainee. It then cuts back to Krol in his chair as he remarks, "[c]an't see anything else, actually." He stares at the teleprompter, head slightly cocked as he gazes at the photograph for any further identifying information. This sequence ruptures the space between subject and camera as Krol crosses the invisible threshold that separates him from the viewer. Doing so serves as a reminder that regardless of how digital technologies seem to offer ostensible transparency and also annihilate distance between the viewer and what they are watching, these mediating technologies are deeply embedded in the production representations of the War on Terror.

Figure 29. Screenshot from *Standard Operating Procedure* (2008).

Figure 30. Screenshot from *Standard Operating Procedure* (2008).

Morris also problematizes Pack's analysis of the photographs through the controversial reenactments, which emphasize the sensuous and embodied aspects of detention and torture found lacking in Pack's analysis and in the bureaucratic documents from which he draws. The

reenactments direct the viewer's gaze toward the tortured body under duress, emphasizing the most minute and subtle details of actors' bodies in the restaged torture scenes. Morris filmed the reenactments using a Phantom v9 camera that shoots 1,200 frames per second, which slows the movement of the image to such a degree that the scenes unfold at a slow, hypnotic pace. But as I discussed in chapter three, the use of reenactments within documentaries about detention under the War on Terror have often sought to highlight torture's invisibility in, or erasure from, public visual culture. The purpose of the reenactments in *Standard Operating Procedure* are far less clear, as Morris, in many cases, reenacts events for which verifiable public evidence of the torture exists in the form of the photographs. In other words, why reenact something for which an indexical image of the event already exists? And why stage them in such a stylized manner, in which the dramatic lighting, slow-motion, and extreme close-ups render the reenactments so overly-aestheticized that it calls into question any evidentiary value they may provide?

On one level, the highly aestheticized reenactments evoke a subjective, surreal experience of living and working in Abu Ghraib as described by the MPs in their interviews. In these staged sequences, time seems to slow down, and particular details enter the foreground while others recede. For example, in the interview with specialist Tony Diaz, he recounts the death of al-Jamadi at the prison. Diaz and fellow specialist Tony Frost were asked by CIA interrogators to help put al-Jamadi in stress positions, and during the process of hanging him by his arms, blood begins to pour out of his hood, and they realize that he has died. In his interview, Diaz says "[t]his whole time we were messing with this guy, you know, carrying him and lifting him, and this entire time the guy was dead. I even got some blood on my uniform." As Diaz talks, the film cuts to a reenactment of his remarks. The reenactment begins with an extreme close-up shot of a bloodied mouth, nose, and chin while drops of blood fall off the face and land

onto a uniform in slow-motion. At once, this sequence uses the slow-motion and extreme close-ups attempts to approximate the disorienting experience of realizing that a detainee has died during an interrogation. At the same time, it is worth noting that what the reenactment does not focus on are the stress positions that the CIA officers and specialists put al-Jamadi's body in, nor is there an attempt to picture the bodies of those responsible for his death. In other words, the reenactments are also centered around the soldiers' perspectives, rather than that of the prisoners who suffered the abuse and torture.

Moreover, the reenactments also allow Morris to examine the complex web of interpersonal relationships that lie beyond the frame of the photographs and that are obscured by Pack's bureaucratic reading of the photographs. Morris focuses on a couple of meta-photographic moments contained in the Abu Ghraib images, in which soldiers are photographed while in the process of taking photographs themselves or are seen holding cameras within the frame of other pictures. Perhaps the clearest example of this is during the discussion of the iconic "Gilligan" photograph, in which the Iraqi detainee Abdou Hussain Saad Faleh stands hooded on a box, arms outstretched with wires connected to him. Used as a sleep deprivation technique, Faleh had been told by Graner that he would be electrocuted if he fell off the box (though, unknown to Faleh, the wires were not actually connected to anything). The film restages the production of the iconic photograph in a reenactment that contains extreme close-up shots of parts of the scene, from the actor's feet, toes, and hood, to the flash of the Sony digital camera as it snaps the image (figures 31-33). Contained within this sequence are also other photographs of less-known photographs Gilligan, such as him carrying the box he would later be standing on in the photographs and Graner looking at his camera after taking what would later become the iconic image. As the reenactment focuses as much on the production of the photographs as it

does on Faleh's torture, it highlights how the tortured body becomes a photographic subject, as well as the limitations for what the photographs can tell spectators about how that torture feels. But contained in this reenactment is a clear tension, and limitation, of Morris's approach. Even as these reenactments work to create a space for a different response to the photographs, they also refuse to give Faleh individual subjectivity. The body is once again abstracted, though not through metadata, but instead through the cinematography of the reenactment.


Figure 31. Screenshot from *Standard Operating Procedure* (2008).

Figure 32. Screenshot from *Standard Operating Procedure* (2008).

Figure 33. Screenshot from *Standard Operating Procedure* (2008).

Morris thus complicates and implicitly critiques the assumptions Pack makes about what constitutes torture, and therefore a "criminal act," versus what is merely "standard operating procedure." Late in the film, Morris has Pack apply these judgments to a collection of the Abu Ghraib photographs. As the film cycles through images of detainees being sexually humiliated and placed in stress positions, Pack explains his confusing and inconsistent rationale for why some detainee treatment rose to the level of criminal misconduct while others did not. After every declaration of "criminal act" or "standard operating procedure," we see a red stamp marking the judgment. This visual strategy of "stamping" the photographs with Pack's judgment makes manifest the bureaucratic processes that not only illuminate Pack's warped judgment, but also illustrate how the bureaucratic gaze interprets and understands the images. But by this time, *Standard Operating Procedure* has already pushed the viewer to imagine what is missed by Pack's dispassionate eye and his reliance on the photographs' metadata. The reenactments have, for example, already highlighted and attempted to approximate Faleh's embodied experience of standing in a stress position on an MRE box. What Morris's film reveals is how the phrase "standard operating procedure" is less a clear-cut judgment of what happened at Abu Ghraib, and is instead a descriptor of a certain bureaucratic, interpretive framework for how the Abu Ghraib photographs were read. It is precisely this bureaucratic gaze that the film complicates and critiques.

**Conclusion**

As the bureaucracy of the interminable War on Terror continues to expand without a clear end in sight, it is important to pay close attention to how these bureaucracies impact the manner in which accountability and culpability are determined, as well as how the narratives about scandals such as Abu Ghraib emerge and take shape. Though *Ghosts of Abu Ghraib* and *Standard*

*Operating Procedure* have rarely been discussed together in spite of the fact that they are the two major documentaries about Abu Ghraib, both films offer ways to consider how governmental and military bureaucracies categorize and visualize detainee bodies. Their different aesthetic and narrative approaches notwithstanding, both films highlight how bureaucratic documents and actors have attempted to narrate the Abu Ghraib scandal in order to contain the fallout and to protect those high up the chain of command. Both documentaries attempt to get viewers to reconsider their relationship to the photographs by problematizing these bureaucratic narratives. Even as the Milgram Experiment footage in *Ghosts of Abu Ghraib* presents a flawed framework for understanding why the scandal occurred, it nonetheless produces moments in the film in which the viewer may inhabit a more critically engaged and historically grounded gaze toward the photographs and their significance. Likewise, the tension in *Standard Operating Procedure* between the embodied experience of detainee torture and Pack's use of metadata that effaces it pushes viewers to reconsider how they see the photographs and how they understand and judge what they see in the images.

## Conclusion

Throughout *Prison Sights,* I have examined what I refer to as "carceral visuality," or the intertwined hegemonic visual and ideological frameworks that give shape to how we see, think about, and talk about incarceration. Through four case studies of seemingly disparate prison sites – Louisiana State Penitentiary, Attica Correctional Facility, Guantánamo Bay, and Abu Ghraib – I show how they function as complex spaces of mediation and exhibition that organize the dominant visual field of the carceral state. This politics of visuality, I contend, reinforces a set of "common-sense" logics about the necessity of the carceral state and its attendant methods of policing, surveillance, and confinement. If, as Brett Story argues, "[t]he prison is an institution that *produces* punishment norms rather than one *produced* by punitive feeling," then interrogating the visual regimes that produce those norms is paramount (*Prison Land* 97, emphasis original). To this end, I have traced how a set of dialectical tensions shape the visual regimes of each site, such as inside/outside, past/present, presence/absence, and visibility/invisibility, and often operate simultaneously. In both Angola and Guantánamo Bay, for example, tensions between inside/outside, presence/absence, and visibility/invisibility have been central to constructing sanitized visions of the prisons that mask their carceral practices. Likewise, both Attica and Abu Ghraib are marked by tensions between past/present and visibility/invisibility that have defined both their specific historic circumstances as well as their historical legacies. Examining how these tensions operate at each site has allowed me to illustrate how carceral visuality spans a set of historical, social, and geographic contexts and circumstances.

The documentaries discussed in this project constitute what I argue are "carceral counter-visions" that challenge the carceral visuality of these four sites. Here, I differentiate carceral

counter-visions from prison documentaries that only attempt to humanize those incarcerated or seek to provide "correct" representations of penal spaces. I contend that the documentaries discussed in this dissertation operate differently, as they exploit the varied dialectical tensions of each site to fashion alternative ways of seeing these prisons. Both out of necessity and by choice, these documentaries rarely take viewers inside the prisons themselves. In doing so, they resist the camera's potentially pathologizing gaze toward their incarcerated subjects that may serve to only reify the imagined distance between the prison's inside and outside. They instead create alternative modes of relating to their incarcerated subjects – such as the focus on Herman Wallace's embodied experience of solitary confinement in *Herman's House*, discussed in chapter one – and to the carceral spaces themselves – such as the haunting shots of the Guantánamo Bay landscape in *The Oath*, discussed in chapter three. Across the chapters, I examine both the continuities and discontinuities between prison sites and the ways these necessitate different strategies for challenging their visuality.

There remains significant public interest in documentaries that critically engage with the horrors of the carceral state. In recent years, a spate of documentaries about the violence of mass incarceration and the racial inequities of the criminal justice system have been released on a variety of platforms and mediums, from theatrically-released films to those on streaming services such as Netflix and Hulu. While they reflect the urgency of crises precipitated by the carceral state, there has also been a notable absence of documentaries about the carceral regimes of the War on Terror. This seems to reflect the public's fatigue over forever wars and their waning interest in the interminable War on Terror. This has also been affected by a shift in focus toward domestic policing and prison regimes, most notably driven by the Black Lives Matter activist movement that has rallied people against unchecked police and carceral power. While

documentaries on domestic incarceration run the gamut in terms of scope, aesthetic style, and rhetorical approach, the figure of the authoritative talking head remains a central component, such as in the documentaries *The House I Live In* (Eugene Jarecki, 2012) and *13th* (Ava DuVernay, 2016). They draw heavily on interviews with activists, politicians across the political spectrum, and scholars in order to urgently highlight the crises precipitated by mass incarceration and how the intersections of race and class under the carceral state produce vulnerability and harm.[42] The critical acclaim films such as these have received (*13th* was nominated for an Academy Award and won a Primetime Emmy Award) is indicative of their ongoing relevance of documentary works that offer overviews of mass incarceration and its relationship to prior forms of racial oppression and domination.

The new media ecology has also opened opportunities for less traditional documentary approaches to constructing a counter-visual gaze. One of these changes has been the rise of virtual reality technology, which has become cheaper and more widespread, and has allowed for filmmakers to reach wider audiences with it. Works such as The Guardian's *6x9: A Virtual Experience of Solitary Confinement* (Francesca Panetta and Lindsay Poulton, 2018) offer viewers/users an immersive experience of solitary confinement through virtual reality. It is not surprising that filmmakers interested in prisons have used virtual reality to examine solitary confinement, given that it is a uniquely deadening and maddening form of incarceration that is otherwise inaccessible to the outside world. Through virtual reality, *6x9* attempts to disrupt the imagined distance between the user on the outside and those held within solitary confinement cells. While the web documentary *The Deeper They Bury Me* (Agnad Singh Bhalla and Ted Biggs, 2012) that I discuss in chapter one also asks viewers to engage in this imaginative process through the experience of Herman Wallace's experience of solitary confinement, its use of

animation, still photography, and its focus on stories about Wallace and Angola beyond his cell, ultimately deny the user the immersive experience virtual reality attempts to offer.

*6x9* is part of *The Guardian*'s GuardianVR mobile application. As the application explains, "Guardian VR brings audiences closer to Guardian journalism than ever before through a series of immersive and thought-provoking experiential projects covering a diverse range of subject matters" (GuardianVR). *6x9* draws on the testimonials from seven formerly incarcerated inmates who spent between nine months and eight years in solitary confinement. Users insert their phone into a Google Cardboard or Daydream virtual reality headset, which allows them to look around a solitary confinement cell. After the user virtually enters the solitary cell, audio snippets play the interviews with the former inmates and with academic psychologists who testify to the physical and psychological impacts of solitary confinement. At first, as the user listens to these testimonies, they may try to imagine for themselves how they would experience months or years in the cramped cell. As *6x9* continues, the boundaries blur between the reality in the cell and the psychosis that sets in after a prolonged imprisonment in a solitary cell. A voice from one of the former inmates remarks "[a[fter a while, things start to slip," followed by another interviewee, who states "I find myself floating." As these voices speak, the user also begins to float in the cell and their vision becomes blurry. The immersive virtual reality technology allows *6x9* to not only informs users about the physical and psychological harm solitary confinement produces, it also tries to get them to experience its disorienting effects.

This approach to showing users the horrors of solitary confinement is premised on the belief that virtual reality allows for a sense of empathy to develop between users and inmates in solitary confinement that would not be possible through more traditional documentary means. Indeed, *6x9*'s Creative Director Carl Addy explains that the decision to use virtual reality was

based on the fact that "it is really hard for the general public to rally around an issue like this when criminals are involved" (qtd. in Stewart). He remarks "[h]ow do you build empathy around an issue as contentious as this? The task was to give a sense of what isolation feels like. By giving people a visceral experience of solitary confinement we were able to emotionally connect them to the cause" (The Mill). Such an approach has the potential to engage a set of users/viewers who may not seek out a traditional feature-length documentary on solitary confinement. But as Katrina Clifford and Rob White point out, the assumption that a virtual experience of a solitary confinement cell will necessarily produce empathy in the user has not been borne out in internet comments and feedback to *6x9* (279-283).

However radical these interventions of a film like *6x9*, *The House I Live In*, and *13th* may be, they still reinforce the primacy of the prison as the site where punishment unfold. Moreover, in the case of Jarecki's and DuVernay's films, they doggedly center their analyses and criticisms of the carceral state on well-trodden issues, such as the War on Drugs and the role of private prisons in mass incarceration. Their focus on these visible and egregious issues limits both the conceptions of the carceral state in the public imaginary as well as how the films imagine solutions to the problems they identify. Indeed, Story argues that one of the limitations of many prison documentaries that focus on "humanizing" prisoners and ex-prisoners is that they "do as much work to *reinforce* racialized ideas about who is a 'criminal' and thus who is 'dangerous." She continues, "simply exposing the prison's internal scenery of violence does little to denaturalize the prison as a reified facet of modern capitalist life, or to challenge the carceral order as a legitimized system of social differentiation" ("Against a 'Humanizing' Prison Cinema" 456).

Brett Story's *The Prison in Twelve Landscapes* (2016) and Rudy Valdez's *The Sentence* (2018) have both garnered attention and praise for their unconventional approaches to documenting the horrors of the carceral state. *The Prison in Twelve Landscapes* is an essay film that examines the dispersal of the carceral state across the country and the quotidian and insidious ways it structures the lives of American citizens. *The Sentence*, on the other hand, is comprised of a collection of home movies of Valdez's sister's family that he shot from 2008 – 2016 while she was incarcerated. It plays with the conventions and expectations surrounding the home movie, and in the process, resituates the prison within the home. While both films pursue different strategies to reveal how the carceral state operates well beyond prison walls, the two documentaries are both interventions into the inside/outside boundary of the prison system (that I discuss in chapter one). The two films play with this boundary as a means of showing viewers its very indeterminacy.

*The Prison in Twelve Landscapes* is organized around twelve vignettes that span the country: rural Kentucky, the Bronx, Los Angeles, Detroit, St. Louis, and upstate New York. Trained as both a filmmaker and geographer, Story and her cinematographer Maya Bankovich carefully capture places across the United States where the prison system expresses itself in the lives of American citizens in mundane and sometimes invisible ways that have little to do with the prison's ostensible purpose of providing "public safety." As an essay film, *The Prison in Twelve Landscapes* eschews the overarching narratives found in prison documentaries like *The House I Live In* and *13th* in favor of what Nora Alter and Timothy Corrigan argue is the "oblique cinematic encounter with everyday realities" of the essay film (3). Each vignette shows how deeply intertwined the carceral state is with the everyday operations of neoliberal capitalism in different, and at times, contradictory ways. For example, in the rural town of Wheelwright,

Kentucky, the prison offers the prospect of jobs after the loss of the coal industry, while in Washington Square Park, a formerly incarcerated chess master plays and teaches for money, as his status as an ex-felon shuts him out of the formal job market.

The dispersal of the carceral state across varied American landscapes is evident in the film's opening. The documentary opens in the middle of a nighttime bus ride, where it is unclear who the passengers are, where the bus is, or its destination. As the viewer tries to orient themselves, non-diegetic audio recordings begin to play over the ambient noise of the bus. The recordings are simultaneously intimate and mundane in nature: messages of well-wishes and love, along with updates about TV shows, fishing trips, and wedding plans. Much like the bus ride, the audio raises more questions. Where are these recordings coming from? To whom do these voices belong, and to whom are these messages directed toward? The significance of both the bus ride and the messages is not made clear until much later in the film, when we learn the passengers are on their way from New York City to visit those incarcerated at the Attica Correctional Facility in upstate New York, and the messages are recorded shout-outs from the "Calls From Home" radio show in Whitesburg, Kentucky, in which people on the outside can leave messages that are broadcast over the radio to prisons in Kentucky and Virginia. Here, the disjunctive sound-image relationship acts as a metaphor for the ways in which the carceral state reshapes both time and space in ways that may not be initially perceptible. Through bus rides and call-in shows, those outside the prison try to maintain their connections with their incarcerated loved ones across prison boundaries. This opening sequence, in other words, emblematizes the ways incarceration not only facilitates a forced migration of prisoners, but also requires their loved ones follow suit.

Moreover, this opening signals Story's refusal to deploy the familiar visual language of prison documentaries, such as shots of the prison's foreboding architecture and images of racialized bodies in cages. She explains that this is to do "what liberal reform strategies at the level of representation cannot, which is to disaggregate the prison from the issue of crime in popular thought" ("Against" 459). Thus, the film requires the viewer to piece together what the vignettes reveal about the carceral state and to make connections across the different parts of the film. In this manner, it constructs a counter-visual gaze that asks the viewer to consider how they might differently recognize the existence of the prison in their own lives. For instance, Story visits a business operating in a Bronx warehouse that builds care packages for inmates in the state correctional facility's prisons. The unnamed owner explains that he got the idea for this business after he spent the day tracking down items for his incarcerated brother's first care package and paid the high cost of shipping, only to have portions of the package that did not meet prison regulations thrown away by corrections officers. As the owner reads excerpts of the arbitrary regulations on food, drink, and clothing that inmates are allowed to possess ("shorts, gym or Bermuda style, not to extend higher than mid-thigh. May have vertical stripe down the leg not to extend two inches in width"), the film moves through a montage of static shots of shelves and rows of various goods. Filmed nowhere near a prison, Story captures the perverse symbiotic relationship between the carceral state and the adjacent industries that arise and are sustained by it. The shots of the warehouse are tight and claustrophobic, evoking a sense of confinement that extends far beyond prison walls (figure 34).

Figure 34. Screenshot from *The Prison in Twelve Landscapes* (2016).

Rudy Valdez's *The Sentence*, on the other hand, bears witness to the destructiveness of the carceral state through its focus on the trauma endured by Valdez and his sister's family. In the 1990's, Valdez's sister Cindy Shank lived with a boyfriend who had sold drugs and was later murdered. Shank provided information to the police about his criminal activities, which she claimed she was not involved with. In 2002, Shank was charged with conspiracy but had her case dropped after rejecting a plea deal. However, nearly six years later these charges were revived and Shank, who was by this time married with two daughters and pregnant with a third, was officially charged and given a mandatory fifteen-year federal prison sentence. As Valdez fought for his sister's freedom, he began to film home movies of her family that she could watch after her release. The film is both a criticism of mandatory minimum sentencing laws as well as an emotional portrait of the trauma engendered by the separation between Shank, her husband, and their three daughters. When Valdez initially began filming his nieces, the footage was only intended to only be seen by members of his family. It was not until later that he began to conceive of a possible documentary that he could create out of his home movies. Valdez explains "I wasn't a filmmaker when I started this… It all started with me literally just capturing moments

of my sister's daughters' lives, because I wanted to figure out a way for her to watch them grow up. There was going to be a lot of punishment with the sentence, but to me that was the biggest punishment, that she was going to miss seeing day-to-day stuff—miss holidays, miss birthday parties, and just seeing them run around, and live, and play" (Carey).

The use of the home movie footage embodies what Patricia Zimmerman argues is the power of home movies and amateur film to serve as "unseen cinemas of public memories and traumatic histories" (4). In making this footage public, *The Sentence* inverts the ideological function of home movies, which elevate the nuclear family unit, by instead bearing witness to its very destruction through mass incarceration. Shank is a present absence for much of the film; the viewer hears her on speakerphone during calls with her family, but Valdez never films her during his prison visits. Thus, while the footage Valdez shoots contains many regular mainstays of home movies, such as footage of his nieces goofing off, of them getting ready for events like dance recitals, and of the family taking trips together, they all take occur around Shank's absence. For instance, a family trip to Florida is to visit Shank after she was relocated from a prison that had been much closer to her family. And in other cases, Valdez captures and includes footage that would otherwise never appear in home movies, such as the divorce of Shank and her husband Adam, who speaks openly and frankly about the strain that Shank's imprisonment placed on their marriage. Doing so allows Valdez to capture what is often not a part of dominant carceral representations, which is an intimate portrait of the strain that incarceration places on the families and loved ones of prisoners.

Valdez achieves this intimacy through both the cinematography of the home movie footage (in particular, the medium close-up and close-up shots of the family, as well as the shaky, handheld camerawork) and through his willingness to inscribe his own presence as both

filmmaker and family member. The footage never gives the impression that Valdez is a distanced observer simply watching the private life of his family unfold. Indeed, Valdez conducts interviews with his nieces over the eight years of footage, in which he asks them varying questions about how their mother's incarceration affects them and their relationship with her. And at times, Valdez has the camera turned back on himself, as he invites his nieces, and later, Shank herself to interview him about her incarceration (figures 35-36). The reciprocity of the camera in these moments undermines the perceived distance between the viewer, Valdez, and his family. That is, it disrupts the inside/outside boundary that, as I have shown in this project, pervades carceral representations.


Figure 35. Screenshot from *The Sentence* (2018).

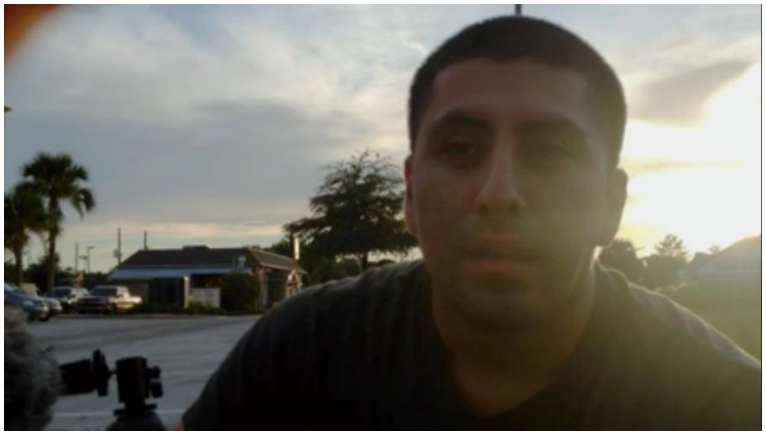

Figure 36. Screenshot from *The Sentence* (2018).

Constructing alternative vantage points from which to see the carceral state is a challenging and on-going project, one that remains painfully relevant. Over the past several years, there has begun to be a political reckoning with some of the crises engendered by mass incarceration, such as the damaging effects the War on Drugs has had on low-income communities and communities of color, and the ballooning fiscal costs of imprisonment shouldered by both the states and the federal government. Bipartisan support has emerged for some elements of "criminal justice reform" and culminated in the passage of the First Step Act of 2018. But even as politicians have paid lip service to some criminal justice reform initiatives, there has been no indication of a broader reckoning with the logics that drive carceral power. Stephen Dillon makes evident the limitations of criminal justice reform in his remark "[t]he prison is more than an institution composed of cages, corridors, and guard towers; it is also a system of affects, desires, discourses, and ideas that make the prison possible. The prison could disappear tomorrow, but the types of power that give rise to its reign would live on" (178). In other words, it is not enough to simply open prison cages. As Judah Schept and Michelle Brown argue, a systemic dismantling of the carceral state in part requires "the interruption of dominant understandings of crime, law, punishment, safety and accountability, and justice, and the generation of alternative vocabularies and analyses from which to begin to work our way out of the carceral state" (5). We must be able to see the violence of the carceral state in its most spectacular and quotidian manifestations, and to recognize the structures that harm and devalue peoples' lives. Ultimately, this means crafting new ways to see the carceral state in its current form must also involve fashioning ways to see a world beyond it.

# End Notes

## Introduction

[1] See, for example, James Forman Jr.'s "Exporting Harshness: How the War on Crime Helped Make the War on Terror Possible." *New York University Review of Law & Social Change*, vol. 33, no. 3, 2009, pp. 331–74.

[2] In the past decade, criminology has experienced a "visual turn" as criminologists have increasingly focused on the relationship between visual imagery and power as they relate to questions of harm, suffering, and punishment. This subfield, termed "visual criminology," is concerned with the "assemblage of imagistic sensory elements that give meanings to the pillars of critical criminology: crime and control and their relations to power, resistance, spectacle, and transgression" (Brown and Carrabine 192).

[3] For a critique of the efficacy of body-worn cameras for reducing police brutality and improving relationships between police and citizens, see Lum, Cynthia, et al. "Research on Body-Worn Cameras: What We Know, What We Need to Know." *Criminology & Public Policy,* vol. 18, 2019, pp. 93–118.

[4] One of the most influential academic analyses of this extra-constitutional power has been Giorgio Agamben's "state of exception," in which he argues that the Bush administration's authorization of the PATRIOT Act in 2001 (which authorized, among other things, the indefinite detention of enemy combatants) constituted the erasure of "any legal status of the individual, thus producing a legally unnamable and unclassifiable being" (3).

[5] Forman identifies "five areas in which our domestic criminal system has informed our approach to the war on terror: (1) the scope of the prison complex, (2) prison conditions and prisoner abuse, (3) our harsh treatment of juveniles, (4) attacks on judicial authority and (5) undermining the role of defense counsel" (333). He also notes that before becoming known as one of the ringleaders of the abuse at Abu Ghraib, Charles Graner was both a Marine and prison guard at State Correctional Institution – Greene in Waynesburg, Pennsylvania, which itself had its own prisoner abuse scandal in 1998 (354-355).

[6] In her conception of the penal spectator, Brown focuses on four visual media that produce this subject position: mass media, commercial prison tourism, war discourses, and social scientific knowledge. Across these different mediated and embodied experiences, the patterns and conditions of confinement and exclusion are often naturalized and part of the everyday experience in ways that render them invisible, natural, and thus often without any real formalized opposition to these practices. She examines, for instance, the ways that discourses on carcerality are embedded in television shows that have nothing to do with prisons, such as the American version of the sitcom *The Office* (2005-2013).

[7] Though the Black Lives Matter movement formed after the publication of *The Right to Look*, Mirzoeff has since published *The Appearance of Black Lives Matter* in which he examines the counter-visual nature of the movement: "To appear is to matter, in the sense of Black Lives

Matter, to be grievable, to be a person that counts for something. And it is to claim the right to look, in the sense that I see you and you see me, and together we decide what there is to say as a result" (18).

[8] Judah Schept makes such a point in his call for counter-visual ethnographic scholarship. In his case study of prison siting in Appalachian coal country, as cites the need for work that can illuminate the connections between "the polluted lands, exploited labor, racialized and classed bodies, and capital accumulation that bring coal and prison into a relationship," which are not so much invisible as "our naked eyes have been trained not to see them" (218).

**Chapter One**

[9] For a history of Angola's early days, see Carleton, Mark T. *Politics and Punishment: The History of the Louisiana State Penal System*. Baton Rouge: Louisiana State University Press, 1971.

[10] Cain is a controversial figure within corrections, and much has been written about him and his work at Angola. Most flattering is Dennis Shere's hagiography *Cain's Redemption: A Story of Hope and Transformation in America's Bloodiest Prison*. Chicago: Northfield Publishing, 2005. For more critical perspectives, see Wilbert Rideau's chapter on Cain in *In the Place of Justice* as well as Daniel Bergner's book *God of the Rodeo: The Quest for Redemption in Louisiana's Angola Prison*. New York: Ballantine Books, 1999.

For an example of the positive coverage Cain and Angola have received, see Erik Eckholm's "Bible College Helps Some at Louisiana Prison Find Peace." *The New York Times*, October 5, 2013. http://www.nytimes.com/2013/10/06/us/bible-college-helps-some-at-louisiana-prison-find-peace.html. Cain has won numerous awards in the arena of corrections for his work in reforming Angola. See Kate Shaw's blurb about him in "E. R. Cass Correctional Achievement Award Citations." *Corrections Today* 74, no. 5 (2012): 54–55, which credits Cain with "transform[ing] an infamously violent penitentiary into a progressive, innovative prison where violence is at an all-time low" (54).

[12] It is important to note that prisoners have complicated reasons for participating and that they do not universally dislike the rodeo. In Daniel Bergner's *God of the Rodeo*, some inmates participate because they want to win money to send home, or want to win prizes to give to their loved ones. These motivations do not affect the entire premise of the spectacle, but instead reveal the ways that carcerality structures emotional intimacy and labor.

[13] Michelle Brown observes many of these tendencies in television prison documentary series such as MSNBC's *Lock-Up* series or National Geographic's *Lock Down*, which "emphasize the most sensational aspects of prison life – violence and its potentiality – in a manner that rarely interrogates any of the social conditions driving violence, incarceration, or its social effects" (*The Culture of Punishment* 73-74).

[14] Brown provides some examples: "'My brother is a human being'; 'My uncle is a human being'; 'I am a mom'; 'My son is not a paycheck.' Focusing upon the power of affective bonds

(of family and loved ones), such acts highlight the individual's connection to the outside, a process of rehumanization that seeks to politicize the identity of a loved one beyond that of bare life: Prisoners are not just fathers, brothers, and sons" ("Visual Criminology" 187).

[15] Jordan T. Camp has also referred to New Orleans as a "carceral city," a designation that seems both apt and, like *Herman's House*, works to conceptualize incarceration through a more expansive framework. Camp points out the ways that New Orleans, particularly after Hurricane Katrina, and particularly in the Lower Ninth Ward, illustrated how certain marginalized and vulnerable populations, such as poor African-Americans who primarily made up the Ninth Ward and who lacked the resources to leave New Orleans prior to the hurricane's landfall, were the ones most affected by Katrina's destruction. The Bush administration's militarized response to the aftermath of Katrina, involving the deployment of the National Guard to maintain order, contributed to New Orleans status as a carceral city, using the specter of urban disorder and black criminality to police and crack down on threats to the social order (116-133). See Camp, Jordan T. *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State*. University of California Press, 2016.

[16] The poem in its entirety can be found here: http://solitarywatch.com/2013/04/11/the-louder-my-voice-the-deeper-they-bury-me/

**Chapter Two**

[17]See Alice Speri's "45 Years After Attica Uprising, Prisoners Are Rebelling Again" and Juleyka Lantigua-Williams' "Is Another Attica on the Horizon?"

[18] Jackson is not, of course, the only prison writer producing this subjugated knowledge. For more, see also Joy James' *The New Abolitionists: (Neo)Slave Narratives and Contemporary Prison Writings* and Dylan Rodríguez's *Forced Passages: Imprisoned Radical Intellectuals and the U.S. Prison Regime*.

[19] For a discussion of these cultural texts, see Jordan Camp's chapter "The Sound Before the Fury" in Camp, Jordan T. *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State*. University of California Press, 2016.

[20] Choy, along with Cynthia Maurizio, later directed the short documentary *Inside Women Inside*, which further interrogates the conditions of incarceration in the United States, this time specifically focusing on its impact on women across three women's prisons.

[21] According to Siegel, "Newsreel was basically a white male organization. The struggles that were going on in Newsreel reflected the struggles that were going on in other political organizations throughout the country. When women's issues began to evolve as a major issue in the movement, well, it became a major issue in Newsreel. And a lot of people couldn't deal with

the struggles around male chauvinism. They couldn't deal with that particular struggle or they couldn't deal with giving up power to the extent that it needed to be given up" (Siegel).

[22] More importantly, the films were not meant to be consumed as only cinema, according to Newsreel founder Allan Siegel, "but were always looked at in relationship to the issues that the films highlighted and organizing people in relationship to those issues" (Siegel qtd. in Young 118).

[23] In a different context, Dylan Rodríguez points to the ways that spectacles of prison violence — specifically, in his case, the photographs of torture at Abu Ghraib — come to obscure other forms of violence that have become naturalized within the carceral landscape: "Even amid budding antiprison and prison abolitionist activisms and critical scholarly praxes, black, brown, and indigenous suffering, survival, and civil/social death too easily become the naturalized landscape on which the political drama of other scenes of torture and terror take place, as if this mundane and proximate — that is, unspectacular — institutionalization of punishment and death is assumed to be a given, rather than something to be acted on in a moment of radical political urgency" ("(Non)Scenes of Captivity" 10-11).

[24] In an interview with Alan Rosenthal, Firestone notes that both Oswald and Rockefeller refused to be interviewed for the film, but that it ultimately did not matter because "I didn't think it necessary to be fair to both sides, and in any case Rockefeller and Oswald had had ample coverage to show their side" (297). *Attica* thus works as both a film that tells a different side to the rebellion, but also one that acknowledges the imbalance in how that story was covered.

[25] For a longer discussion of Attica's legacy within the rise of supermax prisons, see Story, Brett. "The Prison Inside: A Genealogy of Solitary Confinement as Counter-Resistance." *Historical Geographies of Prisons: Unlocking the Usable Carceral Past*, Routledge, 2015, pp. 34–50 and Thompson, Heather Ann. "Lessons from Attica: From Prisoner Rebellion to Mass Incarceration and Back." Socialism and Democracy, vol. 28, no. 3, 2014, pp. 153–171.

[26] Smith's position within these legal struggles is of particular note because of his sympathy toward the rebelling inmates. In her book *Blood in the Water*, Heather Ann Thompson explains how Smith was perceived amongst former hostages and Attica correctional officers:
He [Mike Smith] was also disliked because rumor had it that at some point in the preceding years he too had tried to sue the state for the gunshot wounds he had suffered. Turning against the state, biting the hand that fed so many residents of this area, was considered bad form. As [Dee] Miller recalled, summing up the ugly gossip about him that filled the air around her that morning, 'He wasn't a state boy. They hated him for breaking rank. He was outspoken that the state had shot him. [He was stepping outside the bounds of] the good old boys club that was Attica' (512).

[27] This apology belonged to a "Five-Point-Plan for Justice" drafted by the Forgotten Victims of Attica, which included not only reparations to the group members, but an apology for the New

York State government, an opening of state records on the rebellion and its aftermath, counseling for the survivors and their families, and a guarantee that the members could conduct a memorial service outside Attica each September 13th (Thompson *Blood in the Water* 529).

[28] In her introduction to her history on Attica, Thompson describes sifting through this material and also notes that these materials, along with troves of Attica archival materials held in 2006 at the Erie County courthouse have since disappeared with no one claiming knowledge of their existence or whereabouts (Thompson 580n4).

**Chapter Three**

[29] This tension between the invisibility and hypervisibility of not only the Guantánamo Bay prison but the larger network of prisons that the United States uses around the world to imprison and interrogate its detainees has been explored by multiple visual artists. See Black, Crofton, and Edmund Clark. *Negative Publicity*. Aperture, 2016, Carter, Claire. *Covert Operations: Investigating the Known Unknowns*. Radius Books, 2014, Cornwall, Debi. *Welcome to Camp America*. Radius Books, 2017, and Paglen, Trevor. *Blank Spots on the Map: The Dark Geography of the Pentagon's Secret World*. New American Library, 2010.

[30] The website "NS Guantánamo Bay" lists a range of facilities and activities that fall under "Morale, Welfare and Recreation" opportunities for soldiers and their families stationed at the prison. See https://www.navymwrguantanamobay.com/.

[31] Indeed, the main character of *Homeland* (SHOWTIME, 2011 – present) Carrie Mathison (Claire Danes), justifies to her mentor Saul (Mandy Patinkin) the secret around-the-clock surveillance of the recently returned prisoner of war that she suspects has been turned against the U.S. as she insists "I missed something once before. I won't, I can't let that happen again."

[32] The *Witness to Guantánamo* project can be found at http://witnesstoguantanamo.com/.

[33] In an interview with PBS POV, Poitras highlights who she presumes the viewer of *My Country, My Country* to be: "I think in order to understand this war, we need to understand Iraq and we need to understand it from the perspective of Iraqis. Everything about their culture is different from our culture: their religion, their family structure, etc. I think we learn about those differences and what Iraqi values are in the course of the film. That perspective needed to be told, and I was very fortunate that Dr. Riyadh would let me into his house to do that."

[34] Though it goes unremarked on in the film, and while a figure like Xenakis appears less directly complicit in Khadr's suffering than Corsetti, the American Psychological Association has also directly aided the CIA's torture program. See Risen, James. "American Psychological Association Bolstered C.I.A. Torture Program, Report Says." *New York Times,* 30 Apr. 2015.

[35] For more on the relationship between genre and the War on Terror, see Goyal, Yogita. "The Genres of *Guantánamo Diary*: Postcolonial Reading and the War on Terror." *The Cambridge Journal of Postcolonial Literary Inquiry*, vol. 4, no. 1, Jan. 2017, pp. 69–87.

[36] Travis Linnemann and Corina Medley point out that a more recent example of a discursive black site is President Barack Obama's admission that "we tortured some folks," in response to the U.S. Senate Intelligence Committee's investigation into the CIA's detention and interrogation program. Such a response, they point out, greatly downplays both the violence of the torture, "to say nothing of the US government's well-documented history of 'dirty tricks,' assassination, and regime change" (6).

**Chapter Four**

[37] In part, this is because Morris's visual treatment of the Abu Ghraib photographs and its meditation on digital photography within war zones has attracted far more scholarly attention. For discussions of both documentaries together, see Mitchell, W. J. T. *Cloning Terror: The War of Images, 9/11 to the Present*. University of Chicago Press, 2011, Neroni, Hilary. *The Subject of Torture: Psychoanalysis and Biopolitics in Television and Film*. Columbia University Press, 2015, and Westwell, Guy. *Parallel Lines: Post-9/11 American Cinema*. Columbia University Press, 2014. While these texts do discuss *Ghosts of Abu Ghraib* and *Standard Operating Procedure* together, they do not examine the visuality of the Abu Ghraib scandal or its relationship to the wider military bureaucracy. Mitchell's chapter on the two films focuses primarily on Morris' treatment of the film, while Neroni applies a psychoanalytic framework to probe what to make of the smile of the photographed torturers in the Abu Ghraib photographs. Westwell's discussion of the two films appears in a chapter on both fiction and non-fiction torture films and thereby flattens the distinctions between the two different modes of filmmaking and their treatment of torture.

[38] For more on this erasure of detainee subjectivity in memorandums, see Khalili's chapter "Banal Procedures of Detention: Abu Ghraib and Its Ancestors" in *Time in the Shadows: Confinement in Counterinsurgencies*. Stanford University Press, 2013.

[39] Khalili also argues that chains of commands were also obscured through the compartmentalization of interrogation instructions, which "meant that different personnel followed procedures and legal instructions differently" and thus "provided bureaucratic alibis where the responsibility for obeying a procedure ultimate [*sic*] rested nowhere, because it was unclear who was in charge" (Khalili 151).

[40] A more recent example is the television show *Homecoming* (2018 – present), which follows the story of the caseworker Heidi Bergman (Julia Roberts) and her work at the Homecoming Transitional Support, ostensibly meant to help soldiers returning from war transition into civilian life. Years later, the Department of Defense bureaucrat Thomas Carrasco (Shea Wigham) methodically investigates a complaint about Bergman's work and her sudden departure from the Homecoming facility.

[41] Cilento's argument about the proceduralism of War on Terror films in part draws on Steven Shaviro's blog post on *Zero Dark Thirty*, in which Shaviro argues that 21st century capitalism is more concerned with issues of procedure rather than outcome, with whether actions be "conducted 'fairly' and not at all concerned with the questions of whether the action is actually fair" (Shaviro).

**Conclusion**

[42] For a critique of *The 13th* and its historical scope, see Berger, Dan. *Mass Incarceration and Its Mystification: A Review of The 13th*. 22 Oct. 2016, https://www.aaihs.org/mass-incarceration-and-its-mystification-a-review-of-the-13th/.

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## EDUCATION

PhD, English, Syracuse University, Anticipated May 2020
MA, Literary & Textual Studies, Bowling Green State University, August 2012
BA, English, Truman State University, May 2008

## ACADEMIC APPOINTMENTS

2019 – 2020: Teaching Associate, Syracuse University
2018 – 2019: Teaching Associate, Syracuse University
2017 – 2018: Teaching Associate, Syracuse University
2016 – 2017: University Fellow, Syracuse University
2014 – 2016: Teaching Associate, Syracuse University
2013 – 2014: Teaching Assistant, Syracuse University
2012 – 2013: University Fellow, Syracuse University
2010 – 2012: Graduate Assistant, Department of English, BGSU

## PUBLICATIONS

### Peer-Reviewed Journal Articles

"Representing Incarceration in *Persons of Interest* and *The Oath*." *Jump Cut: A Review of Contemporary Media*, vol. 57, Fall 2016. http://www.ejumpcut.org/currentissue/-BarnesPersonsOfInt-TheOath/index.html

### Public Scholarship

"Voices from Attica." *Special Collections Research Center blog*. August 2019. https://library blog.syr.edu/scrc/2019/08/13/voices-from-attica/

"Unseeing the Prison System." *Docalogue*. Fall 2017. https://docalogue.com/september-the prison-in-twelve-landscapes/

## CONFERENCES

"Entering the Prison in *The Deeper They Bury Me*," *Visible Evidence*, Bloomington, August 2018.

"'And You're Seeing Reality Right Now': Carceral Ideology in *The Prison in Twelve Landscapes*," *Society for Cinema and Media Studies*, Toronto, March 2018.

"De-naturalizing the Prison in *Natural Life*," *Carceral Cultures Conference*, Vancouver, February 2018.

"The Embodied Experience of Incarceration in *Herman's House*," *Society for Cinema and Media Studies*, Chicago, March 2017.

"'I Lost My Eyes': Spectatorship and the Detainee Body in *You Don't Like the Truth: Four Days Inside Guantanamo*," *Visible Evidence* Bozeman. August 2016.

"Visions of Attica: Reframing the Attica Rebellion in *Ghosts of Attica* and *Criminal Injustice: Death and Politics at Attica, Society for Cinema and Media Studies*, Atlanta, March 2016.

"Representing Absent and (In)visible Bodies in *Persons of Interest* and *The Oath*," *Society for Cinema and Media Studies*, Montreal, March 2015.

"Reign of the Death-Eye Dog: Colonialism of Space and Body in *Almanac of the Dead* College English Association 44th Annual Conference. Savannah, April 2013.

## COURSES TAUGHT

**Undergraduate Courses (Syracuse University)**
Interpretation of Film
Reading Popular Culture
Race and Literary Texts
Interpretation of Non-Fiction

**Undergraduate Courses (Bowling Green State University)**
Introduction to Academic Writing
Academic Writing

## SERVICE

**English Department, Syracuse University**
Graduate Student Representative, English Department Graduate Committee, Fall 2015 – Spring 2016
English Department Representative, Graduate Student Organization, Fall 2013 – Spring 2014

**English Department, Bowling Green State University**
Secretary, Association for Textual and Literary Analysis Students, Fall 2010-Spring 2012

## AWARDS

University Fellowship, Syracuse University
Department of English Summer Fellowship, Syracuse University