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OK, computer? Understanding cybernetic personhood

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Legibility in the Age of Signs and Machines

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Thamyris/ Intersecting: Place, Sex and Race

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Legibility in the Age of Signs and Machines

Edited by

Pepita Hesselberth, Janna Houwen,
Esther Peeren and Ruby de Vos



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Cover illustration: *The Christmas Report … map of St. Croix* (K. Dirckinck-Holmfeld 2017) with the plantations by I. E. Beck (1768) superimposed with the database of digitized photographs from the Royal Danish Library's Map & Photo Collection 2017. Overlayed with binary code.

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Thamyris Mission Statement

Thamyris seeks to initiate alternative forms of criticism by analyzing the ways in which cultural and theoretical discourses intervene in the contemporary world. This criticism should pursue a re-politicizing and remobilizing of theoretical perspectives and cultural practices, preferably through case studies. *Thamyris* hopes to contribute to the productive interaction between art, activism, and theory. We understand cultural practices to include those of literary, visual, digital, and performance arts, but also social practices related to gender, sexuality, and ethnicity. In short, *Thamyris* aims at exploring the ways in which varying cultural practices, separately or in interaction, can be effective as agents of social and cultural change.

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Ethics and Trauma in Twentieth-Century French Writing (Liverpool University Press, 2018), and *Storytelling and Ethics: Literature, Visual Arts and the Power of Narrative*, co-edited with Hanna Meretoja (Routledge, 2018).

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Introduction: Legibility in the Age of Signs and Machines

Pepita Hesselberth, Janna Houwen, Esther Peeren and Ruby de Vos

In *Margins of Philosophy*, Jacques Derrida notes that "it is a mistake to believe in the immediate and ahistorical legibility of a philosophical argument, just as it is a mistake to believe that without a prerequisite and highly complex elaboration one may submit a metaphysical text to any grid of scientific deciphering, be it linguistic, psychoanalytic, or other" (188). This volume takes off from the idea that this warning pertains not only to the legibility of philosophical arguments and metaphysical texts, but to the legibility of any form of cultural expression, from literary texts, films and artworks to social structures, beliefs and practices, from performances and language to binary code and algorithms. All legibility is historically, culturally and materially specific, and has a political and ethical dimension. Consequently, what is required is a complex elaboration of what makes something legible – or, alternatively, illegible – and to whom or what, as well as a careful account of what kinds of reading, processing or navigating this il/legibility facilitates or forecloses.

To enable such an elaboration or account, it is first necessary to specify what legibility is. The *Oxford English Dictionary* defines "legible" as that which is clear enough to read; that which is available for reading, comprehensible, and enjoyable or interesting to read; and that which is easily understood. The primary association with clarity indicates that the legible should be presented in an unobstructed, recognizable manner; a badly typeset or handwritten text may be illegible, as may a corrupted digital file. Legibility is also tied to comprehension, enjoyment, interest and ease of understanding. While it is significant that comprehension is highlighted through its reiteration as "ease of understanding," it is possible to imagine a reading generating enjoyment and interest without comprehension, for example when someone unable to read musical notes encounters a score. Similarly, the legible as clear enough to read does not necessarily imply understanding; a clearly presented text in a language one does not speak can, after all, be read in a basic sense of identifying letters, words, sentences and paragraphs (pattern recognition). In this regard, it is instructive to also look at the *OED* entry on "readable," which has "legible" as its first definition, suggesting the two are synonyms. However, the rest of

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the definitions, while alike, are not identical, tying the readable first to the decipherable or understandable; then to what is clear, easy or enjoyable to read; and, finally, to what is capable of being processed or machine-readable (to the extent that one can speak of such a thing at all). Although here the quality of being clear is subsumed to that of being decipherable or understandable, like the legible, the readable is not restricted to that which can be understood (in the sense of being processed cognitively or hermeneutically), but includes what can be processed machinically and what generates affect. When considering legibility, therefore, we cannot take the term's meaning for granted. In this introduction, then, we first ask how the issue of legibility functions in relation to questions of how to read for meaning, after which we probe how machinic processes complicate questions of il/legibility.

The question of *how* we should read has been central to the recent turn in literary studies away from close reading. One exponent of this turn, distant reading as pioneered by Franco Moretti, critiques close reading on the basis of its necessarily restricted corpus, which he argues turns it into "a theological exercise – very solemn treatment of very few texts taken very seriously" (57). Moretti's assertion that only canonical texts are subjected to close readings is demonstrably false, but his point that distant reading allows a focus on "units that are much smaller or much larger than the text: devices, themes, tropes – or genres and systems" across many more texts than close reading can tackle is valid. Notably, Moretti does not reject close reading altogether; in fact, in "Conjectures on World Literature," he mobilizes other critics' close readings in his distant reading of the way cultures across the world moved towards adopting the novel form. His statement that "no matter what the object of analysis is, there will always be a point where the study of world literature must yield to the specialist of the national literature, in a sort of cosmic and inevitable division of labour" confirms that the distant reader cannot completely replace the close reader (Moretti 66).

More recently, proponents of surface reading have equated close reading – presented, as in Moretti, as much more of a monolithic practice than it ever was – to symptomatic reading as a "mode of interpretation that assumes that a text's truest meaning lies in what it does not say, describes textual surfaces as superfluous, and seeks to unmask hidden meanings" (Best and Marcus 1). Here, the argument is that readings that go "deep" wrongheadedly position the critic as a potential activist and literature as potentially emancipatory. Surface reading – and related forms such as Heather Love's descriptive reading – has been taken to herald a "new modesty" on the part of the literary critic, who is seen as made more realistic, responsible and even ethical by remaining on the surface of the text and reading literally (Williams n. pag.).

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Stephen Best and Sharon Marcus, in their programmatic and polemical "Surface Reading: An Introduction," explicitly herald the "*embrace of the surface*" as "*an affective and ethical stance*" that "involves accepting texts, deferring to them instead of mastering or using them as objects" (10, emphases in text). This volume shows that such a colonizing attitude is in fact alien to many forms of close reading – even, or especially, when it takes the form of what Colin Davis calls "overreading." In *Critical Excess*, which focuses on the reading practices of Derrida, Deleuze, Levinas, Žižek and Cavell, Davis asserts that

> overreading is the precise opposite of the hermeneutics of suspicion … These readers achieve a step beyond suspicion as they place their trust in works to which is now attributed the power to speak what they know, rather than merely to hide what they could not conceive or openly state. (Davis 186)

Thus, this form of close reading is all about deferring to the text, but to its complexity rather than its supposed self-evidentiality. A crucial question proponents of readings that stay at the surface, literal or descriptive level have not been able to answer in a satisfactory manner is how the surface of a text, the literal meaning of a word and the act of description can ever be absolutely distinguished from a text's depth, a word's figurative meaning and the act of interpretation, given that the linguistic sign has multiple components (signifier/signified) linked by convention, opening it up to difference as deferral, change and polysemy.[1] Instead of assigning absolute ethical values to particular ways of reading, it seems more productive to follow van de Ven's suggestion in this volume to explore how different ways of reading supplement each other and may be productively combined. To do this, we should ask of each way of reading (and its variations, since neither close reading nor distant reading or surface reading takes only one form) what elements of that which is to be read it highlights, what kinds of questions it allows to be explored and what processes (including affective and machinic ones) it operates through and sets into motion.

1 For a trenchant Marxist critique of surface reading that questions any absolute distinction of surface and depth, see Baskin. The similarly absolute distinction between literal and non-literal meaning that Best and Marcus hold to when they propose to "take texts at face value" and to let "ghosts be ghosts, instead of saying what they are ghosts *of*" (13, emphasis in text) is equally problematic: language, being referential, has no face value, while a ghost is, per definition and quite literally, the return of something other than what it is now.

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Perhaps more important than the question *how* to read, then, becomes the question: what is legible, in what ways and to whom or what – and what is, should or can(not) be the object of critical inquiry (whether we call this inquiry reading, analyzing, navigating, processing or computing) in the age of signs and machines. It is from Maurizio Lazzarato's *Signs and Machines: Capitalism and the Production of Subjectivity* (2014) that this volume derives the second part of its title. A follow-up to his self-proclaimed "homage to Félix Guattari" entitled " 'Semiotic Pluralism' and the New Government of Signs" (2006), *Signs and Machines* unpacks Guattari's claim that "capital is a semiotic operator" and outlines its implications for critical theory. In order to explain how signs function in power apparatuses and the production of subjectivity today, Lazzarato claims, we need to move beyond the dualism of signifier and signified, and develop a theory of semiotics that can account for the distinct registers in which semiotic components operate under the conditions of global capitalism and our increasingly media-saturated culture. It is worth quoting Lazzarato at some length here:

> The first is the register of "representation" and "signification" or "production of meaning," both of which are organized by signifying semiotics [in particular, language] with the purpose of producing the "subject," the "individual," the "I." The second is the machinic register organized by a-signifying semiotics [like stock market indices, currency, mathematical equations, data, diagrams, algorithms, code, scientific functions, statistics, accounting and so on], which "can bring into play signs which have an additional symbolic or signifying effect, but whose actual functioning is neither symbolic nor signifying." (2006: n. pag.; see also 2014: 39)

The production of subjectivity today, Lazzarato claims, takes place at the intersection between these two modalities: on the one hand social subjection, on the other hand machinic enslavement. Where the mechanisms of social subjection resort to a semiotics that equips us with subjectivity and turns us into individuals by assigning us to pre-established social places and roles, from which we then feel necessarily alienated, the mechanisms of machinic enslavement – ironically and precisely – work to dismantle the individuated project. Its operations and forces are at once pre-personal, in that it aims to capture and activate affects, emotions and perceptions, and supra-personal, in that it makes these elements "function like components or cogs in the semiotic machine of capital" (Lazzarato 2006: n. pag.). Unlike in the first regime, in the second, signs act as "sign-operators." Rather than mobilizing representation and taking the subject as referent, they enter directly into the flows and

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functioning of capitalism's social and technical machines, thus bypassing consciousness and representation. Where signifying signs refer above all to other signs, a-signifying signs, Lazzarato claims, "act directly on the real" (2014: 40). This is possible because the machine fundamentally disregards distinctions between subjects and objects, words and things, human and non-human operators.

It was Karl Marx who first used the term "machine" in this way. In his famous "Fragment on Machines" from *Grundrisse* (first published in 1938, written between 1857 and 1858), he reflects on the – detrimental implications of the – historical transformation of the machine from a tool or instrument for the individual worker into a form of fixed capital, that is, a means for producing surplus-value through the exploitation (rather than the reduction) of labor. Significantly, the machine Marx speaks of – and Lazzarato, Deleuze, Guattari and many others have expanded on – is more than a technical machinery, device or technique. It is the complex technological, intellectual and above all social assemblage that objectifies (and ultimately automates) all human skill, expertise and knowledge into the machine, thus taking it away from the individual worker, who starts to function as an instrument (or indeed cog) of the machine itself, part and parcel of its complex socio-technical assemblage.

That we have come a long way since the publication of Marx's treatise, the pertinence of which seems ever greater in the age of robotics, digital labor and the mass-digitization of almost every aspect of our everyday lives,[2] becomes clear when we consider how this technical, political, social and cultural machine is envisioned in popular culture, from Charlie Chaplin's *Modern Times* (1936) to, say, the Wachowski's *The Matrix* (1999). Where Chaplin's little tramp is portrayed as, at once, an extension of and cog in the machines of industrial labor, the protagonists of *The Matrix*, Ari Folman's *The Congress* (2013) and Benjamin Dickinson's *Creative Control* (2015) appear first and foremost as the battery (in *The Matrix*) and raw material of the machines of semio-capitalism – their desire and mental capacity objectified, captured in the machine; their bodies exploited and/or left behind.[3] The caveats of popular

2 The example of robotics is instructive here. In the weeks leading up to the writing of this introduction it was announced that Uber is planning to buy 24,000 self-driving cars (Pollard 2017) and that Walmart has silently started to replace their cleaning personnel with self-driving scrub-machines (Cutter 2017). Largely crafted on the competences and skills of the people it seeks to replace and that are now captured in large data aggregates (think of the connective data chip in your car), platform capitalism thrives on the "free labor" (Terranova 2000) that makes our waged labor redundant (see, for example, Scholz 2012; 2016).

3 The irony of our own disregard of the machinic processes at work in broaching this example does not escape us but is discussed elsewhere (see Hesselberth 2017).

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culture notwithstanding, the machinic, rationalized and technocratic logic of contemporary culture, Lazzarato and others have pointed out, poses a significant challenge for critical theory, so much so that some have deemed it necessary to contemplate the end(s) of critique (e.g. Latour 2004; Rouvroy 2013). For where critical theory has traditionally paid a great deal of attention to the processes and language through which we are socially subjected, Lazzarato argues, it has largely (but, we would like to add, not entirely) been blind to the machinic nature of our present-day culture.

It should be pointed out that Lazzarato here upholds a rather narrow definition of critical theory, which is mostly due to his critique of the (im)possibility of political and existential rupture in certain forms of critical theory that lies at the heart of *Signs and Machines*. Thus, while he directs his metaphorical arrows predominantly at Badiou, Rancière, Hardt and Negri, Virno, Žižek and Butler, he finds clear allies in Guattari, Deleuze, Foucault, Latour and Bakhtin. Though his claim that "machines and machinic assemblages can be found everywhere except in contemporary critical theory" may thus hold true, to some extent, for the theorists he confronts, it largely disregards the most recent developments in critical media and network theory, as well as the impact his self-identified allies have already had on some more recent (but perhaps less established) debates in critical theory (Lazzarato 2014: 13). We are nonetheless sympathetic to Lazzarato's claim that we are in need of a different, or at least additional theory of semiotics, and to his idea that critical theory has its blind spots when it comes to the legibility of cultural signs and apparatuses, and to the crisis in the production of subjectivity today. For if we are indeed surrounded by "sign machines [that] operate 'prior' and 'next' to signification, producing a 'sense without meaning,' an 'operational sense,' " unearthing and redirecting these operations will require new methods and attitudes, originating not only in individual or even collective subjects but in a

> convergence/assemblage of forces that do not split into "living" and "dead," subjective and objective, but are all variously "animated" (physical and sub-physical forces of matter, human and subhuman forces of "body and mind," machine forces, the power of signs, etc.). (Lazzarato 2014: 27)

At the same time, as Lazzarato also insists, established forms of reading remain necessary, since, "asignifying semiotics remain more or less dependent on signifying semiotics," which "are used and exploited as techniques for control and management of the deterritorialization undermining established communities, social relations, politics, and their former modes of subjectivation"

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(2014: 40, 42). Accordingly, this volume explores what is legible to whom (or indeed: what), and above all: what role is left for critical (media) theory and literary studies to tackle these and related issues.

These questions are predicated on a more fundamental one concerning the constitution of legibility itself: what appears to us as legible (as signifying or a-signifying sign systems), and what remains illegible? Answering this requires thinking the relation, and arguable incommensurability, between the legible and the illegible. One way to do this is by taking the relation between the visible and the invisible as an analogy. In *The Gift of Death*, Derrida distinguishes two orders of the invisible: the *absolute invisible*, which is inaccessible to the facility of sight, and the *visible in-visible*, which is hidden from sight but potentially accessible to it (90). To this, Akira Lippit has added the *avisual* as that which is "presented to vision, there to be seen," but nevertheless remains unseen (32). Paradoxically, what is *avisual* is at the same time *hypervisible*: it is excessively visible in a way that makes the eyes not want to take it in. The example Lippit uses is that of Ralph Ellison's *The Invisible Man* (1995 [1954]), in which the black man is unseen precisely because the difference that negatively marks him, the color of his skin, is so conspicuous.

Are these forms of (in)visibility paralleled by similar forms of il/legibility? The absolute illegible is difficult to imagine, as legibility is not a circumscribed capacity like (human) sight. What is illegible today could conceivably be made legible tomorrow, as writing in ancient languages has been deciphered over time. So being illegible appears to always be relative and thus not absolutely illegible but legible-illegible. However, in the digital age, it is more and more common for the legible to, quite quickly, become illegible as technology evolves. While this illegibility still falls within the realm of the legible-illegible, as the fact that something was once legible suggests it could be made legible again, it does introduce a new anxiety around legibility, which can no longer be assumed to last (far) into the future, as previous, analog forms of legibility could. What we might call the a-legible comes into play with regard to particular historical realities, such as colonial or neoliberal ones, that are not illegible at all but remain (deliberately or not) unread. The hyperlegible, in turn, could be used to denote something of which certain elements are taken to be particularly easy to read in a predetermined manner according to fixed frames of legibility, leading to it only ever being read in this way (or, in the case of the a-legible, to it not being read at all).

The chapters in this book deal with what is and is not (conceived as) legible from cultural, literary, cinematic, curatorial, historical, material, juridical, computational, affective, human, technological and machinic perspectives. The specific questions the contributors seek to answer include: what are the new

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conditions, forms and technologies of il/legibility in a machinic world? How does cultural and historical difference impact on legibility, which has often been considered in terms of general (even universal) accessibility and assimilability? What new ways of reading (and new kinds of readers) are emerging in relation to old and new media – from distant, surface and descriptive reading to automated perception and data mining? What do these new ways of reading imply about the modes and aims of il/legibility, and what kinds of agency and subjectivation do they afford or presuppose? What values are attached to il/legibility in museum and archiving practices? How does the legible relate to the law (to which it has been etymologically linked) and to the sensible or affective?

The book is divided into four thematic clusters that focus on desire, justice, machines and heritage. The first section focuses on how legibility relates to desire, shedding light, from different perspectives, on the desire expressed by particular ways of reading and on how desire itself can be read. All four texts in this section position themselves against traditional hermeneutics, which conceptualizes interpretation as a systematic reading culminating in a full, sometimes even definitive understanding and ignores the affective dimension of reading. As David Wellbery argues in his foreword to Friedrich Kittler's *Discourse Networks, 1800–1900*, this form of hermeneutics does not describe "what human beings always do with written or spoken texts," but constitutes "a contingent phenomenon within the evolution of discursive practices in Europe" (x, xi). Emerging in its stead is post-hermeneutics, which, on the basis of the poststructuralist theories of Foucault, Derrida and Lacan, abandons the "presupposition of sense" to argue that what makes sense is constructed through operations of discourse, mediality and corporeal inscription that also determine what appears as nonsense or as meaningless (Wellbery xi). By implication, this entails a shift from simply asking what something means to how it means, implying new questions of legibility: what is made available to us for reading through different, changing technologies of cultural inscription, in what modes can we read these inscriptions and what meanings do they make (in)accessible?

Post-hermeneutics also makes space for a new reading of desire. According to Welbery, Kittler's reading of the crucial role of desire for the maternal figure in *Faust* and other Romantic texts combines Lacan and Foucault to show that

> before the phantasm of the Mother and before the attachment of desire to this phantasm … there is a discursive network, and both phantasm and desire are functions of and within this network. The Romantic (and psychoanalytic) origin derives from a beginning, from a network of technologies, empirical, historical and other. (xxiii)

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Here, desire is not subjective but operates as part of a discourse network, with the specific elements of this network determining the forms and functions desire can take on, how it can be read and if and how it inhabits the reading process.[4]

Ernst van Alphen's contribution reads the desire inscribed in Andrew Wyeth's 1948 painting *Christina's World*, which is oriented towards "an unobtainable object," identified by van Alphen as the American Dream. Following Eugenie Brinkema's trenchant critique of the affective turn and her proposal for a radical formalism, van Alphen does not focus on how this desire affects him or the viewer but on the way it manifests in the painting through "legible forms" and "legible signs." In what can only be called a close reading (but is emphatically not a symptomatic one), he shows how the painting gives form to desire not through narrative emplotment but through a melodramatic mise-en-scène. For van Alphen this is still an "affective reading," but one "based on … unconventional forms encountered as sensations that shocked to thought," with the latter expression, taken from Deleuze, conveying the idea that signs that do not signify but are sensed find their value in leading to critical inquiry or, in other words, to new readings and interpretations.

In his book *Critical Excess*, Colin Davis associates traditional hermeneutics with a "desire for containment" that causes a fear of overreading as reading too much into a text; to this, he opposes a desire to "push at the limits of what can be said about the texts or films or people that matter to us" (187). His contribution to our volume endorses the latter by arguing that Freud's misreading of a memory recorded by Leonardo Da Vinci, which conjures up a vulture where none is mentioned, nevertheless bears a certain truth within it, and by showing the failure of authorial intention to provide an absolute limit on "our hermeneutical imagination." After presenting his own overreading of Louis Malle's 1990 film *Milou en mai*, Davis concludes that, instead of asking whether a particular meaning was intended to be legible or is legible (as making sense) for everyone, we should legitimate or dismiss a particular (over)reading on the basis of what is gained – or lost – by the meanings it makes discernible.

In Seth Rogoff's chapter, Freud returns, not as an audacious overreader, but as the author of *The Interpretation of Dreams* (2010 [1899]), engaged in a hermeneutical quest to assert and contain the legibility of dreams and of the wishes and desires he takes them to express. By charting the various colonizing

4 In *Signs and Machines*, Lazzarato specifies how the specific conditions of contemporary capitalism have made desire machinic: "Desire is not the expression of human subjectivity; it emerges from the assemblage of human and non-human flows, from a multiplicity of social and technical machines" (51).

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moves Freud makes in his interpretation of his own dream about his patient Irma (the so-called "specimen dream") in order to restrict its meaning to the psychoanalytical schema of legibility he is developing, Rogoff draws attention to the operation of power in relation to legibility. He shows that while something was indeed gained by Freud's success in making dreams – which had been considered illegible – legible, it also produced an important loss in the form of the subjection of the patient to the psychoanalyst. At the same time, Rogoff evokes Irma's rejection of Freud's authoritative readings of her symptoms, the fact that Freud's account of the specimen dream has been re-read by various (feminist) critics to expose its blind spots and Freud's own reference to the dream's "navel" as a point of persistent illegibility to show the impossibility of imposing a singular, definitive meaning on that which has been rendered legible.

In the final contribution to this section, Looi van Kessel reads James Purdy's 1956 novel *63: Dream Palace* "from behind," following Jonathan A. Allen's attempt to render anal desire legible in a mode of close reading that privileges, in Eve Kosofsky Sedgwick's terms, the reparative over the paranoid or the symptomatic. Purdy's novel is seen to mount a critique of the idea that particular (sexual) acts can be straightforwardly read as signifying sexual desire and identity, either figuratively or literally. By portraying both figurative and literal modes of reading as fallible, unsuccessful and risky, the novel – as well as van Kessel's reading of it, which is presented as a literal reading that does its own violence to the text and can therefore be seen as an overreading in Davis's sense – posits the question of whether (anal) desire is readable at all and challenges any fixed ethical valuations of particular forms of reading, including the reparative one championed by Allen.

In the second section, the attention shifts from a focus on the relation between legibility and desire to a focus on legibility in relation to justice and the law. The authors in this section ask how processes of legibility and justice intersect and diverge, to what extent legibility is necessary for justice to prevail and to whom these practices or performances of the law must be intelligible. The pertinence of the connection between il/legibility and the law becomes most evident in the manifestation of the law book and its application, which is where the registers of signifying and a-signifying semiotics as identified by Lazzarato collide.

In theory, the textual nature of the law makes it accessible to anyone able to read, but in practice, the heavy complex jargon of the law and the intricacies of the different legal systems give rise to ambiguities and a need for interpretation. This effectively renders the law legible only to trained interpreters such as lawyers and judges, whose interpretations are reinforced through a performance

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in court (see Horsman 2010). For the outcome of this performance to be a success, i.e. for it to be considered *just*, it is necessary for there to be an agreement that the law was read correctly. However, this reactive procedure of the law is preceded by its pre-emptive functioning; despite a shared understanding of the law as a text demanding interpretation, its prescriptive character is in fact governed by a machine-like logic according to which one is either within or outside of the law. It is this logic that is referred to in the common phrase "the apparatus of the law."

The chapters in this section emphasize how neither signifying nor a-signifying registers operate free of interference; the law functions within complex assemblages that go beyond the sphere of the legal. For example, as legal cases increasingly play out in the public sphere before eventually – if at all – moving on to the more enclosed space of the courtroom, the issue of justice regularly shifts from being situated in a legal framework to a socio-cultural and often highly mediated one, where signs circulate and operate differently, and their interpreter becomes much more fluid. Nonetheless, these trials scaffolded by (social) media cannot be considered separate from the legal sphere, as public judgement comes to act as a matter of justice in its own right.[5] Meanwhile, legislators are increasingly building on the machinic logic inherent in the law in order to sustain law enforcement, including through the development of algorithms that aim to predict and prevent law-breaking – predictive profiling being perhaps the most well-known example. While the programming of these structures may build on human input – and at times indeed human prejudices and assumptions – these structures are governed by a switch from language to numbers that arguably defies the meaning-making process in the materialization of the law.

To map and investigate the il/legibility of the registers of signifying and a-signifying semiotics in relation to the law, the authors in this section take cultural expressions from literature, popular culture and social media as their starting point. The focus is on the intersection of the textual, rhetorical, theatrical and machinic in the assemblages through which the law operates. Thus, for example, Siebe Bluijs uses Kafka's short story "In the Penal Colony" to explore the tensions between the law as an abstract, immaterial idea and its concrete, material manifestations. Asking in what way the law should be readable

5 The #metoo discussion, which surfaced in fall 2017, concerning sexual abuse and harassment in Hollywood and elsewhere, is a case in point, as one of the recurring issues in the public debate is that of "due process" versus the court of public opinion (Chachra 2017), which gains importance in light of the complexities of taking sexual harassment to court (Gentleman and Walters 2017).

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for it to function and for its materializations to be identified as just, Bluijs problematizes the idea that the law's legibility is located in the textual sphere alone, reflecting in particular on the tension between the human interpreter of the law and the machine of justice that executes it in Kafka's text.

Isabel Capeloa Gil similarly makes a case for the law as extending beyond its textuality by identifying how cultural expressions may not only help to think about the legal, but can also impinge on its performance. By conceptualizing the porosity of the law, she shows how non-legal narrative and structural traditions are part of the assemblage in which the law functions, opening up new but sometimes also constraining interpretations of the law. Cultural engagements with the legal thus provide an alternative framework of legibility that seeps into the legal order itself, highlighting its circular and accumulative complexity.

While both Gil and Bluijs emphasize that the signification of the law cannot be fully understood without attention to the machinic logic that is also part of it, Tessa de Zeeuw's chapter turns this statement on its head by rendering explicit Yasco Horsman and Frans-Willem Korsten's claim that, as much as the law may be conceived of as "an abstract machine," its materializations do not "function independently from the cultural and socio-political sphere that surrounds it" (278). Emphasizing the law's dependence on these surrounding spheres in order to demonstrate its own efficacy, de Zeeuw shows how notions of systemic (in)justice paradoxically become dependent on a theatrical space of representation. Ultimately, she argues, a more legible legal system would rely on accounting simultaneously for the two different semiotic registers that constitute the law.

While the incommensurability of the legible and the illegible, of the signifying and the machinic, is a recurring issue throughout this volume, the chapters in the third section tackle the problematic of il/legibility most stridently from the point of view of the machine. Taking up diverging machines and machinic processes, from computation and programming (Gauthier) to networked connectivity and image circulation (Cubitt), and from robotics and cybernetics (Horsman) to big data and machine reading (van de Ven), the authors in this section converge in calling attention to the use of metaphors to describe machines and machinic processes, thus confronting us with the knottiness of notions like "computer language" (Gauthier), "personhood" (Horsman), "networks" and "connectivity" (Cubitt), and, indeed, "reading" itself (van de Ven). As Sean Cubitt reminds us in his chapter, while "the application of a technical metaphor to non-human realities" may be illuminating in its own performativity, it is also "just that: a metaphor" – and "as metaphor, it is a translation, a communication of incommensurable terms."

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It is the issue of incommensurability that lies at the heart of this section. Thoroughly embedded in the discourses on computation, assemblages, cybernetics and big data, the chapters in this section nevertheless point to the significance of critical theory and the Humanities in probing these phenomena. At the same time, they place emphasis on the socio-cultural, machinic and technological transformations that give rise to them. The task at hand, the chapters suggest, is first and foremost to identify and expose what remains illegible in the machinic processes at work in our culture and society, so as to unmask – through these legible illegibilities – the power dynamics at play. For, as Cubitt claims, "Humanities alone are equipped to identify what is truly illegible, a task we perform precisely by reading, using every technique we have, eclectically, to find an entry into the opacity of events."

The section opens with Yasco Horsman's commentary on the dramatic irony inherent to the temptation, for us as human beings, to project personhood onto machines we know are governed by algorithms. Drawing on Lacan's lectures on psychoanalysis and cybernetics from the 1950s, as well as on Hannah Arendt's well-known reflections on the Eichmann trial, Horsman calls attention to the friction between the two incommensurable modes of understanding that we employ when faced with intelligent machines, i.e. the fact that we "*know* that they are operated by software [and yet] cannot help but to project personhood onto them." The perplexity to which this leads, he claims, must be framed in terms of a type of uncanniness "that pervades our attempts to put forth legal responses to the rise of algorithms," as in the case of drone warfare, self-driving vehicles or, indeed, Stephen Hawking's computerized voice, the example to which Horsman returns throughout the chapter.

The section continues with David Gauthier's critique of the concept of "machine language." Offering a genealogical account of the advent of the language metaphor in Computer Science, cybernetics and discussions on so-called new media and the digital, Gauthier highlights how its development has yielded an illusionary separation of computation into "hardware" and "software": on the one hand, a machinic "black box" (illegible); on the other, a symbolic regime of (legible) code and commands. What is effaced in this logic, Gauthier claims, is the in-between moment in computer programming – the temporal interval between two instances of legibility: the moment of "instruction/interpretation" (legible as textual source code) and the moment of "result/ interpretation" (legible as that which is effectuated by a given program). Gauthier stakes a claim for the study of this in-between, this legible illegible, which is the moment of execution itself (or action as such), for it is here, he asserts, that the machine's violence of labor precarization, as well as its potential for (self)modification, and thus the possibility for cultural critique, manifests itself most clearly.

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Sean Cubitt's chapter picks up on this issue of labor precarization with a pressing critique of the metaphor of connectivity and the cultural practices and machinic processes it stands for and obscures. Cubitt draws attention to the emergence of what he calls the "mass image" (singular) comprised of the many commodified images aggregated through disciplined consumption (i.e. the viewing, sharing, liking, etc. of images online). On the one hand, he asks whether and, if so, in what forms, it is possible to "restore legibility to images [plural] today, thereby returning them to culture." On the other hand, he points to the significance of paying heed to (the implications of) the ways in which images circulate in and as data, and the cost of signification (or significance, as Cubitt writes), which is the logic on which the network condition thrives. This sliding scale between signification and asignification means we need to attend to both the unstable single images of which the mass image is made up and the notion of connectivity from which it emerges and to which it gives shape, for it is here, Cubitt maintains, that the political-aesthetic task of the Humanities presently lies.

Finally, in her chapter, Inge van de Ven usefully proposes to move away from positing close reading and distant reading as mutually exclusive towards an integrated approach of "reading in terms of scale variance, of zooming in and out between part and whole, thus discovering the myriad shades of grey between close and distant."

The fourth and last section explores questions pertaining to the close and the distant, the incommensurability of the legible and the illegible, and the signifying and the machinic in relation to the il/legibility of cultural heritage. Its chapters reflect on the il/legibility of objects from the past, as well as on the il/legibility of the past itself. Not only do the ravages of time affect the material form of objects – such as images (Fossati and Verstraten), books (Sarion), weapons and clothing (Bosma), and ledgers (Hesselberth and Dirckinck-Holmfeld), the legibility of which comes to depend on practices of preservation, digitization and restoration – but the passage of time also entails ongoing changes in the historical, cultural, technological and political contexts that frame, enable or preclude specific modes of processing and/or reading (objects from) the past. For this reason, as Katrine Dirckinck-Holmfeld and Pepita Hesselberth demonstrate in their discussion of the digitization of Danish colonial archives, the legibility of heritage necessarily compels a critical examination of the legibility of positionality.

The era from which the authors approach the legibility of heritage has often been characterized as a "digital" and a "postcolonial" one. Both characterizations raise specific questions, some of which prove to be intertwined in the chapters at hand. The main questions addressed in this section are: What does digitization do to the il/legibility of objects and practices, and how? Is the

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logic of digital technology as such legible in relation to both past and present? How is the colonial past made il/legible in archives and exhibitions? And how should we deal with the persisting illegibility of violent aspects of colonial history in a postcolonial era that arguably has not really earned the prefix "post"?

The section opens with Peter Verstraten and Giovanna Fossati's conversation on the legibility of film archives, in which they comment on the oft-heard argument that the transition to digital technology preserves the legibility of analog images by halting their deterioration. However, surprisingly, one of Fossati's main challenges as Chief Curator at the EYE Filmmuseum in Amsterdam is not so much the deterioration of analog images, but the rapid obsolescence rate of digital film. Digital technology is evolving so fast that the legibility of digitalized film heritage is under constant threat because of the impending incompatibility between digital formats and technologies. Digitization further leads the authors' attention to the legibility of precisely that which is often deemed lost in the digital age: the materiality of cultural heritage. Thus, they discuss how the legibility of century-old film images is renewed through digitalized restoration processes such as the retrieval of faded colors in hand-colored film images. According to Fossati, these digitally restored tints not only form a hermeneutic tool, but also draw attention to the material layer of the film, spurring the question whether the material level of objects can be deemed legible on its own terms.

A similar issue is addressed by Dirckinck-Holmfeld, who, in her conversation with Hesselberth, wonders how to account for the viscerality inherent to analog colonial records when studying digitalized archives. This leads her to address the political function of assembled fragments of material cultural, which she reads, with Saidiya Hartman, as "critical material fabulations." Likewise, Roxana Sarion, who in her chapter discusses various materializations of the seventeenth-century Spanish colonial text *Conversion de Piritu*, shows how the digitalization process challenges our bookish reading habits, but also promotes the exchange of knowledge in interactive networks and adds new layers of legibility to the 1690 missionary text, thus enhancing the meaning-making capacity of cultural heritage.

Unlike Sarion, who studies digital archives as paratexts that open up new meanings, Dirckinck-Holmfeld approaches the digitization of the Danish colonial archives primarily as a machinic process that arguably further obscures rather than expands the legibility of our colonial past because its logic mirrors, bears witness to and builds on the technologies of chattel slavery that created the archival records in the first place. This logic is not transparent or legible to the user of the archival database, who, Dirckinck-Holmfeld argues, cannot but submit to the old, violent colonial structures that haunt the digital archive.

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In a similar vein, Anke Bosma argues in her chapter that colonial violence haunts Dutch society like a ghost, a lingering yet invisible presence. By comparing two exhibitions of a collection of objects obtained by Dutch colonizers during the Aceh-Dutch war (1873–1914), Bosma demonstrates how different modes of framing (e.g. "scientifically" or from a predominantly Dutch perspective) make colonial objects legible in specific and restricted ways. Her comparative approach to the two temporally distinct exhibitions (the first from 1907, the second from the present) exposes how colonial violence is as illegible now as it was then. While Bosma reads the illegibility that precludes a critical reading of colonial violence by analyzing the omissions and restrictions in presentations of colonial heritage, Dirckinck-Holmfeld and Hesselberth reflect on the possibilities of making the colonial archive legible in critical ways. In the end, it is only by attuning to the gaps and the noise in archives, and by paying attention to broken links and glitches that we can disclose the impossibility and illegibility of the stories that nonetheless want to be told. Finally, in his closing remarks, Frederik Tygstrup makes the case that to probe the meaning of legibility in the age of signs and machines is also to significantly reconsider the role and theory of representation. Revisiting the chapters included here, Tygstrup shows how the questions of il/legibility asked in each section also come to bear on the notion of representation as the authors negotiate the "increasingly knotted" relations between subject, object and image within the assemblages that representations are always already a part of.

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PART 1

Desire



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CHAPTER 1

Legible Affects: The Melodramatic Imagination in Painting

Ernst van Alphen

Abstract

In this chapter, Ernst van Alphen explores the possibility and productiveness of the idea that affects have legible forms. The author goes beyond the idea that affect is an energetic intensity effecting a reaction in a reader or viewer. Legible forms will also be distinguished from legible signs. Although signs have form, forms do not always result in conventional signs. Van Alphen close-reads the forms of affect in Andrew Wyeth's iconic 1948 painting *Christina's World*. The concluding consideration will be the question of how the formal affective reading of this painting relates to close readings in terms of signification.

Reconsidering the Affective Turn

In the last ten years a turn to affect has taken place. The work of French philosopher Gilles Deleuze and American psychologist Silvan Tompkins were the sources of inspiration for an understanding of how texts and images work beyond signification. In many respects this has been a paradigmatic revolution because with structuralism and poststructuralism all attention was focused on the production of meaning by texts and images.

Yet already forty years ago, Susan Sontag, in her programmatic essay "Against Interpretation," pleaded passionately for more serious attention to the affective operations of art and literature. She declared that the prevalent idea that a work of art is its content, or that a work of art says something, is "today mainly a hindrance, a nuisance, a subtle or not so subtle philistinism" (Sontag 5). According to Sontag, the transformation of texts or works of art into meanings is a revenge of the intellect upon the world: "To interpret is to impoverish, to deplete the world – in order to set up a shadow world of 'meanings' " (7). To counter this tendency, she pleads for a more immediate experience of the object or text itself. What is important, according to her, is to recover our senses. We must learn to see more, to hear more, to feel more.

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She ends her essay with the famous words that "in place of a hermeneutics of art we need an erotics of art" (14).

For Sontag, hermeneutics is not bad in itself, but has become a harmful, or better yet, powerless, mode of reading at a particular historical moment:

> Interpretation takes the sensory experience of the work of art for granted, and proceeds from there. This cannot be taken for granted, now. Think of the sheer multiplication of works of art available to every one of us, superadded to the conflicting tastes and odors and sights of the urban environment that bombard our senses. Ours is a culture based on excess, on overproduction; the result is a steady loss of sharpness in our sensory experience. All the conditions of modern life – its material plenitude, its sheer crowdedness – conjoin to dull our sensory faculties. (13)

Sontag's plea for an erotic, affective approach to art is historically motivated. It is the conditions of modern life that dull our sensory faculties, that require more attention for affect. But there are also theoretical reasons for the affective approach. As Brian Massumi has claimed, our cultural-theoretical-political vocabulary offers few possibilities to deal with affect. Our entire vocabulary is derived from theories of signification. These theories and approaches

> are incomplete if they operate only on the semantic or semiotic level, however that level is defined (linguistically, logically, narratologically, ideologically, or all of these in combination, as a Symbolic). What they lose, precisely, is the expression *event* – in favor of structure. (Massumi 220)

Altogether, it seems that these historical as well as theoretical motivations to pay more attention to affect have resulted in an affective turn. But this affective turn has recently provoked some important resistance. In her book *The Forms of the Affects* (2014), film theorist Eugenie Brinkema criticizes the kind of criticism in which the affective turn has resulted, and proposes and elaborates a more productive notion of affect. She critiques affect criticism for disregarding textuality and close reading altogether, and for privileging the affected subject – meaning the affected critic or theorist: "The net result, though, was that in rejecting screen theory in favor of immediate seductive feeling, these theorists severed discussions of affect from any considerations of textuality" (Brinkema 30).

The affective turn, Brinkema claims, has not resulted in attention for affects themselves, but for the production and generation of "something" in the

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theorist. The affective turn has become a way of re-establishing the interiority of the theorist, an interiority that had become penalized after the new critics W. K. Wimsatt and Monroe Beardsley had condemned it for bringing about an *affective fallacy*. According to Brinkema, affect is wrongly seen as personal, as intensity without form or meaning. She criticizes the notion of affect as intentional, as a device for the generation of intensities in the theorist. When the theorist establishes her/himself as a subject who is being affected, new readings and questions cannot arise. If affect theory re-establishes the interiority of a subject, this subject can only talk about what s/he already knows. Only by speaking of what is not yet known, about what is not yet interiorized, can new thought be generated.

Brinkema situates the force of affect in form and contends that it is the act of reading that releases or activates affect of form:

> *it is only because one must read for it that affect has any force at all*. The intensity of that force derives from the textual specificity and particularity made available uniquely through reading, the vitality of all that is not known in advance of close reading, the surprising enchantments of the new that are not uncovered by interpretation but produced and brought into being as its activity. (38, emphasis in text)

Brinkema thus redirects the affective turn under the name of radical formalism. For her, affects *can* have form. Affects should not be understood in terms of expressivity or interiority; rather, they consist of formal dimensions, such as, in the case of cinema, lines, colors, light and motion. Affects should not be placed and studied inside the subject; they can be studied as forms because "forms are auto-affectively charged, and … affects take shape in forms and temporal structures" (Brinkema 37). By focusing on the forms of affect, Brinkema restores agency to form.

Christina's World

In the remainder of this chapter I would like to explore the possibility and productiveness of the idea that affects have legible forms. By doing so, I will go beyond the idea that affect is an energetic intensity effecting a reaction in a reader or viewer. Legible forms will also be distinguished from legible signs. Although signs have form, forms do not always result in conventional signs. I will analyze the forms of affect in Andrew Wyeth's iconic 1948 painting *Christina's World*. After my close reading of this painting I will come back to affect theory.

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FIGURE 1.1 Wyeth, Andrew (1917–2009): *Christina's World*, 1948. New York, Museum of Modern Art (MoMA). Tempera on gessoed panel, 32 1/4 × 47 3/4′ (81.9 × 121.3 cm). Purchase. Acc. no.: 16.1949.© 2018. Digital image, The Museum of Modern Art, New York/ Scala, Florence.

My concluding consideration will be the question of how my formal affective reading of this painting relates to close readings in terms of signification.

When I read that the female figure in *Christina's World* is modeled after a handicapped woman, I was astonished. It had never occurred to me. I am clearly not the only one who did not see a disabled person in this figure. Wyeth himself tells about the responses to his most iconic work as follows:

> It's very interesting that *Christina's World* has such a wide appeal. People seem to put themselves into it. I get literally hundreds of letters a year from people saying that it is a portrait of themselves. And then they describe their own life. And they rarely mention the crippled quality. They don't see that. (qtd. in Griffin 113)

To signify this figure by the woman who was its model is reductive for another reason as well. The figure was not only based on the destitute Anna Christina Olson, who was fifty-five years old when Wyeth made the painting. It was also modeled after Wyeth's twenty-six-year-old wife. According to Griffin, this "accounts for the figure's attractive, well-defined derriere" (119). In addition,

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Christina's hair was inspired by Wyeth's aunt Elisabeth. Only the pink dress and the arms and hands are modeled after Anna Christina Olson. Once I have acquired this information, I can indeed read it into the image. The arms are very thin, which can possibly mean that the figure has a handicap. But the thinness of the arms can at the same time mean many other things.

The power of an image relies not on the reality after which it is modeled. The meaning, the appeal, the effects are produced by the image itself, by what is present in the image. This obliges me to start my reading of *Christina's World* with what I see in this painting, which is the following. The painting is abundantly narrative, for it includes many narrative possibilities. But, being a still image, we see only one moment from these many possible narratives. The narrative is condensed into a single moment; the narrative sequence of events is not elaborated. Although it is an enigmatic narrative because we get to see only one moment of it, the power of the image lies in its narrative seduction. Its narrative power depends, of course, first of all, on the female figure, looking intently toward the house, probably a farm, at some distance from her. Her act of focused looking expresses an urgency, whatever its cause. This urgency is also evoked by her hands; they are compressed, expressing tension. The woman, who is lying on the ground, is in the middle of the act of getting up and directing herself, her body, to the house on which her eyes are focused, too. Her hair is slightly in disorder. This can be because of the movement her body is making, but can also be caused by the wind. Whatever the narrative cause is, it makes the figure erotically charged. This effect is enlarged by the dark shadow cast by her arm on her body, which suggests that the sun is standing low. It is either late in the day or very early.

Because the center of this painting consists of the enigmatic interrelation between the female figure and the farm she is looking at, I will deal with the spatial elements of this painting as characters. For these spatial elements are more than just a backdrop for the female figure. Together, they form the constellation through which the action of the painting is articulated. The spatial characters are the farm at some distance from the woman and the barn, separated from the farm by another distance in a different direction. With the woman, these two "characters" form a triangle. The farm and the barn constitute, however, a kind of unity due to the grassland on which they are located, which has a different, slightly lighter color, as if it has been recently mowed. The woman is isolated from the space where farm and barn are located, because the grassland she is lying on is darker and has not been mowed. She is positioned in the longer, untrimmed grass.

It is very appealing to speculate about possible narratives on the basis of the narrative elements I have so far identified. But I won't. What I will do instead

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is read the described constellation as melodramatic. At first sight this is a surprising project, because melodrama is a viable notion in literary studies and in cinema studies, but not in art history. In literature, melodramatic elements are especially visible in plots. These plots revolve around family relationships, star-crossed lovers and forced marriages, which figure prominently in secularized conflicts of good and evil, salvation and damnation. These emplotments are melodramatic not only because of the nature of the conflicts around which they center, but also because the surface of the world in which the plot evolves (the surface of manners and gestures) consists of indices pointing to hidden forces and truths, latent signifieds. Gestures recorded in melodramatic novels must be metaphoric of something else (Brooks 199). Peter Brooks's 1976 *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* is the classic study analyzing such melodramatic emplotments in nineteenth-century literature. The approach of the melodramatic through plot explains why melodrama is not a viable notion in the analysis of art works. Although many art works are narrative, their narrativity is implied by one single image representing or condensing the whole plot. The narrative dimension of such images can be recognized, but the sequence of events of which the plot consists is reduced to a single moment. In other words, narrativity defines the image's representation, but most of the plot is only implied, not represented in detail. *Christina's World* is a good example of such an image; it is highly narrative, but at the same time its narrative dimension is not spelled out. This makes it difficult to understand this image in terms of melodramatic emplotment.

Thomas Elsaesser's article "Tales of Sound and Fury: Observations on the Family Melodrama," originally published in 1972, seems a more promising starting point, because, focused on cinema, it is closer to the visual domain. In it, Elsaesser describes the development of melodrama from the eighteenth until the twentieth century. Starting with the eighteenth-century sentimental novel, he moves to the post-Revolution, restoration melodramas of the nineteenth century in France, and the social, urban melodramas of Dickens in nineteenth-century England. His main interest is, however, the American manifestation of melodrama in, especially, Hollywood cinema. Elsaesser focuses on Hollywood family melodrama between 1940 and 1963, especially the films of Douglas Sirk, but also those of Hitchcock. He understands the melodramatic not so much as "emotional shock-tactics and the blatant playing on the audience's known sympathies and antipathies," but rather as a "non-psychological conception of the *dramatis personae*" (69). In melodrama, the characters "function less as autonomous individuals than to transmit the action and link the various locales within a total constellation" (69). The characters in melodrama are not real autonomous individuals and they lack serious psychological motivation for

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their actions, because ultimately they are the result of the interiorization and personalization of ideological conflicts. For instance, reading Balzac's melodramatic plots, Elsaesser recognizes a Schopenhauerian struggle of the will:

> The ruthlessness of industrial entrepreneurs and bankers, the spectacle of an uprooted, "decadent" aristocracy still holding tremendous political power, the sudden twists of fortune with no-good parasites becoming millionaires overnight (or vice versa) through speculation and the stock exchange, the antics of hangers-on, parvenus and cynical artist-intellectuals, the demonic, spell-binding potency of money and capital, the contrasts between abysmal poverty and unheard-of affluence and waste which characterized the "anarchic" phase of industrialization and high finance, were experienced by Balzac as both vital and melodramatic. His work reflects this more in style than through direct comment. (73)

In order to understand the American manifestation of melodrama in the form of Hollywood cinema, Elsaesser returns to the dictionary definition of melodrama. According to common definitions, it is a "dramatic narrative in which musical accompaniment marks the emotional effects" (Elsaesser 74). *Melos* in Greek means "music." This is for Elsaesser a useful definition because it allows melodramatic elements "to be seen as constituting a system of punctuation, giving expressive color and chromatic contrast to the storyline, by orchestrating the emotional ups and down of the intrigue" (74). This approach formulates the problems of melodrama not as issues of emplotment, but as issues of style and articulation.

In early cinema, the addition of music enabled directors to formulate certain moods such as sorrow, dread, suspense or happiness. Later technical innovations such as color, wide screen and deep focus lenses, crane and dolly made it possible to make the forms of melodrama more sophisticated. This cinematic form of melodrama is less defined as specific emplotment and more as an expressive code:

> … melodrama might therefore be described as a particular form of dramatic mise-en-scène, characterised by a dynamic use of spatial and musical categories, as opposed to intellectual or literary ones. Dramatic situations are given an orchestration which will allow for complex aesthetic patterns. (Elsaesser 76)

When the melodramatic is given form through mise-en-scène instead of emplotment, it leads to very consciously elliptical narratives or, in other words, to

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the feeling that there is always more to tell than can be said. The character's motivation is not explicitly told or made manifest through her actions, but is condensed in sequences of visual images that do not seem to advance the plot (Elsaesser 76). Impressionistic images of interiors or of a small town setting are metaphoric condensations: they in fact tell and foretell the whole trajectory of the life of the main character, or of the relation between characters. In this melodramatic mode, scenes that have no plot significance whatsoever have an extremely strong emotional resonance. In the words of Elsaesser,

> this type of cinema depends on the ways "melos" is given to "drama" by means of lightning, montage, visual rhythm, décor, style of acting, and music – that is, on the ways the mise-en-scène translates character into action (not unlike the pre-Jamesian novel) and action into gesture and dynamic space (comparable to 19th-century opera and ballet). (78)

Melodramatic cinema uses an intensified symbolization of everyday actions, the heightening of the ordinary gesture, and setting and décor to reflect the characters' fetishist fixations (Elsaesser 79). This intensification of visual elements is not just a matter of style; it is, rather, a conscious use of style-as-meaning. This is why, in looking at Wyeth's painting, I distinguished between the grass around the buildings and that on which the figure of Christina is crawling as a differentiation that must have meaning.

According to Elsaesser, in the American context the mise-en-scène of melodrama can be recognized by its own iconography:

> Melodrama is iconographically fixed by the claustrophobic atmosphere of the bourgeois home and/or the small town setting, its emotional pattern is that of panic and latent hysteria, reinforced stylistically by a complex handling of space in interiors to the point where the world seems totally predetermined and pervaded by 'meaning' and interpretable signs. (85)

I will come back to this in my conclusion, because the question is if such a fixed conventional iconography really exists. Nevertheless, for Elsaesser, the bourgeois home or the small town setting are images of an inner self. When we see the protagonist (usually female) looking at this décor, she discovers that this world has become uninhabitable because it is both frighteningly suffocating and intolerably lonely. This drama is often played out against the vertical axis of a staircase. We see women waiting at home, standing by the window, "caught in a world of objects into which they are expected to invest their

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feelings" (Elsaesser 84). This kind of imagery characterizes not only Hollywood melodrama, but also the paintings of Edward Hopper and Andrew Wyeth. *Christina's World* is a striking example of an American small town setting condensed into a single house, some barns next to it, and another one further to the left.

One of the characteristics of melodramas in general is that they concentrate on the point of view of the victim. As Elsaesser argues, the critique – the questions of evil, of responsibility – is firmly placed on a social and existential level, away from the arbitrary and finally obtuse logic of private motives and individualized psychology. But in the American context this victimhood has a very specific shape:

> The linear trajectory of self-fulfillment so potent in American ideology is twisted into the downward spiral of a self-destructive urge seemingly possessing a whole social class. (Elsaesser 86)

> In the Hollywood melodramas characters made for operettas play out the tragedies of humankind, which is how they experience the contradictions of American civilization. … What strikes one as the true pathos is the very mediocrity of the human beings involved, putting such high demands upon themselves, trying to live up to an exalted vision of man, but instead living out the impossible contradictions that have turned the American dream into its proverbial nightmare. (Elsaesser 89)

It is this cinematic form of melodrama that can also be recognized in Wyeth's painting *Christina's World*. The represented scene does not show a clear, unambiguous plot. But the mise-en-scène of this enigmatic emplotment produces an extremely strong emotional resonance. Following Elsaesser's reading of Hollywood melodrama in terms of the contradictions of American civilization, I suggest to read this emotional pattern in terms of self-fulfillment and the American dream.

Being positioned lower than the farm and the barn, the female figure is trying to move upwards. In the composition of the image her position is emphasized by the fact that the figure is crawling on the ground and moving in the direction of the house she is reaching for. The gestures of her two hands, one in front of her, the other right of her body, express the energy invested in her upward movement. The intensity with which she tries to reach the house can be read from the gestures of her two contorted hands, but also from her head, which suggest an intense gaze also directed at the house. This invisible but implied gaze signifies an intense longing or desire. The exact object of that desire,

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of course, is not known. In the elliptic narrative scene, the object of her longing could be the house itself, or somebody or something inside the house.

The divide that separates the female figure from the house is emphasized by the separation in the grass (one part mowed, the other part not) and by a fenced area in front of the house. The mowed grass looks like an in-between area that first has to be crossed. But this divide is not absolute: the separation is crossed by a trail at the right side of the image, which connects the untrimmed grass with the mowed grass area where the farm and barns are also located. This trail is highly symbolic because it suggests that the house is not by definition out of reach, but can be reached if enough effort is put in. At the same time, the fact that the female figure is crawling instead of walking or running suggests that the pursuit of her desire is rather hopeless – that the object of her desire will remain out of reach.

So far, I have referred to the woman in the image as the female figure. However, the title of the painting gives this figure a name: Christina. This proper name contributes greatly to the emotional resonance of the painting. We are not looking at an unidentified woman who could be anyone. Whoever this Christina is, she is an individual person with her own name. This individualization enables the viewer to identify more easily with the figure. Such identification is, of course, already stimulated by the composition of the painting. The viewer enters the painting by looking at the female figure and, next, looking with her at the farm at a distance from her. The composition leads the viewer to Christina and her position within this constellation. Since the object of her desire is indeed out of reach, the viewer identifies with somebody who is in the position of a victim, as is common in the melodramatic imagination.

The other element of the painting's title is the "world" the female figure is looking at or is part of. If this is Christina's world, the painting indicates the smallness of it, suggesting that there is nothing to it outside of what is presented to the viewer. The small town setting *is* America. It is the confinement in this small world that makes living in it suffocating. The smallness of Christina's world is symbolically represented by the lack of open sky above the horizon. Neither the house or farm nor the barn on the left are integrated into the landscape. Above the roof of the barn on the left, black birds flock as if a bad omen. House and barn balance on the edge of the horizon. The house does not open up to the sky above its roof either. There is no open sky above it. The house for which the female figure reaches is imprisoned between the horizon and the frame of the painting. The ladder standing against the house, as another attempt to reach upward, emphasizes the lack of space above the roof. If the house is the object of the Christina's desire, this object will not give her freedom but imprisonment.

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Thus, the emotional pattern evoked by the constellation of *Christina's World* is one of unfulfilled desire, frustration, panic and confinement. These emotions are not explicitly represented as narrative elements, but evoked and reinforced stylistically by the mise-en-scène of an ambiguous emplotment. The intricate handling of spatial and compositional elements in the mise-en-scène is, to use the words of Elsaesser once more, "predetermined and pervaded by meaning and interpretable signs" (85).

So far, I have described the constellation of *Christina's World* as consisting of three major elements: the female figure, the house she is looking at and the barn to its left, and the separation in the grass. But what if the intense reaching for the house by the female figure is motivated by someone who is chasing her and whom we should imagine just outside the frame of the image? There is nothing in the painting indicating or symbolically representing a person chasing the woman. Still, such a narrative framing of the constellation is possible, because it would explain and motivate the fact that the female figure is on the ground and crawling. While being chased, she has fallen. This framing produces emotional resonances slightly different from those described above, resembling more the melodramatic thrillers of Hitchcock. Elsaesser analyzed the melodramatic element of Hitchcock's films as follows:

> Hitchcock infused his film [*Rebecca*], and several others, with a unique intimation of female frigidity producing strange fantasies of persecution, rape and death—masochistic reveries and nightmares, which cast the husband into the role of the sadistic murderer. (81)

But there are no direct clues or signs in Wyeth's painting indicating the existence of a chasing husband or lover. There is only some circumstantial evidence: the fact that the woman is on the ground and crawling could mean that she is being chased by someone. However, speculating about a narrative in which Christina is part of a Hitchcock-like emplotment is not necessary, for the mise-en-scène of the elements present in the painting has enough meaning and interpretable signs to engage the viewer emotionally.

I prefer to understand this painting in terms of the failure of self-fulfilment, of unsuccessful longing in the context of the American Dream. This does not result in a narrative, in a sequence of events, but only in the framework of a narrative delineating a desire focusing on an unobtainable object. This desire comes about in, is shaped by, an enclosed field of pressure, the American small town setting. In this enclosed field of pressure, the mechanisms of displacement and transfer open up a highly dynamic feeling of

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non-fulfilment. Saying that the painting is about the failure of self-fulfilment does not imply that this failure is represented narratively. Rather, it is signified by strong emotions produced by a meaningful constellation of elements, by the mise-en-scène of spatial elements that are insignificant from a narrative point of view.

This reading of the painting evokes Lauren Berlant's notion of cruel optimism, which is also cast as an affective structure, related to the kind of desire capitalism fosters, e.g., 'good life' narratives, including fantasies of upward mobility, which are evoked in this painting too, yet fails to realize (especially, though not exclusively, in contemporary conditions of precarity). Optimism becomes cruel for Berlant "when the object/scene that ignites a sense of possibility actually makes it impossible to attain the expansive transformation for which a person or a people risks striving" (2). Fantasies, for example, of upward mobility have become more and more fantasmatic, not corresponding to how most people actually live. Yet people remain stubbornly attached to these good life narratives. This painting – and especially Christina's handicap – very strongly triggers this affective structure of cruel capitalism.

I began my reading of Andrew Wyeth's painting with the remark that melodrama is not a viable notion in art history or art criticism. Nevertheless, it has enabled me to read his painting productively by focusing on the articulation and punctuation of spatial and compositional elements. The resulting constellation could only be considered as "constituted of meaningful signs" when considered as a melodramatic mise-en-scène. Does my use of this cinematic notion mean that Wyeth was directly influenced by melodramatic Hollywood film? Wyeth created his paintings in exactly the same period in which Sirk and Hitchcock were making their films. Should we therefore understand his work as typically cinematic?

Not necessarily. Although melodrama has been described as a particular form of dramatic mise-en-scène, characterized by a dynamic use of spatial and musical elements, the special exploration of spatial categories in Hollywood cinema can also be seen as typically painterly. For figurative painting has a long tradition of using space as more than a backdrop for a scene. It is rather common to consider spatial elements in painting as pervaded with meaning and interpretable signs. The main reason that the notion of melodrama has not been used much in art criticism is because of the sad tendency in some art criticism to understand representation and signification in terms of what the painting was modeled "after." Representation and signification, however, take place "in" painting, in exactly the same way as articulation and punctuation in melodrama do.

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Do Affects have Form?

In my reading of *Christina's World* I have focused on mise-en-scène, as if the mise-en-scène of the figure in this painting consists of spatial elements pervaded with meaning and readable signs. Although the reading was all about emotion and feeling, I have not really used the concept of affect or the vocabulary of affect theory. My formulations seem to have relied on the discourse of signification and the production of meaning. What role did affect play in my reading and can my reading be reconciled with Brinkema's notion of the "forms of affects"?

Although I have close read spatial forms and assigned meaning to those forms, the significations did not follow the conventional semiotic path. A semiotic production of meaning is by definition conventional, takes place on the basis of culturally shared conventions. In art history, it is first of all iconography that enables a semiotic reading of culturally shared codes. And, indeed, Elsaesser assumes that American melodrama has its own fixed iconography of the claustrophobic atmosphere of the bourgeois home and small town setting. I would like to doubt the fixity of this iconography by not endorsing an opposition between conventional signs and unconventional affects. The issue is rather how we process signifying forms (signifiers): as conventional signs or as affective signs? The kind of significations of forms I have pointed out as striking, possibly significant, were rather unconventional, although also exploited in the genre of melodrama in intriguing ways without establishing a fixed convention. It was forms that "shocked me to thought."

This expression, "shock to thought," is Deleuzian, and Deleuze has another expression that indicates this intimate relationship between affect and thought or meaning, namely "the encountered sign." Using "the encountered sign" as an alternative for affect is at first sight highly paradoxical if we consider affect to go beyond signification and the production of meaning. Deleuze introduced the term in his book *Proust and Signs*, defining it as a sign that is felt rather than recognized or perceived through cognition or familiarity with the "code." But the sensation of the encountered sign is not an end in itself. For Deleuze, this sensation is a catalyst for critical inquiry or thought. For him, an affect is a more effective trigger for profound thought than rational inquiry or conventional productions of meaning, because of the way in which it grasps us, forcing us to engage involuntarily: "More important than thought there is 'what leads to thought' … impressions which force us to look, encounters which force us to interpret, expressions which force us to think" (161).

For Deleuze, then, art and literature should not be approached as conventional sign systems, as iconographic for example, but as the embodiment of sensation that stimulates thought. Art does not illustrate or embody a proposition,

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but produces sensations or affects that stimulate thought. It is the affective encounter through which thought proceeds and moves towards deeper truth. By means of this affective view of art and literature Deleuze deconstructs the conventional opposition between philosophy and art, or between thought and sensation. For him, both are modes of thinking. But whereas philosophers think in concepts, artists think by means of sensation.

> Sensation is generated through the artist's engagement with the medium, through color and line in the case of the painter, so that it is not the residue of self-expression, or a property of some prior self, but emerges in the present, as it attaches to figures in the image. (Bennett 37)

This understanding of sensation from Australian art historian Jill Bennett provides a beautiful characterization of my affective reading of Andrew Wyeth's *Christina's World*, which was not based on conventional significations, but on unconventional forms encountered as sensations that shocked to thought.

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CHAPTER 2

Overreading: Intentions, Mistakes and Lies

Colin Davis

Abstract

This chapter investigates the freedom of reading and the constraints which might be applied to it. How do we discriminate between legitimate interpretations and errors or misreadings? Freud's *Leonardo da Vinci and a Memory of his Childhood* (1910) provides a magnificent example of a reading which is interpretively brilliant yet demonstrably wrong on important points. Intention is sometimes invoked as a means of regulating interpretation, yet the works of J. L. Austin and Jacques Derrida illustrate how intentions can be difficult, even impossible, to pin down. In the era of post-truth, it is more urgent and more important than ever to understand what can and cannot, should and should not, be claimed in the interpretation of artistic works, and the world in which we live.

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"I am far from overestimating the certainty of these results."

FREUD 1985: 228

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To what extent are we – or would we want to be – capable of free interpretation, be it of literature, film, culture, our own lives and those of others? Are we bound by conventions or habits which inescapably control how we think of ourselves and our world? What are the rules that make an interpretation acceptable or unacceptable? These are the defining questions of hermeneutics. Hermeneutics is grounded in the insight that meaning is plural but that it should not be allowed to spin dangerously out of control. Interpreters need ways of ensuring that their readings are not arbitrary or purely subjective. No one really believes that "anything goes" in the matter of interpretation: peer review and student assessment would be impossible if we did not retain some

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sense of what kinds of things can and cannot, or should not, be said. At the same time, it is not easy to prescribe the point at which legitimate interpretation slides into misreading or wayward overinterpretation. And, in any case, should we really be worried about such distinctions? How far can one go, and how far should one go, in the work of interpretation? Is interpretation interesting only when it is excessive, that is, potentially mistaken or misleading? And do we have a duty or responsibility towards the texts and films we interpret that adds an ethical dimension to interpretation? This chapter discusses the problem of constraint and freedom in interpretation. I want to insist that literature and life may be worth interpreting precisely insofar as they exceed our expectations of their ability to signify.

Overreading is sometimes regarded as a particular type of misreading.[1] It is not so much a matter of getting things wrong as of finding too much meaning, too random or too wild meanings, in texts that do not say as much as we want or demand them to. In a far-reaching debate on these issues, published in 1992 as *Interpretation and Overinterpretation*, the Italian writer and theorist Umberto Eco defends a kind of sane hermeneutics which allows room for some degree of interpretive freedom, without letting it veer into uncontrolled speculation. But the volume, edited by Stefan Collini, also contains responses by the literary theorist Jonathan Culler and the neo-pragmatist philosopher Richard Rorty. The latter replies robustly that the notion of overinterpretation is redundant because it falsely implies that we have a reliable distinction between what is in the text and what is merely supplied by a willful interpreter, and therefore that we have a measure for ascertaining which interpretation(s) may be correct. In the absence of such a measure, for Rorty there is no essential difference between reading and overreading; there are just more or less interesting and useful acts of reading (see Rorty 1992: 92).

Culler, on the other hand, accepts that there may be such a practice as overinterpretation and sets out to defend it. Moderate interpretation, guided by widely accepted principles and yielding widely accepted results, articulates a consensus which is of little interest. Culler insists that "interpretation is interesting only when it is extreme" (1992: 110). Whereas for Rorty there is no such thing as overinterpretation, for Culler the notion remains valuable because it is through overinterpretation that new questions are asked, new answers discovered and new paradigms created. Without it we will only incessantly rediscover what we already know. And today's overinterpretation may turn out to be tomorrow's consensus.

1 This and the following three paragraphs summarize material discussed in my book *Critical Excess: Overreading in Derrida, Deleuze, Levinas, Žižek and Cavell* (2010).

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The American philosopher Stanley Cavell makes what is for me the definitive statement about overreading in his book *Pursuits of Happiness*:

> In my experience people worried about reading in, or overinterpretation, or going too far, are, or were, typically afraid of getting started, or reading as such, as if afraid that texts – like people, like times and places – mean things and moreover mean more than you know. This is accordingly a fear of something real, and it may be a healthy fear, that is, a fear of something fearful. It strikes me as a more discerning reaction to texts than the cheerier opinion that the chase of meaning is just as much fun as man's favorite sport (also presumably a thing with no fear attached). Still, my experience is that most texts, like most lives, are underread, not overread. (1981: 35)

Cavell does not deny the dangers and risks of overreading, but he suggests that they may be encountered less frequently than we might think. Moreover, he identifies the fear of overreading with the fear of reading as such. Reading exposes us to something which might exceed our knowledge and expectations. This is why it matters. We are right to be worried about this exposure because it is, in Cavell's word, "fearful." We don't know where it might take us and what it might do to us. We risk being carried away on a surge of meaning that, once it has started, we have no means of stopping. The fear of reading and overreading is, then, an anxiety in the face of the untamed other that may be encountered in a text, a person, an event, an action or a life. It may be assuaged by some form of regulation, a kind of semantic brake which will let us get off the merry-go-round of interpretation when we have had enough of it.

In this chapter, I shall firstly discuss the dangers and gains of overreading through the brilliant example of Freud's interpretation of a childhood memory of Leonardo da Vinci's; I then turn to the issue of intention, particularly in the form of authorial intention, which has traditionally served as one of the constraints on willful interpretation, and the issues of truth, lies and interpretability that are inseparable from it. The chapter concludes by looking at some of the problems of interpretation raised by the relation between two films, Jean Renoir's *La Règle du jeu* (1939) and Louis Malle's *Milou en mai* (1990).

How Wrong was Freud?

Freud's short book – perhaps one should say his novella – *Leonardo da Vinci and a Memory of his Childhood* (1910) is a masterpiece. Freud called it "the only beautiful thing I have ever written" and Karl Abraham described it as "elegant and

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perfect in its form" (see Birmele 1994: 131). It represents Freud's most sustained attempt to show how psychoanalysis might elucidate the life and work of a massively enigmatic figure from the past. As the title suggests, Freud's starting point is a passage from Leonardo's Notebooks that records a memory from his childhood:

> It seems to me that I was always destined to be so deeply concerned with vultures; for I recall as one of my very earliest memories that while I was in my cradle a vulture came down to me, and opened my mouth with its tail, and struck me many times with its tail against my lips. (qtd. in Freud 1985: 172)

Freud carefully points out that "memory" and "phantasy" cannot be sharply distinguished, and that we should not expect of a recollection such as this one that it objectively represents a true history. Stories told in the present tell us about the moment of telling at least as much as about the time which they represent. If this is true of Leonardo's childhood memory, then it is also true – Freud's text seems to warn us – of its interpretation in the highly speculative text we are about to read. We should not expect truth in Leonardo's memory or Freud's interpretation of it. Rather, we get an exploration of possibilities, of avenues of meaning that can never achieve the level of certainty. As quoted in the epigraph above, at the end of the essay Freud underlines that he is "far from overestimating the certainty of these results" (1985: 228).

Having suggested that this memory may in fact be a phantasy that reveals traits of the adult Leonardo, Freud proceeds to investigate the meaning of the vulture's appearance in Leonardo's childhood. The tail inserted into the child's mouth suggests fellatio, which, Freud notes, "in respectable society is considered a loathsome sexual perversion," despite being "found with great frequency among women of to-day" (1985: 177). So the vulture phantasy indicates a homosexual element in Leonardo's make-up. But there is also "an origin of the most innocent kind" (1985: 177) to this phantasy: the reminiscence of being suckled at the mother's breast. The vulture's tail represents both a male penis and a female breast, and underlying the homosexual element is the child's early attachment to his nurturing mother.

At this point, Freud launches into audacious speculation. He observes that in Ancient Egyptian hieroglyphics, the mother is represented by a picture of a vulture. The Egyptians also worshipped a Mother Goddess with a vulture's head, whose name was pronounced *Mut*. This is similar to the German *Mutter* (mother) (1985: 178). Freud then notes that according to some ancient beliefs, the vulture was associated with motherhood because all vultures were thought to be female, impregnated by the wind (1985: 179). Vultures are therefore virgins

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who nevertheless produce offspring, like the Virgin Mary who gives birth to Christ.

Noting that, as an illegitimate child, Leonardo was initially brought up by his mother, Freud now asserts that we can state what he calls "the real content of the phantasy": "the replacement of his mother by the vulture indicates that the child was aware of his father's absence and found himself alone with his mother" (1985: 181). This has further resonance for Leonardo's life, work and thought. His depictions of Mary and Christ recall his phantasy of his own virgin birth; the oral pleasure gained from the vulture's tail, or the male penis, or the female breast, is suggested in the famously enigmatic smile of the Mona Lisa. And in a footnote, Freud refers – albeit cautiously – to a critic who finds the outline of a vulture in the drapes of the Virgin Mary as depicted in a picture held in the Louvre (1985: 208). Starting from the childhood phantasy, Freud makes an astonishing series of interpretive moves which tie the vulture to his earliest memories, his affective relations and his later achievements. He can then conclude that it is "as if the key to all his achievements and misfortunes lay hidden in the childhood phantasy of the vulture" (1985: 230).

As a piece of interpretation, this is undoubtedly brilliant. There is a problem, though: *there is no vulture in Leonardo's childhood phantasy*. As early as 1923, it was pointed out that Freud was using an erroneous translation.[2] In his original Notebooks, Leonardo uses the word *nibio*, which (in its modern spelling *nibbio*) is the ordinary word for kite, not vulture (see Editor's note in Freud 1985: 147). The German work that seems most to have influenced Freud (a historical novel by Dmitry Merezhkovsky, translated from the original Russian), mistakenly uses the word *Geier*, vulture. Once this is corrected, the link to Egyptian hieroglyphics and the similarity between *mut* (vulture) and *Mutter* (mother), the connection to the mother goddess with the vulture head, the virgin maternity of vultures and the claim to find the outline of a vulture in a picture of the Virgin Mary must all be abandoned in the search for hidden meanings in Leonardo's childhood memory. As Freud's editor puts it, "in the face of this mistake, some readers may feel an impulse to dismiss the whole study as worthless" (1985: 147). The mistake may not discredit psychoanalysis *per se*, but it must surely fatally weaken Freud's reading of Leonardo's childhood memory.[3] To make matters worse, when the mistake was pointed out,

2 The mistake is signaled in Maclagan, "Leonardo in the Consulting Room" (1923). For a vigorous defense of Freud's essay, including the mistranslation, see Andersen's "Leonardo da Vinci and the Slip of Fools" (1994) and *Freud, Leonardo da Vinci and the Vulture's Tail* (2001).

3 In a balanced and scholarly discussion of Freud's essay, the art historian Meyer Schapiro discusses Freud's error, but refrains from using it to dismiss psychoanalysis in general: "[Freud's] false conclusions do not imply that psychoanalytic theory is wrong; the book on Leonardo, a

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Freud seems to have declined to correct it in later editions of his essay, or even to acknowledge it in a footnote. As Jutta Birmele puts it, this omission on his part "has further contributed to dismiss the entire essay as a failure" (1994: 131; see Birmele 1994: 146–7 for references).

Freud's interpretation is brilliant, but wrong. Should we, then, simply dismiss it, or should we try to find a context in which it may retain some interest and validity? Freud was well aware that his results were at best speculative and uncertain, and that some might regard him as having written a "psychoanalytic novel" (1985: 228) rather than an historically grounded biographical essay. He drew on and defended another fictionalized version of Leonardo's life, not because it was verifiably true, but because it had what he called "*innere Wahrscheinlichkeit*," inner probability (Freud 1985: 197; Birmele 1994: 144). So we might decide that, even if what Freud writes is not true about the real historical figure known as Leonardo da Vinci, it is nevertheless true, or plausible, about a *possible* figure, or perhaps a fictional figure, who shares Leonardo's name. Freud's portrait of Leonardo would have the same truth as Tolstoy's Anna Karenina or Flaubert's Emma Bovary, which no one (I hope) would seek to discredit on the grounds that they were historically or biographically inaccurate.

I am both unable and unwilling to resolve these questions now. Their interest, in the current context, is that they raise the problem of how we distinguish between legitimate reading and erroneous overreading, how we decide what is valid or invalid, boldly speculative or willful and crazy, in matters of interpretation. How do we apply the brake to our hermeneutic imagination? The next section of this chapter looks at one of the brakes that have traditionally been applied: authorial intention. E. D. Hirsch famously argued that invoking an author's intention was the best means of resisting hermeneutic anarchy (see Hirsch 1967), but a detour through J. L. Austin and Jacques Derrida shows some of the problems involved in using intention as a means of regulating interpretation.

Intentions and Lies

Intentional acts certainly occur. In literature, authors exist and have intentions, and in some cases those intentions may even be recoverable. Whether this

brilliant *jeu d'esprit*, is no real test of this theory, which here has been faultily applied. Just as a theory of physics would not be disproved by an experiment with incomplete or incorrectly recorded data, so Freud's general account of psychological development and the unconscious processes is untouched by the possible misapplications to Leonardo" (1956: 177–78).

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should have a decisive bearing on our activities as readers and interpreters is another matter entirely. Are we even agreed that we know what we mean when we talk about an intention? Is everything that is not unintentional necessarily intentional? For example, if I intend to go to the bathroom and trip over on the way there, that was certainly unintentional. But when I don't trip over, is it really interesting or useful to describe every movement of my legs which takes me to the bathroom as intentional? And if we concede that literary texts are the result of intentional acts, this actually settles very little about their meaning and effect. Intentions are on the whole very broad brush affairs: I intend to go to work, write a book or climb a mountain. Intentions do not regulate or determine the details of how I go about fulfilling or failing to fulfil my aims, and they do not finally settle the meaning of my actions.

In this section I want to consider the role of intention in verifying interpretation, particularly in the light of the work of Austin and Derrida. Both of these thinkers provide insights into the topic of intention that are refreshingly different from what are, in literary studies at least, the better-known perspectives of Wimsatt and Beardsley's intentional fallacy and Barthes's death of the author. Austin talks very astutely about how we use the word *intention* (1979: 272–87), but the real focus of my interest here is the way he uses stories to tease out things he suggests we already actually know. I particularly like his story about shooting donkeys. It occurs in a footnote to a passage in which Austin suggests that although they appear very similar, the two sentences "It was an accident" and "It was a mistake" are in fact completely different. He demonstrates this with a story:

> You have a donkey, so have I, and they graze in the same field. The day comes when I conceive a dislike for mine. I go to shoot it, draw a bead on it, fire: the brute falls in its tracks. I inspect the victim, and find to my horror that it is *your* donkey. I appear on your doorstep with the remains and say – what? "I say, old sport, I'm awfully sorry, &c., I've shot your donkey *by accident*"? Or "*by mistake*"? Then again, I go to shoot my donkey as before, draw a bead on it, fire – but as I do so, the beasts move, and to my horror yours falls. Again the scene on the doorstep – what do I say? "By mistake"? Or "by accident"? (Austin 1979: 185; emphasis in text)

Austin is quite a good storyteller. His understanding of how stories work, though, is less convincing. In this instance, I presume that he wants us to say that the first case was a mistake – I shot your donkey because I mistook it for mine – and the second was an accident – I was not aiming at your donkey, so it was an accident that it got hit. He believes that we all use words in more or

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less the same way, so that we all mean pretty much the same thing by "mistake" and "accident," even if by mistake or by accident we might say accident when we meant mistake or mistake when we meant accident. The purpose of the story is to achieve consensus, as Austin explains: " 'It was a mistake' and 'It was an accident' – how readily these can *appear* indifferent, and even be used together. Yet, a story or two, and everybody will not merely agree that they are completely different, but even discover for himself what the difference is and what each means" (1979: 184–5, emphasis in text).

There are two intentional acts here: first, the shooting of the donkey, which is deliberate even if the wrong donkey gets killed; and second, Austin's narration of the shooting which has a clear intended purpose, namely to show us that we do really know the difference between "mistake" and "accident" even if we don't realize it. Austin's naivety, I think, lies in his belief that stories can be contained so neatly, that they bear a meaning that we will agree on once we think about it carefully. Of course this narrative isn't exactly *The Iliad*; it's just a short anecdote invented to illustrate a particular point. But Austin apparently thinks that the longer a story goes on and the more detail that is added, the greater the resulting consensus would be: "The more we imagine the situation in detail, with a background of story – and it is worth employing the most idiosyncratic or, sometimes, boring means to stimulate and to discipline our wretched imaginations – the less we find we disagree about what we should say" (1979: 184). More detail leads to more agreement. I suspect that those of us who work on literature are unlikely to accept his point on this, since details in texts are just as liable to pull in different directions as docilely to reinforce one another.

To decide whether the slaughter of the donkey was a mistake or an accident or something else, we first of all need to make a judgement about the killer's intention. But what if intentions are obscure, hidden, complex or even self-contradictory? The question is: what was my intention, and how do I settle the meaning of the act if my intention is not readily available even to me? Of course, this raises the prior question of whether it is possible to have an intention of which one was unaware, or even an intention which might flatly contradict the intention I thought I had. Although palpably uncomfortable with the psychoanalytic terminology of unconscious desires, Austin concedes the possibility that a man may be what he calls a "self-deceiver" (1979: 114); and even if Austin himself might not have found them sympathetic, we can find plausible explanations of why our acts might not all originate in conscious intentions in, for example, structuralism, the Marxist analysis of ideology or psychoanalysis.

At this point I want to introduce Derrida, and in particular his late work on lies, published as *Histoire du mensonge* (2005). So far as I can tell, this work

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has yet to have much influence, but for people working on literature it is potentially very fruitful because of the similarity between lies and fiction. Derrida asks whether there could be a history of the concept and the practice of lying which might unsettle the stable, established opposition between truth and lies. The relevance of this to the topic of intention is made clear when Derrida formulates what he calls the traditional, prevalent definition of the lie: it is an intentional act addressed to the other. To tell a lie, I must know that I am lying; the consciousness of my lying must be available to me. It is different from being mistaken or deluded. If I tell you something that is untrue, but that I honestly believe, then I am not lying to you. This raises a problem that leads to one of Derrida's core assertions. How can I prove that someone is lying? Derrida's response is that I cannot. I can prove that what someone is saying is not true, but I cannot ever prove that they *know* it to be untrue. They may be stubborn, stupid, insane or on drugs, and be entirely convinced that they are telling the truth. Only I can know that I am lying; I can never know with absolute, unswerving certainly that someone else is lying. The same is true of intentions. I can know my own intentions, at least insofar as I am not deceiving myself; but I can never be *absolutely* certain, when others tell me theirs, that they are telling the truth. There is no way of definitively verifying someone else's intentions. For this reason, recovering an intention should never put an end to a process of interpretation.

What does this matter? Even if we concede that Derrida is right, that lie detectors and truth-inducing drugs are not and never will be fully reliable, does it really make any difference? Austin, I think, might accept Derrida's point but not be very impressed by it. In his paper "Other Minds" Austin considers whether I can know that another man is angry. Other minds are inaccessible to me, so can I be certain that the man is *really* angry? Austin's answer is: yes I can. I cannot introspect another man's feelings, but most of the time I can be as certain as I need to be whether someone is angry. Belief in other persons and in what they express is essential to the act of communicating (Austin 1979: 115). If I see someone writhing in agony, I hope that I will have the decency to call a doctor rather than instigating a debate about whether other people's pain really exists. Austin's argument might be applied to lying. Derrida may be right that I can never be 100% certain that someone is lying, but for most purposes 98% certainty will be quite good enough.

Derrida, however, believes that his problematization of lying is far from trivial. His insistence that I can never prove that another person is lying acquires further disruptive potential from the possibility that runs through his discussion, namely that I may also lie to myself. The confidence that we can tell truth from lies is at the core of our legal and political institutions as well

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as our ethical deliberations and our sense of selfhood. If our notion of the lie as something fully available to consciousness were to dissolve, then we also lose the clear boundaries between voluntary and involuntary, intentional and unintentional, conscious, subconscious and unconscious, self-presence and self-absence, ignorance and knowledge, good faith and bad faith (Derrida 2005: 26). To lie requires a knowledge of the truth. I must know that I am lying otherwise I am not lying. If I tell you that I was born in London, knowing this to be untrue, then I am lying; if I tell you that I was born in London, believing it to be the case even though it is not, then I am merely mistaken. But if I am self-deceived, according to the traditional conception of lying, my self-inflicted lies mean that I do not know the truth and therefore I cannot lie about it to others. Where there is no knowledge, there is no lie. The whole conceptual framework that rests upon a stable opposition between truth and lies needs to be dismantled and rebuilt.

Derrida is keen to show that this discussion has important political and ethical consequences. To demonstrate this, he discusses Jacques Chirac's acknowledgement, on being elected to the French presidency in 1995, of the responsibility of the French State for the deportation of Jews during the Second World War. This formal declaration by the French president was welcomed as a belated recognition of French guilt. The American historian Tony Judt wrote in the *New York Times*: "It is well that Mr. Chirac has told the truth about the French past" (qtd. in Derrida 2005: 70). However, if Chirac's statement now constitutes the "truth" of the French State, what should we make of the refusal to pronounce officially on the matter by the previous six presidents of the post-war Fourth and Fifth Republics, Auriol, Coty, De Gaulle, Pompidou, Giscard d'Estaing and Mitterrand? If Chirac finally tells the truth, were the previous presidents lying? Surely they must have known about French responsibility for war crimes, so not to tell the truth about them is to lie or to dissimulate. Or perhaps the "truth" that Chirac told only became the truth at the moment when he told it. When Mitterrand was called on formally to recognize the guilt of the French State, he refused on the grounds that the Vichy regime interrupted the history of the French Republic and only the latter was politically and morally capable of representing the French people, so the French State was not implicated in the Holocaust. If this is true, Chirac is lying or mistaken; if it isn't true, Mitterrand is lying or mistaken. Derrida's view on this becomes clear when he refers to the case of Vincent Auriol, the first president of the Fourth Republic. On 10 July 1940, Auriol was one of 80 deputies and senators who voted against giving extraordinary powers to Marshal Pétain, the conferment of which paved the way for the establishment of the Vichy government. There were 569 votes in favor of the measure. Auriol knew full well, then, that the Vichy regime was

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not an unconstitutional interruption of the Republic; it was legally voted for by the elected representatives. The Republic voted to suspend itself. And yet Auriol chose not to pronounce on the consequences which flowed from the formal legality of Vichy. He connived in the making of a fiction. Does it make sense to talk of truth, veracity or lies here, when the truth of history is disputed and in a constant process of reconstruction? Or might it be that the political lie has now become so commonplace that it has swamped and changed the nature of the political arena? In what is alleged to be a post-truth world, it is the persuasiveness and authority of the story that count, not its veracity.

Juilien Carette/Bruno Carette

The point I draw from Derrida's wide-ranging discussion is that, although intentions certainly figure in the work of interpretation, they do not put an end to it. They raise as many questions as they answer. They are not regulative and they are certainly never verifiable; they demand further interpretation rather than offering us the reassurance that we have got the right answer. We need to work with intention but not be tyrannized by it. To give an indication of what I mean, I shall use the example of a film which interests me, Louis Malle's *Milou en mai* (1990). Set on a large country estate during the events of May 1968, the film begins with the death of the mother of the central character, Milou. The family gathers to dispute the heritage of the dead matriarch but she cannot be buried because of the strikes. As they listen to radio news reports, Milou and his relatives begin to become attracted to the social and sexual revolution that seems to be occurring in Paris. Eventually, though, they get scared that, as rich landowners, they may be executed by the revolutionaries, so they escape into the hills. Later, they return home to find that little or nothing has changed. The mother, although dead, is still present in the film, appearing on several occasions as a ghost. I take this to mean that the old order, with its authority and repressions, is still, as it were, unburied, that it haunts the present and will not let go of it. In other words, the radical renovation promised by the events of May 68 will not be achieved.

In *Milou en mai* the mother is played by an actress called Paulette Dubost. Dubost had a long career in film and television, making around 250 appearances. I think it is fair to say, though, that one of those appearances is better remembered than any other, and that is her role as the flighty maid Lisette in Jean Renoir's 1939 film *La Règle du jeu* (Figure 2.1). *Milou en mai* is set during the potentially revolutionary days of May 68; *La Règle du jeu* is set on the eve of the catastrophic events of the Second World War, though of course those

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FIGURE 2.1 Paulette Dubost (Lisette) in *La Règle du jeu* (screenshot)



FIGURE 2.2 Paulette Dubost (Mrs. Vieuzac) in *Milou en mai* (screenshot)

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involved in making it could not have been certain of that at the time. Both films are based in a large country house and both revolve around the sexual dalliances of the relatively leisured classes. So, in Paulette Dubost's appearance as a ghost in *Milou en mai*, I want to see the haunting presence of a work made half a century earlier, an acknowledgement of Malle's debt to Renoir, but perhaps also a sense that the past disables us by watching over us (Figure 2.2). Renoir's film has done it all before, leaving nothing for the modern filmmaker. The aesthetic revolution isn't going to happen any more than the social and sexual one. The ghost demands a disabling fidelity to the dead, representing the past that will not pass.

In the preceding two paragraphs there are a number of interpretive moves which might be called into question. My initial comments on the role of the ghost in the film might be relatively uncontroversial, but then to read significance in to the identity of the actress who plays the dead mother and to pick out in particular just one of her 250 screen appearances might appear to be pushing things a little too far. I would actually like to go further. The poacher Marceau in *La Règle du jeu* is played by a comic actor called Julien Carette (Figure 2.3); in *Milou en mai* an actor called Bruno Carette plays a truck driver who cannot deliver his load of



FIGURE 2.3 Julien Carette (Marceau) in *La Règle du jeu* (screenshot)

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FIGURE 2.4 Bruno Carette (Grimaldi) in *Milou en mai* (screenshot)

Spanish tomatoes to Paris because of the events (Figure 2.4). For the time being, though, I have not been able to discover any family connection between the two actors and I find myself unable to think of anything interesting to make out of their shared surname. But I still want to say that *La Règle du jeu* is vitally important for Malle's film, with its dazzling aesthetic achievements that entranced and intimidated Malle's generation of directors and its brooding sense of impending disaster, of violence waiting to break through at any moment.

The question now arises of whether any supporting evidence can be found to lend plausibility to what I have said so far. One form of acceptable evidence might be provided if we knew about the director's intentions whilst casting and making his film. On this point, Malle is quite helpful. In interview with Philip French he says that "for all of us, my generation of French film-makers, *La Règle du jeu* was the absolute masterpiece" (Malle 1993: 24); and when asked specifically whether Paulette Dubost's role in his film made an association with *La Règle du jeu*, he replies: "Oh definitely. The circle was completed. She would play the matriarch of the family instead of playing the soubrette" (Malle 1993: 194). These references appear to support the interpretation I have suggested. The question is: would it and should it have made any difference to my reading of *Milou en mai* if Malle had not made these comments, or indeed if he had flatly denied any link between his film and Renoir's? My answer to this is no. Malle's comments provide useful supporting evidence, but no more than

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that. And rather than corroboration for what I have suggested, what I would really like to find is some interesting, imaginative way of linking Renoir's Julien Carette and Malle's Bruno Carette.

My point is that intentions neither can nor should conclusively regulate reading, and they should not discourage us from pushing our interpretations as far as we dare. On this point, Stanley Cavell is helpful once again. Suggesting that traces of a poem by Robert Browning can be found in the film *Philadelphia Story*, Cavell ponders whether they can have been intended. "My advice," he writes, "is not to ignore [these questions about intention], but also not to let them prevent your imagination from being released by an imaginative work" (2004: 44). The question is not how to start but how to stop: how do we know when we have pursued a line of interpretation far enough or too far? The answer to this has to be that there can be no norm, rule or principle that can decide this in advance. Intention will certainly not suffice as a hermeneutic brake. It is not the efficient cause that explains how a work of art comes in to being; rather, it is an interpretive construction that is one, but only one, of the drivers of interpretive effort. So the question is not "Was this meaning intended?" It is "What is the interpretive gain of finding this meaning in this work?" If you do not find any interpretive gain in what I have said, then there is probably nothing I can do to persuade you otherwise.

As a brief coda to this chapter, I would add only this: in the post-truth world, the questions of reading and interpretation discussed here seem to me to have the strongest possible connection to the problem of how we decide what can and cannot, should or should not, be said in the public sphere, for example about Brexit, the actions of the American President, immigration or terrorism. I have suggested that we could be bolder in our interpretive endeavors, but we need to be aware of the risks as well as the rewards of overreading. If we lose a sense that we are participating in a real dialogue with the works or individuals that matter to us, then we may merely perpetuate our own most dangerous, insane obsessions. No one believes that "anything goes," but the rules are changing fast and we presently do not know how to settle the tension between unfettered freedom of speech and respect for others.

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CHAPTER 3

Freud's Conquest of the Dreamscape: Legibility and Power in Freud's "Specimen Dream"

Seth Rogoff

Abstract

This chapter focuses on Freud's reading of the so-called "specimen dream" or dream of Irma's injection in *The Interpretation of Dreams* and argues that his creation and analysis of the dream-text expresses the developing politics of the dreamscape in the emerging theory and practice of psychoanalysis. The process of making a dream-text legible in the psychoanalytic system involves conquest and contestation, which this chapter places in the context of European imperialism and the related disciplines of ethnography and archeology. The chapter points to three factors that account for the centrality of dreamscape legibility in early Freudian theory. First, in the context of nineteenth-century thinking the dreamscape is a fertile yet open concept. Second, the dreamscape occupies the ambiguous border between the physical and the mental, body and mind. Third, dream-texts provide narrative structure and expository power to the emerging literary genre of the psychoanalytic case study. The chapter concludes that psychoanalytic dream theory is concerned from its inception with personal, professional and institutional power.

Introduction

Beginning with *The Interpretation of Dreams* (1900), Sigmund Freud attempts to make legible what had been to nineteenth-century theorists either seemingly insignificant or stubbornly illegible: the dreamscape.[1] Freud's turn to the dreamscape to uncover the concealed psychic etiology of mental disorders represents a sharp challenge to late nineteenth-century European medical discourse, which presents a strongly materialist view of mental illness (Gay 123).

1 I use the term "dreamscape" as opposed to "dream" to evoke the territorial nature of the dream as a contested space.

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The move from illegible dreamscape to legible dream-text opens up a channel by which to connect the conscious with the unconscious and the somatic with the psychic, thereby enabling Freud to merge two distinct logics of inquiry into a single explanatory structure. Freud's investigation of the dreamscape thus brings together a type of scientific rationale that depends on principles, hypotheses and empirical evidence (or the imagining of empirical evidence) with a kind of hermeneutical method that seeks to access the deepest recesses of meaning.[2] The oscillation between scientific and hermeneutic modes of inquiry when discussing the text of the dream provides Freud with professional authority and interpretive flexibility.

This chapter focuses on Freud's reading of the so-called "specimen dream" or dream of Irma's injection in *The Interpretation of Dreams* and argues that his creation and analysis of the dream-text expresses the developing politics of the dreamscape in the emerging theory and practice of psychoanalysis. The formation of the dream-text, a representation of the territory of the dreamscape as (in this case) narrative text, produces readability but not yet legibility. To make the dream-text legible, in other words to give the dream-text meaning, Freud applies an interpretive mechanism or schema. The application of such an interpretive schema reveals the political nature of legibility. In Freud's case, the transformation from dreamscape to dream-text and from dream-text to legible text involves processes of contestation. Evoking the metaphor of late nineteenth-century European imperialism, I understand Freud's process of creating a legible or politically salient dream-text as a "colonization" of the territory of the dreamscape. This colonization has ramifications both for psychoanalysis' relative position in the medical field and for the position of the analyst in relation to the patient.[3] With the "specimen dream," Freud maps the terrain of the dreamscape, reading the resultant dream-text as a site of a complex multiparty contestation between psychoanalyst, patient, medical institutions and discourses, and the social norms governing the public and private spheres. Such a reading allows for two key assertions of power: first, the psychoanalyst claims the hierarchically dominant position relative to the patient;

2 The dual nature of Freud's epistemological approach has been discussed by numerous critics, including Paul Ricoeur, who distinguishes between Freud's positivist "energetics" and his interpretive "hermeneutics of suspicion" (59–67, 87–114), and Richard Rorty, who claims that Freud was both a "natural scientist" and a "practitioner of hermeneutics" (185).

3 Connections between psychoanalysis, colonialism, imperialism and modernism have been made repeatedly (see Khanna; Brickman 2002; Valentine; Frosh). These studies focus largely on how Freudian theory adopts the language of colonial discourse, foremost in Freud's notions of the primitive, the hierarchy of reason and irrationality, and his treatment of superstition and religion.

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second, psychoanalysis as a conceptual paradigm contends to have displaced traditional medical practice. Freud's politics of the dreamscape mark psychoanalytic dream theory from the beginning as concerned with personal, professional and institutional power. Attempts to make dreamscapes legible by using psychoanalytic schemata contain traces of these authoritarian structures.

The authoritarian nature of psychoanalysis' conquest of the dreamscape precedes and is qualitatively separate from (though intertwined with) Freud's theories of sexuality, including the construct of the Oedipus complex. In *Anti-Oedipus*, Gilles Deleuze and Félix Guattari recognize the difference between Freud's topographical imaginings of the psyche and conceptual tools like Oedipus. "The great discovery of psychoanalysis," they write, "was that of the production of desire, of the productions of the unconscious" (24). For Deleuze and Guattari, psychoanalysis, as agent of capitalism, is authoritarian because it attempts to capture what they call the material force of desiring-production in the nuclear family triangle (mommy-daddy-me). This materialist view leaves Deleuze and Guattari with little room for a discussion of dreams, which they either lump together with "fantasy" or ignore as derivative "representations" (54). By focusing specifically on Freud's conquest of the dreamscape, this chapter traces a type of authoritarianism that runs parallel to that of Oedipus, one that is not contingent on a systematic re-imagining of psychological structures or a psychologized philosophy of history in materialist terms, but which instead gains its force through the process of transforming the dreamscape into legible dream-text.

The Dreamscape as Dark Continent

In the preface to the fifth edition of *The Interpretation of Dreams*, Freud writes:

> I have not been able to bring myself to embark upon any fundamental revision of the book, which might bring it up to the level of our present psycho-analytic views but would on the other hand destroy its historic character. I think, however, that after an existence of nearly twenty years it has accomplished its task. (XXIX)

What does Freud imagine is the task of his book on dreams? On the one hand, the goal of the book is to assert his central notion that dreams have a discernible meaning (wish-fulfillment) and that the precise nature of this meaning can be grasped through careful analysis and an understanding of the psychodynamic processes that structure the relationship between the conscious and

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the unconscious. Against the prevailing wisdom of the time, Freud argues that dreams are not (or not only) somatically determined and generally without meaning, but are primarily the result of a complex psychological mechanism that ushers potent unconscious material (dream-thoughts) into the dreamer's consciousness in concealed or distorted form. One has to understand this process if one hopes to read or decode a dream. On the other hand, the task of Freud's book is to position the analysis of dreams at the center of psychoanalytical treatment – as the key tool available to the psychoanalyst to disinter the root causes of a patient's disorder. The potential of dream analysis to bring about this complex process of synthesis of the psychic and the somatic transforms the patient's dreamscape into the key site of contestation over the legitimacy of Freud's approach. In other words, the dreamscape becomes a dark continent of the analyst's imagination.[4] Beginning with *The Interpretation of Dreams*, the analyst's job is to conquer and control the dreamscape, thereby flushing out the psychological infirmities or sicknesses. Thus, Freud's quest to colonize the dreamscape opens up a channel for the assertion of power into the heart of the therapeutic relationship.

Despite its authoritarian structure, the Freudian idea of how the dreamscape should be interacted with and read has become the dominant paradigm of dream interpretation in the modern era (Ferguson 3). More than that, Freud's medicalization of dreaming decisively binds the territory of the dreamscape. Dreams, for Freud, become legible as manifestations of illness, as sites of negotiation between the normal and the deviant, the rational and the irrational, the civilized self and its primitive desires.[5] Freudian analysis centers on the location and mysterious overcoming of the "lower" impulses, seen to result in sickness, and on the reestablishment of normal functioning to the ego or self. More immediately, however, the reading of dreams in the psychoanalytic process aims at the expropriation of the dreamscape as dream-text in order

4 In *The Question of Lay Analysis* (1926), Freud explicitly uses the term "dark continent" to describe the sexual life of adult women (211). Khanna connects Freud's use of this term to the context of African exploration and specifically to Henry Morton Stanley's autobiographical *Through the Dark Continent* (1878), concluding: "The metaphor of the dark continent, then, signals a similarity between these nineteenth-century narratives: psychoanalytic, archaeological, and colonial explorations" (52).

5 The centrality of colonial or imperial concepts in Freud's thought and language is demonstrated by Celia Brickman, who writes: "Freud's use of the idea of primitivity, which correlated the infantile stages of the development of the contemporary European psyche with the early stages in the psychological evolution of humanity, made use of this legacy of European theorizing about so-called primitive peoples, drawing on its culmination in the social evolutionism of the nineteenth century" (2003: 17).

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to serve the textual demands of the analyst's written report, the case study. In this sense, psychoanalytic dream analysis has much in common with the contemporaneous development of ethnology. Early ethnographic studies utilize the subject of the analysis for theoretical and/or political ends. The peoples under ethnographic investigation become characters in the ethnographer's imaginative structure, a structure – now a text – that can be set in relation to the dominant "text" of civilization: the history of Western man.[6] Much like the ethnographer, by purloining a patient's dreamscapes and restructuring them by applying psychoanalytic concepts and methods, the analyst-as-author in effect transforms the dreamer into an abstraction, a character. The analyst-as-dream-writer thus takes control of the dream's narrative and meaning, imposing an authoritative reading.

Power and Authority in the Dream of Irma's Injection

The centrality of dream interpretation to the development of the power dynamics in the psychoanalytic relationship comes into focus in "Analysis of a Specimen Dream" – Freud's interpretation of his own dream about his patient Irma in *The Interpretation of Dreams*. It is through the analysis of this dream that Freud asserts the central thesis of the book, that dreams represent the fulfillment of a wish.[7] In this case, says Freud, the wishes being fulfilled are his desire: a) to be cleared from blame for any if his failures in Irma's treatment; b) to redirect blame onto Irma, his patient, for her refusal to yield to his ideas, thus overcoming her resistance; c) to clear himself from blame more generally

6 Edward Said argues that in the nineteenth century a firm imaginative boundary was fixed between the West and the non-West. In *Culture and Imperialism*, he writes: "With the rise of ethnography … there is a codification of difference, and various evolutionary schemes going from primitive to subject races, and finally to superior or civilized peoples …. Such commonly used categories as the primitive, savage, degenerate, natural, unnatural also belong here" (130). In an account of how ethnography influenced German colonial policy in Samoa, George Steinmetz notes: "unofficial European observers in the precolony typically shared the colonizers' desire to control the contact situation and stabilize the Other. This is why they gravitated towards portrayals of non-European cultures as unchanging and internally uniform" (254). Steinmetz's discussion of Augustin Krämer is perhaps most relevant here, as Krämer's ethnography, *Die Samoa-Inseln* (1903), was in part an attempt to record the culture of a "natural people" in contrast to the hybridization caused by the natives' contact with European civilization. This points to the inverse narrative of that of evolutionary progress, which comes to dominate the post-Darwinian era – the notion of degeneration (Pick).

7 Freud goes on to nuance his thesis, stating that "a dream is a (disguised) fulfillment of a (suppressed or repressed) wish" (2010: 183).

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as a medical practitioner; and d) to denigrate the diagnostic and practical capacities of his medical colleagues, especially those at odds with his theories. In other words, according to Freud, the central issues at stake in the dream are his authority over his patient Irma and his power and legitimacy as a medical practitioner in relation to the professional field.

Freud's emphasis on issues of power and authority in his analysis of the dream of Irma's injection elevates the importance of a successful outcome of the analytic process as a reflection of the relative merits of psychoanalytic theory. Freud is anxious about success, whether this success occurs in the actual analytic process (curing the patient) or in his narrative recreation of it, in other words as a successful articulation and demonstration of the correctness of his theories. In the dream, Freud reproaches Irma: "If you still get pains, it's your own fault." In his analysis of the dream, he reflects: "I might have said this to her in waking life, and I may actually have done so" (133). The pressure Freud directs at Irma, he confesses, is at least in part a redirection of the social and professional pressures he brings into his practice: "I was expected to produce therapeutic success" (133). The notion of success or lack thereof becomes central in Freud's analysis of the dream. When describing the realization in the dream that Irma's problems are organic and not psychic, Freud concludes, "It occurred to me, in fact, that I was actually wishing that there had been a wrong diagnosis; for, if so, the blame for my lack of success would also have been got rid of" (134). For Freud, the analysis points to a concern not necessarily with being correct or incorrect about Irma – at least not in the first instance – but with being viewed as above reproach and as authoritative by his patient and by the broader community of his friends and colleagues.

Individual relationships in Freud's analysis of his dream of Irma's injection are presented as contested and ultimately hierarchical pairings or triads (such binary or tripartite conflicts are, of course, ubiquitous in Freud's thought). The primary relationship is between Freud and Irma. This relationship contains the most important conflict in the dream, the struggle over the diagnosis and etiology of Irma's hysteria, represented by dream-Freud's utterance: "it's your own fault." Irma is then compared and conflated with her friend, whose chief feature in the dream is recalcitrance.[8] This pairing of Irma with her friend opens up a secondary front in Freud's attack on Irma as patient, allowing him to definitively attribute the characteristic of recalcitrance to her. Irma's

8 Recalcitrance or resistance is a recurring presence in *The Interpretation of Dreams* (Frieden 37–44). At each stage of presenting his argument, Freud revels in the conflict between him and his doubters. Most commonly, these doubters are his patients, and most of his patients are women. The relationship between Freud and his female patients has been the subject of intense scholarly inquiry (see, for instance, Decker; Katz; Bernheimer and Kahane).

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assigned position deteriorates even further when Freud reads characteristics of his wife into the dream-Irma. "She again," Freud writes about this wife, "was not one of my patients, nor should I have liked to have her as a patient, since I had noticed that she was bashful in my presence and I could not think she would make an amenable patient" (135). Despite the condensation of negative characteristics of three women into the dream-Irma, Freud speculates that at least the friend would have made a better patient than Irma, reinforcing the latter's lowly position by subordinating her first to Freud and now to the friend:

> Perhaps it was that I should have *liked* to exchange her: either I felt more sympathetic toward her friend or had a higher opinion of her intelligence. For Irma seemed to me foolish because she had not accepted my solution. Her friend would have been wiser, that is to say she would have yielded sooner. (135, emphasis in text)

In other words, to be recalcitrant is to be foolish; to yield quickly (to be submissive) is to be wise. Foolishness threatens the psychoanalytic process; submission increases its chances for success – success, that is, for the analyst. The triad of Irma-friend-wife results in the condensation of negative qualities onto Irma and her subordination to an idealized perfect patient, a forthcoming and submissive woman who would yield readily to Freud's ideas.

The analysis of the medical practitioners appearing in the dream affords Freud another chance to imagine contestation and to establish hierarchies. Here, it is Freud who is being represented by stand-ins and compared to others. Initially, Dr. M.'s appearance in the dream provokes feelings of insecurity in Freud. Just as quickly, Dr. M. is transformed into Freud's brother. This move allows Freud to read Dr. M. as his opponent, for "they [Dr. M. and his brother] had both rejected a certain suggestion I had recently laid before them" (136). The move from Dr. M. to the brother happens through the symbolism of a physical weakness – in this case a limp caused by the brother's arthritis. The attribution of the limp to Dr. M. marks him as old and infirm, and helps Freud overcome the insecurity Dr. M. caused by reminding Freud of the time when he (Freud) killed a patient. The dream spotlight then turns to Freud's friends and fellow physicians Otto and Leopold. Immediately, it is clear that the relationship between the two is fraught with tension and competition.[9] Freud sides

9 Freud develops this notion of competition when he postulates that Leopold and Otto represent competing circles of colleagues. The "Otto Group," for Freud, was comprised of those "who did not understand me, who sided against me," while Leopold represented "the group of ideas attached to my friend in Berlin [Wilhelm Fliess], who *did* understand me, who would take my side … point by point, I called up a friend against an opponent" (2010: 312).

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with Leopold against Otto and forms the third part of this triad, using his alliance with Leopold to subordinate Otto and to challenge Dr. M. With renewed confidence borne out of the Freud-Leopold-Otto triad, Freud then makes his final and victorious assault on Dr. M., the paragon of the medical profession. In the dream, Dr. M. proposes an absurd prognosis for Irma, claiming that an infection in her shoulder will be cured through dysentery-induced purgation. Dr. M.'s prognosis shatters his legitimacy and allows Freud to vanquish him with ease. Freud's victory over Dr. M. is the symbolic victory of psychoanalysis over medical orthodoxy: "I could no longer feel any doubt …," Freud concludes, "that this part of the dream was expressing derision at physicians who are ignorant of hysteria" (139).

Freud's dream of Irma's injection displays the core dynamics related to dreams and power that structure the development of psychoanalysis from its inception. The fact that Freud focuses on these power dynamics as opposed to alternative ways in which he could have read his "specimen dream" points to their importance for his nascent "science" of dream analysis and its role in the broader psychoanalytic movement. At the same time, many readers have commented on gaps, oversights and blind spots in Freud's analysis, showing how Freud's analysis diverges in crucial ways from his own theories.[10] The striking fact that sexuality is relatively absent from Freud's analysis indicates just how central these dynamics of power are for the structures of psychoanalytic thought. The hierarchy of analyst and patient, starkly displayed in Freud's dream of Irma's injection, will become theorized as the therapeutic techniques mature.

The Politics of Dreamscape Legibility

If it seems clear from the discussion of Freud's dream of Irma's injection that one of the primary concerns of psychoanalytic dream analysis is the articulation of a set of power dynamics, then the following question arises: what is it about the dreamscape that provokes Freud to consider it such a critical space to contest and control? Three factors are important to consider when evaluating the importance of the politics of dreamscape legibility to the development and coalescing of Freudian theory. First, in the context of nineteenth-century thinking the dream is a fertile yet open concept. This is clear from the first part of *The Interpretation of Dreams*, a hundred-page gloss of the

10 See, for example, Sprengnether; Lotto.

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highlights and shortcomings of the era's literature on the topic. Although the nineteenth-century literature on dreams is sizable and heterogeneous, there does not emerge, at least according to Freud, a convincing and universalizable approach to dream interpretation. As a result, the notion of a dream's meaning is left largely in doubt – it remains (at least partially) illegible. Freud is able to recover the notion of dream meaning through his imagination of the dynamic interplay between the conscious and the unconscious. The dream becomes the principal host of this interplay. Second, one of the central questions concerning the dream in the nineteenth-century literature is whether it should be considered a somatic phenomenon, a mental phenomenon or a combination of both. This ambiguity locates the dream on the border between the body and the mind, the physical and the mental, a perfect position to link physical symptoms with psychic etiologies. Finally, the dreamscape, reconstituted as dream-text and its corresponding analysis, provides narrative structure and expository power to the emerging literary genre of the psychoanalytic case study.

The opening chapter of *The Interpretation of Dreams* allows Freud to build a context for his dream theories. With this section, Freud compiles a literature that the rest of the book is intent on overcoming, even while establishing the very discipline of "dream studies." This tactic enables him to set himself within and against this literature, thereby giving his theories the qualities of synthesis and innovation. Freud believes that his analysis of the "specimen dream" accomplishes this task. As his famous opening to the book's third chapter puts it, after this analysis, he has "emerge[d] upon a piece of high ground" (121).

Freud's seizure of the "high ground" of the dreamscape enables him to position dreaming on the border of the psychic and the somatic. In so doing, Freud makes the dream a phenomenon of medical interest and one beyond the scope of traditional psychiatric practitioners. It becomes, in other words, at once a site of scientific investigation and hermeneutical interpretation. This position on the border of the psychic and the somatic is precisely the space that Freud needs to occupy if he is going to demonstrate the truth of his hypotheses concerning the ways in which an individual's psychodynamics crisscross the boundary of body and mind, somatic and psychic. It is ultimately the link between these two spheres that provides Freud with professional stature. One cannot ignore that most of his therapeutic targets are the explicit physical manifestations of a patient's illness – a "nervous" cough, constipation, headaches, dizziness, shortness of breath, etc. For psychoanalysis to prevail, interpretive hermeneutics must lead to a shifting of physical forces.

Equally important for the power dynamics embedded in Freud's approach is the narrative potential of the dream. Once the dreamscape becomes a

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narrative, a story, a text, it opens itself up to processes of becoming legible. *The Interpretation of Dreams* outlines the basic rules governing the narrativization of the dreamscape, with the "specimen dream" as the key template. The first aspect of this transformation is the presentation of the dream-text, a supposedly objective account of a dream. The dream-text is given special status, scriptural status, by dint of it being set off typographically from the remainder of Freud's work. In the translated versions, this typography takes the form of an italicized text, indicating that something special is being conveyed to the reader. The dream-text is distinguished in other ways as well, for example by the frequent use of dashes and ellipses. Analysis of the dream-text proceeds in an exegetical fashion, focusing on individual elements, etymological connections and context to discover hidden meaning. Like scriptural analysis,[11] Freud brings a box of clearly articulated exegetical tools to the dream-text, including the dichotomy of manifest and latent dream content; the mechanism of distortion that changes the latter into the former; the link between latent (hidden) content and memory, specifically early childhood memory; the pervasiveness of sexuality in the dream-thoughts; the idea of condensation or the grouping of a multiplicity of dream-thoughts around a particular manifest symbol (over-determination); the notion of a censoring or repressive mechanism that not only distorts and redirects latent thoughts but has the power to transform them into their opposite; and the idea of total, unfiltered access to a patient's thoughts in order to enable the associative method of decoding the dream. The creation and exegesis of the dream-text allow Freud to advance the status of psychoanalysis as both a scientific discipline and something beyond ordinary science. This combination of scientific methods and imaginative interpretation aspires to an assemblage of meaning that purports to be whole or complete. The analyst, the author of the constructed wholeness, in this case a fully legible dream-text with corresponding analysis, emerges as the conqueror of the dreamscape in a similar fashion to the ethnographer, map-maker, or archeologist of the era. The analyst, like the archeologist, has reconstructed and contextualized the object. The patient, in contrast, remains a submissive, defeated, occupied indigenous inhabitant of the dreamscape or, perhaps in the best case, a patient in exile from both treatment and text.

Lauren Berlant captures the political ramifications of the move from singularity (in Freud's case from the illegible or multivalent dreamscape) to exemplariness (a legible dream-text) in her description of the "case study":

11 For connections between Freudian interpretation and religious hermeneutics, see, for example, Handelman.

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> As genre, the case hovers about the singular, the general, and the normative. It organizes publics, however fleeting. It expresses a relation of expertise to a desire for shared knowledge. It could be casual expertise, deliberately cultivated, licensed by training – no matter; deciding what defines the surplus to singularity is now the province of the expert, the expert who makes the case. But who counts as expert is often an effect of the impact of the case the expert makes. Therefore the case is always pedagogical, itself an agent. (664–65)

The dream-text as "case study" becomes a pedagogical tool and a tool of power. In his analysis of the dream-text of his "specimen dream," Freud makes his key theoretical intervention into medical discourse precisely at a point – the dreamscape – that was beyond the "gaze" of clinical medicine.[12] From *The Interpretation of Dreams* onwards, control of the dreamscape becomes a central battleground in the history of medicine, including and especially psychology, psychoanalysis and, later, neuroscience. It is no surprise, therefore, that reformers in the psychoanalytic tradition aim to capture Freud's "specimen dream" in order to establish their own genesis moments.[13] Jacques Lacan, for example, seizes on Freud's dream-text of Irma's injection to propose the primacy of discourse in the construction of the unconscious, what he calls the "symbolic." Lacan writes of the dream-Freud:

> In the midst of all his colleagues, of this consensus of the republic of those who know … in the midst of this chaos, in this original moment when his doctrine is born into the world, the meaning of the dream is revealed to Freud – that there is no other word of the dream than the very nature of the symbolic …. The subject enters and mixes in with things – that may be the first meaning. The other one is this – an unconscious phenomenon which takes place on the symbolic level, as such decentered in relation to the *ego*, always takes place between two subjects. As soon as true speech emerges, mediating, it turns them into two very different subjects from what they were prior to speech. This means that they only start being constituted as subjects of speech once speech exists, and there is no before. (159–60, emphasis in text)

12 With the concept of the medical gaze, I follow the argument made by Michel Foucault in *The Birth of the Clinic*.

13 Erik Erikson captures the sense of the revolutionary act of re-reading Freud's "specimen dream" in stating, "to reinterpret the dream means to reinterpret the dreamer" (7).

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Interestingly, in his "conclusion" to his reinterpretation of the "specimen dream," Lacan creates a new quasi-dream text (note the italicization), assuming the voice of a Freud who now understands his own dream in a Lacanian manner:

> *I am he who wants to be forgiven for having dared to begin to cure these patients, who until now no one wanted to understand and whose cure was forbidden. I am he who wants not to be guilty of it, for to transgress any limit imposed up to now on human activity is always to be guilty. I want to not be* (*born*) *that. Instead of me, there are all the others. Here I am only the representative of this vast movement, the quest for truth, in which I efface myself. I am no longer anything. My ambition was greater than I. No doubt the syringe was dirty. And precisely to the extent that I desired it too much, that I partook in this action, that I wanted to be, myself, the creator, I am not the creator. The creator is someone greater than I. It is my unconscious, it is the voice which speaks in me, beyond me….*
>
> That is the meaning of this dream. (170–71; emphasis in text)

For Lacan and others, power in the psychoanalytic community runs through the meaning of Freud's foundational moment of dream interpretation. If his dream of Irma's injection enables Freud to control and utilize the territory of the dreamscape to assert his theoretical paradigm, it also beckons future challengers to invade it and establish alternative regimes of meaning. This is accomplished by dissecting the dream-text from its original context, in this case the schema presented in Freud's *The Interpetation of Dreams*. The extracted dream-text can then slip back into illegibility (at least partially) and subsequently can be deployed within an alternative schema or strategy of reading, which might depend on, but which ultimately supersedes, the previous mode of making-legible.

Conclusion: The Illegibility of the Navel

In psychoanalysis, the process of making the dreamscape legible is, as Berlant says of the case study, the "province of the expert." Once the dreamscape's schema of legibility is fully articulated, however, experts and non-experts alike can fashion and read a dreamscape as dream-text. Legibility, in this sense, consists not of the ability to read a thing; rather, it consists of the interpretive structures that situate what is read. This process of making dreams legible is a foundational element of Freud's psychoanalytic theory and a central pillar of

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the authoritarian nature of the emerging psychoanalytic practice. Yet, despite the drive toward legibility there is one aspect of the dream, according to Freud, that seemingly continues to assert the opposite: illegibility. This is what Freud calls the dream's navel. The first appearance of the concept of the navel comes in the "specimen dream" as Freud discusses the convergence of Irma, Irma's friend and Freud's wife. Freud adds the following footnote:

> I had a feeling that the interpretation of this part of the dream was not carried far enough to make it possible to follow the whole of its concealed meaning. If I had pursued my comparison between the three women, it could have taken me far afield. – There is at least one spot in every dream at which it is unplumbable – a navel, as it were, that is its point of contact with the unknown. (2010: 135)

Later in *The Interpretation of Dreams*, Freud returns to the concept of the navel:

> There is often a passage in even the most thoroughly interpreted dream which has to be left obscure; this is because we become aware during the work of interpretation that at that point there is a tangle of dream-thoughts which cannot be unraveled and which moreover adds nothing to our knowledge of the content of the dream. This is the dream's navel, the spot where it reaches down into the unknown. The dream-thoughts to which we are led by interpretation cannot, from the nature of things, have any definitive endings; they are bound to branch out in every direction into the intricate network of our world of thought. It is at some point where this meshwork is particularly close that the dream-wish grows up, like a mushroom out of its mycelium. (528)

The idea of the navel seems to offer a way beyond the hermetic nature of Freud's reading of the dreamscape as dream-text. Is the navel, then, an emancipatory or even anarchic concept, one that denies or resists interpretive regimes and their quest for wholeness? Is illegibility, in other words, always present in the depths of that which *appears* legible through psychoanalytic practice (or in general)? In terms of Freud's intentions, the answer seems to be negative, as he fails to return to the concept of the navel in his subsequent work. Beyond this neglect, Freud explicitly deemphasizes the navel's importance. The navel, Freud says, "adds nothing to our knowledge of the content of the dream." Thus, the navel seems to be something of a trap. On the one hand, the sheer mysteriousness of it invites exploration, the same type of mapping impulse that motivates Freud's conquest of the dreamscape. On the other hand, and

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perhaps more significantly, Freud's notion of the navel cannot be separated from the broader Freudian system of psychodynamics with its understanding of the mechanisms of dreaming.

Shoshana Felman takes up both of these implications of the navel in "Postal Survival, Or the Question of the Navel." The concept of the navel first leads her to a feminist critique of what she interprets as the meaning of the navel of Freud's dream of Irma's injection. Felman posits that the navel of Freud's "specimen dream" forms a "knot" of female resistance, and that this resistance points to a deeper "inexhaustibility, the unaccountability of *female difference*" (64, emphasis in text). Felman broadens this conclusion to encompass the relationship between the "specimen dream" and the entirety of Freudian dream theory:

> The genius of Freud's dream is to have … situated both the psychoanalytic lesson of the feminine resistance, and this unspeakability of the feminine complaint within his own male dream, this differentiality of the female knot of pain with respect to his own theoretical solutions, as the very nodal point of his specimen-dream, and as, indeed, the very navel of his dream understanding. (67)

After introducing a challenge to these conclusions by Paul de Man, Felman posits a more generalized image of the navel. The navel shifts from being the location of "sexual difference" to being concerned with "the identity of a self-difference (of a difference from ourselves), out of which we can, indeed, listen to each other, hear each other, resonate with each other's work" (70). These connective implications of the navel, for Felman, are paired with the notion that the navel is fundamentally about disconnection – it is a "knot that's cut" (72). This disconnection, Felman argues, indicates the navel as a point of self-resistance, which can be allegorically represented by reading and, more specifically, by rupture in the process of reading. Felman writes: "but this wound which summons and which breaks the reader at the very level of the navel, this break-up, or this breakdown, of the reading is, precisely, what demands, compulsively and endlessly, to be re-read …" (72).

Felman's notion of the navel as a "breakdown" of reading implies an inherent illegibility at the heart of the process of reading or as fundamental to text and language. However, her insistence that this "illegibility" cannot stand as illegible, but must to be "compulsively and endlessly" re-read points to the political dimension of the process of making legible. To be "re-read" in Felman's sense is to be re-inscribed within a system of psychoanalytic meaning. Paradoxically, the inherent "illegibility" of text, for Felman, seems to instigate its journey to

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legibility as a "province of the expert," whether psychoanalyst or (in her case) literary critic. The concept of the navel, understood as a catalyst of making-legible, can thus be used to break down structures of power only, it seems to me, in the service of erecting others. On the other hand, if the concept of the navel can be ripped from the "mycelia" of Freudian theory and understood as the contact point between the known and the unknown, the knowable and the unknowable, the legible and the illegible, in other words if that which is illegible can somehow be permitted to remain illegible, an opening might exist to posit anti-authoritarian conceptions of the dreamscape, the dream-text or even text in general.

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CHAPTER 4

Illegible Desire: James Purdy's Resistance to Sexual Identity

Looi van Kessel

Abstract

In his novel *63: Dream Palace*, the American author James Purdy attempts to undo the cultural mechanics that make sexual acts legible as signs for sexual identity. In this chapter, Looi van Kessel problematizes the reading strategy that privileges certain cultural interpretations of sexual behavior over other possible readings. He argues that different incongruent readings are always simultaneously possible, making it impossible to straightforwardly read sexual acts as signs for sexual identity. This is demonstrated by doing exactly what the novel attempts to resist: prioritizing a specific reading over other possible readings, which foregrounds the interpretative violence that is committed by the constant misreading of its main character's sexual acts – by characters in the novel as well as potentially by its readers.

Throughout his career, American novelist James Purdy (1914–2009) has sought to write about sexuality in an anti-essentialist way. His work has always shown a concern with challenging the conflation of sexual acts with sexual identity. Many of his protagonists live out their sexuality in a way that makes it difficult for other characters to make their actions intelligible under the category of identity. In dramatizing a resistance to being described in terms of sexual identity, Purdy is searching for a language which invites us to consider sexuality as a thing that we do, rather than something that we are. Already in his short 1956 debut novel *63: Dream Palace*, Purdy plays around with the manner in which different readings – of both the characters in, and the reader of the novel – would impose a certain identity on someone. Through a series of events in which the actions and behavior of the novel's main character, Fenton Riddleway, are constantly misread for his sexual orientation by those he encounters, the reader is invited to consider the various readings that are applied. Specifically, Purdy signals reading literally and figuratively as the primary modes used to make sense of sexuality and sexual identity, making clear that neither can be

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employed unproblematically, as in the novel both types of reading inevitably feed back into fantasies about fixed sexual identities.

In this chapter, I will explore the way in which *63: Dream Palace* problematizes the privileging of certain readings over others in reading the fantasy of sexual identity into someone else's acts. I argue that the point of the novel is that different incongruent readings are always simultaneously possible. However, I will demonstrate this by doing exactly what the novel attempts to resist: by prioritizing a specific reading over other possible readings, in order to foreground the interpretative violence that is committed by the constant misreading of Fenton's acts – by characters in the novel as well as potentially by its readers.

63: Dream Palace appears to follow the conventions of a classic detective novel, posing a mystery to be solved. At the beginning of the narrative, the reader drops in on a conversation between Parkhearst Cratty and the "great-woman" Grainger. While drinking a tall glass of Holland gin, Grainger asks: "Do you ever think about Fenton Riddleway?" (Purdy 85). Fenton, it turns out, was a young man down on his luck whom Parkhearst had briefly taken on as a protégé. Fenton is also the character central to the novel's plot, for the reader soon realizes that a certain mystery surrounds him. Grainger's suggestion that Parkhearst "write down what Fenton did" (85) is the catalyst for the novel's main narrative and, shortly after, Parkhearst starts to tell the story of "what Fenton did," which was to kill his brother, Claire.

Apprehended within the framework of a classic detective novel, the story takes as its organizing principle a preoccupation with reading. While the interpretative work of the detective differs from that of the reader, the two positions often converge in the way the novel is structured. As it is never made explicit that Fenton actually did kill his brother, the reader needs to look for clues and reconstruct the gaps in the story to solve the murder mystery. These clues are signaled by textual interventions – such as ellipses – and linguistic plays on names. The reader can make sense of these signs only retroactively; as the plot progresses, the reader starts to recognize how previous remarks or plot elements form a part of the answer to the question of what Fenton did. Yet, despite the fact that the novel presents itself as a more or less traditional detective narrative with a murder mystery at its narrative heart, the question of what Fenton did might not be the novel's real mystery. After all, the story is motivated by Parkhearst and Grainger reminiscing about the events that make up the murder plot: the mystery has already been solved for the characters before the reader is introduced to it. There is, however, another mystery hidden in this novel. To solve this mystery, the reader again has to read the novel's signs retroactively. The novel ends with an ambiguous statement by

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Fenton, which, I propose, can be taken as a displacement of the initial conundrum.

At the very end of the novel, Fenton picks up his dead brother Claire and carries him up the stairs of their house on Chicago's 63rd Street. While carrying Claire, Fenton says: "up we go then, motherfucker" (145). After this exclamation, the novel stops abruptly, leaving the reader to wonder who is addressed by "we" and by "motherfucker." This abrupt ending and the lack of any narrative motivation for the exclamation pose a second, two-part mystery to be solved: who is the motherfucker that Fenton speaks of and why does the narrative end with this expletive?[1] As the text itself offers no solution to the question of the addressee, the options from which the reader can choose involve multiple possibilities: Fenton could be addressing himself,[2] his brother, both of them at the same time, or the motherfucker could be an apostrophe that addresses neither Fenton nor Claire.

The ambiguity of this address is amplified by another ambiguity in the novel, which is made apparent when we consider the narrator of the story. The opening scene, in which Parkhearst and Grainger discuss and remember Fenton, frames the narrative, which, in the tradition of a detective novel, is presented as a flashback that reconstructs a crime scene. Grainger coaxes Parkhearst, an unsuccessful writer of a type found throughout Purdy's oeuvre, into telling the story of what Fenton has done. Thus, the external narrator of the opening scene puts Parkhearst forward as the narrator of the central narrative: "Parkhearst would take another drink of the gin; then his voice would rise a bit, only to die away again as he told her everything he could remember" (88). However, while there is a shift in narration, which we assume jumps from an external, omniscient narrator to the character-bound narration of Parkhearst, the tense in which the story is narrated remains the same: "There was this park with a patriot's name near the lagoon. Parkhearst Cratty had been wandering there, not daring to go home to his wife, Bella" (88). Even though the flashback takes on Parkhearst as its focalizer, the narration continues in the third-person singular, treating Parkhearst as a character in the detective narrative that can be seen as his own story.

Parkhearst's appearance as a character in his story frustrates a straightforward identification of the embedded narrator with Parkhearst as focalizer. The undefined identity of the narrator makes the addressee of the utterance

1 Although it has been a common expletive since the 1970s, in 1956 "motherfucker" was a much more controversial word and not at all common in print.

2 Think of the colloquial use of "we" as first-person singular in sentences such as: "here we go."

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"motherfucker" ambiguous. Even though the words are directly spoken by Fenton, they are embedded within this ambivalent narration. As the external narrator maintains organizing control over the narrative that would otherwise be the domain of Parkhearst, the reader begins to suspect that there is more to the novel's mystery than Parkhearst's point of view can make apparent. Looking more closely at the "motherfucker," then, raises a new set of questions – what is the meaning of this exclamation? who is addressed? why does the narration stop at this exact moment? – that are not easily resolved. The novel refuses to be read straightforwardly, and I argue that by uncovering these ambiguities we can start to recognize Purdy's concern with the way in which sexual acts are read as straightforwardly legible signifiers of sexual identities.

As I have hoped to make clear, *63: Dream Palace* frustrates a straightforward reading of its narrative on several levels. It troubles a clear identification of the embedded narrator with Parkhearst as focalizer of the story; in line with the conventions of the detective genre, the reader can only recognize clues that solve the novel's mystery retroactively by skipping back and forth through the novel's narrative; the ambiguous addressee of Fenton's expletive at the end of the novel poses even more questions just when the murder mystery seemed to be solved; and, as I will show in the following, it resists the reading of sexual acts as legible signs of sexual identity. In my reading of *63: Dream Palace*, I will follow its resistance to straightforward or linear interpretive strategies and start with its elusive ending. By starting at the end of the novel and meditating on the possible addressee of Fenton's "motherfucker," I will demonstrate how the ambiguity of this address ties in with Purdy's strategies to resist the practice of turning sexual acts into legible signs for one's sexual identity.

Reading Fenton from Behind

Starting my own interpretation at the very end of the novel, I take my cue from a reading strategy proposed by Jonathan A. Allan. In his book *Reading from Behind: A Cultural Analysis of the Anus*, Allan reads several canonical texts that center around the configuration of sexuality literally "from behind" (6). "Reading from behind" indicates reading from a backwards position; to scrutinize a text's assumptions and concerns by tracing problems posed at the end back to the beginning (Allan 18). From this perspective, trying to establish the signification of Fenton's utterance on the last page of *63: Dream Palace* involves looking to earlier parts of the novel for answers. However, this is not the only aspect of Allan's project. For him, reading from behind also opens up the potential to uncover organizing principles in a text that are rooted in anal desire

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instead of phallic desire, which for him is the primary signifying principle in Western literature. By focusing on the alternative organizing principles of texts that foreground the position of the posterior, such as *Brokeback Mountain* and *Myra Breckinridge*, Allan questions the conflation of anal desire with certain assumptions about sexual orientation and gender identification. Following Eve Kosofsky Sedgwick, who asks "what about male desire for a woman's anus – is that anal desire?" (155), Allan explores the sexual orientation that is assumed in representations of anal desire and of the anus as the site of sexuality. Anal desire, argues Allan, is not only consistently (mis)read as homosexual desire, but also seen to connote notions of passivity and femininity that fuel homophobic discourses and homosexual panic. Yet, although the texts that he reads often repeat and reinforce these assumptions about the anus, the anus is also always a signifier that cannot be contained. Any reference to, or act associated with the anus, opens up to assumptions about sexuality and identity. As such, Allan argues, the anus has the potential to destabilize the phallus as the organizing principle of Western sexuality.

In reading *63: Dream Palace* "from behind," I propose to explore Fenton's final exclamation as an invitation to the reader to return to the beginning of the novel and to ask which question constitutes its central mystery. Reading back to the beginning of the novel, the question of "what Fenton did" starts to resonate in a different way. Moreover, since the text does not provide conclusive evidence as to who the addressee of "up we go then, motherfucker" is, both Fenton and his brother can be considered plausible options. In both cases, when read literally, the term "motherfucker" raises the specter of incest. If we consider the possibility of Fenton apostrophizing himself by saying "up we go then, motherfucker," what Fenton did might not only be the killing of his brother, a crime that has already been solved, but also the breaching of the incest taboo.

In the following, I will prioritize one reading over the other – namely reading "motherfucker" literally as referring to someone who has had intercourse with his mother – not because I believe it is the interpretation that makes most sense, but because it exemplifies how such a prioritization uncovers the novel's own concern with the way in which certain readings are prioritized when interpreting acts as signifiers of sexual identity. My choice to prioritize a literal reading is motivated by Fenton's own inability to read for anything other than literal meaning.[3] Throughout the novel, we find instances in which

3 The novel's placement within Purdy's oeuvre provides an additional basis for this interpretation. Incestuous fantasies are a prevailing theme in his work and the novels *Eustace Chisholm and the Works* (1967) and *The House of the Solitary Maggot* (1974) both feature scenes of actual intercourse between mother and son.

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Fenton is unable to read between the lines and instead interprets everything at face value. This becomes quite apparent from the title of the novel, which refers to an address, presumably the building in which Fenton and Claire live, on Chicago's 63rd street. This address, however, is not written in the common way, which would not include punctuation and would run along the lines of "63rd Street Dream Palace."[4] This unconventionality would not necessarily draw attention to itself or be considered meaningful if it did not give rise to a comic disagreement between Fenton and Parkhearst, who, upon meeting each other for the first time, debate whether the "63" in the address line should be pronounced "sixty-three" or "sixty-third" (90). Fenton insists that it is pronounced "sixty-three." According to Parkhearst, Fenton never learns to pronounce it correctly.

Fenton and Parkhearst adopt different readings with regard to the pronunciation of the address line. Although the address line does not appear in written form during this brief exchange, there is a considerable possibility that Fenton and Parkhearst's debate over its pronunciation pertains to the way it is written in the title: "63: Dream Palace." After all, the external narrator of this story focalizes from Parkhearst's point of view, who in turn introduces Fenton to the reader by means of anecdote. This specific anecdote immediately draws attention to the story's primary location of action. As a paratextual element to the story, the title is still part of the way in which the narrative is organized by the external narrator, and both the title and the short scene alert the reader to the curious spelling of the address line. While Fenton pronounces it literally in the way it is written – sixty-three street – Parkhearst reads it for what it indicates: a building called Dream Palace on 63rd Street. These readings do not necessarily indicate a change in the meaning of the address line, nor are they mutually exclusive – both still refer to the same address – yet the resulting pronunciations do not fully correspond to each other either. To be fair, the difference in pronunciation does not completely correspond to the difference between figurative and literal readings as processes of meaning-making, but the scene does indicate Fenton's and Parkhearst's different attitudes towards reading. Throughout the novel, these divergent attitudes foreground recurring tensions between incommensurable, but not mutually exclusive readings that are central to the novel's strategy to resist the practice of reading the fantasy of sexual identity into Fenton's actions.

4 See http://pe.usps.gov/text/pub28/28c2_001.htm for the officially preferred writing of US address lines.

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One of these tensions between literal and figurative readings can be identified when considering the meaning of the "motherfucker" at the end of the novel. Prioritizing a reading in which Fenton's exclamation is considered in its literal sense as referring to someone who has had sexual intercourse with his own mother almost inevitably invokes its figurative counterpart: Oedipus, or more precisely, the Oedipus complex.[5] Jim Dawson argues that the first use of "motherfucker" in American print coincided with the introduction of homosexual characters in the genre of juvenile delinquency novels and credits Purdy's *63: Dream Palace* as the first one to do so (124). In a similar vein, Roel van den Oever demonstrates that due to the increased popularity of psychoanalysis in postwar America, many authors evoked the Oedipus complex as a strategy to address homosexuality as well as to disavow charges of sympathy for homosexual characters.[6] The mythical Oedipus and his Freudian counterpart also gesture towards a shift from literal to figurative signification. While in the ancient myth, Oedipus was quite literally a motherfucker, Freud's adaptation of this myth in his theories of the development of human sexuality treats the desire for the mother as phantasmatic (Laplanche and Pontalis 315). It is in the transition from the literal to the figurative use of Oedipus that homosexual desire becomes associated with the failure to sublimate the child's initial desire for the mother.

The play on the Oedipal fantasy is made more apparent if we take into account Purdy's peculiar and often meaningful habit of naming his characters. As in many of his novels, the characters of *63: Dream Palace* have outlandish monikers. The names Parkhearst Cratty, Grainger the "greatwoman," Claire and Fenton Riddleway are all fairly unusual. As is often the case in Purdy's novels, these names can have multiple meanings and functions, and invite the reader to read them on different levels. Resonating with the detective genre that frames the novel, the name Riddleway comes to literally signify the "trajectory of a riddle." Fenton's association with the Oedipus myth is further reinforced when we think of the sphinx whose riddle Oedipus has to solve. With the question "what did Fenton do?" already positing Fenton as the novel's central subject, the association of his name with ideas of mystery also places him at the center of the second conundrum that needs unraveling: is Fenton the motherfucker that he talks about/to? Although the question of "what Fenton did" can

5 Purdy's work shows an overall indebtedness to the Greek classics. In her extensive study, Bettina Schwarzschild (1968) traces the many influences of Greek tragedy and philosophy on his oeuvre.

6 See, in particular, the opening chapter "Momism and the Lavender Scare" (5–36) of van den Oever's book *Momma's Boy: Momism and Homophobia in Postwar American Culture.*

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be taken as the organizing principle of both a "straight" reading and a "reading from behind," in the former reading the question points towards a possible crime scene, while the latter reading foregrounds a tension between literal and figurative interpretations of Fenton's last exclamation.

Reading back for clues to the solution of the latter question, however, we find that the object of the question starts to shift around. "Who is the motherfucker?" turns into "who is Fenton?" Parkhearst defends his reluctance to tell "what Fenton did" by turning it into a question of identity: "I can't write down what Fenton did because I never found out who he was" (86). Through the constant repositioning of the questions that make up this detective story – what did Fenton do? who is the motherfucker? is Fenton the motherfucker? – a reading from behind that traces back concerns exposed at the end of the novel to clues provided at its beginning foregrounds the novel's central concern with the act of reading for sexual identity. In the next section, I will reflect on the implications of the possibility of Fenton being a motherfucker and on how prioritizing this interpretation reflects on the way his sexuality is read as identity by others throughout the novel.

Speak, So That I May Read You

Throughout the narrative there are instances in which characters try to read Fenton's actions as signs of his identity. At a crucial point near the end of the novel, Fenton is drawn to a theater where Shakespeare's *Othello* is being performed. While at the theater he makes the acquaintance of a man named Bruno Korsawski, who, in turn, introduces him to the main actor in the play, Hayden Banks. During the play, Fenton cannot help falling asleep, which annoys Bruno tremendously. Even worse, Fenton cannot suppress the urge to pass gas. When, after the performance, Bruno introduces Fenton to Hayden, Fenton cannot find anything to say. Again to Bruno's annoyance, Fenton remains silent in the company of a man who is clearly interested in him. "You were extremely rude to Hayden Banks," Bruno admonishes Fenton (139). He then takes Fenton to his apartment, where they are again joined by Hayden. Fenton becomes increasingly intoxicated after drinking copious amounts of bourbon and smoking a marijuana cigarette offered by Bruno. At that point, Bruno starts to kiss and undress Fenton, leading the reader to believe that Bruno and Hayden are trying to take advantage of his intoxicated state. After an ellipsis that follows the undressing, we find Fenton naked in the middle of the room while Bruno and Hayden appear to have been beaten up and Bruno forces Fenton at gunpoint to leave the house.

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This short and violent scene, which is nevertheless presented in a comic fashion, plays around with the misreading of the overactive anus as a signifier for a homosexual orientation, or, more specifically, a homosexual identity. Jeffrey R. Guss suggests that in Western fantasies of sexual orientation the anus is "the very ground zero for homosexuality" (39). The association of anal intercourse with homosexuality is so deeply entrenched that the anus itself has become an index for homosexual desire. A man who takes pleasure in the stimulation of his anus is almost invariably read as a (latent) homosexual, no matter what his self-identified orientation might be. Following this notion, it could be argued that Bruno and Hayden mistakenly read Fenton's incessant farting during the performance as a sign of the anality of his sexual orientation. That is to say, just as for Allan the anus is a signifier that cannot be contained, so too is Fenton's anus taken to overflow with meaning as he fails to control his sphincter.

The reading of Fenton's desire through his overactive anus becomes a question of sexual identity when juxtaposed with his silent mouth, for this too is read as a sign by Bruno and Hayden. As Bruno admonishes Fenton for not speaking to Hayden, the reader is reminded of the famous Socratic adage, "speak so that I can see you" (242). This commonplace, when considered in full, can be seen to address the orientation of Socratic desire, which privileges speech over body parts as the site for libidinal attachment. Found in Erasmus's translations of Petrarch's *Apophthegmata*, the entire aphorism reads as follows:

> When a wealthy man sent his young son to Socrates for him to assess his character, and the boy's attendant said, "His father has sent his son for you to look him over, Socrates," Socrates said to the boy, "Speak then, so I can see you," meaning that a man's character did not shine forth so clearly from his face as from his speech, since this is the surest and least deceitful mirror of the mind. (242–43)

Socrates is invited to attach his scopic desire to the boy by the father telling Socrates to "look him over." However, Socrates refuses to attach his desire to the boy's body, instead demanding for him to speak. In this scene, speech is privileged as the object to which Socratic desire can be attached. The displacement of Socrates's scopic desire is motivated by his desire to get to the truth or essence of the boy. After all, speech "is the surest and least deceitful mirror of the mind." Socratic desire, then, attaches itself to the idea of there being a truth about someone's being or identity. For Socrates to really be able to appreciate the boy in front of him, he needs the boy to be a speaking subject. Socrates reads the boy's speech as a reflection of his innermost self – as an indicator of

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an absolute and essential state of his interiority to which there is no access but through language. This way of reading is akin to how Paul de Man discusses confession as "an epistemological use of language in which ethical values of good and evil are superseded by values of truth and falsehood" (279). In his reading of Rousseau's *Confessions*, De Man shows how confessions are considered to occur "in the name of an absolute truth which is said to exist 'for itself' " (279). In other words, the language of confession does not correspond to the material world, but to the abstract idea of truth to which we only have access through that language. Thus, the confession produces a truth that exists in and of itself, but only if it is interpreted by its reader as a figurative use of language, in which case the interpretation congeals into the fiction of a fixed identity of the confessant.

If, as De Man suggests, the confession operates as an epistemological use of language that produces a truth that exist only for itself, this truth-claim does not have a referential function, since the interiority to which it confesses can only be made available verbally (280). De Man's interest in the confession lies foremost in its performative rhetoric, which is "tied specifically to the absence of referential signification" and which "functions predominantly as if the matter had been settled positively" (291). The performative power of the confession operates on the absence of an external referent to which is confessed, while simultaneously rendering that referent present through the very language of the confession. For De Man, this is where the seemingly literal language of the confession – because of its self-referentiality – turns towards the figurative. At this turn, De Man recognizes the possibility for deconstruction, for it is the introduction of the figurative that both produces and disrupts the integrity of the truth that is confessed to (292).

The context of the Socratic aphorism amplifies the tension between literal and figurative reading that is at the heart of Purdy's novel. Parkhearst already introduces a position that privileges a figurative reading when he debates the pronunciation of the address line, and this position is extended by Bruno and Hayden's reading of Fenton's overactive anus. Read from this perspective, Bruno's frustration with Fenton's overactive anus and silent mouth is not just an issue of politeness. Rather, Fenton's refusal to speak in front of Hayden also means that he refuses to confess to a certain sexual identity. Without such a confession, Bruno and Hayden can only venture a guess as to Fenton's sexual orientation by reading his actions figuratively as signs of his sexual identity. In a series of figurative displacements, the passing of gas comes to fill the lacuna produced by Fenton's refusal to speak. In other words, Fenton's verbal speech is substituted by a perceived "anal speech-act." Being taken as a substitute for his verbal speech, Fenton's "anal

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speech" is then read figuratively as expressing an innermost truth about his sexuality: namely as signifying a submissive homosexual desire. The tension between literal and figurative readings that pervades Purdy's novel is played out most extensively in the scenes at and after the theater performance. For the sexual identity that Bruno and Hayden read into Fenton when they take his overactive anus as a confessional speech-act can in fact only be produced by the figurative reading that fills in the gaps left behind by a literal one. In doing so, this reading renders itself vulnerable to the destabilization of the very truth it tries to establish.

Indeed, for Bruno and Hayden, the figurative reading turns out to be a severe misjudgment on their part. After Fenton is kissed and undressed by Bruno, the ellipsis in the text suggests that Bruno and Hayden subsequently molest him. After the ellipsis, we find Fenton "standing naked in the middle of the room, boxing; he was boxing the chandelier and had knocked down all the lamps; he had split open Bruno's face and Bruno was weeping and held ice packs to his mouth" (141). Although Purdy makes ample use of ellipses in his dialogues and of free indirect speech to mark brief pauses, the ellipsis featured at this point in the narrative is unmotivated. As such, it indicates an unspecified passage of time in which Fenton transforms from being passively undressed to being an active aggressor. In this function, the ellipsis is used only once before: after Fenton has had an argument with his brother Claire. There, too, Fenton transforms from passive to active aggressor, as the novel suggests he has smothered his brother to death in the lapse of time covered by the ellipsis.

Conclusion

Having read the novel "from behind," that is, having taken my cue from the issue of ambiguous identity raised at its bottom, I now want to return to the novel's very top: its title, which features a typographic element that frames the novel's concern with misreading the anus and the notion of the motherfucker as signifiers of a certain sexual identity. We have already seen how the spelling of the title provokes a disagreement between Fenton and Parkhearst over how to pronounce it. This comic interaction and the peculiar way in which the address line is written draw attention to its possible meaning and function in relation to the novel's overall concerns with reading and writing (sexual) identity. That is, in the way it is written and in the confusion that results from this, the novel's title already signals a concern with the tension between literal and figurative readings. As we have seen with the figurative connotation of the Oedipal scenario that is introduced by reading the motherfucker literally, from the outset

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of the novel we recognize that any attempt to read its title literally is immediately frustrated by its figurative connotations. Just as the typographic ellipsis in the scene with Fenton, Bruno and Hayden frustrates a literal reading, since the elapsed time it marks opens up into a broad set of fantasies about the resolution of the narrative under erasure, so does the typographic oddity in the title open up into fantasies about what the ":" in it might signify. Taking Allan's provocation to "read from behind" to heart, it is not difficult to find the figure of the anus in the title: Purdy's preoccupation with textual and linguistic eccentricities invites the reader to pronounce the typographic colon too literally, that is, to take it for its homophone: the anatomical colon.

To extend Purdy's habitual play on words and punctuation marks, we could say in jest that the anus is also implied in the playful naming of Fenton Riddleway. If the name Riddleway points in the direction of the sphinx of the Oedipus myth, then the novel's preoccupation with the readability of the anus as a sign for sexual orientation allows for the slippage of this riddle of the sphinx into a riddle of the sphincter: what does Fenton's anus say about his sexual orientation? While this question is on the mind of the characters Fenton encounters, the novel never offers an unambiguous answer to it. Instead, it stresses the possibility of different incongruous readings coexisting, rendering a univocal reading of someone's sexual identity impossible. Any attempt to privilege one reading over others results in misinterpretation and does violence to the person being read. Both the anus and the motherfucker hover over the text as specters, as opaque signs that resist being read in one specific way. As such, Purdy recognizes something in desire that resists being read, or being made legible. Looking for a language with which we can address sexuality as something we do rather than as something we are, Purdy dramatizes the tension between these readings, neither of which provides access to Fenton's desires.

In conclusion, I cannot but admit that for the sake of this argument I too have prioritized one specific reading by interpreting the motherfucker literally as referring to Fenton. Although there is textual and contextual evidence that motivates my reading, other possible readings of the motherfucker are not necessarily excluded by the text. The ambiguity of the address and of the narrative situation make other readings – e.g. of Claire as the addressee or of "motherfucker" as a colloquial term of endearment – plausible. Thus, while my reading argues against the violence committed by imposing a certain reading onto the text, this very same reading performs the violence it argues against. Privileging one reading, as I have done over the course of this chapter, then, at once confirms and undermines Purdy's project to destabilize generalizing narratives and readings that fix identity categories onto sexual behavior or body language. Taking this project to heart however, the riddle of the sphincter might

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have a solution, yet this solution can only be posed in uncertain terms, for what Fenton's anus says about his sexual identity is always at once everything and nothing.

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PART 2

Justice



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CHAPTER 5

The Legibility of Legislation in Kafka's "In the Penal Colony"

Siebe Bluijs

Abstract

This chapter investigates the readability of the law through an analysis of Franz Kafka's story "In the Penal Colony" [orig. 1919]. In the story, a writing machine inscribes the verdict into the condemned person's body until death ensues. Bluijs argues that the readability of the law is dependent on its ability to function as a form of writing as it has been theorized by Derrida: the law needs to be able to break away from its origins in order to be productive. Looking at various instances where the law is read by the story's characters (and their failure to do so because of the law's intrinsic illegibility), Bluijs explores how different acts of reading expose the law's dependency on the presence of its representatives.

In Franz Kafka's story "In the Penal Colony" (original title "In der Strafkolonie," written in 1914 and published in German in 1919), a European traveler visits a penal colony.[1] He is invited by an officer of the colony to witness the execution of a soldier, by way of which the former will illustrate the colony's legal system. The soldier is condemned because he has dishonored his superiors. The condemned man has not been able to defend himself and does not even know on what grounds he has been convicted. According to the executing officer, it is unnecessary to explain the verdict to the soldier: "After all, he is going to learn it on his own body" (Kafka 40). The officer explains to the traveler that the condemned man will be subjected to a machine that will inscribe the verdict into the soldier's body until death ensues, a procedure that will take about twelve hours in total. The officer explains that the content of the verdict becomes known to the soldier as it is carried out: the condemned man will slowly

1 I would like to thank Isabel Capeloa Gil, Yra van Dijk, Yasco Horsman, Astrid van Weyenberg and Tessa de Zeeuw for their productive comments on earlier drafts and versions of this chapter.

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decipher the verdict through his wounds. The verdict and the execution thus coincide in the procedure of the machine. The sentence consists of a script of intersecting lines written on sheets that are then inserted into the machine. The sheets and the machine were designed by the officer's mentor, the old commandant, who is no longer in power when the traveler arrives. The officer is the safe keeper of the old commandant's legacy: he holds on to the sheets and maintains the machine. His main concern throughout the story, however, is to convince the traveler that the colony's legal system does not need the officer's presence in order to function.

Kafka's story has attracted an extensive amount of (scholarly) interpretations.[2] Poststructuralist readings have particularly understood the writing machine in "In the Penal Colony" as a literal manifestation of discursive mechanisms in society. Judith Butler, for example, has read the story in analogy to Foucauldian biopolitics, where the body is a "blank page" on which "history" is being written (1989), whereas Gilles Deleuze and Félix Guattari have interpreted the colony's machine as illustrative for their notion that power and the body form an assemblage (1986). This chapter wishes to take up the connection between power structures and language at play in the story, by focusing on the function of the story's law and its "*Schrift*" (meaning: "writing" or "inscription"). Kafka's story concerns questions about the readability of the law. In what sense must the law be readable in order for it to function as a law? Who is able to be a reader with regards to the law? Is a legal system that is unreadable a just system? As I will aim to show, the readability of the law is dependent on its ability to function as a form of writing as it has been theorized by Derrida: the colony's legal system needs to be able to break away from its origin in order to be productive. Any law, Derrida claims in "Before the Law," that is not productive outside its own context, will inevitably fail to be meaningful. From this follows that if the law's ability to function as a law is ultimately dependent on the position of the subject that reads the law (inside or outside the law's context), the law stops functioning. Kafka's story, I will show, provides an example of two positions that pertain to the readability of the law. The first is exemplified by the colony's officer: as the representative of the colony's legal system, he is part of the context of the law. The second position is actualized by the traveler. Coming from outside the context of the juridical order, his position is counterposed to that of the officer. By looking at different acts of reading

2 Apart from autobiographical and psychoanalytical readings, the story has been read from a theological framework (e.g. Steinberg 1976) and it has been understood as a reflection on the act of writing (e.g. Allen 2001).

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and legibility in the story (of the sheets, the machine's workings, the faces of the condemned), I will show that the two reading positions presented in the story are mutually exclusive.

Writing Machines

In Kafka's story, the colony's legal system is examined in its various material manifestations by the story's characters, who function as different kinds of readers at the various stages of the colony's procedure. The condemned man is a reader of the law's workings (at least according to the officer), as he deciphers the verdict through his wounds. The officer extends this ability to read the law to all the people that fall under the colony's jurisdiction. The colony's inhabitants are able, according to the officer, to read the verdict from the faces of the condemned persons. He reminiscences about older times when the colony's people gathered round the machine to see the moment of comprehension of the verdict on the condemned person's face: "How we all took in the expression of transfiguration from his martyred face, how we bathed our cheeks in the radiance of this justice finally achieved and already vanishing!" (48).[3] Naturally, the officer functions as a reader as well; he is even able – without the use of the machine – to read the lines on the sheets with the verdicts written on them. In addition, he has a perfect understanding of the machine's workings and, therefore, has a more fundamental understanding of how the writing procedure is executed than others in the colony. Finally, the traveler is invited by the officer to act as a reader as well, but only on a basic level.

The officer's appeal to read the procedure is intended as proof of the procedure's *intrinsic* readability. The execution of the soldier is part of a legal order that is on the brink of extinction in the penal colony. In place of the old commandant, who installed the juridical order, is a new commandant who is not in favor of it. The officer and the machine are the last remnants of the old order, as the officer explains: "This procedure and this execution, which you now have the opportunity to admire, have no open advocates in our colony any longer. I am their only defender and at the same time the only one who defends the old commandant's legacy" (47). Since the representatives of the procedure are dying out, the officer asks the traveler to acknowledge the fact that the legal procedures are at least principally legible for an outsider: "I have

3 As the footnote in the Norton Critical Edition of Kafka's stories to this sentence points out, the word "radiance" is *Schein* in the German original, which could also mean "semblance," "suggesting that this moment of alleged illumination is also a mere illusion" (48).

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a plan that can't help but succeed. … I am not going to ask you to lie, not at all; you should just answer briefly, for example 'Yes, I saw the execution,' or 'Yes, I've heard all the explanations' " (51). The officer invites the traveler to read the procedure along with him by going through its workings one by one. He shows him the sheets and explains the components of the machine. Thus, the officer provides context that should make the principle of the law understandable to the traveler. All the traveler is asked to do is to endorse the assumption that this context exists, whether he agrees with the legal procedure or not.

In fact, we learn at the beginning of the story that the traveler has objections to the procedure. His urge to interfere does not arise from an idea of humanism: "the condemned man was a stranger to him, he was not a compatriot, and he certainly did not arouse pity" (46). Still, the traveler contemplates whether he has the power to stop the execution, going against what his function dictates, since "he was a traveler with the sole purpose of observing and by no means altering other people's legal institutions. Here, however, the situation was very tempting" (46). In the end, he decides to carry out his role as an observer and does not actively interfere. Therefore, it seems that he is willing to act according to the officer's wish and be an obedient reader of the colony's legal system.

In the colony, the officer explains, there are many opposing voices to the continuation of the old commandant's rule. For the officer, such counter-discourses do not jeopardize the all-encompassing logic of the system. This becomes clear from the following passage in which he states:

> I'm not saying too much when I tell you that the organization of the entire penal colony is [the old commandant's] work. We, his friends, already knew at the time of his death that the organization of the colony was so self-contained that his successor, even if he had a thousand new plans in his head, would not be able to alter a thing in the old order. (37)

The officer believes in the endurance of the self-contained organization of the colony because, according to him, the legacy of the old commandant is continued by the machine. He tries to convince the traveler that he is merely an advocate of the old commandant's legacy and claims that the machine keeps the organization in effect, independently of any subjects vouching for its underlying principles: "In any case, the machine still works and is effective in its own way. It is effective even when it stands by itself in this valley" (49). For the officer, the old commandant has created a machine that functions on its own.

In order to explain the relevance of this observation, I find it useful to turn to Derrida, who in his essay "Signature Event Context," defines writing as

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such: "To write is to produce a mark that will constitute a kind of machine that is in turn productive" (316). According to the officer, the old commandant has produced something – not coincidentally a *writing* machine – that functions as writing in the Derridean sense, "to the extent to which, governed by a code …, it is constituted in its identity as a mark, by its iterability in the absence of whoever, and therefore ultimately in the absence of every empirically determinable 'subject' " (Derrida 1982: 315). In the officer's view, even when there will no longer be anyone familiar with the machine's origin, the machine will still be able to run by itself: it will be able to read the sheets and write the verdicts unto people's bodies in the future, because it is governed by the "code" of the law. The machine, therefore, ensures the continuation of the colony's legal system beyond the old commander's or his representatives' presence.

The arrival of the foreign traveler puts the officer's notion of the legal system's durability to the test. A law can only be productive – it can only function as a law –, Derrida reasons, if its content has the ability to function in different contexts. As he writes: "All writing … must be able to function in the radical absence of every empirically determined addressee in general. And this absence is not a continuous modification of presence; it is a break in presence" (1982: 315–16). It follows that, if a law is to function beyond one particular context, it should be able to function in the absence of someone who vouches for its meaning. The officer functions as a guarantee of presence of the old commandant's legacy by substituting for his reign. The visitor, however, introduces the possibility of a true break in presence and invokes the questions of whether it is possible to convey the colony's legal system's rule of law to an outsider and of whether the legal system is or can be meaningful beyond its original context.

Context and White Spaces

The officer preserves the old commandant's original designs of the executions. He tells the traveler: "unfortunately I cannot let you hold them; they are the most valuable things I own" (43). The sheets are valuable because they are an integral part of the colony's legal system. But for the officer, they are also valuable because they offer a historical and material link to the creator of the legal order: the old commandant. As I will show, this link to the historical creator of the law is a condition for the law to stay in effect.

Derrida's reading in "Before the Law" (1992) of the Kafka story with the same title (contained in *The Trial*) about "a man from the country" who wants to gain access to the law makes clear that a law that is dependent on stories of its

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origin cannot function *as a law*.[4] In the story, the man's entrance to the law is indefinitely delayed by an infinite number of gatekeepers. Derrida disputes the idea of the law's origin when he states that:

> It seems that the law as such should never give rise to any story. To be invested with its categorical authority, the law must be without history, genesis, or any possible derivation. That would be *the law of the law*. … And when one tells stories on this subject, they can concern only circumstances, events external to the law and, at best, the modes of its revelation. (1992: 191, emphasis in text)

According to Derrida, stories that circumvent the law's origin cannot give access to that which fundamentally organizes the law. It follows that the readability of such stories or myths obscures the law's origin even further, leading Derrida to write that, perhaps,

> being able to read makes the law less accessible still. Reading a text might indeed reveal that it is untouchable, literally intangible, *precisely because it is readable*, and for the same reason unreadable to the extent to which the presence within it of a clear and graspable sense remains as hidden as its origin. Unreadability thus no longer opposes itself to readability. Perhaps man is the man from the country as long as he cannot read; or, if knowing how to read, he is still bound up in unreadability within that very thing which appears to yield itself to be read. He wants to see or touch the law, he wants to approach and "enter" it, because perhaps he does not know that the law is not to be seen or touched but deciphered. (1992: 197, emphasis in text)

In "In the Penal Colony," the officer tries to underline the law's workings by providing stories of the law's origin and by giving information about its context. Derrida's reasoning explains why this information does not add to the readability of what the officer wants the traveler to be able to read in the first place, which is the law itself. In fact, these stories make the law less readable, since the emphasis on the law's material manifestations (the sheets that can be seen and touched) obscures the true meaning of the law. The law is an

4 Derrida reads Kafka's story as meta-literature: when he refers to the law, he is specifically referring to the laws that govern literature. In my use of Derrida here, I take up the more literal, judicial meaning of the word "law."

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immaterial idea, and therefore it cannot be entered; instead, it is supposed to be *deciphered*.

The difference between the two reading positions with regard to the law becomes clear when we look at the specific instances when the officer and the traveler try to read the contents of the sheets. The officer is able to read the sheets of the old commander; to the traveler, however, they are completely illegible:

> [H]e saw only labyrinthine lines intersecting at various points, covering the paper so thickly that it was an effort to detect the white spaces between them. "Read it," said the officer. "I can't," said the traveler. "But it's clear," said the officer. "It is very artistic," said the traveler evasively, "but I cannot decipher it." "Yes," said the officer, laughed, and stuck the sheet back into the folder, "it's not a primer of beautiful lettering for schoolchildren." (Kafka 43)

The marks on the paper do not compose a system of signs that is comprehensible to the traveler. He interprets the verdict as an autonomous artwork – in the sense of a singular entity that needs to be interpreted as a whole, rather than as a sign system in which the various elements that make up the whole can be interpreted separately. The officer's mocking remark that the sheet is not a primer for lettering is telling: the sheet and the verdict it represents cannot be regarded as something from which a general code can be distilled.

The traveler is unable to make out where one mark begins and the other ends due to the lack of white spaces. This is significant because, according to Derrida, one of the minimal determinations of the classical philosophical concept of writing is the predicate that a "written sign carries with it a force of breaking with its context, that is, the set of presences which organize the moment of its inscription" (1982: 317). Derrida thus defines writing by its use of distinguishable elements that can be taken from the series of elements that make up the whole. The identification of these elements is made possible by the spaces between the elements:

> This force of rupture is due to the spacing which constitutes the written sign: the spacing which separates it from other elements of the internal contextual chain (the always open possibility of its extraction and grafting), but also from all the forms of a present referent (past or to come in the modified form of the present past or to come) that is objective or subjective. This spacing is not the simple negativity of a lack, but the emergence of the mark. (Derrida 1982: 317)

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Because the verdict in Kafka's story lacks distinguishable elements that can be separated from the internal contextual chain, the emergence of the mark does not take place. The verdict also lacks "spacing" in the sense of a break from a present referent in time and space. According to Derrida, white space is not a negativity or a lack because it introduces difference within the internal contextual chain.

With regard to the colony, the internal contextual chain of the law consists of the elements of the old commandant's legacy: the sheets, the machine and its representative, the officer. The separation between these elements, however, is made impossible by the architecture of the colony's legal system. The officer does not allow for the open possibility of the law, as he leaves no space for alternative narratives. The negation of a different context outside the internal contextual chain of the colony's legal system is already present in the officer's explanation of the totalizing terms of his judgment:

> I took down [the captain's] statement and immediately added the judgment. Then I had the man put in chains. That was all very simple. If I had first summoned the man and interrogated him, it would only have led to confusion. He would have lied; if I had succeeded in refuting these lies, he would have substituted new lies for them, and so forth. (Kafka 41)

If the captain had been able to defend himself, the officer would be confronted with the openness of a context that would undermine his legal procedure. The officer does not allow anyone besides himself to question or change the meaning of the verdict. This means that the verdict needs the presence of the officer to be readable, because its meaning cannot be conveyed by the verdict itself.

When the officer shows the sheet to the traveler, he tries to cover up the structural lack of the law's openness. He explains that the lack of white space on the sheet is due to the sheet's composition. According to the officer, the sheet with the verdict is illegible for the initiated observer because ornaments have replaced white spaces: "The genuine script has to be surrounded by many, many ornaments; the real script encircles the body only in a narrow belt; the rest of the body is meant for adornments" (43). In principle, non-referential ornaments could take the place of white space in order to make referential graphemes ("the genuine script") legible. For instance, one can imagine a text composed of the letters of the Latin alphabet in which all the spaces between words and lines are replaced by dots, drawings or non-Latin letters that is still completely legible for someone familiar with the Latin script. Likewise, the officer claims the condemned are able to distinguish between the ornaments

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and the "genuine" script as they are both being inscribed onto their bodies. However, based on the composition of the sheet alone, it is impossible to determine whether this is the case. As he shows the sheets to the traveler, the authority to decide between referential signs and adornments resides with the officer.

Later in the story, the officer shows another sheet to the traveler. He tries to convince him that the sheet contains referential signs (the "letters" of the verdict):

> It was impossible. Now the officer began to spell out the inscription letter for letter and then read it again in context. "It says, 'Be just!' " he said once more; "now you can surely read it." The traveler bent so low over the paper that the officer moved it farther away, fearing that it would be touched; the traveler said nothing more, true, but it was clear that he still had not been able to read it. "It says, 'Be just!' " the officer repeated. "Maybe," said the traveler, "I believe that that's what it says." (54)

Because the sentence "Be just!" only carries meaning within the context provided and embodied by the officer, the repetition does not change or add significance. It lacks the capacity to be repeatable in different contexts. Therefore, it is an act of repetition, but not of "iterability." Derrida shows that this concept of productive repetition is fundamental for a sign to function:

> Every sign, … can be cited, put between quotation marks; thereby it can break with every given context, and engender infinitely new contexts in an absolutely nonsaturable fashion. This citationality, duplication, or duplicity, this iterability of the mark is not an accident or an anomaly, but is that (normal/abnormal) without which a mark could no longer even have a so-called "normal" functioning. What would a mark be that one could not cite? And whose origin could not be lost on the way? (1982, 320–21)

The officer points out the law's legibility – he tries to convince the traveler that the verdict is governed by some code consisting of productive marks – by spelling out the letters and reading it again "in context." This context, however, is decided and provided only by the officer. The sentence can therefore not break with its given context. The officer's insistence on the legibility of the verdict is a final attempt to save what is dearest to him: the belief that the legal procedure functions as a form of *writing* – the principle idea that the law is iterable.

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The Machine Escapes Notice

The traveler's inability to confirm that the system is readable for someone outside the context of the legal system confronts the officer with the notion that the legal system is not durable. The traveler's arrival indicates that the sheets and the workings of the machine are meaningless without someone who is connected to the system's origin assigning meaning to them. The officer has been a proponent of a system that he believed existed beyond him and outside of his presence. Until the traveler visited the colony, the officer had believed he represented a just order. The traveler's inability to function as a reader has lain bare that this is not the case. The officer therefore takes matters to their logical conclusion and carries out his own verdict. He takes a sheet with the verdict "Be just!" and asks the traveler to insert it into the machine as he straps himself to it, thus realizing his own death. The traveler understands why the officer subjects himself to the machine:

> He knew what would happen, true, but he had no right to stop the officer in any way. If the legal procedure to which the officer was devoted was really so near to being eliminated – possibly as a consequence of the traveler's intervention, to which the latter, for his part, felt committed – then the officer was now acting quite correctly; the traveler would not have acted any differently in his place. (55)

The traveler feels he has no right to stop the officer. Whereas he had initially decided not to interfere in the colony's practices, he now realizes his presence has instigated a process that was already inscribed into the colony's legal order. The order was only able to function within its own confined context. The traveler's "intervention" laid bare his inability to become part of this context. As a consequence of his arrival, the legal system's context is confronted with an outside element that leads to its destruction since no such outside is allowed for.[5] The traveler becomes aware of the logic of the juridical procedure when the consequences of his arrival on the island are taken to their logical conclusions. Paradoxically, the juridical order is only transparent for the traveler the moment it comes into effect for the representative who guarantees its meaning.

5 The story's narrative framework mirrors the traveler's inability to enter the law. The understated and detached extradiegetic narrator does not provide access to the officer's inner world (but the reader does gain access to the traveler's considerations). Therefore, the reader remains, like the traveler, an outsider to the law in (and of) the story, opening it up to endless possible interpretations.

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That is to say, the machine carries out the juridical order in a readable way for the traveler when the officer merges with the machine. This moment of legibility is underlined when the machine initially runs perfectly: "The traveler … remembered that one of the scriber's wheels was supposed to be squeaking; but everything was still, not the softest humming could be heard. As a result of this quiet operation, the machine literally escaped notice" (56). Here, a different, more practical notion of readability is introduced that relates to the act of reading in a more commonplace sense.

To illuminate this passage, I find it useful to turn to the field of typography, where, especially since the age of typographic modernism, the concept of legibility concerns the rejection of attention to the text's form or its medium in favor of attention to the work's content. Beatrice Ward's influential 1955 pamphlet from this tradition uses the metaphor of the crystal goblet to illustrate that it is typography's aim "to reveal rather than to hide the beautiful thing which it was meant to contain" (1). Likewise, in 1928, the German typographer and type designer Jan Tschichold defined typography as a functional art in the service of readability of the text's content (116). As these two examples illustrate, legibility in this common conception favors immediacy over hypermediacy, to put it in the terms of Jay David Bolter and Richard Grusin: "If the logic of immediacy leads one either to erase or to render automatic the act of representation, the logic of hypermediacy acknowledges multiple acts of representation and makes them visible" (86).[6] This notion of immediacy is fundamental to understanding the concept of readability as it is commonly used with regard to the design of a text. When one, for instance, reads the words on a page, one "looks through" the letter characters to gain access to the meaning "behind" the words. The moment the reader focuses her attention on the form of the letters, she stops reading and starts looking. In the act of reading, the reader feels she has immediate access to the text's content.

This ideal of immediate access to the work's content betrays an underlying assumption that the "essence" of the text (its content or meaning) exists prior to, above or beyond its material manifestation(s). Continuing the works of Derrida, N. Katherine Hayles brings forth a critique of the failure of the Western philosophical tradition to understand itself in relation to the material qualities of *writing*. Philosophy in the West has generally understood itself as an activity of the mind, Hayles contends, neglecting its material dimension and

6 Bolter and Grusin make clear that immediacy and hypermediacy form a false dichotomy. They propose the term "remediation" to show how both terms are sides of the same coin. For the particular point in this chapter, however, the distinction between immediacy and hypermediacy is relevant.

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disregarding notions of the medium in which acts of writing are essentially caught up. Hayles claims that the separation between form and content, which she links to the Cartesian split between the immaterial mind and the material body, has predominated Western discourse about text. In her essay "Print Is Flat, Code Is Deep: The Importance of Media-Specific Analysis" (2004), she states:

> In retrospect, we can see the view that the text is an immaterial verbal construction as an ideology that inflicts the Cartesian split between mind and body upon the textual corpus, separating into two fictional entities what is in actuality a dynamically interacting whole. (Hayles 86)

Hayles argues that a text's or a work's content cannot exist outside or before its material embodiment, but that it is the result of, or emerges from, a dynamic interaction of which the work's materiality and its medium are fundamental aspects.

In Kafka's "In the Penal Colony," the distinction between an immaterial idea (the legal system – a machine of sorts) and its material manifestations (the machine – as in: the device) is problematized. The representation of the legal order is erased when the officer's verdict is carried out and he merges with the machine. The logic of the legal order and the subsequent ordeal of the officer are rendered automatic: for the traveler, it is entirely clear why the officer convicts himself. In this moment of transparency of the law's logic, the machine escapes notice; as a medium, it becomes immediate (it effaces its mediacy and mediation). In doing so, it arrives at the supreme ideal of legibility expressed by typographic modernists. As the traveler "looks through" the machine and its workings, he gains direct access to that which the machine represents; he fully understands the logic of the colony's legal system when its representative coincides with the machine. However, at the very moment this highest level of readability is achieved, the contextual link of the legal system – consisting of the machine, the sheets and the officer – is destroyed. Recalling Derrida's consideration of the readability of the law, when one gains a "clear and graspable sense" of the law's essence and is able to "enter" the law, it stops functioning (1992: 197).

Therefore, even though the machine seems to escape attention in the moment the officer's own verdict is carried out, its immediacy does not provide access to a truth that lies beyond it. Since Hayles makes clear that every immaterial ideal needs a physical manifestation in order to function, the machine and the officer are themselves integral parts of the colony's legal system. The self-condemnation of the officer is a unique instance of the legibility of the

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legal procedure, but it does not function as writing in the Derridean sense because this moment is not iterable. The machine is useless without a subject vouching for its meaning in the present. What it produces is meaningless: "The harrow was not writing, it was merely stabbing" (Kafka 57). The traveler is unable to read the verdict from the officer's face after the machine has carried out the verdict onto the officer's body: "he saw, almost against his will, the face of the corpse. It was as it had been in life; no sign of the promised deliverance could be detected; what all the others had found in the machine the officer did not find" (58).

The traveler's inability to read the verdict from the face of the officer (even though he knows what it is that he is supposed to be reading) signifies the inability of the legal order to function beyond its own context. This ending makes clear that the officer *read* the authority of the verdict not *from* but *into* the reactions of the condemned. That an outsider to the colony would be unable to read the law was already "inscribed" into the colony's legal order; the traveler's reading of the officer's face is "as it had been in life," that is, without a sign. Thus, Kafka's story brings home the point that a law becomes meaningless in the absence of its original context when its meaning fully coincides with the origin of its documentation. The machine is useless without the presence of the officer; therefore, as the only person guaranteeing the context for signification of the verdict is destroyed, the machine falls apart. It disintegrates into the different elements (cogwheels, springs, etc.) that make up its totality. The machine, as it functioned in the mind of the officer before the traveler's arrival, cannot be reconstructed from these elements, for the link to the law's original conception is irreversibly destroyed. As the immaterial idea of the colony's law vanishes, its material manifestation (the machine) breaks down as well.

In the appendix to Kafka's story, the dependency of the law on its original creator is expressed in terms of religious faith. After the officer is executed and the machine has fallen apart, the traveler visits the grave of the old commandant, which bears "an inscription in very small letters":

> Here lies the old commandant. His followers, who must now be nameless, dug this grave for him and laid the stone. A prophecy exists that after a certain number of years the commandant will rise again and lead his followers from this house to reconquer the colony. Have faith and wait! (59)

A few of the colony's inhabitants observe the traveler, standing behind him "as if they had read the inscription along with him" (59). From the looks on their faces, the traveler concludes that these people find the prophecy "ridiculous, and were inviting him to share their opinion" (59). Although they do not seem

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to believe in the religious foundation of the colony's law, these people have been subjected to the will of an unlawful dictator and his followers. They had been inscribed into the contextual chain of the colony's legal system that certified its principles. The traveler understands their facial expressions as an invitation to regard the prophecy as meaningless. As a consequence of the law's own logic, he has already acknowledged this invitation.

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CHAPTER 6

Lex Fugit: On Acts of Legibility

Isabel Capeloa Gil

Abstract

This chapter debates the production of legal discourse as potentiality in popular culture, addressing the ways in which distinct media formats display "the legal imagination" as a magnet that intervenes in representing the breeches and eventually (re)shaping the legal pacts. By arguing that the law is a porous discourse that interferes in and is affected by structures, narratives and developments across different partitions of the sensible, the chapter takes a non-originalist position, contending that the negotiations between representation and the institution of law, by conflating the letter with the spirit, speak to the changing concerns of different communities over time, geography, ethnicity, gender, religion and age. The case-based argument pivots around representative points of crisis in the legal order, as they work to induce a crisis of legibility; rhetorically support the normative reading of the crisis; simplify and popularize crisis, and finally, convey a denunciatory reading of the crisis.

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"They do things better with logarithms."

JUSTICE BENJAMIN NATHAN CARDOZO, *The Paradoxes of Legal Science* (1928)

⁘

The late American Supreme Court Justice Antonin Scalia (1936–2016) was known for his radical defense of literalism in legal interpretation. Through a doctrine described as "textualism," Justice Scalia offered a strong critique of judicial interpretation as a cultural practice, guided by legislative intent and negotiated *in situ*.[1] A government of laws, as Amy Gutmann has concurrently argued, must not

1 See, on Scalia's textualist approach to the law, Gutmann in Scalia (1997); Scalia and Garner (2012). On the critique of Scalia, see Posner (2012).

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bind citizens by the unexpressed intent of legislators, but in fact, by what they (the laws) really say.[2] Scalia further points out that "textualism" is not naïve – that is, it is merely acknowledging that words have multiple meanings – but aims to control the abundance of interpretation with a kind of "originalism," invoking what the law originally "read" and thus meant. Resorting to the Constitution as the foundational instrument of the American national ethos, Scalia argues that the nation was built as "a government of laws, not of men. Men may intend what they will; but it is only the laws that they enact which bind us" (17). Scalia's limited textualist doctrine stems from an understanding that there is a foundational meaning embedded in any speech act. As Scalia and Garner remark in *Reading Law* (2012): "In their full context, words mean what they conveyed to reasonable people at the time they were written – with the understanding that general terms may embrace later technological innovations" (57). In this understanding, words are arguably cast in stone and made to bear an almost immutable meaning.

Textualism's aggressive approach to interpretation is one of the most contested doctrines binding the legal and the legible, turning the art of legistics[3] into a foundational affair that predetermines the legal experience as it is practiced in court, when the text of the law performatively acts on the bodies of the contenders. But, surely, the performance of the law is always second to an act of reading, so that the legal must unquestionably be legible. Legality, as the system that regulates interaction between legal entities, or as the condition of that which is lawful, is expressed through the body of norms articulating the legal, requiring repetition and reenactment to be affirmed. Legality, that is, depends on performance to be recognized as such. It rests on a double performance: on reading the law and on acting lawfully.

Clearly, legibility refers to a potentiality of that which may be read, while abiding by the norm or code that produces the readable, that is, the legible. The complexity of the legible, then, rests on a strategic ambiguity: it is, on the one hand, fleeting and situated, as potential legibility pivots around contextual change; and it is, on the other hand, enduring and normative, as it dwells on the stability of accepted rules. For the argument in this chapter, the legible articulates that which, within the scope of a strategic potentiality, qualifies as textual and legal: on the one hand, the norms that rule the text and specify that it belongs to the juridical genre; on the other hand, the legal norm as we

2 As Amy Gutmann writes in the Preface to Scalia's *A Matter of Interpretation*: "Laws mean what they actually say, not what legislators intended them to say but did not write into the law's text for anyone (and everyone so moved) to read" (1997: vii).

3 Legistics is a legal discipline that deals with the structure of writing the law and the governing of official juridical definitions.

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know it, which is originally textual and hence conflates in the reading of the law already a practice of law. It does so, thus, without subsuming the one to the other. Not all that is legal is textual, nor is all that is readable textual or legal. Legibility, in this context, thus refers to a potential legality negotiated across practices of reading, particularly conceived in light of the struggle over meaning that is embedded in the practice and interpretation of the law.

The textualist argument that the law means what it says, but does not say what it is intended to mean is directly opposed to any understanding of the law as *potentia*. According to the latter, meaning is neither cast in stone according to the views of an original "reasonable" community – probably of men – nor does the law persist over time unhinged by the cultural changes of the constituency it serves. And, critically, the limits of legality do not persist solely within the boundaries of the juridical canon. To probe the work of this legible potentiality, I suggest a discussion of the ways in which the "doing" of the law surpasses the normative and formal limits of the legal text, namely by addressing the operation of the law in the legal text and other media formats. Departing from Scalia's "textualist position," I ask: is there a way of doing the law, beyond (and below) the textual practice of the law? And, if so, does the very notion of legibility articulate a potential to perform the law beyond the institutional apparatus of the juridical institutions? In answering this affirmatively, I wish to put forward an understanding of the law as a porous discourse that interferes in and is affected by structures, narratives and developments across different partitions of the sensible. This is a paradoxical law that flies – *lex fugit* – as it conflates the letter with the spirit and speaks to the changing concerns of different normative communities over time, geography, ethnicity, gender, religion and age.

The reading of the law as *potentia*, as ordained power and possibility, or, as Ariella Azoulay claims, as "reconstruction of unrealized possibilities" (265), or even as enunciating a deliberate impossibility, is strategically at the core of what has been described as the legal turn in the study of culture. This turn was inspired by the developments of critical legal studies[4] and the Law and

4 "Critical legal studies" is a term used to define a movement of renewal within the study of Law that calls for the rethinking of the curriculum to address the changing cultural concerns of the 1970s. The movement was inspired by a conference that took place at the Wisconsin School of Law in 1976. In its inception, critical legal studies questioned the structure of power refracted in the study of Law. From this movement stem the feminist legal studies of theorists such as Carol Gilligan (1982) and Robin West (1993). As West claims, there is a definite utopian dimension involved in this critical approach to rethinking the law from the standpoint of the imagination, as "….the future of community depends not just upon political or even revolutionary action. It also depends upon our imaginative, rational, spiritual, and moral freedom to break free of our present and to conceive of other ideal worlds" (223).

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Literature Movements of the early 1980s. The aim here is not so much to link the study of Law with concerns from the arts and humanities and liberal ethics, a position that was famously taken up by Martha Nussbaum (1997) and James Boyd White (1973). Nussbaum and White draw on the use of the literary text as an ethical source for the study and practice of law, promoting what Richard Weisberg has wittingly termed the "cultivation of the three r's 'reading, (w)riting and rightness' " (122). Instead, the challenge of the legal turn is to understand how "legal lust" shapes an encounter between the institution of law and cultural practice (Bal 1). More specifically, it asks how, despite the institutional differences – as the law is legitimized by an order of coercion, whereas culture and literature are produced in the disorderly and libertarian space of the imagination –, this encounter is mutually constitutive.

Legal desire is a co-creation, defined by the desire of the law for the imagination and the desire of art to intervene in the legal order, though as desire in general, the ultimate satisfaction of this practice of mutuality will be systematically deferred. Nonetheless, legal desire and imaginative desire are united in the practice of legibility, which works to simultaneously strengthen and denounce the legal pact that organizes the social. As Peter Goodrich suggests, using the example of literature, art works to denounce the failure and the breeches of the legal pact, while inspiring its betterment and transformation:

> literary analysis politicizes law, in the academy and in practice by questioning its values and transgressing its limits as a discipline and so also as a practice. … Literature suggests other possibilities for law, other means of expression of law and more profoundly conceptions of value and of justice that draw upon a wider variety of experiences of gender, sexuality, ethnicity and lifestyle than are currently available. (6)

The imagination of the law suggests a possibility of transformation that is at once denunciatory and creative, while also coercive, making the legal legible by a process of double conviction (in the sense of a being convicted and a being convincing). The employment of the discourse of the law in literature and other arts reveals how non-juridical and non-originalist strategies (narrative, aesthetic, emotional and affective) provide conviction to legal norms that structure the organization of the social. Through aesthetic and narrative convincing, such strategies support the legal conviction of those who transgress this very norm.

In the following, a case-based approach will diagnose this double conviction through what Lauren Berlant names exemplary problem-events

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(2007: 663–65).[5] Ultimately, the "problem-events" shape in their singularity an explanation that is normative, but which is also a "perturbation in the normative" (Berlant 670). These are instances where the case provides a point of stability in the affirmation of a crisis that, unlike the belief of textualist positions, is anchored in legality's unstable and negotiable structure of legibility.

The four cases addressed next pivot around points of crisis of the legal order and display "the legal imagination" as a magnet that intervenes in representing the breaches and eventually (re)shaping the legal pacts. They work to: 1) induce a crisis of legibility (Dominici case); 2) rhetorically support the normative reading of the crisis (Obama vs. Osama); 3) simplify and popularize crisis (*Harry Potter and the Goblet of Fire*); and 4) convey a denunciatory reading of the crisis (*Minority Report*).

A Crisis of Legibility

In one of the main chapters of *Mythologies* (1972 [1957]), titled "Dominici or the Triumph of Literature," Roland Barthes takes up a passionate crime story that rocked French society in the 1950s. The chapter, initially published as a newspaper column, looks at the functioning of bourgeois literature as a hegemonic discourse whose dissemination creates a conviction/prejudice about the real that will ultimately lead to Gaston Dominici's legal conviction. "Literature has just convicted a man to the guillotine," Barthes writes (44). The case addresses a remarkable collusion of positive law – the law enacted by a legal body or government in an organized society – and the legal imagination triggered by the discursive construction of criminal Otherness in bourgeois narrative fiction.

The Dominici-affair occurred as follows. In August of 1952, while vacationing in France, the English biochemist Jack Drummond, his wife Anne, and their 10-year-old daughter were supposedly killed near their car, stationed on the way into the property of a French-Italian peasant family, whose patriarch was Gaston Dominici. After a controversial trial, Dominici, rural landowner in the French Alps, is convicted of the murder of the tourist family. The trial attracted

5 According to Berlant, the case, as a problem-event, is exemplary, subversive of the norm while working precisely to redo the normativity. She writes: "The case represents a problem-event that has animated some kind of judgment. Any enigma could do – a symptom, a crime, a causal variable, a situation, a stranger, or any irritating obstacle to clarity. What matters is the idiom of the judgment. … [T]he case is always pedagogical, itself an agent. … [A]s an expressive form of expertise and explanation the case points to something bigger, too, an offering of an account of the event and the world" (663–65).

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media attention across Europe and despite the fact that the judges could not find material proof to link Dominici to the crime, the collective decided to convict the peasant based on "evidence of a mental kind" (Barthes 43). This is the point of departure for a discursive construction of perversity, which Barthes condemns as leading to what is nothing but a fictional and literary-based conviction, "descending from the charming empyrean of bourgeois novels and essentialist psychology" of Naturalism (17). The picturesque regionalism of Dominici's peasant dialect becomes the fragile evidence proving that to condemn a man, the detraction of language and environment suffice. The sentencing to death of the accused by the collective of judges in 1954 is strongly contested by civil society and after two further inconclusive police investigations, the French President René Coty commutes the death sentence to life imprisonment. In 1959, President Charles de Gaulle authorizes Dominici's release from jail on humanitarian grounds but does not pardon him.

The Dominici case presents an instance of interpretative crisis that grows on the cusp of fiction and judiciary prejudice. Under the appearance of "transparency and linguistic universality" (Barthes 45), the case is an occasion for the clash of opposing discursive practices. On one side, there are the justices, who have been schooled and have assimilated the language of the bourgeois Realist novel; they interpret the actions of the peasant within the framework of the literary depictions of the brutish lower classes. Language is clearly the key to discerning the court's decisions. Barthes sees the literary language of the educated elites clashing with the picturesque dialect of the farmer, which, within the judiciary situation, becomes a sign of dislocation from the rules of civility. Barthes denounces the court as a sort of literary tribune with deadly impact on the body of the accused:

> Antithesis, metaphors, flights of oratory, it is the whole of classical rhetoric which accuses the old shepherd here. Justice took the mask of Realist literature, of the country tale, while Literature itself came to the courtroom to gather "new" human documents and naively to seek from the face of the accused and the suspects a reflection of a psychology, which, however, it had been the first to impose on them by the arm of the law. … We are all potential Dominicis, not as murderers but as accused, deprived of language, or worse, rigged out in that of our accusers, humiliated and condemned by it. To rob a man of his language in the very name of language, this is the first step in all legal murders. (45)

The justices' fictional conviction effectively legitimizes the defendant's judiciary conviction and reveals a moment of crisis in the articulation of

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the institution of literature and the law. Let me point out that this is not a simplistic and shallow denouncing of the apparent collapse of the limits that provide institutional differentiation to literature and law. As Stanley Fish insightfully points out in *Doing What Comes Naturally* (1989), legal and literary interpretations cannot be conflated with essentialist determinations of textual genres. The potential meaning of those differing texts is shaped by markedly distinct institutional contexts and interpretive communities:

> One cannot then ground the difference between literary and legal interpretation in the different kinds of texts they address, because the textual differences are themselves constituted by already differing interpretive strategies, and not the other way round. Nor can one turn this insight into a new reification of difference by assuming that the strategies specific to law and literature are themselves basic and unchanging, for they are no less historically achieved (and therefore contingent) than the texts they enable us to produce. … As things stand now in our culture, a person embedded in the legal world reads in a way designed to *resolve* interpretative crises . …, while someone embedded in the literary world reads in a way designed to *multiply* interpretative crises. (Fish 304)

The Dominici-affair produces an instance of confusion between institutional discourses, between law and literature, spilling over into an evidentiary crisis, a crisis of truth, intensifying and multiplying the interpretative crisis. This is at once an exemplary case – with the pedagogical qualifications of a problem-event – and a critical case. The law as a set of norms ruling the partition of the sensible collides with a structure of aesthetic mediation that inspects the mode of articulation between the fictional and the legal. Literature and the law are made with words, but the ways in which they are made to mean differ widely, and though they may be made to inspect each other's possibilities, the effects of the literary and the legal are widely distinct. While the law has a directly coercive impact, literature's constituency reads for pleasure and critique. And yet, as Derek Attridge argues, "literature solves no problems and saves no souls" (4). It is effective, even though its effects are not predictable enough to serve a legal paradigm. Ultimately, the Dominici case displays a crisis of legibility. A crisis in the reading of the law and in the interpretation of literature; a crisis arising from the false perception of a certain strand of "literary originalism." Dominici's conviction, however, becomes in due course an occasion for the reshaping of the legal by dint of Barthes' theory of the legible.

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Poetic Justice or a Normative Rhetoric of the Crisis

President Barack Obama's speech on 2 May 2011, announcing the capture and death of Osama bin Laden, proves an instructive instance of legal pedagogy and an exercise of poetic justice. The speech reflects the struggle between legality and the national imaginary, and arguably reveals the collapse of the very process of the law, which heralds the US Constitution as the bulwark of national identity. I am specifically referring to the Due Process Clause, guaranteed by the Fifth and Fourteenth amendments of the Constitution, which corroborates that the process of the law is an inalienable part of the rule of law.[6] If the legible is anchored in possibility and potential, in truth, what makes the law perlocutionary, what legitimates a direct action over the bodies of subjects, is the process of the law. Due process, in fact, is deeply entwined with legibility; it is both determined by the readability of the legal and determining of the capacity of the law to be experienced as a convincing and structured practice. Even a parentage like Justice Scalia's claims due process as inalienable to the Constitution and hence as structural to American identity, no matter the exceptional status of the case at hand. In *A Matter of Interpretation*, Scalia argues: "Property can be taken by the state; liberty can be taken; even life can be taken; but not without the process that our traditions require" (24).

Osama bin Laden was killed without due process. The trial and sentencing occurred in the national psyche, in an imaginary courtroom, with the defendant convicted by the jury of collective fantasy. Presented as a *hostis humanis generis*, his case conflates with the rule of the old pirate law. This enemy of the human race is placed rhetorically beyond the limits of human norm, and can thus be hunted down and killed.

Obama's speech presents a sort of *ex-post* closing argument in the invisible litigation of the War on Terror leading up to Bin Laden's sentencing and execution. The speech starts with the presentation of the facts – Bin Laden has been killed by US forces in Pakistan – then moves on to provide the justification for the acts – 9/11 – and concludes that this was an instance of retributive justice. In the end, "justice has been done." But how was this justice done? If the due process of the law was not considered in this equation, what does justice mean? If what the law means is radically different from what it says, how can justice be done? Or is it simply done with?

6 The Fifth Amendment states: "No person shall … be deprived of life, liberty, or property, without due process of law." The clause was approved in 1857 and reinforced by the passing of the Fourteenth Amendment in 1869.

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Obama's speech conflates a moment when justice becomes poetic justice, when the boundaries between law and representation collapse and the "invisible event" – the killing of Bin Laden – is subsumed to its re-presentation. The notion of poetic justice harks back to Roman tragedy, and most particularly to the assumption that within the boundaries of representation good must prevail. Poetic justice makes sure that, at least within the confines of literature, virtue prevails over vice and good over evil. By transforming justice into a symbolical act of retribution, poetic justice sustains the institutional "doing of justice," as Sir Philip Sidney argued in *An Apology for Poetry* (1595). Sidney writes: "Now, that which is commonly attributed to the praise of historie in respect of the notable learning which is gotten by marking the success as though therein men should see virtue exalted and vice punished, truly that commendation is peculiar to Poetry" (93).

The American president's address draws on the inspirational rhetoric of representational justice, whereby vice is slaughtered by the acts of champions, and on the biblical tradition of retribution, positioning the presidency within the discursive realm of the puritan narrative fighting for the soul of America.[7] Invoking the image of the bright September day when the hallowed bright goodness of the nation was "darkened by the worst attack on the American people in our history," the President embarks on a dual narrative where the dark, plot-inducing terrorist is fought by the heroic, tireless men and women of the military who have sacrificed their lives in the War on Terror. In the absence of images of the raid and of the dead Osama bin Laden the President creates imaginal evidence. Obama speaks of the bright September day darkened by the planes hitting the WTC. The speech articulates a visual image – the disturbance in the imagery of the home – that is the dismal negative of Norman Rockwell's patriotic celebration of America in his *Four Freedoms* (1943):

> the worst images are those that were unseen to the world. *The empty seat at the dinner table.* Children who were forced to grow up without their mother or their father. Parents who would never know the feeling of their child's embrace. Nearly 3,000 citizens taken from us, leaving a gaping hole in our hearts. (Obama, emphasis added)

Osama bin Laden's killing becomes what the president terms a "teachable moment," whereby the nation as the hallowed space of virtue is sacrificially renewed with the blood of the "heroic military" and the radical erasure of the enemy. Obama continues: "We will be relentless in defense of our citizens and

7 Specifically on the narrative of national rejuvenation through sacrifice, see the eminent studies by Sacvan Bercovitch (1993) and Richard Slotkin (1973).

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our friends and allies. We will be true to the values that make us who we are. And on nights like this one, we can say to those families who have lost loved ones to al Qaeda's terror: Justice has been done."

Obama's address is an act of legibility, because it instructs Americans on how to read the invisible event, because it provides discursive conviction to the raid and because it performs a symbolical reunion of the *demos* under the construct of the nation.

> And tonight, let us think back to the sense of unity that prevailed on 9/11. I know that it has, at times, frayed. Yet today's achievement is a testament to the greatness of our country and the determination of the American people.
>
> The cause of securing our country is not complete. But tonight, we are once again reminded that America can do whatever we set our mind to. That is the story of our history, whether it's the pursuit of prosperity for our people, or the struggle for equality for all our citizens; our commitment to stand up for our values abroad, and our sacrifices to make the world a safer place.
>
> Let us remember that we can do these things not just because of wealth or power, but because of who we are: one nation, under God, indivisible, with liberty and justice for all.
>
> Thank you. May God bless you. And may God bless the United States of America.

The speech closes with an invitation to a wholesome reunion under the aegis of the just sovereign, but it also points to a moment of normalization. The crisis becomes the occasion for a reshuffling of the norm. The crisis legitimizes a new normativity, even if at the cost of unbundling a foundational legality.

Lex Populi or on Pop Crisis

The Harry Potter saga may be an uncommon bedfellow to President Obama's speech or Gaston Dominici's lethal literary branding. However, in the interest of understanding the ways in which reading the law conflates possibilities of diagnosing and suggestively – if only symbolically – mending the wounded legal pacts that rule the social, the saga employs an interesting strategy to popularize and simplify the crises in legal discourse. The series is a keen example of what James Boyd White has termed "the legal imagination" (1973) and shows how popular culture provides insight into a certain "juridical unconscious"

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(Felman 2000). Popular culture has consistently given form to a sort of legal studies for amateurs, a certain *Lex populi* (MacNeill), reflecting how popular culture, and film in particular, reflects and impacts a certain jurisprudence for the masses. Such popular imaginations of the law work pedagogically to explain the processes of the law, but also as symbolical reparations to the contradictions of the juridical apparatus, most specifically because they may suggest the possibility of an audience playing the role of a would-be jury and virtually acting where reality falls short.

The fourth book of the Harry Potter saga, *Harry Potter and the Goblet of Fire* (2000), provides an insightful instance of the work of the legal imagination in popular culture and the ways in which it suggests possible frames to read into the legal contradictions of the social. In his search for the Goblet of Fire, Harry Potter enters the study of headmaster Albus Dumbledore and discovers an intriguing device, a basin filled with liquid that works to retrieve memories.[8] The Pensieve, as it is called, works as a sort of liquid archive, providing access to Hogwarts' (traumatic) memories. The device, which allows for third-person, non-participant, retrieval of Hogwarts' memories, has a normative function. This individual access to another's past provides for the piecemeal and contained recovery of repressed memories. It thus functions to regulate two threats: amnesiac chaos as well as hypermnesiac remembering. As a narrative device, the Pensieve has Freudian overtones, suggestively figuring what the psychoanalyst considers in *The Interpretation of Dreams* (1967 [1900]) the technologies of mediation structuring access to the unconscious. By using the technological metaphors of the lens and the telescope, Freud suggests that access to the unconscious can only be attained indirectly (611). The Pensieve, as an instrument that provides the gateway to the unconscious, transforms Harry into the analyst of the Hogwarts' community, into the one who gains access and thus insight into the repressed past, so as to suture the wounded psyche and the injured community, rebinding its normative ties.

The Pensieve provides Harry with access to a repressed legal memory: the trial of the alleged Death Eaters, subjects to the unspoken One, Lord Voldemort, a legal event repressed by the School. Harry is pushed through the Pensieve into this hidden past, which becomes a *mise-en-abyme* of the dangers facing Hogwarts' magical world. The whole of the Harry Potter saga is filled with characters and spaces linked to juridical order (lawyers, solicitors, prison guards, courts, ministries, prisons), but this is a world continuously under threat, demanding a constant reassertion of the rule of law. The Death Eaters

8 The Pensieve also comes up in other installments of the saga, namely *Harry Potter and the Half-Blood Prince* (2005) and *Harry Potter and the Deathly Hallows* (2007).

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trial is precisely one of those moments whereby the legal order under threat is reaffirmed as the evildoers are found out and sentenced, and virtue wins over vice. Through secondary witnessing of the trial, Harry conjoins the functions of analyst and justice.

In fact, in 1906, in a lecture to law students at the University of Vienna ("Psychoanalysis and the Establishment of Facts in Legal Proceedings"), Freud compares the practice of analysis to the process of law. Both the analyst and the judge are seeking out the truth, but not in an absolute or simplistic fashion. Instead, they focus on the process of disclosure of what is hidden, on the revelation of what, but also how, why and who. Freud argues that psychoanalysis may go even further than the law, as it pierces into the unconscious to understand not simply what has happened (the crime) and what the criminal consciously knows, but also the motivations of the unconscious which she cannot directly retrieve:

> In the neurotic the secret is hidden from his [sic] own consciousness; in the criminal it is hidden only from you. In the former there is a genuine ignorance, though not an ignorance in every sense, while in the latter there is nothing but a pretence of ignorance. Connected with this is another difference, which is in practice of importance. In psycho-analysis the patient assists with his conscious efforts to combat his resistance, because he expects to gain something from the investigation, namely, his recovery. The criminal, on the other hand, does not work with you; if he did, he would be working against his whole ego. (2001: 102)

The analyst/justice Harry Potter thus gains insight into what the wizarding world's legal system cannot aspire to know – the unconscious motivations behind the facts – and can consequently act to purge the danger of disruption that threatens the system.

The Pensieve connotes what Shoshana Felman has named the "juridical unconscious," associated with the management of trauma, of the repressed and the unspeakable (5). The object incorporates the school's collective unconscious, functioning on three levels: as a technology of mediation to the unconscious and repressed past memory; as an archive of trauma; and as legal reserve, that is, as the last haven for the order of the law continuously placed under threat by Voldemort's followers. Thus, the juridical unconscious can and must be accessed and read in moments of potential danger. The retrieval of the memory of the Death Eaters trial suggestively presents the trial as a moment that renders transgression visible – a transgression that is repressed by the conscious – but simultaneously demonstrates the reestablishment of order

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through the punishment of the defendants. It represents therefore a repetition of violence that is overcome by the process of law.

The memory of this moment is in fact a menace to institutional order because it suggests its fragility and reminds Hogwartians of the ever-present possibility of transgression. In this economy, the juridical unconscious represented by the Pensieve reminds Harry of his necessary fidelity to the dominant legal order of magic and, while disclosing that disorder exists and is continuously lurking, invites the subject – represented by Harry – to submit and reinforce obedience to the dominant state of affairs.

Calling the Bluff, Denouncing Crisis

Steven Spielberg's 2002 adaptation of Philip K. Dick's 1956 short story "Minority Report" presents justice as fiction and looks into crisis as a cultural construct created to support exception to the law. The film, tapping into contemporary concerns over preventive war and the appropriation of technology for repressive purposes, calls the bluff of the powerful philosophical narrative that links transparency to truth and of the technological narrative binding technology to the pursuit of happiness and the "relief of man's estate," as Francis Bacon famously argued in *The Advancement of Learning* (5).

The plot deals with the ways in which crime is fought by dint of prevention, diagnosis and punishment in the distant year of 2054. An articulate mechanism picks up the psychic signals (symptoms) resulting from the visions of three psychics, Damiel, Dashiel and Agatha, called "precogs." The mechanism offers these visions as signals for interpretation by the police and the judiciary. The consensual reading of the signs produces a majority report that will then lead a Pre-Crime brigade to invade the house of the prospective criminal and arrest him. Here, due process is substituted by pre-process, intention is equated with action and the right to trial by a jury of one's peers is overcome by the truth machine. At a time when the US was engaged in a two-front preventive war, when prevention had in fact become the new paradigm of military engagement in the Bush doctrine, and the legal structures (Attorney General) were constructing doctrine to legitimize prevention, this cinematic fiction problematized the transformations in the legal paradigm. The film drifts from the punishment of acting subjects into the punishment of alleged intent, and thus questions the fundamental rights refracted in the Constitution's Bill of Rights. Other than issues of a social and juridical nature, the film, much like the story, taps into some of Philip K. Dick's recurring topics: the demise of privacy brought about by technology, the repressive

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capabilities of technology and its narcotic dimension as a model for the compensation of loss.

The story revolves around John Alderton (Tom Cruise), Head of the Pre-Crime brigade, framed by the system to cover for the actions of the overall program director Lamar Burgess (Max von Sydow), and the struggle to allow the minority report of the precog Agatha to pierce through the transparent hoax and reinstate order. The viewer is faced with the melodramatic grammar of a world disturbed by vice that the hero will harrowingly overcome in the end. But what interests me is the way in which this is also a film about legibility, about the traps of visual literacy and the awareness that images lie, lie, lie.

In a *mise-en-scène* obsessively marked by transparency (water, technology screens, advertising screens, transparent eyeballs), what you see is not what you get. Quite the contrary, the film works meta-reflexively to discursively subvert the cinematic *mise-en-scène*. The viewer is invited to see with John Alderton beyond the transparency/truth nexus and hence to learn to read Agatha's minority report. In the end, it is in reading that the precogs find solace to protect them from the trials of manipulative visuality. The film suggests an imaginal world in crisis that excludes the formalism of the law and ultimately leaves the individual at the mercy of the technological sovereign of vision, as Nicholas Mirzoeff has compellingly argued (2015). Who gets to decide what is seen and whether the seen is the truth? Just as the invisible – as in the Osama case – encapsulates a threat to a legal order materialized in the writing of law, so does hypervisibility connote the same threat. It is at this moment that the materiality of the law provides an even if unstable textual ground, sustaining the right to have rights beyond the vested interests of the conjuncture.

Conclusion

The cases debated above suggest that the cultural discourse about the law provides a framework of legibility about legal processes and encapsulates both pedagogical and denunciatory mandates to understand and monitor a legal order that is always by definition in crisis. That is, they attempt to grasp an order that is grounded on the acknowledgment of its imperfection, reflecting the situated condition of the legislator and, in democratic societies, continuously committed to improve the ways in which it is made to mean. The banishing of the death penalty or the legalizing of gay marriage are instances that speak against the textualist originalism Justice Antonin Scalia defended

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and substantiate an understanding of the law as a process in becoming. Cultural products, from literature to film, work symbolically to diagnose imperfection and often invite improvement. In different ways, the representation of the law can emerge as a rhetorical device that may both create crisis and work to overcome that crisis – as in the Dominici case and in the Obama vs. Osama affair – or as a narrative resource that popularizes legal discourse – in the Harry Potter saga. It may also materialize into a compensatory narrative that, through cinematic or literary fiction, denounces the transgression of legal pacts and suggests the potentiality of the symbolical to articulate a legal order to come. By reflecting the legal desire of cultural objects, these cases present the legal imagination as a magnet of aesthetic and critical work, while disclosing the contribution of cultural creation to diagnosing and mending dysfunction, and its involvement in promoting a wider legibility of the law.

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CHAPTER 7

Encountering the Law: Machinic and Theatrical Space in Criminal Prosecution

Tessa de Zeeuw

Abstract

In this chapter, Tessa de Zeeuw discusses law's machinic logic because of a case of criminal profiling that received much media attention in The Netherlands in 2016.[1] Through an analysis of Alexander Galloway's essay "Love of the Middle," and Philip K. Dick's short story "The Minority Report," she distinguishes between machinic and hermeneutic medial aspects of criminal prosecution and points out the paradoxes in representing the logic of machines in narrative prose. The chapter proposes that theatrical works have the potential to interrupt the sovereign practices of law and to defamiliarize discourses of legitimation if they are performed *in situ*. In the case of criminal profiling, this potential would hinge on the work's sensitivity to the spatial conditions of the encounter between individuals and the law's machinic logic.

• • •

> "For if calculation is calculation, the *decision to calculate* is not of the order of the calculable, and it must not be so."
>
> DERRIDA 2002: 252, Emphasis in Text

⁘

1 With thanks to Siebe Bluijs, Pepita Hesselberth, Yasco Horsman, Frans-Willem Korsten, Anna Volkmar and Ruby de Vos for their valuable comments during different stages of writing and presenting this chapter.

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A Case of Criminal Profiling and the Appearance of Law's Machinery

In early 2016, messages about police violence against African Americans and riots between Black Lives Matter activists and police forces in the US were front-page news globally. More locally, in the Netherlands, these events tied in with ongoing fiery discussions about the Dutch colonial heritage, anti-"zwarte piet" (black peter) activism and questions about institutionalized racism, for example in Dutch universities. At the height of these debates, in May 2016, in Zwolle (a city in the East of the Netherlands), the police stopped a well-known Dutch rapper who goes by the name of Typhoon (Verschuren). Typhoon wrote on Instagram about the event, posting a picture of his car accompanied by the following words:

> I have just been stopped by the police in Zwolle. Not because of a traffic offence, but because my new car does not match my profile; in other words, how suspicious, a man of my color driving such a car. The officer on duty (friendly guy, by the way) admitted that he was prejudiced and considered that it could be drug money [that paid for the car]. Unfortunately, this is the umpteenth time this has happened to me, and I am "famous," which often makes the atmosphere much less tense after I've been recognized. Many don't have that privilege. Before, I was able to get angry about it, but now I already assume I will be stopped and actually become calm when it turns out, once again, that ethnic profiling is the reason. It is sad. I am choosing to share this now because this is not a singular event. It's not just the police; this is a big error in Dutch society. The first step towards change is admitting that racism/discrimination/differentiation is still a part of our culture. We're not even close yet! #ethnicprofiling #awereness #netherlands #racism #equality.[2]

2 Original Dutch: "Net staande gehouden door de politie in Zwolle. Niet door een verkeersovertreding maar, omdat mijn nieuwe auto niet matcht met mijn profiel, lees; verdacht dat een man met mijn kleur in zo'n auto rijdt. De dienstdoende agent, (vriendelijke vent daar niet van) gaf toe dat hij bevooroordeeld was, en er rekening mee hield dat het drugmoney kon zijn. Dit is helaas de zoveelste keer dat dit mij overkomt en dan ben ik nog 'bekend' en is de sfeer na herkenning minder gespannen. Velen hebben dat voorrecht niet. Voorheen kon ik er nog boos om worden, nu ga ik er al vanuit dat ik word aangehouden en word ik juist rustig als het weer blijkt dat etnische profilering het motief is. Het is triest. Ik kies ervoor dit nu te delen omdat dit niet een op zichzelf staand iets is. Het is niet alleen de politie, dit is een dikke error in de NL'se samenleving. Eerste stap naar verandering is toegeven dat racisme/discriminatie/onderscheid nog steeds onderdeel van onze cultuur is. We zijn er nog lang niet! #etnischeprofilering #awereness #nederland #racisme #gelijkheid." https://www.facebook.com/TyphoonFTG/posts/10156878094995304:0.

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Typhoon's plea for awareness resounded through Dutch society, as the amount of times the message was shared and liked on social media indicates. The incident triggered a fierce public debate. Police officials apologized, questions were asked in Parliament and the Dutch Minister of Security and Justice, Ard van der Steur, even went so far as to ask the rapper to share his experience as part of the police training program, to which Typhoon agreed (NOS). At the same time, however, reactions circulating on the police force's intranet expressed confusion about and disagreement with the official and public responses to the incident (Kouwenhoven and Rueb). As becomes clear from excerpts published in the newspaper, police officers felt as though their officials had apologized for a method that they were being instructed to use on a daily basis. To assess the likelihood of crime and, upon reaching a certain threshold of suspicion, to act on it by stopping and searching the suspect, and potentially making an arrest – that is what policemen and women are trained and required to do, is it not?[3]

What happened, I would suggest, is that "the law," as represented by those institutions attempting to uphold it, was temporarily brought into crisis after Typhoon's public statement. The mechanisms and methods the police usually applied in going about their daily work temporarily lost credibility in the eyes of the public and, consequently, its leadership felt the need to save face. That the use of some measure of force is required in upholding the law and detecting and punishing crime is recognized. Given law's public nature, however, the exercise of that force needs to *appear* as justified in order for the public to invest trust in its institutions. It is crucial, then, for the law to stage the procedures it applies as being just. In rules-and-procedures-based systems, which rely heavily on codes that regulate both the substance and the procedures of criminal law, this tends to take the form of presenting the system *as such*; that is, as justifying actions because they are *systematic*, because they are in accordance with the legal system.[4]

3 Although the questions of racism and racial profiling are urgent, I will not address them outright in this chapter. For work on (criminal) profiling in relation to race, see, among others, Harcourt (2007); for a discussion of racism and technology, see Chun (2012); and for the distinction between the concerns of machinic logic and the concerns of racist representation, see Galloway's chapter "Allegories of Control" in *Gaming* (2006). Journals like *Criminal Justice* frequently publish on racism and racial biases in the American criminal justice system.

4 Here, I take my cue from Judith Butler's reflections in "Legal Violence: An Ethical and Political Critique" on the justificatory framework the law installs, by means of which legal violence, as exercised, for instance, in punishment, appears justified. Through a reading of Walter Benjamin's essay "Critique of Violence," Butler explains the tautological character of this framework: "the law is justified because it is the law, and as justified, its own violence is justified, and its own established legal framework is the one with the authority to establish frameworks of justification in which what is justified is distinguished from what is unjustified" (2016).

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Susan Schuppli writes of rules-and-procedures-based criminal law systems as presenting "the computational logic inherent in law"; such systems are one form of expression of what she calls "a certain *algorithmicity*" that "lies at the heart of law" (535). Schuppli reformulates a media theoretical argument in terms of criminal law when she argues for a formal distinction between institutions of law. According to her, institutions that rely heavily on rules of procedure and evidence that take the form of protocols and calculation differ fundamentally from representational procedures that take the form of storytelling and the dramatic staging of past events. The example Schuppli gives of the latter are the various truth commission procedures that arose in the 1990s and which often consisted of ceremonies of testimony and forgiveness. Such ceremonies, Schuppli argues, are shaped by "the condition of incomputability" (535). They take as a condition that what they process needs forms that we characterize as "literary," such as the testimony and the apology. Rules-and-procedures-based institutions, on the other hand, translate what they seek to deal with into the terms of the codes and statutes from which they derive their jurisdiction, which rests on a logic of "computability." What leads Schuppli to distinguish these two forms is the question of what the law's exercise of force is *grounded in* in processes of adjudication and, by extension, I would suggest, in processes of arrest. In other words, the question underlying an analysis of legal systems should be: by means of what construct does law claim to be legitimate?

What makes the Typhoon case worth discussing is that it presents a contradiction between the programmatic logic at play in what police officers are being instructed to do and the authorities apologizing for it. Typhoon's Instagram post gives an account of his experience of being "processed"; in the post, he "tells" about it in the way of a testimonial. When the authorities apologized for the incident, they also responded to the event by means of a literary convention. The question that arises, then, is whether these literary responses to the event performatively legitimate what happened, thereby blinding us to an issue that transcends this singular case and demands to be addressed, namely, the programmatic logic of the procedure that was also at play in it. In fact, Typhoon's use of the word "error" – as indicating a computational or systemic rather than a moral fault or a fault in judgment – raises another question. Can an occurrence that has the shape of the running of a program, that is, a *systematic* event, at all be addressed in the mode of storytelling and public apology, or does "representing" the situation in terms of an incident that can be resolved obfuscate the programmatic, structural side of the matter to the point that we are "blinded"

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to it?[5] If, as has been proposed, the Typhoon case will be used as an exemplary case in Parliament and the police academy – distinctly theatrical spaces, or spaces of representation – the question that arises, in other words, is whether, and if so how, these theatrical spaces allow for some way to "stage," represent and thus critically examine the machinic logic of such procedures and the violence it entails, given the rule-based procedures that determine everyday police work.

In order to address the relation between theatricality, machinic logic and violence, I draw on two additional texts besides the Typhoon case, one scholarly, the other fictional. Both deal with the problem of staging a computational, machinic logic that is systemic by means of a metaphor, by presenting it on a fictional stage. The first is an essay by media scholar Alexander Galloway entitled "Love of the Middle." In the essay, Galloway discusses the machinic mode in the context of what he calls a "story about mediation" by assigning it an avatar. With this gesture, Galloway presents the need for some form of impersonation in order to represent a machinic logic, while at the same time he argues that the machinic mode presents a medial regime that is fundamentally different from that which structures representation and communication between persons. The second text I analyze is a 1956 short story by science fiction writer Philip K. Dick, "The Minority Report," which presents an automated, predictive crime detection system in a police department in the future city of Washington D.C. and recounts the detectives' struggles in using the machine's determinations to prevent crimes. In my reading of it, the story raises the question of the "theatricalizability" of the machine, especially in the way the murder predicted in the story is executed on a stage to show, in public, before an audience, the infallibility of the system, thereby legitimating the violence exercised through it. Both texts, I argue, offer valuable insights into the problematic of the un/representability of the machinic logic of the law and, as such, will allow me, towards the end of the chapter, to return to the question of in what way and in what kind of theater the representation of the Typhoon case could do justice to the machinic form of violence at play in it.

5 In raising the issue of "blindness," I take my cue from Shoshana Felman's work on what she calls "forms of judicial blindness" in connection to visual evidence. See the chapter "Forms of Judicial Blindness, or the Evidence of What Cannot Be Seen: Traumatic Narratives and Legal Repetitions in the O. J. Simpson Case and in Tolstoy's *The Kreutzer Sonata*" in *The Juridical Unconscious* (2002).

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The Furious Mode of Mediation and the Desire to Tell About It

Throughout his work, Galloway is concerned with the logic of machines, systems and networks as a medial form distinctly different from everyday communicative exchanges between persons trying to understand one another. According to Galloway, the machinic mode has become dominant since the rise of what is called the *information society* in the second half of the twentieth century – a characterization of contemporary society as structured by forms of power that are distinctly different from earlier dominant regimes of power, such as the ones Foucault characterized as sovereign power and disciplinary power. Whereas these earlier regimes worked according to the logic of representation, Galloway suggests that power in contemporary society, as it is dominated by machines, automated decisions and forms of protocological organization, takes a *non-representational*, operative form. In an article from 2011 entitled "Are Some Things Unrepresentable?," Galloway suggests that this operative form, to which he refers as "machinic space," fundamentally resists visualization. He suggests that data visualizations (as an example of the machinic) take the form of "a theatre," and thus present an artifice rather than the "raw data" (2011: 88). If the machinic is nevertheless represented, Galloway argues, what is staged is the *disreality* of the theatrical gesture rather than the machine's *real* materiality (2011: 88).[6] The machine's materiality and its real societal effects are structurally ungraspable by the mechanisms of staging.

Nevertheless, Galloway repeatedly points out the urgency of finding ways of representing this mode, of creating a "poetics" for the non-representational, operative logic, as it produces forms of social violence that, he suggests, cannot otherwise be addressed. In this, he follows Deleuze, who formulated the urgency in terms of a call to "look for new weapons" (4). In "Love of the Middle," Galloway turns this appeal into an actual attempt at creating such a poetics. The chapter, published in a collaborative volume entitled *Excommunication*, starts out by arguing that, in order to address the main theme of the book, it is first necessary to give an overview of the history of different forms of communication. Notably, when he emphatically presents the urgency for this at the beginning of his text, Galloway does so in literary terms: "the goal of this chapter," he writes, "is *to tell a story* about mediation" (2014: 28, emphasis added). That story starts with what Galloway calls "workaday communication" and the hermeneutic tradition, moves on to describe affective, "iridescent" or "immediate" forms of communication, and finally analyzes the form of communication

6 For a discussion about philosophical (and psychoanalytical) conceptions of the theater in relation to the problem of its "reality" and "disreality," see Lyotard (1989).

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that takes the form of "the system, the machine, the network" (2014: 30–62). He proposes, as stated in the introduction to the book, to present a way of "distinguishing between text, image, and system" (Galloway 2014: 20). In order to make this distinction, Galloway assigns each communication-regime an "avatar." He chooses three figures from Greek mythology with different characteristics as a way of making the three modes of communication appear: the messenger-god Hermes for the eponymous hermeneutic tradition or "text"; the rainbow-goddess Iris for the "immediate" tradition or "image"; and the Furies, ancient figures of revenge, for the forms of communication that dominate in what he calls the "information society" or "system" (Galloway et al. 2014: 31–56).

Galloway argues that when we look at the forms of communication throughout history, as well as at the forms of critique developed in relation to them, we find that there is always one mode that dominates (2014: 46). At the turn of the millennium, he writes, the hermeneutic and iridescent modes of communication, that is, text and image, are "gradually withering away": we are now living in a time in which the Furies have become the most dominant mode of communication and, by implication, the form power takes in contemporary society (Galloway 2014: 62). For Galloway, Hermes stands for communication in the "workaday sense" of the exchange of a message between sender and receiver, with the possibility of deception that exists in the gap that structures the relation and difference between them. He writes that, in this type of mediation, "there is never simply a direct relationship to truth, there is always a *confrontation* with truth" (2014: 36, emphasis in text). That "confrontation," or the frontal meeting between a receiver or interpreter and a statement that poses as truth, happens across a middle that remains open and that thus allows for critique. Iris, the avatar for the image's mode of communication, refers to the tradition of erotic reading that was developed in response to traditional hermeneutics. According to Galloway, it presents "a secondary world parallel to that of the critical tradition": Heidegger's appreciation for the mysteriousness of Being and Susan Sontag's "erotic" mode of interpretation are his examples (2014: 40). As the goddess of the rainbow, the Iris-figure allows Galloway to propose a "post-hermeneutic" medial regime that exists "parallel" to the critical tradition and consists in an immediate or intimate connection between sender and receiver. It is a way of going "To the things themselves!," which, however intimate, still consists in a separation between subject and object, sender and receiver (Galloway 2014: 48).

By contrast, the Furies' mode of mediation, according to Galloway, "annihilates" the separation that structures both the hermeneutic and the post-hermeneutic modes (2014: 40). Furious media "extinguish any sort of middle whatsoever"; they erase the fixed positions of sender and receiver that structure the hermeneutical or Hermes-mode, as well as the separation between bodies

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that is still implicit in the "immediate" exchanges Galloway represents through the figure of Iris (2014: 29). Furious media have an operative logic: they execute commands and move like viruses or swarms; they are multiplicities, not individualizable. In fact, it is paradoxical that they are referred to as "media." In the ancient texts on which Galloway bases his description of furious media, the Furies represented a criminal justice system that, according to mythology, preceded the establishment of the first public court in Athens and that took the form of vengeful, targeted pursuits. Galloway refers to the Furies as existing in "a general state of agitation and sensuous energy," an "antagonistic energy" and "an agitation *against* some target of persecution" (60, emphasis in text). His italics here stress the "against" as the mode of being that defines the Furies: their function seems to be to incite antagonism in who- or whatever actually performs the hunt, as they do in both Euripides's and Aeschylus's version of the Orestes tragedy. Fury, in other words, first and foremost resides in the viral form, as opposed to the form of a person who becomes incited with it. Fury *infuriates*; it has an operative logic. The furious modes of mediation, according to Galloway, thus work materially, directly on the body: they incite and program bodies to act in agitation.

In Galloway's history, however, the Furies do not have such a potential to infuriate. The avataristic form Galloway chooses is a *metaphor*, a way of giving form. The avatar metaphor allows Galloway to communicate about machinic logic and make it appear in a story. Galloway's essay is not a computer game or otherwise virtual environment in which the avatars function as "playable" representations of operators outside of that environment. The avatars in Galloway's essay, rather, are a way of rendering the logic of systems comparable to the other formal regimes he discusses – the hermeneutic and the erotic, the modes of text and image – as if they appeared on the same stage, with the avatar as a form of theatrical impersonation, a form of masking. In other words, through the artifice of the avatar-metaphor, Galloway has set up a "disreal" space in order to make something comparable that he had convincingly argued to be incomparable, and to talk about something that he convincingly argued exceeds the logic of storytelling because of its material nature. A text that reflects on the story as one mode of communication amongst others would seem to call for some self-critical reflection on this storytelling gesture, but Galloway presents it rather as a satisfying resolution of the question of communication. This raises the question: what makes Galloway resort to a representational means here and ignore or repress the contradiction he has himself set up?

If we understand theatricality as a mode of mediation structured by a gap between acting and audience, following Samuel Weber in *Theatricality as Medium* (2004), Galloway's gesture presents the necessity of inscribing the logic of the Furies, of non-representational media, in a representational,

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hermeneutical form, so as to be able to communicate about them or indeed *judge* them. The effect, then, is paradoxical: in the same gesture that allowed him to distinguish the medial regime of the control society from the hermeneutical tradition, Galloway has re-hermeneuticized the former, thereby rendering its logic inaccessible. The question this raises is: does Galloway's totalizing gesture not risk veiling the very problem he started out with, namely the fundamental unrepresentability of machinic media? And, consequently, if machinic media perform particular forms of social violence *in their unrepresentability*, does this act of veiling not blind us, effectively, to precisely those forms of social violence Galloway convinced us are so urgent to address?

I will now turn to "The Minority Report," as that text raises a similar question in a different way. Although it is a story, I will argue that, upon finishing it, the reader wonders if she has not in fact traced the programmatic logic of a perfect and extensive machine while *imagining* that there were personal judgments and responsibilities at play, that is, the stuff usually represented in theatrical form. This ambiguity culminates in a dramatic moment in which the truth of the predictive policing system is "performed" on a stage through an act of murder, while it is afterwards explained as having been the execution of a machinic determination. As in Galloway's text, the story makes apparent that the machinic mode consists in a form of violence that, if it is to be understood, must be made to appear, and that we must attend to the question what the effects of such an appearance would be.

"The Minority Report": The Paradox of Human-Machine Relations and the Performance of Legitimacy

Philip K. Dick's "The Minority Report" is often referred to in interpretations of Steven Spielberg's 2002 film adaptation, but such interpretations rarely take into account the original story. The Minority Report franchise has been discussed often, in the context of debates on surveillance and predictive policing, and discussions on the violent nature of preemptive action by the police or the military, especially in relation to the US government's response to 9/11 and the 2002–2003 Iraq war.[7] The doctrine of the preemptive strike, by means of which

7 See, for example, Richard Grusin's analysis of the film in an argument about media strategies after 9/11 in *Premediation* (2010) and Slavoj Žižek's reference to the film in the context of a discussion on the logic of pre-emptive warfare (2003). In addition, Patrick West (2007) connects the film to British surveillance society, while Lisa Nakamura (2008) likewise considers surveillance and profiling, and relates the film to racial representation in visual culture in the digital age.

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actions are legitimated on the basis of risk calculations, consists in a full submission to the mathematizable, with implicit fantasies of total control. Dick's original story from 1956 dramatizes these fantasies in the form of a Washington D.C. policing system that fully relies on the predictions of a prophecy-based analytical machine, half a century before the onset of the War on Terror and long before police departments throughout the world began to develop and implement systems of predictive policing.

The predictive policing system in Dick's short story, called "Precrime," has replaced post-crime punitive policing with a "precognitive" system. Three beings, so-called "precogs," capable of foreseeing future events of crime, are hooked up to analytical machinery that translates their prophetic "babblings" into reports with information about crimes-to-be one or two weeks before they are predicted to happen (Dick 3). The Precrime reports allow for what the story calls "prophylactic detection." Standard procedure, it appears, is for the police to act on the basis of the information from the reports by arresting the pre-criminal before they can commit the crime they are predicted to commit in the future. There is no hermeneutics of suspicion and no need for proof or evidence other than what is stated in the reports: the machine's predictions are flawless, at least, this is what the police officers, and the public, believe. No one plots crimes anymore, Precrime's Police Commissioner John Anderton, the main protagonist and founder of the system, proudly states, as the criminal-to-be knows he or she will be caught beforehand. Five years before the events of the story, Anderton relates, a pre-criminal managed to outsmart the police, but that was the last time and there has not been a murder in the city since (Dick 4–5).

The story begins when Anderton receives his new assistant, Ed Witwer, whom he suspects of wanting to take over his job. While showing Witwer around in the organization and explaining the theory of Precrime, a report pops out of the crime-predicting machinery, which, much to his surprise, lists Anderton himself as a future criminal. What then unfolds is not standard procedure; the story deals with an exceptional case. As he does not know the predicted victim of his crime, or is aware that he was planning to kill anyone, Anderton's faith in the system of Precrime falters. The story thus raises the issue of the system's credibility, as well as that of the trustworthiness of those involved in it; precisely questions of suspicion and proof, that is, hermeneutical questions. At first, Anderton is convinced he is being framed deliberately by Witwer. He tries to escape before the detecting mechanism starts. Soon he discovers that he is predicted to murder a General Kaplan, an Army officer he has never heard of before. Kaplan, who has also received a report of the predicted murder (copies of the reports are sent to other institutions as part of a

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system of checks and balances), and who does not know Anderton personally, is equally convinced that the report is false. He in turn attempts to use the case to topple the Precrime system. Before the end of the last war, the Army controlled the city; since the onset of peace, however, a delicate balance between the Senate and Precrime has taken over and the Army has become redundant. If Kaplan can prove the system to be flawed, the Army can reassume its former power. As Anderton claims he has no intention to murder a person he has never heard of, this provides Kaplan with the right material to make his move.

It is only towards the end of the story that Anderton realizes the logic of the reports in his particular case. The "theory" of Precrime has it that three reports are produced for each future crime. The data processed by a first precog-machine are run through two more, so that if results should differ between the first two, a third report will predict the same outcome as one of the two to make up a "majority report." In his particular case, however, as he explains to Witwer at the end of the story, because he was in a position to see the report and know of his accusation, he was also able to intervene in his own situation before being caught like the other pre-criminals. The second and third report thus turn out to differ from the first, in his case, because the data changed in between; there was no probabilistic relation between the reports and none of the reports was "minor." The second report, which Anderton first believed to have been a dissenting, "minority" report, and which states that Anderton will not kill Kaplan, having changed his mind, in fact merely reflects Anderton's intentions in a particular time-frame in which he is convinced that he has no intention of killing Kaplan. After Anderton has gone through all three of the reports, however, he realizes that the Precrime system is in danger and changes his mind, as he now knows that executing the predicted murder of General Kaplan is the only way to save the system.

General Kaplan, in the meantime, has organized a big rally during which he intends to present, on a stage, the fundamental flaw he believes lies at the heart of Precrime. As he is still alive and has copies of the reports, one of which he knows states that Anderton will not murder him, he intends to convince the public that other supposed criminals who have been imprisoned by the Precrime system, too, would have had a chance to change their minds had they known they would be caught, thus proving Precrime a farce. When Anderton appears at the rally and mounts the stage on which Kaplan will hold his manifestation, Kaplan is convinced this will only help to confirm his case: a predicted victim, still alive, and a predicted murderer, unaware of his intentions, together on stage will publicly and definitely discredit the system. When Kaplan sets out to read to the audience the last report that supposedly proves his point, it finally occurs to him that this report predicts the murder exactly as it

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then takes place: Anderton takes out a gun and shoots Kaplan on stage. Anderton's conclusive, violent act not only disrupts Kaplan's public manifestation of the system's untrustworthiness, but simultaneously proves that the system makes flawless predictions. Thus, the murder appears, in the logic of the story, as a heroic intervention. More importantly, it does so on the very same stage that Kaplan set up to publicly dismantle the credibility of the system, in front of an audience of citizens who fall under Precrime's jurisdiction. This public show, a staged drama enacting the prediction, thus has the power to re-affirm the public's sense of trust in Precrime and to reconstitute the credibility of the system.

The machinic logic at work in the story's detective system not only echoes Galloway's description of the operative logic of non-representational media; it also resembles the "processing" logic in everyday police work I described in relation to the Typhoon case. In standard procedures, the reports produced by the precogs are not interpreted in a communicative exchange between sender and receiver (in which deception could play a role and suspicion thus always lurks in the background), but rather take the form of punch cards that are inserted into, and thus operate, the law's machine of searching, arresting, convicting and punishing. The police officers do not ask what the information in a report could *mean*, nor do they feel tempted to question it; they merely take it as a command to persecute whoever carries the name the report informs them of. To execute this persecution as an order, in other words, "infuriates" them.

As discussed, for Galloway to be able to theorize the logic of systems and networks, he has to approach it through the metaphor of the "avatar," which he can present in relation to other avatars in what he calls "a story about mediation" that he wants to "tell" (2014: 28). That is, to make the logic of systems, machines and networks understandable, Galloway needs to embed it in a hermeneutical logic in which there is a separation and confrontation between the one who tells and the one who listens, between text and reader, sender and receiver. "The Minority Report" makes a comparable gesture: it presents us with a case in which the officer is confronted with a punch card that *does* challenge him to ask what it could mean and whether he is being deceived, as opposed to prompting him to merely execute the order. Anderton is personally involved, as at once a human individual, a protagonist in a story and a police commissioner, a function of the system. For Anderton, the punch card jams the machine, as it were, because he refuses to infuriate himself against himself to operate the machine. As Anderton starts to wonder if somewhere in the process of the machine's communications he is being deceived, his suspicion installs a critical, hermeneutical scene, a scene that works like a stage on which

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the machine or system can appear as something for which Anderton can take responsibility or not.

What is crucial, then, in my reading of the "The Minority Report," is that the story's climactic penultimate scene takes place *on a stage* – that the reconstitution of the system happens publicly, in front of an audience. What this suggests, in line with Galloway's need for a theatrical gesture, is that the predictive machine the police have been using, perfect as it is, and perfectly outside of the logic of hermeneutics, nevertheless requires a hermeneutical moment in order to be constituted. In other words, the system needs to *appear*, to be represented, in order to frame it as an object that can be judged to be legitimate or not – the question of legibility, around which this story revolves, in that sense, is intimately tied up with the question of *legitimacy*. But this leaves open the question whether what appeared to be legitimate, that is, perfectly in accordance with the system's rules of procedure, is also *just*.

This last question is evoked by the story when, in the last scene, Anderton explains the logic of his actions to Witwer, who has replaced him as Police Commissioner. Anderton retraces his actions as having been predicted by the machine all along, as having been programmed by it, as it were, and as *therefore* having been legitimate. Witwer nevertheless remains confused – and so he should be. The story presents a paradox: Anderton's act of brutal violence can only be judged to have been legitimate if we believe in the system as being true, but it was that very act which proved it to be such. In other words, there is no piece of evidence besides Anderton's act that can convince us of the system's truth: we must either believe it, assume that it was a heroic act and accept the consequences – the fact that prisoners to the system are deprived of their freedom while they have not *actually* committed a crime – or dismantle the system. This paradox shows the constitutive function of belief or conviction for systems; for machines to keep running they must be believed to produce the truth. This becomes apparent at the very outset of the story when Anderton explains the theory of Precrime to Witwer:

> Anderton said: "You've probably grasped the basic legalistic drawback to precrime methodology. We've taken in individuals who have broken no law."
>
> "But they surely will," Witwer affirmed with conviction.
>
> "Happily they *don't* – because we get them first, before they can commit an act of violence. So the commission of the crime itself is absolute metaphysics. We claim they're culpable. They, on the other hand, eternally claim they're innocent. And, in a sense, they *are* innocent." (Dick 2–3, emphasis in text)

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Whether or not Precrime works, then, Dick's story suggests at the beginning, is fully dependent on people's faith in it, that is, it hangs on the conviction with which Witwer affirms the guilt of convicted pre-criminals by saying "But they surely will." The issue is this: conviction and belief are of the order of hermeneutics. In the order of hermeneutics, truth, as Galloway puts it, resides in an exchange between sender and receiver that is always marked by the possibility of deception. The gesture of staging the machine, then, not only allows for its constitution, it also opens up the possibility to question it. At the end of the story, it is up to Witwer to establish for himself whether he believes in the system, like Anderton did before him, and to decide whether he is convinced enough to take responsibility for the violence running the system implies. It is Witwer's confusion, unresolved until the story ends, that provokes the reader to think again and doubt – and it is that doubt that perhaps made Steven Spielberg choose to end his adaptation of the story with a decision to dismantle the system. This prompts the question: what can such a performance of paradox, of doubt and confusion, at the end of the story tell us about the proposals that were made to "stage" the case of Typhoon's encounter with the police?

Concluding Thoughts: Revisiting the Typhoon Case

If we accept Galloway's premise that the space of representation and machinic space are irreducible to one another – as the first is structured by a middle and the second destructive of middles – then what is necessary is perhaps not so much a poetics of machinic space, as Galloway proposes in the form of his avatar metaphor, but rather a form or representation that makes us aware of this irreducibility, a form of representation that undermines its own attempt at representation. Both Galloway's essay and Dick's story raise, in different ways, the relations between theatricality, machinic logic and violence. But where Galloway's essay acts, with the metaphor of the Furies, *as if* it has been successful in staging machinic logic (whereby he veils the issue that prompted his attempt, namely the violence inherent in this logic) and stops there, I have read Dick's story as staging a self-contradictory form of representation. "The Minority Report" leaves the reader to identify, in the end, with Witwer, who feels confused and uncomfortable. The question is unresolved for him: has he just witnessed an act in which justice has been done to an enemy of a perfectly legitimate system, or an act that concealed the violence of that same system by means of a violent act? In between a theatrical scene and the retracing of a program, the story performatively provokes reflection on the difference between these two modes.

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The critical potential of such a performance of contradiction has been discussed within the field of social geography – a field by definition invested in a critical study of space – in debates that reflect on securitization practices and artistic interventions in the scenes in which they are applied, such as national borders, airports and police stations. In order to approach the Typhoon case as one that raises questions concerned with staging, I will first discuss an article by Louise Amoore and Alexandra Hall, who write about securitization practices (different from, but related to the "stop-and-search" police encounter) and the necessity of performances of contradiction and confusion to deal critically with the mechanisms that structure such practices. In "Border Theatre: On the Arts of Security and Resistance," they consider the situation of border control as presenting two different kinds of theaters that need to be distinguished: a representational theater and a theater of defamiliarization. The theater of representation, according to Amoore and Hall, consists in a repetition of dramatic acts that blinds us to, or familiarizes us with, the violence that is structurally part of biopolitical settings such as border control. This form of theatricality corresponds to Galloway's theatrical gesture discussed above in terms of having a veiling effect. It presents sovereign violence, but because of our familiarization to its minute gestures we are not aware of it or we deem it legitimate. The other theater criticizes the first. It is the kind of theater that the last scene of "The Minority Report" seems to hint at or call for. The logic of this theater is based on Walter Benjamin's reading of Brecht's epic theater as causing a dramatic "interruption" of practices and modes of thought that have become all too familiar (301). By means of an act or intervention that creates confusion about the rituals that are being repeated in security practices, such a theater creates awareness of the contradictions at play in them: the feeling of safety that the supposedly neutral technologies of data analysis, probabilistic assessment and the running of programs generate, which contrasts with the violence and vulnerability also experienced because of those technologies.

Theater, for Amoore and Hall, is a question of space. They consider the space of the control setting as a political theater for a spectacle of power, but theatrical space is also the "space of appearance." As such, it is a space that cannot be determined completely (by sovereign power), but leaves some opening for the appearance of something that can disrupt the show of power. For Amoore and Hall, it is crucial that what Galloway calls furious modes of mediation "happen" *somewhere*; they are performed or enacted, for example, at a border or in an airport. Although they recognize the fundamental "unprogrammability" of artistic interruptions, they nevertheless call for the kinds of artistic works or events that cause confusion or make apparent certain contradictions in security practices (Amoore and Hall 313). To have a defamiliarizing effect, they argue,

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such interventions should take place in the same space as where the practices they criticize are enacted, superimposing themselves on the sovereign theater. Whether the opening up of such a critical theater is possible hinges on the intervention's potential to present contradictions rather than resolutions (Amoore and Hall 309). A *critical theater*, in other words, is opened up through a performative intervention in a sovereign theater that calls attention to acts of sovereign violence by making visible the contradictions otherwise obfuscated by those acts.

If we relate these reflections on theater to Typhoon's case, it provokes, at the very least, a reflection on the different theatrical spaces that play into that situation and the different forms of theatricality or different potentialities at play in the scenes those spaces present. The spaces of parliament and the academy are both classical examples of representational or "disreal" theaters. On their stages, the case may appear as one that can be resolved; i.e. they could function as stages for the public legitimation of the status quo, through the gesture of apology, for example. In fact, any theater that claims to be able to *explain* the machinic or *resolve* the confusion it creates in the order of representation would fall into the trap of legitimating the system in place. On the basis of Amoore and Hall's reflections, we may conclude that what the case needs is a theater that is invested in presenting the contradictions between the machinic and the hermeneutic, the two modes at play in the situation. The crucial question, then, is what such a theater would look like?

In my view, the only hopeful suggestion here would be that any theater in which the case appears *could be* such a theater. But the police academy, I suggest, is most likely to materialize as such a theater, since it presents a stage geared towards *learning*, with Typhoon invited to make an appearance as well. As an artist, Typhoon is known not to shy away from raising delicate societal issues in his music. When he was invited to perform in front of the King and Queen, members of parliament and other public figures during the celebration of 200 years of monarchy in the Netherlands, he wrote a song about the Dutch colonial past and its history of slavery for the occasion. What was essentially *critical* about that performance was not simply that, in the song, Typhoon pointed to the lingering traces of this past, but above all that he did so in front of the King and Queen in the building that represents the heart of the Dutch constitutional monarchy: the Ridderzaal at the heart of the parliamentary complex in The Hague. In this way, he raised questions with regard to the structures we take for granted in celebrating the forms of power they symbolize.[8] If we can derive a sense of hope from such a performance, it is because

8 The song, in Dutch, can be found here: https://www.youtube.com/watch?v=NQeOHEQo5nk.

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it presents the possibility of the artist having a critical sense of the space they are being invited to perform or present work in, and their capacity to render it, thereby, a *critical* space.

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PART 3

Machine



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CHAPTER 8

OK, Computer? Understanding Cybernetic Personhood

Yasco Horsman

Abstract

This chapter focuses on a new type of actor that is playing a growing role in the political and military conflicts of our contemporary world: namely, machines operated by algorithms – or software – that are programmed to make independent decisions and to act on those decisions. The emergence and increasing prominence of machines that can make semi-autonomous decisions pose political, legal and moral problems as well as a fundamental epistemological question: how do we make sense of actors that we can decipher, decode and read without fully comprehending them. My essay proposes to turn to two early reflections on the "cybernetic problem," Jacques Lacan's seminar on cybernetics and Hannah Arendt's reflections on the Eichmann case in order to shed light on our contemporary situation.

This chapter focuses on a new type of actor that is playing a growing role in the political and military conflicts of our contemporary world: namely, machines operated by software that is programmed to make independent decisions and to act on those decisions. Software is now used to screen passengers and automatically deny certain individuals access to particular flights; they steer drones and help select, target and sometimes even assassinate individuals who are deemed to pose a threat to the nations who employ them. The emergence and increasing prominence of machines that can make semi-autonomous decisions pose challenges for international, military and human rights law. It can be difficult to know whom to hold accountable when innocent civilians are killed by drones in situations where it is unclear whether the decision to strike was made by a person, a machine, or some hybrid of the two (Schuppli 5). It may even be an open question whether key legal concepts of accountability, liability and responsibility, and the moral and legal framework to which they belong, can still be used in situations when warfare or security operations are partly automated. In particular, the so-called "signature strikes" performed by

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drones, in which computerized data analytics are used to reveal and assassinate potentially dangerous individuals, have prompted a series of legal, moral and political debates that are politically urgent and theoretically complex.

In this chapter, I propose that lying underneath these questions is a more fundamental epistemological problem that we face when confronted with intelligent machines, namely how do we combine the logic needed to read software with the mode of understanding that we employ in legal situations, when we judge and assess the decisions, obligations and liabilities of persons? How do we translate the language of software into a legal lexicon of rights, responsibilities and accountabilities? I propose that the figure that I will call the *cybernetic person*, the intelligent machine that makes semi-autonomous decisions, confronts us with a new type of illegibility that surfaces when we are asked to combine two incommensurate cognitive tasks: that of understanding persons and that of deciphering algorithms. In what follows I will analyze the perplexities that the figure of the cybernetic person gives rise to by going back to the 1950s and 1960s, the period when new scientific disciplines such as cybernetics, game theory and information theory gave rise to the first debates about Artificial Intelligence. I will focus on Jacques Lacan's psychoanalytic reading of these debates in his public seminar of 1954–1955, where he argues that cybernetics and game theory revealed the incommensurability of symbolic logic and processes of human understanding (1988). I will read Lacan's text in juxtaposition to Hannah Arendt's well-known reflections on the Eichmann trial (1963), published eight years after Lacan's seminar, in which she also broaches the question of the relation between logic and understanding. Reading – or re-reading – Lacan with Arendt, I submit, helps us to analyze the widely shared feeling of uneasiness, or uncanniness, that pervades our attempts to put forth legal responses to the rise of algorithms.

Humanity *Superseded* by Software

The uncanniness or uneasiness that overwhelms us when confronted with Artificial Intelligence is perhaps best captured by the responses to a famous BBC interview of Rory Cellan-Jones with Stephen Hawking, which was broadcast in December 2014. In the interview, Hawking warns that "the development of artificial intelligence could spell the end of mankind," since, he argues, biological evolution is inevitably slower than that of technology, which raises the specter that mankind may one day be "superseded" by intelligent software, which will become smarter, faster and more efficient than biological human brains. Humankind will then be subjected to a regime run by, and for, machines that can potentially make decisions without possessing ethical awareness.

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Hawking's warning was delivered shortly before Christmas, the period when we are traditionally given ominous warnings and moral messages, and shortly after the release of a number of blockbuster movies that expressed a similar sense of dystopic foreboding. *Transcendence* (Pfister 2014), for one, depicts the future world out of joint and wholly run by computers. Hawking's remarks, widely quoted and debated, also came at a time when much of the world was trying, as indeed it still is, to come to terms with Edward Snowden's revelations about the NSA and the widespread military use of drones in the Middle East.

Looking back at the interview, what strikes me now is not so much the content of his message, which is rather commonplace, but rather the *scene* in which he speaks. Ironically, Hawking's remarks were not in the first place prompted by topical events but by an update of the technology he uses to communicate with the world, designed by the Swiftkey company. Swiftkey has begun to use intelligent software that aims to learn how the professor thinks so it can suggest words he may want to use next, much like the auto-fill function on our smartphones. This seemingly trivial occasion raises the ironical and perhaps slightly perverse question whether Hawking's warning about AI sprouted from his unique, biological brain, or had been suggested by the intelligent software that now, indeed, threatens to supersede him.

It is hard to tell whether this was a deliberate joke by Hawking – after all, he uses an electronic voice to communicate, which makes it difficult to grasp his intentions. His warning may well have been utterly serious, but it may also be the case that the professor had adopted a sophisticated form of dramatic irony, in which the content of his words was undermined by its necessary vehicle: the intelligent software required for him to communicate this message to the world. But then again, perhaps it was the Swiftkey Software that was trying to be funny at the expense of a disabled academic. Both scenarios are, theoretically, equally possible: Hawking may be serious, unaware of the ironies of his utterance, or he may be making a joke. The point is, in order to make sense of Hawking's words we need to make a decision as to what type of person we are listening to: a human being, capable of sophisticated ironical utterances, a computer, or a mix of the two. Only then, it seems, can we grasp the mode in which he (or it, or they) communicate: serious or joking.

The irony of the interview is, of course, enhanced by the slightly campy retro-robotic voice that Hawkins has been using for decades. The BBC journalist, aware of this, asked Hawking why he had not used his speech software's update to adopt a more "human"-sounding computerized voice to communicate. To this, Hawking, or the Hawking-Swiftkey hybrid, answered that he had not done so because the robotic voice has "become his *trademark*" (Cellan-Jones) by which his audience now recognizes him, thereby suggesting that the professor,

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along with his biological and cybernetic forms of personhood, aspires to sustain his international brand and be a corporate person as well. What the interview with Hawking demonstrates – perhaps unwittingly – is that the difficulty of "making sense" of a world run by AI is fundamentally related to the question of personhood. AI confronts us with a world inhabited by different "persons" that are mixes of biology, technology and complex legal and social formations.

Whereas the Hawking example shows the complex intertwining of different forms of personhood (natural, corporate, algorithmic) that may be difficult to disentangle, many of the responses to the issues he raised sought precisely to disavow this complexity. For example, in a series of op-ed pieces, inventor, computer scientist and author Ray Kurzweil (2014) responded to Hawking's fears by trying to reassure us that our concerns about Artificial Intelligence could be dispelled by programming ethical awareness into AI systems. Ethical considerations, Kurzweil claims, can easily be translated into protocols that can then be encoded in computer software. The ethical and moral problems posed by AI, then, could be solved purely on the level of code.

Human rights groups, on the other hand, have typically taken the opposite approach in thinking about ethics, humans and machines. In their attempts to formulate a legal response to drone attacks, they have tended to seek out the human wetware behind the machines, arguing for an expansion in prosecutorial range so that particular human beings can be held responsible for the programs run by computers. This may seem like an obvious solution to the ethical conundrum of AI's uses, but, as Susan Schuppli has argued (2014), it denies the complexity of the situation. Schuppli writes:

> The idea that an actual human being, or "legal person" stands behind the invention of every machine who might ultimately be found responsible when things go wrong, or even when they go right, is no longer tenable and obfuscates the fact that complex systems are rarely, if ever, the product of single authorship; nor do humans and machines operate in autonomous realms. Indeed, both are so thoroughly entangled with each other that the notion of a sovereign human agent functioning *outside* the realm of machinic mediation seems wholly improbable. (5)

Schuppli, then, concludes – and I share her view – that we need a more radical rethinking of the legal and moral frameworks we use to understand agency. She poses the question as follows:

> … what new legal formulations could, then, be created that would be able to account for indirect and aggregate causality born out of a complex chain of events including so called digital perpetrators? (Schuppli 6)

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One possible road to take, she suggests, is to rethink the notion of "personhood" itself, and to perhaps add the concept of "algorithmic personhood" to the forms of legal personhood currently ascribed to other non-human actors, such as states and corporations.

Rethinking our notion of personhood is all the more crucial, I would add, since questions of personhood play a key role in the functioning of Artificial Intelligence itself. Drones, for example, are not only agents whose acts inevitably must call forth our legal assessment. They are also instruments of law enforcement, typically engaged in man-hunting activities: finding, tracking and (often) assassinating individual human beings who are deemed threats.

As Gregoire Chamayou explains in *Drone Theory* (2015), the activities of drones exceed that of surveillance: they have acquired the capacity to capture individuals, thanks to technological breakthroughs that now enable them to recognize specific human beings. Technologies such as facial recognition, in combination with so-called pattern of life and network analysis (which both use algorithms to sift through linked databases to single out human nodes in various networks), can identify and locate potential human threats on their own, without the need for intervention by human beings. Chamayou claims that this new capacity of machines to single out individuals with a particular profile is a radical development. Previous methods, like statistical analysis of data, tended to exert a dividualizing impact (he uses a term coined by Deleuze here): it broke down individuals into data and samples that were aggregated into databanks and that could be used to study populations. Today, however, algorithms can reverse this process and discover patterns in arguably much larger databanks so as to identify persons in a purely machinic way, independent of human processes of identification.

Something similar is currently happening in civilian situations. In December 2014, the same month that Hawking was interviewed by the BBC, the UK government called on Facebook to help in its response to the killing of Drummer Lee. The enormously popular social-networking site was enlisted to monitor its users so as to detect terrorist tendencies: the same algorithms tracking our consumer preferences are now used to assess the probability of our radicalization (Dodd et al.).

Understanding Cybernetic Personhood

The question raised by these examples concerns the relation between algorithms and personhood, between, on the one hand, the way algorithms recognize or capture *our* personhood, and, on the other, the way *we* understand the potential "personhood" of algorithmic agents. Our sense of unease upon being recognized by algorithms, which occurs, for example, when Amazon correctly predicts which books we want to read next, or upon being asked to judge the

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accountability of algorithms in cases like drones and, for example, smart cars, is caused, I would claim, by our being asked to combine two different modes of comprehension that we have grown used to seeing as radically different: the one we employ to understand *persons* and the one we use to decipher *software*. To put the matter bluntly, we feel uneasy about the rise of "algorithmic personhood" because the logic we need for software is fundamentally different from the mental capacities required to understand persons. To phrase the opposition in simple, Lacanian terms: whereas reading software, algorithms and other formal languages is a purely symbolic activity, understanding human persons belongs to the realm of the imaginary.

As Lacan argued throughout the 1950s, the intuitive sense that we are dealing with a person is always based on the experience of an encounter, a moment of recognition or of being recognized. It belongs to the register of experiences that he labels "imaginary," which includes feelings of empathy and understanding, processes of projective identification, affects such as jealousy and aggression, and also moments when we understand something as meaningful. Reading software, on the other hand, relies on a symbolic logic, which, according to Lacan, is radically incommensurate with imaginary processes of understanding. We cannot derive meaning from complex algorithms or mathematical formulae, Lacan suggests. Code may be decipherable, but it is not intuitively understandable. Even when we have the technical capacity to crack a given code, it remains fundamentally unreadable to us: we cannot intuitively grasp it and translate it into something significant. It remains radically heterogeneous to the imaginary order of understanding.

The crisis in understanding prompted by the rise of algorithmic agents is structurally very similar to the sixteenth-century crisis in understanding caused by the introduction of the scientific method. As Koyre (1957) has pointed out, the scientific method relies on a mathematical formalization of knowledge; it was based on the discovery that natural events can be captured in mathematical formulae. In consequence, the knowledge articulated in these formulae is cut loose from the human subject that produces it. Mathematical formulae do not express insights that scientists have in their minds, as it were; they contain knowledge that cannot be translated into intuitive understanding. As Lacan puts it, in his explication of Koyre, scientific knowledge is radically separate from the imaginary domain of meaning (Milner 1991: 36).

According to Lacan, such a severing of knowledge and understanding inflicts a "narcissistic wound" because we are no longer "masters" of our own knowledge. But this conflict is then resolved in the register of the imaginary. Even though scientific knowledge radically belongs to the domain of the symbolic, scientists typically relate to their knowledge in imaginary terms. As

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human beings, they cannot help but to project themselves as masters of their insights, thus "misrecognizing" their relation to the knowledge they have produced.

In his seminar of 1954–1955, Lacan argues that there was a similar pattern that took shape after the introduction of the new cognitive sciences after World War II, disciplines that would form the basis of Artificial Intelligence: cybernetics, information theory and game theory (175–205). Each of these disciplines offered a mathematical formalization of what had been considered purely human thought processes, communication and decision-making among them. Cybernetics, game theory and information theory all demonstrate, according to Lacan, that such processes can be studied without any consideration of questions of meaning. Claude Shannon, the pioneer scientist at the forefront of information theory, studied information in purely mathematical, probabilistic terms; Norbert Wiener, the founder of cybernetic theory, theorized about language in purely syntactical terms, taking no account of content; game theorists such as John von Neumann reduced strategic thinking to a series of logical operations that could be expressed in abstract formulae (Lacan 1988: 294–308). Each of these fields, then, articulated its insights in purely formal, mathematical terms, without any reference to the imaginary domains of meaning, consciousness or interiority. To Lacan, these fields demonstrated something that had been crucial to his own work, namely that symbolic processes possess a certain autonomy with regard to the domain of meaning. As Lacan puts it, they show the radically inhuman, machine-like functioning of the symbolic.

Yet Lacan emphasizes, again and again in his seminar of 1955, that these purely formal symbolic processes do exercise "imaginary effects," since we, as human beings, tend to relate to symbolic structures on an imaginary level. He illustrates this tendency with an example taken from Edgar Allan Poe's short story "The Purloined Letter" (1844), in which a schoolboy explains to the tale's protagonist, the detective Dupin, that he has discovered a strategy that allows him to win at "even and odds" – a simple game of chance in which one must guess whether one's opponent is hiding an even or an odd number of marbles behind their back (Lacan 175). The schoolboy claims he can win if he closely watches his opponent's face and *mirrors* the other player's expressions. Analyzing the feelings that these expressions give rise to, he can predict his opponent's decisions, thereby transforming a game of chance into an "imitation game."

In one of his seminar sessions, Lacan invites his students to play even-and-odds for more than an hour, asking them to attempt to read their opponents' minds. Only afterwards did he disclose that it was precisely this game that had recently been studied by American game theorists, who had developed

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a logical strategy for winning that relied solely on formal, probabilistic modes of reasoning, without any of the "imaginary" processes of mirroring and introspection used by the schoolboy. In fact, he told them, a machine had recently been constructed that could play even-and-odds with human beings and that knew how to win by recognizing patterns in their responses, which were then subjected to a complex probabilistic analysis. In his seminar, Lacan explains:

> A machine has been constructed, so I hear, which plays the game of even and odd. I won't vouch for this, as I haven't seen it, but I can promise you that before the end of these seminars I will – our good friend Riguet [a mathematician auditing the seminar] told me that he would *confront me with it*. One must have experience of these things, one can't talk about a machine without having had a shot at it, seen what it can do, made some discoveries, *even some sentimental ones*. (179, emphasis in text)

When we play against this machine, Lacan tells his audience, we cannot use "imaginary" strategies of projective identification, such as the one used by the schoolboy. He continues:

> What is it to play with a machine? The physiognomy of the machine, however prepossessing as it may be, can be of no help whatsoever in this instance. … One is thus from the start forced to take the path of language, of the possible combinatory of the machine … (181)

Playing with this machine, then, takes place purely within the register of the symbolic. Yet, and here comes the catch, even though a machine has no face, Lacan predicts that we cannot help but experience our engagement with it in imaginary terms, as a quasi-face-to-face encounter. We cannot resist the temptation to project personhood on it – even though we are fully aware that we are dealing with a machine whose operations are governed by algorithms. In other words, our experience of a symbolic machine, our confrontation with it, leads to sentiments that are at odds with our analytic understanding of it.

He continues to conclude that, in fact, unconsciously, something very similar happens when we play even-and-odds with another human being. Unconsciously, we employ logical, symbolic strategies, yet we *experience* the success of these strategies along the lines of the imaginary; we think our success is the result of projective identification, and we enjoy the narcissistic pleasure this gives us. Hence, even though a symbolic logic is at odds with imaginary processes, we nevertheless experience the outcome of these processes in imaginary terms. The Imaginary, therefore, is a necessary, structural part of the way

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we relate to the Symbolic; it is central to the way in which we, as human beings, "misrecognize" the way symbolic systems acts on us. Lacan concludes:

> At this point we come upon a precious fact revealed to us by cybernetics – there is something in the symbolic function of human discourse that cannot be eliminated, and that is the role played in it by the imaginary. (306)

To which he adds later:

> We are embodied beings and we always think by means of some imaginary go-between, which halts, stops, *clouds up* the symbolic mediation. The latter is perpetually ground up, interrupted. (319, emphasis added)

Lacan's experiment with this early computer game is a perfect supplement to a better-known demonstration set up five years before in 1950 by AI pioneer Alan Turing, known as the Turing Test, or the "imitation game," in which Turing sought to investigate the "personhood" of computers. Like Lacan, Turing wondered at what precise moments human beings experience computers to possess personhood, and he devised a simple guessing game in which humans were asked to pose questions to a computer to find out whether someone was male or female in order to identify the moment they felt that they were conversing with a "genuine" human being. Like Lacan, Turing is interested in the imaginary experience of recognizing personhood that can take place once we communicate with a machine. Significantly, both experiments blackbox the code itself – both the source and the machine code. Participants are confronted only with the output of the machines and experience this interaction as an imaginary face-to-face encounter. Both experiments demonstrate that even though we may know we are dealing with a machine that is operated by algorithms – as Lacan puts it, without physiognomy – we disavow this knowledge in the way we relate to this machine. We respond to what we have come to call the inter*face* of a machine, the ways it responds to us and addresses us, lures us, as it were, giving us the feeling that we are in a face-to-interface situation.

Both experiments point to a fundamental split in our relation to software: on one level we are aware of its purely symbolic nature, yet the interface tempts us to comprehend it along imaginary lines. The best recent example of the paradoxes this gives rise to can perhaps be found in the success of Facebook. On the level of code, Facebook is a dividualizing technology *pur sang*: it reduces individual users to streams of data that are mined, aggregated, sampled, analyzed, repackaged and sold to advertisers. We all are more or less aware

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that this is happening. Yet in our everyday lives we experience our Facebook pages as mirrors of ourselves, as renderings of identity. We project a gaze onto *face*book, in whose eyes we can appear beautiful, hip, successful and worthy of love and admiration.

Cybernetic Persons in the Courts of Law

There is a structural conflict in the way we, as human beings, relate to software. We know we are dealing with code, the symbolic logic of which is radically heterogeneous to the order of meaning. Yet as humans – or as Lacan would say, as "embodied beings" – we tend to relate to this software in an imaginary way, projecting personhood onto it or deriving meaning from it. As a result, the functioning of the symbolic is "clouded up," as Lacan puts it, or disavowed. This disavowal, I propose, leads to particular problems in the field of the law, since the legal field itself is *also* structured by a potential tension between symbolic and imaginary processes. In one sense, the law belongs squarely in the domain of the symbolic: it is based on rules, legislations, procedures and, indeed, codes and protocols. Yet during trials persons are judged and these judgements need to be perceived as fair – they must be seen as based on a proper understanding, or at least an acknowledgement of intentions and motivations. In short, the law is not only an apparatus or an abstract machine that consists of rules, codes and protocols, which produce verdicts; it also stages a theatrical scene that is experienced in the sphere of the imaginary.

This, at least, is what Hannah Arendt discovered in the 1960s in her meditations on the Eichmann trial and in her unfinished study of the phenomenon of judgment (1992), the projected final part of her trilogy *The Life of the Mind* (1978), which she intended to be a belated postscript to *Eichmann in Jerusalem* (1963). In a complex reading of Immanuel Kant's theory of aesthetic judgment, Arendt argues that, for Kant, a judgment is never simply a mechanical application of a rule, since we are also called to judge in situations where rules do not seem to apply. Yet, Kant argues, judgments are not simply idiosyncratic either, since each judgment implicitly calls on an (unspoken) "sensus communis," a shared common sense (70 ff.). When we make a judgment, we believe that others, like us, should come to a similar judgment. Hence, by judging, Arendt extrapolates, and by judging the judgments of others whom we put on trial, we create a common world: we relate to others who are "like us" (72). For this reason, trials can have a restorative function. By subjecting a person to a judgment, we repair a common world that has been damaged by an act of crime. It is also fundamentally human, Arendt holds – Lacan would say fundamentally

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imaginary – because we judge someone else's judgments and decisions by placing ourselves in their situation, by projecting ourselves into that person. Judging, to Arendt, is therefore always an attempt at understanding.

To Arendt (1963), the "scandal" of the Eichmann trial in Jerusalem in 1961 was that it demonstrated that this "theatre of judgment," which a trial should be, according to her, breaks down once it is confronted with a figure who cannot judge for himself. In Arendt's description, Adolf Eichmann, the Nazi officer responsible for the organization of the mass deportation of Jews and others to concentration camps, lacked the capacity of judgment: he was perfectly capable of applying rules and regulations, he could blindly stick to scripts and follow protocols, but he could not think for himself (Arendt 1963: 49). Exclusively following the inhuman logic of administration, he was incapable of adopting the first-person perspective that is necessary for making a judgment. He lacked personhood or, to express it otherwise, he possessed only what we may call "cybernetic personhood": he could steer and control processes, he could manage timetables, but he could not think for himself.

According to Arendt, the confrontation with Eichmann's almost robotic lack of personhood led repeatedly to moments when the trial almost turned into a farce, for example when the judges were stymied in their attempts to make sense of Eichmann's motivations since he persisted in answering their questions in the jargon-ridden language of Nazi bureaucracy. Our human capacity of understanding breaks down, Arendt holds, when it is confronted with the machine-like, semi-automatic application of a certain logic. When faced with cybernetic persons, such as Eichmann, Arendt claims, a trial turns into comedy: we cannot help but laugh, she states, when we listen to Eichmann's pathetic attempts to explain himself in terms of protocols and timetables. This laughter results, as she puts it carefully, from a moment of stumbling – what I would like to call a moment of cognitive dissonance – as we fall over Eichmann's words because we are confronted, as I have argued elsewhere, with someone whose logic we can *follow* (his decisions make sense in the light of the gigantic apparatus for which he spoke), but whom we cannot *understand* humanly (Horsman 2011: 39 ff.). To phrase it differently, we can read Eichmann and decipher the logic behind his decisions, but this does not lead to an understanding of the man or his actions.

A very similar uneasy sense of comedy, I feel, can set in when we try to make sense of AI, when we are confronted us with agents whose operative logic we may be able to decipher, but which we cannot understand humanly. For this reason, attempts to render the problems of cybernetic personhood in popular cinema tend to slip into the domain of camp. Recent films that have dramatized the way human beings relate to intelligent robots, such as *Transcendence*,

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in which a character played by Johnny Depp uploads himself to a computer, or Spike Jonze's *Her* (2013), which has its protagonist fall in love with the voice of his computer's operating system, often have something laughable or downright silly about them. The British ITV series *Humans* (Arnold 2015), however, successfully adopted a tone of silliness. *Humans* depicts a world inhabited by incredibly handsome but emotionally flat robots with whom human characters nevertheless have very "deep" relationships of caring, loving and dependence. The potential silliness of this scenario was dealt with by shooting the series as a pastiche of a 1950s paranoid science fiction film, thereby presenting the serious problems the series raises about the relations between humans and machines in an idiom that undermines any sense of ponderousness or pretention.

A similar sense of camp-like irony pervades the widely-cited remarks of Stephen Hawking, which becomes visible when we tune in to the slight but significant difference between the content of the explicit *message* Hawking delivers – which address the potential threats of AI to human beings – and the questions raised by the theatrical *scene* of its delivery, which, as I argued above, played with the question of his personhood. While the moral and political content of Hawking's message can be debated, and indeed *was* debated in the press, the underlying question of personhood is not so much raised *discursively*, as a series of explicit statements, as performed *dramatically*, staged in a scene of dramatic irony, displayed in the tension between the content of his words and the performance of their delivery.

This irony, I propose, is not something accidental, but in fact is crucial to the way intelligent machines appear to us as human beings, when we are asked to make legal, moral and political judgments about their functioning. Even though we know that they are operated by software that needs to be deciphered in purely symbolic terms, we cannot help but project personhood onto them as soon as we face them. The tension between the two incommensurable modes of understanding that we employ to read cybernetic persons leads to a perplexity that, perhaps, can only be released in a moment of laughter.

Conclusion

The law relies on a symbolic logic of codes, protocols, rules and procedures. Yet the cultural, social, moral and political significance of trials is always interpreted in an imaginary way: we perceive trials to be judgments about persons and their rights, obligations and wounds. Our trust in legal procedures lies in our belief that these two logics can be brought into harmony. We hope that a trial can both be fair to the individuals involved and a proper application of

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legal rules. The rise of machines that can make autonomous decisions poses a problem for the law, because to make sense of the software that guides these machines we have to translate it into terms that make it accessible to understanding. Yet software resists such a translation. Not only because it is often secret (e.g. lawyers and judges do not always have access to the software used in drone attacks), but, more crucially, because software remains fundamentally unreadable. Even though source code is legible to human beings and machine code can be processed by machines, as David Gauthier argues in this volume, both of them remain radically heterogeneous to the order of human understanding. Like mathematical formulae, software relies on a symbolic logic that cannot be intuitively grasped. Attempts to judge cybernetic persons or the complex hybrids of cybernetic, natural and legal persons that are responsible for certain key decisions in our contemporary asymmetric wars thus threaten to slide into comedy since they confront us with agents that can be followed logically, but not understood humanly. A similar sense of comedy haunts other attempts at making sense of cybernetic persons – in cinema, in popular debates (such as the discussion inspired by the Hawking case) or even in scientific experiments, like in the imitation games set up by Lacan and Turing that very much played out like little pieces of slapstick theater in which human beings are duped by computers.

An uneasy sense of comedy may, then, haunt future legal attempts to deal with algorithms. Of course, we should still attempt to prosecute, for example, those agents involved in drone strikes in courts of law. As Arendt concluded in her epilogue to *Eichmann in Jerusalem*, even though Eichmann's "cybernetic" crimes seem to explode the limitations of the law, we still have to come to terms with them in a courtroom, since legal prosecution may be the only means at our disposal. Even so, we may also have to live with the idea that the theatrical scenes staged in the courtrooms of the future are likely to be profoundly different from what we have grown accustomed to.

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CHAPTER 9

Machine Language and the Illegibility of the *Zwischen*

David Gauthier

Abstract

The term "machine language" is a bizarre construct; it suggests that a machine can be addressed directly through language and, in turn, that words or codes can be viewed as the source of the machine's physical actions. In this way, the term works to conceal the notion of execution, that is, the physical work of the machine itself. In this chapter, David Gauthier posits that this perceived relation between language and execution, problematically symptomatic in New Media and Software Studies, leads to contentious conceptions of computing. Rather than upholding a disjunction between computational legibility – machine as language – and illegibility – machine as black box executing written programs, Gauthier puts forth a consideration of the *Zwischen*: the critical interim state during which codes lose their determinacy while the machine acts.

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> "If I want to ascend into the critique of language, which is the most important business of thinking mankind, then I must destroy language behind me and in me, step by step: I must destroy every rung of the ladder while climbing upon it."[1]
>
> FRITZ MAUTHNER 1901: 1–2

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1 I take this quote from Elsbeth Brouwer's synopsis for her European Summer School of Cultural Studies masterclass entitled "Linguistic Scepticism: The Narrow Path between Algorithm and Ecology" (Leiden University, 22 June 2016).

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Source code appears to be the only legible facet of computer programs. Perhaps this is simply because source code, written in a specific programming language, is made to be human-readable. Machine code, on the other hand, is strictly machine-readable or, put differently, it is illegible and obfuscated. Typically, machine code is produced from source code through a complex machinic process of compilation and linking. A program is thus a conjugate of both source code and machine code: a legible illegible compound. What is more, a program, unlike text, acts and performs physical operations – in short, it is executed and executes. There is thus a complex relation between a textual source code, based on a given programming language; an obfuscated program, which is compiled and built into a machine-readable format; and the concrete machinic execution whose effects can in turn be perceived by humans and non-humans. In this chapter, I argue that this relation between code and execution can lead to contentious conceptions of computing as it upholds a strict disjunction between computational legibility and illegibility, symptomatically culminating in the notion of an illegible machinic "black box" that is solely instructed by legible code (written order, instruction, or command). In conceiving "code [as being] the only language that is executable" (Galloway 2012: 70), one conflates code and execution, logos and action (Chun 2011: 22), effectively erasing from view the heterogeneous and distinct machinic processes involved in performing computation per se. As an effect, an illusory stratification is produced and further maintained between illegible infra-structure – foreclosed machinic operations – and legible super-structure – symbolic code and commands.

In order to grasp the intricate theoretical concepts underpinning the subject of this chapter, I will first provide a genealogical account of the advent of the concepts of program and programming language, which historically have been the cornerstones of Computer Science, and show how their development gave rise to the stratification of computing into what is now commonly known as hardware and software. In this section, I highlight the salient arguments, notions and procedures that were instrumental in disengaging the practice of coding and programming from machine-dependent concerns and materialities. In the second section, by questioning the current cultural conjecture that solely considers the symbolic regime of software to explain the medium-specificity of contemporary media, I claim that one has to look elsewhere to grasp the organization of power that lays dormant in certain discourses on the subject. In so doing, I posit that one can approach questions of the legibility/illegibility of executable programs in terms of labor, that is, considering the work that the machine physically does itself. I argue that since programming is bound by words – coding practices and software development involving notions of reading and writing programs – it is a concept that implies both

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a prescription and proscription, producing a strange legible illegibility when confronted with notions, moments, and loci of actions and executions. I suggest that in considering this tension between words and actions, codes and executions, a type of violence can be unearthed that is at once effected and effaced, putting forth legible instructions that prompt, assess, and judge externalized illegible executions and actions, which are made as such based solely on the imperious symbolic order these legible instructions foster.

Machine Language

Central to the concern at hand is the problematic notion of programming language. Tracing a genealogical account of the metaphor of "language" to denote various aspects of programming computing machines may not be as easy as it seems. As Nofre, Priestley and Alberts argue, most historical works on the subject focus on the human-machine communication aspect of programming without questioning the linguistic undertones this communication sets forth. They write: "All of these approaches … take the *linguistic* nature of computer programming for granted. … It is as if we have become so accustomed to think of programming languages as *languages* that we forget that this analogy has its own history" (2014: 43, emphases added). Indeed, the notion of programming a computer does not necessarily imply a linguistic exercise. A program on the first electronic computer, the ENIAC, was a patchwork of cables connecting various electronic processing units, which were themselves configured by a set of switches that would instruct the unit how to sequence and process incoming electrical signals from other units. Thus, a program for the ENIAC was more of an electro-mechanical configuration than a linguistic exercise, something resembling, for instance, the programming of a radio station, which involves the selection and scheduling of programs for broadcast rather than featuring a single linguistic script (Haigh and Priestley 2015: 42). Having said this, the example of the ENIAC could be seen as the exception to the norm. Linguistic forms were indeed devised in the 1950s and the notion of programming a machine with a given symbolic programming language was in full effect by the 1960s.

But what exactly is a program? As hinted above, one can define a program as a sequencing of sorts or, more precisely, a sequencing of operations. Before the advent of automatic computers, mechanical calculators operated by human computers (as they were called back then) were the de facto computing devices used during WWII. These calculator devices were capable of performing only a single operation at a time. It was the human computers themselves who would sequence operations, moving their bodies from one calculator to

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another. This movement is what automatic computers substituted; the ENIAC literally replaced human movement with patching cables, enabling the sequencing of operational steps from one calculating unit to another. Before the ENIAC, though, the Harvard Automatic Sequence Controlled Calculator (ASCC), also known as the Harvard Mark I, was already sequencing calculators' operations using perforated paper tape. Instructions would be listed on the tape, then fed to the machine, which would process them one by one.

In his review of *A Manual of Operation of the Automatic Sequence Controlled Calculator* (Harvard University 1946), written and edited by one of the first and most influential programmers, Lt. Grace M. Hopper, computer pioneer George R. Stibitz summarizes the process of coding the Mark I as follows: "The sequence of operations is derived by a human process of 'coding' from mathematical formula. … Instructions to the machine consist of repetitions of the command 'take the number from unit A, deliver it to unit B and start operation C,' the codes for A, B and C being punched in the sequence control tape" (1947: 58). From this very minimal definition, Stibitz advances that coding is primarily a type of boundary work the main concern of which is the *translation* of mathematical formula into a sequence of executable machine codes. He writes:

> The present methods of coding or translating from mathematical symbols to machine language are given in some detail in Chapter IV … The reader will be impressed by the dissimilarity of the two languages, and will probably conclude that the translation from one to the other had best be left to the experts in the process. (1947: 59)

Historically, Stibitz's review of the Mark I manual can be seen as the first written mention of the term *machine language*. Moreover, Stibitz explains that this emergent "language" was directly tied to the one of mathematics. The notion of translation takes effect in this context; as Alberts and Daylight summarize: "the ambition to feed mathematical functions directly to the machine came with a language metaphor: being able to talk mathematics to the machine" (2014: 53). However, as Stibitz points out, early machine language, although responsible for the functioning of the machine, was, alas, completely alien to classical mathematical notations and its graphemes, which it was, paradoxically, supposed to emulate. Cryptic binary codes punched onto paper tapes replaced handwritten formulas. It was the task of the trained coder to speak in tongues with the machine and mathematicians.

In the decade that followed Stibitz's review, a proliferation of initiatives were put forth that sought to advance the practice of coding and, more importantly, to automatize the task of coding as such. The notion of "autocoding" came about to

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denote a new type of automatic translation carried out by machines themselves or, put differently, "any technique in which a computer is used to help bridge the gap between some 'easiest' form, intellectually and manually, of describing the steps to be followed in solving a given problem and some 'most efficient' final coding of the same problem for a given computer" (ACM 1954: 5). Thus, the computer, starting in 1950 with the UNIVAC SHORT CODE (Hopper and Mauchly 1984: 1252; Schmitt 1988: 7–18), not only automatically computed numerical equations, which were previously written in binary codes, but *also* effectuated automatic translations from "meta" codes into these binary executable forms. In other words, by automating translation what was once laboriously coded manually in jarring binary or numerical machine code became abstracted. That is, the actual machine's internal addresses turned into shortened human-readable symbols, and binary code became pseudo as in *pseudo-code*, "a rather strictly defined [meta] language or code, independent from the computer hardware, resembling a natural language, in which a problem may be stated for submission to a computer" (Hopper 1958: 1661). Practically, the first such pseudo-codes, devised in the first half of the 1950s, were mnemonic devices that abstracted machine-dependent instruction formats into general alpha-numerical and natural language forms. Pseudo-code could thus be read directly by a novice coder or by a trained mathematician before submitting it to the computer to translate and execute. Mnemonic pseudo-codes were made readily legible as opposed to their cryptic machine code counterparts.

As might be expected, autocoding systems that turned pseudo-code into machine code had to be programmed themselves. Consequently, the work of the aforementioned coders expanded to include the labor of (1) designing and documenting pseudo-codes, and (2) devising programs (or routines) that would translate the designed pseudo-codes into actual machine codes tailored for a given machine architecture (Adams 1955: 78). Two concepts and procedures of automating pseudo-code translation were thus devised: the *interpreter* and the *compiler*.[2] To this day, these apparatuses are the cornerstones of

2 Both the notions of interpreter and compiler speak to the one of translation, yet they respectively involve a distinct series of steps that ultimately turn pseudo-codes into an executable. For the former, incoming pseudo-code is deciphered, mapped onto specific preprogrammed functions or routines on the computer, and then these selected routines are performed on the spot before the next pseudo-code is processed. Thus, the effect of *interpretation* is an immediate performing of the computer according to the incoming pseudo-code's referential import. On the contrary, for the latter, incoming pseudo-code is deciphered only to produce an actual program consisting of machine code suited for a given machine architecture. The output of a pseudo-code *compilation* is the generation of a machine-dependent program, which can be executed at a later stage. In short, pseudo-code is decoded and then executed on the spot by the interpreter, while, for the compiler, this decoding and executing are staged as two distinct phases.

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most symbolic programming languages, and their operations – to interpret or to compile – have replaced what was understood as a mere translation in the 1940s and in the early 1950s. This shift of nomenclature can be explained by the fact that, during the 1950s, as compilers evolved and pseudo-code became more abstract and complex, the task of the coder was replaced by the one of the *programmer*, who could write in pseudo-code the mathematical formulae and algorithms that were once laid out on paper and which the coder had to translate into obscure machine code (Hopper 1958: 1661). With the emergence of autocoding systems, such as IBM's FOrmula TRANSlation (FORTRAN), the legible pseudo-code itself would be regarded as *source* code that would be directly fed to the machine for it to be automatically compiled or interpreted.

Thus, through the advent of autocoding and pseudo-code, a new regime of legibility was put forth that abstracted the functionality of computers into referential and legible forms (mathematical notation, natural language constructs, etc.). Furthermore, the notion of pseudo-code also suggested it could be executed on a multitude of machines, since, by design, it aimed at abstracting the peculiarities of specific machine codes, with interpreters and compilers providing the ground to devise "universal" pseudo-codes that could be machine-agnostic (Gorn 1957: 254–73). Nofre, Priestley and Alberts (2014) argue that this notion of "universality" came about as an academic necessity to devise general curricula to teach "universal" programming rather than to train technicians to learn coding for a specific machine. In order to achieve this, programming notations, or pseudo-codes, would have to be standardized across sites and machines:

> The progress … leads, of necessity, towards some sort of standardization of the basic input language of all computers as it looks to the users, before it is fed through the "black box" which contains the integrated system which matches the internal language to the external human language. (Brown and Carr III 1954, qtd. in Nofre et al. 2014: 54)

Hence, by standardizing legible pseudo-code, one does not need to engage directly or to understand the intricacies of the machine itself – or any machines for that matter. Every machine is made equivalent, given that the right standardized interpreter or compiler is integrated into its system, so that the same pseudo-coded source program, when fed to different machine types in different sites, produces the same results across all of them. The effect of this notion of "universality" is that machine specificities, materialities, varieties and intricacies necessarily disappear behind these standardized, universal codes. In other words, "universal" pseudo-code speaks to the formation of a regime of

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illegibility – the machine as illegible "black box" – which is the flip side, or the primitive outside, of pseudo-code's own transcendental regime of legibility.

Granted, historically speaking, the notions of pseudo-code and autocoding were short-lived. They were quickly substituted by a thorough notion of symbolic programming language, which was initially tied to the metamathematical notion of formal language, starting with the ALGOrithmic Language (ALGOL). While autocoding concepts and objects were, to an extent, devised inductively, by abstracting, when needed, machine specificity into general legible forms, ALGOL provided more of an *implementation* of a formal language specification than an inductive abstraction. From its inception, the ALGOL project was overtly focused on devising a machine-independent programming language first, before any machine could execute it per se. One can argue that the ALGOL approach of devising languages is axiomatic in nature,[3] in that a language specification is first put forth using formal metalinguistic notations and then implemented on a given machine by devising a compiler that would honor, so to speak, that specification.

With ALGOL intended to be a standard notation for the publication of algorithms written in academic journals and the like, the ALGOL consortium took inspiration from seminal works and developments in mathematical logic and metamathematics, which had seen, in the preceding decades, a proliferation of groundbreaking research focusing specifically on notations used in mathematics.[4] One of the main imports from this research was to formalize a distinction between (1) a *metalanguage*, the language in which a study of a given language ought to be carried out, and (2) an *object language*, the given language under study. Following ALGOL's nomenclature, its metalanguage was referred to as the "reference language" and the object language as "publication language" (Backus et al. 1965: 299–300). One of the main innovations of ALGOL was the notation of its reference language, commonly known as the *Backus-Naur form* (BNF), which is still used today to define the syntax of structured programming languages. What the BNF allowed for, as a syntactic metalanguage

3 Priesley talks about a Euclidean approach (2010: 271–272, 279), which I suggest reformulating as an axiomatic one. However, it can be argued that a specification is not a mathematical axiom as such but rather a formal description or functional prescription, a distinction that I will not address here.

4 The seminal works of Kurt Gödel (1931), Jacques Herbrand (1932), Alfred Tarski (1935), Emil L. Post (1936), Alonzo Church (1936), Alan Turing (1936), Stephen Cole Kleen (1952) and Haskell B. Curry (1958), to name a few, were central in re-defining the study of mathematics in the aftermath of what is commonly known as the "crisis in the foundation of mathematics" (*Grundlagenkrise der Mathematik*) and in response to David Hilbert and Paul Bernays's treatise *Grundlagen der Mathematik* (1934; 1939).

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or "metasyntax," was the ability to clearly and unambiguously demarcate the publication language's syntax from its semantics. In so doing, BNL was able to provide a formal definition of ALGOL's publication language since no references to the meaning or semantics were required in the language definition. In other words, in providing a formal syntax, the BNF provided the means to devise rules by which structural properties of the publication language could be established; in fact, it is well known that the BNF is a notation method that set the rules of production of context-free grammars. These rules, syntactically dictating how to produce valid formations or patterns of symbols, not only describe the various grammatical expressions of the publication language, but establish a way to distinguish which ones are meaningful or "well-formed" and which ones are not. The effect of this metalinguistic apparatus was to turn ALGOL's publication language into a mathematical object, that is, an epistemic object in its own right regardless of the machine that, hypothetically, ought to execute it physically in the last instance.

While the contentious relationship between coding and mathematics in the 1950s was one of the translation of numerical equations and formulae (calculus and numerical analysis), this relation was thought anew by the end of the decade. With the advent of ALGOL (and other languages such as Lisp), research into programming languages opened up to include concepts and inquiries of other disciplines, notably mathematical logic, proof theory and linguistics, since the object of the research – the language itself – could be approached mathematically.[5]

In his 1967 ACM Turing Lecture, British computer pioneer Maurice V. Wilkes, recounting his involvement in the early days of computer science, recalled a meeting of the ACM, where attendants were divided into two camps: the "primitives," who believed in manually writing in "low-level" machine code, and the "space cadets," who were convinced that compilers and related "high-level" programming languages would, one day, replace the tedious task of manually writing such primitive code (3). What I have sought to very briefly chronicle above is how this high/low stratification originated by summarizing the arguments, notions and procedures that were instrumental in disengaging

5 However, it is important to note that the ALGOL programming language was never really successful in terms of adoption, perhaps because of its relative complexity and the fact that it was, after all, only a machine-independent language *specification* and not an actual functioning system (unlike, for instance, FORTRAN). Nevertheless, numerous implementations on various machine architectures were attempted over the years (e.g. ALGOL 58; ALGOL 60). These usually focused on realizing a subset for the formal language specification and are commonly known as ALGOL dialects, some of which are considered landmarks in the history of compiler design.

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the practice of coding and programming from machine-dependent concerns and materialities. As noted by Wilkes, the arguments put forth by the primitives against the space cadets have, retrospectively, proven to be inconclusive (4). Compilers and interpreters have, generally speaking, replaced the primitive coder and, to some extent, have even substituted the need for a thorough understanding of the physical machine itself, turning it into a standardized virtual one. What I want to highlight in the remainder of this chapter is how these low/high dynamics can be framed as symptoms of the formation of striking regimes of legibility and illegibility, which, to this day, permeate certain discourses in Computer Science and, in turn, Software and New Media Studies.

Illegibility of the *Zwischen*

By locating the birth of symbolic programming languages at the grave of material hardware, Computer Science, as a newfound discipline, put forth a type of source code reading of computer programs solely based on human-readability as opposed to machine-readability; Mark Priestley, for example, discusses the advent of ALGOL in terms of the emergence of a new scientific paradigm or a paradigm shift in a Kuhnian sense (2010: 229, 298–99). Without a doubt, the metalinguistic sophistication of ALGOL was unprecedented in terms of the epistemological development of the science of computing, hinting at notions of total linguistic translatability, which is reminiscent of the notion of the "perfect" language that Umberto Eco and Jacques Derrida describe in their respective accounts of the myth of the Tower of Babel.[6] Yet, another way of conceiving this development is to approach it in political and ideological terms as the birth of a new software conjecture and hegemony. Today, it is commonly understood that the symbolic and linguistic order of software, data, urls, algorithms, IP addresses, interfaces and the like are commonsense notions of what computing is. These symbolic formations are usually left unquestioned as such and thus appear to be givens.

To take an example, in an attempt to differentiate the study of New Media from other types of media studies, including television and film, attempts have been made to formalize what the medium-specificity of new media objects is. One of the main references in the field is Lev Manovich's *The Language of New Media.* As its title suggests, the treatise is an attempt to formalize a notion of

6 I am referring to Eco's *The Search for the Perfect Language* (1997) and Derrida's "Des Tours de Babel" (1985).

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new media based on the metaphor of language. Unsurprisingly, then, one can observe various imports from the field of Computer Science lurking throughout the book, strictly based on the symbolic regime of software alone. This stance is very clear from the get go, with Manovich even calling for the wholesale reframing of media studies when he claims that "[f]rom media studies, we move to something which can be called software studies; from media theory – to software theory" (2001: 65). I am not questioning here the historical importance of the book, but have strong reservations about its supposed relevance in terms of approaching questions of medium-specificity. I believe these are left unanswered – if not blatantly uninterrogated – in Manovich's treatise. From the perspective I am trying to put forth here, *The Language of New Media* can be read as a (re)articulation of the already established conjecture regarding the symbolic regime of the legibility of software that was put in place long before the advent of so-called new media. Media theorist Friedrich Kittler summarizes quite well this regime's hegemony when he writes (nine years before the aforementioned publication) that "the so-called philosophy of the so-called computing community places all its stock in hiding hardware behind software, and electronic signifiers behind human/machine interfaces [lying between formal and everyday languages]" (2014: 223).

But what are the blind spots or vanishing points of this symbolic regime of software? And how can one address this regime's flipside, that is, its polar regime of illegibility? I suggest that in order to approach these questions, rather than seeking an alternative definition of what computers are in essence, that is, in terms of medium-specificity, one should focus on what they do: they *execute*.

There are, surprisingly, only a handful of essays in media theory that directly address this simple, yet, I believe, central concept of execution. Kittler, in his striking treatise "There Is No Software," takes a rather radical stance on the topic in questioning the very existence of software as a whole in a manner that is evocative of the "primitive" stance described by Wilkes. Another illuminating debate on the subject, which I draw inspiration from and have discussed elsewhere (Gauthier 2017), took place between Wendy Hui Kyong Chun (2005; 2008) and Alexander R. Galloway (2006). In a different albeit complementary register, Claus Pias's article "Analog, Digital, and the Cybernetic Illusion" highlights how the abstraction of the digital is constructed on a foundational erasure of the physical, that is, "a suppression of the 'real' (i.e. the physical, continuous, material, analog) by the 'symbolic' (i.e. the artificial, discrete, logical, digital)" (2005: 543). Pias paints a brief genealogical account of the puzzling notion of material "support" of the digital based on the transactions of the Macy Conferences (1946–1953),

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during which the notion of the digital was discussed amongst some of the most influential early cyberneticists.[7] Since the digital denotes at once a discreteness of states (on/off, high/low, etc.), a related symbolic logic (0/1, true/false, also called boolean logic based on the work of George Boole) and as a material process (matter switching from a given state to another), a correspondence can be drawn here with the notion of execution. In order to articulate this relation, I will augment Pias's reading of the Macy Conferences and relate the concept of the illegibility of the digital to that of computability.

Long before the Macy Conferences, the linkage between discreet states, boolean logic, and electrical processes was articulated and formalized by Claude E. Shannon in his 1937 master's thesis, "A Symbolic Analysis of Relay and Switching Circuits." In an unprecedented *tour de force*, Shannon showed how the symbolic logic and algebra developed by George Boole can be made to operate physically by harnessing the properties of electrical currents and voltages commonly used in switching circuits, such as the ones found in telecommunication equipment. Also in 1937, Stibitz, who wrote the aforementioned Harvard Mark I manual review, built the first digital calculator at Bell Labs, using similar circuitry described by Shannon in his treatise. It is important to note that this early pioneering work on "the digital," as it was coined by Stibitz, was done in parallel to the pioneering work on computability by Alan Turing (1936) and Alonzo Church (1936). It would be erroneous, though, to equate the notions of the digital and the computable genealogically, mathematically or technically, since they refer to very different types of logic and mathematical processes.[8] Nonetheless, what these notions have in common is a relation to a given symbolic order and notation system that renders mathematically legible a material process that would not be so otherwise. This material process is commonly thought to be a "substrate" – and a bland one at that – which works solely to support the processual logic and integrity of such an order, or, in other words, its operational legibility. Here, I use the adjective "bland" to convey how the supporting material needs to be stripped of any identifying marks that could potentially hinder the effects such an order prescribes.

7 The discussion took place during the 1950 conference in the session entitled "Some of the Problems Concerning Digital Notions in the Central Nervous System," chaired by Ralph W. Gerard (Pias 2016: 171–202).

8 One is an application of boolean logic while the other is a new type of mathematical notation and logic (Turing machines or Church's Lambda Calculus) that directly addresses questions relating to the foundation of Mathematics.

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Thus, from a symbolic and logical prescription, a proscription is devised and imposed on a matter in order to strip it of its innate marks and make it operational as such. This prescription-proscription is what was discussed at the Macy Conference, when cyberneticists addressed how a material switching organ should behave in order to support a two-state digital order. To clarify, a switching organ is a given device that at once holds a given state and is capable of transitioning to another. What the following edited debate highlights is the tension between the status and identity of the states themselves and the very operation of switching between them, which involves a continuous movement in-between, a blurring of states, so to speak:

> Von Neumann: … The decisive property of a switching organ is that it is *almost always* found in one or the other of its two extreme discrete states, and *spends only very little time transiently in the intermediate states* that form the connecting continuum. Thus there is a combination of relatively fixed behaviour first, then a rapid transition, then again a relatively fixed, though different, behaviour. (Pias 2016: 177, emphasis added)

> Bigelow: The statement that "something is digital" implies that you have as a referent something else which is continuous. … I think it is essential to point out that this involves *a forbidden ground in between* and an agreement never to assign any value whatsoever to that forbidden ground, with a few caveats on the side. (Pias 2016: 187, emphasis added)

> McCulloch: Let us put it this way: as long as the probability of a state between our permitted states is great and has to be taken into account, we have still a flavour of the continuous. When the probability of the *Zwischen* state is zero or negligible, we think chiefly in other terms. That is, I think, purely a matter of practicality. (Pias 2016: 197, emphasis in text)

What this discussion foregrounds is how the identity and integrity of a "state" is constructed on a proscribed forbidden ground – the Z*wischen* state – which the cyberneticists legislate on. This ground has no intrinsic status or claim to reality whatsoever within the discussed digital regime; it is forbidden and thus rendered illegible. As Bigelow puts it, the digital regime implies "an agreement never to assign any value whatsoever to that forbidden ground" (187).

It is important to note, though, that since the notion of switching implies a temporal process, the notion of time here plays a crucial role. When Von Neumann demands that a switching organ "spends only very little

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time transiently in the intermediate states" (177), he is referring to the necessary episode or temporal interval when a state becomes indeterminate and illegible, when its regime collapses by losing its identity and integrity. As a result, the symbolic regimes of digital apparatuses need to be synchronized as a whole necessarily and perpetually. Synchronization mechanisms in circuitry control the transiency of the regime's legible and illegible states, and are able to determine when the "almost always" coherent state of the system ought to occur. Paradoxically, then, the notion of the digital, which is a physical and material instantiation of boolean logic, does not only imply two states or moments, as it is commonly understood, but rather three: on/true (legible) – indeterminate/forbidden (illegible) – off/false (legible). Through synchronization mechanisms, the middle, illegible state in which a switching organ finds itself necessarily when switching from one state to another is erased or, differently put, made indeterminate. Thus, the whole symbolic regime itself of the digital, in proscribing the Z*wischen* state or interim state, necessarily becomes "stroboscopic" in nature as it vanishes in indeterminacy each time a state transitions to another within a given switching organ.

Correlates can be drawn between this notion of the *Zwischen* of the digital and the notion of execution in terms of computability. As explained earlier, the concepts of the digital and of computability do not necessarily coincide. What they have in common, though, is that they put forth a type of symbolic logic that can be physically and materially implemented and made operational. While boolean logic is the theoretical model of the digital, the Church-Turing thesis is the common theoretical model of computability. According to the mathematical form of the Church-Turing thesis, executability and reliability can be defined as follows:

> Executability: the procedure consists of a finite number of deterministic instructions (i.e. instructions determining a unique next step in the procedure), which have finite and unambiguous specifications commanding the execution of a finite number of primitive operations.
>
> Reliability: when the procedure terminates, the procedure generates the correct value of the function for each argument after a finite number of primitive operations are performed. (Piccinini 2011: 737)

It is interesting to note that the notion of instruction commanding primitive operations is central in the above definition of executability. In the previous section, I explained how most computers are based on the concept of

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commands or instructions that are "fed" to the machine in order to execute.[9] The machine codes or pseudo-codes I discussed earlier are composed of such instructions: programs are sequences of codes/instructions, and compilers automatically produce machine code programs from "high-level" programming languages. So, at the core of all levels of code, high or low, there is an instruction-execution kernel that persists. The question to be asked, then, is what does it mean to "feed" instructions to a machine? What happens at the exact moment when a machine is fed?

Strangely, the definition of execution quoted above leaves this question unresolved. What it does define, however, is how a command/instruction is necessarily "active" in the sense that it is prescriptive: it requests and constrains an action to fulfill the promise of its execution, which, after completion, should produce the expected effects. It is worth noting that the instruction itself does not act per se, but rather prescribes an action that it, in turn, assesses or judges ("correct value"). Thus, the definition above is non-active or rather *pseudo-active* as it is solely concerned with the regime of instructions and their inevitable aftermath. The moment of execution itself, that is, the moment of action as such, is externalized and foreclosed. Jacques Derrida, in addressing similar questions in terms of the law and the critique of violence, distinguishes between what, taking up J. L. Austin's terms, he calls the "performative" and the "constative" (1989: 969), where the former denotes the act of execution as such and the latter the part of judgment that assesses the effects of the former in light of its initial commanding. In short, the constative, which I believe lurks behind the aforementioned definitions of executability and reliability, forms a hermeneutic loop – instruction/interpretation (legible), action/execution (illegible), results/interpretation (legible) – where the central moment of action is at once effected and effaced by interpretation itself.[10] This triad of legible-illegible-legible is where the digital and the computational can be said

9 Although not covered in this chapter, there is interesting work to be conducted on the genealogy of the various nomenclatures used to denote what I call instructions or commands. Some authors use the term "order" (Goldstine and Von Neumann 1948), while others use "commands" or "instructions." In an attempt to disambiguate this nomenclature, Hopper et al. make a case for the usage of the term "instructions" in the ACM's *First Glossary of Programming Terminology* (1954: 10), which is still used today by microprocessor manufacturers to denote their respective machine codes or "instruction set."

10 The notion of interpretation here does not necessarily denote a semantic interpretation as a comprehension of the meaning of a command or result in a mathematical or linguistic sense. The loop structure I am describing holds for purely mechanistic conceptions of computing such as the one put forth by Piccinini (2007; 2008). Interpretation, in this case, thus relates to notions of internal semantics rather than external ones (Piccinini 2008: 214–15).

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to coincide, that is, through the formation of a *Zwischen* or interim that comes into force only to be erased by its interpreted effects. For both the digital and the computational, the interim is a legible illegible that each respective order produces. This interim is always presumed by the pseudo-activeness such regimes put forth, the genuine and actual actions of the interim being deeply buried, necessarily, within the constative loop.

There is a profound and abstruse stasis at the heart of the constative and the command-execution conjugate. Rather than being veritably processual, the constative loop is a static structure of power that subordinates and externalizes illegible executing entities. These entities perform and act physically, but are conflated with the logical and symbolical progression the constative regime puts forth. In fact, there is a conflation of logical and causal progressions within the constative. Its "causal" progression is a series of isolated and discretized terms, symbols or episodes that bear no continuous relation to their immediate material substrate. As a result, a program, which is a sequence of instructions, foregrounds a legible order that is based on an *original erasure* that cuts the physical and temporal continuum into as many forbidden zones as there are terms in the series. For this reason, there is something peculiar about this constative apparatus that, in order to operate, necessarily needs to traverse the residual exterior it creates and forbids. Before it can assess the results of its own commanding, the constative order, in being external to what it sets in motion, is in a state of perpetual waiting, an anxious differing of time. When instructions are "fed" to a machine, there is theoretically no guarantee that the machine will produce any viable results in due time. The theoretical underpinning of computability has this waiting time at its core, framed as the "halting problem," which speaks to the notion of the uncomputable and the undecidable. One of the central requirements of computation is that it has to terminate or, put bluntly, has to stop (Kleene 1952: Ch. XIII §67). Since one can define an executable physical process as "one that a finite observer can set in motion to generate the values of a desired function *until* it generates a *readable* result" (Piccinini 2011: 741, emphasis added), one may be inclined to ask: wait until when? Within computation's orderly logical and symbolic progression, legibility and time are intermingled. A physical process is said to have stopped when its results have become legible in light of its initial commanding and then judged computation-able or not. All of this judgment and assessment happens, necessarily, after the fact.

Some may be enticed to view this wait, this differing of time, as a becoming, that is, as an individuation of computation where physical processes become computation-able. I beg to differ with such a perspective. Since the constative already implies pre-constituted integral symbolic forms (a valid symbolic

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instruction prompting a valid symbolic result), there is no potential for execution or as *Zwischen* to individuate itself in other terms than those of this pre-constituted legible order. The workings of a program may produce unexpected and contingent outcomes in terms of symbol combination and serialization, which could potentially point to an infinite progression, such as Luciana Parisi's random actualities (2013: 17). Nonetheless, these contingent actualities are effects of the constative as such, which is based on a pre-constituted symbolic order that does not directly imply, let alone require, the establishing of a correlation between the identity and integrity of the symbol and those of its physics. In fact, it forbids it. What the constative ensures is not an individuation of difference but rather the convergence of all qualities and quantities of the performative into an imperial symbolic order so that the performative can be judged and decided upon. This operation of convergence is totalizing and is taken incorrectly as a principle of sufficient reason. Rather than grounding the identity of the symbol and its "underlying" physics, the operation is a means of subordinating to the identical the part of difference that escapes it in the first place. The constative, as a transcendental construct, can thus be grasped as the sacrosanct apodictic apparatus of repetition since it is impotent in addressing the *event* that is execution and thus necessarily left to consider the residuals of the event's aftermath, which it indeed despotically and deliberately appropriates on its own terms.

To conclude, by approaching questions of the legibility and illegibility of software and hardware through the vanishing point of execution, one can approach questions of labor and work, human or non-human. The notion of execution is a liminal concept that sits at the interstice between a given symbolic order and a performative material and/or bodily articulation. It highlights the indeterminacies the passage from one domain to the other entails. Execution asks to be followed, not iterated. In following execution, one can bring to the fore the organization of power that remains latent and obscured, yet still effective, if one simply considers the constative, symbolic, and generative workings of modern computing machines alone. The genealogical account of coding practices I discussed in the first part of this chapter, although focusing on questions of legibility/illegibility, can be read as an historical exposition of how the labor of execution that was once performed by human computers (executing commands as they were told) was gradually substituted by non-human computers. Yet, this development, which had the effect of rendering invisible the machines that were once literally in plain sight, has nonetheless left unchanged the despotic kernel of the instruction-execution conjugate. While the logic behind such a rational substitution, from human-computer to non-human computer, may certainly be appealing and chronicled in various writings

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on the subject, it nonetheless works towards systematically obscuring the violent subordination that was, and indeed still is, at the center of the practice of computing. The problem of execution concerns the domain of epistemology as well as that of ethology and politics in terms of valuation of work, labor and the distribution of power. Not only does the creation of a residual outside raise questions of legibility and illegibility in terms of knowledge, it further promulgates types of social practices and work hierarchies that perpetuate certain kinds of structural violence and tyranny that are founded on regimes of visibility and invisibility based on this very outside. In this sense, as humanities and media studies scholars, rather than seeking to explain contemporary conditions from the so-called new, creative, and innovative conjectures of software, data, the digital, and even algorithms, we may refuse to succumb to their implicit symbolic logic outright and instead look into the interim, gray, vagabond, and even boring practices of execution, such as, for instance, software and hardware maintenance or debugging, in order to unearth labor practices and their respective concepts and heuristics, which are buried deep in the very weft of computing and further enshrouded by prevalent cultural, academic, and socio-technical arrangements.

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CHAPTER 10

Connectivity, Legibility and the Mass Image

Sean Cubitt

Abstract

Network connectivity should surely by now have already arrived at the global village. Instead, our only universal is the commodity form. To the extent that the actually existing global formation is universal, it does not constitute a culture. But if legibility is a hallmark of culture, the implication is that global connectivity is illegible. The humanities alone are equipped to identify what is truly illegible, a task we perform precisely by reading, using every technique we have, eclectically, to find an entry into the opacity of events. In this chapter, Sean Cubitt argues that connectivity has produced a universal mass image, and asks whether it is possible to restore legibility to it, and if so in what forms.

The transition of film and television as discrete theatrical and domestic experiences into ubiquitously available streaming video services brings a new form of exploitation and new aesthetics. Inhabitants of the wealthy North have become highly skilled but also highly disciplined consumers of the mass image. The most intense site of consumer discipline was created in the capitalization of the World Wide Web and the rise of app culture, which now shapes the vast majority of interactions as commodities. The network condition frames moving image media and structures the modes of thought involved in their analysis. The perpetual surfeit and constantly tailored feeds of images respond to these technical and economic formations. Connectivity under these circumstances is no longer a need or a pleasure but an obligation.

If Raymond Williams's thesis of culture as "a whole way of life" (1958a: XIV) were still true, network connectivity should surely by now have constituted a global village where cultural wholeness pervaded the species, or at least showed some signs of drifting towards it. Instead of culture, our only universal is the commodity form. To the extent that the actually existing global formation is universal, then, it does not constitute a culture. To the extent that legibility is a hallmark of culture, the implication is that the commodity form of global connectivity is illegible insofar as it is commodified. Humanities alone are equipped to identify what is truly illegible, a task we perform precisely by

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reading, using every technique we have, eclectically, to find an entry into the opacity of events. This essay argues that the aggregation of uncounted millions of commodified images comprises a single, universal mass image. It asks whether it is possible to restore legibility to images today, thereby returning them to culture, and if so, in what forms. If culture in Williams's sense is to become an option in our near future, such legibility – undertaken in the same Marxist and Leavisite traditions as he owned (Williams 1958b) – will be the necessary method for recuperating it.

The Critique of Connectivity

> In place of the old wants, satisfied by the productions of the country, we find new wants, requiring for their satisfaction the products of distant lands and climes. In place of the old local and national seclusion and self-sufficiency, we have intercourse in every direction, universal interdependence of nations. (Marx and Engels)

Thus, Marx and Engels in the *Communist Manifesto* (1848), already prefiguring the challenge to legibility that we face today in their phrase "intercourse in every direction." As the humanities in the last quarter of the twentieth century gradually abandoned old canons of value based on a "civilization" more or less exclusively white, male and European, more positive terms like "connectivity," "network" and "entanglement" added themselves to the negative virtues of "resistance" and "subversion," inspired in part by Deleuze and Guattari's utopian concept of the rhizome (1967: 6 ff.). Today, however, the network condition is the site of a profound, even existential unhappiness. When many-to-many networks replaced one-to-many broadcasting, it was experienced as a liberation. Today, many-to-many has been replaced by the so-called social media mode of many-to-one communication. Not surprisingly, the "one" crumbles under its assault.

In the *Communist Manifesto*, capital's global connectivity creates new needs that require, for their satisfaction, colonialism, imperialism and the ongoing violence of accumulation by expropriation (Luxemburg 1951; Harvey 2010). Our new need for a newer smartphone depends for its satisfaction on the global networks of mining, fabrication, logistics, transport, retail, finance, debt and waste. In place of an older and perhaps poorer self-sufficiency, unhappy in its own way, we have universal connection by trade that produces new unhappinesses. The new connections disconnect us from the old locale. Networks of identity and lifestyle, peers and professions,

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trading partners and fandom overwrite and dissolve local social connections, just as they overwrite and dissolve the lives of populations displaced by mines, sweatshop workers and the desperate poor who pick over the dumping grounds of waste electronics. Branding makes these material networks illegible, burying the cultural forms of supply chains under the commodifying gloss of advertising and product design. Social media equally render illegible the disconnection of users from their material circumstances. Connection is also disconnection.

New needs are written over old desires. The connected individual is no longer herself, if "self" is a state where desire is shaped by its social repression. Network capital promotes a non-self liberated from socially and locally formed desire. In place of desire it prefers to posit Marx's "new needs," which are not repressed but rather stimulated in order to be plugged into an unstemmable offer of tailor-made satisfactions modeled on the needs that capital has produced. The self is *ab origine* alienated by repression. Rather than being freed from alienation, the consumerist non-self is doubly alienated: first, as the repressed, desiring self, created by socialization; and second, as the asocial non-self, alienated from the social whose repressions constructed it and its desire. Rather than freeing some original desire, the new need is constructed on its double alienation, as a satisfaction external not only to the self, but to the social. The repression that forms desire in its image is itself repressed in favor of a compulsory *jouissance* in the consumption of commodities. It is no surprise that this deracinated and doubly-alienated non-self yearns for and validates the very connectivity that has created it and its demand for networks.

The dream of a many-to-many constellation promised by the early internet failed to take the place of community when its actuality transpired as many-to-one. Promotional media encourage us to imagine smaller, more enclosed networks of parties and holidays, friendships and love affairs, in a community of the like-minded glimpsed in adverts and celebrity lifestyle reportage. We want to be connected to a place where people who would really appreciate *me* are already connected and waiting for me to join them. That is the fantasy. In reality, networks are immense technological infrastructures of optic fiber, server farms, satellites and transoceanic cables, microwave links and cellphone networks, RFID tags and barcodes, credit and loyalty cards, where machine-to-machine communication has already outstripped human-to-human communication (Cisco 2015: n. pag.) and it is impossible to distinguish between them. These networks are physically built, owned and operated almost universally by corporations. The information superhighway realizes Marx's fantasia on the construction of roads, in which he perceives

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> … the extent to which the socially posited needs of the individual, i.e. those which he [sic] consumes and feels not as a single individual in society, but communally with others – whose mode of consumption is social by the nature of the thing – are … not only consumed but also produced through exchange, individual exchange. (1973: 532)

The peak moment of capital can be recognized when all social needs are fulfilled neither by communities nor by states but by capital. Roads are a social need, but they are also vital to capital when the falling rate of profit forces acceleration and massification not only of production but of distribution, and by the same token demands intense speeding-up of the physical act of exchange. All those minerals and sub-assemblies in our computers and phones, all the talent locked up in a completed movie, are nothing but costs to capital until they have been sold: the faster they are converted back into money, the better. Therefore, Marx argued, capital would eventually take over infrastructural projects like roads, railways and canals (and, in our time, communication networks). Needless to say, having paid the piper, capital calls the tune: networks that serve its needs are the highest priority.

At the same time, the single most desperate need of the a-social subject of consumerism is for a community to connect to. When capital took over the provision of social goods, it was not only infrastructures like railways and telecommunications that were commodified but access to them. We purchase communication, which once was a local, social good, as a commodity. Connectivity moves from social good to goods and chattels. Society itself becomes just one of those needs that "are satisfied through the exchange form" (Marx 1973: 532). Today, the very possibility of society, having been shattered by consumerist individualism, can only be reconstituted through commodity exchange.

Commodification depends on the constitution of the world as a concatenation of exchangeable objects that in turn depends on an ontology of objects. But their commodification unpicks the self-identity of objects on which that ontology depends. Under the division between use and exchange value, sign and attention value, and the implication of objects in one another and in their environments demonstrates their non-identity. The reality even of geology is split by the hyperreality of derivatives. The abstraction of behaviors and data from affects and relationships, and their simultaneous formal subsumption into commodities reduces all differences barring price differentials to the universal medium of exchange. Things are both themselves and their equivalence. In consumption, the social self is displaced by serial identities that never have to articulate, even within a single consumer. As recently as Solanas and Getino's manifesto of Third Cinema (1971), it was possible to aspire to address

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"the people." Woe betide the academic or politician who speaks that way now. The work of network connectivity is to proliferate differences: to replace the social and its repressions, which produce both norms and the refusal and perversion of norms, with an indifferent climate where every need is normative. The unity-in-difference of The People is no longer possible at any scale under these conditions. Connectivity substitutes for the sociable working of culture a market in acquaintance.

The Mass Image

Such is the *nomos* underlying the condition of the production, circulation and consumption of images in the twenty-first century. But images are also actions of the *logos*. To understand the conditions of legibility and illegibility, we can no longer resort to modernist categories of ontology (an image is itself and other than itself by definition), epistemology (there is no longer a self capable of knowing) or of phenomenology (the encounter of image and subject no longer occurs in their co-presence but rather in their mutual absence, each of them already alienated from any pure or impure claim to being). We must instead turn to the clash of *nomos* and *logos*, the order of the law as it dissects, distributes and brings syntax to the spirit, the Word that, in John's Gospel, was in the beginning, the word before flesh, before the separation of the light from the dark, the *logos* of primal mediation.

The energy needed to produce information has to come from somewhere. Any photograph is an act of destruction, the murder of the light that it documents. Unlike a drawn, painted or etched picture, making a photograph is traumatic. Even if laboriously set up and composed, a photograph rips a moment out of the flux of time. The truth it claims as a record of a moment comes at the price of no longer sharing the common fate of moments: change. In this sense, a photograph is true to the extent that it is without meaning. It can only record and communicate a truth about the instant if it does not expound its significance. The being of the world, its truth, is outside of language. Drawing, painting and printmaking are significant acts that instruct us in the meanings of what they depict because they cannot avoid departing from verisimilitude in favor of style. In a photograph, contrariwise, whatever meanings it carries are properties of either the thing imaged or the person imaging (camera operator or viewer), not of the entity "photograph." So, many wonderful images made with the photographic apparatus are significant, but, like paintings, they are so to the extent that they abandon the claim to truth in favor of significance and to that degree abandon the calling of photography to realism, the "pencil

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of nature." The truth that "true" photographs lay claim to is the truth of an instant ripped from the universal flow.

Moving images are an intuitive attempt to heal this trauma and restore significance by supplementing each image with another. That the attempt has been fruitless is obvious from the fact that we are making movie after movie and still have not secured the significance of the world. Against the still photograph, its assassination of photons, its alienation from change, its wholesale adoption of *nomos* against *logos* and its traumatic subordination of time to Being; against all this, the moving image, by adding image upon image, sought to nurse the injured still back to health. But then moving images joined the proliferation of printed images and the electronic acceleration of circulation created the conditions for a new alienation: the mass image. Here, individual images lose their being, becoming instead ephemeral components of a far greater, even universal project.

After the attempt to heal it by the supplement of successive images and the modern art of motion between and within frames, the trauma of being that had triumphed in the still photograph returns in the collective, networked being of all images as facets of a single unchanging image of movement. At the same time, the condition of digital scanning and network latency is that the mass image of network media, although singular, is ephemeral. A selfie posted to Facebook risks a certain transcendence. In that instant of taking and posting, you exist. But you exist as a quantum fluctuation in a statistically normative ocean. *You* have no eternity: only the ocean is eternal. Selfies are obsessive performances of the self precisely because the self is in crisis. The ephemerality of selfies, which makes them trivial in the regime of the traditional image, is the true aggregation of self, an identity, a lifestyle choice, a node in the social graph, in the twenty-first century. The ephemerality of contemporary images is their saving grace.

The world we have is unhappy; thus, happiness depends on negating what is given to us as the world. Images negate the world in order to produce pictures that are more startling, richer, surer, more filled with meaning and more desirable than the world we have to inhabit. Even images of unhappy events attempt to heal them. *An* image, any image, still or moving, that aspires to unity, aspires to happiness. The proliferation of images is a different matter. The new photographic ensemble of smartphone cameras and network communications captures, distributes, proliferates and aggregates images in immense numbers at immensely condensed speeds. This multiplication and acceleration of recording and circulation sums up at stasis. When any image is exchangeable for any other, there is no longer any information or benefit to be gained from circulating more of them. Instead of negating the world, the mass production

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and exchange of images reproduces it in the form of its economic logic, drawing each image into the commodity form as a preliminary to subsuming every image into exchange, abandoning the cultural project of legibility in favor of atomic commodities subsumed into the ocean of exchange.

The snapshot poses itself as a unique instant in time. Considered alone, as a unique instance, that is what it is. This is the kind of photograph Roland Barthes (1980) talked about in the discussion of the picture of his mother: unique, precious, significant and a presence tied to an absence, a lost but nonetheless real moment of the past. But when it is shared in gigantic databases (which Barthes avoided by not publishing the photo) and placed in relations of exchange with every other image, and when it also shares its GPS, facial recognition, histogram and compositional parameters, it becomes not an instant but an instantiation: a pixel in a pattern, an entirely predictable efflorescence of the universal image. In the mass image, every unique image loses its uniqueness at the moment its timecode and date stamp allocates it a place in a chronological map of time, a calendar which is no longer time-based but the translation of time into the spatial cartography of the calendar. In the *Timaeus*, Plato described time as "a moving image of eternity": in the mass image, we see constructed an eternal image of movement. Plato dismissed images from *The Republic*, we might say, for the same reason Socrates dismissed writing: the trauma of separation marks the legibility of time as trace divorced from substance. The eternity of the mass image erases the mark of trauma in a perfected *eidolon*, leaving no space for even the diagram of eternity that time provided.

Even though the individual image acts by negating the world, mass proliferation of images produces a positive: its own existence. Mass imaging's reproduction of the world negates the single image's negation of the unhappy world. It does not replace the unhappiness of exploitation and commodity exchange, because it reproduces it. The mass image – the huge composite picture of the world which is being assembled in databases at Facebook, Microsoft, Instagram and Google – employs humans to produce a universe of image-commodities that we and others exchange, reproduce and consume. Each image taken negates the scene it captures and replaces it with an image. As the absolute number of images increases, the mass image replaces the entirety, the wholeness of the world, not just the unique scene. By the same token, a culture of compulsorily happy pictures necessarily negates happiness by replacing happiness with pictures. If there is one thing we know about happiness, it is that it is not single. The aggregate, singular, mass image negates happiness a second time by re-imagining it as normative, coherent, stable and universal.

A world of happy pictures is not a happy world, but it is unhappy in a new way compared to the unhappiness of the world it replaces. When each happy

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image is consumed and replaced by dissatisfied desire, the individual images comprising the mass image are ephemeral. "Ephemerality" suggests that the images that negate changing events by replacing them with object-like happy depictions ultimately negate themselves by disappearing. Ephemerality is the bubbling in and out of existence of consumable facets of a single, all-subsuming mass image. The goal of the mass image is perfect pictorial communication, the absolute triumph of *nomos* over *logos*. And yet such perfection is by definition entirely predictable and therefore incapable of producing information. From within the logic of the mass image, the becoming-other of images is decay: mere noise, externality. Viewed critically, it is the noise of the unpredictable generation of the new.

Negation, as the philosophers use the term, implies that things are incomplete, unstable, inconsistent. For many contemporary philosophers, *things* do not exist, because they contain in themselves reasons why they are otherwise than themselves. What we think of as things are multiplicities (in the Marxist tradition) or becomings (in the Bergson-Whitehead tradition). The problem of the traditional image, which negates only to replace, is that it replaces change with a thing, an image, that contains in itself the reason why it is so and not otherwise. To the extent that the unique image does exist, it loses the power to change. An image that *is*, is present: it is now (present) and it is here (presence). As a negation, an image puts its thing-ness in the place of something multiple and changeable, which it displaces. By occupying the present moment, and by extending that present moment across the entire lifetime of the image, an image, a photograph, not only replaces things (multiplicities, becomings) but also replaces the kind of time in which things change. A painted paradise on a church wall promises to replace historical suffering with eternal bliss. Photography democratizes the eternal present that once belonged exclusively to the saints.

The price of eternity is the trauma analyzed above, but it can be achieved as style, although, as Cocteau said, "Style is the enemy of journalism." Expression, significance, beauty, the qualities of style that link it to subjectivity, are incompatible with its function as truth-bearer. The photograph as witness is forensic in its detachment, denying to the supreme subject of the mass image, the One who sees all, the possibility of taking that responsibility which, for Benjamin (2003), constituted the legibility of history.

But even this witnessing is only feasible if and when the legible trauma of the excision from time is itself excised in the change of privilege from either journalism or style to circulation. In the 1990s, there arrived, in the form of the world wide web, a distribution medium of immense power that had almost no barriers to entry, barring easily acquired HTML coding skills. The utopian

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moment of the early 1990s combined cheap video with the publishing, distributive and interactive capabilities of the web. Only after the shake-out of the dot.com crash in 2001 did it become apparent that a handful of net-native companies, notably Google, Amazon and eBay, had begun to create business models derived not from magazines and broadcasting but from the net itself. Those models – user-tracking and recommendations – provided the basis for social media through simple but monopsonic platforms (Mejias 2013: 33–5). The result has been a landscape of tribes, as Maffesoli (1996) called them two decades ago, a fragmentary terrain of (often ephemeral) groupings around celebrities, catchphrases and brands, to which we donate our attention and creations, not only unpaid but self-funding consumers of a panoply of instantly obsolescent machinery and indifferent differences.

"Is it possible to differentiate between dominant and oppositional networks, for example? Or are they all so inextricably tied that even an analytical separation of them becomes useless" asks Arturo Escobar (2008: 11). His questions raise others, and especially in our context the question as to whether it is possible to rescue an oppositional agency for images on dominant platforms like Facebook and Instagram. The first part of this question concerns whether network dissemination of images makes those images network media. Network media distinguish themselves in that they are in the first instance distribution media, where mechanical and earlier electronic forebears were first and foremost production media. Producing an image may well have ethical consequences for those involved – artists and their models, news photographers and the people they image – but those consequences may perhaps be diminished if the image is kept hidden, like Courbet's *Source* and certain sacred images (of which Courbet's may well be an example). Are we less guilty of what we fail to publicize? To have made the Abu Ghraib images made criminals of those who made them (Scarry 1985; Sontag 2003); what status then for those who distribute them? If the answer is that it is in some way less terrible to share than to produce, then the ethical power of network media to demand responsibility for both making and enjoying images is diminished. Or am I too squeamish? Is it okay to turn away, to say "there are some images I never wish to see," and so absolve myself of accountability for pictorial violence on the grounds that I didn't look? If instead of showing, I share not the image but its transport, creating a network graphic on torture rather than pictures, is the diagram a technique for presenting my implication in the guilty truth without actually seeing it? Does the illegible statistical *eidolon* free me of my obligation to the one who suffers?

The inference for connectivity as principle and dilemma to draw from this detour through infographics is that the network relation, which is best

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emblematized in diagrammatic rather than pictorial form, is that precisely because networks are not only self-documenting, they are also self-negating. A network node is a point of transit, not a terminus, even though, as nodes, each of us thinks of ourselves as terminal destination. Connectivity is entropic: in network topography, every point is equivalent and equidistant, like the cosmic dust that, the cosmologists tell us, the universe will ultimately become. In this condition, all differences are indifferent. To distribute images of degraded victims is to degrade them further; not to circulate makes clear that their degradation cannot be separated from that of the immediate perpetrators, those who issued the orders, and the political regime that encouraged both the torture and the images of it. Abu Ghraib was already synonymous with torture under Saddam Hussain. The degradation is not specific to any one party. All humanity is degraded in this degradation; all humanity owes an unpayable debt to those who suffered at Abu Ghraib. Yet a dispassionate diagram of the images' circulation, under the guise of meta-commentary, denies the conditions of debt arising from both circulating and not circulating. The images are intolerable not only because of their prolongation of torture, but because of the impossible ethical demand they place on us. The diagram is intolerable because it does not make that demand. Is it the case that the network condition of circulation in itself removes the ethical demand?

The same problem of non-identity I noted about objects, and the same scale of ethical demand, is also the case with nodes, with the same ethical implications. Here is Michael Dieter's thumbnail description of a smartphone:

> Here, interfacing can include a range of active relations such as tap detection, fingerprint identification, the operation of cameras, microphones, gyroscopes, accelerometers, vibration mechanisms, operating systems, location services (GPS), Bluetooth and, crucially, the oscillation of lithium ions as battery life. (166)

If to this we add the operation of software, apps and the actions of the human user, including their relation to the space, physical and social, where they interact with the device, it is clear that the network node is itself a network, indeed a network of networks that includes the user's biography, the environmental implications and the supply chains that bring the various components together. Any concrete instance has always been the solid instantiation of an incalculable number of inputs. As network node, the human-device interface is also centrifugal, at best a momentary focal point through which biography and data flows draw themselves to an illegible point in order to diffuse again in multiple directions. The non-identity of the network node is produced as

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a network effect, a point traveling through time, and necessarily ephemeral, a compound lens assembled and disassembled on the fly to focus, conform and retransmit. This pseudo-self, like Descartes's pineal gland, is a channel for assembling and mutating, whose task is to supply idiosyncratic combinations and inflections to a system that otherwise is too deeply standardized to provide its own. This is the role of disciplined consumption, where street cultures and lifestyle groupings reconfigure the symbols that claim their attention, now a form of labor, in order to renew the circulation of commodified affects. This work of (re)processing symbols is indistinguishable from the work of code: illegible because it is not written for human comprehension, because it is not writing as text but writing as process and because there is no referent, no use-value, only oceanic exchange. In this role, the non-self's value lies in the data it processes.

The work of disciplined consumption and prosumption is not only unpaid but demands investment in kit and connectivity. Here, it performs the only truly terminal task of contemporary capital and the last authentication of the historical self: to be the subject of debt. Debt is incurred by spending future earnings today. In the last instance, all debt must be repaid by the individuals that capital has created as its debtors, but the lonely hour of the last instance never comes. The moment when debts are finally reconciled, the moment when the commodified self will be finally realized, never arrives.

The self, perpetually deferred, is not identical with itself. But neither are networks. The networking experience is not an experience of network infrastructure, which today is characteristically hidden beneath shiny interfaces. Bots and cookies, Facebook's social graph, and Google's user profiles are encouraged by widespread ignorance of how the internet works, which is a function of "user-friendly" design and the universal disguise of and blindness to the physical labyrinth of cable, switchers, routers, servers and server farms we disingenuously refer to as "the Cloud."

Against Connectivity

Connectivity, which appears to us in fantasies of belonging, depends on the interactions of a corporate network, whose economics, politics and cultural forms are structured by the commodification of the social good. It is premised on and constructs non-identical and atomized subjects, psychologically, economically and environmentally predestined to pay in the future for its operation today. Connection is not a solution: in its current form, it is the problem.

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At the same time, it is vital not to confuse connectivity with implication. I have dropped the word "implication" into my text a few times already. Now it is time to define it. Latour argued in his Oxford lectures that networks are "a tool to describe something, not what is described" (2005: 131). His statement was not a statement about the internet, but about an ontology of the world as flux. The metaphor of networks took hold in the post-war Macy conferences. In its current form, it covers human artefacts like the internet, the *de facto* ontologies of the twenty-first century – ecological and quantum science – and the Market as quasi-natural emergent form underpinning all human relations and dominating contemporary political life. Latour's comment makes clear that the application of a technical metaphor to non-human realities is just that: a metaphor. As metaphor, it is a translation, a communication of incommensurable terms between languages and across time. For cybernetics, the translation problem would result in what Orit Halpern calls "a statistical grammar of prediction" (2014: 51), of the kind that now dominates the day-to-day circulations of the internet. In engineering, however, metaphors and translations are performative. Connectivity translates a condition of statistical probability into the operating principle of packet-switching networks, which return the favor by providing a metaphor for themselves and for the financial trading that constitutes the larger part of internet communication today.

And yet there remains a "something" that we are trying to describe with our network metaphor, and which the internet as performative metaphor might be defined as attempting to describe. Of the available terms (entanglement, enfoldment and many more) I like "implication" because it catches at once the "pli" of Deleuze's Leibniz (1993) and the remnants of causality, while at the same time evoking just that ethical sense which I have argued is disabled by current network communications. Non-identity is only a problem when identity is the s*ine qua non* of many-to-one networks and of the architecture of debt, that is, when it emerges from the construction of capitalist individuality. Ethical demands produce a special *angst* when they arrive at the point of individual responsibility, when individuality, like the family institution before it, is in crisis. In connectivity, there is no place for shared responsibility, which falls on the helpless shoulders of an individual self so constructed as not to be able to bear it. Implication indicates an alternative to this situation. Reversing debt's predetermination of an endlessly deferred but ineluctable future, we are all indebted to our ancestors and our planet, all implicated in one another.

Mediation implicates us not only in the doings of other humans but in the local and cosmic environment. Sunlight and rock, water and plants are media implicating us in the world. All the media we are implicated in implicate themselves in us. Historically, the free and open internet of the early 1990s was

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built on an infrastructure that was anything but common. Enclosure of the digital commons was to that extent a foregone conclusion. But underlying the infrastructure of the internet lies an older, broader commons that combines physical processes with the accumulated technical know-how Marx called "the General Intellect," itself enclosed and privatized in technologies. These layers of commons and enclosure create the internal contradictions that at once provide a critical foothold in the network and an escape route from the isolation of the network condition, at once through recognition of the implication of each human in every other and through the natural and technological processes that the political economy of the contemporary network excludes.

Moving image cultures are inhabited by the network condition as much as they inhabit it. Film and media studies' embrace of larger fields of making, sharing, viewing and using moving images enrich our understanding of the networks they inhabit and in many senses constitute. Precisely for this reason, critique of connectivity and the mass image is becoming a pressing issue. The challenge of legibility is then to confront the loss of significance in the traffic in data, without, however, returning to a hieratic semantics grounded in the authority of God or Man. The space between significance and the *asignifiant* is not a void but a sliding scale. We have a long job of work ahead to distinguish a-signifying primal mediation from ordered communication, and both from what we must now inhabit, the insignificance of components of the mass image. Work at the level of the single image, its atypical and unstable grip on being and reference, and its always particular articulation with the connectivities it emerges from and impacts on is the particular and crucial political-aesthetic task of the humanities in the early twenty-first century.

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CHAPTER 11

Too Much to Read? Negotiating (Il)legibility between Close and Distant Reading

Inge van de Ven

Abstract

In this chapter, Inge van de Ven argues for the development of modes of reading that oscillate between 'close' and 'distant' reading. In order to move beyond the prevalent dichotomy between both reading strategies, the author proposes an alternative perspective that considers reading in terms of scale variance. This article outlines ways to combine classical-humanist attention to the singular object with methods applicable to variable scales of textuality. How does what we consider 'legible' change under the influence of digitization and datafication? How to decide what to read and what to outsource? How to combine hermeneutics with computation? Rethinking the interrelations between close and distant reading is of vital importance for teaching students how to read, and how *not* to read, in the information age.

In *Does Writing have a Future?* Vilém Flusser provocatively sets out by answering this question in the negative: writing has no future (3). Technological innovations effectuate a transformation of consciousness (and vice versa), which, in this case, means that writing is increasingly outsourced by humans to apparatuses (17). What is left for us to ponder, writes literary scholar Kiene Brillenburg Wurth, are "the *remains* of writing … as writing is rapidly being overwritten by code and overtaken but also reimagined by the machine" (9, emphasis in text). In this chapter I pose a different, yet related, question: what does the replacement of writing by code mean for the future of *reading*? For, as Steve Tomasula writes, today, we have come to a situation where

> machines that not only read the writing of other machines but make judgments that affect us have come into our world so naturally that we rarely notice let alone consider the ramifications of this brave new morning of machine reading and writing: computers read our writing and recommend books, movies, and spouses, for us. (490)

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In our present moment of digitization and datafication we are surrounded by more texts than ever that are to an ever greater extent based on binary code and algorithms. This means that our notions of legibility can no longer be taken for granted.

In this chapter I therefore begin to investigate some of the possible meanings of legibility in a time when writing is increasingly replaced by, and reworked into, other codes. What does the increased mass and accessibility of texts mean for what we consider (il)legible? What are the limits of legibility, on levels of scale and cognition? What new ways of reading can we envision in relation to digital textuality and code, and how do we decide what to read and what to outsource? What transformations of readership can be discerned and how can we experience and analyze these in an ongoing negotiation between the legible and the illegible? And how does literature provoke and perform such negotiations?

As unprecedented flows of information reach us through multiple channels, we face the challenge of the development of new reading strategies for what Manuel Castells has called our "information age" (5).[1] I contend that scholars of comparative literature, media and textual studies should develop modes of reading that oscillate between "close" and "distant" reading. Whereas the former entails close and in-depth attention to the details of a smaller section of text, the latter involves processing (information in or about) large corpora of texts with the help of computational analysis. For years now, these seemingly antithetical reading strategies have been a topic of debate between practitioners of Digital Humanities on the one hand, and traditional humanists on the other. I argue that this ongoing polemics presents these reading methods in an unnecessarily polarized manner.

In order to move beyond the dichotomy of close and distant reading, I propose an alternative perspective that considers reading in terms of scale variance, of zooming in and out between part and whole, thus discovering the myriad shades of gray between close and distant. This will open up the debate and allow us to move towards ways of combining classical-humanist attention to the singular object with methods applicable to variable scales of textuality, and hermeneutics with computation. Rethinking the interrelations between close and distant reading is of vital importance for training students on all levels how to read, and how *not* to read, in the information age. Whereas the

1 Information Age is the term Castells has coined for our current historical period, in which human societies perform their activities in a technological paradigm constituted around microelectronics-based information and communication technologies, and genetic engineering.

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debate is now carried out in Humanities departments, I argue that primary school education is in need of strategies for training students to switch between close and distant reading, and between modes of deep attention and hyper-attention, and thus to renegotiate the legible and the illegible in productive ways.

The Problem of Abundance

The management of ever-vaster amounts of information that bombard us daily is one of the most important challenges we have been facing in the last century. Technological developments during this time have drastically changed our abilities of accessing, processing, and transferring information.[2] This includes the contents of individual books that are integrated into bigger and bigger networks of texts, and usurped by the continuously expanding structures of online databases. Google, as well as non-profit organizations such as Project Gutenberg, the Million Book Project and the Internet Archive, carry out large-scale projects to scan and upload the contents of whole libraries at a time. Kevin Kelly, co-founder of *Wired* magazine, rejoices: "Once books are digital, books seep out of their bindings and weave themselves together. The collective intelligence of a library allows us to see things we can't see in a single, isolated book" (par. 21). So far, Google has uploaded over 30 million books. It would take a human twenty thousand years to read such a vast collection at the reasonable pace of two hundred words per minute, without interruptions for food or sleep (Aiden and Michel 47). Projects like these raise the first question of legibility in terms of what Matthew Wilkens calls the "problem of abundance":

> We don't read any faster than we ever did, even as the quantity of text produced grows larger by the year. If we need to read books in order to extract information from them and if we need to have read things in common in order to talk about them, we're going to spend most of our time dealing with a relatively small set of texts … each of us reads only a truly

2 The problem of managing information overload did not originate with the digital age: the invention of the printing press caused a similar challenge to archival organization (see Rosenberg). Yet the issue has become pressing again as more and more information is datafied. Information overload, as Kristin Veel defines it, is the situation that arises when "the organizing system breaks down – or does not yet exist, because the information to be processed is so unfamiliar to us that we do not yet have categories available to process it" (308).

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> minuscule fraction of contemporary fiction (on the order of 0.1 percent, often much less). … we need to decide what to ignore. (250)

This problem of abundance is the starting point for the debate on computational methods in the Humanities versus (human) strategies of reading. I briefly outline this debate, and then interpret it in terms of "illegibility" in three different senses: scale, cognition and code.

Close and Distant: The Polemics

Ever since the rise of Digital Humanities in the second half of the twentieth century, there have been ongoing debates between adapters of computational methods and defenders of the more traditional humanist approaches. Daniel Allington, Sarah Brouillette and David Golumbia published a much-discussed piece in the *LA Review of Books* (2016), critiquing Digital Humanities advocates for their alignment with the "neoliberal takeover" of universities (see also Kirsch), and provoking media scholar Alan Liu to defend DH on Twitter.[3] A recurring point of contest within this debate centers on methodological concerns: the "traditional" humanist strategy of close reading versus the newer computational methods often called distant reading. Franco Moretti has provocatively stated that close reading is a "theological exercise" and that we should "learn how *not* to read" (2013: 48; see also Wilkens; Jockers). Others, like Michael Manderino (2015) and Antoine Compagnon (2014), have attempted to rehabilitate close reading and its devotion to detail, arguing that we need these skills more than ever in times of information overload.

Close reading is an umbrella term for an assortment of reading strategies characterized by a devout and detailed attention to the meaning and composition of art works. The approach was made famous by the New Critics, a group of Anglo-American literary scholars including Cleanth Brooks, William K. Wimsatt and Monroe C. Beardsley. Inspired by I. A. Richards (author of *Practical Criticism*, 1929), Matthew Arnold and T.S. Eliot, these scholars experienced their heyday of academic fame in the 1940s and 1950s. Going against contemporary practices that, in their view, overvalued historical context and biographical information, the New Critics suggested that literary scholars should investigate the text itself. They wrote extensively on certain contemporary fallacies of literary analysis, for instance, letting your own emotions factor

3 For Liu's response, see https://storify.com/ayliu/on-digital-humanities-and-critique.

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into the interpretation (Wimsatt and Beardsley's "affective fallacy," 1949) or writing about authorial intensions (the "intentional fallacy," Wimsatt and Beardsley, 1946). Another practice they attacked was the paraphrasing of the contents or message of a work (Brooks's "heresy of paraphrase," 1947).[4] Instead, this school propagated the careful examination of evidence offered by the text itself: images, symbols and metaphors as part of a larger structure that gives the text its unity and meaning. Of particular interest to the close reader were devices that create ambiguities, paradoxes, irony and other forms of tension within the text. Significant for our purpose here is that its practitioners did not consider close reading a method. They held that close reading could not be systematized, as it demanded tact, sensitivity and intuition.

Perhaps none too surprisingly, the 1960s saw the downfall of the New Critics' textual approach, that is, in its purest form. Besides being considered elitist, solely focusing on complex, "high-end" texts, and intellectualist, favoring intricate and dense interpretations, and treating the text as a puzzle to be solved, the New Criticism was deemed too restrictive. In it most dogmatic form, its critics claimed, it does not invite considerations of race, class, gender, emotions, the author, reader response, socio-historical context and ideology – all categories that moved to the center of literary studies in the 1960s. With the rise of poststructuralism, the "pure" close reading came to connote evasiveness and acquiescence to the status quo, even though in a less restricted form, it remained a persistent feature of Anglo-American literary studies, identified as its "primary methodology" (Jockers 6).[5] Yet in the last decades, the term has been foregrounded explicitly – always in opposition to the new digital humanities methodologies gathered under the term "distant reading."

Distant reading is the practice of aggregating and processing information about, or content in, large bodies of texts without the necessity of a human reader who reads these texts (see Drucker 2013). "Reading" is outsourced to a computer: distant reading is in fact a form of data mining that allows information in (e.g., subjects, places, actors) or about (e.g., author, title, date, number

4 See Jockers 6. Other seminal works to mention in this respect are Cleanth Brooks and Robert Penn Warren's *Understanding Poetry* (1938) and Laurence Perrine's *Sound and Sense* (1956), which together come close to "an orthodoxy of close reading" (Culler 22).

5 In a more general form, especially combined with gender, postcolonial or other ideological critiques, close reading has remained a dominant hermeneutical approach until this day. Influential poststructuralists like Jonathan Culler, Paul de Man, Derek Attridge and Jacques Derrida can indeed be said to perform their own branch of close reading. See Lentricchia and DuBois; Herrnstein Smith 58; Rabinowitz 230; Stronks 205.

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of pages) the text to be processed and analyzed.[6] The latter are called metadata: data on the data. Natural language processing can summarize the contents of "unreadably" large corpora of texts, while with data mining we can expose patterns on a scale that is beyond human capacity. In his book *Distant Reading* (2013) Franco Moretti introduces the term in explicit opposition to close reading, which, to his mind, fails to uncover the true scope of literature. Moretti is the founder of the Stanford Literary Lab, which seeks to confront literary "problems" by scientific means – computational modeling, hypothesis-testing, automatic text processing, algorithmic criticism and quantitative analysis. The Lab's first pamphlet suggested that literary genres "possess distinctive features at every possible scale of analysis" and that there are formal aspects of literature that people, unaided, cannot detect (Allison et al. 8). The second pamphlet used network theory to re-envision plots (Moretti 2011).

The new possibilities of computational analysis bring considerable merits to the humanities. Yet, distant reading has not been received in an unambiguously positive light. Several scholars have expressed their concern that we will underestimate the importance of interpretation if data-centered methods take center stage. As the title of Lisa Gitelman's 2013 collection suggests, *Raw Data Is an Oxymoron*. José van Dijck, too, has argued that we should not assume that, through data, which in Latin means "given," in the sense of "fact," the "real" is transmitted, as if independent of representation and the subjective human perspective.[7] More information does not necessarily bring us closer to meaning; in fact, the opposite is often the case.

Strikingly, in this debate, close and distant reading are usually presented in opposition: distant reading, according to Anne Burdick et al. in *Digital_Humanities*, is "a term that is specifically arrayed against the deep hermeneutics of extracting meaning from a text through ever-closer, microscopic readings" (39). Often, the two methods are believed to be not only mutually exclusive, but also mutually detrimental. Thus, Compagnon writes of "the threat to interpretation that comes from big data, quantitative literary analysis, algorithmic or iterative criticism, text mining, that is, the so-called digital humanities," and then asserts that "[t]ext mining could spell the end of close reading" (275–76). Of course, they do have undeniably antithetical features: transparency versus

6 The "reading" in distant reading is, therefore, misleading: distant reading is *not* reading (Burdick et al. 39). Gauthier, in this volume, rightly problematizes the metaphorical usage of the word "language" in relation to computational processes. A parallel argument can and should be made with regard to "reading" in computational contexts. For the sake of clarity, however, in this essay I adhere to the prevailing terms in the standing debate.

7 On the devaluation of interpretation in distant reading and computational approaches, see also Drucker (2011); Compagnon 276.

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ambiguity, information versus form, not reading versus devout attention, big versus small (in fact, metadata can be seen as the ultimate paraphrase). To devote close attention to anything we need to make choices, and we live in an era that tends to undervalue selection (think of the word "discrimination"). We want the full picture: Big Data, Big Science and Big Humanities. Distant reading obviously caters to current demands. Yet by reiterating this binary, the debate remains stuck at the surface level. Are quantified, big-scale methodologies and meticulously attentive readings indeed mutually exclusive?

Attention: Scale and Cognition

I propose a more nuanced way to map the interrelations between these modes, taking scale variance into account. To my mind, the debate regarding big data approaches versus more traditional modes of reading involves problems of legibility in at least three senses: of scale, cognition and code. Regarding the first two of these, the issue of *attention* is an important factor. First, attention in the sense of valuation is connected to the issue of scale. As Peter Rabinowitz points out, "because close reading means, among other things, slow reading, it reduces the *number* of texts with which a reader is liable to be familiar" (237–38, emphasis in text). In this respect, the debate can be traced back to the canon wars of the 1980s (see, for example, Bloom). And indeed, Moretti proposes distant reading as an answer to questions about the canon of World Literature:

> [T]here are thirty thousand nineteenth-century British novels out there, forty, fifty, sixty thousand – no one really knows, no one has read them, no one ever will. And then there are French novels, Chinese, Argentinian, American. … Reading "more" is always a good thing, but not the solution. (2013: 46)

The problem with close reading, Moretti argues, is its dependence on a small canon: "you invest so much in individual texts *only* if you think that very few of them really matter" (57). Matthew Wilkens, in "Canons, Close Reading, and the Evolution of Method," regards literary canons as a product of the practices of close reading that he reads in terms of injustice to what is excluded. A shift to computational studies and algorithmic methods in the humanities, he feels, "will hurt, but it will also result in categorically better, more broadly based, more inclusive, and finally more useful humanities scholarship" (257). Ed Folsom goes so far as to retrospectively diagnose that "[w]hat we used to call the canon wars were actually the first stirrings of the attack of database on narrative" (1574). Big data would in this conception be the ultimate dissolver of the canon, and *not reading* the most

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democratic gesture thinkable. Such accounts invariably make a coupling between distance and scale. Acts of selection are losing currency as big data theorists today deem sampling "an artifact of a period of information scarcity, a product of the natural constraints on interacting with information in an analog era" (Mayer-Schönberger and Cukier 16–17), and as companies like Google strive to collect and organize the world's information (see Vaidhyanathan). A close-up perspective pertains to the small, while distance allows us to see the bigger picture, with the latter privileged more than ever in our media-saturated age.

The debate also, and perhaps more importantly, regards attention in a second sense, that is, attention as concentration. Two distinct modes of attention are often presented in a dichotomous fashion: in *How We Think* (2012), N. Katherine Hayles refers to these modes as "deep attention" and "hyperattention." The former is described as a focused form of concentration and the latter as a more distracted, non-linear mode of attention. As contemporary media environments become more information-intensive, Hayles claims, a shift in cognitive modes is taking place, from the deep attention needed for humanistic inquiry to the hyperattention that is typical in the act of scanning web pages. The mass of material online that awaits reading leads to skimming instead of prolonged attention to one source of input. Hyperlinks draw away our focus from the linear flow of the text, very short forms of writing like tweets promote reading in a state of distraction and small habitual actions such as clicking and navigating increase the cognitive load of web reading (Hayles 12). Hayles therefore considers web reading a powerful practice for "rewiring the brain" (67). Hyperattention and deep attention, she holds, each have their respective advantages. While deep attention is essential when coping with complex phenomena such as "mathematical theorems, challenging literary works and complex musical compositions," hyperattention can be useful for "its flexibility in switching between different information streams, its quick grasp of the gist of the material, and its ability to move quickly among and between different kinds of texts" (72). Hayles thus claims that hyperattention and its associated strategy of hyperreading are growing in importance and frequency, while deep attention and its associated acts of close reading are diminishing, especially among the "digital native" generation.[8] She concludes that the

8 Several studies have attempted to find evidence for the digital consumer's need to multitask in order to keep boredom at bay, for the increasingly impatient nature of the "Google Generation" (Johnson 2006; Shih and Allen) and for their lowered tolerance for delay (Los Angeles Times/Bloomberg). Whereas the studies by Johnson and Shih and Allen present the intolerance for delay as a characteristic of the digitally native Google Generation, Rowlands and Williams argue that it holds true for all generations exposed to digital technologies (17).

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"chapter of close reading is drawing to an end" (59). Here, she points to an illegibility that, in a sense goes, beyond mere scale, as in "too much to read"; rather, texts become illegible when we are no longer cognitively equipped to process them.

In *Proust and the Squid: The Story and Science of the Reading Brain* (2007), developmental psychologist Maryanne Wolf makes a similar argument concerning the demise of deep reading. When the printing press made the large-scale production of long, complex works of prose feasible, Wolf argues, a style of deep reading emerged. Today, our capacities of interpreting and making mental connections are more and more often left disengaged, and consequently may be weakening (13–20). Wolf characterizes the style of reading that the Internet solicits as marked by "efficiency" and "immediacy." When we read online, she writes, we tend to turn into decoders of information.[9]

Sven Birkerts also diagnoses a contemporary challenge in maintaining an attentive focus, arguing that "[w]hat has changed is either the conditions of reading or something in the cognitive reflexes of the reader. Or both" (par. 32). In our current information spaces, he claims,

> [w]e have had to evolve coping strategies. Not merely the ability to heed simultaneous cues from different directions, cues of different kinds, but also … to engage those cues more obliquely. When there is too much information, we graze it lightly, applying focus only where it is most needed. We stare at a computer screen with its layered windows and orient ourselves with a necessarily fractured attention. It is not at all surprising that when we step away and try to apply ourselves to the unfragmented text of a book we have trouble. (par. 33)

In these accounts, we see that close reading is consistently made to correspond to deep attention and concentration, whereas online reading is aligned with hyper-attention and distraction.

9 See also Carr's reflections in *The Shallows: What the Internet Is Doing to our Brains* (2010). Unsurprisingly, the shift to hyperattention has led critics and writers to worry that soon readers will no longer be cognitively equipped to read extended prose narratives. Author Philip Roth has predicted that the so-called screen technologies, like the computer and television, condition our brains to the point where the old "single-focus requirement," the devout mode of concentration needed for slowly reading a book, will become an "elegiac exercise" (qtd. in Flood, par. 1). It will not be long, Roth believes, before the novel turns into an elite form for a small cult of readers.

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Even without denying the ongoing changes in the modes of attention we employ, one might question the binary logic underlying these categorizations of the different forms of attention that pertain to Internet and literary reading. The borders between the two modes are porous; in fact, we continuously switch between them. Kristin Veel offers a correction to this binary in her article "Information Overload and Database Aesthetics" (2011). Taking her cue from architectural historian Beatriz Colomina (2002), Veel points out that in our contemporary information-dense and multimodal media environments, we precisely need distraction in order to concentrate: "distraction is not the opposite of concentration, but rather its precondition" (312). With the rise of omnipresent digital information technology, the ability to focus on more than one thing simultaneously becomes so habitual that it can be considered a prerequisite of concentration rather than an obstruction to it. We are attuned to simultaneous, multimodal presentations of information, and in effect a decoupling between attention and the single-track, and attention and selection, has taken place. Attention and distraction are no longer polar opposites. To further the debate on close and distant reading, we would therefore do well to reflect on the interrelations between these modes of attention. A more productive model to characterize the ways we read in an information age than the binary thinking of Hayles, Woolf and Birkerts would be one that allows us to grasp the ways we continuously zoom in and out, and switch between different scales when processing information. I will reflect on such an approach.

Bridging the Gap

Els Stronks has opined we should make the gap between close and distant as wide as possible by further developing distant reading techniques, and at the same time making our close readings more precise and skillful in order to interpret the results gained by computational analysis (207). I do not agree with her statement, as it might be more productive to see what lies in-between the two extremes, to find ways of zooming in and out, and to judge for each reading task where we should position ourselves on this scale. Reading the same corpora at different scales using differently tuned digital instruments is more illuminating than either close or distant reading of their own accord.

Since scholars tend to envision both approaches as polar opposites, the similarities between them have rarely been noted: both modes of (not-)reading are directed at pattern recognition. Close readers look for repetitions, contradictions and similarities, and ask "how does this object *work*?" instead of "what is its message?" or "what does it stand for?" Distant readers ask surprisingly

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similar questions, only for larger datasets and aided by non-human readers. Attention to micro-features by no means distinguishes the practices of close readers from those of Digital Humanities, as distant reading "allows you to focus on units that are much smaller or much larger than the text: devices, themes, tropes – or genres and systems" (Moretti 2013: 57). As Michael Manderino puts it, today the close reading of digital and visual texts requires that we engage our students in specific strategies across multiple texts – not linearly but simultaneously (23). We want students to receive training in multimodal texts, which means they have to learn how to synthesize across multiple text types.

Both close and distant reading, I argue, have undeniable assets to offer humanities research, education in general and the world beyond it. It is worthwhile to reassess close reading's unique potential, as Jonathan Culler does:

> [C]rucial to the practice of close reading [is] a respect for the stubbornness of texts, which resists easy comprehension or description in terms of expected themes and motifs. The close reader needs to be willing to take seriously the difficulties of singular, unexpected turns of phrase, juxtapositions, and opacity. Close reading teaches an interest in the strangeness or distinctiveness of individual works and parts of works. (22)

Close reading digs for complexity, opacity and ambiguity, values that stand to be reappraised in a time when we encounter vast bodies of information through multiple platforms and when, moreover, we tend to overemphasize transparency and immediacy when processing this information. Even though we live in a time that tends to privilege the "full picture" and distrust sampling, I tend to agree (or I agree) with Johanna Drucker that meaning-making is precisely based on editing, focus and finitude: "Editing towards meaning is a fundamental skill of human survival, through the selection of pertinent information, which accumulates in a significant pattern" (1997: 109). Yet, another indispensable skill in a time of information overload is the ability to skim, to filter out and to ignore the inessential. In addition, distant reading can be invaluable as it helps to uncover textual elements at scales inaccessible to the human reader, offering new and unexpected vantage points for researchers.

Instead of choosing one approach (the old or the new) and proving the limitations of the other, then, the challenge is to reinvestigate the different ways in which we read today – online *and* offline, analog *and* digital, deep *and* hyper, computer *and* human – with attention to shifts and scale variances. How can we read creatively, making use of this whole range? How can we use digital tools to support close reading? Even, or precisely, at their most extreme (*not*

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reading thousands of nineteenth-century tomes or writing a 600-page analysis of a 6-line poem), both approaches provoke reconsiderations of legibility.

This holds especially true for the shift from alphabetic writing to computer code. Code is obviously illegible for most humans until decoded, and therefore it incites us to rethink what "reading" means to us, to ask: "legible *by whom*?" As Rita Raley argues, "[c]ode may in a general sense be opaque and legible only to specialists, much like a cave painting's sign system, but it has been inscribed, programmed, written. It is conditioned and concretely historical" (par. 28). To an important extent, the computer is not only a performer, but also a reader of code, and thus readership is increasingly redefined in terms of a hybrid, cyborg agency. These development force us to probe the question of how to decide what to read and what to outsource, and how to combine reading with strategic not-reading. When we start to explore these questions, literature can become a testing ground for strategies of dealing with sign systems in the age of big data.

There are texts and media that actively resist the binary between close and distant readings, and demand a variation between scales. Qualitative, traditional humanities methods of textual analysis fall short of analyzing works of literature that surpass the reach of human attention spans and the stamina of the individual reader. Yet quantitative digital methods, like distant and algorithmic reading, tend to undervalue specific features in favor of larger trends and patterns, letting meaningful elements go unnoticed. Here, I think of seemingly boundless texts like Richard Grossman's ever-in-progress *Breeze Avenue*, a novel with a projected three-million-page length.[10] One could also think of "endless" computer-generated works of literature that do nevertheless reward close scrutiny.[11] These are produced by "a specific dictionary, some set of rules and the use of algorithms," which are continuously under transformation (Balpe 309). I think of *Pry*, a novella and iPad app by the art collective Tender Claws, where the reader haptically navigates a character's

10 http://www.richardgrossman.com/breeze_avenue/.

11 For instance: Christopher Strachey's 1952 M.U.C. Love Letter Generator (http://www.gingerbreadman.com/loveletter), one of the very first works of digital generative literature. It uses Alan Turing's random number generator in order to generate love letters by making the computer automatically fill in slots in a fixed sentence structure. Another example is the generative short story "I've Died and Gone to Devon" by J. R. Carpente (http://luckysoap.com/generations/diedandgonetodevon). Most of the sentences in the generator have been adapted from Tweets and after each text the reader can choose to click "Arrive in Devon all over again...," which refreshes the page and generates a new short story.

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thoughts, endlessly scrolling in every possible direction, so that every reader reads another work. What to do with micronarratives or Twitter poetry such as poem.exe, a Twitterbot that "randomly" assembles haikus from a database and spews them out on Twitter? The single, minimal units of output of works like these are in themselves not terribly interesting, but their underlying algorithms are.

Barbara Herrnstein Smith writes that the New Criticism's reading method was most of all concerned with the text's "operative machinery," and she calls close reading an "exercise in reverse engineering," so as to try and figure out how this machinery was made and how it works (60). The transfer from writing to code makes this approach newly relevant, as such acts of reverse engineering are precisely what we need to turn the illegible into the legible. Let us be creative readers and think of ways to close read the maximalist or distant read the miniscule. Works of electronic literature, in their scale variance, solicit new ways of reading that zoom in and out between part and whole, micro and macro, surface and depth, and that negotiate between attention and distraction, the legible and illegible.

Conclusion

Reflecting on several meanings of "legibility" in the information age in relation to abundance, scale, attention and code, I have argued that, to move beyond the reiteration of binary oppositions in the debate between the (traditional) Humanities and Digital Humanities on close and distant reading, we should take both methods seriously. Humanists would benefit from developing reading strategies that move beyond the dichotomy so as to allow for oscillating between the close and the distant, the il/legibly small and large-scale, the minimalist and the maximalist, between deep and hyper attention. Only in this way, I have argued, can we shift our attention to the ways in which people actually read in our multimodal information age: continuously shifting between different scales. Discriminating between over-determination and randomness, the patterned and the pattern-less, has become a core skill for the twenty-first century. Humanities scholars, especially of literary, media and textual studies, can and should play a key role in rethinking how we can employ such reading strategies in education in order to stimulate creativity through reading from an early age onwards. As Barbara Johnson has put it,

> [t]eaching literature is teaching how to read. How to notice things in a text that a speed-reading culture is trained to disregard, overcome, edit out, or explain away; how to read what the language is doing, not guess

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> what the author was thinking; how to take in evidence from a page, not seek a reality to substitute for it. (140)

Of course, a more open-minded perspective on the close and distant skills of reading is warranted outside academia as well. After all, we collectively read more than ever before, both on- and offline. Training in and reflection on how we read, and on how we select what not to read, on what demands close attention and what can be skimmed, on what must be understood in a deeper sense and what can be consumed in a distracted fashion, would benefit education on all levels, as it is essential for our survival in the information age.

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PART 4

Heritage

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CHAPTER 12

Between Nostalgia and Utopia: A Conversation on the Legibility of Film Archives

Peter Verstraten and Giovanna Fossati

Abstract

How do the choices made by film archivists and restorers impact the way films are presented? How do digital copies of films relate to the "original" film copies? What are the pros and cons of celluloid in this era of digitization, from the perspective of film restoration and preservation? Interviewed by Peter Verstraten, Giovanna Fossati discusses the legibility of analog films, with their relatively long life expectancy versus the legibility of digital formats with their rapid obsolescence rate. The authors also discuss the flexibility of digital technology in approximating the look of obsolete film techniques (e.g. color in early cinema), the importance of keeping the analog film tradition alive, and the need for a long-term preservation strategy for digital films.

Peter Verstraten: In an inversion of Louis Lumière's alleged statement that "cinema is an invention without future," Thomas Elsaesser hypothesized that cinema is an "invention without origin" (13). All the significant contributions made by those pioneers who are said to be at the inception of cinema were no more than "byproduct[s] of more urgent concerns" (Rhode qtd. in Elsaesser 13). Thomas Edison was content with his profitable Kinetoscope; the Lumière brothers, who are known as the actual inventors of cinema, were rather keen on developing the possibility of color photography; and Étienne-Jules Marey did not consider the arrival of cinema as an advancement in his attempts to study (human) movement for the benefit of medical research.

Marey's resistance to cinema is of particular interest here, because it directly impinges on notions of legibility, as Mary Ann Doane has argued convincingly in *The Emergence of Cinematic Time* (2002). Marey's chronophotography was intended as a record of a specific movement – a man's walk or jump – in one and the same frame. Since he feared missing the crucial instant of the movement that would be required to examine its exact progression, such as the bending of a knee, Marey's desire was to "decrease the intervals between

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the successive positions of the subject" (Doane 49). Once the superimposed photographic records accumulate, however, "the legibility of time is seriously impaired," for the images turn into a total blur. Paradoxically, then, the result was unreadable because there was "*too much* detail in the photographic method" (Doane 50, emphasis in text).

Expecting that cinema would provide a solution to Marey's problem would be a mistake. Film is the medium par excellence for the perfect storage of time, but its fallacy for Marey was that it presents time as a continuum. In his eyes, the cinematic replication was an unfortunate deception, for film obfuscates that the temporal continuum is divisible. Strictly speaking, celluloid consists of a series of frames with black in-between, but during projection the division between frames is concealed, as if there is no loss of time at all. From the perspective of legibility, film's possibility of an "excessive storage" was taken as a disadvantage, Doane argues, because if everything could be made present, how then to distinguish pregnant moments from irrelevant instants or to endow remarkable details with significance? In the eyes of Marey and several of his contemporaries, cinema had resulted in an "archive of noise" (Doane 65): if you record "any-instant-whatever," all moments become equally important, or rather, unimportant.

If a dog were represented in a painting, one could be sure that the painter had deliberately painted the animal, for example to make a statement about loyalty. But what if an early one-shot film portrayed a scenery featuring a dog? Film's ability to record "real" time and its duration posed the difficulty of a "certain indeterminacy, an intolerable instability," since perhaps the dog was walking in the frame for no reason (Doane 164). Whereas a dog in a painting would be a telling detail, its possibly accidental presence in the film shot could be meaningless. Such contingency was both a lure and a threat, Doane argues, for confronted with a new medium that recorded scenes haphazardly, the viewers of early cinema felt at a loss in separating the planned from the unforeseen. The narrativization of cinema would be one of the primary means to enable the viewers to secure the instability of the cinematic image and to "yoke contingency to meaning" (Doane 166).

I refer to this idea that shots and scenes in early cinema were identified as an "archive of noise" to imply that questions of legibility and illegibility were at the heart of the early days of cinematic practice. Mindful of the assumption that once such seeds are sown, they are difficult to get rid of entirely, I would like to further discuss the matter of legibility in relation to both the nascent years of cinema and current cinematic practices. The interpretation of moving images has been a consistent concern in film studies. Due to the focus upon the possible meanings of cinematic texts (their plot developments, shot

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transitions, camera movements and angles, use of soft or deep focus), questions regarding the preservation of the fragile moving images as well as the conditions of their exhibition have been largely overlooked. How do the choices made by archivists impact the projection of films? If one creates a digital cinema version of an analog film, does that affect the film's readability? Under what conditions can a new score and dialogue be added to an originally silent film? How to keep the colors as bright as decades ago?

In order to reflect upon such issues, there is no better candidate to enter into dialogue with than Giovanna Fossati, who oscillates between cinematic theory and practice. On the one hand, she has been the Chief Curator at the Eye Filmmuseum in Amsterdam since 2009, overseeing an immense collection of film and film-related objects. Before that she was very much involved with the practice of film restoration in what then was still known as the Nederlands Filmmuseum. In this capacity, she prepared for the big screen, among others, the presumed lost silent classic *Beyond the Rocks* (Sam Wood, 1922), starring Rudolph Valentino and Gloria Swanson. On the other hand, Fossati is part-time Professor of Film Heritage and Digital Film Culture at the University of Amsterdam. Her research mainly focuses on the influence of digital technology on efforts to preserve, restore and provide access to film heritage. Furthermore, she reflects upon the question of which new roles film archives and museums have to take on in the digital era. Among her publications, two deserve to be singled out in particular. The book *From Grain to Pixel: The Archival Life of Film in Transition* was published by Amsterdam University Press in 2009. In this study, she reflects upon the challenges that film archives are faced with in an era of digitization. On the basis of a number of innovative restoration cases she examines what tools are available and what practices are viable. Fossati also reconsiders how decisions in a film laboratory are related to issues regarding film ontology. By looking into these matters, her overall aim has been to provide a basis for a digitally informed theory of film archival practice. Currently Fossati is working on a revised edition of this book, since, as the notion of "transition" in the subtitle already indicates, developments are going fast indeed. The second publication I want to single out is an academic volume on the use of color in early cinema, *Fantasia of Color in Early Cinema*, co-authored with Tom Gunning, Joshua Yumibe and Jonathon Rosen, and published in the Framing Film series of Amsterdam University Press in 2015. This study predominantly reflects upon the processes of tinting and toning, as well as stenciling and hand-coloring each frame with a brush used in early cinema. It has the allure of a coffee table book with, on top of that, a foreword by Martin Scorsese.

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I begin our conversation by asking Fossati whether it is possible to regard *Fantasia of Color in Early Cinema* as a response to the problem of legibility as it was sketched by Mary Ann Doane. The presumed indexicality of early films, i.e. the notion that a shot is a visually accurate and non-manipulated reproduction of the scenery before the camera, is belied by the particular and widely spread practices discussed in the book, such as the painting by hand of exuberant colors on celluloid. Is this hand-coloring to be seen as just a visual attraction or as a reading tool? Or perhaps as both?

Giovanna Fossati: The question of how we can distinguish pregnant from irrelevant moments, as posed by Doane in relation to film's "excessive storage," which turns it into an "archive of noise," resonates with similar questions posed today in relation to digitization and the ubiquitous presence of moving images. In this light, we can see another interesting example of the parallel between the emergence of cinema in the late 1800s and early 1900s, and the emergence and rapid diffusion of digital media from the late 1900s onwards.[1] This parallel is interesting from various perspectives, technological, social, (film) historical and theoretical, and poses important questions on how our conceptions of old and new media keep changing. In my book *From Grain to Pixel*, I argue that "transition" is not only inherent to film as a medium and as a technology – from silent to sound, from colored to black-and-white to color, from experiment to entertainment to art, from analog to digital to hybrid, etc. – but also provides a suitable perspective to look at film. So, to return to the problem of film as "an archive of noise," which applies to YouTube and other online video platforms as well, one could argue that the very concept of what is pregnant and what is not depends entirely on one's frame of legibility. For Marey and other scientists in the nineteenth century, moving images that could entertain a general audience by portraying scenes from everyday life or funny sketches were irrelevant, but they eventually turned into a multifaceted medium, an art and so much more. Similarly, for a Hollywood filmmaker today, YouTube may represent the graveyard of quality and possibly also a loss of profit, showing a movie meant for the big screen as a grained and fuzzy replica among millions of videos of funny pets, whereas YouTube is clearly developing into something quite different than just an alternative distribution platform for theatrical cinema.

Coming back to your question about the book *Fantasia of Color in Early Cinema*, for avant-garde filmmakers and early film theorists and historians in the

1 For a discussion of this parallel, see, for example, Gunning's "Re-Newing Old Technologies" (2003).

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1920s and 1930s, the widespread tradition of adding color to black-and-white films deviated from what they considered to be the true aim of film, i.e. the photographic ("indexical") reproduction of reality. This has since become one of the most pervasive perspectives on the medium of film and has very much contributed to determining what we have considered sufficiently relevant to be kept in film archives. For early color films, probably 70% of films made before 1930, this has meant that they have often been preserved, shown and studied without their colors. This attitude only changed in the 1980s and 1990s when a number of archives, including the Nederlands Filmmuseum and the Cineteca di Bologna, started to restore and show these films with their original added colors, bringing them to the attention of film scholars and audiences at festivals such as Il Cinema Ritrovato in Bologna and Le Giornate del Cinema Muto in Pordenone. The book *Fantasia of Color in Early Cinema* started as an idea Tom Gunning discussed with me and film historian and early color expert Joshua Yumibe during Le Giornate del Cinema Muto in 2009 – that of making a larger audience aware of the beauty, the richness and the fantastic dimension of such colored images. This would add to the efforts of archivists and scholars alike, who have restored and researched these colorful images in the past 30 years, while re-establishing a very important characteristic of silent cinema that had been neglected for many decades. The idea developed into a four-year research project (2012–2015) with the book as one of its final results. A collection of high-resolution frame scans and a series of film programs presented at numerous venues around the world have been other outcomes of the project.

As for your last question, I think that early color techniques are indeed both visual attractions and reading tools. Our book shows how in these early films the attempt to fill in a black-and-white reproduction with added tints resulted in a fantastic use of colors with visually stunning results. As Gunning points out in the book, "[a]lthough realistic and representational attitudes to color are sometimes evident in these images, applied color rendered movies more vivid and more fantastic, thereby allying cinema to realms of dreams and fantasy, or to the striking and unusual. … Color functions in these early films … primarily as a visual attraction, something to seize our imagination and heighten our sense of vision" (Gunning et al. 19). Even if not aimed at realism, the colors still provided a reading tool; quite obvious examples are the uses of red for war, fire and passion, or blue for night and winter landscape, but also the use of random colors to suggest a sense of spectacle that was typical of the topic they portrayed (e.g. acrobats performing at fairs, sight and sound spectacles, or fairy tales).

It is interesting to notice that today these films have acquired an additional element of legibility for us, which we could define as the "material" layer. In a time when digitization has become so pervasive, we have a longing for a

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direct contact with objects, especially historical ones, and their materiality, a phenomenon that has been defined as the "material turn" within various disciplines and that is becoming an important new stream within media and film studies. As W. J. T. Mitchell put it, "the age of disembodied, immaterial virtuality and cyberspace is upon us, and therefore we are compelled to think about material objects" (149). This new longing for materiality significantly contributes to our fascination today with obsolete technologies, including the early color techniques illustrated in our book, the Ultra Panavision 70 that Tarantino used for his film *Hateful Eight*, and the growing interest in celluloid by filmmakers and audiences alike. In the case of early color films, these added tints draw the attention to the material layer of the film on two levels. Firstly, their distinct unfamiliar look, quite different than any color system we associate with moving pictures, gives rise to questions about their material origin (what are they made of? how are they produced? etc.). Secondly, as they have been applied onto the photographic image, they are, and appear as, a separate layer and, as such, they feel as an added material level to be grasped also on its own terms.

PV: In *Fantasia of Color in Early Cinema* there are a great number of fabulous high-resolution scans and the printing of them is really a sight for sore eyes. In a blurb for the book, film director Guy Maddin calls the enlarged reproductions of film stills "the most gorgeous collection of photos I've ever seen." How do you see these illustrations in relation to the "original" nitrate prints?

GF: With this book, one of our aims was to provide the public with access to the colored film images kept in film archives. In order to improve the quality of this experience as much as possible, we opted for high-definition images, digitized at a very high resolution (approximately 5K or 4800 dpi) directly from the nitrate film original print to which the colors were applied 100 years ago, and we published them as stills. Indeed, only archivists and researchers have direct access to these original prints and have the privilege to look at them on a viewing table where the flow of movement can be halted to inspect, for example, individual images.

I do not, however, regard access to the original artifact as provided in our book as a reaction to what is sometimes seen as today's "archival noise" (e.g. platforms such as YouTube). It is rather complementary to these platforms, with new possibilities still waiting to be explored. Indeed, YouTube and other similar online distribution systems are contributing in different ways to make film heritage accessible and legible to many more people than ever before, and as such they generate novel interest in the subject. Similarly, it is only thanks to digital technology that we can reproduce and make available the film's original

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characteristics in such great detail and depth (better resolution equals more detail, higher bit depth means better color reproduction).

Furthermore, both kinds of access, high volume on YouTube and high quality in a publication like *Fantasia of Color in Early Cinema* or in the Rijksstudio's online collection, are spurred by the same desire to be able to better access and consult cultural heritage collections.[2] It should be noted, however, that only a very small percentage of analog film collections have been digitized so far, as the process is expensive and time consuming. An even smaller percentage is available online, as most films are protected by copyrights.

PV: The process of coloring a single film was, as Tom Gunning explains in the book, tedious and delicate. Each individual film frame had to be painted separately, which also implies that this type of early colorful cinema is closely affiliated with painting. You have much experience with the restoration of (early) film. In what manner is film restoration a different practice than the restoration of a painting? And is the restoration of early color film more complex than that of black-and-white film?

GF: Film restoration differs from most other art restoration practices because it results in very little intervention on the original objects. The actual restoration is carried out on a new copy (analog, digital or hybrid, i.e. a combination of the two), which will eventually be shown to the audience as the restored version. Film is a reproducible medium and making new copies is inherent to its very production system. That being said, because film technology has changed so much over the past 120 years, with hundreds of color and sound systems, and a large variety of film and projection formats, most restorations have been carried out making use of a different technology than the one originally used to make the films. This was true in the past, when films were restored using photochemical technology (e.g. films on nitrate of cellulose restored on acetate of cellulose or polyester film, Technicolor titles restored on modern color film stock, etc.), and is still true today, now that most films are restored and projected using hybrid or fully digital technologies.

The case of early color films is indisputably an anomaly in film history as the craft of hand-coloring, stenciling, tinting and toning film falls outside the photochemical sphere and, as you pointed out, puts colored films in a category close to paintings. These films are not unique, though, as they can also be compared to those experimental films where the maker worked directly on

2 See https://www.rijksmuseum.nl/en/rijksstudio.

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the film as if it were a canvas. Think of Oskar Fischinger's hand-scratched or hand-colored emulsions or Peter Kubelka's film sculptures. Also, in the case of these films we typically deal with unique film prints as each colored film print is different, sometimes only in terms of color intensity and shape of brush strokes, other times also in terms of color palette. Because of this, the restoration process of these films is particularly complex and the interpretation of how a restoration should be carried out becomes critical. The restorer needs, for instance, to decide what the colors are that are to be restored: the ones we can see on the film today, after a century of fading and deterioration due to usage and storage, or the ones we may suppose were seen by the film's original audience. And this is just one of the challenges.

As I explain in the book, digital technologies provide more flexible tools than photochemical ones and make it possible to approximate the look of early color films in a more accurate manner. Interestingly, what digital tools allow in the case of these films is to maintain the underlying photographic image in its original neutral black-and-white aspect, whereas the applied colors can be individually restored to what they look like on the surviving prints or to what we think they looked like when they were first shown 100 years ago. With photochemical methods it is always a struggle to obtain a neutral black-and-white for a color film stock and colors cannot be addressed individually, with the result that some colors will be more accurate than others.

PV: A number of cinephiles still tend to hang on to the materiality of film as we know it from the analog era. They prefer to see a 35mm projection over a digital screening. What are the unmistakable advantages of celluloid in this era of digitization, from the perspective of film restoration and preservation?

GF: I have always tried to avoid discussing this transition in film technology in terms of "analog *versus* digital." I do not find it a productive approach for at least three reasons. First of all, film's technology has been constantly changing since the early days and, as you pointed out earlier with regard to Marey and the Lumières, the film medium was the result of experiments that led at times to dead ends and at other times to long-lived practices. But in both cases they were quite often collateral results of attempts to invent something else. Consequently, I do not think it is fair to film history to make of 120 years of analog film one homogenous and coherent category to be opposed to digital film. As Gunning puts it, film "has never been one thing," but rather is "a point of intersection, a braiding together of diverse strands … [A]nyone who sees the demise of the cinema as inevitable must be aware they are speaking only of

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one form of cinema (or more likely several successive forms whose differences they choose to overlook)" (2007: 36).

My second argument is that, by opposing analog to digital, we specifically overlook more than 20 years of hybrid film as, since the early 1990s, digital has gradually become part of the film production and post-production process. Third, digital film builds upon analog film's long tradition and today's film practice is therefore deeply connected to that tradition, which again cannot be reduced to only one aspect, i.e. the strip of celluloid (actually polyester since the 1980s).

That being said, I fully embrace filmmakers' appeal for keeping the analog tradition alive. From Tacita Dean's plea in *The Guardian* in 2011 to the more recent campaign by Hollywood filmmakers to get Kodak to continue producing film stock (Giardina), these efforts all echo film archivists' concerns for keeping available and alive a technology and its related expertise, including with regard to how such a technology and its materiality can be read. The variety of film stocks and post-production processes that were available when commercial film production and distribution was still revolving around analog technology alone will never be revived. However, film is still used by many filmmakers, experimental and commercial alike, for shooting, and at times also for projecting (think of Christopher Nolan and Quentin Tarantino, as well as many independent and experimental filmmakers and film artists). Film manufacturers, too, are still producing film on a smaller scale and even reintroducing discontinued stocks, as Kodak recently did with the beloved Ektachrome.[3]

In terms of preservation, currently analog film has two main advantages over digital film.[4] Firstly, the infrastructure for and expertise on the long-term preservation of analog film has developed throughout the past 120 years. As a consequence, well-researched and widely established best practices are today known and applied by all archives that can afford them (mainly in the Western World). Secondly, analog film has a relatively long life expectancy, which can vary between several decades and hundreds of years, if they are stored at low temperature (between –5 and +5°C) and low relative humidity (approx. 30 to 40%). The situation with digital film is quite different as it is a relatively young technology, which means that there is still limited expertise about handling it on the longer term. Additionally, it has a quite rapid obsolescence rate as new formats are issued every few years, which means that data need to be "migrated," or copied, to new formats quite regularly, typically every four or five years.

3 See http://www.kodak.com/VN/en/corp/press_center/kodak_brings_back_a_classic_with_ektachrome_film/default.htm.

4 For a discussion on what "digital film" is, refer to Fossati 2017.

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The advantages with digital film are that data can be copied without losing quality from one carrier to another (whereas every analog film duplication leads to a loss of image detail), and that digital film is a growing technology with great potential and massive investments in research and development, whereas analog film, even if it seems to survive as a niche product, is not a growing industry any longer. Finally, new films are mainly digital and archives need to learn to take care of them on a long term perspective as well as they can take care of analog films.

PV: In your *From Grain to Pixel*, you quote Tom Gunning: "Every new technology has a utopian dimension that images a future radically transformed by the implications of the device or practice." What is the utopian dimension of digitization from the angle of the archival profession?

GF: I fully embrace Gunning's statement. I also think that it could be easily adapted to look backwards: "every technology has a nostalgic dimension that images a past fully realized thanks to the device or practice." Today, film archival discourse (as well as film studies in general) is very much torn between the nostalgic and the utopian dimensions. This is both exciting and frustrating. It is exciting because both dimensions are inspiring new generations of scholars and practitioners, and are spurring new promising research in all directions (the analog, the digital and the hybrid). It is frustrating because both nostalgia and utopia can lead to an emotional and polarized discussion. And we already have too many of those these days at all levels of our society.

Between utopia and nostalgia, I think there is a productive middle ground for very interesting and innovative projects that can benefit the film community at large, including film archivists and film scholars, starting with the public, of course. We can, for instance, explore new ways to analyze and document films (including their materiality and their legibility for different audiences throughout their history) both for restoration and research. And, of course, thanks to digitization, we can rely on a scale of distribution and access that was unknown before. There is still so much we do not know about the possible uses of new technologies and about the ways in which we can make them useful, also in the preservation, restoration and documentation of old technologies (think of 3D scanning and printing, to name just an example).

Finally, I think both utopia and nostalgia are very productive dimensions to guide us further in exploring film heritage as archivists, restorers, researchers, filmmakers and users.

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PV: The life expectancy of even very old film, stored under the right climactic conditions, far exceeds the possibilities of the digital format. In other words, the preservation of analog material is relatively risk-free. You just said that new technologies offer many opportunities, but that we do not know yet how to make them entirely useful. Could you, in conclusion, also comment on the possible risks and pitfalls involved in the preservation of digital films?

GF: It has taken about twenty years to recognize the implications and risks related to the introduction of digital preservation. When personal computers and DVDs were introduced in the 1990s, we did not think that our digital documents, photographs, and films would only last a few years if left sitting on their carriers (hard-disks, CD-ROMs and DVDs). Now we know that hard-disks crash and that digital formats change every few years so that data need to be regularly transcoded to new file formats and migrated to new carriers. Most importantly, we know that digitization is not the (only) solution for long-term preservation and that important investments are needed to make it a sustainable long-term solution.

In the field of film heritage, most Western film archives and their funding entities have acknowledged in the last decades that original film artefacts (e.g. negatives, film prints and other film-related material produced at the time the film was first released) need to be treated as museum objects. As such, they require suitable long-term preservation facilities including vaults with controlled temperature (ideally, below freezing temperature) and humidity.[5] However, since the so-called digital rollout in 2011/2012, when a digital film workflow replaced the production, distribution, and projection of film prints in most Western countries, new films are born digital. To remain consistent with their preservation policy, film archives need to be equipped to preserve these new films in their original digital format.

Ultimately, a long-term preservation strategy for digital films needs to be developed, borrowing from the lessons learned in other fields. A number of film archives, including the Eye Filmmuseum, have recently built a digital archive that operates in accordance with today's best practices, which include the standardization of formats to be stored, the use of uncompressed files for

5 It should be noted that until not long ago archival practice was mainly focused on making new copies of original films as a preservation strategy (see Houston). In the last twenty years, there has been a stronger focus on the long-term preservation of original film artefacts, as discussed in Nissen et al. Let us also remember that this situation is true for Western archives, whereas many archives in poorer countries are simply not in a position to guarantee adequate storage conditions for their collections.

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sound and image to form the so-called Digital Cinema Distribution Master (DCDM), a migration plan that foresees the transfer of the data onto new carriers (e.g. LTO tapes) every four or five years, and the storage of at least one copy of the data in a location different than the main digital archive. Based on research in the larger field of digital preservation, these conditions should be sufficient to guarantee the long-term preservation of digital films.[6] This kind of digital archive is of course suitable for the long-term preservation of both original digitized film-born films and access copies and restored versions of film-born films.

Returning to the topic of "legibility," there is one important aspect to point out with regard to the difference between the film vault and the digital film vault. The artefacts held in a film vault can be inspected and "read" by the human eye, whereas digital films held in a digital vault need to be interpreted by a computer before we can see and hear what they contain. The other side of the coin is that manually checking and viewing the hundreds of thousands of film cans in a film archive's vaults takes years. This still leads today to the loss of entire films due to undetected decay. The digital in principle offers the possibility to regularly run basic quality-checks that would allow the identification of any problems at an early stage and that would thus limit the risk of losing content (e.g. bits and bytes of image and sound). This is a promising application of the digital that still needs proper development. Furthermore, whereas a film archive requires the constant mediation of a small group of film archivists, a digital film collection is theoretically always available and accessible by everyone. "Theoretically," because the current copyright situation creates an even greater barrier to accessing film heritage than any film archives' vault. But that is another story…

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6 See, among others, the online platform *Digital Preservation Coalition* (http://www.dpconline.org) and, more specifically for moving images, their online resources (http://www.dpconline.org/handbook/content-specific-preservation/moving-pictures-and-sound).

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CHAPTER 13

Intersecting Frames of Legibility in *Conversion de Piritu* (1690): A Remodeling of Paratexts in the Digital Setting

Roxana Sarion

Abstract

In this chapter Roxana Sarion examines the understudied Spanish colonial missionary text Conversion de Piritu (1690) by Matías Ruiz Blanco to demonstrate how it has been able to convey different cultural messages over time due to its changing material and visual forms, which becomes particularly prominent in the digital age. The change from the printed format to the digital adds new cultural dimensions and layers of legibility to Ruiz Blanco's text, enhancing its meaning-making capacity. Looking at various materializations of the text, Sarion explores how different frames of legibility – specifically in the form of paratexts – intersect and elaborates on the way the digitalization process challenges our "bookish habits" and promotes the exchange of knowledge in interactive networks.

Introduction[1]

The arrival of digital technologies has made it possible for scholars to access sources of information (maps, books and manuscripts) that would otherwise have remained unknown, forgotten or ignored on library shelves. In this chapter, *digitalization* stands for "the way in which many domains of social life are restructured around digital communication and media infrastructures," and encloses the *digitization* material process "of converting individual analog streams of information into digital bits" (Kreiss and Brennen 1). The digitalization of institutional archives and private collections has led to a so-called democratization of access to historical materials by enlarging its audience to

1 I am grateful to the editors and reviewers for their insightful comments and suggestions for improvement. All disclaimers apply.

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a broader circle of readers. The enhanced online digital exposure of texts written in the Americas has generated a significant body of scholarship in the last decades, focusing on texts produced in the period of colonial conquest and expansion. Open databases and online libraries, such as the John Carter Brown Library at Brown University, have contributed to unraveling the historical and cultural threads of Spanish American literature.[2] The reframing of this literature within digital reading structures has led to the rediscovery of Spanish American literature in the twenty-first century.[3]

Importantly, the digital materialization of Spanish American colonial texts brings both benefits for and challenges to their readers. For example, paratextual elements take new shapes and acquire different functions in a digital setting. Paratexts bind a text and determine its *thresholds of interpretation* (Genette 14), thereby guiding readers' understanding through visual and textual elements that serve commercial, authoritative and navigational purposes. The reading scaffolds contained within the paratexts have the potential to increase readers' understanding of the communicative functions that underlie the "framing" or "packaging" of a text, and help them to discern broader patterns in a work's textual transmission (Peikola 45). In digital texts, paratextual elements interact and impact one another through hyperlinks, establishing connections that printed books cannot create (Birke and Christ 68). Moreover, digitalized reading structures transmute a diachronic (and often hierarchical) conception of Spanish American colonial literature into collections of horizontal, synchronic spatial images made accessible through navigating, surfing, linking and scrolling on the screen (Sanz and Romero 10).

In contrast to the openness that the digital format provides, a missionary text in the late seventeenth and early eighteenth centuries was both produced and received according to an established political and religious hierarchy in which writers, readers, editors, copy-scribes and commissioning patrons all played well-defined roles. Approaching texts of this type today requires not only asking how they were read by their contemporaries, but also what new meanings they unveil for current readerships.

2 The John Carter Brown Library at Brown University holds one of the largest digital collections of maps and books written in Spanish America before 1820, with approximately 7,000 items. See: https://www.brown.edu/academics/libraries/john-carter-brown/jcb-online/digital-book-collections. The text I look at in this chapter belongs to this collection.

3 Although the term "discovery" is ideologically charged, given its association with the Euro-Christian framing of Columbus' arrival to the Americas, in this chapter it refers to the revitalization and recontextualization of Spanish American colonial texts in the digital age.

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This chapter will discuss the production and reception of Spanish American colonial texts in the light of the intersecting frames of legibility associated with their digitalization. Building on Genette's (1987) foundational appraisal of paratexts and more recent work (Birke and Christ 2013; Peikola 2015), it focuses on the interpretative, authoritative and navigational functions endorsed by these frames or scaffolds of legibility. I will ask what problems present-day readers might face when reading digitalized colonial texts, how important it is to recreate the "original" colonial context when presenting digitalized historical narratives and whether the digitalization process changes the communicative situation between text and reader. Using samples from *Conversion de Piritu*, an understudied Spanish missionary text written in 1690 by the Franciscan missionary Matías Ruiz Blanco that was recently digitalized, I will first give a brief overview of the reading frameworks manifested in the form of paratexts, after which I will examine their interaction with hypertextual structures in the digital environment. I argue that the change from print to the digital format adds new cultural dimensions and layers of legibility to Ruiz Blanco's text, enhancing its meaning-making capacity and opening it up to new audiences.

Cultural Misreadings within a Colonial Setting

From the moment Christopher Columbus set foot on land across the Atlantic Ocean in 1492, different worldviews have confronted and translated each other in continuing encounters between the so-called Old and New World. The textual production of Western and non-Western modes of expression in the field of Spanish American literature is directly connected to a set of intricate social and political discourses grounded in violent and asymmetrical power relations between pre-Hispanic cultures and the Spaniards.

It was not until after the celebration of the 500th anniversary of the first "encounter/clash" between the two worlds in the Americas that many sixteenth- and seventeenth-century manuscripts were recovered and revitalized (Valdeón 153). Modern and contemporary readers find it challenging to grasp the world conveyed by the chronicles and missionary texts produced in the colonial period. One of the main obstacles is the fact that, in reading these texts, we cannot deal with one historical context, but have to consider multiple layers that need to be unfolded in order to convey the countless contesting histories of conquest and resilience hidden in the textual tissue.

The digitalization of Spanish American colonial texts has increasingly interested scholars over the past decades. However, most of the studies (Mignolo 1994; Murray 1994) have focused on the analysis of texts written in Mexico and

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the Andes, while the missionary corpora from other regions, such as Venezuela, remain practically unknown. *Conversion de Piritu* (1690), a comprehensive missionary text written in the late seventeenth century by the Franciscan friar Matías Ruiz Blanco (1643–1705/1708?), stands out among the recently digitalized works that have been rescued from oblivion, with its digital availability serving as a valuable source to enrich and enlarge Spanish American historical and cultural studies in the twenty-first century.[4]

Conversion de Piritu tells the story of the conversion to Catholicism of the indigenous people located in the region of Piritu (on the present-day Northeastern coast of Venezuela), from the beginning of the conquest in the fifteenth century until the end of the seventeenth century. In 1690, under missionary commission, Matías Ruiz Blanco published the text, in which he sought to supply his fellow missionaries with cultural and linguistic tools to eradicate what he considered to be indigenous idolatry. Following the Council of Indies' request for accounts of Northeastern Carib territories, he offered his own reading of indigenous practices and traditions in an encyclopedic report on the Carib world. Designed for evangelization purposes, the book was meant to serve as a manual for prospective Franciscan apprentices prior to their incorporation in the missions and during their conversion activities. Due to its instrumental purpose, the work has a hybrid structure consisting of four sections: I. a historical introduction, II. an account of the practice of teaching the Indians and a translation into the Cumanagot language of the Catholic Church's essential sermons and sacraments, III. a grammar of the Cumanagot language, and IV. a Spanish-Cumanagot vocabulary.

In line with colonial missionary genre conventions, Ruiz Blanco performs in *Conversion de Piritu* an epistemological reconstruction of the New World through depictions of the Spaniards' encounters with the Carib people and approximations of ethnographic and anthropological aspects coexisting in the context of colonization. Therefore, he provides rich insights into indigenous cultural phenomena and conveys a historical account of the Carib languages and traditions. However, despite the fact that Ruiz Blanco vigorously defended indigenous political and social rights before the Spanish Crown, he could not escape the ideological and religious indoctrination frameworks he participated

4 The full title of this work is *Conversion de Piritu de indios cumanagotos, palenques y otros, sus principios y incrementos que hoy tiene con todas las cosas mas singulares del país, política y ritos de sus naturales, practica que se observa en su reducción y otras cosas dignas de memoria* (*Conversion of Piritu of Cumanagots, Palenques and other Indians, their principles and current growth, their most singular things, politics and rites, the practice observed in their reduction and other things worth remembering*). For the sake of brevity, hereafter it will be referred to as *Conversion de Piritu*.

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in. Thus, his account systematically measures indigenous practices and social structures against his own Christian standards and the seventeenth-century Western conceptualization of knowledge. The approach to the Other is performed from a Spanish Catholic standpoint that laid the foundations for Ruiz Blanco's incomprehension of Carib indigenous traditions, perceived and rendered by him as pagan rites and idolatrous practices. This practice of cultural misreading is consistently present in the majority of Spanish missionary texts, including those by Bernardino de Sahagún, José de Acosta and others.

The asymmetrical power relations reflected by Ruiz Blanco in *Conversion de Piritu* attain new meanings for a readership in the context of the twenty-first century. Rather than considering Spanish American colonial texts from the traditional historical perspective, decolonial thinking (Mignolo 1995; Dussel 2003) analyzes them as dynamic *loci* of enunciation with symbolic, political and literary features in which colonized subjects are represented in subaltern positions in relation to their colonizers. Read within this theoretical framework, the protagonists of the text are no longer the dominant colonial agents (missionaries and colonizers), but the previously disregarded historical actors such as the indigenous (Carib) people. Decolonial readership navigates through Spanish American literature with the aim of dismantling colonial cultural and religious fallacies, encouraging thereby the recovery of extinct and endangered genuine indigenous narratives.

The three frames of legibility discussed in this section – namely the colonial, the postcolonial and the decolonial – converge in the digital version of the text by Ruiz Blanco, creating an intersection of plural meanings for audiences to actively engage with.

Reframing the (Para)Text: From Printing to Digital

Conversion de Piritu was published for the first time in Madrid in 1690 at Juan García Infanzón's press (see Civezza 1879, 514–515; Viñaza 1892, 119; Streit 1924, vol. II, 643; Lejarza 1965, CX–CIX; Gómez Parente 1979, 443–444; Castro y Castro 1989, 469; Niederehe 1999, 253). Several exemplars of the original printed text have been preserved, although it is impossible to determine their exact number or location.[5] Based on a recent search of the web and online

5 The *editio princeps* or first edition of a printed book is not unique. Although a particular exemplar may be the only known copy at a particular moment in time, another exemplar may later appear which bibliographers were unaware of: such exemplars may come from private collections, may have been hidden for various reasons, or may have been wrongly classified in public libraries, amongst other possibilities.

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catalogues, eleven exemplars have been identified in different libraries and private collections all over the world, a count that exceeds preceding records, which pointed to only two exemplars (Gómez Parente 426).[6] In fact, Hispanic book historians faced serious issues in describing and locating the original text during the nineteenth and twentieth centuries. Its cataloguing resulted in confusing records, which persisted until the emergence of the digital copies in the twenty-first century. Not long ago, then, bibliographical information regarding *Conversion de Piritu* was scarce and confined to a small circle of scholars. This contrasts with the open accessibility of the information currently contained in online databases and digital collections. The text itself is part of the e-book classic collection at the John Carter Brown Online Library and is treasured for its contribution to preserving valuable knowledge about early Carib colonial history.

In order to trace the different cultural and social appraisals that, through the centuries, have shaped the understanding of *Conversion de Piritu*, it is necessary to explore in more detail certain aspects of its materialization in print and in digital form. The materialization of a text, both as a physical object and as a data file, raises the question of its boundaries (Birke and Christ 68) and its frames of legibility. The functional aspects of paratexts are also subject to change depending on the format in which the book is presented to its readers.

Originally, *Conversion de Piritu* (1690) was printed in 8vo (or *octavo*) format, which, until the beginning of the nineteenth century, set serious literature apart from non-serious literature (Genette 18). Considered as a label of seriousness in the context of the printed book, the 8vo format placed the text in a favorable relation with its contemporary readers and ascribed it a privileged status of legibility. Currently, two copies of the original text of *Conversion de Piritu* are openly available online. One belongs to the digital library John Carter Brown, under the South American Indian collection,[7] and the other to the National Library in Chile (Biblioteca Nacional de Chile).[8] The copies are accessible in multiple layouts (ABBYY GZ, Daisy, EPUB, PDF, Kindle, Torrent, JP2 TAR, JP2 ZIP, etc.) with different degrees of readability. The meaning of *format* in

6 Gómez Parente (1979) located two exemplars of the original printed text: one at the Bibliotheque Nationale du Paris and another at the British Museum in London (currently at the British Library). In addition, I have located nine more exemplars at the Biblioteca Nacional de Venezuela, the Biblioteca Nacional de España, the Bibliotheque Nationale du Paris, the Biblioteca Nacional de Chile, the Biblioteca de la Universidad de Complutense, the Biblioteca del Monasterio de Poblet, the Bryn Mawr collection and the John Carter Brown Library.

7 https://archive.org/details/conversiondepiri00ruiz.

8 http://www.memoriachilena.cl/602/w3-article-10030.html.

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the digital setting, which refers to a data file, supplants the dichotomy between serious and non-serious literature, but continues to act as an interpretative frame shaping the boundaries of a text's legibility in terms of accessibility and manageability.

In addition to its first publication in 1690, the text was partially (re)printed on three occasions and all the resulting editions have been digitalized and made available online. Besides making the text visible and legible in a wide spectrum of formats, the digitalization of *Conversion de Piritu* allows readers to simultaneously access and compare its different versions, regardless of their physical location, thus bridging the temporal and spatial distance between them. The coexistence of the different editions of the text in the digital environment provides an overview of the evolution of its paratextual frames over time, revealing a profound change in its commercial, authoritative and navigational elements from the nineteenth century (when colonized countries started to fight for independence) to the twentieth century (with the rise of postcolonial theory) and the twenty-first century (with digitalization).

The coherence and logic of the reading frame is marked by those paratextual elements within (peritext) and outside (epitext) the text that mediate its message to the reader. According to Genette, the title and the front page belong to the publisher's peritext, the characteristics of which are spatial and material (16). Peritexts play a mainly commercial role in the dissemination of a text. In line with the legal requirements enforced by the *Pragmatica de 1558*,[9] the front page of *Conversion de Píritu* provides information regarding the *content*, the *author*, the *authority* the text obeys and the *place of publication*. These four constituent elements are presented in different rubrics separated by blank spaces and distinguished by the alternating use of uppercase and lowercase letters. The book's main purpose is declared in the first lines of its front page, where Ruiz Blanco announces a description of the traditions, politics and rites of the indigenous people in the province of Píritu (Cumanagot, Palenques and others), as well as a method to convert them to Christianity and "other things worth remembering." The next rubric lists the author, Matías Ruiz Blanco, and his functions within the Franciscan Order: Lecturer of Theology, Examiner of the Diocese of Puerto Rico and Provincial Commissioner of the Missions of

9 By the middle of the sixteenth century, the printing press had already become the best means to disseminate Protestant ideas in Northern Europe and, in order to avoid their spread in Spain, Phillip II adopted, on 7 September 1558, the *Nueva orden que se ha de observar en la impresión de libros; y diligencias que deben practicar los libreros y Justicias*, best known as the *Pragmatica de 1558*, a repressive legislation system through which the Spanish Crown took full control over the book trade and editorial production.

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Píritu. The third rubric features the book's dedication to the Marquis of Vélez, "worthy President of the Supreme and Royal Council of the Indies." Lastly, separated from the other rubrics by a dividing line, the fourth rubric emphasizes that the book was printed "with grant" at Juan García Infanzón's printing press in Madrid in 1690.[10]

The exhaustive detail provided on the front page of the first publication of *Conversion de Piritu* was notably reduced within the printing context of the nineteenth and twentieth centuries. The title, for instance, is transformed and adjusted to publishers' needs. Thus, in 1888, Julius Platzmann (1832–1902) published the last two sections of the 1690 text under the title *Arte y tesoro de la lengua cumanagota* (Grammar and dictionary of the Cumanagot language)[11] as the third volume of *Algunas obras raras en la lengua cumanagota* (Some rare works in the Cumanagot language), a facsimile edition printed by B. G. Teubner in Leipzig. Another edition was published in 1892 by Victoriano Suarez in Madrid at Tomás Minuesa's press with the title *Conversión en Piritú* (*Colombia*) *de Indios Cumanagotos y Palenques, con la practica que se observa en la enseñanza de los naturales en lengua cumanagota por el P.Fr. Matías Ruiz Blanco de la orden de San Francisco seguido de Los Franciscanos en las Indias por Fr. Francisco Álvarez de Villanueva de la misma orden* (Conversion in Piritú (Colombia) of Cumanagot and Palenque Indians, with the practice that is observed in their instruction in the Cumanagot language by P.Fr. Matías Ruiz Blanco of the Franciscan order followed by the Franciscans in the Indies by Fr. Francisco Álvarez de Villanueva of the same order). This edition contained only the first two sections of the text from 1690 and was included in tome seven of the series *Colección de libros raros y curiosos que tratan de América* (Collection of rare and curious books dealing with the Americas). In 1965, the National Academy of History in Venezuela published an edition of the text in Caracas with the short title *Conversion de Piritu*, which was included, together with a *Tratado histórico* [y Diario] (Historical treatise [and diary]) by Friar Ramón Bueno, in the collection *Fuentes para la historia colonial* (Sources for colonial history). This edition focused on the historical account and included solely the first section of the 1690 text with a preliminary study by Fidel de Lejarza.

10 "With grant" (*cum privilegio*) refers to the Spanish Crown's censorship power over the press in Early Modern times, when the King granted upon request and payment of a fee by the interested party (author, bookseller, etc.) the exclusivity on the benefits of printing and selling of a book for a ten-year period.

11 In the Spanish American context, "arte" (Lat. *ars*) or grammar was the term used to designate a set of linguistic rules and norms that define a language. "Tesoro" (Lat. *thesaurus verborum*) was used for bilingual or multilingual lexicographic studies having the indigenous languages as departing languages (L1) and Spanish as the targeted language (L2).

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As this makes clear, the original text was never printed in its original format again and became subject to significant changes depending on publishers' interests in all successive editions. In the nineteenth century, the first or the last two sections were included in anthologies of "singular" and "rare" works (*obras raras*, *curiosas*), together with other missionary texts on the Cumanagot language. In the twentieth century, the text was again partially reprinted and acknowledged by the Venezuelan National Academy of History as one of the primary sources of colonial history.

It was in the twenty-first century that the original text of *Conversion de Píritu* (1690) re-emerged with its full title and internal structure. Digital practices have had a deep impact on the production and dissemination of *Conversion de Piritu* (1690) by replacing the printed book with electronic files and enabling the readership not only to access it as a whole again, but also to create a dialogue between its successive editions. Seen as modes of thinking, the dissemination practices in the digital setting promote the exchange of knowledge in interactive networks. The hypertext serves as an ideal medium for collating and presenting the textual variants that led, over time, to the establishment of *Conversion de Piritu* as an authoritative text.

Spanish American colonial texts were often written on demand, directly endorsed by political and religious interests, and printed only after several censors had authorized their publication, thus hierarchically determining their production and reception. Licenses and dedications are paratextual elements that validate a certain authority and guide readers towards a specific understanding of a text. *Conversion de Piritu* had, as reflected in its paratexts, an official nature. Two licenses, namely of the "order" and of the "ordinary" (ecclesiastical and civil), together with two additional civil censorships, provided a clear frame of legibility, underlining the institutional interdependency between the missionary enterprise and the Spanish Crown during the colonial period: Licensed by friar Julian Gumillas (General Commissioner of Indies); Censorshiped by friar Damian Cornejo (General chronicler of the order); Licensed by Alonso Portillo y Cardos (Vicar of Madrid) and Censorshiped by Francisco de Ayeta (Franciscan Counselor of the West Indies).

Furthermore, Ruiz Blanco dedicated his text to the Marquis of Velez, a major figure in the governmental, administrative and military authority of the Supreme Royal Council of the Indies at the time, paying respect to his patron and justifying his work as useful for the conversion to Catholicism of colonized subjects in the New World. Generally, a dedication identifies the type of relationship between the author and the person addressed, whether intellectual or personal, actual or symbolic (Genette 135). Dedications in the colonial context had a moral, intellectual or economic function, and were

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commonly addressed to the King. Currently, they have largely lost association with patronage, so that moral, intellectual or aesthetic functions prevail. In the digital context, the authoritative function of the paratexts is lessened, although they can still guide the readers in reconstructing the religious and political hierarchy that governed the publication and reception of *Conversion de Piritu* in 1690.

In the digital environment, *Conversion de Piritu*'s authoritative paratexts acquire new discursive functions beyond their historical context, since the religious and political forces at the time of publishing are no longer active in the present reading frame. Now the authoritative function of the text is determined by the cataloguing criteria and cultural meanings used and assigned by institutions such as public and private libraries and collections, which acknowledge *Conversion de Piritu* as an important part of the pre-Hispanic Carib heritage. The reading process occurs at the intersection of the reader, the text, and collective and private online databases that address wider audiences and activate new reading frames. This plurality of readings converges in a virtually unified system of knowledge, while at the same time the limits of the text are expanded to a hypertextuality that allows private and collective dissemination practices to enter into a cultural exchange.

Moreover, former authority schemes are re-contextualized and multiplied by the digital readership. The audience of *Conversion de Piritu* is now considerably larger than in the seventeenth century and comprises readers from a broad spectrum of disciplines (historians, anthropologists, theologians, literary theorists, linguists, etc.). In the digital landscape, readers themselves become "authorial" and are able to intervene in the communicative situation with a certain degree of authority (Birke and Christ 71). Via user-friendly interfaces, readers can access the documentary sources located in digital collections, allowing them to perform extensive readings and comparisons between the different versions of the text and critical standpoints, thereby creating a multidisciplinary conversation that enriches the text's meaning-making potential.

In the traditional print format of *Conversion de Piritu*, the reader interacts with a single text, applying linear strategies to construct its meaning. Thus, following a guidebook's convention, Ruiz Blanco systematizes the search through his text based on thematic criteria, as indicated in the table of contents. The distribution of contents is meant to facilitate the selective reading of the different chapters and is displayed in alphabetical order with a precise indication of the numbering of folios and paragraphs. In fact, the book contains two tables of contents. The first one is an index that refers to the contents of the two first sections of the book (the historical treatise and the account of the practice of teaching the Indians). The second one corresponds to the third section of the

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book (the Cumanagot grammar) and follows an organizational criterion based on morphological categories with consecutive page numbering.

Tables of contents and indexes have a meaningful navigational function in that they guide the reader's reception in a more structural sense, both when approaching the text and when orienting within the text (Birke and Christ 68). Although Genette labeled them as "no more than a device for reminding us of the titular apparatus" (316), these paratexts become more relevant in the digital context, where reading and understanding commence with a keyword typed into a search field or web engine.

Translated to the digital environment, the original tables of contents and index are mentioned in the metatext accompanying the digitalized text in the webpage contents. Thus, different levels of proximity between a text and its paratexts are established. The navigational functions now expand to a hypertextual dimension in which readers can access new features inaccessible in the printed format. For instance, in the online version of the text, computational linguistics allows the reader to discover the spatial incidence of keywords through a search tool that returns a mapping bar with icons that connect directly with the page numbering of the printed text.

The online context, moreover, offers several downloadable formats of the printed text, in addition to links to other web sources on related topics such as the book's author, title or tables of contents. The metadata available online enable the reader to actively interact with the text and other relevant web contents endorsed and labeled with keywords: Franciscans, Cumana Indians, Palenque Indians, Cumana language, Indian linguistics, Imprint 1690. Thus, the online reading opens up manifold possibilities to expand its reading process, which does not necessarily stop when targeted information has been located, but can go further through links and correlated metadata.[12] It creates new forms of cultural interchange by linking the primary text to a corpus – bounded and stored with other bodies of knowledge – such as online databases or encyclopedias.

The degree to which the web navigation expresses an interpretative function depends on the reader. In the digital version of *Conversion de Piritu*, the reader cannot only see the text in its linear form but can also make use of several search options that enhance its manageability. There is, then, a substantial difference between the printed book and its digital materialization in terms of legibility. This difference lies mainly in the way the online environment enables the reader to manipulate the text and in the layers of annotation available online,

12 The numerous types of links that e-books and their delivery devices offer raise the question of whether these should be considered part of the text, paratextual elements or something entirely beyond the text.

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which far exceed the possibilities of a physical book. While this diminishes the degree to which the (para)textual elements can guide the text's interpretation, navigating through the hypertextual reading structure can be far more complex and demanding than perusing the traditional table of contents or indexes. In short, the digital frame creates a system of meta-reading that transcends the printed text with its fixed boundaries, places and roles, and projects a wider web of knowledge taking the text's readership "beyond the book."

Final Remarks

Technology has changed the way readers understand texts originally designed for printing. This chapter has exposed how the digital materialization of a Spanish colonial text remodels its paratextual boundaries over time and space. *Conversion de Piritu* (1690) has served as an example to demonstrate how intersecting frames of legibility in the digital environment affect the communicative situation and add new cultural dimensions to the text's reception.

Thanks to the digitalization process, the original version of *Conversion de Piritu* is not only available to present-day readerships, but also interacts with its subsequent – similarly digitalized – editions in a hypertextual system. The open accessibility granted by the digital environment creates both challenges to and benefits for the text's thresholds of interpretation, as reflected in its paratextual functions. In terms of benefits, digitalization enacts the text's preservation and audience development by enhancing its visibility and manageability. Nevertheless, digitalization can be problematic when the text appears hastily copied and partially reproduced or incomplete, making the reading process difficult. In addition, the reader may lose the original notion of format, which assigned an added cultural value to the text.

Building on Genette's theory, the commercial (title and front-page), authoritative (licenses and dedication) and navigational (table of contents) functions contained in the paratexts have been analyzed in terms of their variant forms in the printed and digital formats of Ruiz Blanco's work. I have shown how the original text became the subject of significant changes over time as a result of publishers' divergent commercial interests. Currently, various cultural institutions assume an authoritative function in the dissemination of *Conversion de Piritu* (1690) by cataloguing it as part of their most valuable collections of Spanish American colonial literature. Being addressed to wider audiences, however, has multiplied the authorial and authoritative schemes influencing its interpretation, giving the reader, in the digital environment, more control over how the text is read.

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CHAPTER 14

"That the Section 'Weapons' Had to Be Plentiful Is Evident for Aceh": The Readability of Colonial Conquest in Dutch Ethnographic Exhibitions

Anke Bosma

Abstract

This chapter discusses the issue of the illegibility of Dutch colonial violence, prevalent throughout mainstream Dutch culture, by close reading two ethnographic exhibitions. The part of the permanent exhibition at the Tropenmuseum (Museum of the Tropics) in Amsterdam that focuses on the Dutch colonization of Indonesia is compared and contrasted with an exhibition of colonial objects held in 1907 at 's Rijks Ethnografisch Museum (State Ethnographic Museum) in Leiden. The comparison shows that little has changed in over a hundred years: Dutch colonial violence remains as, and in some ways even more, illegible now as it did at the beginning of the twentieth century.

From richly decorated gables in the center of Amsterdam to popular snacks in fast-food restaurants: traces of the Dutch colonial past are everywhere in the Netherlands.[1] To most Dutch people, however, these traces are not always clearly visible as such. Partly, this can be attributed to Dutch imperial history being neglected in the Dutch educational curriculum. As Gloria Wekker states, "judging by curricula at various educational levels, from grade school to university level, it is the best-kept secret that the Netherlands has been a formidable imperial nation" (13). This neglect is even stronger when it comes to the violence perpetrated by the Dutch in the colonies. Paul Bijl writes that Dutch colonial violence is not part of the national consciousness because it does not fit the national narrative, and that colonial violence is not legible for many Dutch people because it is meaningless within the mainstream cultural framework. One reason for the absence of colonial violence from

1 Many popular snacks, such as French fries with peanut sauce, are based on dishes from Indonesia, Surinam or the Caribbean.

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the national consciousness is that the Dutch would rather see themselves (and their armed forces) as small and weak, as victims rather than perpetrators of violence (Bijl 225–27). Similar arguments are also made by Wekker: the Dutch see themselves as victims of the German occupation in the Second World War, while overlooking, for example, the violence they perpetrated during the Indonesian War of Independence directly after (12). Significantly, Bijl argues that Dutch colonial violence is not completely absent from the Dutch public sphere; it is not, as is often claimed, forgotten, but rather "haunts" Dutch history and the Dutch self-image (12–13). Like a ghost, colonial violence is invisible (not actually absent, but with its lingering presence not registering) until it reemerges in the public sphere, where it is, time and time again, experienced as a revelation. I would add that many within Dutch society respond to this haunting by denial or exorcism (by insisting the past is over and does not affect the present), rather than by taking up the ethical position propagated by Jacques Derrida in *Specters of Marx* of "living *with*" the haunting past (colonial or otherwise) as a disruptive part of the present that needs to be acknowledged.

Even when colonialism is explicitly recognized as part of Dutch history, its violent side is often not (made) legible. In this chapter, I will address the problem of the illegibility of Dutch colonial violence by close reading the part of the current permanent exhibition at the Tropenmuseum (Museum of the Tropics) in Amsterdam that focuses on the Dutch colonization of Indonesia.[2] As a point of comparison, I will use an exhibition of colonial objects held in 1907 at 's Rijks Ethnografisch Museum (State Ethnographic Museum) in Leiden, when colonialism was still ongoing and, in colonizing countries, largely uncontroversial.[3] While I base my analysis of the Tropenmuseum exhibition on my own experience, the analysis of the 1907 exhibition will be based on a reconstruction I made with the help of the exhibition guide, as well as other written sources of the time. My comparative analysis makes it possible to ask what has changed in the Netherlands with regard to how ethnographic objects associated with colonialism and colonial violence in Indonesia are exhibited, and what kinds of readings of colonial history this makes possible or pre-empts on the part of visitors.

2 The Tropenmuseum was founded in 1864 as the Koloniaal Museum (Colonial Museum) to promote trade with the then colonies and is currently an ethnographic museum focusing on cultures in the tropics and subtropics.

3 's Rijks Ethnographisch Museum was founded in 1837 and is now called the Museum Volkenkunde (Ethnographic Museum).

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The violence central to both analyzed exhibitions is the violence perpetrated by the Dutch colonizers during the Aceh-Dutch war (1873–1914), an exceptionally long and bloody war fought by the Dutch against the Sultanate of Aceh in Northern Sumatra.[4] The 1907 exhibition in Leiden was based on a collection of objects gathered by the Dutch (Indo-European) officer Th.J. Veltman during this war, while the two focal points of the present-day exhibit on colonial wars in the Tropenmuseum are a state jacket and kupiah belonging to Teuku Umar, an important Acehnese resistance leader. After analyzing in detail the modes of legibility and illegibility at play in how Veltman's collection was displayed in 1907 and how Teuku Umar's belongings appear at the Tropenmuseum today, I will conclude by arguing that Dutch colonial violence remains as, and in some ways even more, illegible now as it did at the beginning of the twentieth century.

Exhibiting War Loot from Indonesia in 1907

During the summer of 1907, there was an exhibition of Veltman's war loot at 's Rijks Ethnographisch Museum with the title "Exhibition of Ethnographic Objects from Aceh." This was one in a series of three consecutive exhibitions, all directly linked to the colonial exploits of the Dutch.[5] The reasons for putting on these three exhibitions are listed by the director of 's Rijks Ethnographisch Museum, Johannes Dietrich Eduard Schmeltz (1839–1909), as the need to make the collections more broadly known and to create more interest in "our" East (Fischer 1907 1). This dovetails with what was then common practice, as at this time ethnographic exhibitions were often framed in scientific terms, with their educational value and the intention to promote *Bildung* stressed (Corbey 1993: 345, 354).

All three exhibitions in the summer of 1907 were made possible because of colonial expeditions by the Dutch that had both a military and a scientific purpose. Raymond Corbey refers to this type of exploratory mission as a kind

4 In the Netherlands, this war is typically known as the Aceh war, which makes sense from a Dutch perspective, as it is the only war the Dutch fought against Aceh. However, given that there have been multiple wars in Aceh, it is more appropriate to call it the Aceh-Dutch war, as I will do here.

5 The exhibition with objects collected by Veltman was followed by one on Northern Papua (then Dutch New-Guinea) and one about Bali and Sulawesi (then Celebes). All three exhibitions were shown in a classroom in one of the museum buildings in Leiden, which was empty due to the summer holidays. Throughout the year, the classroom was used for lectures about Indonesian culture, mostly to future colonial civil servants.

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of "ritual" to appropriate the land (1997: 543–4). He describes the exploration and scientific "disclosure" of the land, its nature and peoples as "a symbolic expression of domination and control," and therefore of colonialism, based on the unattainable ideal of establishing an encyclopedic inventory of the entire world (1997: 543). This is akin to what Michel de Certeau has described as "cultural colonization." According to de Certeau, claiming knowledge over and about someone else always puts the one who claims knowledge in a position of power (77). Given the context of the colonial exploits of the Netherlands at the time, the exhibitions in the summer of 1907 can be said not only to have shown the newly acquired objects and knowledge of the museum, but also the newly conquered peoples of the Dutch Empire.

The colonial conquest of Aceh, well-reported in Dutch newspapers, was certainly known by visitors to the exhibition at 's Rijks Ethnographisch Museum. The fact that this knowledge was considered self-evident becomes apparent in the written sources about the exhibition of the time. Thus, a report on the opening notes: "That the section 'weapons' had to be plentiful is evident for Aceh" (Algemeen Handelsblad, 3 July 1907). Curator Fischer also openly connects the exhibition of weapons to the Aceh-Dutch war in the exhibition guide, going so far as to write: "I would almost claim that in almost no Dutch family with connections to the Dutch Indies a 'klewang' or 'rentjong' is absent" (Fischer 1907: VI).[6] In the 1912 museum catalogue of the Aceh collection, Fischer notes: "It must have been the case that the here collected objects were collected for the most part by officers, since up until now, these were almost the only persons who, as a consequence of the situation, came into close contact with the population" (Fischer 1912: V).[7] Here, he speaks openly about the connection between the collection and the Aceh-Dutch war, echoing the explicit way in which both the guide and newspaper advertisements for the exhibition state that the collector was Th.J. Veltman, a Captain in the Dutch Indies Army (Algemeen Handelsblad, 1 July 1907, 3 July 1907, 5 July 1907; Het Nieuws van den Dag: Kleine Courant, 17 July 1907, 22 July 1907).

Almost all of the approximately 750 objects from Aceh that Veltman sold to the museum were exhibited in 1907. The guide discusses the exhibited objects more or less one by one under the titles "Golden jewelry," "Silver and souasa jewelry," "Fabrics," "Household effects," "Coins that are commonly accepted in

6 "Klewang" and "rentjong" are Indonesian terms for, respectively, a specific type of sword and dagger.

7 This short statement shows how ingrained colonial thinking was: the war is a "situation" and European military officers are called "people," while, in contrast, Indonesians are referred to impersonally as "the population."

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Aceh," "Weapons," "I Ceremonial weapons," "II Slash- and thrust weapons," "III Lances," "IV Bows," "V Firearms and accessories," "VI Shields," "Photographs, illustrations, books and letters," and "Sundries." The order of the objects in the exhibition itself was based on an evolutionist classification of ethnographic objects, which proceeded from the most "basic" to the more "developed." There were twelve categories in total, starting with food and drinks, and continuing to categories like clothing and jewelry, industry, weapons and, finally, art and religion (Fischer 1912: IX–XI; van Wengen 40).

It is highly unlikely that a lot of information, if any at all, was provided in the exhibition itself, since Fischer writes in his guide that he thinks it will "provide those who are interested with a little more than is available just by visiting" (1907: II). The information provided in the guide is mostly confined to identifying the material of the object and its Acehnese name. Fischer also refers the reader to books that delve further into the specifics of Acehnese culture, mostly with regard to manufacturing techniques. This makes the exhibition legible within a clearly defined frame that gives an appearance of objectivity, is scientifically charged and coincides with the professed aim of *Bildung*. However, within this frame only certain information is given, from a particular (Dutch) point of view. Consequently, it can be argued that the scientific frame hides the very political aspects of the exhibition: that colonial conquest is what made the exhibition possible and that showing off this conquest is a function of the exhibition.

In her article "Telling, Showing, Showing Off," Mieke Bal argues that the information signs and museum guides that are intrinsic to the museum structure can either frame the displaying of objects in a critical way or reinforce the discourse of the museum and the way it displays objects (577, 579). Information signs and guides determine how what is shown can be read: this framing can make legible or illegible certain narratives about the objects and the context in which they are displayed. Bal defines "showing off" in the specific context of ethnographic museums as follows: "Showing, if it refrains from telling its own story, is showing off" (594). In other words, if there is no reflection on how and why objects are in a museum, if this aspect remains illegible, the objects are being "shown off." The function of showing off conquest in 1907 becomes apparent in the fact that almost all the objects in Veltman's collection were put on display. In addition, the way the objects looked was considered their most important aspect, as can be gathered from the newspaper report on the opening, which mostly assesses the exhibits as "beautiful," "pretty" and "gorgeous," and in terms of their impressive number (Algemeen Handelsblad, 3 July 1907). In the mode of "showing off," the story of the white collector operating in the context of colonial conquest does not become legible in a critical way, but is presented as self-evident.

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The exhibition also worked to confirm the mainstream image of Aceh that circulated in the Netherlands as the only possible reading of Aceh. Some categories, such as jewelry, clothing and weapons, were overrepresented in the exhibition, while others, such as food and religious artefacts, were virtually absent. This can be related to the way ethnographic objects were often "collected because they already fit into a complex system of categorization that prescribed what kinds of objects should be valued, preserved, and named" (Turner 663). The fact that there were almost no religious artefacts in the exhibition can be seen as an expression of Dutch colonial ideology, which considered Islam a threat to colonialism both because of the jihad and because of the exchange of anti-colonial strategies amongst Muslims during the hajj in Mecca (Shatanawi 236–39, 246).[8] Notably, in the exhibition, some items that might be considered religious were not categorized as such. Thus, the kupiahs were categorized as "clothing and jewelry," whereas they can also be seen as religious hats. The decision not to categorize them as religious might be due to the fact that Islam in Indonesia was not seen as authentic, but as a thin layer of varnish over a Hindu/Buddhist tradition (Shatanawi 234, 248).

The 1907 Aceh exhibition consisted of many objects displayed in a single room, making it look very full by today's standards. Photographs of ethnographic exhibitions from around the same time (Figure 14.1) show how objects were displayed in close proximity to each other, almost crammed together. On occasion, there may have been some separation with improvised walls between the different categories of objects, but it is unlikely that this happened in the Aceh exhibition. Having visited the building in which the exhibition was held, I can attest to its spatial limitations, which are also clear from the many complaints made by the various directors of the museum (van Wengen 46–50). While this fullness might have made it difficult to distinguish different ("scientific") categories, it also presents an image reminiscent of treasuries, rooms filled with valuable objects. Such an image can inspire awe in the spectator, which once more emphasizes the showing off, in the everyday sense of the word, of the objects on display.

Besides the objects, the exhibition contained forty-seven photographs, including posed ones showing "types" of Acehnese people and Acehnese people making cloth. Some of the photographs, described in the guide as "landscapes," include KNIL soldiers and officers, naturalizing their presence in Indonesia.

8 The Acehnese saw the Dutch as heathens and did not believe it was right for Muslims to be ruled by non-Muslims. In the Aceh-Dutch war, they resisted the Dutch largely under the idea of jihad, the struggle for their religion, and for many of them the war was indeed a religious war (Shatanawi 236; Stolwijk 91, 97, 138).

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FIGURE 14.1 Permanent exhibition at 's Rijks Ethnographisch Museum in Leiden between 1907 and 1924, with, in the front, a lamp and bowl from the Veltman collection (Collection Nationaal Museum voor Wereldculturen)

Some of the photos also showed objects that were physically displayed in the same room. Photographs were used extensively in ethnographic research and exhibitions at the time. Thought to create "the illusion of authenticity, of unmediated encounter," "photos were seen as windows on the world, as unmediated and therefore unbiased copies of nature itself" (Corbey 1993: 363). This accorded with the pervasive idea at the time that Europeans could gain objective, unbiased knowledge of other peoples. However, photos always frame reality in a certain way, in the sense that the selection of the image and the "point of view" are chosen by the photographer (Parry 69–70). This is especially true for the photos of "types" of Acehnese people that were included in the exhibition, since these photos were staged as part of an encyclopedic project designed to create an inventory of every "race" or ethnicity in the world (Corbey 1997: 549). Creating plaster statues was also part of this project. Together with the photos, the statues "were intended to produce a true likeness of their referent" (Westerkamp 95). However, this referent was not an inherent quality of the portrayed people, but consisted of the colonial constructions that rendered their bodies legible as belonging to a particular race or ethnicity, as was

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tacitly acknowledged when the statues were later reused to embody generic Indonesians.

The people depicted in the photos exhibited were not named, nor are the photos dated or the photographers known. It is unclear whether the title that is linked to them in the database of the museum was also shown in the exhibition. The only information the guide gives is to describe them as "[photographs] of Acehnese people." Eight of the forty-seven photographs that were shown in the exhibition were also reproduced in the guide, with five showing people. Like the objects, these photographs were only provided with matter-of-fact descriptions such as "a distinguished Acehnese woman in festive attire with a youth and her lady-in-waiting." These descriptions give a false sense of factuality: they do not "tell" the story of the photographs, as Bal would say. Moreover, the photos, in combination with their descriptions, do not show Acehnese people as individuals with specific stories, but as generic examples of a people being displayed like objects. The supposedly objective Western view of Acehnese culture is perhaps the most important frame through which this exhibition was supposed to be read at the time. It is an example of what Walter Mignolo calls zero-point epistemology, the idea that people do not see their own (epistemological) position as being a specific position, but rather as neutral or even universal, as is typical of European ways of thinking (80). In addition, the 1907 exhibition rejected Acehnese people as possessors of knowledge and presented them as objects of Western knowledge only. This is due to what Aníbal Quijano describes as the colonial subject/object divide, as he explains in "Coloniality and Modernity/Rationality":

> only European culture is rational, it can contain "subjects" – the rest are not rational, they cannot be or harbor "subjects". As a consequence, the other cultures are different in the sense that they are unequal, in fact inferior, by nature. They only can be "objects" of knowledge or/and of domination practices … the formation and the development of certain disciplines, such as Ethnology and Anthropology, have always shown that kind of "subject-object" relations between the "Western" culture and the rest. By definition, the other cultures are the "object" of study. (174)

Thus, when museum director Schmeltz said the exhibition was designed to promote education, arguably that which it was providing an education in, through the showing off of conquered people and looted objects, was colonialism as a naturalized structure, to be taken for granted and not questioned. The amount of weapons on display greatly contributed to this showing off of colonial conquest. Visitors would have been aware that the objects displayed

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had been obtained in the Aceh-Dutch war, a fact made explicit – and clearly considered uncontroversial – in the exhibition's advertisements, guide and catalogue. While it is to be expected that a colonial exhibition would not have encouraged a critical reading of colonial violence at a time when imperialism and racism were still endorsed by the dominant Western European discourse, it seems reasonable to expect colonial war loot to be exhibited in present-day ethnographic museums like the Tropenmuseum in Amsterdam through frames of legibility that move away from showing off to incorporate critical readings of histories of colonial violence.

Showing (Off) Dutch Colonial Violence in the Tropenmuseum

In 2002, a new permanent exhibition opened in the Tropenmuseum, designed to reflect on the museum's colonial history. The exhibition consists of three rooms: two smaller rooms at the ends and one large room in the middle. In creating the exhibition, the focus was on exposing colonial collecting by showing how and by whom the museum's collection was brought together, as well as past and present techniques of exhibiting colonial history. The aim thus seems to have been an explicit form of foregrounding what Bal calls the "metamuseum," which "solicits reflections on and of its own ideological position and history" (560). The question I seek to answer is whether the stated aim to reflect on the museum's showing of colonial history is (made) legible in the exhibition itself.

Spread across the exhibition there are nine wax and three plaster figures of people on display. Several of these represent historical individuals, others are composites based on the stories of multiple historical individuals and two of them are based on fictional characters. In the first room there is a statue of the seventeenth-century German collector and researcher Georg Everhard Rumphius (1627–1702), and in the final room there is a statue of the Dutch anthropologist Charles Le Roux (1885–1947), who conducted research in Papua (then Dutch New-Guinea) (van Dijk and Legêne 107). These statues represent the practices of collecting and ethnographical research at the beginning and end of Dutch colonialism in Indonesia respectively. In the large middle room, there are seven wax figures representing important figures in Dutch Indies' society of the early twentieth century: Anna Elink-van Maarseveen, a missionary wife (1887–1961), Jhr. Mr. Bonifacius Cornelis de Jonge, Governor General (1875–1958), Jacob Theodoor Cremer, planter (1847–1923), Margaretha Engelen-Koets, an officer's wife (1870–1957), Toan ("Mister") Anwar (c. 1880–1948), Charles Eugène Henri Sayers, a painter (1901–1943) and Willem ("Himpies") van Kleyntjes, a soldier in the Dutch colonial army (c. 1910–1930) (van Dijk

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and Legêne 25, 47, 62, 68, 163, 175, 181).[9] These seven figures all have a "life story" that can be read (in Dutch and in English) on a sign and listened to (only in Dutch) by putting on headphones.

Finally, also in the middle room, there are three plaster figures of Indonesians without a personal story, meant to represent people in Dutch Indies' society: an office worker, a seamstress and a teacher. These figures are not in the center of the room, like the wax statues; instead, they are on the edges. Significantly, they were originally made for the museum to illustrate different "racial types," like the statues I discussed above. According to Sonja Mohr, the idea behind their continued display and the addition of the newer wax figures is that there used to be figures that did not have personal stories but were designed to represent a "race," while now there are figures with stories that do not (just) present a "race" (65). This was also confirmed in my conversations with curators involved in creating the exhibition. It suggests an instance of displaying (traditional) museum practices and reflecting on them, and thus a foregrounding of Bal's "metamuseum." However, neither the problematic history of the plaster dolls, nor the idea behind continuing to display them, is made legible in the actual exhibition. As far as the visitor can tell, the plaster figures symbolize generic functions of Indonesians in colonial society and have never done anything else. This, then, is not a proper execution of a "metamuseum," as a critical perspective is lacking and the problematic history of the figures' exhibition, as well as the way their current exhibition departs from this history, is not suggested in any way through their mode of display. As Ball writes: "the museum's status as metamuseum forbids its dismantling and prescribes its preservation for the sake of historical awareness. But preservation is not enough"; what is required in addition is "the absorption *in the display* of that critical consciousness" (562, emphasis in text).

The Tropenmuseum appears to come closer to the inclusion of a critical perspective on its own practices of collection and display in another part of the exhibit on Dutch colonialism in Indonesia. The Acehnese resistance leader Teuku Umar is presented in a very different way from the figures mentioned above. Objects belonging to him are on display in the same room as the statue of Georg Everhard Rumphius, a room which explicitly reflects on the ways in which objects in the collection of the Tropenmuseum were collected (Figure 14.2). Along the walls of the square room, from right to left, are shown objects that were collected for personal cabinets of curiosities and Eastern

9 The two women are composites of multiple historical individuals and Himpies and Anwar are literary characters; the dates given for their lifetimes are therefore also fictional.

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cabinets, objects that represented the economic gain of the colony, and objects that were collected during colonial wars. Teuku Umar's state jacket and kupiah are part of this final category.

The niche in which Teuku Umar's clothes are displayed cannot be seen when entering the room from the South-East Asia gallery, as its view is blocked by a white glass plate providing information about society in the then Dutch Indies. As you move further into the room, the display becomes visible. It is also possible to enter the room through an arched doorway from the previously discussed room containing most of the wax figures. This is not the most logical route, but it is one that visitors can take. When approaching from this entrance, the display on "Colonial wars" is directly to the left. However, again, it is not immediately visible because of the white glass plate with information on its side. In this case, too, a visitor will have to move further into the room and then turn to see the display. Thus, the part of the exhibition that deals with colonial violence is almost literally pushed to the margins of the exhibit and made difficult to read. The frame of legibility through which the Dutch are presented as collectors, scientists and traders rather than as military conquerors dominates the exhibit. This frame is operative, for example, in the fact that more room is reserved for plaited baskets



FIGURE 14.2 Overview of the room at the Tropenmuseum with Teuku Umar's clothes in the display next to the arched doorway leading to the middle room of the Dutch colonialism in Indonesia exhibit (Sefania Vitalis, 2017)

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(representing trade) than for weapons. As with the plaster statues, the basket exhibit is designed to produce an instance of the "metamuseum," as it copies what the museum looked like in its early days when it was called the Colonial Museum and served to promote trade with the Dutch colonies. Again, however, this potentially critical move is not signaled, so that it remains illegible for the visitor.

Overall, the exhibit does not so much evoke a critical reflection on colonial violence and the museum collection's imbrication with this violence as a sense of *tempo doeloe* nostalgia:

> Widely known as tempo doeloe, meaning "the good old days" in Malay, this mode of nostalgia imagines the Netherlands East Indies recast in an idyllic light, where atrocities are invisible and life still unspoilt by modern technology; where men are men, women are women, and the natives know their place. (Pattynama 274)

In the main room of the Tropenmuseum exhibit, many pictures, paintings, film images as well as (school)books, old furniture and nature sounds reinforce this innocuous image, which is the most common image Dutch people have of colonial times (Bijl 183; Pattynama 274–75), while colonial atrocities are indeed rendered almost invisible.

The display in which Teuku Umar's clothes are included is a glass casing of about a meter and a half wide that stretches from the floor to the ceiling (Figure 14.3). The right side of the casing is transparent and through it a couple of wajang figures can be seen. These wajang figures were made by an Indonesian wajang maker (probably Suprapto Amosutijo) in the 1970s and show Indonesian and Dutch fighters from the Java War (1825–1830). The left side of the casing is white and shows a short text in Dutch and English about "Colonial wars." In seven sentences, the violence committed by the VOC (the Dutch East India Company), the imperial wars of the nineteenth century and the "police actions" undertaken by the Dutch during the Indonesian War of Independence (1945–1949) are discussed. About the imperial wars, the following is written:

> In the nineteenth century the local populations rebelled as the Dutch extended their control of the Indonesian islands. The most extensive of these wars – the Java War and the Aceh War – pitched Islamic Indonesians, inspired by their religion and the desire for freedom, against the Netherlands East Indies Army (Koninklijk Nederlandsch-Indisch Leger or KNIL).

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Colonial violence is hinted at ("extended their control") but details are not given. It is notable that it is the Indonesians who are positioned as the actors, as the ones rebelling and as the ones pitched against the KNIL (rather than the other way around). Moreover, while the Indonesians are ascribed certain motivations for fighting, an explanation for why the Dutch fought is apparently not needed.

Inside the casing, on the left side, there are four sabers and knives (which belonged to both Dutch and Indonesian fighters) hanging on threads in front of a *schoolplaat* (an educational picture used in Dutch schools) from 1910 illustrating the capture of Cokronegoro (1894). As in the cases of the display of the plaster dolls and the plaited baskets, this is another example where a problematic object from the past is included in the exhibit in a way that, according to the curators, is meant to recontextualize it in a critical manner, but without this recontextualization being rendered legible in the exhibit. A current curator in the Tropenmuseum told me he liked that it was displayed next to the wajang dolls, as this created a dialogue between two perspectives on colonial conquest: a Dutch one and an Indonesian one. However, during tours he gave he had found that many people did not seem to notice that the *schoolplaat* was a racist colonial depiction. This can partly be attributed to the dominant cultural frame of legibility in the Netherlands, which, as noted, does not facilitate a critical reading of the



FIGURE 14.3 The display about colonial wars at the Tropenmuseum, including Teuku Umar's state jacket and kupiah (Sefania Vitalis, 2017)

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Dutch colonial past. In a context where visitors are unlikely to recognize critical recontextualizations of their own accord, it is essential for such recontextualizations to be made legible in an explicit manner, even at the risk of didacticism.

In the display, at knee height, below the hanging weapons, lays a chest with the ceremonial sabre of a Dutch officer in it. On the right, on a legless, headless and handless man-sized mannequin, hangs Teuku Umar's Dutch military coat, with in front of it, to the left side, his kupiah.[10] Above and behind these objects, three shields can be seen hanging. On the bottom of the display, there are two signs that discuss the items on show. However, two of the knives and sabers (both Indonesian) and all three of the shields (also Indonesian) are not mentioned in these texts. Thus, again, certain objects are explicitly foregrounded as of interest, while others are not given any framing at all, leaving the visitor with the impression that these objects are self-evident (generic weapons that require no further explanation) and not as important as the ones discussed on the signs. About Teuku Umar's clothes, the following is written:

> State jacket and kupiah of Teuku Umar
>
> In 1893 Teuku Umar was persuaded with gifts of money, opium and weapons to fight against his own people. He became a warrior in government service. It is from this period that the state jacket shown here dates. In 1896 he rejoined the Aceh revolt. In 1899 the Dutch enticed Teuku Umar into an ambush and killed him.
>
> Wool, cotton, fibre. Aceh, Sumatra.
> Late 19th century.
> 674–722: purchased F.W. Stammeshaus, 1931.
> 1552–17: gift: Baron F.E. van Heerdt, 1942.

While this short text provides most of the relevant information about Teuku Umar and the Aceh-Dutch war from a Dutch perspective, it does not mention that, before 1893, Teuku Umar was already an important leader in the Acehnese resistance. What is also missing is a contemporary Indonesian perspective: it is, for example, not indicated that Teuku Umar is a national hero in Indonesia. These omissions allow only a very restrictive reading of his life and legacy.

10 In 1893, Teuku Umar switched sides to fight for the Dutch, which is why he once owned a Dutch military coat. In 1896, he walked into Acehnese territory with many soldiers from the Dutch army (mostly Javanese and Moluccan), food and weapons to once more fight on the side of the Acehnese (Stolwijk 130–35).

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Military violence is not denied or forgotten in the Tropenmuseum exhibition, but appears as a haunting presence. Indeed, when seeing Teuku Umar represented as a floating jacket without a head, it is not difficult to recall a specter as, despite his physical manifestation, he is not fully present. He seems to be positioned somewhere between the Indonesian people only mentioned in descriptions and the wax figures whose stories are told.[11] Teuku Umar is presented as a historical figure, but he does not get to tell his own story. It is not even made clear what his name means: the fact that "Teuku" is an aristocratic title is not mentioned.

The primary perspective represented in this permanent exhibition, then, is that of the white Dutch colonizers. The wax figures representing Indonesians, albeit no longer representing a "race," still remain nameless and speechless. The story of colonialism that is told in the three rooms, while not completely denying colonial violence and oppression (which are mentioned several times on general information signs), fits the frame of legibility associated with the dominant Dutch colonial narrative, in which military violence is pushed to the margins and almost no Indonesian perspectives are shown. As a result, the permanent exhibition at the Tropenmuseum, despite its aim of reflecting on its own history and practices of collecting and exhibiting, is shockingly similar to the 1907 exhibition. It perpetuates the colonial subject/object divide described by Quijano and, by failing to make explicit a critical perspective on colonialism, is more often an example of "showing off" than of "showing."

Showing (Off) Colonialism in the Past and Present

The 1907 "Exhibition of Ethnographic Objects from Aceh" made perfect sense within the colonial discourse of the time. What was on display was newly conquered knowledge, knowledge about Acehnese culture that had become available through the Dutch military conquest of the land and the people. These two were conflated to such an extent that the matter-of-fact descriptions of objects and people, and the "scientific" categorization of both, appeared ordinary, while at the same time the connection of the objects to the Aceh-Dutch war was made abundantly legible, for example through the display of numerous weapons. From the framing of the exhibition, it is clear that in 1907 colonial

11 While there is more clothing displayed in the museum in a similar way, that is, on a mannequin rather than a complete doll or statue, it is not usually clothing with such a distinctive history: a Dutch military coat worn by one of the most important Acehnese leaders during the Aceh-Dutch war.

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conquest was considered self-evident and unproblematic, even something to be proud of.

This is the most important difference in terms of legibility with the "Dutch Indies" exhibition installed at the Tropenmuseum in 2002: in the twenty-first-century Dutch context, it is no longer considered evident "that the section 'weapons' had to be plentiful," as colonial history is no longer well known to visitors and the violence perpetuated by the Dutch no longer fits the dominant national narrative, which does not support a reading of the Dutch as oppressors. The result is that a critical reading of colonial violence remains, if not as impossible as in 1907, still unlikely. In 1907, the connection between the Acehnese objects and colonial violence was abundantly clear, but not problematized, while in 2002 the violence was pushed to the margins. In both cases, the frame of legibility enabled and encouraged by the exhibit (which, in the case of the permanent exhibition of the Tropenmuseum, is distinct from the "metamuseum" frame posited by the curators but not rendered legible in the actual displays) does not allow colonial violence and looting to be read as part of the story of the museum's gathering and showing – rather than showing off – of its collection.

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CHAPTER 15

Ledgers and Legibility: A Conversation on the Significance of Noise within Digital Colonial Archives

Katrine Dirckinck-Holmfeld and Pepita Hesselberth

Abstract

This conversation takes Katrine Dirckinck-Holmfeld's installation and performative presentation *The Christmas Report & Other Fragments* (2017) as a starting point to discuss legibility in relation to the mass digitization of the colonial archives in Denmark. To gain access to the archive, Dirckinck-Holmfeld draws on the figure of the Data Thief, inspired by The Black Audio Film Collective, in an attempt to unearth and excel the vulnerabilities and ethical dilemmas at the heart of today's data desire. The Data Thief, Dirckinck-Holmfeld claims in conversation with Pepita Hesselberth, teaches us to attune to the noise, to the sonorous, affective and textural dimensions of the archive. It compels us to create assemblages of enunciation that cut across semiotic and machinic flows, and invites us to nourish a relationship to time where the past keeps enfolding on itself in the present. This way, she concludes, it demands us to stay in and with the discomfort, and to stay in the cybernetic fold of radical, creative, decolonial and technological reimagination.

Pepita Hesselberth: First of all, I would like to thank you for agreeing to do this interview with us. Your art project *The Christmas Report & Other Fragments* (2017-ongoing), on the digitization of the Danish colonial archives of the West Indies, caught our attention as it raises many interesting questions with regard to the legibility of the (colonial) archive and our colonial past in what is often deemed a post-colonial and, above all, digital era (Figure 15.1). The work was developed as a performative presentation as part of the Uncertain Archives Research Group at the University of Copenhagen and later sequenced into a video installation. Over the last years, you have used your work, both as an artist and a researcher, to explore the affects, materiality and time of digital images in relation to different archival contexts, practices and situations. For starters, could you tell us a little bit more about the project itself, the archives

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FIGURE 15.1 Still from *The Christmas Report...* (K. Dirckinck-Holmfeld 2017). Map of St. Croix with the plantations by I. E. Beck (1768) superimposed with the database of digitized photographs from the Royal Danish Library's Map & Photo Collection 2017.

that you are working with in *The Christmas Report*, your approach to it, the video installation your project has been turned into and perhaps also about the performative presentation you did in the run-up to these later installments?

Katrine Dirckinck-Holmfeld: Thank you for the invitation and opportunity to discuss the *The Christmas Report & Other Fragments*, of which you saw the work-in-progress, the performative presentation *Vertigo of Archive*, which I presented at the Uncertain Archives conference on Vulnerabilities in April 2017.[1] It is a great opportunity to think through some of the aspects of the project that I haven't been able to ruminate on while being in the process of making the work.

So, to give a bit of background for the project: 2017 marks the centennial of Denmark's sale to the United States of the colony formerly known as "The Danish West Indies," which was then renamed the US Virgin Islands. For this occasion, The Danish National Archive, The Royal Danish Library's Photo and Map Collection, as well as other archives and collections, are undertaking a mass digitization of their archival records from St. Croix, St. Thomas, St. John,

1 For more information and a recording of that presentation, see: http://artsandculturalstudies.ku.dk/research/focus/uncertainarchives/vulnerability-workshop/.

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Ghana and the transatlantic enslavement trade. The National Archive alone has scanned more than 1.2 kilometers of shelf space, adding up to more than five million digital scans. The records are said to be among the best preserved from the transatlantic enslavement trade and many are included in UNESCO's world heritage list. The reason why Denmark has access to all this material and is able to digitize it is because after selling the islands in 1917, Danish officials went back and took all of the archives, leaving the inhabitants of the islands without access to 250 years of their history.

It is for the occasion of the centennial and as part of the Uncertain Archives Research Project at the University of Copenhagen that I produced the performative presentation *Vertigo of Archive*, which was later sequenced into the video installation *The Christmas Report & Other Fragments* and shown at the Ringsted Gallery in Denmark. The work interweaves my interests in the meta-discussion of the interfaces and (infra)structures underpinning these digital colonial archives with my attempt to unravel my own family's involvement in the Danish Colonial System. One day, while roaming through the archives, I came across a report issued in 1902 by the House of Representatives called "The Purchase of Danish Islands" (United States Congress House and Select committee on purchase of Danish West Indies). The report mentions the "Christmas report" – a statement given by the Danish citizen Walter Christmas, who sometimes also appears as Dirckinck-Holmfeld, a namesake and distant relative of mine. The report abridges an American investigation of Walter Christmas concerning his possible involvement in a scandal in which he tried to bribe US Congressmen to vote for the purchase of the islands in 1900. Christmas was an officer in the Danish Navy and traveled extensively to the Danish colonies. According to the document, he tried to sell "The Danish West Indies" to the US in 1900, but it remains unclear whether he operated on his own initiative or whether he was unofficially sent by the Danish Government to oversee this task. It is said that he spent the money he thought he would get in commission for the sales (10% of five million USD) to bribe and corrupt US Congressmen in favor of the sale. After his mission failed, he returned to Denmark, where he settled as a writer of children's books and theater plays, of which the most known is the Peder Most adventure series. Written in a racist language, the books tell the story of a young sailor from Svendborg, Peder Most, who travels the world, thus conveying a colonial worldview to young audiences. Today, the books are little known, but the town of Svendborg has an orchestra named after Peder Most, without acknowledging the colonial legacy of that figure.

Intercutting scraps of information that I gathered about Walter Christmas with my own experiences of trying to make sense of the immense collections of

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financial accounts, or ledgers, in both the digital online database and the analog archives, my project is an attempt to explore how the digitization process participates in the redistribution of the past's colonial and racial hierarchies today. My aim is to figure out the extent to which, and exactly how, the logic that structures the digitization of the archives mirrors, or bears witness to, and perhaps even builds on the technologies of the institution of chattel slavery that created the archival records in the first place. For, as social theorist Stevphen Shukaitis has aptly suggested in a post on Facebook, after visiting the exhibition *Blind Spots* at the Danish National Library, which showed excerpts from their collection of maps of "The Danish West Indies" as well as 1,500 photographs: "anyone wanting to study management or business, accounting, or finance should be likewise required to engage with its colonial underpinnings."[2] To this, I would add: anyone who wants to study digital archival processes, big data and the production of subjectivity in late-Capitalism should be interested in its colonial underpinnings and strong ligaments to the enslavement trade and industry.

What became apparent from looking at the ledgers, which are mainly financial accounts from the ship logs and plantation registers, is how lives were turned into commodities, (ac)countable, first and foremost, in – and to – the data registers of which we can now observe the mass digitization. What I am interested in with this project, then, is to explore what new sites of forgetfulness and unspeakability are created by the desire for mass digitization and big data aggregates. How to account for the viscerality inherent to the archives: the touch, smell and materiality of the analog records, and the pain, suffering and violence that the archive is constituted upon? How do these historical cartographies mix with personal stories, adding up to a multidimensional space, a multifarious "stereoscope" of deferred perception and memories, and, indeed, un/shared histories? Confronted with the archive, I had to ask myself how to position myself in relation to it, or perhaps rather, how the archive orients and positions me. This project thus taps into a set of both micro- and macro-problematics that serves as a generator for developing this work and indeed opens up a plethora of questions pertaining more specifically to the legibility of the digital archive and our colonial past.

PH: Could you briefly reflect on these questions that your project opened up, even if it is perhaps in more general terms? In other words, in what way does the digitization of these colonial archives problematize notions of the legibility of the archive, of our collective colonial histories and of the private histories

2 https://www.facebook.com/stevphen.shukaitis (7 Oct. 2017).

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related to our colonial past, both written and unwritten, in your view? In formulating this question, I realize how inapt a phrase like "to excavate the archive" has become now that we have the possibility "to navigate" it in ways that may appear unprecedented and in ways that are at once as non-hierarchical and historically flat as the web itself (while neither, we know, is necessarily so).

KDH: That is a very interesting question. Of course, navigating the archive digitally implies a completely different interface than roaming the analog archive does. In the performative presentation, for which I eventually chose to use the presentation tool Prezi, I was really preoccupied with the *spatiality* of the archive and how one has to navigate between different platforms, places, objects, temporalities and topographies, constantly moving back and forth between the close-up and the wide-angle, zooming in and out, so to speak. Yet, just because the material has become digital I do not necessarily think it has become less hierarchical or more flat. Quite to the contrary. While the digital interface may appear accessible and therefore more legible, it also obscures things, much like the analog archive, even if the obscurification here has taken on a different form. I speak of a *Vertigo of the Archive* because browsing through an archive that contains over five million scans creates a sense of digital nausea or vertigo, provoked by the vast amount of data available in its variable resolutions.

Since mass digitization of archival records opens these records up to a wider circulation and distribution, and enables an easier access to history, it also gives rise to new ethical, political, aesthetic and methodological questions concerning the reuse and dissemination of this highly sensitive material. What does it mean to digitize these archives and make them available, through the internet, to a global public that does not necessarily share the same view on that history? And what meanings are (there to be) produced when the digital interface, created to make the material available, is still based and biased – as I believe it is – by the very archival logic intrinsic to the colonial system of power? To name but one example: I found that if you want to do research into the history of your family, you need to know the "archive creator," as it is called in the database, i.e. the company in charge of the enslavement trade or the plantation that bought up the enslaved Africans upon their arrival to the islands. In order to use the database to do research, in other words, you cannot but submit to the logic of the enslavement trade and the violence that the archive is founded upon. This is but one of many obscurifications that the digitization process effects and that are not made transparent to the user of the archive or accounted for. The digital archive is oddly haunted by such old hierarchies, structures and logics of our colonial history in ways that are not always transparent to the user. The problem, in my view, is that the designers and developers of these

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infrastructures take very little notice of this "hauntology" (Derrida 2006) in the design process and rarely, if ever, seek to create alternative routes and polyvocal narrations in the online databases, or at least point to the biases and pitfalls implicit in their own interface.

Another aspect that has occupied me is the visual complexity of those interfaces. To a certain extent, the digital colonial archival infrastructures can be seen as an extension of what Nicholas Mirzoeff has called the "plantation complex": an organization of the field of the visual that builds on the ways of classifying, separating and aestheticizing that were developed during and thus derived from the colonial period (2011: 480). The digital collection of maps and photographs of "The Danish West Indies" held by The Danish Royal Library is a case in point of that form of visuality. Many of the photographs were taken by the white Danish colonial administration between 1840 and 1917, and carry on the point of view of the colonial administration, which thus persists and is reproduced within the digital archive as the dominant gaze and voice. My project, then, is an attempt to pay heed to the fact that the whole paradigm governing data-visualization and mass digitization is largely an extension of the colonial project of discretization – the cutting up of people and lands into entities of division, enslavement and control. What is interesting to me, here, are the forms of counter-visuality or *maroon* strategies (Harney and Moten) that can be activated in the digital archives so that they can be opened up, and also used as a site that could tell the other side of the story, that of resistance and dignity for the population of the US Virgin Islands that has been bereft of their archives.

PH: In your project, you introduce the figure, or persona, of The Data Thief | The Data Giver. Can you tell us something about him/her/ze? What is his/her/zir function? Is it merely a rhetorical figure? I have a strong sense that this figure is key to your attempt to open up the archive, to make it legible if you will, without nullifying precisely that which makes the archive so hard, if not downright impossible, to "read" – in other words, its inherent illegibility.

> The Data Thief/Data Giver is a time-surfing roughneck, a shapeshifter, part human, part cyborg, a state-less, a beheaded pardoned by a king, a fugitive, a revenant, a digital return, an orphan of a rebel queen … Transported to 1917/2017 via the internet to roam the archives.[3]

3 From *The Christmas Report & Other Fragments* – KDH's alterrations from the script of *The Last Angel of History*.

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KDH: I borrow the notion of the Data Thief from John Akomfrah and Black Audio Film Collective's seminal 1996 film *The Last Angel of History*. This film develops the concept of Afrofuturism and Black Aesthetics by tracing a genealogy of the deployments of science fiction within black musical traditions and cultural production. The film visually develops the same methods as it sets out to research by introducing the figure of the Data Thief. The Data Thief is sent from the future to roam the archives; he travels across time and space in search of the code – a black secret technology – that holds the key to the future. Invented on the brink of the so-called "digital revolution" and the development of the internet as a popular mass medium in 1995, to me, there is no other figure that captures the vulnerabilities and ethical dilemmas of today's data desire so well. The Data Thief stands for a sensibility that forces us to attune ourselves to the sonorous and affective cuts and reverberations of and within the archive.

Unlike in *The Last Angel of History*, however, in my project, the figure recurs as both the Data Thief and the Data Giver. It is my attempt to address a double irony: first, that Denmark returned to the islands after the sale to collect the archives and relocate them to Copenhagen, leaving the inhabitants without access; and second, that The Danish National Archive is now "returning" this archive as a "gift" to the US Virgin Islands (as well as to the world) on the occasion of the centennial, offering it as a form of repair without necessarily wanting to call it this (on this topic, see Nonbo Andersen; Bastian). Calling it repair, after all, would require an official apology, which in turn might result in demands for material compensation. As it looks now, therefore, no actual "handing over" of the digital archives is likely to take place, which becomes all the more apparent when one realizes how few resources (if any at all) are being invested in developing an interface that would make the archive – which largely consists of sources written in Danish and in often illegible seventeenth-century gothic handwriting – more accessible to users from the US Virgin Islands, Ghana or elsewhere, who may want to access the online database. As it is now, this effort relies on crowdsourcing and on citizen scientists/historians serving as translators on a voluntary basis.

The figure of The Data Thief | The Data Giver in my work is embodied by a prison photo of Hezekiah Smith, taken in Horsens State Prison, Denmark, in 1909 (Figure 15.2). Hezekiah was the son of Queen Mary, one of the four women who led the Fireburn Uprisings in St. Croix in 1878, a labor rights uprising against the slave-like conditions the workers were still working under 30 years after the abolition of slavery in 1848. After the uprising, Queen Mary served 10 years in a women's prison in Christianshavn in Copenhagen. Hezekiah was around five years old when his mother was sent to jail in the "host" country on a different continent.

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FIGURE 15.2 Still from *The Christmas Report...* (K. Dirckinck-Holmfeld 2017). Image based on prison photo of Hezekiah Smith, State Prison in Horsens, *Photographs of Prisoners* (1909: 3), The Danish National Archives.

The records show that, as an adult, Hezekiah was sent to Horsens State Penitentiary in Denmark after being charged with the murder of his girlfriend. Still imprisoned when the islands were sold in 1917, Hezekiah became stateless, since the black population of the islands did not have Danish citizenship, and the US refused to take him back. Upon his release in 1923, he was put on a Polish schooner bound for Trinidad, where it is said he was murdered.

Even today, the specter of Hezekiah continues to haunt me in the archive. When looking at the photograph, I cannot help but think of its relationship to the history of criminal photography and of how that visual archive contributes to the production of a system in which black and brown men are seen as "criminal until proven otherwise."[4] The image of Hezekiah can also be seen as a silent testimony to Denmark's long-standing history of sending prisoners from the colonies to serve sentences in Denmark.[5]

4 There are a number of people working on the use of stock images and templates that orient towards race-specific categories and often blatant racism in, for example, facial recognition software, machine-learning algorithms and forensic identification tools. Ramon Amaro's work on machine learning and racial profiling in data-driven decision making comes to mind, as well as Amade M'charek's project on RaceFaceID (see https://race-face-id.eu/).

5 It is worth mentioning that despite Greenland's *Act of Home Rule* justice affairs, police criminal procedures and the courts of law are still under Danish jurisdiction. As a result, prisoners and psychiatric patients from Greenland are still sent to confinements in Denmark.

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Denmark's archival abduction and its digitization made me ponder the way in which it comes to form what we might call, with Fred Moten, a cut to connection. In a highly complex passage, Moten uses Derrida's concept of "invagination" and Mackey's "broken' claim(s) to connection" to define the aesthetics of the black radical tradition. He writes:

> In his critical deployment of such music and speech, [Frederick] Douglass discovers a hermeneutic that is simultaneously broken and expanded by an operation akin to what Jacques Derrida refers to as "invagination." This cut and augmented hermeneutic circle is structured by a double movement. The first element is the transference of a radically exterior aurality that disrupts and resists certain formations of identity and interpretation by challenging the reducibility of phonic matter to verbal meaning or conventional musical form. The second is the assertion of what Nathanial Mackey calls " 'broken' claim(s) to connection" between Africa and African America that seeks to suture corollary, asymptotically divergent ruptures – maternal estrangement and the thwarted romance of the sexes – that he refers to as a "wounded kinship" and the [sic] "the sexual 'cut.' " This assertion marks an engagement with a more attenuated, more internally determined, exteriority and a courtship with an always already unavailable and substitutive origin. (Moten 6)

At the risk of conflating this passage with my own thinking and project, it made me brood over the ways in which that violent cut to connection that slavery marks is repeated in Denmark's act of steeling back, and now digitizing, the archives. The uprooting of the archive marks a double cut, in which a people that has already been forcefully removed from their country of origin and cut off from their history and environment are then cut off again from access to that little remainder, that name, that list, or that scrap of cloth that might still exist in the ledgers within the archive. Or perhaps it marks a triple cut – a material cut, a rasterization, a discretization – when what is returned are not the actual archival records, but rather the scanned copies in 300 dpi, digital files that have no indexical bond to the always already unavailable originals. How, then, to attune to the breaks, the cuts, the noises in the digital archive as a mode of resistance?

PH: I am interested in your remark about the risk of losing the noise of the archive and in the potential of adding or capturing noise, breaks and cuts as a form of resisting the totalizing logic of the digital archive, in which, indeed,

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some of the old structures are still very much in place. I think your work explicitly plays with and into that, the figure of the Data Thief included. On the one hand, the figure forms a red thread, a recurring image, throughout the installation; on the other hand, however, it is a very noisy figure, or even a figure of noise, not in the least because it plays a central part in uncovering the archive as a noisy place. The figure does not seem to serve the purpose of making the telling of the story easier, but rather seems to work against this, as if to disclose the impossibility of the story that nonetheless wants to be told, a story that consists of gaps, breaks and cuts as you say, of illegible ledgers, scraps of paper and almost randomized images, of half stories and, nowadays, also pixels, filters and broken links. In this sense, in your installation, the figure of the Data Thief does not seem to stand on its own. I noticed, for example, that you work a lot with colors and filters, too, with broken links and open endings. The "story" never quite adds up, it seems; it is, indeed, noisy, and in this sense your installation can be said to offer a compelling visual counter-narrative that works to problematize the legibility of these ledgers and the archive as such. Could you comment a little more on this perhaps? The figure of the Data Thief seems crucial here, but I am sure there are other examples, within your own work and that of others, too.

KDH: My project is not an attempt to restore the digital archive to a preexisting whole, nor do I want to lament the digital as a loss of resolution and indexicality. As an artist, for me, it is all about the texture and material properties of a given document. My project, then, is an attempt to show that the material undergoes a radical form of rematerialization in its transfiguration from the analog document to the digital file. In a way, the whole project is an investigation into how the image or document migrates between different contexts, continents, depositories, codecs and compressions, and how this route, or line of flight, is engraved onto the file's texture and surface (see also Dirckinck Holmfeld 2015). It is in this process that the material enfolds the colonial system that created it into its new form. While the digital file does not have the same textural properties as its analog sibling, it is not void of texture. The violence that produced the file, as well as the many layers of information that were added in the post-production of the archive, are often engrained in the low-resolution scan. What I really want to do is take all these layers apart and look at how they structure the ways in which the file is made available to the public today (Figure 15.3). As such, I think there are two different forms of noise at play here. On the one hand, my project is about attunement to the archival litter, the rasterization of the file, the meta-data, the inscription and layers of marking that the material undergoes, the discarded

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FIGURE 15.3 Still from *The Christmas Report...* (K. Dirckinck-Holmfeld 2017). Textile samples that were ordered by the Danish-Guinean Company on the Gold Coast from the Danish colony Tranquebar (today Tharangambadi, India) and traded for enslaved Africans in Accra. *Dansk-Guinesisk Kompagni, Breve fra Direktionen* (1705–1722: 390), The Danish National Archives.

material, the bit-rot, the burned documents, etc. On the other hand, there is also the potential of noise as a form of resistance in and to the archive. To quote Édouard Glissant:

> Noise is essential to speech. Din is discourse ... since speech was forbidden, slaves camouflaged the word under the provocative intensity of the scream. No one could translate the meaning of what seemed to be nothing but the call of a wild animal. This is how the dispossessed man organized his speech by weaving that into the apparently meaningless texture of extreme noise. (123–24)

In line with Glissant's quote on noise as resistance, I think Black Audio Film Collective's work is very compelling in that it really attunes us to the sonorous reverberations in the archive. In a similar vein, I am currently working together with performance artist Oceana James to change the voice over of The Data Thief | The Data Giver into Crusian, the St. Croix version of creole, in an attempt to thieve back what has been stolen and at the same time insert other voices into the data. By assembling the data debris and fragments, affects and textures he/she/ze is left with, The Data Thief | Data Giver is thus able to create new assemblages of enunciation.

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Here, my project is also clearly indebted to Virgin Island-based artist La Vaughn Belle, whose work continues to confront us with the many stories that remain untold and that are not captured by the official narratives of the State Archives. In her series *Ledgers from a Lost Kingdom*, for example, Belle draws on colonial architecture that was built after the Fireburn Uprisings, which burned down large parts of Frederiksted, St. Croix. Cutting and burning its patterns on paper, she creates beautiful, yet violent and painful patterns. She also deploys the tools of resistance – the torch and sugarcane machete were the only tools available to the workers during the uprising – as means for artistic expression, thus calling attention to the fact that, in the absence of archival records in the US Virgin Islands, pottery, building materials and other fragments of material culture have come to function as repositories, constituting a commonplace archival space where the legacies of colonialism continue to resurface in the present. Similar to Black Audio Film Collective's figure of the Data Thief and Moten's quote above, Belle's work forms a double movement, one that is cutting into the wound, but through that cut is able to expand and create new material assemblages. She thus posits a certain materialist formalism that is political in its very work with the materiality of given objects, offering what we might call, with Saidiya Hartman, a "critical (material) fabulation" (11). Belle's *Ledgers* testify to the lacuna in the official state archives, but they also come to form secret technologies, Obeah practices for transmitting the stories, affects and noises that are hidden in the official archives.[6]

In response to the digitization of the archives, we need to ask ourselves how to devise strategies for "disordering and transgressing the protocols of the archive" (Hartman 9). How can we create other interfaces that superimpose rather than overwrite, that are able to transmit the lacuna, the mutters, the oaths and cries, and pay tribute to the black noise? In other words, we must ask ourselves how to use the tools made available by the digital archive "against the grain" (Hartman 9).

PH: You have touched on this before, in response to the opening question, where you identify Walter Christmas as your namesake and distant relative, but there is a moment in the installation where you seem to be grappling with your own positionality, not only in relation to the archive, but also in relation to the colonial past it represents. In this sense, your work also has a clear auto-ethnographic quality to it. Of course, the positionality of the researcher (as well as the one who speaks and/or is silenced) has often been brought up in critical theory and seems to touch directly on the issue of legibility, not

6 In the Virgin Islands and the Caribbean, Obeah refers to the spiritual and religious practices brought by the enslaved Africans and developed among the Afro-Caribbeans. The practices were forbidden by the planters and regarded as sorcery.

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only in the need to make such positionality legible as such, but also in the idea that the legibility of whatever and whomever we come across is always and per definition compromised by our own position within and in relation to it/them as well. Could you comment a little on these issues of positionality and legibility in your work, perhaps in relation to this passage from the installation?

KDH: The passage you are referring to, I think, is the following:

> THE DATA THIEF/DATA GIVER [DTDG]: How do you as an apparent white Dane position yourself in relation to the archive?
>
> Katrine Dirckinck-Holmfeld [KDH]: The question of position always makes me shiver – maybe because I follow Eve Kosofsky Sedgwick that positions are not stable but always changing and relational. However, when it comes to this archive, and to the situation in Denmark, I do believe that I have to ask myself how I position myself in relation to these images. How does my own family history marry into the Danish colonial system?
>
> DTDG: Do you know Captain Christmas?
>
> KDH: I met him once in a casual way. I live at the Manhattan Hotel, and I met him in a most casual way in the lobby of the hotel.
>
> DTDG: Did you ever have a contract with him of any kind?
>
> KDH: Never, of any kind or character
>
> DTDG: Had you any connection with him in seeking to bring about the sale of the Danish West Indian Islands to the United States?
>
> KDH: None, either directly or otherwise.[7]

7 From *The Christmas Report and Other Fragments*, my alterations of the original script from United States Congress House, and Select committee on purchase of Danish West Indies. "Purchase of Danish Islands." Report No 2749.

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In *The Christmas Report* … I am (or the narrator is) cut short by The Data Thief | The Data Giver, who in the performative piece takes on the form of the conference moderator, asking me how I position myself in relation to this archive. The question is followed by my own idle attempt to avoid the question, in part by situating myself academically, with Eve Kosofsky Sedgwick, so as to avoid stable positioning on the claim that positions are in flux and relational. Nonetheless, and to the point: I find it important to question my own positionality in relation to the archive and the colonial past, a need that is reinvigorated all the more by the current political climate in Denmark, which has become unbearably racist in my view.

The self-questioning is employed as a way to interrogate my own family's involvement in the colonial system and the whole Christmas Report scandal. But again, the form itself becomes whimsical. The interrogation is a direct transcript of "The Christmas Report" and my responses to the questions are conflations of the statements given by the congressmen interrogated in the Report, who all unequivocally denied having any knowledge of or even having met Christmas. The script thus transposes an amnesia similar to Denmark's persistent official denial and remembrance of its wrongdoings as a colonial power. The self-questioning becomes a way of staying with the discomfort that working in the archives entails, a discomfort that is the direct result of the complicity of the Danish families and companies that participated in and/or profited from the colonial system, a denial that is persistent to this very day. The digital archives testify to this. It is certainly a discomfort that I haven't fully managed to resolve in my project yet, and for good reasons; it is a discomfort that cannot and should not simply be resolved.

But, of course, the passage is also employed to question my own position now and the privilege I hold being able to work in and with archives in the first place. This privilege entails having access to the files and the language, but it is also a privilege of having access to genealogy, of being able to look into my ancestry as an uncut line. In *Giving an Account of Oneself*, Judith Butler shows that the very norms that govern how we make ourselves accountable, or are able to give an account of oneself, are always already structured by the norms that constitute the subject, as well as by the stylization of its ontology. In *Signs and Machines*, Maurizio Lazzarato expands that argument to include all the technical and social machines and assemblages that are constitutive of the production of subjectivity under (semio) capitalism (13). This means that, well before I can put myself to the scene of interrogating the Danish colonial archive and my role in it, the lenses through which I look at them are already structured by the very same archive and the technical and social machines it taps into. This might very well trap us in a paranoid hermetic circle, as Sedgwick contends in her essay on reparative and paranoid readings in *Touching Feeling* (123–52). Yet, to me, it is

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here that the recourse to narrative and critical fabulations precisely becomes powerful, as it allows for the acknowledgement of that impossibility by enacting it and, by enacting, is able to expand and augment into what I elsewhere have called a method of (para)paranoia.[8] So, in a way this passage becomes an enactment of my own complicity with the colonial system, while at the same time capturing my failure to fully account for it. In a way, I perform the very same denial that I am accusing the Danish system of performing.

Drawing on Nietzsche, Butler claims that "we become conscious of ourselves only after certain injuries have been inflicted" (2001: 10). A bit further on, she states that "[p]unishment … is the making of a memory" (Butler 2001: 10). Her notion of a "narrative withheld" is an interesting way to understand Denmark's inability to deliver an official apology, as well as the silence that the pursuit of repair is generally met with:

> Silence … can be seen as calling into question the legitimacy of the authority invoked by the question and the questioner or attempts to circumscribe a domain of autonomy that cannot or should not be intruded upon by the questioner. The refusal to narrate remains a relation to narrative and to the scene of address. As a narrative withheld, it either refuses the relation that the inquirer presupposes or changes that relation so that the one queried refuses the one who queries. (Butler 2001: 12)

In a similar fashion, we can see the arrogance, and indeed silence, that the call for an official apology and the pursuit for repair is met with by the Danish state. It figures as a form of silencing of those who have been wronged, by not even acknowledging the need to account for the wrong that has been done. That silence, which still continues today, is a mere continuation of the same silencing of those voices that have always been silenced by and in the archive.

The intention here, with Saidiya Hartman, is not to give voice to those voices that have been silenced by and in the archive, or to provide closure, but rather to work towards what Hartman calls a method of "recombinant narrative," a term she borrows from video artist Stan Douglas. I find this idea very compelling and powerful: a form of storytelling that " 'loops the strands' of incommensurate accounts" and weaves present, past and future together in narrating the time of

8 Drawing on Sianne Ngai's work on paranoia in *Ugly Feelings*, I suggest a method of self-reflexive paranoia in which the subject knows that she is always already reactively construed and belated, and yet, I suggest, it is this very complicity that enables the condition of agency to emerge at all (Dirckinck-Holmfeld 2015: 105).

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slavery as our present (Hartman 12). Narrative, here, becomes intrinsic to editing. Inspired by Hartman's and Douglas's method, which I read as a proposition for counter-strategies and different ways of working with digital archives, in *The Christmas Report* … I superimpose and use jump cuts between different archives and collections without necessarily being faithful to the fact, taxonomy and order of the archive, jumping between present and past, archival imagery and restaged footage, and juxtaposing conflicting and incongruent material. Maybe, intuitively, this is an attempt to develop a critical method and work against the grain.

PH: To conclude, perhaps I can ask you to expand on the issue of fact and fiction a little, although I am not happy about using these terms in this context. The reason why I ask about this nonetheless has to do with your remark above and the fact that, at times, I felt your installation was difficult to navigate, or "read" if you will, as it is not always clear what we are looking at, whose voice we hear, what the status is of the image we see, the text we read, and so on (like in the passage above). Yet, at the same time, by working through the material in the way your installation compels us to do, it is clear that it also attempts something else altogether, opens up to a different side of the archive perhaps, one that normally remains hidden from view. Can you reflect on this a little more, perhaps to reiterate the importance of your remark about the risk of continuing the old colonial structures in the present-day endeavor to digitize archives like these?

KDH: As you already suggest, I am not so interested in the division between fact and fiction that seemed to occupy the art world for a period. Nietzsche, Foucault and Butler, they all remind us: genealogy is always a production of fiction. There is nothing in my fable that is untrue or fiction. I guess what I am more interested in are the assemblages, the anecdotes, the fragments and snippets of archival material, and how compiling all that material together produces an assemblage of enunciation capable of capturing the intensities, affects and points of singularities of the archives – without staying true to the archival logic or the archive as an institution.

In the performative presentation, I tried to refrain from using actual archival photographs and records, since I believe, following Hartman, that reusing the material is an act of violence, both physically and symbolically. But it was also a way to make the audience complicit in producing that imagery, mentally, through the narration. In that sense, refraining from showing that material, in my view, can also be seen as a form of violence. Thus, I tried to focus on the infrastructure that governs the process of digitization. My use of the image of Hezekiah as the Data Thief | The Data Giver can be seen as taking Hezekiah hostage and appropriating Black Audio Film Collective's figure of the Data Thief for my own purpose of

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trying to make sense of the current mass digitization of the Danish colonial archives. I realize that, by doing so, I risk deploying a similar form of cultural appropriation and colonial theft that I accuse the National Archive of. The Data Thief | The Data Giver is the son of Queen Mary – he carries that legacy by prompting activist strategies in the archive, by taking back what has been stolen, by reclaiming narrative and inserting counter-narratives into the official story. My aim is not to simply change the meta-data and add new information to an insisting structure, but to start a meta-data rebellion against the interfaces and regimes of visuality that govern and reproduce machinic forms of enslavement today.[9] I risk this appropriation, if you will, to advance the relationship between machinic forms of enslavement today and their origins in the technologies and institutions of slavery that the archives bears witness to. I find in the work of Black Audio Film Collective, as well as that of La Vaughn Belle, Jeannette Ehlers, Oceana James and other artists, sensibilities that can inform new ethical and aesthetic assemblages that help us to confront the current problematic of the mass digitization of these archives: an ability to create, out of these fragments, new forms of practices, which we might call critical or perhaps even decolonial practices of repair. Black Audio Film Collective's Data Thief teaches us to attune ourselves to the sonorous, affective and textural dimensions of the archive. It compels us to create assemblages of enunciation that cut across semiotic and a-semiotic or machinic flows of signs, and to create novel forms of subjectivity. It invites us to nourish a relationship to time where the past keeps enfolding on itself in the present. It demands us to stay in and with the discomfort, and to stay in the cybernetic fold of radical, creative, decolonial and technological reimagination.

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9 Machinic enslavement is a term derived from Lazzarato's self-proclaimed homage to Félix Guattari in *Signs and Machines* (2014).

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Coda



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CHAPTER 16

Representational Assemblages: Forms, Concerns, Affects

Frederik Tygstrup

Abstract

Based on the preceding, this chapter situates the question of legibility in a wider context of the challenges and opportunities facing cultural analysis today. The first part of the essay traces some central motifs in cultural analysis back to German and French critical theory and discusses the fundamental approaches to the question of legibility that can be found here. After a brief discussion of how the present development in mediation and media technology impacts on the relation between what is legible and what is not, it is suggested to revisit the notion of *representation.* Representation today, so Tygstrup argues, radically conflates the forms, concerns and affects involved in cultural agency, which eventually is developed through a discussion of the preceding contributions.

• • •

> Today, an event, its image, and its commentary have become one object.
>
> PIERRE HUYGHE

• •
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In his pioneering 1991 book *Postmodernism, or, The Cultural Logic of Late Capitalism*, Fredric Jameson tentatively described the method he wanted to develop as one of "cognitive mapping." Historically, map making has been a practice of rendering space in such a way that the immediate spatial surroundings are being contextualized and plotted onto a more comprehensive, non-sensuous geographic field, thus enabling navigation by combining what can be seen with what can only be known or inferred. Cognitive mapping, to Jameson, is similarly a method of cultural analysis in the sense that it can map immediate

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experiences and expressions, and position them in their relation to "the world space of multinational capital" (54). Cognitive mapping, in other words, is an effort to understand individual expressions not only at face value, but to see them as attempts to manoeuver situations that are widely circumscribed and thoroughly conditioned, expressing these conditions and reacting to the constraints they impose. Cognitive mapping, hence, is at its very outset an approach to *legibility*, ranging from the everyday coming to terms with experiences and impressions to the professional understanding of cultural artefacts of any sort.

Moreover, cognitive mapping is a method that takes the question of legibility to encompass more than whether and how a given message can be decoded. To make something legible, in this sense, firstly entails a comprehensive hermeneutic effort, not only to actually understand the sense of what is being read, but to understand its allegorical import as well, that is, understand it as a figuration that carries in its articulation the conditions and constraints that originally conditioned it, thereby betraying a bigger "map" of the terrain in which it was situated. Secondly, the range of what is legible is not confined to what has already been written, but encompasses any symbolically pregnant assemblage of matter irrespective of whether or not it carries the intentionality of a "message" in the traditional sense. Cognitive mapping is about the combination of any immediate, situated experience with a conceptual effort to gauge the more comprehensive contexts that frame this experience, which means that legibility hinges on every possible symbolic token that can help to stitch the two tenets of experience together. A prominent reading of an unwritten object is Jameson's analysis of the Bonaventura hotel in Los Angeles in the same book, revealing how spatial design and architectural devices can indeed be subjected to a practice of reading that spells out the symbolic significance of their distribution and the allegorical import of the way they are experienced.

Jameson's idea of cognitive mapping heralds a mode of cultural analysis that expands the boundaries of *what* can be read beyond the realm of the written and that moreover raises the stakes of *how* to read by attending to what are only negatively or obliquely detectable as the conditions of possibility of the actual expression under scrutiny. This twofold expansion of the idea of legibility, pertaining to its "what" and to its "how," could indeed stand out as the hallmark of modern cultural analysis.

Leaning on two generations of critical theory – originating in Frankfurt and Paris, respectively – cultural analysis has worked at the intersection of two different notions of culture: a somewhat narrow aesthetic culture of artistic artefacts and events, and a more encompassing anthropological culture of everyday life forms. Insisting that culture in the broad sense is relevant to our

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appreciation and interpretation of culture in the narrower sense, and that the latter is a not less vital inroad to understanding culture at large, the critical endeavor of cultural analysis has consisted in a sustained negotiation of the otherwise institutionally segregated disciplines of anthropology and sociology on the one hand, and of the study of literature and art on the other.

Cultural analysis has studied art objects in a sociological and institutional framework, reading allegorically for the insights into specific experiences and conditions they convey, and it has studied forms of life through the lens of art studies, rendering them legible as symbolic concatenations of signifying matter. In this sense, cultural analysis has transposed an analytical *perspective* from the sphere of social studies to the artistic realm, seeing it in a large context of societal conditions, and thereby developed the understanding of how art and, more generally, aesthetic forms partake in social life and reproduction, contributing to negotiating forms of life and their conditions. Reciprocally, it has transposed a set of *methods* from the realm of studying artistic culture to that of social culture, investing a refined and highly specialized understanding of how meaning is organized – originally devised in studies of iconology, narratology, figurality, performativity, etc. – in shrewd analytical practices that can unpack the symbolic significance of cultural artefacts and events over a large range of instantiations.

Legibility, then, in this critical tradition, is a matter of mapping out the bigger picture folded into the more restricted one, and of paying special attention to the symbolical pregnancy of signifying distributions across all sorts of cultural expressions. At this point, the distinction between the aesthetic and the anthropological, between reading works of fine art and understanding societal institutions and social situations, appears still less pertinent. This, of course, has to do with the effective convergence between the two areas today, with art becoming overtly more engaged directly with political and social issues, and the social logic of production and reproduction becoming still more aestheticized, operating through a prolific array of affective and ideational interfaces. "Culture," in all its different guises, has by now become an increasingly dense magma of representations through which society reproduces itself, on a social level as well as on an individual, existential one.

To the first generation of critical theory, say, from Horkheimer (1992) to Althusser (1976), culture was a matter of ideology, superstructure: representations that served to make individuals and social groups assess (and accept) the positions they were assigned in order to assure an unimpeded perpetuation of the basic structural distribution of social assets. Gauging the social transformation that has taken place over the last decennia of the twentieth century and the first of the twenty-first, Félix Guattari has famously stated that

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superstructures have systematically receded in favor of more elaborate infrastructures (Alliez and Goffey 40). This does not mean, however, that representations – the social imaginary that was by convention conjured up under the name of "culture" – have been replaced by the sheer coercion of indubitable and unquestionable infrastructural relays, but, inversely, that representations have become part and parcel of the infrastructural blueprint of social functioning.

In his magisterial argument for the importance of Guattari's thinking to understanding contemporary capitalism, *Signs and Machines* (2014), Maurizio Lazzarato has stressed this new convergence between representations and infrastructures. Departing from two traditional ideas of societal power, one based on ideological interpellation and thus on "subjection," and one based on social technology and thus on "machinic enslavement," Lazzarato argues that these historically distinct forms are increasingly becoming interchangeable. As social technologies get permeated with processes of exchange and transmission of signs – a "a-signifying semiotics" of information embedded in every imaginable practice – the mechanisms of subjection and submission to machines intermingle:

> The subject/object, human/machine, or agent/instrument relationship gives way to a total configuration in which there is a convergence/assemblage of forces that do not split into "living" and "dead," subjective and objective, but are variously "animated" … In enslavement, relations among agents and signs indeed exist, but they are not intersubjective, the agents are not people, and the semiotics are not representational. Human agents, like non-human agents, function as points of "connection, junction, and disjunction" of flows and as the networks making up the corporate, collective assemblage, the communications system, and so on. (27)

To Lazzarato, this development entails that the two forms eventually merge under the aegis of the machinic enslavement, thereby rendering the traditional field of ordinary signifying representational practices definitely less autonomously discernible and potentially less important.

Combining Guattari's work on the logic of subject formation with Michel Foucault's analysis of power and Gilles Deleuze's influential idea of the advent of the society of control in sequel to the demise of the disciplinary mechanisms deployed throughout the era of industrial capitalism, Lazzarato makes a strong point for the advent of a new social semiotics. Signifying mechanisms are no longer restricted to producing references to things in the world and to

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producing individual and social imaginaries that articulate dominant ideas and beliefs. Or rather, these functions are becoming integrated in a still more tightly knit mechanism of social control and reproduction. In the perspective of this volume, Lazzarato thereby stresses the historical urgency of the question of legibility today, when it hinges less on some meaning inhabiting the object under scrutiny and more on the social processes (and the exercise of power) that run by way of the signifying concatenations we are attempting to read. Reading, to put it differently, finds itself confronted with a new impetus to construct its object differently, attentive to its imbrications with various "machines" of social reproduction that the traditional methodologies of reading would bracket out, not because they would necessarily ignore them, but because they would take them to be of a different order than the objects we read. Following Lazzarato, we could say that contemporary cultural analysis is not about reading *what* the objects we study are saying about something extraneous to them, but about reading *how* they retain a particular function in such contexts.

This again corroborates Jameson's idea of cognitive mapping as an approach to legibility that goes beyond the traditional range of written objects and beyond the hermeneutic restriction to what is in the text. Although the challenges to legibility today do indeed also manifest themselves in straightforward texts and in musings on their potential meanings, they nonetheless multiply with the ubiquity of automatically driven sign-processes and with the new concatenations of signifying practices across all levels of agency. To gauge how cultural analysis can actually manoeuver in this expanded field, where legibility – and its perennial double, the irruptions of illegibility – extend in all directions, we need to reassess how we are actually to approach the legible surface of a culture, that is, the representations it produces.

To retain the notion of "representations" as the designation of our object of study, however, a few caveats are probably in place. Firstly, we should not think of representations only as renditions of something given (a realist fallacy); and secondly, we should not think of such renditions only as results of a particular intentionality (a subjectivist fallacy). In this restricted sense, representations are a kind of intermediaries; they "stand for," as Christopher Prendergast put it in his insightful study *The Triangle of Representation* (2000). They stand for something on behalf of someone. Contrary to this often practical, but still reductive usage, there is a long tradition, going back at least to Kant's critical epistemology, for reversing the relation between the factors at work in a representation, schematically: a subject, an image and an object. In this critical view, a representation is not an image produced by a subject in order to designate or predicate an object; to the contrary, it is an image, a figuration, that conditions

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the possibility both for acknowledging an object and for being a subject in a particular position in relation to that object. The image is not secondary to the object and the subject: they come in threesome.

This reversal might appear trivial after Cassirer's *Philosophie der symbolischen Formen* (2010 [1923–29]), where the concept of symbolic form precisely points to the formative cultural agency of representations (in their material instantiation, as the symbolic *Darstellungen* in language, art and science through which a culture identifies itself), and after Foucault's *L'Archaeologie du savoir* (1969), where the discursive order holds center stage as the place where subject positions, object constructions and conceptual strategies are distributed. But still, as we are never able to position our analytical gaze completely outside this historical grid (the forms through which we consider ourselves and grasp the world, the discourses by way of which we triangulate our position in a reality), we need constantly to submit our "natural" attitude to ourselves and to what we see around us to a second reflection – need to insist that representations are not things that exist in a world, but the very devices of world-making we rely on.

This precaution weighs in with particular force when representations of different kinds multiply and ramify everywhere in a torrent of images, ways of speaking, algorithms, flowcharts, indexes, signature buildings, mirrors, etc. What kind of world-making do they perform? Here, the two directions taken from Jameson's project of cognitive mapping indeed entrust themselves: to read also that which sits outside of the range of literacy we come equipped with as cultural scholars, and to extend the reading beyond the literal, placing it on the bigger map. Especially this second point, often signaled by Jameson as the need for allegorical readings, which has indeed remained somewhat vague in the above, can however be specified by invoking the non-trivial version of what we might understand by "representations."

Representations exist in triangular relations, as Prendergast has it in his book title (itself a *homage* to the first chapter of Foucault's *The Order of Things*): a combination of a sensible form, a possible object and a subjective mode of relating to this object. They take part in the construction of objects and the interpellation of subjects. Hence, again, the lesson from the historians that the ancient representations they study are not documents of how people were talking about things, but monuments of how whatever was counted for people and things were being formatted. They exist within a social dynamic where the modes of being of people and things are being negotiated, imbricated with a flux of "in- and outgoing world," as Robert Musil once put it (1961: 129). The problem of legibility, therefore, is that any sensuous object, any piece of expressive matter we set out to analyze, is somehow both complete and incomplete;

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the hotel lobby, the sonnet, the dance performance or the algorithm indeed subsist before us as spatio-temporally identifiable objects whose order, structure and much more can be described in any degree of detail, but as representations they also embrace, albeit otherwise ineffably, the other corners of the triangle, the subjects and objects they bring together and provide with specific qualities. It is this ghostly presence of the entire triangle of representation in the forms we analyze that the attempt at mapping aims to restitute. The step that takes us from the formal elucidation of cultural artefacts to cultural analysis proper is precisely this step to unpack the negative presence of the entire representational triangle in whatever we take as our objects.

"Today, an event, its image, and its commentary have become one object"; my epigraph by Pierre Huyghe stresses that the triangle of representation is becoming increasingly knotted, that the event (the object side) and the commentary (the subject side) fold themselves still more tightly into the representational object (the image). On a general level, Huyghe's observation is another way of acknowledging the presence of the entire triangle of representation in any individual representation we might attend to. But the idea of a historical intensification also heeds back to Lazzarato's point that the plethora of representations in contemporary networked societies is in fact also a novel state of integration of the economy of representations into the general economy of social production and reproduction. Representations are no longer rare; they have become an ether, a veritable weather we live in, constantly switching our attention onto something and molding reactions on our part by way of which we navigate in this climate.

The working of the representational triangle is becoming still more apparent to us, to a degree where the implication of the construction of an object and the positioning of a subject through acts of representation is less a theoretical point than a shared, mundane experience of the mediation of all aspects of our lives by representations. Legibility has become a matter of urgency, to the extent that it is by now imperious to read this one object as an integral representational triangle.

This volume stands out as a methodological testing ground for creating approaches that can embrace fully developed instantiations of representations where the stake of their legibility is the cultural analyst's ability to piece together forms, the concerns that guide their conception of objects and the affects they produce to engage with these concerns.

In the first section, Looi van Kessel and Seth Rogoff illuminatingly invite us to consider the question of what I have called the negative presence of a representational triangle in the representational forms we examine not as a problem of decoding, but as one of *interpretation*, that is, in hermeneutic terms.

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Drawing on the rich (and in so many ways intersecting) traditions of psychoanalysis and deconstruction, the two chapters share a particular interest in the textual topologies underpinning the advent of meaning in interpretation, in particular the ways in which meaning and non-meaning interact in a subtle play of interdependence. In addition to the rich contributions to our hermeneutic vocabulary (and hermeneutic dexterity), they also potentially provide the musings on representation with a methodological toolbox to unpack the relations between what is present and what is not present but still indispensable to understand representational forms. The same kind of methodological asset can be found in Ernst van Alphen's opening chapter by way of his insistence that the question of affect should not be relegated to belated instances of reception, but remains immediately detectable in the representational form itself to a reading that manages to mobilize diligently an array of factors such as genre, historical public formations and intermedial relations, and that is sensitive to an affective semiotics, in this case developed through Gilles Deleuze's landmark book on Proust. Arguing in different ways that a good reading cannot not read also what is perhaps only legible in effects and reverberations, but still seminal to understanding the form which is read, these chapters interestingly converge with Colin Davis' discussion of "overinterpretation," not least in the highly succinct invocation of Stanley Cavell and the potential "rewards of overreading," by staying attentive to the multiplicity of unexpected and sheer unknown matter that comes to condensation in a text, as Davis richly demonstrates in his examples.

Together, the first four chapters in as many ways demonstrate that making legible is a constant effort to expand and reach out – to unpack and integrate those elements of representation that must be partly developed, partly inferred in order to properly gauge how the representation works. Reading representations, in other words, here stands out as the effort to piece together the effective assemblages of which the forms we direct our attention to are but one element, to tease out the *concerns* they spell out and the *affects* they point to.

In the following section, Siebe Bluijs further develops the question of legibility within a hermeneutic horizon by examining how efforts at reading the law are portrayed by Kafka in the story *In the Penal Colony*. After itemizing the dizzying plurality of perspectives on law as a prospective representation in Kafka's elusively candid narrative, Bluijs deploys Derrida's ideas of iterability and indecidability to show that what we take as our point of departure for reading – here the textual representation – constantly recedes into illegibility as it successively recombines with different possible concerns and affects. This is not only a strong take on Kafka's text, it is also an apt meta-commentary on any hermeneutic endeavor stressing that the more staunchly one focuses on

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the meaning of the representational object, the more potential assemblages of a representational triangle are going to spin out around it. This logic is in turn spelled out in Isabel Gil's chapter, no longer in the guise of a literary parable, but as a matter of political urgency. Through a range of examples – themselves indicative of the span of possible objects of cultural analysis today: a court case from the 1950s, a speech by Obama, a scene from *Harry Potter* and a Spielberg film – Gil counters juridical textualism, still in high esteem among conservative US judges, by glossing the halo of imaginations, expectations and desires in place around and within the law text as a representational object. Law, Gil affirms, is "a porous discourse that interferes in and is affected by structures, narratives and developments across different partitions of the sensible." The juridical text, law's representational form, hardly represents at all, not without assembling with a concern that which the law addresses and an affect by way of which the thing that is addressed can be imagined. Tessa de Zeeuw in her chapter considers what can be seen as an extreme, contemporary instance of legal textualism, namely the automated profiling mechanisms based on data-mining. For one thing, such profilings can indeed turn out to be invalid representations, as in de Zeeuw's example of the Dutch police routinely stopping a black man in an expensive car only to embarrassingly find out he was a renowned rapper. Faced with this piece of failed hermeneutics, the task, according to de Zeeuw, would be to *re-theatralize* such instances of poor and literal algorithmic representation, *re-assembling*, again, the full triangle of representation.

Through the three chapters, this section demonstrates why law has become a predominant object of cultural analysis over the last decennia, that is, why law, on the one hand, calls for a reading practice that comes equipped to map the salient extra-legal parameters at play in the understanding and exercise of law, and how law, on the other hand, in a time where virtually no social relation comes without legal aspects attached, cannot be described in its full political scale without addressing the politics of representation upon which it rests.

With new regimes of signs and machines, as noted earlier, social mechanisms of representation change. These changes, schematically speaking, come about in two stages. On the one hand, in the advent of machinic reading and writing as a core piece in social production and reproduction, we are dealing with something which differs from more ancient, meaning-oriented acts of representation. But, on the other hand, the altercation between what Lazzarato called "signifying" and "a-signifying" semiotics eventually also leads to a transformation of the way representations work on a societal level, and thus to the advent of new modes of representation where the twin semiotics interweave. The contributions to the third section testify to both of these stages: the

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opposition between representations and something different, and the eventual transformation of representations to something different.

Through an illuminating engagement with Jacques Lacan and an aside of his on cybernetics, Yasco Horsman maintains the categorical difference between (human) representations and (machinic) calculations, the first combining a symbolic expression with an imaginary investment of desire, while the second is a solely symbolic construct. Human language and machinic code, thus, invoke different sorts of literacy to become legible. As for the machinic code, David Gauthier in his contribution actually detects two different layers of code: one relating to the "language" of software (source code) and one relating to the hardware-based processes of computing (machine code), which is all about execution, electricity and the contingencies of such performance. Hence, we are eventually dealing with three kinds of legibility: one associated with representations that are fully invested in the social *stratum* of reality, one associated with narrow strings of orders and binary choices, and, finally, one associated with electric differentials, actually not readable at all, except as a difference in intensity and time. These different sign-processes concur in contemporary social practices of representation and make them work differently. In representations such as juridical musings of personhood (in relation to drone warfare) or internet-based modes of self-fashioning (in relation to prosumer interfaces), algorithmic symbolizing and the contingent time of execution in fact impact the ways in which objects are construed and individual affects organized, multiplying the elements that go together in the concerns addressed as well as the dividual parcels of subjectivity that can be invoked. Horsman and Gauthier show how the field of representation becomes wider through the insertion of digital technologies, and at the same time how the construction of representations, their assemblages, get tighter. This is also the drift of Sean Cubitt's chapter, analyzing the image ecologies of the contemporary Internet as a grand-scale commodification of the common and as an agent of a twofold alienation: that of images, and that of the user *cum* producer. Here the question of legibility becomes one of reading the individual image (and its individual use) against the backdrop of the mode of production through which they are formatted, including the series of *quid-pro-quo*'s that this relation entails: of space, of time, of identity and of communication. In this sense, the chapter is a profound lesson on representations and their infrastructures: they are not just afforded by infrastructures, but carry the imprint of infrastructures in their every aspect of production, circulation and consumption. The image, in other words, as a representation, invites two different modes of legibility: one reading inside-out, tracing the infrastructural distribution of objects and subjects, concerns and affects, and one reading outside-in, mapping the

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infrastructural conditions of possibility of individual images. Something similar is at stake in Inge van de Ven's chapter, albeit on a different level, when she discusses the differences between reading based on hermeneutic close reading and algorithm-aided "distant reading," and argues in favor of combining rather than confronting them. "Shifting between scales," as van de Ven has it, is in fact a way to break away from the habit of seeing the text (or image, or representational object) in one specific format, and thereby getting to see the entire triangle of representation involved in an expression.

Reading representations, again, as assemblages of forms, concerns and affects, we engage with forms that are, in some way or other, medial, that is, an expressive organization of matter, whether as text, image, sound or spatial distribution. But these medial forms do come, as became apparent in van de Ven's chapter, in varying formats. "Formats," David Joselit explains, "are dynamic mechanisms for aggregating content" (55). To understand how a representation works – how it can be made legible – we need to take into account its medial form as well as the format through which it is presented. This is amply demonstrated in the last section of this volume. When working with historical material, making it legible is often a matter of framing it, an act of "theatralization" as Tessa de Zeeuw put it. This comes back very clearly in Anke Bosma's comparative reading of two colonial exhibitions. The most prominent difference between the 1907 exhibition and the 2002 exhibition is not the material on display, the medial objects, but the formatting of them, through which they stand out as representations in quite diverging ways. The formatting takes an active part in relaying concerns and affects, and is thus not a secondary or derivative phenomenon. This is also the case for the historical transformations of early materials addressed in the conversation between Peter Verstraten and Giovanna Fossati on film archiving, and in Roxana Sarion's chapter on the digital reformatting of a seventeenth-century religious text. To make representations readable, the *process* undertaken by a formatting weighs in; or, as Pierre Huyghe has it: "I am interested in an object that is in fact a dynamic chain that passes through different formats" (Baker 90). This interest in the role and function of formats for representation is also highly relevant for the intention worded by Katrine Dirckinck-Holmfeld: "In a way, the whole project is an investigation into how the image or document migrates between different contexts, continents, depositories, codecs and compressions and how this route, or line of flight, is engraved into the file's texture and surface."

Having taken the liberty to consider the contributions to elucidate the bearings of legibility today as a sustained reflection on the cultural analysis of representations, I will of course not have done justice to the many precise and intransigent points on the vicissitudes of legibility in this volume. On the other

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hand, by rehearsing some ancient debates on the social life of representation and representations, I hope to have nonetheless acknowledged the importance of asking questions about legibility, positioning this questioning at the very center of cultural analysis' engagement with contemporary culture, and addressing the need to understand representations as objects that assemble forms, concerns and affects in ways that remain instrumental and formative in the (re)production of culture in the twenty-first century.

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