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From the "Artist as Ethnographer" to the Artist-as-Detective

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ABSTRACT. Based on the term "artist as ethnographer," which Hal Foster coined in 1995, this paper proposes the "artist-as-detective." These figures share common ground regarding institutional critique and new areas of inquiry imported to the museum. However, the latter shifts its attention to the use of media in courts and tribunals, noticeable especially when it comes to the research agency "Forensic Architecture." Based on the discourse initiated by Eyal Weizman, who founded the agency to disclose current political and ecological crimes, this paper focuses on its (artistic) habitus. This is to challenge the claim of art being merely a platform. Is the figure of the "artist-as-detective" suitable to grasp this contemporary phenomenon, or is it just an offer of proxy? Using civil disobedience both as a means of protest and to generate counter-information, the format of a cosmopolitical engaged case—which can be ordered by civil society—implies: critique has become a service.

This paper proposes the term "artist-as-detective." It is first derived from the following figures: I. detective, II. *Ius-titia*, and III. spy, in order to see if it is suitable to grasp a contemporary phenomenon—"Forensic Architecture." What sounds like an interdisciplinary practice between forensics and architecture is at the same time a research agency, between an academic institute and an independent office, based at Goldsmiths, University of London. Israeli architect Eyal Weizman founded it in 2010 to disclose current political and ecological crimes. The institute's procedures include architectural modeling and simulation, video montage, installation, and cartographic cross-examinations, presented both in institutions of contemporary art and juridical forums such as courts and tribunals. In a second section, the artist-as-detective is distinguished from the "artist as ethnographer," which the art-historian Hal Foster coined in the context of "institutional critique" in 1995.

In its quasi-institutional status and its consequences for civil society Forensic Architecture combines aspects of the bureaucratic production of police evidence, of video activism, "WikiLeaks," lobbies, democratic institutions, political parties, and New Social Movements in a dialectical fashion.

I. Detective

The agency adheres to certain principles of the classic detective literary figure. The detective—for Rainer Just (2018) a symptom of secularization—usually stands in contrast to both police and criminal. The figure originates from the discipline of criminalistics, as Fred Siegel (cf. 2014, 18–19) writes in *Forensic Media*.¹

A historical precedent: the first detective agency, "Le bureau des renseignements," was founded 1833 by Eugène François Vidocq in Paris. It combined detective activities with directory information services.

How far does Forensic Architecture's update of the nineteenth century detective extend?

For the film scholar and critical theorist Siegfried Kracauer (cf. 1979, 51) detectives aren't directed *at* the ratio, but *are* their "personification," as he writes in his philosophical treatise on the detective novel (published 1935²). Comparable to that, the agency, embodied in its name, claims to *be* the discipline *Forensic Architecture*: subject, collective authorship (mediated by the director), and practice are made congruent in a performative way. Detection is no longer optimized via a nicotine-consuming genius individual (Sherlock Holmes), but through a distribution of areas of competence to experts: from the testimony of victims to the testimony of experts. Demands deviate from investigatory-truths (*Ermittlungswahrheit*), instead of claiming absolute truth.

The work of Forensic Architecture takes place in the context of "post-facticity," an ideological-media-political conflict situation.³ For David Rothenberg (cf. 2017, 21–22) the word "post-factual" is misleading, because it is more a matter of a "trust crisis" in (social) institutions, which were previously regarded as proxies of rational fact building. As a consequence of the tendency of (western) neo-liberal states and state agencies to manufacture fake news (as previously attributed to totalitarian regimes), this shift can thus also be interpreted as facticity no longer claimed solely by (quasi) state institutions: Weizman's (cf. 2017, 64) credo is "to take over the means of evidence production." This implies that Forensic Architecture tries to make transparent how evidence is created by introducing new forms of media reflexivity to courts and tribunals. Rather than looking for causal evidence chains, data and other fragments are collected and put in relation to each other. It is no longer "boredom, the basic disease of bourgeois society" (Just 2018, 149) that has to be combated by means of detective action; rather, factuality is debated by those who, so to speak, responsibly bear their citizens' rights and who additionally are experts of aesthetic judgments. Truth is deduced investigatively, while disciplines are artistically transgressed.

Despite these changes, the following remains relevant: the historian Carlo Ginzburg (cf. 1980, 12, 23–24) speaks about an "epistemological model," which towards the end of the nineteenth century (between 1870–1880) established itself silently in the "human sciences:" the so-called "conjectural paradigm" (Ginzburg 1980, i.a. 15). He observes an analogy in different types of "detail":⁴ "symptoms, for Freud, or clues, for Holmes, or features of paintings, for Morelli." (Ginzburg 1980, 11) All three are based on a "medical semiotics or symptomatology—the discipline which permits diagnosis, though the disease cannot be directly observed, on the basis of superficial symptoms or signs" (ibid.). Insofar as Morelli,⁵ as an "art connoisseur," is comparable to the detective (cf. Ginzburg 1980, 8), his findings regarding a possible forgery could subsequently serve the purposes of copyright law: supposedly insignificant details (not the motif) betray the picture as an original. In the forgery, the layers of the painting become the crime scene, on which the methodological implications of the aesthetic-judgment are contested.

As it is well known, Morelli experienced headwinds from art historians who rejected his practice for being "positivistic" (cf. Ginzburg 1980, 8). This reproach is also present in the critique of Forensic Architecture's investigative techniques, which concerns their focus on classic evidential means such as cartography, statistics, graphs, and documents, among others, and which widely replace logical detective thinking processes. Those means get placed in a spatial architectural model. In a following step, it is edited to a linear video-montage. Data traces are transformed into information, serving not only demonstrative purposes but as the basis of evidence collages. These get activated as independent testimony in the trial to present the judge with a visual-filmic-cartographic-model that goes beyond the linear narrative of an analytical detective story.

II. *Iustitia*

Against Kracauer's reading of the detective, Forensic Architecture seems to conjure *Iustitia* as an antagonistic meta figure. The Roman goddess embodies the ideal of punitive justice since modern times. It is an abstract principle, symbolized by the scale, the sword, and the blindfold; she realizes herself in the promise of justice. Punishment and clemency: one can project onto the icon of *Iustitia* one's own associations. The blindfold, often symbolic of an act of violent incapacitation, is found with *Iustitia* as emblem of a liberal idea: neutrality and a judgment free of the visual appearance of the accused or the actors involved in the lawsuit. The visual is excluded in favor of the oral speech (originally the singing invocation) in court.

This historical practice is currently undergoing change: on the international level an integration of a new cultural technique is taking place: deep mapping. In human rights tribunals and in the International Criminal Court at The Hague (ICC) evidence is admitted in trials, which is audiovisual and virtual-cartographic in nature, based on video re-enactments, computer animation, and spatial-narrative environments.⁶

CASE. For *The Ayotzinapa Case* (2017) Forensic Architecture collaborated with the *Centro de Derechos Humanos Miguel Agustín Pro Juárez (Centro Prodh)*, the *Equipo Argentino de Antropología Forense (EAAF)*, and the *Museo Universitario Arte Contemporáneo (MUAC)* in Mexico City. The investigation is a suitable example of an interactive "deep map"⁷ that was produced on the occasion of a kidnapping of 43 students in Iguala, Mexico, in 2014. The platform results from data mining based on two different open-source software (for data analysis and web visualization such as for data management) and the use of satellite imagery. Footage uploaded by visitors can be experienced and examined by the researchers. The platform allows spatio-temporal zooming and a change of axis within three-dimensional planes. The main venues are three crime scenes. The videos available on the platform serve as tutorials explaining the events and operation.

On the one hand, *Ayotzinapa* is structured according to the nature of the events, movements, and communication processes of the actors involved on the day of the kidnapping. On the other hand, it shows the legal and investigative steps—the dominant being the disappearance of bodies and the destruction of evidence. The most important methodical presentational method is the geo-tagging with terms and associated symbols, which can be faded in and out. For example: medical help, accident, communication, surveillance, violence report, command, attack, and shots. (See Forensic Architecture, *Ayotzinapa*)

Ayotzinapa can be accessed online via <http://www.plataforma-ayotzinapa.org>. It was also part of the exhibition *Forensic Architecture: Hacia Una Estética Investigativa* at the Museo Universitario Arte Contemporáneo (MUAC). The case got translated into the exhibition context as an investigative installation. The central part consisted of a large-scale diagram, site-specifically in the format of a mural, including a legend providing indications of how to read it.

Despite visible surfaces and those at the threshold of visibility being replaced by another surface, Forensic Architecture to some extent invokes *Iustitia's* ideal by excluding the "victim's" face or its bodily remains (which were shown in documentary human rights initiatives and critical Holocaust receptions during the twentieth century). Consequently, it is not the (photo- or videographic) face or corporality of an affected person that justifies and directs the investigation, but the aesthetic-material-data-like affection of figure and environment.

Detective plots can anticipate trends and inspire the police, as Ronald R. Thomas notes in *Detective Fiction and the Rise of Forensic Science* (1999, cited from Siegel 2014, 40). They can also inspire jurisdiction. In recent years, especially in the field of Non-Governmental Organizations and civil society initiatives, the practice of "open-source investigation" has developed on the basis of publicly available or leaked material.

CASE. *77sqm_9:26min* (2017) is an investigation undertaken by Forensic Architecture. It was commissioned by the *Tribunal NSU-Komplex auflösen*, supported by the *Haus der Kulturen der Welt* (HKW) Berlin, the *Initiative 6. April*, and *documenta 14*, where the investigation was exhibited in Kassel in 2017.

77sqm_9: 26min reconstructs the murder of Halit Yozgart associated with the *NSU-Complex* (National Socialist Underground of Germany) at an internet café in Kassel in the year 2006. The original material for Forensic Architecture's investigation was a video of a police investigation in which an on-site Hessian intelligence agent, Andreas Temme, reenacts his behavior during the incident in order to illustrate that he did not notice the murder. Forensic Architecture doubted the credibility of Temme's statement and thus created a digital model of the internet café on the basis of materials of the police report and photographs found open-source. Additionally, a physical model of the café was constructed at HKW as a true-scale installation to investigate the process of murder in both models within three scenarios.

Forensic Architecture considered the spatiotemporal matrix of the event (based on phone and login data and witness statements), the visual component, the acoustics of the pistol shot, and the scent of the gunpowder. For each of these simulations, an expert in the field of acoustics, guns, and algorithmic calculation of odor expansion was hired. In a third step, a digital model of the physical was created to superimpose all three and thus compare and verify data. The agency delivered a judgment, which does not say who committed the murder, but that asserts the incorrectness of Andreas Temme's statement. His reenactment video had originally been considered representative, but Forensic Architecture's analysis questioned it as a crime. (See Forensic Architecture, *77sqm_9:26min*)

III. Spy * proxy server

Just (cf. 2018, 146) explains that while the detective Auguste Dupin in Edgar Allan Poe's first detective story from 1841 reconstructs the crime from newspaper clippings and visiting of the location of the incident, this physical contact disappears in the detective story that Poe publishes one year later.

What has changed between 1841 and 1842 and which evidentiary techniques have evolved in the meantime? The practice of DNA profiling, which developed in the 1980s, has, due to the ambiguities involved, since its beginning been highly contested. With digital forensics, the nature of criminology has changed: instead of being physically present, different forms of witnessing have established. Following Poe's trend, Forensic Architecture focuses not on the ethnographic logic (going *back* to a crime scene to conduct field research), according to which images are authentic and legally testifying. The agency instead operates on secret vision, engaging almost exclusively with what has already been medially translated and transmitted, even if that implies dealing with images in low resolution (Hito Steyerl calls them "poor images").

In this respect, there is yet another figure that needs to be considered in order to determine the habitus of Forensic Architecture: one that observes unnoticed, through various media and surveillance technologies. A spy is usually understood as either an architectonic mechanism (the classic example is an optical device in a door) or a person/an agent.⁸ In the third chapter of his detective treatise, Kracauer develops the metaphor of the "hotel lobby" as a transitory and insignificant scene of secret crimes.⁹ In this impersonal lobby, a counterpart to the "house of God," one is "guest" of an incognito host (cf. Kracauer 1979, 38, translated by LS). Opposed to Kracauer's non-engaged depiction of the lobby, Forensic Architecture acts as a specific interest group (lobby) in pursuit of social justice. It discovers the impersonal as well as inconspicuousness (for Kracauer [1979, 53], this refers to "behavior and clothing") that spying offers as a reservoir for oppositionality. Nota bene: the agency has its own varying spies that deliver data, which is often collected via networks of espionage or social-media calls for footage of a specific event. It thus takes advantage of the democratization of medial recording devices (including architectural, natural, and electronic sensors) to reverse control. Users of devices thus contribute to the investigations as invisible co-producers.

Whereas the spy is a figuration, the “proxy server” is a metaphorical translation to the digital to grasp another technological aspect of the spy’s becoming: clients (in a judicial and communicative sense) engage the proxy server Forensic Architecture.¹⁰ As a mediator, the agency accesses the web for leaks to represent (instead of portraying) the clients as an advocate.¹¹ As a proxy, Forensic Architecture lays bare that information has always already been processed before it comes into view. Art finds itself in its prevalent role between invention and analysis.

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In turn, one can now consider the “artist as ethnographer:” Hal Foster unmistakably summons institutional critique and its investigative installation of the 1990s when he speaks about a “prestige of anthropology in contemporary art” (Foster 1995, 305). He names five reasons for such prestige: (i) anthropology studies ‘*alterity*,’ (ii) with ‘*culture*’ as its object, (iii) and mediates the ‘*interdisciplinary*,’ furthermore (iv) ethnography [used synonymously with anthropology] is regarded as ‘*contextual*’ and, most importantly, (v) is marked by ‘*self-critique*’ (cf. *ibid*).

It is noticeable that both ethnographer and detective are professional statuses that point to a certain agenda and purpose. From the perspective of art theory, the figuration of the artist-as-detective marks a transformation of artistic habitus. It shares with the artist as ethnographer the intent to contest “the bourgeois institution of autonomous art,” but the “subject of association [for Foster: from *The Author as Producer*, as formulated by Walter Benjamin in 1934, to the *Artist as Ethnographer*] has changed” (Foster 1995, 302) once again: in contrast to the artist as ethnographer, it is no longer “the cultural and/or ethnic other in whose name the artist [...] struggles” (Foster 1995, 302). While the artist as ethnographer still has a valid role, the artist-as-detective speaks both *for* and in copresence¹² and complexity *with* civil society and ecology in middle voice.

First of all, artists and detectives can be thought of as cultural translators of a trans- or post-nationally imagined civil society: between the conformity of the art market and non-conformity of critical production, or between states, corporations, police, and civil-society. These distinctions easily dissolve with institutional critique canonized and handled as a genre. It becomes more complicated, when, as Foster (cf. 1995, 303) describes, artists are sponsored to engage with a community socially or economically. This ambivalence is happening in the case of Forensic Architecture, with a significant inversion: its detective activity can be ordered—by a human rights platform, a Non-Governmental Organization, or a community (whereas requests from states or companies are denied on principle). Forensic Architecture’s work is partly funded by the European Research Council of the European Union and is scientifically safeguarded through its academic association.

Apparently, there is a tradition of critique being delivered as a service in the context of art: non-autonomous site-specific case studies commissioned by a museum—“the institution *imports* critique” (Foster 1995, 306, original emphasis)—are at risk of becoming a tradable product or commodity. However, Foster’s critique is no longer sufficient for Forensic Architecture. We are dealing with a new “win-win-situation” of museum and agency:

A. Forensic Architecture exports critique to the museum, because it among others:

- commissions investigations
- serves as a publication medium for some investigations
- serves as a platform for rational and antagonistic public discourse
- serves as a forum, when formal courts reject the investigations of Forensic Architecture
- secures media attention as well for the question whether the investigations are art.

B. The museum imports Forensic Architecture's critique, which is *not* created *for* the museum, because:

- the museum's public can learn about evidence production
- the museum invites dialogue with Forensic Architecture about aesthetic strategies in the context of jurisdiction
- Forensic Architecture's positivist approach to law and dogmatics challenges post-structural paradigms of ambivalence
- Forensic Architecture's media-reflexive strategies are equipped with political relevance, where reflection is one aspect, while engaging transformatively in the case-specific contexts is the main intention.

These translational operations are based on a mutually dependent relation. The exchanges specified portray the museum as an utopian and socially engaged player. As any other institution it deals with ideological and economic constraints and politics of representations that do not only determine commissions and practices of archiving, but the very definition of the museum. This makes the promises of institutional critique (contextuality for situational forms of knowledge, transdisciplinarity, media reflexivity, and applied cultural studies), tied to new strategies of civil disobedience and the creation of counter-information, highly topical and relevant. Thus it appears that the detective practice is found not merely on the narrative, but also the strategic level: Forensic Architecture consciously makes use of the foregrounded institutional mechanism.

Conclusion

The artist-as-detective combines seemingly contradictory features—it is rational and situational (geopolitical and contextual) and affirmative/positivistic towards normative categories and as well jurisprudent. This is due to the figures and figurations that constitute its "*conceptual personae*"¹³: the classic detective, *Iustitia*, and the spy.

The artist-as-detective is an update of the 1990s artist as ethnographer with a strong reference to the nineteenth century conjectural paradigm.

The proxy of artist-"as"-detective can be left behind, to claim that Forensic Architecture is a detective agency. However, when it comes to "artist," the hyphenated habitus needs to be expanded: *artists-as-detective-agency-as-spy-as-proxy-server* are in secret service for civil society.

Notes

- 1 "Nineteenth-century modernity not only spawned a new scientifico-legal discipline (criminalistics) in reciprocal association with a new literary fictional genre and protagonist (the detective story, the detective hero), it also sowed the seeds of the cognate discipline that would, in the twentieth century, come to be called 'forensic engineering.'" (Siegel 2014, 18–19)
- 2 It was written between 1922–1925.
- 3 Post-factual politics implies a reproach to the cultural 'establishment' and normative instances of the media landscape. A remark: 'post-factual' (*postfaktisch*) was voted word of the year 2016 by the Association for the German Language.
- 4 In place of *detail* it says *Spur* in the German translation, which can mean *trace* or *clue* and is thus evoking stronger connotations.
- 5 The "detective doctor and art historian [Giovanni] Morelli" was, with his "micrological method" and "deep hermeneutic" practice of tracing, model for Freud's studies of the unconscious, so Just (cf. 2018, 151–152, translated by LS).
- 6 In 2017, the ICC for the first time filed an arrest warrant, based on evidence from social media footage.
- 7 See: Bodenhamer, David J.; John Corrigan, Trevor M. Harris (ed.), *Deep Maps and Spatial Narratives*. 2015, Indiana University Press.
- 8 Especially productive for my thoughts on the spy is the ongoing exchange with Elisabeth von Samsonow.
- 9 Thanks to Marc Caplan, who inspired me to include Kracauer's treatise in this paper and who generously commented the draft for this paper with knowledgeable remarks.
- 10 When it comes to "proxy server" I am thankful for the critical feedback on the "artist-as-detective" by Hannah Bruckmüller. Deviating from the artist-as-detective she and I are developing the "art-historian-as-detective."
- 11 Gayatri Chakravorty Spivak (cf. 1990, 108) differentiates the twofold aspects of representation, which lie between "proxy [*Vertretung*]" and portrait [*Darstellung*]."
- 12 "Copresence" is used in the sense of Braidotti (2011, i.a. 210) for her productive and affirmative reinterpretation of "difference."
- 13 The term "conceptual personae" is borrowed from Rosi Braidotti (*Nomadic Theory*, 2011, 216) and her reading of Gilles Deleuze.

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