

*Exposed or Framed? The Criminal Body in Focus*  
- Sekula's Account of the Photographic Archive -

In his essay *The Body and the Archive*, Sekula details the instrumentality of the advent and maturation of photography in the generation of a new discipline of policing: the criminal archive. In this capacity, he links the photographic image and its archival qualities and implementations specifically to the methodologies proposed by two leading archivists of the time, Bertillon and Galton. Both of these men specialized in the archiving of criminal portraiture - yet their goals, practices and results differed widely. Nonetheless, they together represent the two inverse trends upon which all archives are founded: the instance and the universal. Sekula notes that "these two semantic paths are so fundamental to the culture of photographic realism that their very existence is usually ignored."<sup>1</sup> By this, it seems that he intends at some level to trace what is normally considered a purely aesthetic photographic practice back to an affinity between the photograph and the archive: an affinity which is not merely historical and persistent, but in fact structurally fundamental. Furthermore, this structural affinity is linked to the two structural trends of the archive, the instance and the universal - as embodied, in Sekula's reading, by the practices of Bertillon and Galton.

Bertillon, on the one hand, expounded the practicality of the archive for street detective work; he was concerned therefore mostly with creating standardized systems of photographic portraiture, body measurement, shorthand notation, and categorical filing - in order to create an archival structure based on a construct of body-traceable, catalogic criminal identity (or, for that matter, simply catalogic bodily identity). Each card (each person) in this catalog was arranged according to a statistical hierarchicalization of bodily measurements, in order to enable the card's rapid retrieval for comparisons: his main aim was to facilitate the identification of recidivists. This resulted in the description of a classification of habitual deviance (a major concern of the day, following new discourses likening crime to both disease and genetic disposition - also with the birth of the social body, and the ensuing concern for statistical health). Bertillon, therefore, in terms of the archive, was interested in the practical applications of retrieving the unique instance out of the universalized whole: as Sekula writes, he "sought to individuate"<sup>2</sup> - which he did by creating a social scale of deviation upon which each individual was an increment. His focus on repeat offenders is important here because the concern was with criminals who were escaping justice under pseudonyms (the growing commodification of the economy at this point was related to a fear of thievery, as it practically amounted to a thievery of status and identity). The purpose then was to fix each criminal with an unalterable identity - one which would thereafter be the possession, not of the thief, but of the bureau of investigation. Photographic portraiture played a major role in this. Sekula writes, "This battle between the presumed denotative univocality of the legal image and the multiplicity and presumed duplicity of the criminal voice is played out during the remainder of the nineteenth century. In the course of this battle a new object is defined - the criminal body - and, as a result, a more extensive 'social body' is formed."<sup>3</sup>

The definition of both the criminal body and the social body was the project of Galton. In contrast to Bertillon's "criminalistics," Galton practiced a type of criminology based on composite imaging. As the founder of eugenics (and a self-fashioned defender of culture against its seeming degeneration and dilution), Galton looked for an identifying typology of the criminal - in order that

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1 Ibid., p.19

2 Sekula, p.19

3 Ibid., p.6

humanity might breed it out of existence. Sekula writes, "Galton attempted to construct a *purely optical* apparition of the criminal type."<sup>4</sup> In other words, he envisioned a pseudo-statistics of the imaginary. His composite photographs were intended to display, however, the *reality* of the type, eventually leading up to the universal type (the social body). His method therefore relied on a rhetorical inflation of the photographic index, achieved through a conflation of the instance with the universal. Sekula writes, "Galton... wanted something more than a mere trace, something that would match or surpass the abstract capabilities of the imaginative or generalizing intellect."<sup>5</sup> In other words, he wanted to find the trace not only in the instance, but also in the universal. His work thus had the opposite trajectory to that of Bertillon: Galton used photography to construct imaged orders of man, while Bertillon used it to construct imaged men of an order.

Yet, specifically, why photography? What specific role did photography play in these formations of the archive? Is there something essential to the structure of the photograph that not only lends it to this use, but in fact calls for this use? In the mid-nineteenth century, photography was both hailed and feared as an entirely new type of image - it both resembled its subject matter meticulously, and yet was somehow also the natural product of it - in Pierce's terms, it merged the index and the icon to an intensely rigorous degree. This novelty carried what was either a utopian and dystopian potentiality, depending on the viewpoint. Sekula summarizes it thusly: "Photography promises an enhanced mastery of nature, but photography also threatens conflagration and anarchy."<sup>6</sup> The photograph thus not only had the power to discover nature, but to actually control to it - in fact, to (re)constitute it (yet reconstitute it as what?). In a sense, photography merged the Real and the Imaginary. The bastard child of science and art, it was a bit too obtuse to fit entirely within either of those high-minded enterprises. It had, rather, more colloquial tendencies. It was mainly used as a crutch to memory. Sekula quotes Jane Welsh Carlyle, who describes photography, in 1859, as "this art, by which even the poor can possess themselves of tolerable likenesses of their absent dear ones."<sup>7</sup>

On the other hand, memory was the also the crutch of the photograph. The root of the photographic index is an intense level of contingency (to etymologize: "con," with + "tingent," touch - thus, the momentary touch of two objects, nature and the negative); this contingency is also, within the archive, the root of the photograph's nature as instance, which is essentially relational or comparative. Furthermore, this contingency provided the sense of "photographic proof" that deemed it worthy to the law. Yet this contingency was so intense, so momentary and fleeting, that it threatened to undermine the staid iconographic status of the image. The conditions of the photographic instance, therefore, became a necessary implementation and inclusion with the image in order for the photograph to retain its universality, its intelligibility, its context - to guard against misrepresentation. The restrictions both Bertillon and Galton placed on their photographic methods reflect this need. Sekula writes that "Bertillon insisted on a standard focal length, even and consistent lighting, and a fixed distance between the camera and the unwilling sitter."<sup>8</sup> This was coupled with a doubling of the instance, the grafting of the frontal and profile viewpoints onto the same archival individual. Galton clearly had similar methods, though less strict, as his goal was not the minute separation of identities, but rather the grouping together of types (therefore, in theory, actually, the more wild the contingencies of each instance which could still produce a clear iconographic status in the composite, the more solid the actual proof of his typologies - which is why he relied on rhetoric instead).

Thus, especially in Bertillon's practice, a certain stabilization of contingency provided the necessary context for comparisons. Sekula characterizes this comparative tendency of photographic portraiture as either "honorific" or "repressive" - or rather, as both simultaneously. He writes, "...In a more general, dispersed fashion, in serving to introduce the panoptic principle into daily life,

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4 Ibid., p.19

5 Sekula, p.55

6 Ibid., p.4

7 Ibid., p.8

8 Sekula, p.30

photography welded the honorific and repressive functions together. Every portrait implicitly took its place within a social and moral hierarchy... We can speak then of a generalized, inclusive archive, a shadow archive that encompasses an entire social terrain while positioning individuals within that terrain."<sup>9</sup> To illustrate this point - the grandiloquently hierarchical relation of the social archive to the police archive - there is Barthes' commentary on the absurd stabilization of contingency that takes place in what would normally be considered an "honorific" photographic portrait (i.e. not technically for use within the police archive): "... A device was invented, a kind of prosthesis invisible to the lens, which supported and maintained the body in its passage to immobility: this headrest was the pedestal of the statue I would become, the corset of my imaginary essence."<sup>10</sup>

Perhaps in order to more fully determine the abstract structure involved in the photograph and its archive, it would be helpful to first ground the analysis in a more concrete structure. In a way, the photographic police archive can be thought of as an extension of the prison: "Criminal identification photographs... are designed quite literally to facilitate the *arrest* of their referent."<sup>11</sup> The archive is in fact always closely linked to architectural structure - specifically, that of Bentham's Panopticon. In his analysis of that design, Foucault elaborates the function of architecture as a structure which defines the movement - and arrest - of bodies in space. Architecture thus is a form of control through empowerment, or access to physical territory. This takes place on two levels. The building first constitutes the subject as the relation of the body to a paradigm of spatial positioning. The power deployed here, in this first order, is that of synecdoche (the part for the whole and vice-versa). Furthermore, this construction is always positive in tone (as the part is never outside the whole). In the archive, this is the trajectory of the universal. The notion of repression (restriction of access), on the other hand, constitutes a second order of power, which is nonetheless wholly reliant on the first. This power is that of litotes (understated affirmation by negation of the contrary); it posits a divisive, oppositional relation between two parts within a whole ("I am not quite there") - and it is always negative in tone, although it is always essentially positive in the constitution of its understood meaning ("I am quite here"). This second order of power - the power of composition through separation - is the archival trajectory of the instance. It is moreover what allows for a hierarchy of accesses, though it is yet reliant on the first order to provide the unstated field of its movement. It moves, as it is a fluid power, constantly adjusting its deployment to the movement of the body - while the first order of power remains universalized and fixed.

The genius of the Panopticon was, first, to recognize these two powers inherent in the access to territory, and, subsequently, to magnify the second order of power (comparative) by compounding it with a radical dichotomization of access to the visual: in the central watchtower, the gaze flows freely and emanates in all directions (its status, therefore, is to discern the multiplicity of the periphery) - yet in the cell of the individual incarcerated, the gaze is restricted entirely to the occluded windows of the central tower (the prisoner can only assume that he is being watched at all times; indeed, he assumes the gaze of the tower, his own inverse - he internalizes it, constitutes himself of it, though it is entirely alien to him). This very relation of the observer to the observed and back again is reflected perfectly in the opposing ends of a camera lens: one side grants total access to the visual world (even surpassing the crude, quotidian standard of unaided perception - i.e. the goal of the Enlightenment), while the other side employs the gaze only insofar as it is constituted as a reciprocal, as a self-awareness reflected in the imaginary gaze of the viewer of the photograph, and symbolized at the moment of exposure by the cyclops stare of the disembodied camera-eye - captivation in the threat of being consumed. Barthes notes this sort of captivation as he writes of the stasis of his photographic pose (even unaided, as before, by "prosthesis"):

Now, once I feel myself observed by the lens, everything changes: I constitute myself in the process of 'posing,' I instantaneously make another body for myself, I

<sup>9</sup> Ibid., p.10

<sup>10</sup> Barthes, *Camera Lucida*, p.13

<sup>11</sup> Sekula, p.7

transform myself in advance into an image... I feel that the Photograph creates my body or mortifies it, according to its caprice... But though this dependence is an imaginary one (and from the purest image-repertoire), I experience it with the anguish of an uncertain filiation: an image - my image - will be generated: will I be born from an antipathetic individual [repressive function] or from a 'good sort' [honorific function]?"<sup>12</sup>

The photographic pose is thus a form of arrest akin to the arrest of the incarcerated in the Panopticon: the photographic frame echoes a prison cell - the click of a shutter, the turn of a key.

This panoptic structure of visibility may appear ostensibly totalitarian - yet it is only so at the level of the single instance, at one point in time. In terms of the building itself (whose present analysis will be useful as a sort of backwards metaphor for the subsequent movement of the photograph itself and the photograph within the archive) - Bentham, in fact, predicts that something of a democratic ideal would ensue over the longer duration of the prison's operation: "You see, I take for granted as a matter of course, that... the doors of these establishments will be, as... the doors of all public establishments ought to be, thrown wide open to the body of the curious at large - the great *open committee* of the tribunal of the world."<sup>13</sup> Coupled with this trope of democratic hope, the structure was also designed with new principles of the humane in mind - a new reverence of the body - which called for a new type of discipline: the prevention and reformation of deviance (just as a disease could be quarantined and treated), to replace the merely cruel and, even worse, irrational punishments of yesteryear. Taking these premises to their logical ends, the reformed criminal, then, might one day in fact come to occupy the central tower himself (and perhaps it would be just that nearsighted desire which spurred his arduous self-discipline).

Thus, to Bentham at least, the Panopticon is intended to operate on a wider spectrum than that of a simple prison, a place of simple containment and exclusion. The ideal operation of the Panopticon is rather social reform or therapeutics, and so Bentham entreats the mechanism's inclusion of the "body of the curious at large" - in other words, the social body (or at least, in practice, the accumulation of those normalist bourgeoisie who yet harbor a thrill for the underlife). This social body then enters the prison, specifically, at the only space proper to such a statistical achievement: the central tower, the sole site of pure rationalism within the structure (i.e. it is the site to which the peripheral cells compare themselves, devise themselves - the zero degree of the relational, the gold standard by which an individual's exchange-value is inversely measured by units of deviation). At first, the social body's entrance into the machine is performed (by those harbingers and, more discretely, keepers of normality: the rationalists) in order to ensure the mechanism's proper functioning according to statistical laws; in effect, the social body, waving its mathematical metaphysics above its head as the banner of its unique impartiality, replaces the prison guard as the figure of the panoptic observer. Thus, criminals are no longer the concern of merely the police force - now they are a concern of the social body itself. Each individual within the prison, at this point, is compared to and thus found to be deviant from the - by definition, unattainable - normalcy of that abstract social body. Furthermore, this deviance can soon extend to each individual within the whole of society: as Barthes writes, "...the Photomat always turns you into a criminal type, wanted by the police..."<sup>14</sup>

Indeed, in the habituation (à la Benjamin) of society to this new architectural technology, the machine is brought increasingly into abstraction, into abstract propagation, outside the walls of the physical structure itself. As a result the Panopticon is reconstituted at the levels of the social institutions, such as the police force (Bertillon) and social science (Galton). Furthermore, through the reconstitution of those institutions as *disciplines*, they extend their reach to the levels of the everyday (to the "Photomat"). This is what Foucault calls "panopticism," which, at the crux of democracy and totalitarianism (between the universal and the instance), compromises and produces a practical hierarchy, based on access - access no longer to the spatial territories of architecture, but now to the

12 Barthes, *Camera Lucida*, p.10-11 (my own interpretations in brackets)

13 Bentham, *Jeremy Bentham: The Panopticon Writings*, 1995, p.47-8

14 Barthes, *Camera Lucida*, p.12

metaphysical territories of its more abstract cognate, the archive. (Observe, offhand, that the root "archi-" comes from the Greek, to "begin" or "rule" - a pointer to the prominence of the zero degree as the root and arbiter of comparative power within the archive system; and although "architecture" is on the other hand a compound originally designating the "work of the master builder," it is interesting to note, also, how Architecture, after the Panopticon, begins to constitute its own discipline, organized itself by the very architectural mechanisms of power as delineated by panopticism.) In theory, only the abstract social body, as the zero degree of deviance, should have full access to the archive, thus undergoing no individuation within one of its "cells." In practice, however, access is distributed hierarchically: each individual's social value is based on that individual's assessment in comparison to the social body, and this determines the amount of his or her access to the archive.

This trajectory of hierarchical compromise between the dichotomous instance and democratic universal can be found in the structure of the photographic camera, and the structure of its practice. In the single instance - the taking of a picture - a photograph can frame a great number of subjects, all momentarily incarcerated, exposed, bracketed, indeed, objectified. On the other side of the lens, however, there is technically room for only one dictatorial eye. Nonetheless, once the photograph has been shot, the subjects are liberated from their momentary stasis (though they may retain something of the nausea of their objectification) - and the roles of observer and observed may immediately be reversed. Once the photograph has been printed, moreover, it can be disseminated to any number of viewers, even to the original subjects themselves (engendering an even more physical example of self-discipline and reformation than that of the panoptic prisoner). This proliferation of the privileged gaze, like the parade of society through the central tower, generalizes the singular eye of the photographer to that of the social body, and, in theory, the gaze is rendered democratic. Indeed, the photographer often feels this future abstract social vision descending upon his sight while in the midst of a shoot, informing his compositional decisions, in fact, becoming that inescapable intentionality - the very reason for picking up the camera in the first place (this feeling is the inverse of the photographed subject's temporary assumption of Barthes' static pose, which foreshadows the immobility of his future image). This "future abstract social vision" is in fact the universalizing trajectory of the archive - the necessary containment of the chaotic instance (instant, index), in order for there to be some sort of general, social readability inherent in the picture itself. Again, Barthes on the pose:

But I - already an object, I do not struggle. I foresee that I shall have to wake from this bad dream even more uncomfortably; for what society makes of my photograph, what it reads there, I do not know (in any case, there are so many readings of the same face)... others - the Other - do not dispossess me of myself, they turn me, ferociously, into an object, they put me at their mercy, at their disposal, classified in a file, ready for the subtlest deceptions..."<sup>15</sup>

Unfortunately, the supposedly democratic viewpoint of the archive is rather the simple extension of totalitarianism under the guise of the abstract figure of the social body. The inherent problem is that the abstract social body, by the very nature of its abstraction, is wholly mutable by the discourse of the discipline in question. This is certainly evident in the more extremely polemical, more blatantly selfish cases: Galton's eugenic methodologies, for instance. For another, equally egregious example, Sekula analyzes the reliance of South African Apartheid on a totalitarian control over the "democracy" of the photographic archive. Sekula mentions the photographer Ernest Cole, who, in order to be even *legally allowed* to practice photography, had to first see to it that his social status was upgraded from "Black" to "Colored"<sup>16</sup> - an identity closer, hierarchically speaking, to the "normal" (however minority) status of being "White." Yet this regime of the visual also goes to show how vulnerable the universality of the archive truly is - and how much social structure must be in place in

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15 Barthes, *Camera Lucida*, p.14

16 Sekula, p.63

order to safeguard the identifying "non-identity" of the social body. In short, it is clear that not only does access to the archive rely on the abstract construction of the social body (or rather, the construction of each individual in relation to this phantom), but the abstract construction of the social body, moreover, relies on the restriction of access to the archive. This is why Sekula applauds the efforts of Chase in taking a bit of personal control over the photograph. Yet even he admits that the interpretation of Chase's dissemination of images depends, in practice, entirely on the context, the reigning ideology, into which they are received - this is why Chase was immediately offered the role of informant to the South African police, and furthermore was able to publish his book as a subversive document only *outside* of that structure, to more (yet already) sympathetic observers in the United States.

Could there be another alternative, then? Is there a space that is cleared by the photograph itself that makes room, however subtle, for some kind of *internal* subversion? In the face of insurmountable interpretative disciplines, this subtlety would have to amount to kind of meaningful nonsense of the photograph. It can be found then, in fact, not in Sekula's Foucauldian futilism (actually, Foucault himself saw promise in the nonsense of the "mad poet"), but rather in the *punctum*, as described by Barthes. For Barthes, the *punctum*, as opposed to the supreme intentionality of the image, is the *unintended* recognition, by the viewer of the photograph, of the Death of the Referent - the *wholly* contingent nature of that photograph. This Death of the Referent is, furthermore, tied to a recognition on the viewer's part of his own impending death - and thus the eventual destruction of his constructed identity. The punctum therefore allows the viewer a path of escape, however fleetingly, from the seemingly inescapable regime of the social body. Barthes writes, "The 'private life' is nothing but that zone of space, of time, where I am not an image, an object. It is my *political* right to be a subject which I must protect."<sup>17</sup> In the face of the contemporary trend away from the contingent nature of photography, toward the total assimilation of the index into the icon itself, toward the omnivorous appetite of the video-camera, this announcement must be taken ever more gravely. It is the right of the subject, in fact, to die the death of the moment, and *not* be preserved by a conflation of the Real and the Imaginary, where the odiferous stop bath of the darkroom is in fact no different than the suffocating formaldehyde of the funeral parlor.

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17 Barthes, *Camera Lucida*, p.15