

Video Justice: Public Anxiety and Private Trauma

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This paper represents the first steps in a new project: a jointly authored book on the relationship between realism and reality television. Cultural critics have noted how mass forms of popular culture can provide ways of confronting and managing the basic psychic tensions of contemporary urban life (Richards 1994; Elliott 1996). These tensions are arguably produced as older forms of authority and security – the law, democratic government, community, judiciary, religion and so on – have been critiqued, eroded and displaced by an increasing public political cynicism and a turn to the self as the only possible marker of integrity (Lasch 1978, Frosch 1991, Farrell 1998). Modern discursive technological forms such as the television, the video camera and the Internet participate in new convergences such as so-called reality entertainment, producing intersubjective media spaces within which the individual subject – interviewee, witness or protagonist – is looked to as a primary guarantor of experience and knowledge; new spaces in which the self takes centre stage as victim, hero or witness. It could be argued that as these technologies mediate ‘real’ actions and events within the non-tangible digital realm the individual subject, who is central to the story, becomes a crucial co-producer of the new economies of realism (see Dovey 2001). This paper examines the hybrid genre of reality or ‘true’ crime television in order to explore tensions between cultural anxiety, media spectacle, the economy of the gaze and the individual subject.

Crime, confession, spectacle

Historically, the spectacle of capital and corporal punishment dramatised the operation of power, its apparatuses and its effects on the body of the criminal subject (Foucault, 1975). Here the communal gaze was focused on the criminal body as it was physically subjected to punishment. The field of vision in which this occurred was public, even civic; the act of looking at the criminal was both an entertainment and an act of self-disciplinarity – a powerful reminder to the self of the sovereignty of the law. With the decline of public punishment and the removal of the criminal to prison, the law-breaker and the spectacle of his or her punishment was removed from public view. At the same time the role of the criminal subject within legal and popular discourses was transformed so that simply confessing to the crime was not sufficient; both the law's executives and the wider citizenry also wanted to know and understand the motivations behind criminal acts. So, argues Michel Foucault, from the early nineteenth century court procedures and the establishment of medico-legal discourses required more than a simple confession from the criminal subject but rather a declaration, 'a revelation of what one is' (Foucault 1988: 126).

In this way the criminal began to exert a new kind of popular fascination just at the moment when procedures of the law obscured him/her from popular view, removed within the institutional walls of the police station, courtroom and penal institution. As a consequence, and perhaps as a form of compensation to a curious public, criminal acts and more particularly the law's pursuit of the criminal became highly visible, appearing first in crime and detective literatures and screen fictions and now in the quite different forum of non-fiction crime television. In fact, the criminal was one of the primary subjects of photographic and cinematic technologies, embodying the developmental relationship between surveillance, the reproducible iconic image and the circulation of images within modernity (Sekulla 1986, Tagg 1988, Gunning 1995).

Television and other screen cultures have always exhibited a preoccupation with crime and the powerful tensions that it engenders. Both their fictional and journalistic productions offer audiences innumerable variants of crime: its operation, its protagonists and its effects. In Britain, true crime programming such as *In Suspicious Circumstances*, *Michael Winner's True Crimes* and *Expert Witness* have offered dramatised crimes of violence and murder whose representational power resides in the extra-textual knowledge that these events really did happen. Their authority resides in their commitment to the infallibility of the law. All three programmes present cases that have been solved and part of the viewing pleasure here lies in the alliance between presenter, police and audience in the reconstructed detection, pursuit and capture of the criminal. *Crimewatch UK*, *Crime Monthly* and *Crime Ltd* and America's *Most Wanted*, which promote themselves as extensions of the law by inviting viewers to help solve crime, provide dramatic reconstructions which allow viewers to 'see' the crime take place, providing an experience unavailable to consumers of either news programming or crime fiction (see Schlesinger and Tumber 1996). In America *Court TV*, television arbiters such as Judge Judy and the serialised O.J. Simpson hearings (1994) have gone even further in revealing the processes of the law without recourse to any dramatic reconstructions.

Public fascination with the Simpson case, of course, began much earlier than the televised trial with the filmed high-speed car chase in which the suspect took flight from the police. This scene, reminiscent of so many fictional crime thriller movies, is representative of reality crime TV footage: charged with the knowledge that this is real, charged with the 'here and now' immediacy which is the always potential technological precondition of television as a form (see Fiske 1996). Recent programming such as *Chopper Coppers*, *Cops* and *Shops, Robbers and Videotape* deploys the same kind of footage; presenting a spectacle apparently grounded in the *authentic* and the *immediate* moment that characterises both realism and television itself. These newer forms of true crime entertainment have extended the arena of the preoccupation with crime as display and as a form of exchangeable currency within media networks. Current reality crime television consists of hybrid genres that are

recombinants of earlier forms, including drama, straight to camera interviews, news and police footage, CCTV, expert opinion and spectacular set-piece scenes of criminal behaviour, pursuit and capture. Each component, video clip, interview, still image etc - variously sourced and infinitely reproducible - has become a unit of exchange, a small piece of an electronic televisual assemblage. Unlike news, contemporaneity is not important here, and programmes will often present a mixture of footage and stories up to a decade old.

The vicarious pleasures of witnessing crime, disaster and other life-threatening occurrences are sanctioned by the moral discourses of criminal justice, the address to the responsible citizen and overt support for the emergency services (Goodwin 1993, Biressi 2001:77-88, Hill 2000). These narratives most often conclude with the apprehension of the criminal. Consequently, as will be seen in the example of *Video Justice* discussed in detail below, these programmes can in no way be said to present an overt critique of the law. In fact the programmes provide a cultural prop for the law's authority and much of the footage is provided by law enforcement agencies. If the law is challenged in these films, it is only through the relentless catalogue of criminality that suggests that the law's job is never done, that complete lawfulness is always an unfinished project - and even then of course its very incompleteness is a further justification for the law. The use of surveillance technology and the dissemination of film footage have produced new ethical dilemmas. Programmes such as *Rat Trap* (Carlton UK) actually set up a potential crime scene in order to film the ensuing thievery and mayhem before asking viewers to identify the criminals being filmed. On some occasions the scenes are without any potential legal outcome at all as the protagonists are too young to have their faces shown on screen. Executive producer Sarah Caplin who was called upon to defend the programme argued, 'We are not creating the crime, nor are we inviting people to steal...We are replicating normal activities...and using cameras to see what happens next' (*Radio Times* 4-10 March 2000:103). This 'replication' of criminal activities, neither wholly an authentic crime in real social space nor wholly a fictional crime in media space, constitutes a new public forum and with it an invitation to think

through the ethics and etiquette of its inhabitation.¹ As viewers we know the preconditions of the crime, that it is a 'sting' or 'lure' established to catch criminals in the act and to open up the scene (usually of necessity hidden) to public view. These activities may not be unusual, but despite Caplin's assertion, neither are they 'normal' because they are outside of the acceptable bounds of civic behaviour; indeed it is the aberrance of crime that invites such avid curiosity.

The ethical complexities of these new forums of social/media space shift, depending upon the relationship between the individual subject of film footage and the uses made of the film within its local context. For example, in 1995 media debate arose about the case of Geoff Peck, a resident of Brentwood Essex, who walked into the street and cut his wrists. His actions were picked up on camera and the police were soon on the scene to help. The footage however was sent out by the council in a press pack to promote its surveillance system ('cameras save lives'), sold to the BBC and ITV and finally circulated in forums such as local and national papers and a reality crime show. Peck turned on his TV set to see himself trailing a true crime programme. The title of one of many newspaper articles expressing doubts about this and other cases 'the all-seeing eye that understands nothing' (Conrad 2000) summarises the disquiet over this seemingly impartial but actually highly invasive technology. Media journalists and alternative media groups such as Undercurrents have asked, for example, at what personal cost is this footage released into the public sphere (Undercurrents 1997).

These ethical issues are also embedded in broader civic questions about the demarcation of public/private space within a heavily mediated modern social sphere. News technologies have extended the field of vision within public space, creating a new psycho-geography of lived space. In Britain the spread of cameras arguably marks the boundaries between rich and poor, as they're often situated in areas where property and corporate interests are given

¹ Kathleen Curry (2001:179) has demonstrated in her sociological audience study of crime television that part of the interest for viewers in these kinds of scenes resides in their sense of the 'other'; that these crimes occur in other social settings than their own.

priority, while muddying the boundaries between the public and the private. Geoff Peck's case foregrounds this problematic, begging the question of whether by taking a personal (legal but 'antisocial') action in a surveyed public space he lost any right of media privacy. Clearly the presence of the camera creates a new power relation here between actor, action and space; a relation that posits a new dimension through the presence of mediated witnesses.²

Crime television and the modality of witness

John Ellis, in his book *Seeing Things* (2000), has argued that it is the distinctive experience of 'witness' which has been one of the abiding characteristics of twentieth century media culture. Here he is speaking essentially about the increasing importance of the mechanical technology of photography and then audio-visual technologies of representation – cinema and television, and the ways in which they posit new relations between text and audience. The modality of witnessing as described by Ellis goes some way to explaining the experience of television. Features such as direct address, the technology of transmission, sound, live performance, the rhetoric of liveness, the promise of the immediate and the presence of TV audiences constitute, when taken together, the particularity of television. And it could be argued that more especially the spectacles of news, live media events and other non-fiction forms, which purport to speak about the world, are the most typical – i.e. archetypal – forms of television. For Ellis twentieth century technologies have brought us visual evidence of historical events – visual documentation – of war, genocide, famine, assassination – of the lives of famous people and ordinary people – that is unprecedented. He notes:

The feeling of witness ...is one of separation and powerlessness; the events unfold, like it or not. They unfold elsewhere...So for the viewer, powerlessness and safety go hand in hand. In another sense, of course, the act of witness is nevertheless powerful. It enables

² Ariella Azoulay (2001) examines these new alignments of power and space with great clarity in her chapter on the video footage of Yitzhak Rabin's assassination. Here she examines the role of the camera in that event and the ways in which it is not merely a technology of witness but an interventionist protagonist in its own right.

viewers to overlook events...Yet at the same time...individuals ...become accomplices in the events they see. Events on screen make a mute appeal: 'you cannot say you did not know.' (p.11)

This points to the shifting field of involvement and distancing that others have described in relation to television viewing at large (Ang 1982:96-102, Fiske 1987 173-176). The 'complicity', the sense of being somehow an accomplice of televised events becomes more pointed when these events are violent, traumatic and 'real'.

Video Justice: Crime Caught on Tape (1997 Fox) is one of the more controversial American reality crime programmes. Like a number of British as well as American series on crime, policing and the emergency services *Video Justice* is made up of a patchwork of shaky film footage sourced from CCTV and private security cameras, police cameras and home video tapes. This is edited in with interviews with medico-legal experts, law enforcement agents and members of the public who have become the victims of crime. Extra-diegetic music is used to build suspense and cue emotional responses to the material shown. The programme's twin warning and invitation to viewers cautions that what they are about to see is 'graphic, troubling and real.' It begins with a sequence of violent monochrome images anchored with a voiceover that notes, "There's a war going on in America, a hidden war, between citizens and criminals. There's a new weapon in that war – the video camera.' The metaphor of a 'war against crime', commonly deployed by citizens, journalists and politicians alike, is given extra meaning when located in the United States whose mythological history is bound up with gun culture. Moreover, the condition of fearfulness embodied in the language of embattlement is arguably symptomatic of broader social anxiety. Christopher Lasch, in his ground-breaking work on the growing culture of privatisation and the increasing narcissism of American culture explains the national condition of solipsistic self-regard as a response to the 'warlike conditions which pervade American society, from the danger and uncertainty that surrounds us, from the loss of confidence in the future' (1978: 27).

Taken as a whole the 60 minute 'show', edited to present a 'rollercoaster' experience of speed and a variety of registers and illegal acts and misdemeanours, offers a 'carnival of crime' which is clearly entertaining as well as disturbing.³ Besides the highly controversial scenes of shootings and beatings viewers are also offered scenes of social inversion, which temporarily test the bonds of the ordered society. One section of the programme offers the spectacle of a group of exhilarated teenagers, male and female, demolishing immaculate new show homes with hammers, fists, paint and anything else they can lay their hands on. They filmed themselves in the act, arguably constructing an alternative home video that challenged the conventions of family photography and of the ideal of domesticity. In another scene youths filmed themselves firing paint guns in a parody of drive-by shootings. Viewers are drawn into the game as they travel with the boys through the town at night and watch with glee the shocked faces of pedestrians, cyclists and street people as they fall to the ground, hit with exploding paint balls. Here a theatrical display of youthful transgression and the colonisation of public night-time space is replayed in mediated form. It is difficult not to read this textual strategy as one imbricated with the pleasures of voyeurism and the forbidden gaze. The programme works hard to justify the broadcasting of footage which was originally shot for reasons other than entertainment. The voice over reassures us that these films were also often the incriminating evidence – that they were in fact scopic law enforcement technologies. But this reasoning of film as evidence can be subverted or at least challenged in disconcerting ways. For example, the boys who were prosecuted for paint-balling were indicted through their own camerawork which showed not only the shock of passers-by as they were hit but the gleeful pleasure of the offenders. It was stated that it was this visual and aural evidence of their pleasure in the act that inspired calls for a heavy sentence. In response the boys were advised by their defence team to be filmed as they apologised and were pelted with paintballs. In other words, a video narrative

³ We are indebted to students on the 'News, truth, power' course at BCUC for sharing with us their perceptions of this programme and its audience appeal. The phrase 'carnival of crime' is taken from

of their guilt was counterpoised with a video of their contrition. As an act of counter discourse it produced a new story about the boys which implied that the first video could not be regarded as a summative and final interpretation of events. *Video Justice* (together with the court) however interpreted this film as suspect: its constructedness or artifice was simply more evidence of their guilt within the framework of the programme.

Inevitably perhaps, since very few of the cases shown on these programmes remain unsolved, these and other law-breakers are *seen* to be brought to justice. The viewing pleasures of carnivalesque criminality are consequently fleeting, framed as they are by generic codes that demand that the law's sovereignty remains paramount. One comic scene confirms this, reinforcing the implacability of the law in the face of a challenge of the most everyday kind. A speeding driver is pulled over by a highway patrol cop and given a ticket. The driver responds by completely losing his temper, shouting and shaking with rage to such an extent that his truck rocks. In the face of the driver's near apoplectic fury the cop remains laconic and imperturbable; even making the driver get out of the vehicle to pick up some litter that he's dropped. Eventually the driver, having lost a decidedly one-sided argument, drives away deflated. We watch the whole scene via the camera installed in the patrol car parked behind the truck. Consequently we never see the face of the cop and the driver's face is deliberately blurred. The exchange is between the driver – the 'unknown citizen' and the cop as an emblematic implacable figure of the law. The technology of the law seems to confirm the law's status as paramount, irrefutable and adamant. The driver is anonymous, we are denied any visual evidence of the speeding offence for which he was stopped and we do not hear whether he challenged the fine in court. The story of the citizen and the law is truncated so that the law's power is incontestable.

While the potential pleasures here are as various as the scenarios depicted they are all arguably rooted in the intersection between three things: that the events depicted are 'real', that they focus on the transgression of legal limits

Presdee (2000) who draws on Bakhtin's work in order to think through the operation of law-breaking as the 'second life' of citizens lived out in the interstices of the ordered society.

and that the law is seen generally to be re-established. These are scenarios of power; its illegal adoption and its legal reassertion. As with the news stories discussed at the outset of this article an imaginary relationship between public and police is formulated through visual technology. Finally, they unite the public sphere of law enforcement with screen 'entertainment' via a highly attractive and ubiquitous trope in media culture – criminal endangerment.

Victim's testimony

...our belonging comes not from the fact that we are all criminals but rather from the shared fact of victimisation. It is through our victimage that we come to belong to the social body. To be a victim is to be a citizen.

Alison Young (1996:55)

The reassurance that 'justice' has been done in the majority of cases recounted in *Video Justice* however does not obviate the threat of personal vulnerability that weaves through the narrative. The 'war' going on in America needs victims, and as Alison Young suggests in the quotation above, it is the collective victimage of viewers, that posits them as citizens allied in the battle against crime. The seemingly relentless catalogue of crime on *Video Justice* is predicated upon personal fear and injury. We see this most graphically and most movingly in the scenes where the victims of crime speak to directly to camera, their voice-overs used to direct viewers' understanding of visual material and inviting empathetic identification. These scenes, even though they may be disturbing or voyeuristic, are also consistent with the development of non-fiction television as a documentary form. The interview and the direct testimony derived from it are basically no less problematically an artificial discourse as are many other documentary techniques. Indeed Brian Winston's historical account of the development of the documentary interview argues that the law was in fact the source of this documentary technique; as the proliferating documents required witnesses to attest to their authenticity or accuracy (Winston 1995: 138-142). In this sense the victims' testimony substantiates the law's (and the show's) account of crime and its resolution.

However the function and the effect of the victim's testimony is also much more complex and difficult to assess than the above comments suggest. For example the story of jewellery storeowner Jack Schram is told through videotape footage and direct testimony. It launches with a man entering Schram's shop. A voiceover states that the storeowner has a right to be wary since two years earlier he was violently robbed. At this point the film cuts to this earlier footage of Schram being overpowered, before returning to the event in hand. Due to this experience he carries a gun behind his back; as the intruder draws his weapon so does the storeowner but he has left the safety catch on. Schram is shot. He speaks to camera, 'I looked at myself and said, 'Oh my God I've been shot. I'm gonna die [his voice breaking] I can't die, I have two little girls....' His verbal account continues as a voiceover to the footage of the gunman running back into the store. To camera Schram informs us, '...he put the gun back to my head and pulled the trigger.' A loud click is dubbed onto the soundtrack and after a pause Schram comments, 'he thought he had another bullet in the gun. His voiceover continues as his body is carried out on a stretcher and then to camera he says [voice breaking]:

All I could think about was my little girls and they would grow up without a father. They ask me everyday, "Daddy why do you have all those booboos [bullet scars] on your stomach?" And I tell them that's what the bad man did to me. And they say, "Daddy, why are you crying?" And I tell 'em that's what the bad man did to me.

Here reality TV's constant 'restatement of the theatre of horror', to borrow a phrase from John Dovey (2000: 78) overblown and sensational, seems to founder; juxtaposed as it is with personal psychic and physical damage. The quavering voice of the victim, the visible tears in his eyes, constitute a very different kind of 'evidence' that seems to cut through the artefact, the mechanical reproduction of reality, to provide not simply a personal account of the fear of crime but an account of fear *tout court*. The damage to Schram's body and our witnessing of his body's removal by paramedics into the ambulance is the point where the corporeal and the hyper-real come up

against one another within media space. As Kirby Farrell explains in her account of late modern culture, it is the body and its increasing distancing from its environment through prosthetics that is at the heart of traumatised self.

Only within the past century or so have we become creatures whose bare feet rarely if ever touch the ground, creatures who can see inside their bodies, artificially propagate themselves in petri dishes, walk on the moon. In this framework our prosthetic dimension calls into question...What is the ground of our experience? (1998: 175-6).

Even as the camerawork and its framing within the programme produce the victim's body within media space the ground of his experience, the place of his trauma, is located in the injured body.

Bibliography

Ang, I. (1982) *Watching Dallas: Soap Opera and the Melodramatic Imagination*, London: Routledge.

Azoulay, A. (2001) 'The floodlit arena [of murder]', in *Death's Showcase: The Power of the Image in Contemporary Democracy*, Trns, R. Danieli, Cambridge, Mass: MIT Press.

Biressi, A. (2001) *Crime, Fear and the Law in True Crime Stories*, London: Palgrave.

Conrad, P. (2000) 'The all-seeing eye that understands nothing', in the *Guardian* 10th December.

Curry, K. (2001) 'Mediating Cops: an analysis of viewer reaction to reality TV', in *Journal of Criminal Justice and Popular Culture*, 8:3:169-185.

Elliott, Anthony (1996) *Subject to Ourselves: Social Theory, Psychoanalysis and Postmodernity*, Cambridge: Polity.

Ellis, J. (2000) *Seeing Things: Television in the Age of Uncertainty*, London: I.B. Tauris.

Farrell, K. (1998) *Post-traumatic Culture: Injury and Interpretation in the Nineties*, Baltimore, Maryland: John Hopkins Press.

Fiske, J. (1987) *Television Culture*, London: Methuen.

Fiske, J. (1996) *Media Matters: Race and Gender in US Politics*, University of Minnesota Press.

Foucault, M. (1975/1979) *Discipline and Punish: The Birth of the Prison*, Trans. A. Sheridan, London: Peregrine Books.

Foucault, M. (1988) 'The dangerous individual', in *Politics, Philosophy, Culture: Interviews and Other Writings 1977-1984*, L. Kritzman (ed.), London: Routledge.

Frosch, S. (1991) *Identity Crisis: Modernity, Psychoanalysis and the Self*, London: Macmillan.

Goodwin, A. (1993) 'Riding with ambulances: television and its uses', in *Sight and Sound*, January: 26-28.

Gunning, T. (1995) 'Tracing the individual body: photography, detectives and early cinema', in L. Charney and V. Schwarz (eds.) *Cinema and the Invention of Modern Life*, London: Berkeley: University of California Press.

Hill, A. (2000) 'Crime and crisis: British reality television in action', in E. Buscombe (ed.) *British Television: A Reader*, Oxford: Oxford University Press.

Lasch, C. (1978) *The Culture of Narcissism*, New York: Norton.

Presdee, M. (2000) *Cultural Criminology and the Carnival of Crime*, London: Routledge.

Richards, B. (1994) *Disciplines of Delight: The Psychoanalysis of Popular Culture*, London: Free Association Books.

Schlesinger, P. and Tumber, H. (1996) 'Television, police and audience', in J. Corner and S. Harvey (eds.) *Television Times*, London: Arnold.

Sekulla, A. (1986/1989) 'The body and the archive', in R. Bolton (ed.) *the Contest of Meaning*, Cambridge, Mass: MIT Press.

Tagg, J. (1988) *The Burden of Representation: Essays on Photographies and Histories*, London: Macmillan.

Undercurrents (1997) 'Caught on camera' at http://tv.cbc.ca/undercurrents/1997_1998/week01/ accessed 21/10/01.

Winston, B. (1995) *Claiming the Real: The Documentary Film Revisited*, London: BFI.

Young, A. (1996) *Imagining Crime*, London: Sage.

