

Television and the Fragility of Testimony

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The following pages are excerpted from an essay devoted to Rodney King and testimonial video.¹ My starting point involves the irreversible incursion into the domain of American politics made by media technology. Thanks to the media, the subject is being arrested according to altogether new protocols of containment. Practically everybody in homeless America is under house arrest. Few episodes have exploded into the polity more decisively or borne more singularly upon our understanding of the relationship between law and the media than has the Rodney King "event." One of the questions that should henceforth inform our discussion of rights is thus the place of the media in the representation of legality. In view of televised legal proceedings and other allegories of justice, the question of human rights has to be set in proximity to the question of technological transmission systems. The televised Rodney King proceedings (Cops on Trial) treated the regulation of force, its constitution and performance, in terms of an ethics of dosage. While TV was under the covers, nomadic video captured the images of violence committed by the Los Angeles Police Department. (A further question concerns the mythic dimension of the LAPD, object of fascination for television and Hollywood: consider in this regard the redescription of the LAPD in Arnold Schwarzenegger's futuristic Last Action Hero. The LAPD has been an effect of media technological desire since at least Dragnet and Perry Mason, which means that it can never be a matter of mere historical reference when it comes to analysing the excesses of this police force.) Anyone who watched the trials knows that the referential stability of the images was blown out of the water. Witnesses were reading blurs and blurring images. The semantic status of the image was severely undermined as TV conducted its interrogation of force. This interrogation has been a subject of philosophical debate since at least Deleuze's reading of Nietzsche on force. Testimonial video prompted television's consideration of its own textual performance in the production of force. One more thing: I feel as if I ought to apologize for the necessarily elliptical nature of the following fragment. Read it as though you were watching TV, letting yourself be interrupted by the commercials, phone, food, company. The seriated mode of reading will let sense accumulate around these phrases.

So, as I was saying, the Gulf War was blanked out, put into a position of latency. As with all unsuccessful attempts at repression, the symptoms were bound to come rocketing from a displaced area of the vast televisual corpus. The Rodney King event of 3 March 1991 staged the survival of the Gulf War in its displaced form. (Indeed, on his last day in office, on television, Chief of Police Daryl Gates blamed the media for precisely this type of displacement: "You made [the Rodney King beating] into something bigger than the Gulf War."² This holds for the beating, but when the troops were sent into LA, the media reverted to their failure to show, recovering in essence their rerunning away, or the structural relation to the whited-out war.)

The event we call "Rodney King" has brought the question of force, or officially, the question of excessive use of force, to a hearing; it has placed police action on trial. Desert Storm was time and again understood as police action. Whether or not this represents a conceptually correct assessment in terms of strategy, buildup, tactical manoeuvres, declarations of intent, and so on, the fact remains that in this case police action and military intervention have been collapsed in the national unconscious. "Rodney King" (who as such never presented himself in the trial that refers us to him) names the hearings that never took place for war crimes committed in the Gulf War. Condensed and displaced to the beating of Rodney King, the televised trial, subtitled *Cops on Trial*, thematized unthematizable force fields of intensity, while studying the problem of impact and the incitement to brutality with which TV has always been, in one form or another, associated. What is the relation between TV and violence: hasn't this been television's only question when you get down to it? "That's not the way force is studied," retorted use-of-force expert Robert Michaels several weeks into the trial.

COMMERCIAL BREAK

Bringing to the fore a study of force impact involving the difference between incapacitating strikes and pain compliance impact devices (in particular the electric TASER gun), upper body control holds, and theories of escalation and de-escalation of force, the Rodney King trial showed how television, under pressure from video, was hearing out arguments organized around its own essence. This essence was shown to be critically linked to questions concerning trauma control and the administration of force. As the use-of-force expert tells it, on the first level the "empirical" force spectrum entails evaluations of verbal communication and effects of presence, while the second level involves responsiveness to pain compliance impact devices, including the upper body control hold and the choke-

hold (whose routinely racist applications the police recognized and hence avoided using when beating Mr. King). Resolutely uninterrogated, the force spectrum fails, however, to provide a reliable grid for evaluating force because it has not been tapped by theoretically sound means that would throw some light on what constitutes “effects of presence,” “responsiveness,” “communication,” and so forth. I am not so foolish as to prescribe a mandatory reading list of Heidegger, Wittgenstein, Deleuze, Foucault, and Derrida for police training, though it would not hurt (their victims). But were the police to start reading or knowing what they are doing, or whom they represent and why, they would no longer be the police, the phantom-index to which Benjamin’s “Critique of Violence” points us. At the very least they, as readers, would be essentially detectives: those who, resisting group formation, sometimes have to turn in their badges or cross an ethical-legal line in order to investigate, piece together, read, and scour unconscious densities of meaning. It’s not a pretty job, and it’s generally managed according to a different time clock than the one regularly punched by the police. To the extent that pedagogy was blamed for the failure of the police to understand the scene of arrest or to control their use of brute force and teachers were asked to speak about teaching, questions of how to read or, at least, how to produce effects of learning were emphasized in the trial. While the introduction of the “force spectrum” was never in itself reflected upon or theorized about, it nonetheless serves to circumscribe whatever levels of responsiveness law enforcement and television attempt to elicit and regulate, each in the idiom peculiar to it. Working over the arrested body, each inscribes and wastes it, making it do time, sometimes along the lines of teaching a lesson.

One would have to bring to bear a critique of violence in the manner of Benjamin, if TV itself were not trying to tell us something about the status of legal and social fictions. TV does not know what it knows. In the idiom of Heideggerian insight, TV cannot think the essence of TV, which it is nonetheless constantly marking and remarking. Television’s principal compulsion and major attraction comes to us as the relation to law. As that which is thematized compulsively, the relation to law is at once there and not there, cancelling its program by producing it. (Hence the proliferation of police shows, from *Dragnet* to *Perry Mason*, *911*, *Hard Copy*, *Top Cops*, *FBI*, *Law and Order*, and courtroom dramas; even westerns with their lone law enforcer and inevitable sheriff belong to this topos.) This relation to law which television compulsively repeats as its theme is simultaneously presented as the unthematizable par excellence – that is to say, this is a relation that cannot be presented as such but can only be appealed to or offered up as metonymic citation. Television is summoned before the law, but every attempt to produce the relation to law

on a merely thematic level produces instead a narrative which is itself metonymic; the narrative is metonymic not because it is narrative, but because it depends on metonymic substitution from the start.³ In other words, television cannot say the continuity of its relation to itself or its premier “object” which can be understood as force. This is why Rodney King’s show, *Cops on Trial*, is about television watching the law watching video, its call to order, a figure of order that tries to find the language by which to measure out an ethical dosage of force. At no point do television or the police delude themselves into assuming they can do without force, but they do not question this essential supplement. (Concerning supplements and dosage, television, as a drug, is also a tranquilizing force, regularly absorbing and administering hits of violence. After a hard day’s work on *Psycho*, Alfred Hitchcock used to doze off in front of TV, claiming that TV, unlike film, was soporiferous.) Alternately stimulating and tranquilizing, ever anxiety-producing, television belongs to the domain of the internalized *Ge-Stell* or “posure” of drugs, which is why, once again, the Rodney King narrative had to begin with a false start acknowledged by all: everyone involved in the chase had to begin with the assumption that they were pursuing a PCP suspect. Without this technology’s relation to the asserted effects of drugs – hallucination and supernatural force – there would be no act of television reading itself, which is to say a “self” pumped up on the supposition of drugs but without any substance behind it.⁴

HEADLINE NEWS. The disruption to experience and comprehension that trauma involves

What, then, are the charges made in the Rodney King trial? The defence has tried to show that, following the car chase, Mr. King took a step which in fact was a charge – he is said to have been charging the LAPD. The counter-charges, made by the defence in this case, pivot on the difference between a subject who is taking a step and one who is charging: if King was charging, then the force used to subdue him was justified. The distinction between taking a step and charging cannot be determined with certainty by the footage provided in the George Holliday videotape. There seems to be an impasse, even though a phenomenal imaging of this scene exists. Repeated several hundred times in court, the frame-by-frame analyses explicitly raise questions about the relation between video recording and human memory. When witness David Love relies on his own memory of the beating, he feels the violence to have been entirely justified; however, when he is asked to interpret the video, he finds the “same” scene to display an excessive and altogether inexplicable use of force. Throughout the testimony, the witness is asked to express

“what the video does and does not say.” The entire problematic of witnessing comes into play. An assertive if provisional conclusion nominates the video as “the best witness,” but video, it is further argued, “doesn’t tell the whole story” because it cannot reveal “state of mind.” There are no strong readers around, at least none are called in. Superior Court Judge Stanley Weisberg rules out the expert testimony even of psychologists (who should not perhaps be confused with strong readers).

Is there a whole story, a totality of a story, that eludes the video scope but can be located elsewhere? Is there a state of mind, a clarity of intention, an interpretation with its totalizing impulses, upon which the LAPD can confidently count?⁵ We know that a “strong reading” (one should measure how much force strong reading requires) of the tapes would need first to account for these metaphysical ploys and rhetorical deceits if only to discern the axiomatics upon which the constitution of force could be thought. What the video cannot in any case show, states the court, concerns an interiority which it cannot inscribe; the video is pure surface without depth, running a mystifying release precisely because it fails to record inner perceptions. Unfueled by metaphysics, video is running on empty. Without access to interiority, the videotape deflects the scene from its locus in truth. This is why the court rules in favour of human memory of violence, the flaws and gaps in recall notwithstanding. Precisely where human memory of experience fails to achieve cognition – so the logic seems to go – it captures the “whole story.” The court depends upon this evacuated site in order to retrieve a sense of the totality of the scene. This explains how the videotape’s excess weighs in as deficiency in court. A mere machine, simply present while at the same time devoid of presence, it originates in a place without truth. As pure surface the videotape effaces interiority as a condition of running. This is why the police give it chase, on and off the streets, in your face and behind your back.

But let us keep in line with the first step of this process. Did Rodney King charge or step? The video that records this moment does not tell. The phenomenal instability of the image is staggering: there is no assured way to read the syntax of the move on a literal level. This step, which is out of line with all the certitudes we think we have about documenting the real, is in sync with Lacan’s assertion that our encounter with the real is a missed appointment. In terms of the reading protocols that make up our legacy, the step that hesitates referentially between a step and a charge, tripping up the case as it does, is also a Freudian slip, a lapsus and collapse in the grammar of conscious imaging. So the television watches as the video is on compulsive replay, tripping over this unreadable scene that it has witnessed. “Gehen wir darum einen Schritt weiter,” writes Freud in *Beyond the Pleasure Principle*: “Let us therefore take another step.” Freud, like the video on compulsive

instant replay, reruns this step throughout the text that goes beyond the pleasure principle.

It is as if Freud is watching us watching this scene that keeps on returning. We learn when we vector our thought toward “current events” that we in fact are looking at recurrent events whose eventuation cannot be easily located. Trauma reduces us to scanning external stimuli whose signals beam out a density of materials for historical reconstitution. “We describe as ‘traumatic’ any external stimuli which are powerful enough to break through the protective shield [layering]. . . . The occurrence of a trauma externally induced is bound to create a major disturbance in the functioning of the organism’s energy and to set in motion every possible defensive measure.”⁶ What I would like to suggest is that the Rodney King trial in its particularity constitutes a moment when television reads itself, and, staging itself reading itself, it is prompted by the interpretation of force set out in *Beyond the Pleasure Principle*, where the death drive kicks in by taking repetitive steps toward a beyond. It was Jacques Derrida who first noted, in *Carte Postale*, how Freud keeps on trying rhetorically to take another step in an attempt to get beyond a textual impasse, but going nowhere on a fast and invisible track, keeps stepping up the momentum of external force, eventually achieving what Freud sees as the phenomenon of breaking into the psychic layer that protects against excessive force. The dramatic incursion of excessive force peels down this protective layering, radically exposing the subject to the domain of the traumatic. In the realm of media technology, such a structure of protective layering has been historically provided by television which, up to a point, manages the scenography of external stimuli. The excess of the Rodney King intrusion upon broadcast television dramatized the rupturing of the protective layering with which television habitually covers itself by showing and producing the traumatic scene of “excessive force.” Broken in upon by testimonial video, television ceased to protect against that very thing which it is intended to regulate. Formally on par with television, what Freud calls the domain of the traumatic is not a domain according to classical calculations of space and time but that which opens up a site of tremendous disturbances (“wird gewiss eine grossartige Störung . . . in Bewegung setzen”) whose limits are difficult to discern. Like television, the “domain” of the traumatic, while producing historical effects of reference, cannot be located in the world, but points instead to paradoxes of temporal complexities. We are on location, dislocated to the site of a provocation from the past that stammers over the “pas au delà” – that Blanchotian space where the step can and cannot go beyond, restricted by a prohibitory injunction that points us backward as we attempt to trace the future of a step. The step beyond also involves the tripping that made it possible for the taped brutalization of Mr. King to blow out of teleproportion and into the streets.

HEADLINE NEWS. "The historical power of trauma is not just that the experience is repeated after its forgetting, but that it is only in and through its inherent forgetting that it is first experienced at all."⁷

What urges us on, and motivates linkage between Freud's text and Rodney King's text and with that which underpins the war on drugs, and all the steps we have been impelled to take beyond the pleasure principle, involves the fact of fundamental disruption in traditional modes of consciousness and understanding, a disruption that occurs traumatically in the very experience of our history. This invasion of consciousness, a type of break in the possibilities traditionally allowed for experiencing experience, is what Benjamin called the "shock" – a jolt which occurs when an event is dissociated from the understanding that might attach itself to it; shock produces a split of memory from consciousness, often triggering technologically morphed mechanisms on the order of flashbacks or hallucinations.

The trial produced a number of maps, photographs, flowcharts of chronological time sequences; yet these common devices for capturing empirical parameters of events have failed to prove much of anything. Except, possibly, that we are dealing here with a type of experience that eludes temporal and spatial determinations altogether – something that can bust into a scene at any time, any place, miming the experience of the police. If the Rodney King beating figures the survival of the effaced Gulf War, then its principal "object" of projection would involve the phantom-text of a trauma. Precisely because the trauma is hidden from televised view – the Rodney King beating is a metonymy of a hidden atrocity, be this the unshown war or the atrocities to which African Americans are routinely subjected – it is accessible only by reading. The spectral trauma remains hidden even to the hidden camera that blindly captures it. Yet, capturing the hidden trauma – and not the suspect called Rodney King or even the police out of line – is the way that video has participated in focusing the disruption to experience and comprehension that Trauma TV involves. Under nocturnal cover, nomadic, guerilla video captures no more than the debilitating discrepancy, always screened by television, between experience and meaning that Freud associates with trauma. This is why it could prove nothing but this discrepancy in a court of law. "Gehen wir darum einen Schritt weiter."

When the trial tries to number the blows, count the strikes, and determine the velocity of force, all it can do is attempt to parry the shock that "in modernity dissociates once and for all the traditional cohesion of experience and cognition."⁸ The repeat performance

of a frame-by-frame blow shows how this text becomes nothing more than the compulsive unfolding of a blank citation. In this instance, video intervenes as a distance that separates the witness's knowledge of the traumatic occurrence from the sheer repetitiveness which marks the experience of its telling.

Is it accidental if one refers to the function of witness repeatedly by using the masculine pronoun? Or is it perhaps an "accident" of such magnitude that its enigmatic character has been somewhat effaced? Testimony, as Freud knew, reverts to the privilege of testicles, engendering truth within the seminal flow of testimonial utterance. Let's take this a few steps further. Standing as witness, in step with Freudian logic, and bearing testimony (*zeugen*), swearing in the truth of one's testimony upon one's testicles, implies that the subject before the law comes under the threat of castration. The truth is related to this threat. Oedipus the video, lagging behind, limping out of step and out of line, plucking his eyes out when he sees the truth: this is the truth of video, the site of the neutral gleam that knows something which cannot be shown. When Freud traces testimony back to testicles, he is also severing truth from any security net that might underlie cognition. Testimony, and that which it begets, is linked not so much to perception but to speculation. When Roman jurists swore upon their testicles, they were swearing upon a truth that could never be known for sure, to whose resolution no amount of evidence could do more than swear. Swearing, bearing witness, producing the testimonial – these constitute acts of language that, unfounded (that is, neither founded as in poetic speech nor grounded as in philosophical speech nor even secured by "ordinary language" usage), rely upon the vagaries of speculation, displacing the *testimony* to the fragility of the eyes: the two eyes of television and video, which are committed to the uncertain rigours of reading. Whether you are making sense or semen, you can never know for sure whether you are indeed the father of truth. Thus, in its essence and logic, testimonial is fragile, uncertain, performative, speculative. (In this regard, the one who is feminized, on the side of sense certainty, penetrated by force, the figure of excluded negativity, is bound to lose out to the symbolic inscription of the testimonial.) The legal mode of the trial "dramatizes . . . a contained and culturally channelled, institutionalized crisis of truth. The trial both derives from and proceeds by, a crisis of evidence, which the verdict must resolve."⁹ As a sentence, the verdict is a force of law performatively enacted as a defensive gesture for not knowing.

FACE THE NATION

To this end, the Clarence Thomas hearings say more about that which cannot be pre-

sented, the relation between phallus and castration, the unrelenting crisis of evidence, and the nature of the testimonial as the drama by which the symbolic character of testicles comes to be marked. These hearings bore witness to the powerful but empty phallus that could not be summoned to appear but around which the hearing was organized. This was not a negligible testimonial but one addressing itself to the essence of a supreme organ of state, namely, the Supreme Court of the United States. In this case, which tested the case of the case – the essence of testimony and the rectitude of justice – race, I daresay, initially disguised the sexual difference upon which legal testimony is erected and judgement based. It will not do to simplify the case by stating that Justice Thomas was a black man; identified as such, the African American nominee carried with him phantasms of the *jouis-sance* of the other and effects of the phallus. In this regard, race aggravated the demand for presenting the phallus; but, like the phantom it is when presentation is at hand, the phallus was made to show up neither *in camera* nor on camera.

My contention is (and others have argued this according to different impulses and grammars) that television has always been related to the law, which it locates at the site of crucial trauma. When it is not performing metonymies of law, it is still producing some cognition around its traumatic diffusions: thus, even the laugh track, programming the traumatic experience of laughter, can be understood to function as a shock absorber. It signals the obsessive distraction that links laughter to a concept of history within which Baudelaire located the loss of balance and, indeed, mankind's universal fallen condition.¹⁰ With loss of balance and the condition of falling, we are back to that unreadable blur that is said to project the step – or the charge – taken by Rodney King on 3 March 1991.

“Trauma stops the chronological clock,” writes Langer.¹¹ This stop-watch configures in fact what makes television, despite the insistence of its *60 Minutes*-like ticking or the breathless schedule that it runs, freeze. Still, television stops the chronological clock which it also parallels in a fugitive, clandestine way and according to two modes of temporal assignment. Television stops time by interrupting its simulated chronology in the event of an “event” which is neither of time nor in time but something that depends upon repetition for its occurrence. The “event” usually enters television from a place of exteriority in which the witness is figured by an untrained video operator (consider here the footage of the collapsed Bay Bridge in the San Francisco earthquake). Television also stops the chronological clock by miming its regularity and predictability around the clock, running and rerunning the familiar foreignness of traumatic repetition. Indeed, one would be hard-pressed to prove that the effectivity of TV is not a symptom of the traumatic stress which it also works to perpetuate. In their article on trauma, entitled “The Intrusive

Past,” Bessel A. van der Kolk and Onno van der Hart describe trauma as if it were linked to the very functioning of the television apparatus, or, at least, as if the traumatized subject were caught in a perpetual state of internalized channel surfing: “He switches from one [existence] to the other without synchronization because he is reporting not on a sequence but a simultaneity. . . . A different state consists of a continuous switching from one internal world to another.”¹² A monument to that which cannot be stabilized, television captures the disruption, seriation, effraction of cognition, and internal breaks – whether commercial or constitutive – and is scripted by the need to play out the difference between reference and phenomenality. On this score, there remains one more thing to be said about the relation of television to trauma. This has everything to do with the essential character of traumatism as a nonsymbolizable wound that comes before any other effraction: *this* would be TV’s guide – how to symbolize the wound that will not be shown.

Of the symptoms that television most indelibly remarks, one is the alternation marked between hypermnesia and amnesia. What is the relation between amnesia and the image? We have observed in films such as *Total Recall* that, in order to discover the limits of any positable reality, acts of remembering are prompted by mnemonic devices along the lines of video implants. In fact, video has tracked considerable thematizations of internalized, commemorative memory (*Erinnerung* in Hegel’s vocabulary) that are nothing if not the literalization of *Gedächtnis*, an external memory prompter, a cue, or memo-padding. While these video implants are often accompanied by nightmarish hues, they somehow remain external to the subject who needs these prompters to supplement an absence of memory. The image comes to infuse an amnesiac subject. “Total recall” is not the same as memory or recollection, and it is only total to the extent that it names the need for a prosthetic technology that would produce a memory track. In such films the video transport – these are always pointing to a modality of transport; constantly neurotransmitting highs, crashes, incessant repetition or fuzzing, they combine the idioms of drugs and electronics – induces some sort of trip, a condition of memory seen as lapsus, stimulating the transmission of the slip. The video transport coexists with a condition of stated amnesia. It is upon this amnesia, channel surfing through blank zones of trauma, that television, operating on screen memories and forgetting, secretly measures the force of an unbearable history.

NOTES

1. Forthcoming in *Finitude's Score: Essays for the End of the Millennium* (Lincoln: University of Nebraska Press).
2. Broadcast news report, 27 June 1992.
3. Consider Paul de Man's demonstration of metonymic substitution in "Time and History in Wordsworth," *Diacritics* (Winter 1987): 4-17.
4. For two relatively new readings of technicity and *Ge-Stell* in Heidegger I would suggest Veronique Foti's *Heidegger and the Poets: Poiesis/Sophia/Techne* (Atlantic Highlands, NJ: Humanities Press International, 1992), and especially Jean-Luc Nancy's title essay in *Une pensée finie* (Paris: Editions Galilee, 1990).
5. The tensional relationship between interpretation and reading is drawn from Andrzej Warminski, *Readings in Interpretation: Holderlin, Hegel, Heidegger* (Minneapolis: University of Minnesota Press, 1987).
6. Sigmund Freud, *Beyond the Pleasure Principle*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, gen. ed. James Strachey, 24 vols. (London: Hogarth Press, 1953-73), XVIII, 29 (translation modified). The original reads: "Solche Erregungen von aussen, die stark genug sind, den Reizschutz zu durchbrechen, heissen wir traumatische. . . . Ein Vorkommnis wie das aeuessere Trauma wird gewiss eine grossartige Störung im Energiebetrieb des Organismus hervorrufen und alle Abwehrmittel in Bewegung setzen" ("Jenseits des Lustprinzips," *Psychologies des Unbewussten* [Frankfurt: Fischer Taschenbuch Verlag, 1975], 239).
7. Cathy Caruth, introduction, *Psychoanalysis, Culture and Trauma*, ed. Cathy Caruth, spec. issue of *American Imago* 48, no. 1 (Spring 1991): 7.
8. Kevin Newmark, "Traumatic Poetry: Charles Baudelaire and the Shock of Laughter," *Psychoanalysis, Culture and Trauma: II*, ed. Cathy Caruth, spec. issue of *American Imago* 48, no. 4 (Winter 1991): 534.
9. Shoshana Felman and Dori Laub, *Testimony: Crises of Witnessing in Literature, Psychoanalysis and History* (New York: Routledge Press, 1991), 18.
10. See Charles Baudelaire, "On the Essence of Laughter," *The Mirror of Art: Critical Studies*, ed. and trans. Jonathan Mayne (Garden City, NY: Doubleday, 1956), 131-53.
11. Qtd. in Bessel A. van der Kolk and Onno van der Hart, "The Intrusive Past," *Psychoanalysis, Culture and Trauma: II*, 448.
12. *Ibid.*, 449.