Forensics

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In this entry, we read the forensic as an assemblage of "techniques" (discursive, material, technical, symbolic) deployed across a range of institutional, cultural, and political contexts. Reading the forensic through the aperture of "technique" foregrounds the interrelations between its different uptakes across a variety of "hybrid lab spaces." As we shall see, forensics' diverse applications are complex and multifaceted, marked by narratives of control, suppression, and violence, as well as subversion and resistance.

Etymologically, forensics can be traced to the Latin *forensis*, "pertaining to the forum": a space for public gathering, contestation, and experimentation.[1] Such a conceptualisation of the forum evokes this volume's framing of the lab as a "hybrid," "experimental" space invested in the "ordering and organization of material and discursive regimes."[2] Both the forum and the lab are iterative spaces, shaped more by the modes of material and discursive *praxis* that take place within them than any predefined infrastructural or epistemological organisation. Both foster controlled indeterminacy, demarcating an exclusive zone of experimentation. As a "recursive chain of techniques," forensics travels between institutional contexts and has been operationalized in the service of radically different political projects.[3]

Modern forensics emerged as a techno-scientific epistemology that both enacted and legitimated racist, punitive, and surveillant forms of state control and violence. As modernizing states professionalized crime control in the 19th and 20th centuries, police administrations required mechanisms to justify the coercive power they wielded over society.[4] In France, police bureaucrat Alphonse Bertillon revolutionised criminology by standardising methods of anthropometric identification that registered bodies as data. Deploying cameras, callipers, gauges, rulers, and charts, Bertillon developed a "science of identity" that enabled detectives to attach names to bodies whose data had previously been catalogued.[5] Such methods lent epistemic authority to law enforcement, buttressing a moral and juridical paradigm that attributed criminal acts to individual culprits, not social conditions. Like techniques of fingerprint analysis that would supersede them, these practices expanded the state's capacity to store biometric records and construct databases from which future perpetrators could be conclusively identified. Countless practices from bloodstain pattern analysis to DNA profiling have extended this lineage of forensic techniques that privilege indexical traces as clues from which experts can inculpate criminals by adhering to technoscientific protocols.

Concurrently, colonial domination involved a global exchange of ideas and techniques between surveillant regimes in the metropoles and their counterparts in the colonies. As Joseph Pugliese observes, "Western forensic science was born in the charged context of empire, race, and colonialism."[6] For example, he describes how fingerprint identification, which emerged in British colonial India, fulfilled the desires of "white administrators to identify, track, and monitor insurgent Indian tribes."[7] Similarly, Elizabeth DiGangi and Jonathan Bethard have mapped forensic anthropology's continued reliance on the debunked practices of "race science."[8] While these techniques support a contradictory breadth of social assumptions—from fingerprinting's individualising biometrics to phrenology's racist composites—they have served a consistent set of biopolitical desires to catalogue, surveil, subjugate, and control.[9] Countless laboratories emerged to maintain these technoscientific deployments (and biopolitical weaponisations) of modern forensics: professionalized spaces that bureaucratized state violence, tasked with filtering, indexing, and often *annihilating* subaltern lifeworlds.

Contemporary modalities of forensic practice build on these historical antecedents. Digital and satellite surveillance, body-worn cameras, (bio)data harvesting, pattern recognition software, and countless other capabilities erect new regimes of technologically mediated control. A similar set of biopolitical ambitions mark these contemporary practices: tracking, predicting, encircling, dominating. In response, a range of civilian "lab spaces" have emerged that aim to subversively utilise "the tools of state-private oppression against their internal logics."[10] These forms of practice have sought to operate counter-forensically. Broadly defined, the counter-forensic aims "to take up forms of forensic evidence and forensic techniques—typically state-created and produced—and turn them into an archive of accountability and resistance against the very same formations of power responsible for generating them."[11] Counterforensic investigators challenge the state's monopoly on the production and analysis of evidence, approaching archives of violence as terrains of epistemic struggle, not self-evident meaning.[12] They employ techniques such as remote sensing, cartographic regression, photogrammetry, 3D modelling, data scraping, and machine learning to assemble and remediate evidence of violence against vulnerable populations normally neglected or even persecuted by such techniques. The civilian labs involved in producing this work—including VFRAME, SITU Research, Forensic Architecture, Mnemonic, Bellingcat, INDEX, and the Invisible Institute—are inherently cross-disciplinary, working across the boundaries of journalism, open source investigation, human rights activism, architecture, documentary, and new media. As a result, their lab spaces are multimodal and multi-sited, distributed across publications, galleries, museums, and interactive platforms, amongst others.

What this hybridity indicates is that the significance of forensic techniques always takes shape beyond the traditional laboratory, across the many sites in which forensic claims are made and circulated. In trials, expert witnesses must evaluate the validity of specialist practices and contextualise them for lay audiences. Outside the courtroom, the interdisciplinary groups outlined above all perform similar functions to the expert witness when they vernacularize expertise by remediating forensic techniques in diverse, sometimes incompatible, forums. When Forensic Architecture (FA) presents the same investigations at criminal trials and art biennials, their techniques may appear to be inappropriately creative in one context yet disturbingly austere in the other.[13] As FA's founder Eyal Weizman acknowledges, the forum in which evidence appears delimits the conditions of its epistemic (and, we might add, social) legitimacy.[14] Weizman's own prominence as a theorist of FA's practice significantly shapes public perception of his lab's techniques, risking the foreclosures and oversights that attend self-theorization. Forensic techniques cannot speak for themselves; they acquire meaning from the affective media ecologies through which they circulate.[15]

Forensic imaginaries are themselves indispensable sites of lab activity in which the meanings of techniques are continuously (re)negotiated. Ironically, the popular conception of forensics as a technoscientific guarantor of objectivity is itself a cultural artefact. In the early 2000s, legal scholars and practitioners worried that popular crime shows such as *CSI: Crime Scene Investigation* had elevated prosecutors' burden of proof by inflating juries' expectations of forensic capabilities.[16] Sociologists later found that concerns about this so-called "*CSI* effect" had been publicized so widely that juries were now overcorrecting for a perceived disadvantage to prosecutors, giving rise to a "'*CSI* effect' effect"—and only further underscoring the cultural dimensions of forensic knowledge.[17] These imaginaries make their way back to the lab, informing its work and self-perception. Indeed, it is only in a culture that valorizes technoscientific forms of truth that (counter)forensics could even emerge as a dominant evidentiary paradigm. However, as Pooja Rangan and Brett Story have cautioned, cultural texts such as true crime podcasts that popularise forensic imaginaries can also perpetuate forensics' violent underpinnings by cultivating carceral attachments to notions of guilt and innocence rather than interrogating these categories' social construction.[18]

By co-opting forensic techniques, counterforensic investigations risk reproducing the logics they aim to subvert, drawing us back to the narrow aperture of state forensics. Across diverse contexts, forensic techniques maintain aesthetic, epistemic, and moral commitments to transparency and certainty. They trade in what James Frieze terms an "economy of legibility" that threatens to "colonise knowledge" by entrenching a cultural valorisation of technoscientific forms of truth and evidence that overrule other

ways of knowing.[19] As Kareem Estefan and Toby Lee insist, for people on whom constricting realities have been unjustly and violently imposed, anti-forensic techniques of speculation serve as vital modes of political resistance.[20] For example, Estefan details how Palestinians dispossessed of documents have developed strategies of "reparative fabulation" to narrate collective histories and futures in the wake of archival plunder. The evidentiary resources on which counterforensics depends are not equally available to all.

The forensic economy of legibility also strengthens the "cultural imperative for justice not only to be done but to be *seen* to be done."[21] For example, the rush to outfit police departments with body-worn cameras in the wake of public outcry against police brutality facilitates a public performance of accountability; such devices expand police surveillance and budgets despite minimal evidence that they reduce violence, illustrating that counterforensic logics are themselves available to (re)co-optation.[22] It is perhaps in the context of anti-Black police violence that (counter)forensic techniques have been most controversial because their aesthetics of hypervisualization can do more harm than good—rendering violence as spectacle and retraumatizing its victims while repeatedly failing to deliver lasting transformations.[23] Consequently, some advocate tactics that are counterforensic in the alternate sense meant (and feared) by security experts: efforts to thwart the collection and analysis of forensic evidence.[24] We might regard these strategies—of fabulation and obfuscation—as anti-forensic laboratory techniques equally invested in the experimental construction of "new forces and realities."

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Notes

1. Eyal Weizman, *Forensic Architecture: Violence at the Threshold of Detectability* (Cambridge: MIT Press, 2017), 65.

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2. Darren Werschler, Lori Emerson, and Jussi Parikka, *The Lab Book: Situated Practices in Media Studies* (Minneapolis: University of Minnesota Press, 2022).

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3. Werschler, Emerson, and Parikka, *Lab Book*.

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4. See David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (University of Chicago Press, 2001); Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007).

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5. Josh Ellenbogen, *Reasoned and Unreasoned Images: The Photography of Bertillon, Galton, and Marey* (University Park: Pennsylvania State University Press, 2012), 47.

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6. Joseph Pugliese, *Biopolitics of the More-Than-Human: Forensic Ecologies of Violence* (Durham: Duke University Press Books, 2020), 21.

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7. Pugliese, *Biopolitics of the More-Than-Human*, 21.

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8. Elizabeth A. DiGangi and Jonathan D. Bethard, "Uncloaking a Lost Cause: Decolonizing Ancestry Estimation in the United States," *American Journal of Physical Anthropology* 175, no. 2 (2021): 422–36.

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9. Weizman, 66.

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10. Patrick Brian Smith and Ryan Watson, "Mediated Forensics and Militant Evidence: Rethinking the Camera as Weapon," *Media, Culture & Society*, Online first (2022), https://doi.org/10.1177/01634437221088954.

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11. Smith and Watson, "Mediated Forensics and Militant Evidence."

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12. See Thomas Keenan, "Counter-forensics and Photography," *Grey Room* 55 (2014): 58–77; and Allan Sekula, "The Body and the Archive," *October* 39 (1986): 3–64.

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13. See Eyal Weizman, *Forensic Architecture: Violence at the Threshold of Detectability* (MIT Press, 2017), 75.

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14. Weizman, *Forensic Architecture*, 75.

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15. See Ryan Watson, "In the Wakes of Rodney King: Militant Evidence and Media Activism in the Age of Viral Black Death," *Velvet Light Trap* 84 (2019): 34–49; and Adi Kuntsman and Rebecca L. Stein, *Digital Militarism: Israel's Occupation in the Social Media Age* (Stanford: Stanford University Press, 2015), 55–70.

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16. See Donald E. Shelton, Young S. Kim, and Gregg Barak, "A Study of Juror Expectations and Demands Concerning Scientific Evidence: Does the '*CSI* Effect' Exist?," *Vanderbilt Journal of Entertainment & Technology Law* 9.2 (2006): 331–368; N. J. Schweitzer and Michael Saks, "The *CSI* Effect: Popular Fiction About Forensic Science Affects Public Expectations About Real Forensic Science," *Jurimetrics* 47 (2007): 357–364.

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18. Pooja Rangan and Brett Story, "Four Propositions on True Crime and Abolition," *World Record Journals* 99.3 (2021): 1–9.

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19. James Frieze, *Theatrical Performance and the Forensic Turn* (New York: Routledge, 2019), 10.

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20. Kareem Estefan, "Narrating Looted and Living Palestinian Archives: Reparative Fabulation in Azza El-Hassan's Kings and Extras," *Feminist Media Histories* 8.2 (2022): 43–69; and Toby Lee, "The Radical Unreal: Fabulation and Fantasy in Speculative Documentary," *Film Quarterly* 74.4 (2021): 9–18.

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22. See David Yokum, Anita Ravishankar, and Alexander Coppock, "Evaluating the Effects of Police Body-Worn Cameras: A Randomized Control Trial," The Lab @ DC, Office of the City Administrator, Executive Office of the Mayor (Washington, D.C. October 2017); Cynthia Lum, Megan Stoltz, Christopher S. Koper, and J. Amber Scherer, "Research on body-worn cameras: What we know, what we need to know," *Criminology & Public Policy* 18.1 (2019): 93–118.

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