

SEARCHING THE

Criminal Body:

ART / SCIENCE / PREJUDICE

SEARCHING THE CRIMINAL BODY: ART/SCIENCE/PREJUDICE

curated by
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ART, SCIENCE AND PREJUDICE

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earching the Criminal Body: Art/Science/Prejudice is the result of a long hunt for artifacts to represent two hundred years of a history pregnant with questions and conflicts. The attempt to explain criminal behavior in terms of defective biology is ancient. The hope that one could accurately predict or diagnose a propensity to commit crime, that one could isolate or eliminate relevant individuals from society is profoundly seductive. Preventive institutionalization, incarceration, sterilization, and execution might then offer social protection. There is no denying the legitimacy of our desire to understand crime and feel protected from harm, but the dehumanization and mistreatment that have resulted also need to be taken into consideration. The line distinguishing deviance from criminality has too often been blurred. How do we make judgments about acceptable and unacceptable behavior, and how do we treat those whose behavior we deem unacceptable? What leeway do we allow ourselves in order to calm our fears and protect what we have?

In his article "On Aesthetic Perception" (Journal of Consciousness Studies, Vol. 6, 1999), neurologist Jason Brown, M.D. notes:

In experiments, faces that are shown repeatedly to subjects are judged as more attractive even though the subjects do not recall seeing them before. Here, judgments of beauty are linked to unconscious familiarity. Indeed, familiarity is a learning-by-acquaintance of some complexity involving a nonconscious process that can alter perception even in the absence of a recognition that the object has been previously encountered.

An enormous problem arises when we use accepted aesthetics as a determinant of worth. Who decides who is beautiful and who is not, who is "in" and who is "out"? What are the mechanisms by which deviance from the accepted norm is viewed as inferior and dangerous, and "deviants" deserving of treatment ranging from social ostracism to restriction of access or freedom to even torture and murder? In criminal anthropology, one of the histories covered by the current exhibit, science crossed the line from observation to manipulation (in the sense in which it is used in art). When this happens, science enters the realm of myth.

Manipulation of images is the basis of visual art. It is what artists do in order to make a point, illustrate an idea, emphasize a particular aspect of a subject. Visual manipulation comes in many forms: the choice of the color a painter uses, the light a photographer waits for, the blatant possibilities of computer image manipulation programs like Adobe* PhotoShop. But although such techniques are more sophisticated than ever, they do not represent an entirely new realm. The problem is not the techniques, but rather the ends to which they are put and the level of truth they employ. An artist assumes a level of viewer awareness of the editorial aspect of art. Yet neither the historical presenters of criminal biological information—nor their consumers—considered the possibility of subjective opinion in presentation. Their images seduced, held, and helped to convince followers of their theories.

One of the precepts of the current exhibition is that we must be able to distinguish between artistic technique and science, recognize where they join, and determine when the former confuses the latter. The two have combined powerfully in the service of prejudice. The philosophy behind the exhibition is, by bringing together contemporary art and historical artifacts, to allow the former to inform the latter and

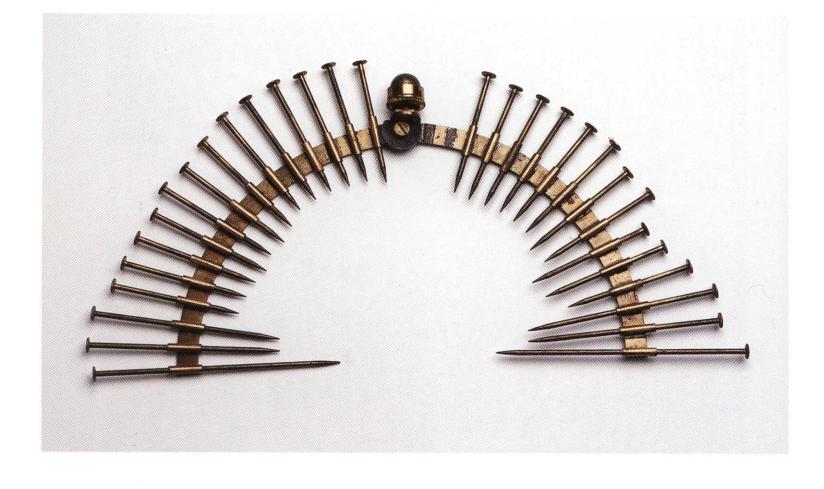
facilitate an understanding of the editorial component of art and the seductiveness of powerful visual images and techniques.

Our historical exhibits focus on documentation and artifacts from, among other theories, phrenology (early to mid-nineteenth century), degeneration theory (late nineteenth century), criminal anthropology (late nineteenth and early twentieth centuries), and early and mid-twentieth century biological theories. The artifacts we have chosen are only fragments, representations of much larger issues, manifestations of the mores and scientific culture of the periods. They are often beautiful objects, made with care and attention to detail. They compel a viewer's desire to engage through their craft and authority of presentation.

In order to understand the use of visual images in these biological theories of crime, one must grasp the power of the visual image itself. Pictures are incredibly efficient storehouses of information. In art, the most effective images include layers of thought and experience on the part of an artist, and the best art brings together into one piece all that an artist has ever worked with, albeit much of it unconsciously. In non-art applications, especially where the goal is to convince or persuade a viewer, such layers of information come together with a conscious manipulative purpose; advertising and propaganda are the most overt examples. Although the artifacts and ephemera in the current exhibit were not necessarily intentional propaganda, the visual images were certainly meant to substantiate a theory and persuade the viewer towards a sympathetic view.

When authors choose images to support ideas, they must use intense self-awareness in order to determine the fairness of those choices. Although in our own era we are more comfortable with the impossibility of complete objectivity, viewers in the periods represented in the exhibit generally would not have questioned the objectivity of material presented as science. The nineteenth-century advent of photography and technical advances enabling replication and mass distribution of images provided revolutionary tools of immense impact. People were extremely vulnerable to new images, new perceptions of reality, and the availability of reproductions. It would be many years before they became hardened and skeptical, as we often are, by being deluged with images.

One of the requirements for belief on the part of viewers is trust in the source



of information. An important factor in the effectiveness of images in scientific contexts is a documentary-like quality of presentation. Though the truthfulness of the documentation may be an illusion, if the presentation duplicates the types of documentation to which people are accustomed, the chances of persuasion are higher. Charts, labels, scientific language, and photographs are all seductive. Much of the historical information in the current exhibit was originally presented as if it were raw data. Photographs were offered and generally viewed as pictures of reality. When practitioners of the criminological theories we are examining used photographs to support their ideas, they were unlikely to view themselves as subjective, influenced in their seeing by what they wanted to see. Neither they nor their audiences were immune to the powerful motivation to identify criminals visually, to believe that one could look at a person and determine his or her level of threat to society. Representations of bodies are intimate, personal, and threatening. A separation of "criminal types" from the rest of society would have been reassuring to those who wanted to divide humanity into "us good people" and "them", those

dangerous others, those misfits. Pictures of criminals that were alien looking—enough for "us" to distinguish ourselves from "them", even though we look awfully alike in so many ways—would have been most appealing. This exhibit is concerned with images that invoked the general public response of "that couldn't be me."

The two-dimensional plane is not the only site for visual images. Phrenologists made accurate and lovely casts of heads, which today look like art objects. Criminal anthropologists used finely crafted and calibrated measuring tools made out of beautiful materials, similar to those used by doctors and draftsmen. The precision and elegance of what we now consider curious artifacts inspired confidence in viewers. There is still a strong visual appeal to many of the artifacts used in the history of criminal stereotyping.

The contemporary art component of this exhibit is specifically designed to raise questions about the rhetoric of science, to examine the motivations for identification of criminals, and to explore the nature of the appeal of biological theories. Throughout the curatorial process, I have been concerned with the context in which the exhibit would be seen and with making the critical viewpoints explicit. I looked

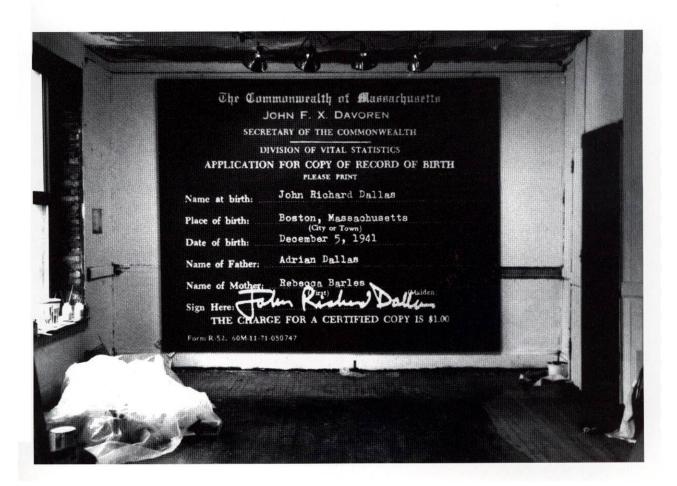


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UC 29 1960 Dropped brick on right great toe on 8-28-60 sustaining compound comminuted fracture of distal phalanx of great toe; being treated with changes of dressing and a phaster wooden applied. Dr. Hoodless/mi	DEFORMITY - TOE NAIL 197

to the artists to assist with the raising of moral questions and issues. Several of their pieces address and analyze the implications and ramifications of the idea of a "symbolic assailant" (a term used for the "typical offender type") and of racial profiling. Other pieces deal with the creation and malleability of identities, and with the line between the criminal and the non-criminal act.

Dennis Oppenheim's and Jay Jaroslav's works date from the late 1960s and early 1970s, when both artists were involved with questions of identity formation, heredity, and the line between the criminal and non-criminal. Oppenheim's 1970 piece, Deformity—Toe Nail, addresses the importance of an identifier. Oppenheim's toenail was deformed when he dropped a brick on it as a child. The piece combines the hospi-



tal record of the injury, a contemporary photograph of his nail, and stills from his 8mm movie, *Nail Sharpening*, in which he "reformed" his nail by sharpening it with a rock.

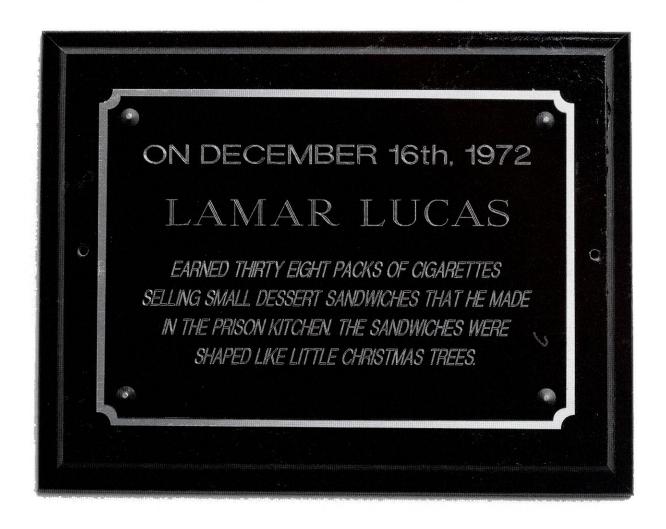
Deformities are distinguishing characteristics in identification, whether or not they are the result of an accident. One may attempt to change such physical characteristics, to redo one's physical identity, but the documentation of doing so can follow one around and refute the attempt. Identifying documents, abnormal physical attributes, and attempts to elude identification all play large roles in criminological history. In the histories represented in the exhibit, deviations from what was considered the desirable norm could condemn a person. The aesthetic appeal of Dennis

Oppenheim's presentation reminds us of the seductiveness of things that look documentary and legitimate.

Jay Jaroslav's paintings, John Richard Dallas, Robert Francis Phillips, Jr., Wayne Costa and Joseph Cirillo, are four of thirty-one paintings in his massive project, Extended Credentials: Creating Born Criminals, in part a tribute to the work of Nicole Rafter. This project was begun in 1968 when he was simultaneously a member of the MIT Artificial Intelligence Group (practicing science) and on the faculty of the School of the Boston Museum of Fine Arts (teaching and making art). Jaroslav assumed the identities of thirty-one individuals who had died as infants. The paintings in this exhibition, done in 1987 for a show at Boston City Hall, are of Jaroslav's applications for birth certificates, the first step he took in the process of obtaining those documents which define us in a bureaucratic society: a social security card, a driver's license, a passport. Each painting is like an object from someone else's existence, a slate onto which assumptions about an individual are projected based on the limited information contained therein. Jaroslav's choice of color, slate grey, was a conscious decision. It is important to note that the activities involved in undertaking this project were (and are still) illegal.

Homer Jackson's series, *Commemorative Plaques* was created in 1995 for an installation at the Eastern State Penitentiary in Philadelphia. Its inclusion in this exhibition is meant to remind viewers of those who are in jail: not to exonerate those who are guilty of crime, but to emphasize an awareness of the meaning of incarceration. The need for prisons is an unfortunate need, and jailers (all of us on the outside) pay a price for jailing. There is always a cost to humanity when necessity mandates punishment and control of its members, and we owe ourselves an awareness of those costs. In Jackson's words:

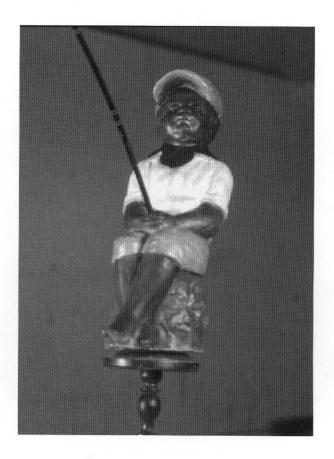
These pieces are an attempt to represent (and) to commemorate the mundane day-to-day existence of prison life...They describe fictional encounters, but cover the range of possibilities and speak to the truth. They contain sensational accounts, but the presentation is intended to be quite simple and up front. This duality of intense realities joined with the mundane process of living...day to day is the most amazing aspect of prison life for many of us who live outside of the walls. How do these men and women deal with it? How are...(one's) emotions affected



by the constant tug-of-war that obviously must be going on inside of each and everyone behind those walls?

(The plaques range from)...innocent guys acting guilty to guilty guys screaming innocent.

The remaining artists in the exhibit created work specifically for the show; at the time of writing their work was either in progress or unavailable for viewing. In order to best represent these artists and their concepts, I have used their own words as much as possible.

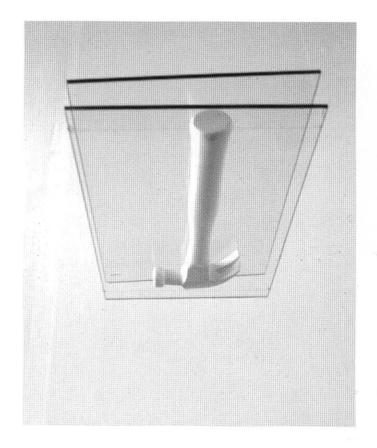


Lillian Mulero and Ruth Liberman both focus on the issue of profiling. Mulero's installation, *Goin' Fishin'*, centers on a gilded cement lawn statue of a small African–American boy fishing. Such statues carry with them the history of racism in this country, turning human beings into objects of entertainment. They are profound examples of insensitivity to the dignity of African–Americans. The boy is presented as a potential target of racial profiling. Bullets rain down from the ceiling, suspended above the boy's head. The gilding reminds us of religious statuary, turning ridicule into enshrinement. The boy thus becomes a symbol of both innocence and victimization.

Ruth Liberman wrote of her installation:

My piece deals with the idea of crime prevention. There are basically two elements to the installation, a row of objects and a line of text on latex sheets.

The objects here are all associated with different unarmed and innocent victims of police shootings in New York, resulting from the police's efforts to prevent a crime. (The)...eleven items...derive from major news reports referring to the respective objects, which in some way or other became detrimental for the victims. That is, they somehow led to the victims getting



shot. My use of objects is inspired by traditional depictions of saints identified by their objects. The texts on the latex sheets are brief statements originating from eugenics books across the ages, including fairly recent ones. They all relate to the desire to identify and deal with criminals before they commit a crime.

I hope to convey some sense of absence in this piece....The body is entirely missing, but is referred to in many ways: the victims are represented only by their objects. The objects are relatively small compared to the supports they're resting on; likewise the text appears minimal on the latex sheets. The latex sheets are like a curtain that promises to reveal something but has nothing to offer. The...(desire for)...and lack of decisive clues to identify criminals in order to prevent crime is placed as a parallel story next to some casualties of the actual prevention of crime.

Erika Marquardt, like Ruth Liberman, was born in Germany. Liberman is Jewish and a child of Holocaust survivors; Marquardt is not Jewish, the daughter of an officer in the Wehrmacht during the Second World War. While elegance typifies Liberman's work, chaos is characteristic of Marquardt's. Both of their personal backgrounds are relevant to the current exhibition, even though it focuses largely on the

United States. Germany under Hitler was where, it is said, "eugenics was given a bad name." Liberman's background gives her an intense sensitivity to issues of victimization and stereotyping; Marquardt feels an enormous responsibility to focus on such themes from the viewpoint of a member—though innocent—of a perpetrator group. Her piece is comprised of three visually manipulated books. Her technique is to paint and sculpt the surfaces, commenting on the tragic juxtaposition of culture and barbarity. The books are jointly titled *Rassenhygiene* (Race Hygiene), as the proponents of Nazi eugenics often referred to their goals. Her work is meant to remind us of the most extreme possibility of the elimination of undesirable criminal elements in society, and is designed to be placed surreptitiously among "regular" books.

Artist Michael Bramwell also focuses on a horrific example of the results of prejudice, the history of slavery and racism in the United States. In Bramwell's own words about *The Cargo Series* and *Beckwith Getslife*, his pieces

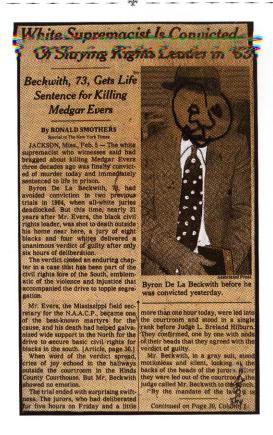
...work together to understand traditional and contemporary dimensions of what Gunner Myrdal describes as the "The American Dilemma."

The use of the grid is a visual metaphor for structuring this dilemma...between anti-Negro practices and the American Creed....Working...(in)...minimalist traditions, with seriality and repetition of ...silhouetted images and (the) formal regularity of the grid, the work allows democratic values to co-exist, however problematically, with those of racial supremacy...

Before the Civil War the southern ruling class supported a pseudoscientific literature that attempted to prove the Negro inhuman and thus place him beyond the moral implications of human bondage...the "scientific method" with its supposed objectivity and neutrality to values, was applied to the "Negro problem", a significant movement towards what I term "the criminalization of race."

...Whereas lynching was the historical method of choice for social control for many years, it has been replaced more or less by incarceration as the preferred ...strategy. This is all central to understanding criminalization of the body which the law, like Pilate, washes its hands of when it comes to racial violence and injustice....

Notable is Bramwell's ability to use visual techniques and wit to address what



are personally relevant and extremely painful issues in art.

Daniel Goodwin defines his photographic installation as

...more of a parody of the...urge to classify and order normal and abnormal behavior than it is a critique of that which is considered criminal.

As with Bramwell, Goodwin's work is characterized by wit. For this show, he produced and brought together

...life-size portraits of fictitious "art vandals." It is my aim to produce a close parody of natural/historical museum display vernacular. Photography's classic burden of depicting "truth" is simultaneously exploited and deconstructed in this work. The photographic work of G.B. Duchenne de Boulogne, Dr. Hugh Welsh, J. Valetter, Paul Regnard, Francis Galton and Alphonse Bertillon all attempted, in various ways and with varying degrees of success, to describe psychological, emotional, and physiological "abnormalities" through a very directed

study of the way light reflects off the surface of the subjects' bodies—which is, quite literally, all that photography can really record. The use of medical instruments and measuring devices (in the work of Duchenne de Bologne and Bertillon) and, most importantly, the photograph's caption serve to lend credence to the unspoken assertions of those images. In my work, I hope to exploit the viewer's willingness to read imagery that adheres to these well-worn conventions as authoritative, empirical truth.

[Goodwin constructed] several wearable devices for the surreptitious destruction of works of art on public display...[The resulting photographs of individuals with these devices]... and the accompanying plaques describing the cases represent a fictional attempt to type or classify the art vandal as a personality...

Like many of my previous images, this work is a...mix of actual, documented information, and complete fabrication. It is...false information indistinguishably interwoven with true information...

Goodwin's work addresses directly—and humorously—the power of presentation to enhance the sense of documentary legitimacy. Goodwin's ability to convincingly mimic presentation techniques that characterize institutional structures contains an implicit analysis and critique of those techniques.

Ellen Rothenberg's series of prints, *Ecstasy on Arrest*, also addresses the place of the photograph in criminological histories of stereotyping. She writes:

The images themselves are from a British newspaper, The Daily Mirror of May 25, 1914. They were from the anti-suffrage press, a page of captions and photos entitled "The Suffragette Face: New Type Evolved by Militancy"...The images are of women in states of extremity, in the process of being arrested, moments before, during and after confrontation with the police. These are women outside of the domestic sphere—women in public, speaking, demonstrating. (This is an example of)...some of the earliest use of the photographic image in newspapers and the images have that look of a mediated image...

The captions...further characterize and define the images by sexualizing them and pathologizing them. [Lisa Tickner's book, The Spectacle of Women]...speaks of "the truth of appearance" as a theme in nineteenth-century medicine, phrenology, physiognomy and eugenics....

The...enlargement of the images and texts is a conscious and obvious manipulation. In a sense the enlargement heroicizes the images...The enlargement of the text is also critical to its reading...Many of the letters are actually disintegrating, the veining of the ink (originally form metal type being pressed into newsprint)...appears as the "artifact" of the enlargement...(further suggesting) a fracturing of meaning...

Central to my work is an involvement with historical issues. My work contemporizes these issues and invites reinterpretation. This rendering of the historical does not offer a resolution of the issues or events, but instead negotiates a slippage between past and present.



That slippage is also a goal of this exhibit—to look at a history and bring the questions and lessons of that history to our thinking about the present. Ellen Rothenberg's project is an example of the depth of the intellectual component that is characteristic of her work. Like Ruth Liberman, her process involves extensive research. For both artists, research and art-making play back and forth, each leading and informing the other.

Michael Oatman is yet another artist who uses wit in his art. His project, *Taken*: 1° *The Photograph*, 2° *The Confession*, directly addresses the malleability of identity. Borrowing a mug shot chair used at Auburn State Prison, now in the collection of The New York State Museum, Oatman investigates the possibilities of self–transformation. By changing his appearance and photographing each stage of change, he documents his own ability to turn from a "non–criminal" to a "criminal" type. Once again, the



Ellen Rothenberg (left and right) Esstasy on Arrest, 2000 Gigclée prints--6 images and 6 texts in the series 33 ½ x 44 ½ inches each power of the photographic image as an editorial device comes into play. Each stage of Oatman's physical evolution can be seen as evidence of the latitude of identity formation for each of us, and is directly connected to the vulnerability of each of us to stereotyping. The color of our skin, the shape of our heads, the cast of our eyes, the size of our noses are all attributes that have been used to determine our potential social worth.

Oatman has repeatedly looked at the history of stereotyping and identity in his work. This project aptly reflects his ethical and artistic concerns.

His approach is in some ways the opposite of Jay Jaroslav's. In both projects, the artists use themselves as part of the material of expression. But while Oatman changes his physical identity and thus projects various personas, Jaroslav keeps his physical identity and his own handwriting intact in creating thirty-one identities for himself, using government-issued documentation as his means of transformation.

Finally, at the request of my co-curator, Nicole Rafter, and Museum Director Marijo Dougherty, I have included two pieces of my own artwork in the exhibition. The first, *The History of Eugenics, Part I*, was done in 1994 as my first attempt to address

Ecstasy on arrest

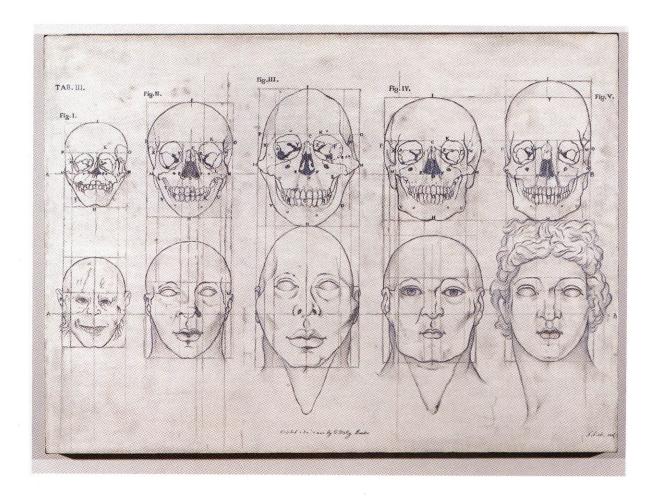
some of the issues raised in the current exhibit. The painting is based on a chart by eighteenth century Dutch anatomist and artist Petrus Camper illustrating "the progression of skulls and facial expressions—from monkey, through Black, to the average European, and then to the Greek ideal–type." It was one of Camper's attempts to make sense of human difference, and illustrates the conjunction of perceptions of aesthetic value, health and human worth. It also shows how documentary techniques can create an illusion of scientific validity.

The second piece, *Fragments of Research*, is the visual part of my curator's statement. Over the past two years, I have been collecting images as part of my research for the current exhibit, and this piece consists of visual fragments from those two years. The method of framing I used is meant to convey a sense of weight to each fragment, corresponding to the weight of the theories in the history of criminology. Together, these fragments have combined to significantly impact societal views of and attitudes towards not only criminals, but also those whom we consider different.

We have come to generally accept that observers affect the observed, and that stated truths often bring with them a need for questioning. We live in a time of many more questions than answers, a time that is uncomfortable and often confusing. It is hard to live in a world without absolute definitions and in which we are reevaluating our belief systems. Many proponents of eugenics and of criminal typing and segregation were people of good intentions. It is my hope that this exhibit will help remind us that good intentions are not always insurance against unfortunate outcomes.

I am very grateful to the artists who have agreed to participate in *Searching the Criminal Body: Art/Science/ Prejudice*. They have shown themselves to be generous and willing to be involved in an interdisciplinary examination of difficult issues, at a time in history when advances in DNA technology will continually open up similar questions to those raised by the pseudoscientific theories we have represented.

Similarly, the institutional and individual lenders to our exhibit have been most gracious, and have often gone out of their way to enable us to show precious and delicate historical artifacts. Many of the objects are being shown publicly for the first time. I want to especially thank private collector Grant Romer, whose exceptional collection from the history of phrenology forms the basis of our exhibit from that period. I cannot say enough to express my appreciation to Stanley B. Burns, M.D., who, with his wife, Sara Cleary–Burns, curated a selection of photographs from the remarkable Burns Archive (New York) that spans the entire history we are examining. Dr. Burns' enthusiastic and generous participation has contributed immeasurably to the scope of our exhibition.



I also want to thank the director and staff of the University Art Museum. Director Marijo Dougherty has been a marvel of determination and commitment, producing an exhibit that stretched all the resources available to her. Sue Wood has been able to continually create order out of chaos, to the benefit of everyone concerned with the exhibit. Museum Secretary Joanne Lue's ability to juggle at least 500 things at once continues to astound me. Wondrous Exhibition Designer Zheng Hu has been a joy to work with, absolutely inspiring for his creativity in finding solutions to difficult problems. Museum Preparator Jeffrey Wright–Sedam has been a rock, a solid base to lean on. Assistant to the Director Corinna Ripps has continually offered help.

Auxiliary programming organized by other agents both on campus and off has surpassed my wildest dreams. My co-curator, criminologist Nicole Rafter, who initially conceived of this show as the Centennial Exhibit for Northeastern University in 1998, has been my right hand, the person without whom the exhibit would never have existed and whose support made it possible for me to take on its enormous challenge.