



Journal of the New Media Caucus | ISSN: 1942-017X

## **Soup & Yogurt: A Guantanamo Archive (2005 – 2012)**

**FALL 2012: V.08 N.02: FOUND – SAMPLED – STOLEN – STRATEGIES OF APPROPRIATION IN NEW MEDIA**

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In 2005, I began an archive-based work that focuses on the complex relationships between detainees at Guantanamo Bay, their lawyers, the international media, and the public. In its most expansive form, my project is the largest privately-archived media collection portraying Gitmo detainees through a lens of their legal advocacy, which I discovered and sourced from the work of attorneys representing suspected terrorists at Guantanamo Bay.

In the creation, curation, and distribution of this work with contemporaneous programming, I propose an experimental, artist-driven approach to the digital archive as a platform for social, educational and historical practice. My archive work in all of its versions, presented or stored and not yet fully seen, comprise my major project of the past seven years: *After You've Been Burned By Hot Soup You Blow In Your Yogurt (or Soup & Yogurt)*. The project aggregates, analyzes and synthesizes documents I gathered and used with the permission of attorney-creators to navigate and re-frame issues of fear, divisiveness, and isolation arising from government sanctioned and non-state enemy combatant created portrayals of Guantanamo, as well as the approaches to war, terror, law, and humanitarianism it has come to symbolize. In preserving, re-contextualizing and sharing what might have been a lost, deleted, corrupted, or unseen accidental visual history, I present *Soup & Yogurt* as an alternative account to be received alongside the history offered by "official" conventional media and government record makers; "unofficial" terrorist video makers; as well as other youtubers, bloggers, tweeters, leakers, et al who propagate, manipulate or refute official and unofficial messaging.

### **GUANTANAMO'S IMAGE AND THE ORIGINS OF SOUP & YOGURT**

Since January 2002, the United States has imprisoned approximately 750 individuals at the U.S. Naval Station, Guantanamo Bay, Cuba, a detention center for alleged unlawful enemy combatants in the War on Terror. Over the last ten years, approximately 600 of these men have been released to their home countries, either to await domestic trial or return promptly to their families. Little information concerning the particulars of individual detainments or releases is publicly available. To date, 163 men remain at Guantanamo uncertain of their future. [1]

In the beginning, the images that emanated from the detention center were created and controlled by the U.S. government. Once journalists obtained access to the prison, the Naval base subjected their work to roughly the same restrictions applied to imagery captured and distributed by the military. Visual and auditory representations including photography, video, sound and drawing by News Media Representatives (NMRs) are subject to security review, embargo and sanctions.

Per the Media Ground Rules for image-makers at Guantanamo:

“If approved, NMRs *may* take images of detainees where the face or distinguishing features are not visible in the frame, such as tight photos/images/pictures of hands, tight shots of feet when a detainee is being moved, photos/images/pictures from above, and photos/images/pictures of the back of the head.” [2]

Representing identifiable characteristics of detained individuals, particularly faces, has been strictly prohibited. Such restrictions eliminate a most fundamental way in which people identify and empathize with others.

To date, despite solidifying its status as one of the most significant civil rights cases of the information era, few significant visually driven documentary accounts of Guantanamo exist. [3]

One such project by Paolo Pellegrin is a black and white photo series and 11-minute Magnum in Motion essay. In his essay, Pellegrin narrates, “It’s not particularly difficult to go to Guantanamo; very many journalists do. A press person is assigned. You are shown what they have decided they want to show you.” [4]

Like Pellegrin, I have visited Guantanamo as an NMR, and his account correlates with my own. I was uncomfortable. I felt like a tourist at a living history site, however the sites on my tour represented ongoing contemporary events rather than re-enactments. I used my camera to search for images I didn’t recognize already and recorded corners; repetitions of watermelons in the large walk-in fridge; and the Czech photojournalist also on my tour. As suggested by a military escort, I peered through the fence with my camera away, saw a group of detainees playing soccer and unsuccessfully scanned for faces I might recognize from my archive.

I have had little interest in publishing the photos I took at Guantanamo because no image could be made (with governmental approval) to fairly contribute further to its portrayal. My trip was research for understanding the prison’s press handling. Pellegrin’s Magnum essay launches with a photograph of one of Gitmo’s “No Photography” signs. This opening strikes me as an emblematic reference to image production restrictions at Gitmo that, in turn, shape the public’s visual and emotional understanding.

‘Habeas corpus’ and the archive

My project began outside of Guantanamo with stories of eleven men, whose images flickered in my imagination.

In 2002, American attorneys began seeking trials in U.S. courts for Guantanamo detainees.

The legal principle upon which they relied is 'habeas corpus,' which translates from Latin as "show the body." As a legal term, it means that the government must bring forward those it imprisons and demonstrate valid legal justification for their detention. [5] I use the term in project texts for *Soup & Yogurt* to conjure a second reading of the Latin invocation, one regarding the meaning and impact of showing visual and bodily representations of people.

The government's opposition to 'habeas corpus' process denied detainees access to attorneys to represent them in court and, equally importantly, denied them a link to the outside world in which their prospective advocates could see each man face-to-face, discover his story, and present an individualized, human narrative. As such, denial of 'habeas corpus' obstructed public access to accounts from inside Guantanamo by non-government persons. [6]

Following a 2004 decision by the U.S. Supreme Court that those detained at Guantanamo Bay, in fact, do have the right to 'habeas corpus' representation, lawyers were allowed to visit detainees on the authority of "next friends," who were typically family members who requested attorneys on behalf of their loved ones.

My mental image of Guantanamo began to shift in March 2005. My husband, Scott Sullivan, who then worked at the law firm Allen & Overy, was among an early group of pro bono attorneys to represent Guantanamo detainees. Home in Brooklyn, I slept less than usual the first time he travelled to Cuba. I wondered about the possible consequences and dangers of being personally known to eleven Yemeni terrorism suspects, who were presented *en mass* to the public as justifiably imprisoned at Gitmo for being among the "worst of the worst." My thoughts juggled news and entertainment media portrayals of government intelligence, legal and terrorism dramas (including residual memories of a childhood nightmare of my Middle Eastern-American friend from kindergarten chased by mummy-like men with large guns, which probably commingled imagery from 1980s coverage of the Palestine Liberation Organization).

Moreover, I was envious of the privileged experience my husband would gain in Cuba and antsy to talk to him when he returned. March 6th was our first wedding anniversary, and I met Scott in Miami on his way back from his first trip to Cuba. When he got out of the taxi, where I was waiting for him at the hotel, I asked what happened. He couldn't say much, mostly due to the secret-level national security clearance and review period on releasable notes from meetings required for attorneys visiting Guantanamo. He said he could tell me his impression that most of the guys are small, "One of them, Fahmi, is really small. When he sits in a chair, his feet don't touch the ground."

Several months later, Sarah Havens and Doug Cox, two attorneys from Allen & Overy who speak Arabic, planned a trip to Yemen to meet with the families of the eleven men they were representing. Already my image of Fahmi as a shackled man in a jumpsuit whose feet didn't touch the ground when he sat had developed. I had learned more about the location of the initial encounter, which was a makeshift cluster of holding cells called Camp Echo outfitted with interview rooms comprised of folding chairs and a folding table, and listened to stories about Fahmi, whose interest in rap, hash and ladies seemed to conflict with the monochromatic profile of radical extremist Muslim terrorists.

In conversations leading up to their trip to Yemen, Havens and Cox invited me to come along

to photograph. There were complications. The detainees' families were awaiting news of relatives who had been absent for over three years. There were concerns regarding the reception of an American man travelling with two American women in Yemen, and I didn't want to intrude. They went alone, with encouragement from me and an understanding of their own: take lots of pictures.

When Havens and Cox returned from Yemen, I asked to see their photographs. I looked at the photos over and over again: houses, landscapes, brothers, fathers, siblings, daughters, sons, teachers, cars, meals, gifts, animals, and stores. I received over 1000 jpgs on DVD that as a group conveyed a bright, hopeful subtext and signaled hospitality, cooperation, care, and acceptance between Guantanamo detainee families and U.S. visitors. They also showed a country, now prominent in world news, which was unfamiliar to me.

Viewing the jpgs, I matched many anecdotes from attorneys with photos, such as re-photographed pictures in Fahmi's house that contained an old portrait of Fahmi wearing glasses. Again, the image seemed amiss, both with my ideas of a shackled guy whose feet don't touch the ground when he sits in a folding chair, and an American culture-based idea of a guy who likes rap, hash and ladies.

Herster-01-Pictures from Home-2008.mov

*Pictures from Home: From Yemen*, 2008, Margot Herster, Flash screensaver, © Margot Herster

From there my impulse to archive began, and I accumulated an intimate record of personal details and disrupted families. A smattering of law firms, small to large, also had photographs and agreed they could release them to me for a documentary project. I found videos and audio recordings, too.

I met with the lawyers who created the documents and many seemed to be on auto-pilot

with preconceived ideas about what they wanted to say, such as reasons why detainees should have trials in U.S. courts, and that the procedures at Guantanamo are unfair, unconstitutional, and inhumane.

However, my propelling impulse was to learn more about each individual detainee, and his experience communicating with families through an unconventional family album created by attorneys.

With due prodding, I shifted the narrative of our conversations to individual stories, and the psychological dynamics spurred by indefinite detention, relationship building between detained terrorism suspects and American stranger-advocates, and mediating fragmented family connections. Some lawyers seemed to get more personal than they might have planned. For example, Kristine Huskey, a press savvy attorney with the firm Shearman & Sterling, who represented 12 Kuwaiti detainees asked me to stop recording as she tearfully described a client for whom she seemed to be serving as lone confidant and whom she saw progress into a depressed state. [7]



Stills from *The Lawyers*, 2007, Margot Herster, single channel video, © Margot Herster.

Through my interviews with the attorneys, a story explaining the urgency of the pictures and personal anecdotes emerged. It's a story about trust.

"After you have been burned by hot soup, you blow in your yogurt" is a saying in Yemen, one of the lawyers told me. Several detainees used this adage to explain their hesitancy, their lack of faith in their new American advocates. They wondered if the lawyers could, in fact, be interrogators.

The purpose behind the exchange of photographs, videos, and quotidian stories unfolded in my interviews, and explained the impetus for their widespread creation as part of the legal representation of Guantanamo detainees. They were evidence. Documents of relationships. Faced with barriers to gaining the detainees' trust, the lawyers produced and mailed pictures to Guantanamo to show clients they had met their families, who invited them into their homes and they shook hands. In their videos, they verbalized this message. Fragments of personal details corroborated that the lawyers knew something about who they were and where they came from.

The pictures and videos traveled one way, from the families via the attorneys to the prison. Through the lawyers, stories about life at home traveled to the detainees, and stories from inside Guantanamo traveled to the families.

“The pictures were usually the breakthrough moment in these meetings with them...the visual of seeing someone that they hadn’t seen in years was really powerful,” explained Anant Raut, attorney for five Saudi detainees. [8]

For the attorneys’ purposes, the pictures and videos provided a trustworthy source of communication from friends and family they knew well, enabled by the characteristics of photographic recordable media that communicate nuance of body language and facial expression. They provided believable communication supporting that their American attorney, pictured beside a father or brother, was someone with whom they should continue to build a relationship as an advocate. For the most part, both the detainees and their families only wanted to send happy messages.

Attorneys Sarah Havens and Doug Cox explain:

“There were also certain things behind the pictures that were being concealed. One of the things about our relationships with the families and the detainees is that both of them tell us things they don’t want the other people to know. We have clients who are ill who don’t want their mothers to know about it, but it’s okay for their brothers to know about it. One of the interesting parts of this representation is being intermediaries between the detainees and the families, who for all functional purposes have no contact. This is something I wouldn’t do for anybody else except for my own family; hide one thing from somebody else who’s not supposed to know about it.

I think part of the reason these pictures mean so much to the clients is that whenever their family sends them photographs, which happens occasionally, they are pictures that are taken in a studio where everyone’s in their best clothing, sort of formal and stiff and not smiling, so it doesn’t really give you the sense of how they are and what their life is like.” [9]

The pictures became treasured objects, passed from detainee to detainee.

## ARCHIVAL IMPULSES

My first of experiences of what was to become my archive occurred on my computer screen, as I flipped through thousands of images I received on DVDs and by email. However, for the most part, the archival materials central to the first phase of my project from 2005-2008 bear little reason to differentiate between digital or physical production. While exploiting the distribution capacity of the internet seemed attractive for visibility of my project and the under-represented message therein, it possessed limitations in appropriateness due to the intimacy and sensitivity of the archive’s content, yet unknown paths of history that could impact interpretations, and propensity for losing control of context and audience relationships.

Critic Hal Foster, who began using the term “artist-as-archivist” to describe an archival impulse he saw in contemporary art in 2004, writes, “[I]n most archival art the actual means applied to these ‘relational’ ends are far more tactile and face-to-face than any Web interface...Although the contents of this art are hardly indiscriminant, they remain indeterminant...” [10] I began re-purposing the photographs in book maquette form and presenting exhibitions, and thus shifting them from private exchange to public expression.

I applied my understanding of the photographs as treasured exchanges between detainees and loved ones to communicate memories and facilitate relationships as the point of departure. In this context, they were printed objects that each merited separate attention because they all meant something to someone. Even when using entirely screen-based presentation formats, I tended toward emphasizing physical and material potentials of the archival materials.



*Pictures from Home: For Riyadh*, 2008, Margot Herster, JPGs, LCD, plywood. Installation view: *After You've Been Burned by Hot Soup You Blow In Your Yogurt*, EdLab, Gottesman Libraries, Columbia University, 2008 © Margot Herster.

According to Foster, "archival art is as much reproduction as it is postproduction: concerned less with absolute origins than with obscure traces, these artists are often drawn to unfulfilled beginnings or incomplete projects – in art and in history alike – that might offer points of departure again." [11] As I received images from law firms, I had strong reactions. I immediately recognized a re-photographed snapshot of a 40-something man piled in bed with three children as a family now divided and prohibited meaningful conversation. My tears came when it opened on my screen.

In art historical terms, I identify as artist-as-archivist because I use means and semiotics prevalent in the niche genre. I am also a curator, a term I prefer to use to invoke its Latin roots as "one who cares."

Metaphorically and psychologically, I sometimes feel as though I have occupied others' stories by inserting myself inside personal Guantanamo histories and making emotive symbols and aesthetics that belong to others my own. In the traditional sense *Soup & Yogurt* defies typical means of appropriation art, since I use it with customary and legal permissions. When making, I vicariously thrust myself into the intimate relations conveyed in my archive to the point I half-feel that I was there when the images were made and that they belong to me as originator.

### **SOUP & YOGURT AND ITS PROLIFERATIONS**

Since 2008, I have entered another phase of my project flowing from my original archive of documents I gathered from attorneys in 2005 to 2008 to understand divergent detainee paths told through media accounts, releases of government records, and my continued conversations with Guantanamo attorneys.

I have learned about many moments of dissipated trust and severed relationships. For example the detainee named Abdulaziz remains imprisoned and fired his *pro bono* lawyers (temporarily, as it turned out), stating: "I trust you, but I don't know if you trust me." He and his wife – whose documents in *Soup & Yogurt* describe his gift of 12 sheets of Guantanamo toilet paper to represent each year of their marriage that seem romantic given the circumstances, divorced.

Many release stories, often private and unrepresented by press, provide details of detainees reentering society after their return home. Juma, known for a high profile suicide attempt made in front of his attorney during a meeting in Guantanamo, returned home to Bahrain. [12] Optimistic email exchanges with his attorney include baby pictures and requests for help getting pop culture books not readily available in his country.

There have also been incidents that propagate fear about the unknown consequences of release. Abdullah, was released to Kuwait in 2005 and acquitted by the Kuwaiti government. He married, had children, and executed a suicide attack in Iraq. [13]



1771\_Rephotographed Passport Photo of Abdullah al Ajmi, 2011, Margot Herster, JPEG, © Margot Herster.

I periodically search Google Images as one means to assess what image the word Guantanamo conjures. In 2012, the year of Gitmo's tenth anniversary, overwhelmingly the results show orange jumpsuits and barbed wire, indicative that the most recognized, re-appropriated, and influential photograph of Guantanamo was taken by military photographer Shane McCoy in 2002. The public needs to immediately see an image like this:



[guantanamo-inmates-006.jpg](#) +1

[guardian.co.uk](#)

460 × 276 - Detainees held at the **Guantánamo** Bay detention centre.

[Similar](#) [More sizes](#)

*Guantanamo Inmates-006-Google Images, 2012, Margot Herster, JPEG, © Margot Herster*

...and understand it as a singular, restricted moment that was captured, selected, and placed into public view by a motivated party and intuitively link it to a multiplicity only *partially* conveyed by an image like this:

David Levi Strauss gave his talk “Breakdown in the Grey Room” regarding the American cultural and historical roots of the photographs of Abu Ghraib in conjunction with my first exhibition of Guantanamo. Following the talk a young audience member presented Levi Strauss with a leading statement-question about the decline of photographic literacy in today’s youth. Levi Strauss echoed the student’s opinion calling for critical visual literacy education for all.

Since 2007 –when Levi Strauss first published his article called “Click Here to Disappear: Thoughts on Images and Democracy” and I first exhibited my Guantanamo project– recorded moving and still images and sounds are coming and going faster and faster, all the

while being sucked into and preserved in the world's internet database more readily. Their content, context, distribution and access are accelerating toward what looks like chaos and are controlled by individuals, corporations and others outside of government and news media that are ostensibly responsible communicators when it comes to national or international security. [14]

The defining conflicts of the twenty-first century have been, are, and will be, battles waged in image, sound, and text carried out by 'unofficials,' –individuals and non-state actors– surpassing the international media power of states that purport to fight against such entities. As Boris Groys noted regarding Osama Bin Laden's extensive use of video, "We all know him as a video artist in the first place." [15]

### **A ROLE FOR DIGITAL ARTISTS AS SHADOW ARCHIVISTS**

As noted by Allan Sekula in the "Body and the Archive," there exists both a "generalized" inclusive archive and a "shadow archive that encompasses an entire social terrain while positioning individuals within that terrain." [16] As generalized archives organically propagate on the Internet, points of departure for shadow archives grow at a corresponding rate.

I consider *Soup & Yogurt* a shadow archive, which in its entirety constitutes my major creative work.

As care-taker of an archive of intimate material of public interest presented in art contexts, I have made decisions of how and what I distribute that are at odds with those of venues, attorney-contributors, professional mentors, librarians, collaborators, and the press. I have followed my gut, and have later been glad that I have withheld or delayed publication of information others would have preferred (or simply permitted) I distribute. I have explicitly and narrowly chosen what to place on the Internet and fretted when an institution gave images to the press outside of our agreement, postulating whatifs of how the project could be used or interpreted in unintended ways. Recently, extreme consequences have played out in response to web-based media art communications that show how viral, global distribution can incite unexpected and seemingly erratic paths to real-world political action and violence.

The online distribution of *The Innocence of Muslims*, an overtly anti-Muslim fictional video, sparked violent protest in the Middle East and according to some reports, opportunism for an extremist group to execute a planned attack on the U.S. diplomatic mission in Libya, resulting in the death of Ambassador Christopher Stevens.

The controversy soon jumped back online. Shortly following violence aimed at the U.S. Embassy in Cairo, the Arabic twitter account of the Muslim Brotherhood embraced the protests and then wrote in its English account: "We r relieved none of @USEmbassyCairo staff were harmed & hope US-Eg relations will sustain turbulence of Tuesday's events." The U.S. Embassy replied: "@ikhwanweb Thanks. By the way, have you checked out your own Arabic feeds? I hope you know we read those too." [17]

More so than educating the masses in how to read digital media, socially and historically activated and ethically considered digital media production education is urgent.

My experience making, showing, and discussing *Soup & Yogurt* has led me to value artists as a profession as media experts with training distinct from others with this label. Artists who choose to shift the concept of their roles from image-makers toward image caretakers have means and power to usher public awareness and responsibility for the nuanced meanings and impacts of digital media it consumes *and* produces *and* distributes.

Consistent with Boris Groys' view of Osama Bin Laden's video art practice, disaggregating institutional powers toward individuals means that all people, not just those engaged in murder and mayhem (or institutionally sanctioned art production) possess the potential for power and authority in generating histories that compete with prevailing official or unofficial accounts.

Security –physical, economic, and psychological– depends on sensitivity and socially, politically, and ethically informed media production. As a world community, we can regain enlightened, participatory, democratic governance based on the values of the majority who I believe are the most honest people and caring people. Rather than authoring and proliferating discrete images and objects, more artists should use their talents, imaginations, ideals, and understanding to become communication analysts, communication framers, communication enablers, and communication inspirers.

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## Bio

Margot Herster is an artist and experimental archivist who engages interdisciplinary collaboration and media theory in addressing social, psychological and political phenomena. Herster has presented context specific installations and screenings nationally and internationally. Her work is widely featured in press, such as National Public Radio, *International Herald Tribune*, *Houston Chronicle*, *...mightbegood*, and *Artnet*. Herster is currently Professional in Residence at Louisiana State University School of Art. Recently, she co-curated *social(dis)order* at Glassell Gallery, designed new BFA and MFA curricula, and was founding member of the Women in Technology committee. In 2012, she founded BUREAU of CHANGE, a collaborative venture that produces physical and virtual social platforms to enact institutional accountability to individuals.

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