Between Saying and Showing: Making and Contesting Truth Claims in the Media

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The death of civilians is a morally accountable matter. Already, in talking of 'civilians' (or in the identification of a population as a group of 'civilians'), there is an embedded contrast with 'non-civilians' which may in situ implicate a number of possible further categories: 'combatants', 'soldiers', 'the military', 'terrorists' etc. In other words, two discourse frames – 'war/violence' and 'ordinary life' – are *simultaneously* involved. In this mapping, a variety of trajectories for the categorization and location of persons in this environment become available as morally implicative matters. 'Death' is always significant, in any language, any culture, and any population. It may be mitigated, justified, excused, and attached differentially to various categories of person, settings, and contingencies, but it can never *generically* be ignored. It is always accountable. When attached to specific populations/categories in particular sorts of circumstances it can, in occasioned ways, be dismissed, but such 'dismissal' is *accomplished*, and the modes and methods by which it is so accomplished (or which otherwise ground a justification or excuse for the deaths) may remain *themselves* irremediably accountable in various ways by different parties. Such accountability and accounting cannot be absolutely foreclosed, and may in some other location or time be pressed, pursued and made relevant by the same or other agents.[21]

It is this moral environment, and this kind of moral complex, which had (and still has) to be traversed and negotiated in the war on Iraq, as indeed during and after any war, at least in modern times.[22] And it is precisely these sorts of issues which formed both the substance, point, and frame of media reporting on the Iraq war of 2003, as well as the substance of the critical contestations made, both about the war, *and* about its reporting and accounting; the media coverage of the war, as well as the reports, accounts and descriptions given by various parties, official or otherwise.

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[21] This applies to 'death', 'killing' and various other injuries that may be inflicted. A recent example indicative of a trend to organize concerted action so as formally, publicly and retroactively to reconstitute past actions by different state officials as morally and legally accountable is that of Major General Doron Almog, head of Israeli forces in Gaza during the second Palestinian Intifada. He had

an arrest warrant issued against him by a Bow Street magistrates court in central London for suspected violations of the 4th Geneva Conventions which was meant to be served on his arrival at Heathrow on September 11, 2005. Almog evaded arrest, on being tipped off before disembarking from the El Al plane, by flying right back to Tel Aviv. He was reported to have said that "any Israeli officer could now be arrested in Britain simply for having performed their duty". See *The Guardian* report on this, September 12, 2005. See also the Amnesty International posting on this at (http://www.amnesty.org.uk/news/press/16427.sht ml, consulted September 22, 2005).

[22] The fact that different distinctions and valuations of 'deaths' and 'dying', and applications of these, operated in other places and/or previous ages (from antiquity to the present) does not diminish the point. That death may have been 'heroic' or 'justified', 'sacrificial' or 'holy', or as attached to *specified* populations, simply permissible without thought, demonstrates precisely that it has never been generically dismissible: rather it was (and still is in particular ways) *the liminal mode by which distinctions and boundaries are established between categories of person and/or population.* Giorgio Agamben's (1998) important politico-philosophical work is of special relevance here. It would be of interest to attempt a history of (the conditions of possibility for) the emergence of new forms and grids of valuation that have been attached to 'life' and 'death'.

This paper will address the truth claims made and pursued about both the *identity* and the *numbers of deaths* in the context of particular 'moments' of that war, a matter that had every relationship to the possible characterization of the war itself, and those who declared and waged it. The paper addresses this through the claims made both *by* media reports, and *about* them, as the actual 'facts', 'truths', and 'outcomes' of the war and its conduct were (indeed still are) fiercely debated. In the process, a number of issues relating to intelligibility, visibility and the moral order will be raised.

Media Accounts and Media Accountability: The Practical Representation Problem

In the practical world, members historicize 'events' as a matter of routine accounting; they contextualize them both spatially and temporally: they can invoke, assume and orient to 'networks' of actions, persons, and events; they can situate them in temporally located and unfolding dynamics, i.e. they temporalize and spatialize them (constitute them relationally) and further, in so doing, they can make 'change' and 'transformability' accountable. These are routine features of the ways members orient to events in their own and other people's everyday lives, and of the ways they may engage them. Yet, despite their unrelievedly spatio-temporal contextualisations, they nevertheless orient to the in–principle recalcitrant facticity and objectivity of events and circumstances. In this, they orient to the *in-principle* discoverable truth-value of accounts and claims, as well as to the facticity and 'reality' of the *actual* courses of events in the world and their outcomes. The relationship between claims (words and utterances) and the world/events is one which is, in principle, irremediably subject to member's scrutiny, further claims and counter-claims, and even inquiry. It is within the context of such mundane features that are unrelievedly constitutive of reasoning about the world, and of the

practices of accounting for events within it, that one needs to understand the contexture of media accounts.

Media accounts are specific sorts of practico-epistemic objects. They constitute texts produced *from within* the socio-logic and practical organization of an institutionally organized array of everyday activities, but an array, nevertheless, which partakes of mundane common sense practices of accounting, telling, describing, inferring, and claiming, as well as asking questions, giving evidence (for better or for worse), condemning, making allegations, passing on information, and interviewing. That is to say, they are embedded, for their sense and reference, and for the way they 'work', in the features and the logic of everyday practical reasoning. Yet, at the same time, like other social practices, they have a logic which is specific to them, a logic constituted by the particular modes within which they organize various cultural practices, and deploy them. They partake, in other words, of the practico-moral logic of reasoning and praxis within the world, but do so in modes that specifically constitute them *as the institutional and institutionalized practices* they are.[23]

In 'reading' a media account we are instructed, *through the account*, in the ways we are to understand, see and know *other* places, *particular* events and their rubric, as well as persons and histories. In this we are implicitly also 'instructed' to orient to media texts, as reports on an objective world, and moreover, objective or accurate reports on such a world. Two presumptions are built into the report's intelligibility and readability. One is that there is an objective world to be known, understood and described: this is indeed a

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[23] See here, for example, the work of Gaye Tuchman (1978) in which she explores professional media routines and methods of news gathering and reporting, and the ways these are embedded in institutional arrangements and procedures. Beyond that, for examples of ethnomethodological studies of media and media work, see Jalbert (1999).

very premise of living-in-the world, of everyday social interaction and practical intelligibility, a premise that can brook no absolute negation or systematic ambiguity in the mundane conduct of social life. The other one is that the report renders this *factively* rather than *fictively*. No one offers an account of some event *as a false* one, although sometimes it can be offered *as an uncertain* account, but for this to be the case, particular hedging devices are used; qualifications and qualifiers. Embedded, that is, within the rhetoric of 'objectivity' of a news account, and of news reporting (at its supposed ideal best), *is the potential collapse of the notion of the objectivity of the world into the notion of the objectivity of the account of the world*. Of course there are editorials, opinion pieces, and other genres of media textual practice, but these genres, in their very deployment and self-announcement, constitute reports as being other, and indeed instruct us to see them in a different light. This brings to mind Habermas's "validity claims"(1976), in particular the two validity claims of 'truth' and 'sincerity'. These are principles that are implicitly taken as informing communicative action (in what he calls the "ideal speech situation"): that in the very telling of an account, there is, at least at that moment, an implicit (even if defeasible) claim that it tells the event, for the practical purposes at hand, "as it happened", and that it is so told in good faith.[24] Without analytically endorsing the use of the notion of the 'ideal speech situation' here, one can nevertheless concur with him that in the very communicative

act, these validity claims are taken by interlocutors as being implicit.[25]

But here one of the specific features of media accounts surfaces: once they are released into the flow of everyday transactions, they seemingly stand *disembodied and disembedded* from their points of production, as well as the courses of production which gave rise to them, the immediate contexts of use, *and* the practical tasks of account recipients. In this they are unlike courtroom accounts, reports to a family member, institutional reports, or other reports people tell each other *in* the course of interaction.[26] It is this feature which is specific and peculiar to media accounts as social and discursive objects. They can then take on the features of self-contained, disinterested, docile, 'documents' and routinely are so treated by members/researchers. Indeed they are treatable as documents which provide possible documentary indices of various sorts, deployable across a set of different logico-practical registers, indices of various social 'objects', 'phenomena' or 'facts' which may be differentially and even disjunctively treated and used by members. One may, on the one hand, examine a media account for the kind of social world which it is both an index of, and 'narrates', so to speak, and one can trace *within it* the map of social structures, and the character of actions, agents and events which seem to constitute the world it speaks of, *and* the 'world it speaks'. And one may, on the other hand, simply *read off* the events and facts from the account as given (market prices; government decrees; dates of events; etc.).

But in fact, all claims made, and readabilities thus produced, are routinely held up for inspection, comment, accountability and inquiry by ordinary

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[24] The notion of 'for all practical purposes at hand' (Garfinkel 1967) is treated as a constituent feature of the pragmatics of communicative interaction. This means, of course, that there is entertained, between interactants, an *acceptable margin of difference* between possible ways of telling a story about some event in the world, differences which would not necessarily vitiate the *pivotal* claims being made *within the interaction at hand*. For example, the date the event happened – if the date is not the point, but rather something else about the event,. This margin remains situatedly negotiable and determinable.

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[25] This also is in agreement with Winch (1972) when he suggests that language presupposes a norm of 'truth-telling' as its operative condition.

[26] Although, of course, there are a diverse range of differences within this list that cannot here be addressed in detail here.

members (readers and other reporters equally). Once produced, a media account can also circulate and become incorporated into 'a body of accounts' which can be inspected *as a whole* (as for example, the US press reports about the war against Iraq). What may be distinct with media accounts in this respect, however, is that, unlike a body of institutional records, or a body of letters from the same person, these are produced as 'factual' yet 'public' accounts, *not* by persons involved in the production of the activities, events and indices they speak of, *but from a third person vantage point*, outside the arena of produced action itself, and 'after the fact'. They are thus a body of public accounts, often about publicly *knowable*, in principle available, and publicly consequential events and activities, but accounts that are not necessarily produced as constituents of, or from within, the course of actions and events they speak of. It is here that both their potential claims to 'objectivity' as well as its potential undermining can be located. Media accounts can become a particular sort of archive, a particular kind of record – one whose very *process* of production, unlike that of medical records or birth records for example, may routinely surface as an issue for *ordinary* members.[27] And in that procedure, what can emerge is a possible undermining of the premise of account objectivity, or disinterestedness: one can begin to look at systematic ways that these accounts produce the landscapes and terrains they speak of: what they include, what they miss out and how. In other words, although a mediated account may be produced as a self-contained report (which implicitly claims to provide within it all the *relevant*

features of the events and actions being told of), it can nevertheless also be held up by members against other accounts of the same set of events and actions, or they may even be incorporated, as an item, in a series of accounts which are treated as producing a cumulative record of some kind that can be held up against other knowledge and/or experience. Here then, as a body of accounts about a specific matter, *as a collection*, (and attributable to identifiable sources), accounts may be treatable in a distinct way: found to be full, or deficient, truthful or faulty, comprehensive and balanced or selective. Individual accounts may not be subjected to the same treatment. This can be seen in the analysis of, for example, US news coverage of Palestine/Israel.[28] News reports are treatable as being produced by persons, who whilst not being party to the field of action on which they report, may nevertheless be vested or 'interested' in the outcomes, as opposed to being disinterested, or who do not necessarily have proper access to all relevant sources or facets of the topic being covered. Herein lies the possible tension between the issue of 'professional codes' of work, and 'practical interests', 'ideological attachments', the irremediable positionality of account producers in the conduct and accomplishment of their work. In this context, disjunctures can arise in a number of ways; between account and 'world', between different accounts, between features implicated by different items within the self-same account/discourse, or between features within the account and the account's hearably intended upshot and their possible implications, resolutions

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[27] I am here talking of ordinary members of the public, or members of specific constituencies or interested organizations (media watchdogs, publicists, diplomats,) who may function as practical analysts and practical historians. This is quite distinct from the kinds of interest that theoretical and academic historians or researchers might have, or from the kind of interest held by specialized scholars for whom the production of any kind of record or archive may pose an in principle methodological problem.

[28] Or of course the coverage of the Iraq, war, or indeed any number of hotly contested public issues. Note here the proliferation of various media watchdog organizations in the USA alone, such as Fairness and Accuracy in Reporting, MediaWatch, Truth in Media, Transparency Now and many more. There have also been many works of academic scholarship in this vein of course, most notably the work of the Glasgow University Media Group in the UK, whose most recent contribution was Philo and Berry's (2004) revealing *Bad News from Israel*

and/or upshots) are even more diverse and multiple.

Media accounts (at least in their *standard format*) are, as indicated earlier, unlike many first person accounts: they do not necessarily offer for the reader/listener/viewer a transparent understanding of their "production process" and of its concrete particulars, the trajectory of work and activity through which they have actually been produced, although, in talking of their sources, they (often) make a claim to doing so. In this latter kind of case, there may sometimes be a shift from locating and specifying the production process of the 'event' they speak of, to the production process of the report that speaks of that event.

Consider a report about the war on Iraq: the *evidentiary* or *indexical* register within which it is produced may remain confused, shift or be equivocal: much of it could rest on accounts, tellings, declarations and descriptions by accountable parties who are themselves agents of the production of the events spoken of (and who may therefore so produce descriptions tied to their own tasks and relevances, however widely or narrowly conceived). Some of it can be based on 'witnessing' either the activities involved (or at least indicative 'cross-sections' of them), or accessing the 'lived' indices/outcomes of the production of the event(s) spoken of. [29] That is to say, of course, that the 'lived' trajectory of actions/events has multiple experiential

positions and multiple relational and spatio-temporal locations, and is, situatedly, an unfolding 'complex', giving rise by its very nature to multiple 'perspectives' and outcomes. The analytic-practical problem here then, is twofold:

1) the production (or lived) process of the events to be described, and
2) the production process of the account itself.

The gap, or the shift, between the two, marks the ***problematic of representation***, not merely in the philosophical sense which is spoken of in constructionist and in post-modern theorizing and analysis, but for the ordinary person, ***as a practical matter***. The ordinary person is one whose taken for granted understanding of the world is that there is a world out there, independent of any particular construction, that there is a knowable event, and that 'events' have an epistemic integrity to them which makes it possible *in principle* to know the 'truth' of what happened on any one single occasion. This is, as already indicated, one of the taken for granted understandings of the mundane intelligibility of the world, and of social life (informing, among other things, all the procedures of courtroom investigation, as well as forensic practices). And it is from within this attitude that media accounts are taken to be interested, motivated, biased, revealing, one-sided, distorted, superficial, and so on. It remains a concern for ordinary persons, as to whether a specific media account does tell it 'how it is'.[30]

There is always an in-principle gap between (1) and (2): the news report is routinely, as a matter of methodological principle (one known in common), *after the fact* and routinely *exogenous* to the course of events which it purports to describe. Here lies the importance of

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[29] This is sometimes called 'on the ground reporting'. In this respect, of course, many war correspondents attempt to cover events *as* they unfold and *from within* the field of action. The high casualty rates among them are a result, but so is the greater credibility and potency of their reports. The new practice of embedded reporters, however, introduced by the US administration in its war against Iraq and elsewhere raises new and interesting questions about some of the implicit understandings and premises of 'on the ground reporting'. This has been a hotly debated issue, indexing and referring to practical understandings of 'objectivity', 'necessity', 'truth-fullness" and 'authority".

[30] Walter Cronkite, who was for over 20 years the anchorman for the CBS evening news, would conclude each of his newscasts with the words: "And that's the way it is on [….date of the newscast]"

'witnessing', and 'lived experiences'. And here one can locate the distinct epistemic status accorded to these, although not without at the same time ramifying other problems related to questions of 'memory' and '(self-)interest'. In relation to the 'account' (the after-the-fact description), the question of 'truth', 'fullness', 'accuracy', etc. is locatable precisely in the methodological question of 'how do you know?", 'what are the grounds for producing *this* account". This remains intractably relevant, even if it is not actually asked, pursued or addressed: even, in other words, if accounts are accepted at their 'face value' as having met all the criteria of account adequacy.[31]

What provides for the possibility of 'marking' a discrepancy or the gap between (1) and (2)? Or for the substitution for the description of the production of (1) by offering (2). By citing 'authoritative' sources for example? And how does this work then in making sense of the media accounts, not merely as produced texts and descriptions, but as moves with consequences *within* the world? This is, after all, what the institutions of media criticism involve. This is, also, what produces much ordinary debate, contestations, and disputes between parties as to the character of media accounts, and their import.

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[31] This is a particularly marked feature of 3rd person accounts: yet 3rd person accounts produced by someone about a party whom they are taken to know well, such as a spouse, will in actual practical contexts often not be questioned, based on the attribution to the speaker of privileged access as a result of the relationship. There are other presumptions that inform which account, in practice, gets questioned about its sources, but *public* 3rd person accounts are expected, as a matter of course, either explicitly or implicitly, to provide for their credibility. One humorous take on precisely this implicit background understanding is Michael Moore's featuring of George Bush's announcement about a 'terror threat' as being tellingly vague and empty of substantive credibility, in his film "Bowling for Columbine". Issues of first person accountings are, of course, also distinct and diverse.

In what follows, we will pursue features of one kind of disjuncture between different accounts.[32] We will address some of the issues that arise from what we might call here the "practical representation problem" as it situatedly arises, and some of the different ways it might so arise and pose communicative issues for members. We will address this within different kinds of media accounts, and inquire into some of the distinct strategies of intelligible accounting that may be correspondingly involved.

Televising Events: Visibility, Deniability and Accountability

In early April of 2004, US forces mounted a heavy siege and attack against the Iraqi city of Fallujah (in what they termed the Sunni triangle), supported by newly organized Iraqi troops. The battle of Fallujah was the focus of concentrated reporting by US and other international media, as well as by Arab media, both print and televisual. The two satellite channels of Al Jazeera and Al Arabiyya covered the events blow by blow, especially Al Jazeera, which had its reporters stationed within the city. The reports by both these stations however, came under a storm of protest and criticism from the US command, and the dispute itself became the focus of much reporting in the ensuing days. Again, the reports on the dispute itself, produced in various modalities, were carried by various media outlets, both print and televisual, Western as well as Arab, including the very channels which were under attack.

What was at issue in the disputed reports? Why was the reporting of Al Jazeera and Al Arabiyya deemed so critical and problematic? How was the dispute articulated, made accountable and managed? And what kind of analytic issues does the entire set of developments raise:

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[32] For examples of ethnomethodological works on various other sorts of disjunctures see Melvin Pollner (1975) Peter Eglin (1979) Jeff Coulter (1975;1979), and Jayyusi (1984, esp. Chapter 5).

about media accountings, visibility, public contestation and moral order? We will explore some facets of these, probably raising even further analytic issues in the process which must, however, await another forum for inquiry.

Since the dispute specifically arose with respect to televisual reporting (even though many of the claims there were also being made within the Arab print media), it is relevant at this point to begin by a few observations on the nature of television news accounts. Clearly we encounter in these a different organization, and adopt a somewhat different logic of orientation to the text, than that with print accounts. A newscast can start with an anchor reporting the news item, after which it can cut to an on site reporter, giving news directly *from* the field, who can then also interview another person *within* the field of reportable and accountable action and events. Or the anchor can be talking about a party within the field, who are in fact the prime locus of the action being reported on, and we may then cut to a brief shot or slice of that party's available-to-camera action/talk (as, for example, someone emerging from a high level meeting, visiting a disaster site, or giving a press conference). There is here a visible lamination of courses of action, engagement and orientation which in the print report are collapsed into one another in one *seemingly* seamless report. In the latter, even the quoted remarks attributed to a third party are visibly accessed through the discourse of the report itself and its formulations, despite the appearance of 'excerption' that the practice of quotation marks accomplishes. In the television context, however, they may each have, to some extent, an equivalent immediacy: in other words, each may be seen as constituted within its own space-time. Moreover, they are not co-constitutive of the actual accountable 'event' in the world (at least not equally so) but only, and even then contingently, of the media event (the "broadcast event"). The TV field reporter's work is routinely

oriented to by members, in the first instance, as a momentary point of direct access to, or as an 'excerption' from, the flow of events. We are invited to 'see' as through a 'window' – through this 'window', the courses of action of reporter/videographer on one hand, and agents within the field of action on the other, are treatable as constituents of larger trajectories which are essentially *disarticulated* in their production and only conjoined contingently in the movement to afford this window.[33] The persons whose words we encounter may be encountered (save for translation issues which we must put aside for now[34]) almost with the same sort of immediacy. It is as though we are transported into their *presence*. We are purportedly brought in to see for ourselves.

Let us now return to the dispute which arose over the coverage by Arab satellite television of the attack on Fallujah. On its

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[33] In the June 2005 issue of *Gulf Marketing Review*, published in the Gulf, an ad appears for Al-Arabiyya television network which captures and re-inscribes this very modality of mediation: on the top, shown within the frame of a large screen (presumably the television screen) a viewer sits on a comfortable armchair, watching a group of presumably US soldiers in the desert, dressed in full gear and moving towards him in the midst of what seems to be a haze of sand. Both viewer and viewed, the seated man and the soldiers, are within the frame so that they appear to share the same space. The caption, in Arabic, written on the purple band at the bottom of the screen reads :"Closer to the Truth". Text, in English, appears beneath the supposed TV screen, in what is clearly an indexing of Al-Arabiyya's role in covering what until only recently had been the little known city of Fallujah "… we provide Arab viewers with impartial on-the-ground reports from wherever news happens, from Fallujah and Beirut to Cairo, Riyadh, Paris and Washington DC, just to name a few……."

[34] For an ethnomethodological perspective on this issue of 'translation' see Bjelić (1999), who draws on, and analytically responds to, Baudrillard's work on simulation. However, one can note here that in various contexts of translation work, there may be an available range of potentially relevant categories which can be used as adequate, or even *as interchangeable, for some particular practical purposes in-situ.*

April 16, 2004 newscast Al Jazeera showed the following report:[35]

Anchor (in Arabic): "The US Defense Secretary mounted an attack on the Al Jazeera channel and accused it of offering inaccurate coverage with regards to *the civilian casualties in Iraq* and he said that what Al Jazeera was broadcasting and which *refers to the killing of hundreds of Iraqi civilians at the hands of the American forces* constitutes a shameful act, in his terms."

Cut to shot of press conference: a US officer first appears on screen then camera pans to Rumsfeld (US Defense Secretary) at his side, wagging his finger with a pen: (in English) "…categorically say what Al Jazeera is doing is vicious"/

Off screen translation in Arabic comes in: /"I can say categorically that what Al Jazeera is doing is an evil act and not accurate and cannot be excused/justified. *I cannot specify the numbers of human casualties in Fallujah* for we are *not present in the city and our forces do not deliberately kill hundreds of innocent civilians*, it is just scandalous nonsense and what this station is doing is a shameful thing." (italics added) [36]

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[35] This was broadcast at 9:00 pm Dubai time.

[36] 'Tabreer' was the root of the Arabic word used in the translation of Rumsfeld's "inexcusable": it can stand for either 'justification' or 'excuse'. The Arabic word "scandalous" was the one used to translate Rumsfeld's "outrageous", the latter being the word which actually appeared in the English transcript of the press conference. The translation in the Al Jazeera broadcast did not render a *strictly* equivalent organization and use of terms as in the English original. These are issues which we will not be able to address at any length in this paper. Nevertheless, for the purposes of this analysis, the differences which appear in this particular translation do not affect the points being raised, specifically the *deep grammar* of the claims being made by the different parties. The transcript of the original press conference in English was available independently of course, but the press conference itself was presumably the material for both televisual reportage as well as print reports. One place where a section of this portion of the press conference was excerpted and used was on the site of the Institute for Public Accuracy, under the headline: "Al Jazeera: Blaming the Messenger" on April 30th (accessed April 8, 2005), http://www.accuracy.org/newsrelease.php?articleId=309

What follows is the relevant section of the transcript of the original press conference as it was officially released:[37]

Defense Department Operational Updated Briefing

Q: General Pace, talking about Fallujah, we continue to hear from Marine commanders that there are a lot of foreign fighters on the ground and perhaps a lot of them are being killed. Can you describe the enemies that they're facing there in Fallujah? Is it largely foreign terrorists?

GEN. PACE: Don't know yet because there are still many in the city, so we're not sure what the flavors of those who are fighting are yet. Clearly there have been a lot of fighters who have been killed, but to try to describe a percentage or a type of fighter right now, I don't have that data.

Q: If I could follow up, Monday General Abizaid chastised Al- Jazeera and Al-Arabiyah for their coverage of Fallujah and saying that *hundreds of civilians* were being killed. Is there an estimate on how many civilians have been killed in that fighting? And can you definitively say that *hundreds of women and children and innocent civilians* have not been killed?

SEC. RUMSFELD: I can definitively say that what Al-Jazeera is doing is vicious, inaccurate and inexcusable.

Q: Do you have a civilian casualty count?

SEC. RUMSFELD: Of course not, we're not in the city. But you know what our forces do; they *don't go around killing hundreds of civilians*. That's just outrageous nonsense! It's disgraceful what that station is doing. (all italics added)

What surfaces as the hub of the Al Jazeera report, as well as a specific issue in the exchange in the press conference - the

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[37] The transcript was made available on these sites: http://www.defenselink.mil/transcripts/2004/tr2004 0415-secdef0622.html http://www.globalsecurity.org/military/library/news /2004/04/mil-040415-dod02.htm (Accessed April 8, 2005).

point of the dispute - is the number and character of those killed in the fighting in Fallujah: the number of casualties, their kind, and the agent responsible for that. A straightforward, morally accountable matter, the very stuff of moral order: a body count, life and death, and responsibility for that. *Laminated onto that is the issue of the character of the reporting itself.* The very fact of this dispute, and its character, highlights the *unavailability at first hand* to viewers and members of the news audience**.** Indeed in some respects without reports in and from the scene, the general 'events' themselves may not even be 'known'. In other words, outside of the institution and practice of media reporting, the events, for many, would not even be part of their horizon of possible knowledge. In this we see 'media institutions' as ones that constitute technologies of access, retrieval and knowledge production. That there is a dispute as to what was taking place there, and then, is not merely a dispute of *interpretation*, as some disagreements often are, not simply a difference of viewpoint or perspective, but literally one over facticity and actuality: what *actually* unfolded, what took place, who died, how many died, and who was responsible for that and how. It is a *forensic* dispute. And like all such disputes, it rests on the unavailability, first hand, of the **lived** course of production of the event(s) and its outcomes, of what *now* constitutes itself as given, as fact. The audience, the viewers, (or the readers) i.e. the recipients of media discourse (various other members of the press, as well as ordinary folk watching their TV sets) are in the very nature of things not present, and therefore not witnesses (or parties) to the course of production and thus its immediate consequences, the matters which are at issue. The unavailability of the course of production is, as we earlier indicated, a routine feature of much of the spaces and activities of the world that are, nevertheless and properly so, objects of and for knowledge, matters which need ascertainment, or are even treated as given

at times. That is to say, for many items which constitute topics of knowledge for members in the world (practical matters for knowing and acting upon), the resources for such knowledge have to be produced *post hoc* and at a remove from the actual course of production of the act in question. In a sense, mediated accounts, accounts produced in the media, are producing purported 'knowledge' of events, persons and activities not available directly (at the very least not entirely) or in their immediacy of unfolding to ordinary members. The media present this as just their business- this is precisely one of the modes of self-presentation implicit in media reportage. Indeed, it is in this sense that the mass media function, ostensibly at least, as both a technology of retrieval and visibility, *and* of accounting.

In the context of the Fallujah events it is the *outcome* of the events that is by far the most significant matter: the numbers of casualties and who they are: women and children versus 'insurgents' as appears in numerous other accounts produced at that time. The fact and number of civilian casualties, *is in one sense perceivable as the 'event'* but it is *also an 'outcome' of the other events which led up to it*. It is the character of these prior events (which produced *this* one, this *outcome*) that is at issue. The 'outcome' (the killing of women and children) here, may be treated as, in a sense, 'larger' than the actions/events that may have produced it.[38]

The *outcome of a course of* action is programmatically relevant in the moral calculus of ordinary members, even as it may be variously described, mitigated or managed. This is done by individuating the elements of a course of action which produced the 'outcome'. Certain sorts of outcomes are clearly and irremediably constitutable and accountable in morally significant ways. What is clearly the case

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[38] Here is the significance of Eric D'Arcy's point about elisions of actions and their outcomes which I discuss elsewhere. See D'Arcy (1963, esp. chap. 1) and Jayyusi (1984, chap. 6)

here is the mutual orientation to the moral significance of the claimed events in Fallujah, and of their profound import for the constitution of the character of the agents who produced that outcome in the first place. And that, in turn, is implicative for the characterization of the setting within which such events transpired, and of the relationships between the agents, and between the different parties to the situation: how the story (history) of these events is to be recounted.

In the press conference the question which is asked, and around which the Al Jazeera report was produced, starts with mention of the criticism of Arab television (al Jazeera and Al-Arabiyah) "for their coverage of Fallujah and saying that hundreds of civilians were being killed". This is what, drawing on the work of Fred Dretske (1977), can be described as an allomorphically sensitive propositional context: the critique of the statement that "hundreds of civilians were being killed" (implicitly here by American forces) is one which can take different forms of focal emphasis.

In an article entitled "Referring to Events", Dretske distinguishes between various possible versions of a statement or proposition which refers to an event, describing these versions as variants of possible "contrastive focusing" (or what he also describes as contrastive emphasis on p. 370) that can be implicated in the proposition delivered. For example, he suggests that the fact given in the proposition "Susan stole the bicycle" (p.370) can be described in this *self same sequence* of words "in a variety of ways": as "*Susan* stole the bicycle" if the question is who stole it, or as "Susan stole the *bicycle*" if the question is what she stole (and one can add as "Susan *stole* the bicycle" if the question is what she did with the bicycle). Such contrastive emphasis has classically been treated, he suggests, as a matter not of what is said but how it is said: that is, that the different patterns of stress do not affect the

proposition being made, but simply express the speakers beliefs about what his interlocutors are interested in. Dretske suggests, however, that the case is different once the proposition is embedded in a *larger context*, (as for example in "George *advised* Susan to steal the bicycle") and that in such contexts, it is the *semantic content* of the proposition that is affected: in other words, what one then has are different embodiments (or variants) of the proposition, depending on the contrastive focus. He suggests that the truth value, and so also the "meaning of the larger expression, is a function of the emphatic focus of the smaller expression embedded in it". He terms such variants different *allomorphs* of the proposition (or claim*), or propositional allomorphs.* And he calls the contexts in which they relevantly arise, *allomorphically sensitive contexts* (p. 371). This is any larger statement whose truth and meaning depends on the specific allomorph embedded in it. Dretske suggests, in other words, that these allomorphs are not merely matters of intonation and stress extrinsic to the semantics of the proposition. Rather, he argues that in *causal* contexts of claim– such as those which he suggests are given and present, for example, with the use of *epistemic* verbs (e.g. "X remembers that M…")- *which* particular element of the event is being 'targeted' in the larger claim makes a difference. Thus when claims are embedded in such larger expressions, they refer to different causal elements in the causal chain, and constitute "allomorphically sensitive contexts".

While Dretske is concerned with accounting for these contexts and the allomorphic distinctions they make operative or possible, I am concerned in this paper with their interactive implications for practical contexts of reporting, claiming, judging and accounting. Dretske is correct, but the argument he embarks on to demonstrate this perhaps misses the larger critical context here: this is the interactional and praxio-logical contexts of claim making in

the first place. If we replace the 'causal' context he argues as being the operative register here with a "judgmental context", we will find that this is indeed still open to an allomorphic analysis such as Dretske proposes. Judgmental contexts of course include 'causal' attributions and judgments, and epistemic claims, and the latter are routine features of practico-moral contestation or disagreement, but the issues that arise in this respect routinely have to do with questions of accountability.

Thus, it is not only the use of epistemic verbs and expressions which constitute allomorphically sensitive contexts, but in principle, all contexts of *contestation* where 'deniability' (culpability, liability, and responsibility) is programmatically relevant. Allomorphic variants of claims are implicative for the possible interactional trajectories that may arise in their contexts, and which bear intimate ties to the practices of practico-moral accountability, blame and judgment- the moral dimensions of practical activities. In this context, we need to note, that any or all claims or attributions may end up contested and are, in principle, contestable.

In that the *forensic architecture* (the investigable organization) of any trajectory of actions and interactions can be decomposed into various discriminable elements (agency, outcome, objective, and relationships), whose discriminability may be practico-morally accountable or significant, any context of contestation can be allomorphically presented. The *allomorphically active* context may be any context where there is a difference/dispute, arising from or embedded in a narrat-ologically *dense* trajectory of events and actions.

In the case of the disputed Al Jazeera report here ("…General Abizaid chastised Al-Jazeera and Al-Arabiyah for their coverage of Fallujah and saying that hundreds of civilians were being killed"), an allomorphic analysis becomes relevant in the contexts of the contestation of the

charge (or its deniability): that it is not 'hundreds' (of civilians/women and children') that have been killed, or alternatively not 'civilians', or yet alternatively not (as the implicit claim goes) at the hands of US forces. The counter claims (each taking as its propositional base a distinct allomorphic form of the original statement) could be:

> Tens are being killed (not *hundreds*) or
> Hundreds of fighters posing as civilians are being killed (not *civilians*) or
> Hundreds have been injured/made homeless (not *killed*) or
> Hundreds have been killed by the actions of insurgents in the city -to lay blame on the US-… (not by *American forces*) [39]

The questioning in the press conference, however, is pressed further beyond the reference to the claim and its rejection:

> "is there an estimate on how many civilians have been killed in that fighting? And can you definitively say that hundreds of women and children and innocent civilians have not been killed?"

This is a question which invites an explicit and distinct denial. But this does not come. Rumsfeld does not give a straight denial, but instead shifts the statements to charging al-Jazeera television with doing something "vicious, inaccurate and inexcusable". Here, the denial is implicit: the charge that sums up Al Jazeera's

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[39] This was a strategy actually used by various US media commentators on the fighting in Fallujah, as well as some Israeli sites discussing the Jenin battle of March 2002. See, for an example the article by Robert D. Alt published in the *Weekly Standard* on April 21st, 2004 under the title "The Al Jazeera Effect". See: CBSNEWS.com at http/www.cbsnews.com/stories/2004/04/21/opinion/main612983.shtml (Accessed on April 23rd, 2004). Alt, writes: "Indeed there is substantial evidence that the insurgents are taking deliberate steps to increase the number of women and children killed by Coalition forces. In a firefight over the weekend in the border town of Husaybah, insurgents used women and children as human shields to block mortar positions. Similar reports are beginning to come from Falluja."

reportage as vicious and inaccurate is one that suggests that the details of the reportage, as made available to the viewers/readers through the words of the question in the press conference, are not fully correct: the charge is denied implicitly through the definitive counter charge of inaccuracy. What is interesting about this denial, however, is that it is not a full and complete denial of the charge: but simply of its scope, and modality. It is a formulation sustained within an allomorphic context: i.e. it is one which maintains the possibility of reformulating any potential-counter evidence (that has been produced or *may yet be produced*) into a mitigated condition, a mitigated understanding of the denial. An allomorphic version, in other words, which suggests that it was not perhaps'hundreds' that were killed, or that those killed are people who look like civilians but were not really, and so on. This maintains the claim to truthfulness while assimilating counter evidence to a full denial. These are options for further potential negotiation of the morally implicative facts (should they come to light.).

But obviously, the preference in such contexts would be for a complete denial, instead of having to refigure or rearticulate or decompose the reported into allomorphic components. It is precisely the visual aspects of Arab television reportage, however, made visible to a mass public, which made such denial difficult. In response to Rumsfeld's indirect denial which maintains the space for subsequent allomorphic restatements, he is asked "do you have a civilian casualty count?". Rumsfeld's response is "Of course not, we're not in the city". Had it rested at that, the denial would have, in principle, and accountably, been on problematic terrain: Arab television was "in the city". It is precisely that which was the problem, facing US spokespersons with both the problem of attribution to them of seriously implicative actions, and the need for their denial. Rumsfeld continues:

"But you know what our forces do; they *don't go around killing hundreds of civilians…*" (italics added)

The idiomatic hearing of the phrase "go around killing" suggests pattern, collective habit, perhaps awareness of the actions and their outcomes. Purposefulness, cumulativeness and selectivity are all implicitly embedded in, and therefore retrievable from, this phrase. In denying this, Rumsfeld here appeals to, and invokes, the shared knowledge of an institution identified as 'ours' ("our forces"): in other words he appeals to a 'trust' in the nature, functions *and* functioning of the collective institution, as a constituent of shared moral legitimacy and the authority it sustains. In this, his words function as the affirmation of that legitimacy, and that shared collective social order, which has reflexively vested him with the authority to speak on and about it, and thus they work as an appeal to trust in the institution through 'trust' in what he has to say on its behalf and about it. Rumsfeld thus denies intentional targeting and -implicitly - intentional neglect of the outcome of operations on civilians (such as might be attributable in carpet bombing, for example).

While Rumsfeld purports not to have access to the locale, ('we', as an institution, or as 'command') and therefore to the scene of the events and to the possibility of being able to have witnessed them directly, and thus to give testimony (or evidence) or know factually the concrete particulars (the "civilian casualty count"), he does speak of the events in a way that nevertheless lays a claim to knowledge, and which runs counter to the claims of Al Jazeera. It is *his speaking and assertion,* as official spokesman for a duplicatively organized membership categorization device which is meant to stand as the guarantor of the truth of the claim/denial.[40] The denial is meant

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[40] The notion of a duplicatively organized membership categorization device comes from Sacks (1974) in his seminal paper "On the Analyzability of Stories by Children". He uses this

to be taken as it is and thus, reflexively, as on trust: one of the ways in which claims are assessed for their truth value is to inspect the sources of these claims (both personally and institutionally). This is of course, one of the procedures used and usable in court room proceedings, and it is also a pervasive background feature of everyday 'transactions of facticity'. It is routinely or often *in the uttering of a denial* that the 'force' of that denial is intended to have its play, given the auspices under which it is produced: institutional auspices, by persons in authority within that institution. In the routine course of affairs, the institution lends force/authority to the denial, as the denial confirms the institution as trustworthy, unless and until this is reviewed in light of new 'facts', or 'evidence'. *Unless, in other words, locatable indices come to light to cast greater or lesser doubt on that matter.* Note that institutional norms, understandings and frameworks are thus made implicitly relevant. Rumsfeld offers no other sources of verification, no evidence: just a counter claim, and a categorical assertion that American forces do not do what they have been accused of doing. The point is, however, that in this assertion, the allomorphic structure may still allow future back downs: not "hundreds", but a few; not "go around killing" but un-intendedly killing; not "women and children", but perhaps some women only. Here is perhaps where the force, or the 'work' of the assertion "we are not in the city" (in response to the question about a civilian casualty count) comes into focus. Rather than a comprehensive

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to refer to devices which may be thought of "by a prototypical name 'team'"(p.220). He goes on "When such a device is used on a population, what is done is to take its categories, treat the set of categories as defining a unit, and place members of the population into cases of the unit" (p.220), and "A population so treated is partitioned into cases of the unit, cases for which what properly holds is that various persons partitioned into any case are 'co-incumbents' of that case" (p. 221.). The point that can be made here, of course, is that such 'units' also can hearably have 'spokespersons'.

negation "we have not killed *any* women and children/civilians" or "we *never* kill any women and children/civilians" he *produces a counter claim in the precise form of the alleged original claim:* "hundreds of civilians". Any compound claim or attribution may be countered in 'degrees'. Responding to the full force of the claim with a *simple* negation or counter-claim nevertheless can leave open the space for future counter-claims/denials of a similar but 'lower' valency to be made. This seems to be a programmatic option in the management of claims, which, after all, are constituted through a particular conjuncture of elements (agents, objects, circumstances, recipients, outcomes, *and* the webs of moral and practical accountability which attend such 'compound' attributions). *Any contestation of a claim can therefore be subject to an 'individuation' of the particulars of the course of action or events which are the 'text' of that claim*. In this case, by producing not an *already* mitigated denial, but a 'mirror image' denial of Al Jazeera's claim, Rumsfeld in the process, accomplishes two things:

1) suggests that Al Jazeera's claims are false
2) produces a *still mitigable* denial (one which is still down-gradable) allowing for allomorphically pitched back downs or exceptions, if circumstances produce the need.

Thus "allomorphically sensitive contexts", and allomorphic propositions, are ones that may be encountered in the very contexts of contestation, disagreements, and differences surrounding claims about action-event trajectories. They are locatable optionalities of communicative interaction that are embedded in the irremediably composite and therefore individuat-able (decomposable) character of such trajectories, and the moral accountabilities implicated by them; thus the contestations attendant on them, within the weave of social life.

One of the critical issues here that surfaced in regard to the coverage of the Fallujah siege is that of 'access' (and the 'visibility' available and embedded in that) to the scene of the course of production of topical events. It is here where the decisive relevance and importance of witnesses and first hand testimony is located. And it is these to which the appeal to 'trust' and to the institutional legitimacy (and authority) which grounds it are counter-posed. This institutional legitimacy (and the trust invoked in its name) is a problematic terrain for accounting in such settings: prior knowledge of, or belief in, institutional workings and order (in its double meaning), and the networks of legitimacy embodied in and embedding authority claims, *thus the operations of trust itself*, are differentially distributed, among different populations. The political problem, in the context of *foreign diplomacy* and often in internal disputes, is how to shift the legitimacy (force) of authority claims, and the implicitly or explicitly invoked entitlements to trust, from their grounding in their endogenous context to a context or constituency in which those features are *not* operative. In other words, moving them from a context in which the institution in question is 'at home' (in some way categorically bound with other categories in a larger duplicatively organized membership category such as 'nation-state', 'our country') to somewhere else.

This of course becomes much more difficult in the context of contrastive, especially *perceptually available/grounded accounts*, such as those which Al Jazeera broadcast. It is important to note here the actual character of Al Jazeera's reporting on the fighting in Fallujah at the time it took place**.**[41] This was continuous live reporting (i.e. in real time) from inside Fallujah, set up from makeshift positions, (one of which, for example, was a rooftop overlooking the local hospital and the road leading out from Fallujah). People were constantly being brought on camera: witnesses, survivors, doctors, literally retrieved and called out and over (sometimes in full camera-view) from the visibly naturally organized and occurring (sic!) flow of injuries, emergencies, and attempted flights to tell their story. Faces and voices full of anger, fear, and worry. At one point, we are shown the long track of cars, piled high with home furnishings and personal goods, filled with families, driving BACK into Fallujah on the road leading outside the city: we are told they have been denied exit from the city, denied the flight to safety. One man comes up on the roof and tells how the members of his family were shot on the forced trip back. It is hard for the viewer not to draw conclusions. It is no longer words, and accounts, but a 'fit' between accounts and the perceptually available, *even though mediated*, particulars that becomes operative for practical reasoners here. This is the power of live reportage**.**[42]

How do you counteract that? How to erase or decisively undermine the perceptual constitution of an 'epistemic condition', a 'state of knowledge', i.e. a rationally accountable understanding which is perceptually based?

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[41] At the time I watched Al Jazeera's reports consistently and round the clock, as did, by all accounts, millions of other viewers in the Arab world.

[42] The Baghdad bureau of Al Jazeera was closed down in August 2004, and barred from the capital. Note how in the 2nd major offensive against Fallujah, in November 2004, no press was allowed into the city, and no coverage from within the scene of battle was available, except for reporters embedded with US forces (and footage from soldiers themselves which appeared on various blogs and sites). Embedded video reporting still caused no end of problems for the occupying forces, however. This was amply demonstrated when a video of a wounded unarmed Iraqi prisoner being shot dead in a Fallujah mosque, taken by Kevin Sites of the embedded NBC team, was circulated and reported. See, for example, the news report on this by Andrew Buncombe which was published in *The Independent*, on November 16, 2004. This can be found on http://news.independent.co.uk/world/middle_east/article20502.ece. (Accessed March 29th, 2005)

In a report published in *The Guardian* on April 21st, 2004, entitled 'Reality Television', Al Jazeera is again the focus:

> "When US forces recently demanded that a team from the Arabic TV station al-Jazeera leave Fallujah as a condition for reaching a ceasefire with the local resistance, it came as no surprise at the network's headquarters in Doha…….
>
> …………………………..
>
> "My solution is to change the channel," Brigadier General Mark Kimmit said this month in Baghdad, "to a legitimate, authoritative, honest news station. The stations that are showing Americans *intentionally* killing women and children are not legitimate news sources." (italics added).[43]

What is operative here in Kimmit's statement is the use of a notion of 'legitimacy' and 'authority' *to counter* what is visually being displayed or shown. The statement "The stations … showing Americans intentionally killing women and children are not legitimate news sources" again, as in Rumsfeld's utterances earlier, is allomorphically sensitive, allomorphically mitigable and renegotiable: they may be killing women and children but not intentionally; they may be 'displacing' (or even 'threatening') women and children (to ferret out insurgent relatives); they (the Americans) may not be the ones doing the killing of women and children, even though they are fighting in the city. Note again that it is reflexively through Kimmit's pronouncement, that the invocation of 'trust' is made: by questioning the legitimacy and authority of news stations which show Americans responsible for the deaths of women and children in Fallujah, Kimmit invokes and appeals to an alternative legitimacy, and thus to the trust in that. This legitimacy is now reconstituted and affirmed as accountable and proper, through *his own* enunciation as an official spokesperson. What helps make

this an allomorphically sensitive statement or denial is the nature of 'killing' as an *outcome verb* (Jayyusi 1993a).

Outcome verbs are intention indeterminate. Even though 'intentionality' may be implicated in their situated usage, such implication is a function of the co-location of contextual particulars with the programmatically relevant moral accountability made relevant in and through the attribution of an outcome (here the killing of women and children), to anyone's action (whatever that 'action' later turns out to have been). The accountability is of the 'outcome' itself: that is the morally larger event. For this reason, the specific qualification of the 'outcome' (killing women and children) with *explicit* intentionality (Kimmit's "intentionally killing"; Rumsfeld's "go around killing") makes the claim *allomorphically degradable*: the outcome may *in the end* stand, (for that is, after all, a matter *in principle* of corporeal evidentiary knowledge and availability), where the *intention* is nevertheless defeated. In that event, the denial may not be read like an outright falsehood.

Again, what is obvious within this report is the orientation, on the part of the US command, as well as the reporter's account, to both 'presence' as a source of authority, *a forensic resource* (for witnessing*),* and 'trust' (which is predicated on a number of criteria, including institutional procedures known and made relevant in common). In this case, the two categories of 'source' are being used disjunctively and conflictually, pitted against each other. Now even 'perceptual knowledge' or 'perceptually available evidence' is itself subject to the criterion of (institutional) trust, and thus of the legitimacy of alternative politico-moral orders.[44]

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[43] See http://www.guardian.co.uk/comment/story/0,3604,1197129,00.html (Accessed April 23rd, 2004).

[44] This is a somewhat different inflection of the notion of 'trust' to that discussed by Garfinkel (1963; 1967), where it is a foundational moral constituent of the 'natural attitude' in the conduct of everyday action and interaction. For a discussion of

Thus, Kimmit's denial, like Rumsfeld's, may be read allomorphically. In Kimmit's utterance one could still hear that Americans may have killed women and children unintentionally, i.e., *as collateral damage*, which is of course, nevertheless still morally implicative of their actions.[45] Here again the individuation of the sub-elements, the constituents of a putative course of actions and a putative trajectory of events, is involved: the whole description *and* its constituent parts are simultaneously subject to inquiry, assessment, and re-specification on the part of members. Where there is any change in any of the latter, the overall upshot or implicativeness of the description of the entire course, as a whole, may be transformed. However, here is where practical attribution and moral responsibility may be made to part ways and diverge, to operate disjunctively with respect to each other. This is a significant communicative option and method for the management of consequences and accountable outcomes. We shall not be able to address this at any length here, but may note that in other reports this is often discursively displayed.[46]

In this case, *The Guardian* report, however, goes on to say:

> "The Al Jazeera reports of US snipers firing at women and children in the streets of Fallujah have now been corroborated by international observers in the city".

Here the description used is cast in the active voice rather than through an elision of act with outcome. The claim at issue (and which has been the issue of the other reports addressed) appears here flanked by its attribution to Al Jazeera, *and* the statement of its corroboration by 'international observers' who are 'in the city'. This attends, in a powerful way, to Kimmit's denial and affirmation of legitimacy. First, the claim at issue here appears in the form "US snipers firing at women and children in the streets of Fallujah", and is itself translatable back into "intentionally killing women and children"[47]. 'Sniper' is an action-consequent or action-based category (see Jayyusi 1984); a description generated by the activity a person performs: the activity "sniping' is an intentional activity and though it does not deliver an outcome, it is outcome-implicative. (Jayyusi 1993a) To 'snipe' is to deliberately and knowingly pick someone out to shoot at.[48] Thus its use involves an attribution of intent to shoot, of firing at someone in order to hit them: its routinely expectable outcome, 'killing', is then attributable as *an intended*

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this, see Jayyusi (1991, pp. 235-40). Garfinkel's notion of 'trust' is, nevertheless, still systematically relevant in the production, assessment and orientation to new knowledge claims. For an interesting discussion of the role of the notion of 'trust' in 'knowledge' see Shapin's important book (1994) where he demonstrates the morally organized character of the production of scientific knowledge. For a brief discussion of 'trust' as an epistemic notion, see also Laura Origgi (2004).

[45] Consistent use of this term, since the 1st Iraq war, and critical commentary on it, indicating its moral accountability, may be found in abundance in various statements, bulletins, reports and articles on the wars against Iraq, the NATO bombing of Yugoslavia, the war on Afghanistan, and other conflicts.

[46] For example, a long report on the Fallujah attack in April, published on CBSNews.com (www.cbsnews.com/stories/2004/04/11/iraq/main6 11287.shtml) on April 11th 2004 (accessed April 11th 2004) includes the following: "Asked Sunday about the number of Iraqi casualties in Fallujah, Brig. Gen. Mark Kimmitt referred reporters to Marine spokesmen. But he insisted that marines are 'tremendously precise' in their operations and

suggested insurgents were hiding among civilians, causing any civilian deaths".

[47] It is important to note that member's everyday orientation as they read, understand, comment on, and orient to, various news-reports evidences the circulation of ideas and claims, known in common and held as a resource. In this respect, this circulation and weave is also evident and embodied in the organization of news reports themselves. For a discussion relevant to the latter issue, see Nekvapil and Leudar (2002) on what they call "dialogical networks".

[48] The dictionary definition of 'snipe' includes: "to shoot at single men from cover"; "to pick off by rifle-fire from (usu. distant) cover"- *Chamber's Twentieth Century Dictionary*, 1959 edition. Edited by William Geddie. London/UK: W.R. Chambers Ltd.

outcome. In this way, both Kimmit's and Rumsfeld's denials, which can be allomorphically negotiable ones (killing without intention) are themselves defeated in-whole within this report: i.e. no space is left for the allomorphic back down, or *degradability* of the first claim which they had contested. Moreover, this 'defeasion' of their claim is done through attribution to 'international observers' who are "in the city" Here both the conditions of visibility (and perceptually based knowledge) are fulfilled, as well as, at least potentially, the argument from 'trust'. In this case, the possibility of the condition of 'trust' (transformed implicitly here into 'trustworthiness'[49]) being met adequately is locatable in the category 'international observers' itself: at the very least, and significantly, this places these agents in a location which is not constituted by direct interest and/or involvement: the fundamental issue that may reconfigure some 'source' as perhaps not 'objective' and therefore not 'reliable'.

This 'corroboration', furthermore, renders an added element: that of the *iterability* of 'witness', 'knowledge', and 'claim', iterability in difference, produced from different perspectives, sources, social locations, producing multiple sightings and witnessings which are, thus also cumulative. Such cumulative iterability has a special purchase or potency in the practical calculus of *believability*, and of everyday procedures of verifiability.[50]

In *The Guardian* report Kimmit's words implicitly suggest that the 'truth' of particular 'facts' can be known in and of itself, by the operation of 'trust', despite

what is *shown* by Al Jazeera.[51] Any stations which show "Americans intentionally killing women and children" are "not legitimate news sources". He explicitly invokes the notion of legitimacy. Note here that he does not speak of American 'soldiers' but of "Americans", invoking a wider web of identification and legitimacy. The notion of 'legitimacy' in practical contexts is a concept embedded in a practical 'history' of persons and institutions: track records, values endorsed and known, the power to effect deeds in accord with declared and shared principles, to accomplish tasks as accountably expected and acceptable, and by commonly acknowledged standards and so on. A whole array of embedded understandings come together with the use of a notion of legitimacy: understandings which both constitute and are embedded in an idea of a 'history' and social structure that is thus locally and reflexively invoked. "Legitimacy" can act as both a gloss for a whole array of particulars and, at the same time, as a self-reflexively produced feature. In saying what he said, Kimmit is contrastively invoking the legitimacy of "Americans" and of "the US army" (for whom he speaks, and which is the agent practically involved) with the legitimacy of a 'foreign' news channel, a foreign organization[52]. Indeed, for US and English speaking viewers/readers, it may be just in this way that these news channels are constituted as 'foreign' even where the term is not explicitly used. This can work only in the contexts where such legitimacy is

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[49] One of the interesting and analytically significant issues that consistently surfaces in attending to this material is the issue of the intelligible in situ 'transformability' of relevances, descriptions, and attributions, and the acceptable range of such transformations, an issue that must await another occasion for extended address.

[50] On the potency of cumulative iterability in a different context see Jayyusi (2007)

[51] On might note here the distinction, for members, between 'truth' and 'facts' although they are treated as mutually reconstituting. One can 'emplot' the same facts into different narrative versions: this is when the 'facts' are demonstrably intractable, as evident in the accounts of the Israeli attack on Jenin in April 2002, where civilians were clearly killed, and now in Fallujah. I borrow the notion of 'emplotment' from the work of Hayden White (1973), who applies it to the writing of historical narratives and the work of historiography.

[52] It is noteworthy that numerous blogs, letters and conversations appeared on the internet on precisely this 'change the channel' injunction which Kimmit produced.

indeed accorded the institution (or order) the speaker is invoking: and it works even then only through the operation of a 'trust' in the *continued workings* of the institution (or the duplicative organized membership categorization device of which it is a constituent element: the American army, the USA, and so on.) in accord with past standards, histories, shared understandings and self claims. In this case, Kimmit is invoking an orientation to 'trust' and privileging it over the orientation both to 'presence', and to the visible (to what is shown and seen).

Much of the debate, then, about the Iraq war, including about *media coverage of the war*, (and indeed the fate of journalists in it), had to do with issues of *reporting* and *showing*, claiming and producing evidence that can be acknowledged. From Powell's unfortunate appearance before the UN Security Council to the huge debate about the non-finding of weapons of mass destruction in Iraq, to the shooting of the journalists on the eve of the invasion of Baghdad on April 8th 2003 (which was still being described on Arab satellite TV, at the one year anniversary of the invasion, as the 'killing of the witness').[53] All these turned on the balance of claiming, reporting and telling and/or saying, within the frame of implicitly invoked legitimacy and trust on the one hand, and on the other hand, of showing, and seeing in the production of 'knowledge'. As Wittgenstein (1974) says, "knowledge in the end rests on acknowledgment': the organization of

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[53] See for example Sidney Blumenthal's report in *The Guardian* on April 22, 2004 "What Colin Powell saw but didn't say" where he describes the process leading up to Powell's presentation at the UN in the following way:" Cheney's chief of staff, I Lewis 'Scooter' Libby, gives him a 60-page brief that Powell dismisses as filled with 'murky' intelligence. Powell goes to CIA headquarters himself, where he discovers that 'he could no longer trace anything because it had been "masticated over in the White House *so that the exhibits didn't match the words*. He hastily constructs his own case which turned out to be replete with falsehood'" (italics added). See *Guardian Unlimited*, (www.guradian.co.uk/usa/story/0,12271,1200412,00.html), accessed, April 22. 2004.

acknowledgment, or the production of consensus on 'facticity' and 'truth' and "truth-fulness', may have many routes and trajectories, multiple features, methodologies and grounds in everyday life: but one of them, at least in the world of the everyday, is that of producing 'evidence' to be seen and assessed. What has the status of 'evidence' is, of course, diverse, contextual and already itself informed by webs of knowledge and/or belief. Thus although what would count as 'evidence' for something may differ in the contemporary world than in previous eras, or from culture to culture (a man writhing on the floor may have been evidence in previous times of 'devil possession' where it may now be seen as evidence of 'epilepsy' or of some kind of 'malady' or pain) the *modality of many claims to 'truth'* is, in part, emergent from the balance between the elements of authoritative telling and of demonstrating. In certain contexts, the less given by way of being shown and demonstrated, (and one here acknowledges the technologies which can go into the production of demonstrable proof, and evidence, and the ways these can indeed manufacture items which may be claimed to have the status of actual indices/evidences), the more there may be a claim based on the categorical/institutional foundation of legitimacy, on 'trust'. But note here, that 'trust' itself, to be upheld over the course of time and through changing and diverse contexts, needs to be at certain junctures supported by the demonstration of its efficacy and entitlement: through demonstrations where the particulars of real worldly contexts unfold in keeping with the claims of what, how and why that are made about the significance of such particulars, in advance or post hoc

Striations of the Visible: Moral Order and Corporeality

The above is, in fact, consistent with another interview Kimmit gave on Al Jazeera in which he accuses the station of spreading falsehoods about the

casualties.[54] The Al Jazeera anchor then says that he was not going into that discussion, but asked "what about" the scenes that were seen, the evidence of the 'eyes' so to speak? How can that be false? Kimmit's answer is instructive. The exchange, as reported on CNN.com, goes like this:[55]

"I know that your reporter may have confirmed it to you. But that's what your correspondents have been doing for the last few days, repeating andconfirming lies," Kimmitt said.

"I can indulge in a conversation with you which might turn ugly because the pictures confirm what our correspondents are reporting out of Iraq," Azhar responded.

Kimmitt ceded nothing. "Here, I'd like to use a popular Hollywood expression: that cameras often lie."

The 'visible' is thus produced and oriented to, at one and the same time, as powerful and deficient: it is the 'local', the 'immediate', the 'surface' which can hide significant connections and histories.

In Kimmitt's assertion, of course, there is a collapse of a whole trajectory for which such a conclusion or judgment can be made: and that is *the course of production of the scene* and thus of the image. When the 'camera lies', Hollywood style or otherwise, it is not because what we *see*

happening on the screen is not happening at *some* level of description: a man kissing a woman, a car crashing into another, one boy punching another, bodies lying motionless on the ground with red stained clothing: it is the second order description grounded in that which may be problematic. This is itself a situated matter, whose 'problematicity' is itself accomplished, as in Kimmitt's statement. Here what might come to mind is the classic semiological argument that the interpretations of a scene (or image) can be multiple or, as in Barthes words (1977), that the image is always "polysemous". But this would be misconstruing the problem.[56]

The 'fit' between what is 'seen' and what is 'real' is the problem here, in the exchange between Kimmitt and the Al Jazeera anchor. The more general fit between the 'seen' and the 'real' is, of course, increasingly accountable, increasingly questioned, in the age of digital technology. But that is an issue raised only in particular kinds of situations and circumstances, again those in which a contestation is being made for some purpose at hand. They are not routinely raised for any 'screened' or 'broadcast' scene. 'Screen' activities, those scenes mediated through visual-photographic technologies, are treated and understood as a distinct form of practice. In actuality the man is kissing the woman: in reality it is not a *naturally produced* kiss. It is an

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[54] The actual interview (which I actually watched at the time it was broadcast) was reported on CNN.com and took place on April 13th 2004. The CNN news text which reported it was accessed on April 17, 2005 at http://www.cnn.com/2004/WORLD/meast/04/13/coalition.news/

[55] The exchange as reported on the CNN site does not correspond *exactly* with the wording of the exchange as I watched it (and as I paraphrase it here). Yet, for the purposes of this analysis on the issue of the 'seen'/scene in televisual reporting, versus the official assertions by the US spokesman (specifically Brig. Gen. Mark Kimmit), it is more than adequate. Here, of course, the issue of 'translation', both *linguistic and practical* emerges again as of analytic interest. For a discussion of what I called "the practical translation problem", see Jayyusi (1984, chapter 3)

[56] See my critique of this notion in Jayyusi (1993b). There is also a difference between the logic of talking of the 'image', and the logic of talking about a 'scene'. Television news watchers will often speak of themselves as having seen the *scenes* of various events on television (e.g. Hurricane Katrina; the flooding of New Orleans, etc.) rather than seeing *images* of it. More usually, the term 'image/s' as used in connection with filmed real events is situated in particular kinds of contexts and interactional/discursive moves post fact to the seeing, to the moment of the 'scene'. It is routinely so used in addressing, or paying attention to the work of making these scenes available: to the work of *framing* itself. The two concepts ('scene' and 'image') are not situatedly interchangeable.

'act'.[57] In other words, the 'screen kiss' is not a naturally occurring kiss as one seen in driving past a park bench, nor is the accident like a car accident encountered while actually travelling on the road. The screen events are not like the worldly ones which occurred from within the ongoing endogenously unfolding course of activities, from within a local order, and emerged from that as contingencies, *accountable* to the members and parties to the setting, and even to those who may be outside the immediate setting (friends, relatives, authorities): that is what a naturally occurring 'event' would be. In the case of the Hollywood image, the particulars of the scene are not *naturally occurring* particulars, but manufactured ones, so that the 'seen' event is not endogenously embedded in an intentional course of actions of the participants that *are independent of their 'scenic' character*; i.e. they have no endogenous *extra-scenic history* (which would mean that to some degree they are only contingently so produced and see-able). Rather, as 'kiss' or 'accident' they are a *show*, not an outcome of a process of natural development which has internal integrity. In the case of the screen kiss or the screen accident, the naturally occurring event is not the kiss or the accident but the 'show': the *filmic production of them*, so that, in fact, the 'frame' and the work of 'framing' and producing the frame is itself a feature of the naturally occurring event within the world of 'work', and the activity/event

there is the doing/acting/shooting of the kiss/accident. The features of a naturally-occurring action would include an organization of intentionality attributable *endogenously* to the actors (as independent, and possessing 'integrity') and embodied in the outcome. They thus involve an attribution of orientations, tasks at hand and prospective-retrospective considerations that are embedded in the endogenous organization of the activity *as such*, where a relevant yet independent course of action will continue to unfold after we turn our eyes away, or move on from the scene. In the celluloid image of the film-maker, the organization of intentionality, prospective-retrospective task orientation and so on is not attributable independently and with 'integrity' to the parties *within the scene as seen* and observed, but (conjointly with them) to parties *outside it* who have 'organized' the scene , with props, set up, (and will continue to do later with the 'cutting'). The endogenous course of activity is not the kissing or the punching but the 'playing of that part'; whose naturally occurring condition is not to lie in the road, but to 'play the part of one who lies 'bleeding in the road'. In the performing of the celluloid kiss (and it is performance rather than action), there is an orientation to its appearance to the 3rd party who will view this. It is not emergent from the natural course of personal life activities as relevant to this outcome (relationships and attractions; or driving skills), but is a feature of the routines of 'work'. These *are different 'forms of life'*, or larger forms/courses of activity we are talking of.[58] The screen 'kiss' or 'accident' is a sequence within the course of *work*, and it is that work which is a naturally-

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[57] It is perhaps interesting here that the same term is used for a naturally produced action, *and* the behaviour which seeks only to present itself as that, which has the surface of the naturally produced, but none of its endogenous moral-epistemic features – of sincerity, intention, actual orientation to the interlocutor/co-agent as opposed to orientation to a third party who is an observer. In Arabic, the nominal term for the latter (the pretence or make believe) is 'tamtheel' which is the same as the nominal for the act of representation (in both the symbolic and political senses) and derives from the verb 'mathaala'. Again an interesting semantic root, since it indexes a relationship between the word for the make-believe action with the word which refers to the action of 'embodying' or 're-presenting' an idea, a 'meaning', or even a political constituency.

[58] The screen kiss is also *unlike* real-worldly pretences, deceptions, and charades, which themselves have a function in the flux of mundane naturally occurring real-worldly courses of activity and orientation, and trade on the assumption of 'sincerity' and reciprocity of perspectives in the course of interaction, as I indicate elsewhere (Jayyusi 1991, p. 239).

occurring set of sequences within the course of everyday life.

The charge, implicit in Kimmitt's utterance then, is that Al Jazeera has somehow actively 'manufactured' the images. Put another way, for Kimmitt's utterance to be treated as relevant, and to be treated as a candidate for a successful claim to 'truth', the images at issue shown on Al Jazeera, would have to be treated as deliberately manufactured, or at least deliberately managed or manipulated in such a way as to produce the effect of the 'real', or in other words to 'simulate' the real.[59]

In both positions, Al Jazeera's and Kimmitt's, we note an orientation to the following:

1) The (irremediable) indexicality of seen particulars, and therefore of scenes

2) That in the normal course of practical life, 'scenes' can nevertheless speak themselves. They are intelligible, not only in what particulars are organized within them, but also in terms of what they can make knowable and probable about prior courses of activity and probable trajectories of event that configured themselves *in and as these very particulars*. In other words, they speak themselves, are understood, not merely in terms of what there is before our eyes, but also in terms of a knowable and, reflexively yet contingently known, order of production of which this is its unfolding 'moment', an outcome, a presence before our eyes.

3) The moral organization of vision, the *moral implicativeness* of what is seen.

In other words, the indexicality of 'scenes' and the organization of particulars within them, of what is 'seen' is of two logical orders: on one level it 'tells' of the order of

production, stands in for it, points to it, and to a course of activity that produced this particular. It tells of a course of actions that is mostly unavailable and has to be retrieved in various ways, but that can legitimately, intelligibly and accountably be retrieved and reconstructed from *this* scene: retrievability begins with the scene before our eyes. At the same time, the scene constitutes a moral index: tells of a moral order present in all particulars, and indexes a particular moral profile for parties to the scene, or deemed involved in its production in some way. It has an interpretable and significant moral intelligibility.

In this sense, scenes are not merely docile sites, waiting to be interpreted; rather they present themselves as already constituted and constitutable in moral and organizational terms, *even if defeasibly so*, terms which are predicated on our knowledge in common of the social world, of categories of persons, actions and events, and the very ways these can unfold into settings, scenes, and trajectories of engagement. (see Jayyusi 1988 and 1993b).

Having said that, I wish to shift a little to inquiring into another dimension of the 'seen' and the scenic'', one that is integral to its character within the courses of our everyday actions and interactions, within the intelligibility of the moral order, and one that, in fact, has been perhaps at the heart of some of the issues of the coverage of the war. That is that *the potency of the visual, the scenic, has to do with the place of corporeality* in the conduct, intelligibility and moral constitution of social life. What a scene is, after all, is an organization, a particular deployment of objects, spaces and bodies, and it is this particular deployment which is the locus of the possible moral 'emplotment' which we *may*, in occasioned ways, give to the body of scenes we see, or the 'body' of particulars composed in and as a scene. Not all scenes are of course so emplotted: ordinary street scenes are not, or are at

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[59] For this notion see both Baudrillard and Bjelić (1999) on him.

least, very thinly emplotted: we see people going shopping, working, talking to each other, crossing roads, taking cabs, and so on. The street scene is a particular conjuncture of various trajectories of action that are co-located and cross-cut and traverse each other's ambient space, but which are not in an endogenous relationship to each other; rather they are in a tangential, contingent and happenstance relationship – note here the 'ironies' that this can produce, which are sometimes exploited in various narratives.[60] But *other* scenes may have **emplottable visibilities**, a locus of significance within them: the scene of an accident, of a battle, in a hospital emergency room, a woman giving birth at a checkpoint.[61] And their visibility and intelligibility is also embedded in, and productive of, our sense and knowledge of social structures.

Scenes are given their sense through the particular deployment of corporeal elements evident within them: without corporeality, embodiment, we would not have visual sense. And whilst it is the case, as I have argued elsewhere (Jayyusi 1988**)** that we only see through the categories given us in our language practices and our cultural knowledge of the world, a praxis which is at the heart of our moral understanding of scenes that unfold before

us, it nevertheless remains a truism to say that scenes are at the same time composed irremediably of the corporeal, a truism which I am proposing as nevertheless very important, and one which needs to be made central to the project of understanding the visual.

That is the hub of all the discourses, and all the contestations over Iraq, Palestine, 9/11, and Afghanistan. If we look closely, all the issues over which views divide and argumentation is mounted, and in which appeals are made to social structures or legal rubrics, practical decisions turn on matters that have to do, *primarily* or *ultimately*, with the fate, the dispensation, the consequences and risks for particular persons and groups in their *bodied and lived trajectories*, their embodied experience. The body has been and remains the primary and fundamental locus of the moral and the ethical: it is its dispositions, injuries, privations, doings and impact on others (other sensate/mindful bodies) that remains at the heart of moral order. To navigate our way through moral discourses, the moral organization of activities and understanding of events, through the various paths and tracks of moral discourse and moral argumentation, yet keep this issue as though it were simply part of a context *exterior* to the organization of our activities, will inevitably become problematic at some analytic levels.

In the US science fiction series Star trek, one episode was set in a world of creatures who had evolved so much that they had outgrown the body and become pure spirit.[62] Their role in the episode is to guide the humans, which included members of the Star Ship Enterprise, through their conflicts and arguments, over power, territory, relationships to the other

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[60] One story, for example, that I have heard retold again and again is of the man in a panic to get to his severely injured son in a country hospital, during a storm: he hijacks a car from a man at the petrol station, who later turns out to have been the urgently awaited surgeon needed to operate on the son. The surgeon arrives too late, and the son dies. I heard this recounted variously as the plot of a film, a report read in a newspaper, a narrative published in a magazine. Whatever the origins of such a story, its *telling* is precisely an index of the orientation to the appearance of street scenes as contingent conjunctures of non-related trajectories: the irony turns on this.

[61] This latter example is one so often mentioned in accounts of the Israeli occupation of the West Bank and Gaza, (news reports, letters, accounts on web-sites) as a telling and scenic *index* of the repressive mechanisms used against the Palestinian population there.

[62] The episode I am referring to here was part of the original series, 1966-69, with William Shatner as Captain Kirk. I draw here on science fiction because this is a genre of fiction in which one can find potent explorations of the limits of what constitutes the 'human' and/or the 'intelligible'.

sex, and so on. They themselves, as they declared, no longer underwent conflict, and so could guide the others from, what was in that event, an *Archimedean vantage point*: but they had also lost many of the pleasures of living even as they enjoyed the tranquillity of pure spirit. What this episode provides for is precisely the centrality of the body in our practices, language games, forms of life, discourses and interactions: in short intelligibilities of the life world. The body, socially constructed, culturally striated and formed, is nevertheless, the hub of a *corporeal phenomenology* located and locatable as the grounds and horizon of moral conflict, moral negotiability and therefore of moral intelligibility.

What this suggests is that without bodies and the objects that constitute the corporeal body of the settings of the life world, no ground for the specifically moral would exist: there would be no issue of order. This may be a statement which, once made, is immediately visible as obvious. Yet it has a significance for the ways we need to pursue at least *some* tracks of analysis. The organization and logic of materiality within our practices, forms of life, understandings and trajectories needs to be detailed and investigated. The social constitution of materiality as well as the corporeal embeddedness of sociality and interactivity needs be given its proper site within our analytic.[63] Human activity and the social world (and its methods) are constituted, at their limits, by the material and the corporeal: these provide the liminalities of social being and 'practical intelligibility'. *And what is the material but the course of the consequence in the individual, idiographic, located, situated and lived trajectory?* A body count; a destroyed house; loss of income; the

fatality of Aids infection; the sparse meal; the broken up family, and so on.

If we look back at the disputed Al Jazeera coverage, and the statements made by Rumsfeld and Kimmit, we can note that although it is about the issue of what is shown versus what is to be believed, that issue itself turns on the deep moral implicativeness of what is 'shown' in itself: of people, women and children, dead and dying, bleeding in hospitals, being buried, grieving relatives. It turns, in other words, on the corporeal consequences of courses of action, for actual people. And these consequences now take on an indexicality of their own, a moral indexicality, a moral implicativeness: they index some kind of action and condition which is open to negative judgement, morally illegitimate, by common standards of contemporary moral discourse (which may, of course, not necessarily be shared in or acceded to, by all people in all times and contexts). In other words, over and above the indexicality of such scenes for what produced them, they are seen and encountered as corporeal events, which index some moral culpability on the part of some, of one of the parties to the setting, whether known at that moment or not: they are encountered and engageable *as moral sites in and of themselves*. The power of the 'visible' is, in part, locatable in this.

It is exactly in this context that media reports may be located, judged, commented on, denounced, controlled and or otherwise engaged. In that the courses of production of many conditions and particulars in the world are not available first hand, the telling of them, their explanation, and accounting itself becomes accountable, judgeable, implicative, and imbricated with standards of competence, morality, and 'rightness'. (See Jayyusi 1984, esp. chapter morality and rationality in my book).

The boundaries and bounds of rationality, corporeality and of moral order are intertwined. The socio-logic of knowledge

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[63] The issue of the sociality-materiality complex (too often treated as a duality), and ways of re-specifying it, has increasingly been a subject of recent inquiry. See, for example, the special issue on this theme in *Theory, Culture & Society* 2002 (SAGE, London, Thousand Oaks and New Delhi), Vol. 19(5/6): 261–270.

and moral order are mutually embedded – and they are praxio-logically co-located within the visible courses of actions and interaction and their accountable corporeal outcomes and consequentialities. They are so at the level of both individual and historical accounting.

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