“Do Not Tape Over: Videotapes Are/Not Evidence”

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My paper "Do Not Tape Over: Videotapes Are/Not Evidence" revisits the secret destruction of 92 CIA detainee interrogation videos in 2005. In this work, I reconsider the evidentiary status of the interrogation tape as well as the corresponding claims against their destruction. I measure these claims against the governmental instrumentality of documentation related to interrogation, arguing that the desire to "see" the tapes should be understood within optics of war more broadly. Although these videos may certainly have captured some brutal aspects of detainee interrogation, I call into question what is allowed to function as evidence of wrongdoing; I argue that by focusing on hidden-yet-spectacular acts of violence, the mundane and originary violence of detention becomes naturalized as part of the security landscape. My analysis centers around documents produced and released in accordance with the ACLU V. Department of Defense court case, presided over by Judge Alvin Hellerstein, and the corresponding Freedom of Information Act request. In particular, I focus on an inventory of destroyed videos that was released with heavy redaction, and an accompanying CIA-issued Vaughn index that details the legal exemptions from document disclosure. These questions around the evidentiary status draw from several postcolonial critiques of positivist logic, as my nod towards Trinh Minh Ha's seminal article "Documentary Is/Not a Name" suggests. I also methodologically engage Edward Said's "contrapuntal" read, suggesting that the tapes' destruction, the redacted video archive, and other bureaucratic documents can gesture towards another way of knowing and feeling detention. I place Said's notion of the contrapuntal with contemporary decolonial methods that interrogate the innately racialized coloniality that structures governmental forms of knowledge. To this end, I ask: what is made visible through the act of destruction, and correlatedly, what would constitute a counter-visuality of interrogation?