Abstract
This paper draws on postcolonial temporal analysis to make sense of police use of body-worn cameras (BWCs). We argue that the potential of BWCs to make racist policing visible, as originally hoped, is compromised by the inability of “real-time” video to capture the complexity of historical and on-going colonial relations. Drawing on postcolonial literary and visual theory, and especially Homi Bhabha’s (2004) postcolonial analysis of “belated-ness” and Andrea Smith’s (2015) anti-colonial analysis of “not-seeing,” we argue that BWCs reproduce a white settler gaze in which the complex histories of colonialism become temporally incommensurate with real-time images of policing social order.

Introduction

“[Indigenous Peoples] are not just, you know, ‘I’m bored with my life and I’m going to be a badass’ or whatever. They are dealing. They have this burden of colonization and the residential schools, the ’60s Scoop, you name it! The person you see there is not just that person. They are a whole history coming down the line.”

—participant 33

“Nothing in the video shows that I was racially profiling the intoxicated aboriginal man who was yelling obscenities down 8th Avenue at the business people. He can accuse me of that; the video doesn’t... it shows just what I dealt with, right.”

—participant 43

We open this essay with two quotes—the first from a northern Ontario Indigenous legal advocate and the second from an Alberta police officer—to draw attention to the importance of postcolonial theory and, in particular, a postcolonial temporal analysis for studying body-worn cameras (BWCs). The quotes were gathered as part of our larger study on BWCs in Canada, generated through a series of semi-structured interviews with police, legal advocates, and civilian groups active in contemporary policing issues. In an effort to place race at the centre of our analysis of public perceptions of BWCs, we asked participants to comment on their views of the relationship between the potential of BWCs and their understanding of contemporary policing, including the recent upsurge in concerns about racialized policing. We were, and continue to be, struck by the various juxtapositions between community and policing responses to such questions, exemplified in the two responses above, which indicate not just vastly different views of policing...
but, even more, the ways we can or cannot discuss race and policing. It is in thinking through this dilemma that we come to postcolonial temporal theories and the ways they can help us navigate the “competing racial temporalities” (Mawani 2014: 92) evident in the quotes above and the implications these temporalities have for BWC research.

BWCs were widely touted as the solution to a racially defined legitimacy crisis faced by police forces across North America by promising transparency and, therefore, public accountability for police exercise of discretion and use of force (Brucato 2015). Today, these promises of visibilizing policing practices not only remain unfulfilled (James 2017; Ikem and Ogbeifun 2017) but, we argue, BWCs contribute to the “unseeing” of the racialized policing that continues to take place. This is because the images captured on film are often viewed through a white settler gaze and are thus unable to “see” the structural violence and continuity of colonialism.

Given the brevity of this piece, we can only sketch some parameters of a postcolonial analysis of BWCs. To do so, we draw on two key features of this new mobile technology. First, that the innovation rests not just in a “new visibility” (Goldsmith 2010) but, more precisely, in its promise to capture police–citizen encounters in “real time” in order to create an objective record, the validity of which cannot be disputed. Second, popular support for BWCs is rooted directly in making racist discretion, including a racialized structure of use of force—such as the on-going tragedy of the shooting of unarmed black or otherwise racialized men and women—visible in order to bring it under control (Beutin 2017; James 2017). It is in the intersection between these two key features—real time videos and the problem of racist policing—that a postcolonial analysis is illuminating. In particular, we draw on two aspects of postcolonial theory: postcolonial temporal theory, drawn from literary and visual analyses, and Andrea Smith’s (2015) imperative to surveillance scholars to incorporate an understanding of “not-seeing” into our analyses of surveillance more generally.

**Colonial Temporalities**

Postcolonial literary theory puts the concept of “time” under scrutiny. This is not to suggest that time itself is different but that “the conditions of possibility for thinking historically require us to conceptualize time as an integral and structuring principle of experience and understanding, rather than as a valueless or a priori horizon against which the meaning of being postcolonial is articulated” (Ganguly 2004: 177). In this context, and drawing from Frantz Fanon, Homi Bhabha (2004) argues that colonial subjects occupy a place of “belated-ness” in Western thought, such that their human agency is always considered to have evolved after, and in the shadow of, Western theories of subjectivity that focus on sovereignty, enlightenment, and rationality (see also Lam and Cho 2015). It was the work of the broader colonial project to simultaneously deny these capacities to indigenous populations while creating legal, social, and political infrastructure to then train them in such qualities. In so doing, colonial governments sought to annihilate the “backward” or “savage” natives and bring them into modernity through both force and persuasion (think, for example, of Canadian residential schools). By definition, then, colonial subjects are always “belated” modern subjects.

Renisa Mawani (2014) demonstrates the critical role played by law in this larger temporal and colonial project. As she argues, the law “produces, engages, and inscribes discontinuities between past, present and future to fortify its own authority, sovereignty, and legitimacy” (69). In her analysis of the relationships between British colonialism and Indian settlers in late nineteenth and early twentieth century South Africa, she writes:

> Britain’s ‘gift of law’ to India was underwritten by a historicist and developmentalist logic; assimilating India into an overarching time of British law would bring its ancient civilizations forward, from a dark and anachronistic past into an enlightened present and future. … The effects of law’s temporalizing force are perhaps most visible in the racial subjection and subjectification of Indigenous peoples. In settler colonies, the future was often envisioned not only through promises
of social, political, and moral development and transformation but through annihilation, by relegating colonial subjects, especially Indigenous peoples, to the past and to history. (76)

This belated-ness and legal temporal fixing remains relevant today. John Borrows (1997) demonstrates the ways in which Canadian Supreme Court decisions have “frozen” Indigenous Peoples in time, by declaring that Indigenous rights, as defined in the Canadian Charter of Rights and Freedoms, exist only where “practices, traditions and customs central to the Aboriginal societies [are those that] existed in North America prior to contact with Europeans” (R v. Vanderpeet 1996, cited in Borrows 1997: 43). As Borrows notes, such a reading of Indigenous rights means that “Aboriginal is retrospective,” cementing it as incommensurable with “modernity” (43).

We can see such incongruous relationships to time in the opening quotes. In the second quote, the officer’s depictions of the Indigenous man’s actions of “yelling obscenities … at business people” and “being intoxicated” characterize him as a “backward” subject whose seemingly uncivilized behaviour is contrasted with the modern rationality of the business people, presumably offended not only by the lewdness being yelled at them, but by the “intoxicated” Indigenous man’s very presence in the space of civility. Rather than understanding this man as “a whole history coming down the line,” what is seen by the officer’s camera is the present moment—the real-time video capture—in which the Indigenous man’s behaviour is not only offensive but is also a set of actions justifying police intervention. The camera cannot “see” racial profiling here, but only the action—an “out of place” intoxicated Indigenous person shouting obscenities—to which the officer is legally placed to react.

Captured as they are (or, perhaps, are not) by BWCs, these incommensurable temporal relationships also take on a visual dimension. Well documented in postcolonial theories of photography, the possibilities for images to speak to (or speak against) a colonial truth is also significant for advancing a more encompassing understanding of the implications of BWCs which, by definition, aim to project a visual certainty onto police–citizen encounters. For example, in his “Seven Theses on Photography,” Christopher Pinney (2012) argues (as thesis three) against the presumed “real-ness” of photographs by positing that “the corps and the corpus are different.” Drawing on Roland Barthes, Pinney (1997: 144) compellingly suggests that the “camera records what is placed in front of it and on its own is incapable of making distinctions about the relationship of its visual trace to psychic, social, or historical normativity.” This insight challenges BWCs to the core, disrupting the assumption that “a picture is worth a thousand words,” a cliché often associated with the “good” to come from an institutional and systematic approach to filmic evidence of routine police activities. To the contrary, as Sarah Blair (2010: 162) argues, photographs—and, we suggest, videos—“can make sharply visible the elusive experience of history, the irreducibly felt realities of belonging or unbelonging to one’s time, as well as the effects of a critical accounting for the place of the subject in time.” Certainly, in juxtaposing the two opening quotes, we can see “a shifting temporality, a space of experience in which competing frames of historical reference are simultaneously in play” (165), where the trauma of the past and the continuity of violence are actively taking effect on the bodies and minds of Indigenous Peoples while they remain “unseen” by the white settler gaze. This leads us to our final point: the limitation and inability of modern technology to capture the complexity and continuity of settler-colonialism.

**Not-Seeing**

Feminist and anti-colonial scholar Andrea Smith (2015) argues that surveillance scholarship places an undue amount of emphasis on the politics of visibility as a feature of the modern surveillance society to the detriment of an analysis of the ways that the modern state is itself a product of surveillance. Much like Simone Browne’s (2015) insistence that a surveillance studies analysis attentive to race would begin not with the panopticon but with its architectural contemporary, the slave ship, Smith urges surveillance scholars to recognize an alternative history of surveillance, one in which the intrusive surveillance into Indigenous lives constituted the building block for the modern state. Analyses such as Browne’s and Smith’s, which draw on alternative temporalities to assess the contemporary age, blend together racialized histories with...
the history of surveillance, making race a central feature of surveillance logics, rather than an unfortunate—and perhaps anachronistic—by-product of broader surveillance practices.

We suggest that the “real-time” video evidence that is the technological innovation of BWCs cannot, by design, capture the complexities hinted at in our opening quotes. While an Indigenous person may be a “whole history walking down the line,” BWCs can offer filmic evidence only of a moment, frozen out of time, even as the time itself is imagined to be a “true” unfolding of an incident. As a technology, BWCs can only capture colonial time, law’s imprimatur of time, so that the marginalized or colonial subject is left with “the problem of creating narrative frameworks in which incommensurable histories might be put in dialogue or made productively discordant” (Blair 2010: 162). To allow for such dialogue and to read against the normative grain, we must pay closer attention to the ongoing acts of “not-seeing” to look for the dualities in taken-for-granted snapshots of time and to enact a more expansive temporal understanding of images produced through surveillance if we are to challenge the ways that these technologies mark out our own particular time.

References


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