

A Valuable Image: The Publicity of Global Justice Actors

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Attracting attention to their causes is something that all actors in the international legal sphere do – particularly those claiming to act in the name of global justice. Often, images will be used as a tool for attracting attention. We tend not to think twice about the use of images by international or non-international organisations. Images after all help us to visualise that which might be difficult to imagine: From the more spectacular sites of intervention (disaster, victims of conflict, defendants of mass atrocity crimes), to the less spectacular (disputed borders or the buildings of international organisation). Does the benign nature of visualising international law's sites of action and intervention change if we consider these global justice actors to stand in *competition for attention*? If we consider the purpose of visualisation to be *publicity* in the sense of *marketing* the relevant international organisation?

To make some sense of these questions, I rely on the distinction between use-value and exchange value, articulated by Karl Marx. Value theory will ultimately allow us to consider how certain images of global injustice transform from simply visualising injustices to upholding (racial) capitalism.

The travelogue of a valuable image

In order to understand how images of global justice are circulated as a form of publicity, let us follow one image on its journey: A photograph of Thomas Lubanga Dyilo of the Democratic Republic of the Congo, [convicted of war crimes at the International Criminal Court \(ICC\)](#). The photograph was taken at Lubanga's sentencing in July 2012 by Dutch photographer Jerry Lampen. Lampen had been hired by the media company ANP to take photographs, which then sold the image to Reuters for its distribution. The US news outlet [CBS News](#) used the image in a story which described the sentencing as a 'watershed moment' for the ICC and a 'potential landmark in the struggle to protect children during wartime.' The story also referred to Lubanga showing 'no emotion' as the decision was read out. The story of the ICC's first sentence also ran in [The New York Times](#). Other news outlets of the Global North that used the photograph typically ran with a variation of the headline '[Congolese warlord jailed](#)'. The [Coalition for the International Criminal Court](#) – the NGO which was established for the purpose of supporting the ICC – used the image in 2015 in order to question whether the length of Lubanga's sentence should, as per Court procedure, be [reconsidered](#). In the following year, the image re-emerged in the form of a huge painting by Brooklyn-based artist Bradley McCallum at a side event of the Assembly of States Parties of the ICC. The painting is captioned '[Warlord](#)'. McCallum's exhibition [Weights and Measures: Portraits of Justice](#) featuring the image was also exhibited in New York, Limerick, and Johannesburg. The photograph

has an impressive travelogue: From the courtroom in The Hague to news outlets, to NGO reports, to exhibitions.

This was the journey of just one image; but what if we consider the patterns of image selection? Representations by global justice actors typically reproduce fairly common stereotypes. In this case, the circulated image creates or sustains preconceptions about black males as perpetrators, as 'warlords'. The typical image is of a single male, without family or friends, the camera lens zoomed into the face. Erased are any signs of social, historical, and political context, as well as any humanising signs that the perpetrator may be a person who works, worries, loves, laughs, cries. The perpetrator is reduced to a black man with 'no emotions'. For the Court, this image reinforces the need to prosecute 'bad' people; its purpose as dispensing justice is fortified. The audience of the image – in particular news consumers and the supporters of NGOs – can seek [comfort](#) in this. Justice has been done after a black man committed terrible crimes. The simplicity of this narrative creates, in the [words of Immi Tallgren](#), 'consoling patterns of causality' against the background of social, political, and economic complexities.

We can take from this that the circulation of the image shifted the emphasis of the utility of the photograph – from an image which visualises the defendant, to a tool of legitimacy for the ICC more generally. The image became a form of publicity for the ICC, a means to attract resources for its version of global justice in the competitive global justice sector. Publicity, already definitionally, assumes an audience of consumers or donors and is therefore a communicative means of [exchange](#). According to [Jodi Dean](#), publicity is a form of monetisable communication which reconstitutes the public from political actors to consumers.

Use-Value and exchange value

An image's use-value mostly lies in its utility to visualise and to document. An image (including a digital version) can in this sense be used as information and explanation. The photograph is typically the global justice actors' preferred medium of imagery. No doubt the preference for photography is due to a photograph's claim to truth. Indeed, photographs are often used in the courtroom as a form of evidence – an inanimate witness to the facts presented. 'A photograph', observed Susan Sontag in her famous book [On Photography](#), 'seems to have a more innocent, and therefore more accurate, relation to visible reality than do other mimetic objects'. However, through its circulation outside of the courtroom, something about the value of the image changes; it takes on a monetisable form – it takes on value as a commodity for exchange.

The distinction between use-value and exchange value relies on Marx's theorisation of value according to which all commodities have a use-value and an exchange value. Use-value simply relates to the question: what is '[the utility of a thing](#).'? Exchange value is a 'quantitative relation' and therefore relative. The latter is not the same as the price, but rather that which makes the commodity tradable – and therefore attain a price. The exchange value of a commodity can be measured against other commodities. Capitalism, which needless to say seeks

the accumulation of capital, places great(er) emphasis on exchange value of commodities. In addition, the process of commodification expands the capitalist relations to social values where their exchange value is constructed and prioritised.

Applying this process of commodification to images relating to global justice, one might say that images make injustices visible for political contestation (their use-value) *as well* as being a means to attract capital in a global market of competitive actors claiming a monopoly over their solution to global justice (their exchange value). If exchange value is prioritised, then some images are more 'valuable' than others, namely the ones which improve the market value of international organisations and other global justice actors. Here, it is essential therefore to consider not only the commodity form of the image, but specifically *what it depicts*. The image of the defendant has not only increased the value of the ICC, it has also taken on a role in the further marketisation of social values along a distinctly racialised divide.

Distributive effects of publicity

Who *commits* global injustices, who *dispenses* global justice and who *receives* global justice was visualised with the circulation of that particular image of Lubanga. By examining the circulation of Lubanga's image, and the movement of emphasis from use-value to exchange value in its circulation, we can observe a distinct distributive effect. As the image's exchange value becomes dominant, the value of the ICC as the dispenser of global justice increases, increasing its competitiveness in the global justice sector. At the same time, alternative ideas of global justice – ideas concerning *redistribution* in particular (say in the form of reparations for structural harms committed through hegemonic powers) are side-lined. It follows that the circulation of global justice images which uphold the institutional, political and economic status quo, are part of a politics of distraction from structural inequality.

