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The Epistemic Value of Photographs in the Age of New Theory

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ABSTRACT. The "new" theorists of photography have argued that the non-intentional aspect of photography should be shrunk to the registering of light on photosensitive surfaces, meaning that the creation of a photograph need not be considered the largely non-interventive image-making process that the "orthodox" theorists proposed it to be. This largely non-interventive premise was however, widely considered to be the source of the epistemic value of photography, as an "objective" form of image-making. Given the new focus on the role of the agent in photographic practice, I examine what kinds of representational content photographs may contain and what kinds of knowledge can be formed from these. I distinguish between the representation of naturally-dependent subjects, common to all photographs, and the representation of intentional subjects, which entails the former. Evidence suggests that it can be difficult for viewers to discern one from the other and so, I propose a set of negative criteria to test the reliability of a photograph as a source of knowledge and to aid the production of warranted beliefs, which can be especially difficult to form as a result of viewing photographs in the digital age.

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1. Introduction

The "new" theorists of photography (Atencia-Linares 2012; Lopes 2016; Phillips 2009) have given greater weight to the role of agency in photographic practice and emphasized that photography is not necessarily counterfactually-dependent on a real subject, as the "orthodox" theorists of photography have maintained. A consequence of the new theorists' approach is that photographs do not necessarily convey accurate visual information about particulars, but can have different kinds of representational contents, which can pertain to fictional subjects or nonfactual states of affairs. Taking the new theorists' approach into consideration, what kinds of knowledge do viewers stand to gain from the representational contents of photographs? To account for the different kinds of representational content that photographs may contain and the different kinds of knowledge that can be formed from these, in this paper I distinguish between the representation of naturally-dependent subjects, common to all photographs, and the representation of intentional subjects, which are comprised of naturally-dependent subjects. I suggest that viewers can form propositional knowledge, pertaining to the facts of a subject, from both of these kinds of representation, but that in addition situated knowledge, relating to human experience, can be conveyed through the representation of intentional subjects. As I shall outline, viewers can struggle to discern the different kinds of knowledge that they stand to gain from photographs, given that the latter kind of representation entails the former. Taking into account the context in which a photograph is created and dispersed can help viewers to determine what kind of knowledge they

stand to gain from a photograph however, in the digital age there is an increased creative potential to post-produce the image and there are fewer guidelines in place to ensure the regulated dissemination of photographs on digital platforms. Under what circumstances then are viewers warranted in forming beliefs about the representational contents of a photograph? To address this question, I conclude this paper by proposing a set of negative criteria that can be used to test the reliability of a photograph as a source of knowledge.

2. Naturally-Dependent Subjects and Intentional Subjects

Viewers tend to characterize photography as an "objective" medium, or as a way of conferring visual information that is not distorted by the intervention of the human hand or mind (Daston 2007, p. 187). Non-intervention is not however, identical to objectivity and moreover the intervention of the hand and mind of an agent can, provided that they are subject to certain rules and guidelines, or what I shall refer to as "warrant conditions", enhance the capacity to convey propositional knowledge through an image. There are many knowledge-oriented image-making domains that are not photographic (Lopes 2016, p. 112), such as archaeological lithic drawing, but that are subject to stringent warrant conditions that enable agents to convey propositional information for specific purposes (Lopes 2009, p. 17). The intervention of agents does not, therefore, preclude the possibility of objectively processing visual information. If, however, all one requires are warrant conditions to determine whether an image will contain propositional information, then why do image-makers frequently use automatic processes,

such as photography, to create images to convey this information? Part of the answer lies in the fact that automatic image-making processes tend to constitute consistent information channels (Walden 2005). Automatic image-making processes, if harnessed as such, produce consistent results and this means that they tend to be more reliable, provided that agents use them to this effect. Consequently, in pursuing the goal of preserving and communicating propositional information, many image-makers have utilized automatic processes to create their images. This could be just one stage of the creation of the image, such as tracing an outline, or automatic processes could be employed at every stage possible, as some forms of photography make it possible to do.

Photography, in addition to being an automatic image-making process, that can be belief-independent to a high-degree, is also a naturally-dependent process, which means that the subject of a photograph is a real one. Very broadly speaking, the orthodox and "second-generation orthodox" theorists of photography have maintained in varying formulations, that as a result of photography having been developed to be a naturally-dependent, automatic process, it is also a process that is counterfactually-dependent on the properties of the subject and so consequently, photographs cannot misrepresent particulars (Hopkins 2009, p. 74; Abell 2010, p. 101). The new theorists of photography however, have in various terms, defended the fictional competency of the medium (Atencia-Linares 2012; Lopes 2016; Phillips 2009, p. 19), as they have argued that photography is not necessarily counterfactually-dependent on the real subject, by shrinking the non-intentional element of photography down to the registration of light on photosensitive surfaces, or what they call "the photographic event" (Phillips

2009, p. 10). To materialize this event, agents can use any number of processes, from analogue processes to digital processes, to create a photograph that need not match the appearance of what was recorded in the photographic event. Photographs then, according to the new theorists, need not convey the facts of a real subject, but may contain different kinds of representational contents, pertaining to fictional subjects or nonfactual states of affairs. Taking the new theorists' approach into consideration, what kinds of knowledge do viewers stand to gain from the representational contents of photographs? To account for the different kinds of representational content photographs may contain and the different kinds of knowledge that can be formed from these, I propose to distinguish between the representation of naturally-dependent subjects, which is the representation of real subjects that is common to all photographs, and the representation of intentional subjects, which is the representation of fictional subjects or nonfactual states of affairs, constituted from naturally-dependent subjects.[2] As the latter form of representation entails the former, it can be difficult for viewers to discern one from the other, which is an issue that I shall direct my focus towards once I have provided further details about these different forms of representation.

Representations of naturally-dependent subjects record the visual appearance of the real subject and so, certain practices and institutions may,

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[2] In proposing these two types of photographic representation, I am drawing upon a distinction suggested by Wilson (neé Phillips). She has proposed that all photographs are "images" but that in addition, some are also "pictures". Pictures are the result of human design, whilst images can be produced by nature, mechanical processes, or human manufacture. (Phillips 2009).

for example, make use of this kind of representation for identification records or photogrammetric purposes, the latter of which consists in photographing the subject from regulated viewpoints (Wilder 2009, p. 38), in order to preserve and present factual visual information, from which propositional knowledge about the presented subject matter can be generated. Representations of intentional subjects however, may be used for the purpose of depicting fictional subjects, presenting visual information whilst offering an explanation or perspective about the subject, or conveying situated knowledge. An example that very clearly illustrates the distinction between the photographic representation of naturally-dependent and intentional subjects, is Gijon Mili's photograph of Picasso "drawing" a centaur using light (1949). The photograph represents the naturally-dependent subjects, Picasso, the room, the pottery in the background, and the small electric light, but also represents the intentional subject, the fictional centaur, which was created by Picasso's act of drawing in the air with the small electric light and captured by Mili's use of a long exposure. Warranted beliefs about the representational contents of a photograph can be formed from both of these types of representation, for example by looking at the Mili photograph, viewers can form warranted beliefs about the appearance of Picasso's face, or the shape of the room he was in, when the photograph was taken. Viewers would not be warranted however, in forming the belief that the centaur really existed, but would be warranted in believing that Picasso had moved a small electric light in such a way as to create the outline of an imaginary centaur. Although it is obvious in this example, that the intentional subject was not veridical, in many cases this is harder to detect. For example, numerous photographs that are used in

advertisements are subject to production and post-production processing in order to make the intentional subject, the product, seem appealing and effective, and so convince viewers that it is worth purchasing. It is rare however, for viewers to be adequately informed about when photographs have been subject to such processing in this domain and the Advertising Standards Authority (ASA) frequently receive complaints about photographs being used in advertisements that are deceptive for this reason. For instance, a 2009 advert for Olay eye cream received over 700 complaints for using a photograph that, due to extensive post-production work, presented a misleading representation of the efficacy of the product on a woman of the model's age. This particular case led a Scottish MP to campaign for a symbol that would indicate whether images had been altered and to what extent (Cockcroft 2009). As Mitchell has explained, "if this suspension of the rules is not clearly signalled with sufficient clarity, then we may justifiably feel deceived – that fiction has slipped into falsehood." (1998, p. 219) Given that the representation of an intentional subject, which is constituted from a naturally-dependent subject, can convey nonfactual subjects and states of affairs, clear signalling must be given by image producers and publishers to indicate deviations from fact, otherwise the photograph will be misleading and the image will cease to be of reliable epistemic value.

Extrinsic factors, then, such as the outlet in which the photograph is released or the caption that accompanies the photograph, are also important to take into consideration in order to ascertain what representational content viewers are warranted in forming beliefs about. Some photographs may even be misleading for reasons that are largely extrinsic to the

representational contents of the photograph itself. For example, in the photograph *Migrant Mother* (1936) by Dorothea Lange, the naturally-dependent subject, Florence, is represented quite accurately in terms of the relative spatial locations, facial expressions and clothing of Florence and three of her children.[3] The intentional subject of "the deserving poor" however, as represented by an anonymous family that, in Lange's full caption for the photograph, included a father who was identified by the photographer as Californian, does not accurately reflect the situation of the individuals depicted (Sandweiss 2007, p. 195-6), as the identities and stories of the individuals pictured are subsumed into an overarching cultural comment (Ritchin 2010, p. 150). Photographs are frequently taken by viewers to objectively present the subject and while Lange's photograph does accurately represent the naturally-dependent subject, taking extrinsic factors into account, such as the caption, may mean that viewers are not warranted in forming certain beliefs about the naturally-dependent subject. Intentional subjects are often represented in order to communicate situated knowledge, which can potentially mislead the viewer about the real subject of a photograph if there is not adequate signalling provided for the viewer that what they are looking at is intended to be a particular idea or experience that is presented. Consequently, I propose that epistemic warrant should rest on the regulated processing *and* dissemination of the image. There are many photographs that are created and disseminated without regulation and may not be reliable sources of knowledge as a result. Conversely there are many fields where works that are produced by a combination of manual and

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[3] The photograph was however, subject to some alteration as, on the tent pole, at the bottom right hand corner of the image there is a semi-transparent thumb.

automatic processes, or even works made entirely by manual means, are highly reliable sources of knowledge, due to the rigorous management of their creation and dispersal. Viewers however, frequently fail to recognize this (Cohen and Meskin 2008). Nevertheless, the digital or post-photographic age has given viewers a chance to reassess their beliefs and so I shall now turn my attention towards issues pertaining to epistemic warrant in the digital age.

3. Epistemic Warrant in the Digital Age

Despite post-photographic worries (Ritchin 2010, p. 27), from theorists including Mitchell (1998) and Savedoff (2008), that photography would lose its epistemic standing in the digital age due to the enhanced creative potential to post-produce images, evidence shows that viewers are generally confident in the reliability of digital photographic products (Pogliano 2015, p. 558). Whether consciously or not, many viewers display behaviour that indicates that they view photography as an objective medium (Levin 2009, p. 331). Walden has described this phenomenon as the digital photography paradox, whereby such images should undermine the viewer's confidence in photographs yet do not actually seem to have.[4] Many post-photographic concerns are unfounded however, for example although Savedoff has claimed that manipulation is standard in digital photographic practice (1997, p. 211), this is not necessarily a new phenomenon for photography and nor, as I outlined in the previous section, does manipulation necessarily preclude

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[4] One reason he cites for this is the public dismissal of photo-journalists, such as Walski, who are found to have manipulated their images (Walden 2008, p. 109).

the final photograph from conveying propositional information or other kinds of information. Indeed, post-production is not the real issue in the digital age, as I shall now demonstrate.

As I established in the previous section, the context in which an image is dispersed is also key to ascertaining the reliability of the image and what in turn, the viewer is warranted in believing as a result of looking at a photograph. This has been demonstrated by the Abu Ghraib case, which involved digital photographs taken as amateur visual records by military personnel involved in the practices shown. Moreover, it was one of the first cases to show that digital photographs are still considered to be epistemically valuable by authority figures and other viewers. By contrast, the unprecedented release of silver-based photographs by the Daily Mirror on May 1st 2004 purporting to show British soldiers torturing detainees, were widely dismissed by experts and journalists as being faked (Gunthert 2008, p. 106). What is key to note in the Abu Ghraib case, is not only that the digital photographs functioned as representations of naturally-dependent subjects, but also that the context of their dissemination enabled viewers to form warranted beliefs that what they were shown in the photographs was an accurate reflection of the situation:

> Correlated with testimony enabling the identification of the photographers, the date and the conditions in which they were taken, the images had the status of evidence, explicitly referred to by the prosecution as proof of the charges. The cornerstone of the photographs' credibility, the criminal case also provided the conditions of their transmission to the press. (Gunthert 2008, p. 107)

Conversely, the editor of the Daily Mirror was fired for failing to ensure that the images depicting British soldiers had been verified as accurately representing the event that was purported to have taken place. Warrant conditions are supposed to be followed by such outlets and there are consequences for those who do not follow them. This situation however, has changed in recent years.

The problem, I propose that faces contemporary viewers of photographs is not post-production, but the fact that images released on digital platforms, such as social media outlets, are not subject to warrant conditions that determine the circumstances of their dispersal and so can present viewers with misleading or misguided "facts". Amateur, private, and non-professional photographs have been used for journalistic and other knowledge-oriented purposes for a long time; however, the social media channels in which these are now dispersed are simply not as reliable as professional outlets, including news sources, that will (or are supposed to) cross-check sources in order to ascertain the veridicality of what is being shown and reported (Solaroli 2015, p. 518). Information can now be shared in seconds, which is both an advantage and disadvantage as for example, whilst photographs of current and developing events can be shared with the world instantly this can come at the price of sharing the most appropriate image, or giving a photograph an accurate caption or frame (Morris 2011, p. 193; Ritchin 2010, p. 86). While these issues existed prior to digitalization, as is evident in the *Migrant Mother* case, misunderstandings or miscommunications are more likely to occur in the digital age, even in professional circles, given how little time photographers have to edit their photographs and "to digest what had happened" before immediately sending

their photographs off for publication (Ritchin 2010, p. 86). Under what circumstances then, are viewers warranted in forming beliefs about the representational contents of a photograph? To address this question, I propose that the following negative criteria can be used to test the reliability of a photograph as a source of knowledge.[5]

Image Integrity:

- The subject exists or existed at the time the photograph was purported to have been taken, or signalling is provided to indicate that the photograph is nonfactual i.e. if the photograph shows a person known to have been deceased for five years but was purportedly taken last year and there is no indication that it is fictional, it is not a reliable source of knowledge

- The scene or event depicted is within the realms of plausibility, or signalling is provided to indicate that the photograph is nonfactual i.e. if the photograph shows a person present at an event that occurred before they were born and there is no indication that it is fictional, it is not a reliable source of knowledge

- The physics of the scene the photograph depicts is accurate, or signalling is provided to indicate that the photograph is nonfactual i.e.

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[5] Morris has proposed four criteria for determining authenticity in photography: 1) Digitally altering photographs after the photograph has been taken 2) Photographing staged events as if they were real events 3) Staging scenes or moving objects and then photographing them 4) Providing false or misleading captions (2011, p. 214) The criteria I propose here, however, significantly expand on this, in particular with respect to the image authenticity category.

if the background features of the photograph show a slight curve and a very slim celebrity there is a strong chance that the photograph has been digitally altered to enhance their figure and if there is no indication that any such processing has occurred, it is not a reliable source of knowledge

Image Authenticity:

- The photograph is presented in a trustworthy context i.e. if the photograph is presented in a fashion advert or certain magazines there is a strong likelihood that it has been retouched without indicating that this has occurred and so it is not a reliable source of knowledge
- Supporting text should verify what is depicted in the photograph i.e. if there is a caption with the photograph, this should cohere with the facts of the depicted subject, or indicate that it is nonfactual, otherwise it is not a reliable source of knowledge
- There is sufficient supporting data to verify the photographed event i.e. if the photographed event does not appear to have any other reliable witnesses, or if there is no other documentation that the photographed event occurred then there are reasons to doubt that the photograph is a reliable source of knowledge
- The original source of the image be traced i.e. if the photograph appears in the media or on the internet it can be traced back to the source where it first originated from, which should be verifiably trustworthy, otherwise it is not a reliable source of knowledge
- The conditions of release have been respected i.e. if the photograph has been released by a specific person, or party, under certain

conditions then the distribution of the photograph should reflect these, otherwise there are reasons to doubt that it is a reliable source of knowledge

This list is not exhaustive, but provides the basis for establishing the reliability of a photograph as a source of knowledge. If the majority of these conditions are met then it is likely that the photograph is a reliable source of knowledge. Whilst some of these conditions may be necessary, certainly none are sufficient for forming warranted beliefs about the representational contents of a photograph. There is nothing inherently wrong in not meeting any of the aforementioned conditions, particularly with respect to the integrity criteria. If, however, such conditions are not met and a photograph is released without the appropriate signalling and presented as a representation of a naturally-dependent subject, then this is an act of deception and viewers may not be warranted in the beliefs they form as a result of looking at the photograph or moreover, viewers, unaware of this deception may feel warranted but form false beliefs about the representational contents of the photograph. Using this kind of criteria may help viewers to identify and infer any anomalies and thus evaluate how warranted they are in the beliefs that they form from viewing a photograph.

Given however, that "humans are unreliable in identifying fake images" (Korus 2017, p. 1) why may it be a good idea to advocate the use of testing criteria rather than automatic detection methods? Broadly speaking, there are currently four automatic approaches to detecting image forgery: a) digital signatures, which are metadata, b) authentication watermarks, which are embedded directly in the image content, c) forensic analysis, which

examines whether the physics of what the image depicts is accurate, for instance by determining whether figures have been removed, or inserted, by examining the lighting of the image, and d) phylogeny analysis, which aims to recover the editing history of the image. Each of these methods suffer from limitations (Korus 2017) and given that automatic methods to determine the authenticity of an image are not widely available, it is good epistemic practice to have some general warrant conditions that can be used to test the reliability of an image. Using these criteria may not yield specific answers, such as exactly what part of a photograph may have been subject to modification and what kind of modification this may be, but the proposed criteria can at least provide the basis for a viewer to know when to exercise caution. A naturally-dependent, automatic stage that processes, such as photography, contain may give viewers some grounds to assume that the resultant images are of higher epistemic value than other kinds of images however, in this paper I have affirmed that warranted beliefs should not be based on this factor alone. Instead, viewers should take into account the conditions in which a photograph was both created and dispersed, in order to discern what kind of knowledge they may gain from viewing a photograph and evaluate how warranted they are in the beliefs that they form about the representational contents of a photograph.

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