

Divining the Question: An Unscientific Methodology for the Collection of Warm Data

If tomorrow you found yourself with no passport and no birth certificate, and someone came up to you and said, “You no longer have the right to be an American,” what story, object, image or document would you offer as your proof?

With this question begins the story of *Points of Proof*, a video, photography, postcard and public dialogue project originally commissioned for the inauguration of the Arab American National Museum in Dearborn, Michigan (2005), later expanded online thanks to a Longwood Digital Matrix commission (2006), and finally re-produced in Buffalo during a two-year community-based residency facilitated by CEPA and funded by the Mid-Atlantic Foundation (2007-09). The following essay about the issues and ideas behind the project was written for Viralnet in 2006 and updated for this reader; the excerpts are from postcards filled out or mailed by viewers in Detroit, NYC, LA and Buffalo from 2005-09; and the photographs are from *Points of Proof: Buffalo* as exhibited in *Conversation Pieces*.

When the AANM invited me to make a community-based project in Dearborn in March of 2005, I was in the second year of an ongoing, open-ended, collaborative project about the human cost of immigration policy, which has grown in the form of several nested and linked collections of what I call “warm” data, known collectively as the *Disappeared* project. *Points of Proof* emerged both in response to the specific conditions of that place and moment, and as a special case among the warm databases of the *Disappeared* project.

I first began thinking about the idea of warm data at the end of 2001, when I started following the cases of the “special interest” detainees – 760 men who were picked up by the INS on immigration violations just after 9/11/01, identified by the FBI as being of “special interest” in relation to 9/11, and then disappeared into the secret files, courts, and cells erased from the public eye by a Department of Justice blanket gag order, which prevented anyone connected with their cases from even speaking their names for much of the next three years. When the Special Registration program was introduced in the following year, I watched as immigrant men from “terror watch list” countries came forward to wait in long, cold lines for days, only to be asked long lists of dehumanizing questions, then often remanded to custody overnight and asked those same questions again, and again, before being detained or deported away from their families. I read the 1996 immigration laws, the Patriot Act, reports and legal briefs, and discovered the traps built by the language of the law: reactions that become terms that become classifications that enclose and exclude. I found the post-9/11 documents full of absences -- redactions, erasures, censorship -- that were paralleled by the absences visible in every immigrant community in the city, as midnight raids spread from neighborhood to neighborhood. I visited detention centers and followed the news on immigrant rights listservs. Each time I read a new story of disappearance I thought: *This could have been us – my brother, my father, my mother, me. If I had been born earlier, in Afghanistan. If we had emigrated later, when political asylum became a decision hanging on the word of one airport customs officer.* And I wondered: would it be possible for someone who had never come so close to being in our precarious position to make the same empathetic leap?

In the fall of 2003, I moved my studio into the Woolworth Building, thanks to a Lower Manhattan Cultural Council residency to develop a project about the disappeared. From the window of my studio, which itself had been gutted and left vacant after 9/11, I could see Ground Zero and the de- and re-constructions that surrounded it. Most of Manhattan was taken up with the debate over what, exactly, could be built in the footprint of the towers. In my studio, I had pinned up on the wall a copy of the list of special interest detainees, which was for many months the only document of their existence. I was worrying over the question of how to fill in those blank black spaces where first their names, and then their real lives and family ties, had been erased. How could I “give a face” to this issue, as immigrant rights advocates were telling me was necessary, when I wasn’t allowed to see or speak to the people I wanted to portray? The impossible trick would have to be creating a portrait of someone that would restore their humanity while maintaining their all-important anonymity -- whether legally mandated, as in the case of the special interest detainees, or dictated by fear of social stigma or losing status, in the cases of many other former detainees and deportees.

The answer I arrived at was the idea of the warm data questionnaire: a series of questions designed so that each set of responses creates a unique and highly individual dataset – a data description of a person -- which at the same time lacks the identifying details that would usually link it to a real person. A warm data body is a portrait, not a profile; when a warm data body is erased, the real body remains intact. Warm data is easiest to define in opposition to what it is not: warm data is the opposite of cold, hard facts. Warm data is subjective; it cannot be proved or disproved, and it can never be held against you in a court of law. Warm data is specific and personal, never abstract. Warm databases are public, not secret. However, warm data can only be collected voluntarily, not by force; the respondent always has a choice – whether to answer at all, which questions to answer, on what terms she will answer, and what degree of anonymity she wishes to preserve. A warm database is distinguished from a corporate or government database not primarily by its interface or its underlying structure, but by the way its data is collected. There are two parts to the collection process: designing, or really divining, the right questions to ask; and creating the correct conditions for answering. The latter task usually entails creating a condition of trust between questioner and respondent, so that the question becomes an invitation rather than an invasion. I’ve found that the necessary trust can be created by working within a community, borrowing the bona fides of an institution, or using communication networks as anonymizers.

The process of designing a warm data question is somewhat more complex. For me, the process begins with research (into a community, issue, or idea), then a variable period of mulling over the materials unearthed by research, and finally some writing. During the writing phase, questions sometimes seem to emerge from thin air, but I suspect that they are really generated by a combination of intuition and that empathetic imagination I mentioned earlier. I also like to road-test questions on friends and/or community activists before I structure a project around those questions. For example, when I designed the warm data questionnaire for *How Do You See the Disappeared? A Warm Database*, a web project commissioned by Turbulence in 2004, I began by talking to a human rights lawyer who had debriefed some of the special interest detainees just before they were deported. He described for me some of the questions that they were asked repeatedly during their interrogations. I found a group at the Riverside Church that went on weekly visits to asylum seekers being held at the Metropolitan Detention Center in Queens, and I started riding along with them to find out what kind of

conversations people who had been isolated from their families and culture might be interested in having. Then I did some further research online and with immigrant rights activists in New York, which led me to develop a list of all the questions that were asked during Special Registration and read about some of the statistical outcomes for immigrants relative to the different responses they gave. I took a few weeks to think about those questions, and then I sat down one day, thought about the questions that I would want someone to ask me if I were in detention for two years, thought about what questions the government would never ask me in that situation, and wrote a list. Then I invited both people who had been affected by detention and deportation, and people who wanted to fill out the questionnaire in solidarity, to answer the questions.

A few of those first warm data questions:

Who was the first person you ever fell in love with?

What place do you see when you close your eyes at night?

Describe an offhand remark that someone once made to you that you've never been able to forget:

What piece of music is always running through your head?

What is the one birthday present you always wanted and never received?

In 2005, I took another question from the *Disappeared* warm data questionnaire, and adapted it to generate the project that became *Points of Proof*, repurposing it in response to that specific moment and place. That spring the REAL ID Act was being debated in Congress, the media, and the many other arenas of the immigrant rights struggle. As I drove between the museum's construction site in Dearborn, the most concentrated Arab community in the United States, and Detroit, still one of the most racially divided cities in the country, the bitter debate over this and other increasingly draconian pieces of immigration legislation rang in my ears. REAL ID, which strips illegal and temporarily legal immigrants of the right to a U.S. driver's license and sets new, near-impossible standards of proof and credibility for asylum claims, was passed just before the exhibition opened in May. The question posed by *Points of Proof* thus reflects the situation in which ever larger numbers of American immigrants find themselves by asking viewers and interviewees to reduce their American identities to a single point of proof – points being the system used by a number of state DMV bureaus to rate different documents for their effectiveness as proof of identity.

The question at the heart of *Points of Proof* is successful because it demands specific responses, but ensures that they will be subjective and variable; it engages both memory and imagination; it immediately provokes the questioned to either confrontation or consideration; and it sets no standards for wrong or right answers, implicitly questioning the whole notion of proof. The question can be asked and answered in a video, on a sound recording, in a captioned photograph, on a postcard, in person, or through the web (at kabul-reconstructions.net/proof). To make the first version of *Points of Proof*, I taped interviews with 30 new and longtime Americans in urban Detroit and suburban Dearborn. The resulting video interweaves the surprising and complicated conversations started by this single question, throwing into relief the subjective nature of identity and the difficulty of pinning the constantly shifting idea of America within strictly national borders. The question of proof quickly raises other questions -- Is geography destiny? Does culture extend beyond citizenship? Is proof finally a question of faith and belief or does it depend on the material evidence at hand? -- whose answers are equally contested and complex. The project was re-produced with a similar structure in Buffalo, where I recorded video interviews with several different groups of residents

between 2007 and 2009, including SEIU1199 union members and students and teachers in the ESL program at Grover Cleveland High School. Many of the Buffalo participants brought some (actual or symbolic) physical "proof" to the interviews; these are depicted and described in the accompanying series of photographs, formatted as mounted panels of captioned Polaroids.

Since the initial six-month run of the AANM show, the project has been further extended by a series of postcards filled or mailed to my home by *Proof* viewers, which have allowed the audience to add their answers to the warm database generated by *Points of Proof's* question. When and wherever the project is exhibited, more postcard responses accumulate, sometimes arriving in my mailbox months after a show ends. Given free (anonymous and unmoderated) rein, these postcard texts range from bitter to idealistic, pithy to verbose, serious to hilarious. The success of *Points of Proof* is that few of the 150-odd people who have answered to date have repeated each others' answers, and almost all have engaged with the hypothetical scenario posed by its question. So for a few moments, at least, you who have answered have imagined yourselves in our place.

Mariam Ghani // March 06 / November 09

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AALDEF Report on Special Registration

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How Do You See the Disappeared? A Warm Database

<http://www.turbulence.org/works/seethedisappeared>

The Real ID Act

<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.00418:>

The Arab American National Museum

<http://www.theaanm.org>

Points of Proof: Detroit

<http://www.kabul-reconstructions.net/proof>

Points of Proof: excerpts from postcard responses 2005-07

I wouldn't need to give proof because I already know I am!

I am an American just because I happen to have lived here for 37 years.

I would say that I was born in America, so I am part American. Just a little.

I chose to be an American.

I am American because I left my country to improve my life and my kids' lives.

Both of my parents struggled in hope of a better life. Isn't that supposed to be the American Dream?

The Native Americans are the real Americans and *I* would say go back to *your* country.

I would give them my Osage Nation tribal membership card.

The vial of red dirt and rose rock I keep with me to remind me of my home in Oklahoma.

An impulsive tattoo I got at a biker rally.

My lawyer's business card.

A picture of a Red Indian.

My ancestors who fought in the Revolutionary War to create the United States.

The blood, sweat and tears of my African ancestors who were brought to this country on slave ships.

My slave heritage is proof that I am American, brought against my will but happy now.

95-101066... That's my inmate number, when I had to do time for this country.

My college tuition – the price I have to pay for my education, while my father is unemployed.

The heartache of my grandmother over watching me turn up my nose to Jamaican food.

My subscription to the American way of life ...

Sure, I can prove it. Here's how: (1) I eat junk food; (2) I'm addicted to bad TV; (3) I love SUVs. Hey ... and I'm proud of all this.

(1) Extreme freedom of expression – almost weird [sic]. (2) Practicallity [sic]. (3) Tolerance. (4) Misspelling!

I can't spell, so someone else had to write this for me. That makes me American!

My proof would be my poor skills at foreign languages.

When I am here in the US, I always complain; when I am away, I always brag!

My irreverence is what makes me American.

I'd use sarcasm. That's American, right?

I'd probably laugh.

I'd question his/her right not to have me punch them in the nose.

If this person were European American I would question right back their own right of being an American.

If anyone questioned my identity, I would be ambivalent and wonder about it, and then I would remember that the US is full of marginalized and subordinated histories.

My right has already been questioned – as a lesbian, I can't get married or adopt an American child.

I have been questioned, in that I was told "Why did you people come here?" (post-9/11/01). I reminded this group, first I was born here. Second the Constitution gives me this right. And third we "Americans" and all "American" ancestors *stole* this country from the natives of the Americas.

I would ask them what makes anyone "American"? The great thing about this country is its diversity. Nobody is any "more American" than anyone else. All of us make this country what it is.

Once we begin to tell people where they should go or belong, then where do you put multi-racial people? No one is 100% anything.

Anyone who uses prejudice against any group doesn't understand that this country was built on immigrants.

My place of residence is in America even though my ancestors are from other countries. We should embrace difference of backgrounds and ideals and that embrace is American.

Being open to so many cultures makes me a great American. Land of the free!

I understand what “Old Glory” (the flag) means, because I defended that flag when I was younger in the Marines.

Loyalty to ideas – not to people, not to flags.

America is not a country we live in; it’s ideals, values and beliefs that live in us.

What makes me American is treating others right and in a fair way.

Being open to a diversity of ideas that become part of my identity.

The way I think – how open my mind is.

My desire to maintain the freedom of speech – and especially the right to express unpopular ideas. When we stop *changing* and *challenging* ideas, we will be un-American.

The desire to get away.

Being really angry about American policies.

What makes me want to be not-American is the conduct of the US towards the Arab world. Many times I am unsure whether to claim my citizenship.

I would not call myself an American anymore because President Bush’s policies have made me question the right to call our country a free democracy.

When I think of “America” I think of segregation, internment camps and racism. If that is “American,” I’m not!

Being American is just another title.

I’m just a citizen of the world...

I live here. I carry this passport. But I am *human* – part of all humanity.

I *know* all I’ve been taught in public schools in Detroit – but I *feel* invisible strings to patches of land all over our globe – and a bit beyond ...

I can call myself an American because I recognize all of the rights and liberties I have (especially as a woman) and I don’t take them for granted. We are a young and imperfect country, but there is no place like home.



Without the documents, how do you prove that you are who you think you are? All the pictures I have are just records of my life - they don't really prove anything. Take this photograph - you can see me at age 6, in the Brownies. But it still doesn't prove that I'm an American. : Connie



My social security card, my I-94 card, my resident card - I carry them all with me wherever I go. So if anyone says that I'm not an American, I'm ready to show them the documents to prove that I am - any time, any place. : Fato



I would start with my Board of Elections card. I'm very proud of having the right to vote, and also to question our politicians when there are issues that I disagree on. I'm kind of known for doing that - for speaking my mind and writing letters. Strongly worded letters. : April



Through the years, I've met many people who don't understand that Puerto Ricans are American citizens, or who just assume that because we all speak Spanish, we're all the same. I've had encounters where someone said, "I'm going to call immigration on you," and I had to say, "Go ahead. What are they going to do? They'll come in and tell me I can be right where I am." I would just sit there thinking, what do I have to prove? If I say I'm Puerto Rican, that should be enough. : Vivian



I'm a product of the American culture. And it is a culture. But it's not stagnant - it's an evolving culture. That's probably the result of the free flow of ideas here - the way that we're able to think whatever we want to think, go where we want to go, pursue whatever we want to do with our lives. And we're free to celebrate our individual religions and traditions and cultures within that larger culture. : Vince



I would say that I'm a teacher in a public school in NY State, and that's already proof of citizenship. But the way I see it, becoming an American citizen is an obligation - for example, to work for the state. Really being American - well, most of us originally came from other parts of the world, so being American shouldn't require forgetting those roots. : Patricia