

Whistle This Tune With Me Herr Adorno?

Gregory Sholette June 28, 2006

Many are familiar by now with the unfortunate story of artist Steven Kurtz of the tactical media group Critical Art Ensemble (CAE). Kurtz is a professor in the Department of Visual Studies at the State University of New York at Buffalo. On the morning of May 11, 2004 he awoke to find his wife Hope lying unresponsive beside him. Kurtz phoned for paramedics. On arrival, the medical response team took notice of assorted laboratory equipment in his home, including Petri dishes, test tubes and a DNA extraction unit. All of this apparatus was intended for several art projects that Critical Art Ensemble were then in the process of developing. Nervously, local police alerted the FBI. Within a short while the Joint Terrorism Task Force descended on the Kurtz home and in a scene reminiscent of the 1971 techno-thriller *The Andromeda Strain* agents wearing white, head to toe Haz-Mat (Hazardous Materials) suits cordoned off the house, confiscated the body of Kurtz's wife, and gathered up his scientific equipment for analysis. They also impounded the artist's passport, lesson plans, books, automobile, computers, and left his cat in the house to fend for itself. The house was under quarantine for six days and Kurtz was placed under constant surveillance for the initial twenty-two hours until the New York's Commissioner of Public Health officially reported that *nothing* hazardous was discovered in the home, no danger to the public existed, and Hope had died of a heart attack. After the report Kurtz was returned his wife's body for burial and the incident appeared over. Another case of jittery officials who, in the aftermath of the still unsolved anthrax mail murders of 2001 reacted to the discovery of a premature death and the presence of unexpected lab equipment with indiscriminate haste. However, the FBI still retained the artist's passport, books, papers, and computers.

At the time of his wife's tragic death Kurtz and CAE were finishing work on several projects. One of these involved the history of biological weapons. The other project was entitled *Free Range Grain: A do-it-yourself DNA-extraction laboratory for testing the normally hidden presence of genetically altered genes, or trans-genes, in store-bought groceries*. Exposing the lack of government oversight into the secretive, anti-democratic agendas of the bio-technology industry has been a preoccupation for the nine year-old art collective for the past several years. Through installations, performances, educational lectures, and a series of widely distributed brochures, Critical Art Ensemble has transformed a culturally-based practice into a full-blown public critique of government and corporate malfeasance. *Free Range Grain* was to have been part of *The Interventionists: Art in the Social Sphere*, an exhibition curated by Nato Thompson for the Massachusetts Museum of Contemporary Art (MASS MoCA). Instead of the CAE's art installation Thompson displayed text panels that described the absence of the group's work. On the afternoon of the exhibition's opening, less than three weeks after the death of Kurtz's wife and the temporary quarantine placed on his home and studio, several other CAE members and collaborators were served with subpoenas by FBI agents. By June a total of nine people were called to appear before a Grand Jury, yet neither the FBI, nor the Attorney General would make public the details of their probe. Nonetheless, it was evident from the wording in the subpoenas that Kurtz, and a former colleague from Pittsburgh University named Bob Farrell, were being investigated for violating U.S. Code Title 18, Part I, Chapter 10, Sec. 175: Prohibitions with respect to Biological Weapons. The scope of this statute was greatly expanded by the USA Patriot Act of 2001, so much so that some speculate even the harmless, research bacteria of the type Kurtz obtained for CAE art projects might now be labeled as a hazardous "biological agent."

It came as no surprise to those who knew Kurtz and the work of CAE that once the Grand Jury met all charges of bio-terrorism were dropped. However, the case did not end there. For over two years now the government has pursued Kurtz and Farrell on charges of mail fraud. The Attorney General claims the defendants fraudulently purchased about 200 dollars worth of bacterial samples from a laboratory that supplies high school and college biology courses. While the supply company involved has never pressed charges should either defendant be convicted they may face up to twenty years in prison. The case will likely go to trial in mid to late 2007.¹

¹ For more about the case including background materials and updates about the upcoming trial please log onto the website Critical Art Ensemble Defense Fund <http://www.caedefensefund.org/>. Note of disclosure: I am a member of the group's voluntary defense team.

In light of what has unfolded thus far there seems to be but one plausible explanation for the tremendous public expense Federal prosecutors are willing to squander in a case that what would normally be considered a civil contract dispute. The Bush administration is seeking to defame Kurtz and Farrell, as it has other individuals, for daring to make explicit, public acts of political dissent. Journalists, scientists, and even CIA agents have been subject to various degrees of public denigration, job loss, as well as prosecution.² What is unusual about the Kurtz/Farrell/CAE case is the way it opens up several key questions regarding contemporary collective practice and the critical issues that arise whenever this topic is raised. These include the changing practice of tactical media and cultural intervention; the often-stated desire to realize political autonomy; and the nature of identifying oneself as part of a collective at a historical moment dominated by an omnipresent laze-fair individualism. Allow me to play interrogator for a moment by re-phrasing these concerns as a trio of meddlesome questions:

1. when is tactical media an instrument used not by the powerless, but by the authorities ?
2. why do both activists and business entrepreneurs seek autonomous space?
3. how has the art world establishment transformed collectivism into its latest fashion trend?

On May 21st of 2004, ten days after the death of his wife, one or more FBI agents interviewed the Chair of Kurtz's department at the State University of New York at Buffalo.³ They questioned her about the nature of the group's artwork, its various publications, and how the CAE was funded. They also asked her about the professor's personal life. Three questions from this voluntary interrogation stand out in particular:

1. The agents asked the chair of the art department why the Critical Art Ensemble describes itself as a *collective* rather than list its member artists individually?
2. They also wanted to know why Kurtz was operating a laboratory in his home instead of using one at the University.
3. And finally, in a tactic that comes straight out of shock TV the Chair was asked by the FBI if she would be surprised to discover that *one* of her faculty members was involved in bioterrorism?

In answer to the last question she refused to take the bait and reportedly replied: "I am absolutely certain that Steve would not be involved."

Let me go over these three moments of the interview in more detail.

First observation: note how FBI made use of the subversive power of *gossip*. This was accomplished by dramatically inserted criminal insinuations of bio-terrorism into what was allegedly a neutral process of information-gathering. Gossip is above all else a form of discourse about what is private and sometimes purposely concealed from others. It can be used for malicious purposes as in this situation involving Kurtz, but sometimes it is used as an informal way of gathering and spreading information

² The Valerie Plane case is only one of many attempts by the current administration to stifle opposition amongst journalists, scientists and artists. For those not in such privileged positions the treatment is even worse. See: Gregory Sholette, "Disciplining the Avant Garde: The United States Vs The Critical Art Ensemble," *Circa* #112, Summer 2005, pp 50-59. http://www.recirca.com/backissues/c112/p50_59.shtml

³ Lynne Duke, "The FBI's Art Attack: Offbeat Materials at Professor's Home Set Off Bioterror Alarm," *The Washington Post*, Wednesday, June 2, 2004, p. C01. <http://www.washingtonpost.com/ac2/wp-dyn/A8278-2004Jun1?language=printer>

that cannot otherwise be openly circulated by those who are politically subjugated – traditionally women. According to anthropologist James Scott gossip is also a weapon of the weak used against those in power.⁴ Interventionist artists, many of which work collectively, also employ gossip as a tactical form of political critique and “identity correction.” Now, to add to the irony I am touching on, please consider this: when news that the FBI was investigating Kurtz first reached me by email I immediately responded with suspicion. After all, the story appeared so outlandish that it seemed more like another spoof generated by *The Yes Men* or *RTmark*. And I was not the only person who had this suspicious response. So here is my first question revised: what does it mean to suggest, even for a moment, that relatively powerless, cultural agents like *Critical Art Ensemble*, *RTmark* or *The Yes Men* use similar tactics to a government agency whose annual budget is in the billions and whose reach is nearly global?

Second observation: collectivism is often linked with concepts of autonomy, autonomous spaces, and self-determination. Autonomy is also a concept popular with start-up technologies, entrepreneurs and neo-liberals. Now consider the following comments made by the chair of the Buffalo Art Department to *Wired* magazine some time after her FBI interview. When the agents asked her about the laboratory Kurtz had in his home she apparently thought to herself:

“(The FBI agents) didn't seem to get it.” She told *Wired Magazine*, “They're used to the science model, with scientists working in a lab with government funds. In an art department that's rarely the case. Things get done more in an entrepreneurial way.”⁵

Here we come fact to face with two competing versions of autonomy. One autonomy is overtly critical of capitalist markets and which imagines the possibility of self-regulated spaces where cooperative forms of labor *replace* exploitation of the many by the few. And then we have another autonomy, which is no less utopian. It is committed to the belief that self-sufficiency is grounded in a radically frictionless free-market economy. How do we draw a line separating these two seemingly opposite modes? Is that even possible?

Third Observation: this brings us directly to the question of collectivism itself. Isn't it curious that the FBI went out of its way to focus on the group identity of *Critical Art Ensemble*? One could almost feel them hinting that collectivism is itself an enemy of the state because of its historic ties with communists and radicals. Or was there perhaps even a *gossipy* undertone linking group anonymity with terrorist cells such as *Al Qaida*?

Our final question then is certainly the most perplexing of all. For how is it a threat and to whom is it a threat, when artists, intellectuals, students, employees, and/or people of color choose to sublimate their individual identities into a supra-individualistic form of group identity? Or perhaps the question should be: When is it a threat? Because what makes this part of the FBI's interview especially compelling, even bizarre, is the fact that our day-to-day life is overwhelmingly defined by mass collectivism. Consider the anonymous spectacle of corporate branding that surrounds and interpolates our experiences. This neo-liberal group-think is sometimes joined by, and sometimes competing with, another type of collective experience: the *fetish* of nationalism, which in the post-cold war era was amplified by so-called normalization, and more recently in the US by the response of the Bush administration to the attacks of 9/11. The irony of competing forms of collectivism is all too apparent, but the logic is not at all clear. How can we cast more light on these ambiguities?

⁴ James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts*, New Haven and London: Yale University Press, 1990, p 142-143.

⁵ Mark Beard, “Twisted Tale of Art, Death, DNA,” *Wired News*, June 4, 2004 (No page number given.)
<http://www.wired.com/news/medtech/0,1286,63637,00.html>

What if collectivism; the practice of gossip; and the dream of autonomy were not aberrations from current social norms, but were instead woven into its melodic score? That could explain how these forms function either discordantly: by startling us like an unexpected inversion within a well-known melody, or conversely, when they harmonize to such a degree that we whistle their tune thoughtlessly, mechanically, reflexively? Let me take this metaphor a bit further. Is it possible that artists have uniquely evolved the ability to operate on both sides of this divide - not unlike the spooky action of particles in a quantum field? Or would it be more correct to say that under current circumstances artists have become expert at the sort of double-entry bookkeeping recently made infamous by Enron corporation? (This may explain why that other discovery of the 1990s, relational aesthetics, was so popular: it permitted the mainstream art market to recoup certain *informal* creative practices or what I call dark matter, a point I will return to in a moment.)

Now we must make a detour that may in fact turn out to be our only way forward.

Thanks to the entrepreneurial spirit of the art world our beloved, radically resistant artists' collective has been recast as the latest cultural product. Its perfect for those who crave distraction, but who want to avoid the heavy intellectual price tag that used to be associated with the notion of collectivism. In other words, the new artists groups have none of the unpleasant, political side effects typically associated with post-1968 art nor for that matter the political collectivism of the early 20th Century.

Forcefield, Dearraindrop, Paper Rad, Gelatin, Royal Art Lodge, hobbypopMUSEUM: Their names flicker impishly across the otherwise dull screen of the contemporary art world, invoking the loopy cheer of techno music and its nostalgia for a make-believe 1960s epitomized by LSD, free love, and Day-Glo--but not civil rights, feminism, or SDS. Artists' groups are hot. Or so chime the oracles of art-world value production as it gears up to meet a still-speculative demand.

But why this sudden rush to revamp the political rebelliousness of group artistic practice? To repackage it as "tribal," "exuberant," "insouciant"?

In the March 2004 issue of Artforum critic Alison M. Gingeras tells us why in her feature about the group *hobbypopMUSEUM*. Putting it bluntly, she informs us that this new collectivity is "insouciant." It rejects the "sociopolitical agenda typically associated with collective artmaking" and reflects a "juvenile disregard for historical veracity." And all that is fine according to Gingeras, because this brazen indifference "mirrors the times."⁶

What times, I ask? The United States has tossed international law to the four winds and invaded another nation using the most transparent of pretexts, global capitalism has penetrated every corner of life, including art, education, and leisure time, and meanwhile the art world carries on, business as usual. Those times?

One thing the critic Gingeras does get straight is that radical politics were very much a central concern for collectives in the 1960s, 70s, '80s and early 90s. It is difficult therefore not to see the recent crop of art gallery-sponsored groupettes as a unique product of enterprise culture, which, as put forward by historian Chin-tao Wu, is the near-total privatization of everything up to and including that which once stood outside or opposite the reach of capitalism, including avant-garde and radical art. Therefore, if egalitarian collaboration runs directly opposite individualistic greed,

⁶ Several of these paragraphs including the citations are taken from a letter I wrote to the editors of Artforum in the Summer, 2004.

enterprise culture will *not* aim to overtly repress this tendency. It will instead seek a way of branding and packaging such resistance in order to sell it back to us. Thus these groovy new art groups not only appear freshly minted but, thanks to an endemic historical amnesia on the part of curators, art historians, art administrators, critics, and sadly even artists, they actually appear to many as somehow radical. No surprise, then, that this new insouciant collectivity is organized around fashion and identity branding. As Gingeras assures us, the members of *hobypopMUSEUM* really share "nothing more than vacant facial expressions and good taste in casual clothes." And that they, "stake their identity on a certain strategic frivolity"?

But wait. No matter how politically inconsequential the new, market-oriented collectivism turns out to be –and every indication suggests it has simply opened up a side-entrance into the commercial art world –it is still a phenomenon particular to this present moment that reflects the invisible gravitational force of what I call *creative dark matter*.

Cosmologists describe dark matter, and dark energy, as vast, invisible entities predicted by the Big Bang theory. So far, dark matter has been perceived only indirectly, by observing the motions of visible, astronomical objects such as stars and galaxies. Despite its invisibility and unknown constitution however, most of the universe, perhaps as much as ninety six percent of it consists of dark matter. This is a phenomenon sometimes called the "missing mass problem". Like its astronomical cousin, creative dark matter also makes up the bulk of the artistic activity produced in our post-industrial society. However, this type of dark matter is invisible primarily to those who lay claim to the management and interpretation of culture- the critics, art historians, collectors, dealers, curators and arts administrators.

Dark Matter includes informal practices such as home-crafts, makeshift memorials, Internet art galleries, amateur photography and pornography, Sunday-painters, self-published newsletters and fan-zines. It infiltrates high schools, flea markets, public squares, corporate Web Sites, city streets, housing projects, and local political machines in ways that do not set out to recover a specific meaning or use-value for art world discourse or private interests. Yet, just as the physical universe is dependent on its dark matter and energy, so too is the art world dependent on its shadow creativity. It needs this shadow activity in much the same way certain developing countries secretly depend on their dark or informal economies.⁷

What can be said about this creative dark matter is that it tugs at mainstream cultural discourse, occasionally stretching it like warm taffy. Eventually, the formal art world responds to this pressure by capturing some of this informal, dark matter productivity. It is always a selective assimilation however, and it favors the most politically ambiguous specimens while rejecting overtly interventionist ones.

All of this can also be said about collectivism for by and large such group practices remain largely within the realm of dark matter. At once figuratively amorphous and pragmatically indispensable, collectivism has, until very recently, appeared abject when compared to institutionally supported forms of production. Yet its indispensability functions at several levels including visually as a horizon of possibility that is also a representational boundary. On this side of the threshold conventional cultural narratives are constructed first and foremost around individuality. And on the other side of that threshold these narratives are threatened with collapse. In this sense, the call for the

⁷ For more on the concept of creative dark matter see: Gregory Sholette, "Heart of Darkness: A Journey into the Dark Matter of the Art World," in the *Visual Worlds Reader*, eds. John Hall, Blake Stimson, (Routledge Press, 2005), and "Dark Matter, Activist Art and the Counter-Public Sphere," and the book, *As Radical as Reality Itself*, forthcoming from Peter Lang/Oxford Press, 2006.

elimination of individuality by many early 20th century art collectives made explicit the radical danger that lay in wait beyond this representational horizon. This however, also froze the image of collectivism into a particular mold from which it has never completely thawed. (I am thinking here of the writings of Boris Groys that doggedly link collectivism and Soviet Avant-Garde to Bolshevik authoritarianism.)

In one form or another therefore, collectivism invisibly and inextricably transforms the everyday world. From every swipe of your plastic debit card to the surveillance of so-called public spaces, an administered collectivity hides everywhere in plain sight. Every ‘I’ conceals an involuntary “belongingness,” every gesture a statistic about your purchasing power, education level, and the market potential of your desire. Effectively we are collectivized already. The only question is: should we accept collectivism involuntarily, or actively seek another form of communal existence? This is not merely one strategy to ponder among others. It is a fundamental issue at every level of lived experience within what Giles Deleuze aptly termed *the society of control*.

In the 1960s, 70s and 80s politically motivated artists collectives helped to pry open the discourse of art. They collectively bore down upon the familiar cannon of proper names, stylistic innovations and formal typologies of art history and through their efforts, and that of a smaller group of individual artists and art historians, the art world grudgingly admitted that culture actually did have a basis in social experience.⁸

Between 1968 and 1980 debates about the social and political function of art in the US took on an intensity not witnessed since the 1920s and 1930. Dozens of artists organizations emerged during this time including, The Art Workers Coalition, Artists Meeting for Social Change, Black Emergency Coalition, Art & Language, Red Herring, The Los Angeles Women’s Building, Heresies Magazine Collective, Guerrilla Art Action Group, Alliance for Cultural Democracy, Paper Tiger, S.P.A.R.C. (Social and Public Art Resource Center), Carnival Knowledge, Border Arts Workshop, General Idea, PAD/D (Political Art Documentation and Distribution), and Group Material. These groups had no unified political or aesthetic program. However, they did generally share two things: first a belief that art as a communicative activity is uniquely capable of disclosing the hidden structures of power and repression. Sometimes this type of intervention achieved a specific objective. For example The Art Workers Coalition relentless public demonstrations against the Museum of Modern Art in the late 1960s forced MoMA and other New York museums to offer a free admission day that still exists today.⁹

But these varied groups also converged in a second way. To one degree or another each was informed by the cultural politics of the New Left: that indefinite amalgam of students, anti-war radicals, feminists, progressive labor unions, and minority rights activists who, despite endless debate and fragmentation, still appeared as late as 1979 to be capable of coalescing into a genuine force of opposition. In reality, this was a fiction, but a fiction that grew more persuasive as political and economic failures produced an atmosphere of pending rupture within the world-wide capitalist system.

With the recent US military defeat in Southeast Asia and the Watergate conspiracy as background--the year 1979 appeared very much to be that moment of eruption.

By summer of 1979 two US-backed regimes, one in Nicaragua and one in Iran, had been defeated by

⁸ Nor did it ever fully recover from that admission, for example I can recall seeing exhibitions in the 1990s of color field painting where the artist or the dealer felt obliged to discuss the work in socio-political language.

popular insurrections and a major insurgency was immanent in the US client state of El Salvador. 1979 was also the year of the near melt-down at the Three Mile Island nuclear power plant and the settling of a ten million dollar lawsuit against the Kerr-McGee Nuclear Power Corporation brought by the family of a suspiciously irradiated industry whistle blower named Karen Silkwood. In November, The US embassy in Tehran was stormed by Islamic students and its staff taken hostage. Along with these political set-backs the US economy was experiencing soaring inflation rates and had just entered a second deep recession possibly precipitated by the Arab Oil Embargo – that as it turns out was orchestrated by the Nixon White House. Nevertheless, within my circle of artists and political activists the crisis late capitalism was experiencing seemed poised to shift the nation to the Left. Nothing, as it turns out, could have been more wrong. We now know that the far right catapulted itself to power by leveraging the political and fiscal crisis of the 1970s. Well-financed conservatives forces had in fact been positioning themselves as successors to the moribund welfare state as early as the failed presidential campaign of Barry Goldwater in the mid-1960s.

The aim was to produce a leaner, more flexible and more productive work force by taking away the social safety net and crippling the already weakened union movement. It was a process of demolition that would only become fully visible with the breaking of the Air Traffic Controllers Union by Ronald Reagan in 1981. Certainly by 1988 the US Left had fully imploded leaving the political terrain to the forces of neo-liberalism and enterprise culture. Nor was it likely a coincidence that in 1988 The Museum of Modern Art in NYC organized what was a retrospective of activist art entitled *Committed To Print*. It included the work of PAD/D as well as many of the politicized artists collectives that emerged within the folds of the New Left. Needless to say, this exhibition was also the swan song of most broadly-targeted art activism still linked with the New Left.¹⁰

Once art with social content was acknowledged as an art historical fact (for after all the MoMA had exhibited it right?), and once museums and galleries had selected a few, palatable political artists to signify this fact, the many artists collectives who stimulated this very paradigm shift were unceremoniously submerged, partially or wholly, beneath the waves of normative art history. The record of their activities returned to the shadows where it joined a dark archive brimming with other examples of anonymous histories, collectivist production, and unrecognized modes of creativity. Nevertheless, it is the gravitational pull of this hidden archive that has no doubt made collectivism impossible to avoid today within the commercial networks of the art establishment.

For that reason it is useless to condemn *hobbypopMUSEUM* and other examples of what might be called *collectivism LITE*. Instead, radical artists might better take advantage of their so-called *strategic frivolity* by pointing out that if the prestige and financial power of the art world can be mobilized to authenticate an anemic form of collective practice, then why not find a way to use that breach to leverage more challenging and socially progressive collaborative forms as well? And why stop at the museum for that matter? What about workplaces, schools, public spaces, even the military?

Still, we have not really answered just what it is about organized group activity that intimidates mainstream institutions? If it is not collectivism then it must be the fact that when people choose to work together they sometimes also realize a desire for social and political autonomy. Similarly, when *The Yes Men* use tactics of exaggerated, identity-correction it is no doubt a form of gossip, certainly, but gossip that exposes the normally private side of George Bush, or the concealed, self-serving policies of the WTO. And when the *Critical Art Ensemble* plays amateur scientist by

¹⁰ From the mid to late 1980s onwards the Guerrilla Girls and numerous artists associated with ACT UP took over the interventionist lead, however the scope of radical change once demanded by activists associated with the mass-movements of the 1960s was largely absent.

experimenting with Monsanto's transgenic seed stock, they are not snubbing corporate power, but rather temporarily redirecting the direction of its flow.

What is promising about these various groups and tactical actions is that they have sometimes forced mainstream institutions to respond. This includes the FBI. What is sobering, however, is that *contradiction* and *negation* no longer animate the field of radical politics in the age of enterprise culture. Its as if history were a glove pulled inside out for the once widespread aspiration that society be grounded in equality, fraternity and reason is now characterized by the free market idiom of enterprise, competition, and consumption. The utopian impulse has been stripped away. Socialism has become a specter in the words of Jacques Derrida, that haunts the totality that is global capitalism. Therefore, is it any wonder that interventionists are less interested in stealing the state, and more concerned with appropriating corporate power? That gossip triumphs over a party line? That collectivism is sometimes demonized, and at other times embraced by mainstream culture?

The stakes therefore require some genetic modifications of our own. We must demand that our interventionist, autonomous laboratories produce a collective variant that will render enterprise culture defenseless before its own offspring. This collectivity must be self-replicating, and radically democratic, but be every bit as playful and nimble in its own passionate way as the so-called insouciant collectivity championed by Artforum. Because, for better and for worse collectivism must survive within this smoothed-over space of neo-liberal capitalism while harboring the genetic flexibility to rapidly adapt itself should the current environment undergo a radical transformation. What would this hidden gene be like? The Lebanese writer Rasha Salti insists that collectivism inevitably carries with it a call that might be muffled, but will never be completely overridden by the market. Collectivism Salti tells us:

“resurrects and reconfigure notions of contact, exchange, collaboration and solidarity, and the promise to democratize cultural practice, to cross- pollinate and to challenge a slumbering dissent.”¹¹

Challenge a slumbering dissent. Now that is the tune I was trying to whistle all along!

Publication Note: This essay was first published on-line in April of 2006 in a somewhat different form by the Contemporary Hungarian Art Magazine EXINDEX. The essay also cites from several previous writings of mine including a letter to the editors of Artforum from the Summer of 2004.

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¹¹ Rasha Salti in an email to the author, March 10, 2006.