

# The Public Existence of Homo Informans On Art in Times of Terror

*Henk Oosterling*

Essay – April 13, 2005

**The trademark activity of the Critical Art Ensemble is producing and distributing knowledge as a counter-expertise to the relatively opaque and one-sided information issued by governments and by commercial companies about their products. This artists' collective makes use of the nomadic, virtual character of today's information society. However, the hybrid practices they use in striving towards openness and visibility are not often understood let alone appreciated. For Steve Kurtz, a member of CAE, the consequences were disastrous. On 29 June 2004, he was charged with wire and mail fraud.**

In times of terror, the quality of public space alters. Well before 9 / 11, the rising influence of information and communication technologies had already resulted in the addition of an invisible, virtual dimension to physical space. The result has been that the separation of the private and public realms – what happens at home or in your head, as against what happens outdoors among citizens – has become thoroughly problematic. This has consequences not only for government officials and regular citizens, but also for those artists for whom public space is simultaneously a medium, a working territory and an object of study. And if, in their modernist effort to bring art and life closer together, they go so far as to parade their work as 'political', this can have unpleasant repercussions.

However closely art approaches life, art remains fiction. But the nature of the present relationship between art and life differs from that which the modernist avant-garde had in mind. Michel Foucault, in a 1966 essay on the work of Maurice Blanchot, portrayed the problem of the socially committed artist as follows: 'Fiction ... does not mean making the invisible visible, but showing just how invisible the invisibility of the visible really is... [Fictions] are not so much images as transformations, alterations, neutral interstices, spaces between images.'<sup>1</sup> Whereas modern 'unmasking' art was preoccupied with demythologization, in our own times – on this side of modernity and postmodernity – the invisible is not so easily 'exposed', as Jean-Luc Nancy once tersely put it. The invisible is already discounted in the attempt to get 'behind' the visible. Homo informans knows himself only through the media that surround him. His interactions with the world, with others and with himself are 'interfacial': from supernovas to DNA, from mobile phones to GPS. We cannot take off the spectacles through which we see; and our present-day spectacles are what we call media technology.

## **The Steve Kurtz Affair: A Critical Ensemble**

On 11 May 2004, Steve Kurtz, an associate professor at the University of Buffalo (New York State) and a member of the Critical Art Ensemble (CAE), woke with a start in the middle of the night. His 46 year old wife Hope had suffered a heart attack which was quickly fatal. Kurtz rang 911 for assistance, but by the time the ambulance arrived his wife was dead. The paramedic noticed some laboratory equipment in the room, including a few Petri dishes containing bacterial cultures, which proved to be *Bacillus globigii*, *Serratia marcescens* and *E. coli*. Materials like this are to be found in practically any secondary school biology lab, but Kurtz had them in his possession for use in a new CAE action at 'The Interventionists. Art in the Social Sphere', a group exhibition which opened in MoCA on 30 May 2004. Their project, 'Free Range Grains 2004', was intended to draw attention to the genetic manipulation of foodstuffs. The installation included a mobile DNA analysis laboratory which museum visitors could use to test their food for the presence of genetically modified organisms.

The paramedic put two and two together: a dead woman plus a suspicious-looking bacterial culture. He phoned the police, who then warned the Joint Terrorism Task Force. The Task Force descended on Kurtz's home together with the FBI. Kurtz was arrested on suspicion of bioterrorism under the USA Patriot Act as amended after 9/11. His experimental apparatus was seized together with his wife's corpse and all his computers, papers and books. Kurtz and later the other CAE members received subpoenas to appear in court, as did several of their colleagues. CAE's publisher, Autonomedia, was also served a writ. Once the news of Kurtz's arrest leaked out, a demonstration was hastily organized in front of the museum. Since the exhibition material had been confiscated, the MoCA exhibited the information and images of the confiscation.

On 16 June, Kurtz and the CAE had to appear before a Federal Grand Jury in Buffalo. The bioterrorism charge proved to be overreaching. On 29 June, the defendants were arraigned with 'wire and mail fraud' (because the bacterial source cultures were allegedly illegally procured), a crime for which the Patriot Act prescribes a penalty of 20 years jail. While awaiting trial, Kurtz has to present himself to the police at regular intervals.<sup>2</sup>

## **Transparency: Art as Counter-Expertise**

Things are clearly getting terribly out of hand here. All the same, it's naive to think that the public prosecutor's office is trying to have its way simply to hide the fact that the FBI made an initial blunder. You don't have to be a paranoid conspiracy theorist to realize what officialdom must have thought on reading the subversive ideas that CAE propagate in the texts that accompany their art interventions.<sup>3</sup> The possession of bacterial cultures which are quite legally obtainable becomes a welcome pretext for a public warning to dissidents. Or, as Kurtz foresaw in 1996 although it was then still science fiction, their possession 'will eventually be used to suspend individual rights, not just to catch computer criminals, but to capture political dissidents as well'.<sup>4</sup>

CAE was founded in 1986. Its inspirations included Foucault, Deleuze and Guattari.<sup>5</sup> CAE shares with these thinkers the critical insight that the self-awareness of individuals is the product of lifelong disciplining resulting from the control society's continual checking of their behaviour. While the informational surveillance of public life only affects overt behaviours, this control is reinforced in the application of gene technology by anticipatory genetic manipulation from within.

The balance is drawn up in *Flesh Machine*. Cyborgs, Designer Babies, and New Eugenic Consciousness (1977). After the premodern 'war machine' which suppresses resistance by force of arms, and the Foucaultian / Deleuzian 'sight machine' of almost total surveillance ('the Net functions as a disciplinary apparatus through the use of transparency'),<sup>6</sup> CAE

foresees the rise of a new dynamic of monitoring and control which remains one step ahead of any resistance. By implanting chips and other electronic devices in the body and by manipulating the building blocks of life, DNA, the powers that be transform their grip on life into a 'flesh machine'. The body becomes a 'data body' which is simultaneously both a repressive matrix and a marketing device: the voluntary consumption of information makes citizens totally controllable.<sup>7</sup> To criticize this situation is highly problematical, not least because the collective fear reflex overpowers individual introspection. Many citizens consider cameras, iris scanning and the global monitoring of email traffic to be necessary evils for the sake of security. Freedom is meekly sacrificed in favour of safety. The activist interventions of CAE put their finger on a sore spot on the data body.

But CAE's interventions are controversial for several reasons. Not only do they have subversive potential for the police and the political class, but their place within art is also a sensitive issue. What kind of art is it? Some critics see CAE's work as a form of political art. It shows a closer affiliation with that of Guerilla Girls, subRosa and The Yes Men.<sup>8</sup> Others hold that 'art with a message', particularly when exhibited by scientists, turns art into a stratagem; they see the informed bioresistance that CAE aspires to as offering no more than a diverting bit of infotainment.

### **Art as Public Space: Repositioning the Discourse**

Indeed, CAE would rather inform their audience than fascinate them. Art provides a more penetrating way to do this than text alone. Texts form an integral part of CAE's activism, however. By means of public participation, CAE produce and distribute knowledge as a counter-expertise to the relatively opaque and one-sided information issued by governments and by commercial companies about their products. Their target is corporate power, in which transnationals and the war industry join to form an almost impregnable network structure. In their showy performances, CAE demythologize high-tech procedures and supply information as a counterweight to the fear factor<sup>9</sup> that dominates the general public's perception of genetic modification.

It is not only the 'critical' designation but also their liberative resistance to the increasingly impenetrable power structures that indicate CAE's roots 'in the modern avant-garde, to the extent that participants place a high value on experimentation and on engaging the unbreakable link between representation and politics'.<sup>10</sup> Besides elements of Living Theater and of Brechtian drama, CAE feel akin above all to Surrealism and its interventions. Still, how should we designate their work? They reject classifications such as 'site-specific artists, community artists, public artists, new genre artists and all the categories with which we had little or no sympathy'.<sup>11</sup> Considering their emphasis on public openness and transparency, and their focus on creating an alternative discourse, a qualification as 'public artists' would seem the best fit. But then it must be stressed that their work is not so much about art in the public space as about art as public space or art of public space. CAE specialize in the art of publicness.

Their work is clearly not at all about artificial intelligence or conceptual art. CAE's experimental practice operates precisely at the 'intersections between art, technology, radical politics, and critical theory'.<sup>12</sup> The domain is art, the subject matter is technology, the method is activism and the goal is critical theory. It is the very hybridism of their practice that opens up indefinable intermediate spaces, interstices or in-betweens in which 'the political activist and the cultural activist (anachronistically known as the artists) can still produce disturbances'.<sup>13</sup> Hacking into computer systems is the most exemplary tactic, but as soon as a fascination with the 'aesthetics of efficiency'<sup>14</sup> or with 'technocratic avant-garde'<sup>15</sup> predominates it becomes counterproductive. Resistance flips into its opposite and becomes an accomplice of the power it sought to stem. Producing 'disturbances' makes the double bind in which resistance can find itself comprehensible and tangible. The production of 'disturbances' is not an appeal to abandon the media and

media technology; that would not only be tantamount to blowing up the infrastructure of our informational existence, but it would also explode our self-conception, which after all thrives on this media technology. Individual autonomy is expressed rather in the determination of the level of mediation adapted to the pace and rhythm of the means in small groups of four to ten people. These organic 'cells' are 'based in trust in the other people'.<sup>16</sup> Given their many connections to a diversity of social practices, their identity is not a fixed one but a multidimensional one. The synergy of this diversity of connections makes the whole of the cooperation into more than the sum of its parts.

### **Tactical Mediocrity: A Political Double Bind**

With Foucault and Deleuze, CAE share the knowledge that there is no longer one central power against which mass resistance can be mobilized. Power is distributed in the information society. Surfing on flows of information, power has also become nomadic. It no longer has a centre. Power is everywhere: micropolitics in my fantasies, geopolitics in my rice and in my sneakers.<sup>17</sup> While power utilizes media and technology, in electronic civil disobedience this very media technology is displaced, turned against itself by deploying them tactically. The invisibility and unfathomability of this technology must be measured off against human criteria, informed by mutual engagement, the open exchange of ideas and justice.

CAE thus know that they cannot cast off the spectacles. That is why they deploy media tactically: 'resistance can be viewed as a matter of degree.'<sup>18</sup> There is absolutely no sense in being 'for' or 'against', due to a complete integration of resistance into life. Since tactics always presuppose a context and contexts change all the time, CAE's interventions are more pragmatic than dogmatic. So perhaps, owing to the media-technological double bind, we should describe them not as critical but as hypocritical: we are ourselves always part of the system we have targeted, and we ourselves use the media technology we criticize.<sup>19</sup> Conventional, dogmatic disobedience is no longer sufficient. To have any effect, resistance has to be just as nomadic and virtual as power is. Physically blocking the way of people, trains and tanks can still be effective locally, but geopolitically it is always a matter of blocking, corrupting and diverting information flows. The arrest of Kurtz proves that bioresistance too can be considered subversive and effective.

'As far as power is concerned, the streets are dead capital.'<sup>20</sup> Public space has changed, with inevitable consequences for artists who work in it as a location or medium. Publicity is physical or virtual. For CAE, it is an invisible discourse which we have involuntarily absorbed: a mode of thinking and doing which, despite all pretenses of transparency, invisibly but effectively automobilizes us and if need be immobilizes us. The 'informational turn' has the consequence that visibility is no longer the prime criterion for the control of thought and action, because the representative institutions are no longer needed.

Power is no longer embodied by identifiable capitalists or represented by elected politicians in national parliaments: 'What lies behind the representation is lost... Macro power is experienced only by its effect, and never as a cause.'<sup>21</sup> Power presents itself through global information flows that are connected directly to living rooms and brains. It is through data bodies that representation and politics are inextricably linked. Corporate power can rely on representation as a technological implant, but consumers experience this power merely in and as its supposedly benevolent effects.

## Homo Informans: Radical Mediocrity or Scaled Inter-esse?

Thus invisibility paradoxically coincides with media transparency. The radicalism of a literal 'medio'-crity makes individuals into informational nodes. With the help of SMS, MSM, GSM and GPS, they become interactive spies in their own home. The transformation of knowledge into information instigates the metamorphosis of homo sapiens into home informans.

Representation within this post-political configuration always ensnares itself in a media-related double bind: the means are our repression and liberation. So there is little point in thinking in these terms. The emphasis CAE place on individual autonomy as an 'agency'<sup>22</sup> may seem modernistic, but critical self-insight tolerates this ambivalence if one forgoes thinking in terms of repression and liberation. CAE's 'recommendations' are tantamount to saying that individuals must determine their means and not vice versa. Homo informans must be aroused from his passivity by means of interactivity, and, in conveniently small groups, must so adjust his media usage that he retains his grip on life. The criterion is the prevention of the total transparency of individual existence by corporate power. But, as said, the media-related 'empowerment' that CAE aspires to is dubious on account of its hypocritical character; before one realizes it, resistance has already been incorporated and autonomous freedom has been absorbed by the security mindset.

The crucial factor remains the binding, synergetic force which operates within groups, and on which CAE's cultural practice also depends. By emphasizing the 'in-between' – CAE's 'intersections' and Foucault's 'interstices' – or inter-est<sup>23</sup> in the literal sense, these groups form small-scale counterparts of the worldwide mediatization of transnational corporations. But this interest too is experienced only through its consequences. Representation of the in-between is therefore impossible. It is down-scaled participation made to measure, as in the museum interventions at MASS MoCA, that triggers interest. By linking science and art new public space is created.

) **Henk Oosterling** is a professor at the Erasmus Universiteit in Rotterdam. He is the initiator and supervisor of the research programme 'Intermediality: At the boundaries of philosophy, art and politics'.

## Footnotes

1. Michel Foucault, *De verbeelding van de bibliotheek. Essays over literatuur*, SUN, Nijmegen 1986, p. 102, (retranslated from Dutch).
2. For further information, see [www.caedefensefund.org](http://www.caedefensefund.org).
3. In chronological order: *The Electronic Disturbance*, Autonomedia, New York 1994; *Electronic Civil Disobedience. And other Unpopular Ideas*, Autonomedia, New York 1996; *Flesh Machine*, Autonomedia, New York 1997; *Digital Resistance: Explorations in Tactical Media*, Autonomedia, New York 2000; and *Molecular Invasion*, Autonomedia, New York 2002.
4. *Electronic Civil Disobedience*, op.cit., p. 17.
5. For an introduction to Guattari's politico-philosophical ideas, see Henk Oosterling & Siebe Thissen, *Chaos ex machine. Het ecosofisch werk van Félix Guattari op de kaart gezet*, CFK, Rotterdam 1998. See also [www.xs4all.nl](http://www.xs4all.nl).
6. *Flesh Machine*, op.cit., p. 152.
7. Ibid., p. 145.
8. See Gregg Bordowitz, 'Tactics Inside and Out', in: 'The Art of Politics', *Artforum International*, September 2004, p. 212.
9. *Molecular Invasion*, op.cit., p. 34.
10. *Digital Resistance*, op.cit., p. 3.
11. Ibid., p. 4.
12. *The Electronic Disturbance*, op.cit., p. 12. For an example of an approach of this kind, see the study carried out by Centrum voor Filosofie & Kunst (CFK), a centre established by the Erasmus University Rotterdam, *Intermedialiteit. Over de grenzen van filosofie, kunst en politiek*. See also [www.henkoosterling.nl](http://www.henkoosterling.nl).
13. Ibid., p. 12.
14. Ibid., p. 138.
15. *Electronic Civil Disobedience*, op.cit., p. 22.
16. Ibid., p. 23.
17. See Michel Foucault, *De wil tot weten. Geschiedenis van de seksualiteit I*, SUN, Nijmegen 1984, pp. 93–97.
18. *The Electronic Disturbance*, op.cit., p. 130.
19. See Henk Oosterling, *Radicale middelmatigheid*, Boom, Amsterdam 2000 / 2002, p. 12.
20. *Electronic Civil Disobedience*, op.cit., p. 11.
21. Ibid., p. 12.
22. *The Electronic Disturbance*, op.cit., p. 140.
23. The Dutch and German 'inter-esse' literally means: the being (esse) of the in between (inter). The English 'interest' already implies the normative aspect.

## Tags

Activism, Art Discourse, Public Space

This text was downloaded on July 13, 2025 from  
*Open! Platform for Art, Culture & the Public Domain*  
[onlineopen.org/the-public-existence-of-homo-informans](http://onlineopen.org/the-public-existence-of-homo-informans)