

# FROM CAPITALIST DÉTOURNEMENT TO THE POLITICS OF (NON-)COMMUNICATION ERROR! CONTACT NOT DEFINED

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## Capitalist *détournement*

*"There are very few original ideas. Plagiarism is the name of the game in advertising. It's about recycling ideas in a useful way."*

—PHILIP CIRCUS, advertising law consultant<sup>1</sup>

In April 2003 Honda UK released a new television advertisement that quickly became celebrated within professional circles for its technical innovation and conceptual elegance. Titled "Cog," it showed various car parts from an Accord Tourer—beginning with the eponymous cog—in a chain reaction of events, a domino effect of cascading consequences that went on for two minutes with no soundtrack other than incidental mechanical noises made by the repurposed component parts, the clicks and clacks emitted as they clattered along their improbable path of cause-and-effect, until the voice of broadcaster and author Garrison Keillor concluded: "Isn't it nice when things just work." The commercial was conceived by Ben Walker and Matt Gooden at the firm of Wieden + Kennedy, and was filmed by director Antoine Bardou-Jacquet of Partizan; reportedly costing £6 million, it required months of meticulous planning and trial-and-error experimentation, and was made over the course of four days in a Paris studio. Over six hundred takes resulted in two long sequences used in the final spot (the splice between these two takes was, to general astonishment, its only use of CGI). "Cog" would win a Gold Lion at Cannes, Best commercial and Gold at BTAA, and a Gold Pencil at D&AD, among other awards.

But "Cog" was also an immediate source of controversy: within a month of its first screening, lawyers representing the Swiss artists Peter Fischli and David Weiss contacted Honda to complain of alleged similarities between the advertisement and their award-winning short film, "Der Lauf der Dinge" (*The Way Things Go*, 1987), and claiming copyright infringement. The resemblances are indeed striking, with the film documenting the self-destruction over the course of thirty minutes of a 100-foot-long construction built by the artists in a Zurich warehouse; as in the commercial, the setting into motion of a first element commences a chain reaction that conjoins the mechanical and the artistic in a carefully controlled chaos that stands halfway between Rube Goldberg and Jean Tinguely.<sup>2</sup> The creative director of Wieden + Kennedy did not deny the likeness: "Advertising references culture and always has done. Part of our job is to be aware of what is going on in society," he remarked to a reporter at the time, before reminding him "there is a difference between copying and being inspired by."<sup>3</sup> Fischli, speaking with the same reporter, unsurprisingly disagreed: "Of course

<sup>1</sup> Quoted in Jade Garrett, "Media: Whose Idea Is It Anyway?" *The Independent*, 23 May 2000.

<sup>2</sup> On "Der Lauf der Dinge," see Jerry Saltz, "Peter Fischli and David Weiss: The Way Things Go," *Arts Magazine* 62, no. 8 (April 1988): 11-12.

<sup>3</sup> Quoted in Gavin Lucas, "Reference or Rip-off? Two Swiss Artists Are Considering Legal Action over Honda's Cog Commercial," *Creative Review* (June 2003).

<sup>4</sup> Quoted in Lucas, "Reference or Rip-off?" (my emphasis).

<sup>5</sup> Groupe Marcuse, *De la misère humaine en milieu publicitaire* (Paris: La Découverte, 2004), 23-24.

<sup>6</sup> See Dan Glaister, "Saatchi Agency 'Stole My Idea,'" *The Guardian*, 2 March 1999.

we didn't invent the chain reaction and 'Cog' is obviously a different thing. But we did make a film the creatives of the Honda ad have obviously seen. We feel we should have been consulted about the making of this ad." After all, he insisted, "we made 'Der Lauf der Dinge' for consumption as art."<sup>4</sup>

In this view, Fischli and Weiss defended the autonomous prerogatives of their art production against its conscription into the instrumentalized realm of advertising. Echoes of such a perspective may be found in the writings of anti-advertising activists; in France, the Groupe Marcuse—a leftist collective of young sociologists, economists, philosophers, historians, and doctors that has developed a scathing critique of the "advertising system"—has examined the relation of the two realms. It quotes one advertising executive as remarking cynically that, in publicity, "Art is a sham, an excuse for the expansion of the imaginary product," a sort of absolution for what remains nothing more than a "lousy business." The Groupe Marcuse concludes: "If advertising appropriates [art] so often, it is not only to compensate for a lack of creativity, but also to restore its reputation."<sup>5</sup> There may well be some truth to this claim; certainly it remains in the interests of the advertising industry to produce a (small) percentage of "quality" commercials, which may not only appeal to the tastes of a "cultivated" audience, but which may also be paraded internally as exemplars of the benefits of the industry during annual awards ceremonies and the like. Spots like "Cog," in this reading, assuage guilty consciences as much as they sell cars. But this leftist critique fails, it seems to me, to capture the complexity of the situation, for however acute its analysis of advertising may be, its conception of art remains remarkably naive in its idealization. The contrast between art and advertising that it stages is based on an essentially Kantian understanding of the former, whereby art remains an end in itself, while publicity is merely a tool toward an external finality, such as capturing attention. But such distinctions, the very foundations of a Modernist aesthetic regime of autonomy, can hardly be upheld today; the lessons of this case lie elsewhere.

I open with this account, then, neither to adjudicate between the competing claims of artist and advertiser (in the end, it seems that Fischli and Weiss dropped their suit), nor even to insist that it is particularly exemplary in the debate between artists, lawyers, and corporations over intellectual copyright. I could just as easily spoken of Gillian Wearing's earlier complaints against different companies for using ideas from her work in their ads—delicious in the irony that the advertising agency of Charles Saatchi, perhaps her greatest collector, was responsible for one of the commercials in question.<sup>6</sup> Or of Damien Hirst's suit against British Airways for their use of colorful dots reminiscent of his paintings in the publicity for their low-cost airline. The examples could be multiplied, but collectively they indicate that we are witnessing today something like a war of

position within the cognitariat, a struggle between artists and advertising creatives over intellectual property. And here Peter Fischli's offhand remark that "Der Lauf der Dinge" was intended as a particular type of commodity—the luxury good known as art—with its own protocols of display and distribution, becomes emblematic in its unintended honesty. "Cog" threatened the exclusivity of a brand, to put it in blunt terms. Our task is certainly not to take a position in solidarity with one side or the other in this conflict internal to capital, but to examine its dynamics and to understand what larger struggles it might obscure.

"Creative people in advertising keep their eyes and ears open to developments in conceptual art," explained the managing director of Saatchi's advertising agency when asked about these recent cases.<sup>7</sup> Of course there has long been a complicated relationship between art and advertising, whose roots extend back at least to the early years of the last century, but what we might note in the current conjuncture is a curious reversal of roles from their hegemonic distribution of the early 1980s, when the appropriation of advertising images by artists such as Richard Prince and Cindy Sherman appeared to entail a critical position within the politics of representation. At that time, Craig Owens could claim that these artists took up familiar female stereotypes, specular models of femininity appropriated from cinematic and commercial culture, to parodic ends; this was most clear in Sherman's *Untitled Film Stills*, in which she impersonated tropes that had precisely been meant to encourage imitation and identification. Yet the aim of these artists, Owens wrote, extended beyond a punctual critique of, say, images of women; at issue was a larger epistemological struggle over the nature of reference in the work of art. "The deconstructive impulse is characteristic of postmodernist art in general," he noted in the concluding paragraphs of his pioneering essay on "The Allegorical Impulse,"

and must be distinguished from the self-critical tendency of modernism. Modernist theory presupposes that mimesis, the adequation of an image to a referent, can be bracketed or suspended, and that the art object itself can be substituted (metaphorically) for its referent.

This sort of self-reference lay at the very heart of Kantian aesthetics; postmodernism's break with its logic did not, however, entail a flight back to mimesis; Owens continued:

Postmodernism neither brackets nor suspends the referent but works instead to *problematize the activity of reference*. When the postmodernist work speaks of itself, it is no longer to proclaim its autonomy, its self-sufficiency, its transcendence; rather, it is to narrate its own contingency, insufficiency, lack of transcendence.<sup>8</sup>

<sup>7</sup> Quoted in Adam Sherwin, "There's a Difference Between Cribbing and Inspiration," *The Times*, 27 November 2003.

<sup>8</sup> Craig Owens, "The Allegorical Impulse: Toward a Theory of Postmodernism," in *Art After Modernism: Rethinking Representation*, ed. Brian Wallis (New York: The New Museum of Contemporary Art and Boston: David R. Godine, 1984), 235 (my emphasis).

<sup>9</sup> For the importation of the concept of monopoly rent into the analysis of culture, see David Harvey, *Spaces of Capital: Towards a Critical Geography* (New York: Routledge, 2001), 394-411.

<sup>10</sup> Owens, "The Allegorical Impulse," 235.

<sup>11</sup> Jeremy Rifkin, *The Age of Access* (New York: Jeremy P. Tarcher/Putnam, 2000), 171.

Prince, Sherman, and their generational cohort were seen in their use of appropriation to be questioning the very bases for the institutional determination of modernist artistic value: autonomy and transcendence. But to speak of these qualities, of the uniqueness of the work of art, is also to speak of what Marx called "monopoly rent"—the income to be derived from the depiction of particular commodities as incomparable or unreplicable.<sup>9</sup> The use of images appropriated from advertising and other media sources intervened within this dynamic, undermining claims to uniqueness in the destruction of artwork's autonomy. A generation later, however, it is the ad executives who defend plagiarism while artists struggle to protect monopoly rents; Fischli and Weiss' insistence that "Der Lauf der Dinge" was intended for aesthetic consumption must be read as an insistence on precisely the author-function as a guarantee of the singularity and (illusory) autonomy of the work.

Of course even at the moment of initial formulation of postmodernist discourse, Owens had to admit what he called the "complicity" of the artwork, "the unavoidable necessity of participating in the very activity that is being denounced precisely in order to denounce it."<sup>10</sup> We could perhaps extend this admission of the limits inscribed within any deconstructive practice: in describing the simultaneous solicitation and frustration of desire in these works, of ambition declared and deferred, he is point to a fungibility of the signifier that is analogous to that of the commodity form itself. In retrospect perhaps we should reread the use of appropriation in the early 1980s as a moment in the capitalist deterritorialization of the image and the dismantling of any residual claims for its particularity or situatedness. Problematizing the activity of reference was by the late twentieth century potentially coterminous with the freeing of the visual environment for full exploitation by a commodity economy ever more inseparable from the logic of the image. As economist Jeremy Rifkin has noted,

as cultural production becomes the high-end sector of the economic value chain, marketing assumes an importance that extends well beyond the commercial realm. Marketing is the means by which the whole of the cultural commons is mined for valuable potential cultural meanings that can then be transformed by the arts into commodified experiences, purchasable in the economy.<sup>11</sup>

Rifkin emphasizes the significance of appropriation in the techniques of contemporary advertising: it is "the capitalist system's way of translating cultural norms, practices, and activities into commodity forms"; its task is "to rifle through the culture to find new themes for eliciting human response"; creatives "*plumb the depths* of culture and *borrow* images from the most unlikely

sources to sell products.”<sup>12</sup> Take note of the terms used here: translating, rifling, plumbing, borrowing—the undertaking that had once been assigned to the most recalcitrant practitioners of the factographic tendencies of the avant-garde and their latter-day heirs has become, in other words, wholly instrumentalized by the culture industry in its voracious search for profit.

In 1956, Guy Debord and his colleague Gil J. Wolman published an essay entitled “A User’s Guide to Appropriation,” in which they wrote: “A slogan like ‘Plagiarism is necessary, progress implies it’ is as misunderstood, and for the same reasons, as the famous phrase about the poetry that ‘must be made by all.’”<sup>13</sup> The “slogan” in question derived from Lautréamont’s *Poésies*, published in 1870, which elements of the historical avant-garde and its successors in the twentieth century had read as forging a programmatic link between the practice of plagiarism and “progress”—that is, the transformation of poetry into a collective, egalitarian form in which authors would no longer be separated from spectators. *Détournement* took its place within this “utopian plagiarism,” imagining that a revolutionary politics could arise from an artistic procedure, and was diametrically opposed to any condemnation of plagiarism on behalf of copyright or claims to creative originality. The same sentence from Lautréamont could serve as a slogan for those today who are calling for the gradual abolition of intellectual property rights and the free circulation of cultural property; and in fact it is not rare to see references to Situationist *détournement* mobilized in these debates. However mightn’t we also hear in the words of Philip Circus with which I opened an echo, even if unintentional, of Lautréamont’s famous watchword? Forty years on, all the effects of the use of appropriation anticipated by the Situationists have been re-appropriated, we might say, turned back upon their revolutionary promises. In the wake of May ’68, the technique of *détournement* was quickly incorporated into advertising practices as a stylistic trope; in the longer term, it—along with other aspects of Situationist critique—has become in many respects one more tool of the “new spirit of capitalism,” a structural principle of the functioning of our image economy. Today we are witnessing, we might say, the full acceptance of *détournement* as capitalist strategy.

*Détournement*’s valorization of fluidity, of the movement of meaning and images, has become a means to extract value within cognitive capitalism. Italian economist Enzo Rullani has argued that the value of knowledge today is no longer dependent upon its hoarding, but is in fact multiplied by its diffusion: for an economy in which, as current wisdom has it, “concepts, ideas, and images” rather than tangible goods are the primary sources of wealth via the servicing of “cultural needs and desires” through paid-for experiences and activities, extracting profit from intellectual property requires rapid distribution, before

<sup>12</sup> Rifkin, *The Age of Access*, 172-173.

<sup>13</sup> Guy Debord and Gil Wolman, “Methods of *Détournement*” (1956), in *Situationist International Anthology*, ed. and trans. Ken Knabb (Berkeley, Calif.: Bureau of Public Secrets, 1981), 10 (trans. modified).

<sup>14</sup> Rifkin, *The Age of Access*, 5.

<sup>15</sup> Enzo Rullani, interviewed by Antonella Corsani, “Production de connaissance et valeur dans le postfordisme,” trans. Antonella Corsani, *Multitudes* 2 (May 2000).  
<sup>16</sup> For the importation of the concept of monopoly rent into the analysis of culture, see David Harvey, *Spaces of Capital: Towards a Critical Geography* (New York: Routledge, 2001), 394-411.

<sup>17</sup> Rullani, “Production de connaissance.”

<sup>18</sup> André Gorz, *L’immatériel* (Paris: Galilée, 2003), 59.

its meaning decays and audiences have passed on to other events or occupations.<sup>14</sup> Hence one of contemporary capitalism’s primary tasks is precisely to manage the circulation of these concepts, ideas, and images: “An economy based on knowledge is structurally anchored to sharing,” Rullani notes, adding, “knowledge produces value *if it is adopted*, and this adoption ... creates *interdependency*.”<sup>15</sup> The value of immaterial commodities, in other words, is produced by dissemination and mutual dependency; what Marx called “monopoly rent”—the income to be derived from the depiction of particular commodities as incomparable or unreplicable—has in this case become a product of the multiplication of uses, rather than the control over a copyright (as with Fischli and Weiss).<sup>16</sup> As Rullani has said, “proprietary logic has not disappeared, but must subordinate itself to the law of diffusion.”<sup>17</sup> We may echo him in saying that the value of knowledge is tied precisely to the ability to monopolize the right to use it; the value of so-called “immaterial” commodities does not so much lie in knowledge itself, André Gorz has argued, but “in the monopoly of knowledge, in the exclusive qualities that knowledge lends to the commodities that embody them, and in the ability of the firm to retain that monopoly.”<sup>18</sup> The mobility that the Situationists once had hoped to deploy against all fixed, fast-frozen meanings, we might say, the modeling of *détournement* on an economy of the gift, has been subsumed back into the logic of the exchange of (immaterial) commodities and the increase of capitalist rent.

Hence the ultimate emptiness of questions of intellectual property rights for the left; as theorists like Matteo Pasquinelli have noted, frameworks such as Creative Commons—with its aim of enabling the sharing and building upon the work of others within the larger rules of copyright—such frameworks mask the increased regime of competition within the knowledge economy under a rhetoric of the digital commons. In his critique of Lawrence Lessig and the “ideology of free culture,” Pasquinelli describes the celebration of digital freedom as underlain by recognition that “the market needs a dynamic and self-generating space to expand and establish new monopolies and rents. A dynamic space,” he concludes, “is more important than a lazy copyright regime.” There is profit to be made, in other words, from the fruits of the collective intelligence of free culture. This is precisely the outcome of so-called free culture, the culture of capitalist *détournement*: an expanded and lubricated space of the market. Rent, in his neat formula, is the other side of the commons, in the moment of the network economy as in the moment of the enclosure of lands.<sup>19</sup> But this internecine struggle over the extraction of monopoly rent within a completely commodified culture obscures from view a broader conflict: the resistance to what Rifkin has called “the commercial enclosure and commodification of the shared cultural commons.”<sup>20</sup>

## The politics of (non-)communication

"The key thing may be to create vacuoles of noncommunication, circuit breakers, so we can elude control."

—GILLES DELEUZE, in conversation with Toni Negri<sup>21</sup>

Within what we have characterized as a regime of the deterritorialized image, perhaps a critical strategy toward cultural enclosure might lay neither in the reactionary attempt to maintain the monopoly on a secret, nor in a naïve embrace of knowledge-sharing, but precisely in the sabotage of those qualities considered central to the functioning of the knowledge economy: of, that is, diffusion and interdependency. Communication as a form of frictionless dissemination, whether of images or ideas, within the space of the market is the target of such a counter-model; this has been a strategy taken up both by artists and by activists in recent years, often under the rubric of "culture jamming," "electronic resistance," and so forth. In a recent article, Carrie Lambert-Beatty treats two of the most significant exemplars of this strategy: Eva and Franco Mattes, who collaborate as 0100101110101101.ORG, and the collective known as @TMark. Activities of the former range from creating an entirely fictional artist and then inserting his work and life story into the media (*Darko Maver*, 1998–99); to producing a slightly altered version of the Vatican's website under a deceptively close domain name (*Vaticano.org*, 1998–99); to spreading a computer virus as an artwork (*Biennale.py*, 2001). @TMark is perhaps best known for its 1993 action under the name "the Barbie Liberation Organization," in which it switched the voice-boxes of Barbie and G.I. Joe dolls and then replaced the altered toys on store shelves; in 1999 it intervened in the dispute between Internet toy distributor eToys and the European artists group etoy over their similar domain names—the corporation had obtained a court injunction against the artists, even though the latter had registered their domain before the business even existed—by designing an online game devoted to devaluing the company's stock. More recently, under the name The Yes Men, @TMark has been involved in a series of high profile hoaxes, such as posing as representatives of the WTO before corporate assemblies. Lambert discusses these strategies in terms of their "parafictional" qualities, their location between fiction/fictiveness and the real; "post-simulacral, parafictional strategies are oriented less toward the disappearance of the real than toward the pragmatics of trust. Simply put," she writes, "these fictions are experienced as fact."<sup>22</sup>

Although Lambert suggests possible lineages for these practices, from Dada to conceptual art and performance, as well as what she terms the "prankster activism" of the Situationists in Europe and Yippies in the USA, the derivation

<sup>21</sup> Matteo Pasquinelli, "The Ideology of Free Culture and the Grammar of Sabotage," 5.

<sup>22</sup> Rifkin, *The Age of Access*, 140.

<sup>23</sup> Gilles Deleuze, *Negotiations*, trans. Martin Joughin (New York: Columbia University Press, 1995), 175.

<sup>24</sup> Carrie Lambert-Beatty, "Make-Believe: Parafiction and Plausibility," *October* no. 129 (Summer 2009): 54.

<sup>25</sup> Deleuze, *Negotiations*, 175.

of a group like @TMark seems to me rather more indebted to the example of appropriation's "problematization of reference," coupled with a spirit closer to post-Situationist interventions like those of the Bay Area's Billboard Liberation Front, whose alterations to commercial signage began in 1977. The anti-corporate stance has simply moved into the virtual realm, but the rhetoric and overall strategy remain quite similar. While Lambert provides a generally positive assessment of these groups, I remain rather more skeptical; their program is premised on faith in the power of linguistic performances, so that, as Lambert put it in one example, "the consensus around free-trade ideology could be changed by speech acts—as long as the speakers were 'in positions of authority.'" Groups like @TMark usurp that authority and claim thereby to show that "another world is possible," but there is an idealist fallacy at the heart of this program: the power of contemporary capital cannot be undone through even the most convincing of performatives, because its power is not based on speech, faith, or belief alone.

Perhaps we might take a cue from Deleuze, who argued that today it was precisely non-communication, cavities of non-exchange, that have become significant sites of resistance. In a 1990 conversation with Toni Negri, he remarked:

You ask whether control or communication societies will lead to forms of resistance that might reopen the way for a communism understood as the "transversal organization of free individuals." Maybe, I don't know. But it would be nothing to do with minorities speaking out. Maybe speech and communication have been corrupted. They're thoroughly permeated by money — and not by accident but by their very nature. We've got to hijack speech. Creating has always been something different from communicating.<sup>23</sup>

"To hijack speech"—in French Deleuze spoke of "*un détournement de la parole*." This both is and is not the same strategy enunciated by Debord and his colleagues over a half-century ago. The emphasis for Deleuze lay not in the fluidity of meaning, but in the physical, even violent, act of taking control. Speech could be commandeered like an aircraft, taken out of circulation, diverted to other ends. The point is not to contest meanings, or to contribute to the flow of images, but to momentarily reassert a cultural commons, to attempt to free images and signs—if only fleetingly—from their commercial enclosure and commodification. To produce circuit breakers that might interrupt the ceaseless, murmuring communication of contemporary spectacle, and impose a space of questioning and non-comprehension. It is precisely in this common space that new forms of the diffusion of knowledge and the interdependence of subjects may arise, distinct from the proprietary logic governing our ever more privatized image world. ●