Rupert Goldsworthy, artist, writer and curator, gave a free public lecture, titled "The Control and Use of Outlaw Images," at 11:30 a.m. on Tuesday, Oct. 12, 2010 in the Palmer Lipcon Auditorium at the Palmer Museum of Art on Penn State's University Park campus. Goldsworthy spoke about issues of originality and copyright, and the nature of outlaw imagery. The lecture was sponsored by the Penn State School of Visual Arts' John M. Anderson Visiting Artists and Scholars Lecture Series.

Goldsworthy is a British artist who has curated artist-run gallery projects in Berlin (1995-96, 2009-10) and New York (1998-2002, and 2010). He is currently curating a series of exhibitions in New York's Lower East Side. He writes for Art in America, Artnet, and Fantom Editions. His own art addresses taboos, both political and emotional, including the Cold War, colonial history and 1970s radicalism. His most recent solo exhibition was at Ritter/Zamet Gallery, London in June 2010, and featured the launching of his new book, "CONSUMING/TERROR: Images of the Baader-Meinhof," published by DMV Verlag (2010). The book traces the visual history of the Red Army Faction (an urban guerilla group that was active in West Germany in the 1970s-80s, related to the Vietnam War), and how imagery related to the group has seeped into popular culture, making this identity appear as a cipher for rebellion without clear political or historical intent.

The following is an extract from his lecture, which draws from his book "CONSUMING//TERROR"

Rupert Goldsworthy

CONSUMING//TERROR

Images of the Baader-Meinhof

THE CONTROL AND USE OF OUTLAW SIGNS

My book "CONSUMING//TERROR: Images of the Baader-Meinhof" traces the visual history of the Red Army Faction (the 1970s West German left-wing terror group opposed to the Vietnam War) and their logo. One of the main themes of the book is: How do "outlaw" or terrorist signs establish themselves and operate as a heretical category amid a closely administered, legitimated, forest of signs?

The use of the Fed Ex logo is tightly controlled, and appropriating or misusing it, incurs a fine for theft of intellectual property. A claim of trademark infringement is submitted by Fed Ex, a fine is meted out by the state's legal system, and the offending visual is withdrawn from public display. However, the appropriation of an "outlaw" sign such as the RAF's red star logo, the Black Panther logo, or for that matter, the Hell's Angels biker gang colours, creates a different kind of uneasiness, because another kind of social control surrounds these signs. Although the state or certain social groups may outlaw such signs at a certain time or place, no clear written ruling controls their use in other settings. Like many other culturally-indeterminate symbols, they are unprotected by legal means, but exist as loaded cultural markers. They exist as signs outside the state's law. But they still have specific understandings and connotations around their public use. Tracing the history and re-use of this terror logo over time is one focus of the book.

To explain the position of a terror logo within wider imaging systems, it is necessary to consider the history of logos as social and economic phenomena, and to look at the shifting historical contexts from which they emerge, how they assume currency, and the ways in which they operate.

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The Logo in Society

The connection between public signs and a specific social or political identity begins within economies of ownership, shipping, slavery and sovereignty.[1] The shift from the sign as tribal marking develops due to its importance in the emergence of monarchical and institutional contexts. Publicly-identifiable signage makes visible specific compliances or associations with ideologies, memberships, or hierarchies within the civic body. Social and cultural identities in turn grow in stature as these logos develop currency. These visual domains expand in relation to technological and economic advances. Logos accrue associative power through their use in guilds, crests, and uniforms—a language of signage within an economy of paternal “author”-ity.

An example of this power of visual display is the way in the Middle Ages in Europe, court painting was used to show hierarchies of social control and the power of the established economic order. And although the subject matter of court painting expanded over time beyond just symbolizing economic status or portraying the sovereign and court, and began to include subjects whose status was less socially determined, the logo, as seal or mark, retained its imprimatur as an indicator of social status or authenticity.

During this period, in much of Western Europe, the privileging of certain types of cultural production established a structural hegemony that then affected further economic and social relations. Within the world of commerce, signs of “quality” and “markability" develop as a kind of shorthand—as locations where they become legitimated to mark off and police geographic or economic territory.

Due to the Industrial Revolution, increasing power was invested in brand logo in relation to the emergence of mass-production and commodification culture. A key to the rising power of this type of sign is the development of print technology, and the logo’s currency for the bourgeois classes of post-Enlightenment.

Further, an important shift in this semantic field concerning logos and signs was the introduction of the concept of “copyright,” which began within European state systems during the eighteenth century. The introduction of mass printing and copyright changed social and economic relations in a profound way.

European governments had previously granted monopoly rights to publishers to sell printed works. An example of the emergence of the modern concept of limited duration copyright was the British “Statute of Anne” in 1710.[2] This statute was among the first in Europe to accord exclusive rights to authors (i.e. creators) rather than publishers, and this law included protection for consumers of printed work, ensuring that publishers could not control their use after sale. (It also limited the duration of such exclusive rights to twenty-eight years, after which all works would pass into the public domain).[3] Similar patterns of legal control and ownership around print and image reproduction rights began to emerge concurrently across Western Europe. The “Berne Convention for the Protection of Literary and Artistic Works” in 1886 began protected ownership over scientific advances and artistic works beyond national borders, thus introducing the concept of transnational copyright. As historian Hernandez-Reguant notes of the impact of the Berne Convention, “over the next century, many other countries followed suit in order to participate in international commerce.”[4] The introduction of this type of legislation encouraged broader patterns of control around all visual and verbal signage.

Notably during the twentieth century, communist states did not acknowledge or adopt the transnational laws of the Berne Convention. However in capitalist countries, parameters controlling the visual field continue to develop over time. One recent indication of the ongoing tightening of this copyright control is the introduction of increased levels of trademark infringement legislation. Recent U.S. patent laws now include the protection of the use of particular color combinations, letters and styles in public signage.[5] This legislation prohibits the use in advertising of imagery or color-combinations that are deemed too similar to the logos of established transnational brands in any way close to those used by global franchise corporations such as McDonald’s or Federal Express.

What these developing legal patterns suggest is that the level of control around all public signage is constantly growing, and the visual has become a field increasingly defined by legal, economic, administrative and linguistic limitations.

This pattern illustrates the way that institutional and economic systems attempt to control certain types of visual signage. But it is also important to consider the way that other historical developments fracture and redraw the existing roles of the visual sign. In order to better understand

the shifting social role of the logo, it is necessary to consider shifting societal relations in the wake of the Industrial Revolution.

Technology and Visual Perception

If the visual was once a locus primarily used for the display of hierarchical power, suddenly in the nineteenth century, due to the advancements of photography and print technology, the role of visuality shifted in significant ways. Parallel to the logo's emergence as a social and cultural signifier, due to important steps forward in technology, changes concerning visuality began to emerge in institutional contexts. The introduction of photography as a mass tool also altered much in the arena of visual relations.

The "bringing-to-visuality" established in court painting installed one kind of ocular economy where visibility indicated high social status. However due to photography this pattern of "visual-presence-denoting-power" could suddenly be reversed.[6] The reproducibility of photographs introduced the idea that a "bringing-to-visuality" was not always an indication of great socio-cultural power.

Objects such as mugshots used on a "Wanted" posters are emblematic of this redrawing of the parameters of what the visual could now perform. In a somewhat Foucauldian analysis, historian John Tagg argues that in the nineteenth century police photography, along with "the burgeoning sciences of criminology, psychiatry, germ theory and sanitation," redefined the social as the object of their technical interventions.[7]

Police "Wanted" Posters from the Eighteenth Century to the 1970s: (left to right) Ned Kelly Wanted poster, Australia, 1800s; Angela Davis FBI Wanted poster, U.S, 1970, Bridget Rose Dugdale Wanted poster, Northern Ireland, 1974, Ulrike Meinhof Wanted for Murder poster, West Germany, 1972, RAF Wanted poster, West Germany, 1972.

Tagg suggests that parallel with photography came the growth in institutional settings of new "technologies of inscription."[8] The photographic display of a fugitive's likeness on a police poster could now demonize his or her face and name in a way that explicitly marked this identity as separate, sick, or notorious.[9] The "Wanted" poster installed a specific type of visual regime. The mugshot established a new ocular economy—one of policing visuality and of a forensic surveillance of the body.[10] The mugshot precisely renders the human subject "objectified," denatured, "identified," and subaltern. It developed a new "tabloid" print category—the visualized villain.

The enhanced veracity of photography leads to a refiguring of existing social relations and also of public conceptions of the state's stability. In a Wanted poster the criminal is rendered both wanted yet undesirable. This is the Wanted poster's inherent contradiction, it presents the criminal as the portrait of moral ugliness that the state nevertheless needs and desires as symbolic currency. As art

historian Rachel Hall points out, the Wanted poster shows the face of a criminal who has successfully avoided the eyes of the police—at least for the moment anyway.[11] But a poster declaring the villain's status as "Wanted" also demonstrates the vulnerability of this new disciplinary power. The Wanted poster is witness both of the domination of the state, and of its own vulnerability. The Wanted poster is not only a tool of surveillance, but also a report of its own functioning—an advertisement of "the one who got away."[12]

Walter Benjamin's essay "Critique of Violence" argues that public admiration for the great criminal arises not in response to his deeds, but to the violence to which they bear witness: the violence of the state. The criminal's violence arouses, "even in defeat the sympathy of the mass against the law."[13] In Benjamin's analysis, the high profile criminal threatens the law by indirectly making a spectacle of the state's exclusive claim to violence—and I contend, the extent of its visual domination.

In this new inter/disciplinary system of state control over identity, besides individuals, certain texts (including both written texts and image-texts) could be marked as "unnamed-able," "unsay-able," "unvisualizable," "ineffable," or demarcated as publicly useable only within specific state-approved parameters.[14]

Outlaw Signs:
The Control and Use of

Copyright installs a sense of legitimacy around specific texts, images, and cultural framings. Parallel to socially-legitimated identity emerges its reflection—the illegitimate or forbidden. An early explanation for this policing of signage comes from the work of Count Goblet d'Alviella, an eighteenth century semiologist who conducted research into the distribution and migration of sacred symbols. D'Alviella suggested that certain symbols were mutually exclusive, i.e. they could not appear in the same country or cultural sphere. If the logo of a crown signifies the sovereign, no other visually-similar marker can be allowed to diminish the monarch´s visual sovereignty. The use of similar kinds of sign in such a context would therefore through their very existence, interrupt an established frame of reference. Such a pattern can be noted in the Christianization of pre-existing pagan shrines.

Implicit in this either-or dynamic is the idea that from their first emergence in society, public signs hold a crucial role in dominant regimes that control language, establish agency, and guard territory. The appropriation of any given sign—legal or illegal—interrupts the social order that attempts to dominate the visual sphere.

A contemporary example illustrates how visual control is typically enacted in Western society. The use of the Federal Express logo is tightly controlled, and appropriating or misusing it, incurs a fine for theft of intellectual property. If a claim of trademark infringement submitted by FedEx, a fine is meted out by the state's legal system, and the offending visual is withdrawn from public display.
However, the appropriation of an uncopyrighted "outlaw" sign such as the red star RAF logo, the Black Panther logo, or for that matter, the Hell's Angels biker gang colors, creates a different kind of uneasiness, because another kind of social control surrounds these signs. Although the state or certain social groups may outlaw such signs at a certain time or place, no clear written ruling controls their use in other settings. Like many other culturally-indeterminate symbols, they are unprotected by legal means, but exist as loaded cultural markers. They exist as signs outside the

state´s law. But they still have specific understandings and connotations around their public use. How do "outlaw" or terrorist signs establish themselves and operate as a heretical category amid a closely administered, legitimated, forest of signs?

In the 1970s, systems of communications such as television, newspapers, the underground press, or juridical documents helped to publicly define this type of signage.

Wider public use of these outlaw signs often begins in edge zones such as the underground press, university campuses, graffiti, rock festivals, tourist zones, art galleries, and most recently, the Web. These transitional or countercultural settings are where less-legitimate subject matter can more easily circulate. Border zones are by their nature porous and troublesome—subject to contestation and random policing. Such zones often become locations for struggle over linguistic meaning, and sometimes for an enactment of a discursive performativity.

In such settings, a certain type of mob rule consensus can still exert domain, where certain citizens feel entitled to publicly enact their own regimes of correction, denial, and punishment. Such elements do this (presumably) in the name of maintaining—even essentializing—their notion of respectful social and linguistic order.

This "misuse" of outlaw signs illustrates how a non-juridical control of the visual is enacted. Unlike the state-legitimated "FedEx" model of visual control, the unauthorized use of a terror logo or the Hell's Angels "colors" provokes a different kind of "forbidding" injunction from extra-legal forces —often enacted in a more random way via threats of physical violence from gang members, associates, rivals, or from "lobby groups."

A recent high-profile example of this extra-legal pattern of control around outlaw political signage occurred in June 2007. Hollywood actress Cameron Diaz found herself forced to make a public apology in the media on a trip to Peru for wearing an army green handbag with a red star and a Mao slogan in Chinese that read "Serve the People." To some in Peru, the bag and its slogan evoked painful memories of the Maoist Shining Path insurgency that fought the government in the 1980s and early 1990s in a bloody conflict that left nearly seventy thousand people dead.

According to the Associated Press, one prominent Peruvian writer claimed that "Diaz should have been a little more aware of local sensitivities when picking her accessories." Diaz was compelled to make a public statement to express her regrets for this unintended faux-pas: "I sincerely apologize to anyone I may have inadvertently offended. The bag was a purchase I made as a tourist in China and I did not realize the potentially hurtful nature of the slogan printed on it."[15] Her apology exemplifies how particular kinds of outlawed signage are conceived in the public domain, however unintentional or unknown their meaning to the wearer of such a sign.

The Diaz story illustrates the way this pattern of random social policing of outlaw signage occurs. Although renegade signs are not usually controlled directly by legal means, they are patrolled by other forces (i.e. the general public and lobby groups). In the blame storm of social policing swirling around taboo signs, terror group logos (such as that of the RAF) exist on the fringe of the visual field due to their potentially-problematic, banished, interstitial, and/or redundant status.

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1 This point draws from p.4, Davis. *More than a Name: An Introduction to Branding.* Lausanne: AVA, 2006.

2 Reference for Statute of Anne, http://www.copyrighthistory.com/anne.html

[3] Berne Convention. http://www.law.cornell.edu/treaties/berne/overview.html

[4] From Ariana Hernandez-Reguant. *Copyrighting Che: Art and Authorship under Cuban Late Socialism* in *Public Culture*, Duke U P. Vol.16. No.1. Winter 2004. p.9.

[5] Recent legal cases by McDonalds include: http://internationaltrade.suite101.com/article.cfm/mcdonald_s_sues_copycats

[6] It is important to note here how photographic print imagery develops as a key discursive regime of Modernity. The photographic image is used to police visuality, and yet also simultaneously itself subject to policing, through copyright control and other similar systems of linguistic control. The print photograph is used as part of a complex linguistic and institutional system that both controls its subject and reflexively records its own functioning. The photographic image is both subjectifier of an object, or body, its object of vision, and itself subject to sovereign power. Related to this, Foucault's "The Author Function" (1970) talks about the history of language and the development of the literary author in relation to punishment. He writes about the period prior the end of the eighteenth and beginning of the nineteenth century when a system of ownership and strict copyright rules were established: "(books or texts') status as property is historically secondary to the penal code controlling its appropriation. Speeches and books were assigned real authors, other than mythical or important religious figures, only when the author became subject to punishment and to the extent that his discourse was considered transgressive." Foucault here suggests the emerging conception of author as individual voice brings into play the issue of control. From Michel Foucault, "What is an Author?" (1969). Trans. Donald F. Bouchard and Sherry Simon. In *Language, Counter-Memory, Practice*. Ed. Donald F. Bouchard. Ithaca, New York: Cornell University Press, 1977. p.124-127.

[7] John Tagg, 1993, p.5. This framing draws from Rachel Hall, p.20.

[8] I am here using Friedrich Kittler´s term.

[9] It is important to note that there is a connection between categories of signs defined in the public imaginary as "evil" (i.e. the occult, the taboo, the inhuman) and the development of such a coding through an institutional image category such as the police "mugshot." How do these signs accrue meaning and shift association in the public imaginary? Although on a formal level these two semantic categories are coded separately, can they be differentiated as discrete, or have they become increasingly intertwined in the public imagination?

[10] Of related note here is Warhol's 1964 World's Fair mural artwork, "Ten Wanted Men" and how Warhol's "presences" the constructedness of this image category, through his re-contextualizing and code-switching this imagery through the World's Fair setting. In his book "Outlaw Representations" art historian Richard Meyer discusses the withdrawal of the piece soon after its installation. We can note here the forbidding injunction of the state concerning the public "unvisualizability" of these images outside state control. Similarly there is a semantic connection between Warhol's installation and Richter's paintings of photographs of "state enemies" the RAF and of his uncle "Uncle Rudi' in Nazi uniform, works which de-contextualize and aestheticize these politically-troublesome subjects.

[11] This framing draws from Rachel Hall, p.10.

[12] Ibid.

[13] Benjamin "Critique of Violence," 1978. p.281. Cited by Rachel Hall, p.10.

[14] An example of this tendency, as W.J.T.Mitchell points out, is the "unvisualizability" of U.S. flag-draped coffins in American media reportage on the Iraq war. (Noted during his paper on visuality in the Visual Culture caucus at the College Art Association conference in New York, February 2007).

[15] http://movies.msn.com/movies/article.aspx?news=266698