

1. Border Hacks: Electronic Civil Disobedience and the Politics of Immigration

No cultural bunker is ever fully secure. We can trespass in them all, inventing molecular interventions and unleashing semiotic shocks that collectively could negate the rising intensity of authoritarian culture.

—CRITICAL ART ENSEMBLE, *Digital Resistance*

Hacking is understood as the penetration, exploration or investigation of a system with the goal of understanding it, not of destroying it, and that is exactly what we are trying to do: to understand the border, to know what it represents and to become aware of the role that we play in it. All this with the goal of improving the relations between two worlds (the first and the third), Mexico and the U.S.

—Borderhack! Manifesto

Symbolic Performances

Leading up to Labor Day 2005, the Department of Ecological Authoring Tactics, Inc., launched a border disturbance action with the yellow Caution signs mounted along the San Diego area highways.¹ Introduced in the early 1990s, the signs were intended to warn drivers about the possibility of immigrants trying to cross the busy highways before border checkpoints. DoEAT's intervention was to defamiliarize the iconic silhouettes of three running figures, surprising drivers with the new titles: "Wanted," "Free Market," "No Benefits," and "Now Hiring." Reducing the plurality of migrants to the singular family made more sympathetic by the inclusion of a young girl, the icon itself eliminated the verbosity of the former signs' labels ("Caution Watch for People Crossing Road") and made the anonymous swarms said to be "flooding" or "pouring" over the border into a more manageable unit. In the wake of Operation Gatekeeper (1994) and the construction of the "Iron Curtain,"

the fourteen-mile San Diego–Tijuana border fence, highway deaths are no longer as common as they once were—the scene of death has shifted eastward to the deserts and mountains—but the iconic signs remain, indices of the borderlands of San Ysidro–Tijuana that have been appropriated for numerous parodic and commercial purposes.² In the hands of the DoEAT group, the signs were no longer simply cautionary warnings; they became a tactical art performance enacted with a sense of urgency that also resonates in the Spanglish wordplay in the group’s acronym: “do eet.” Reminiscent as it was of the Situationist technique of *détournement*, DoEAT’s interruptive and resignifying art performance commented on the neoliberal economic policies that compel the forced movement of migrant labor.³ In its allusion to NAFTA and the “free market” that opens the U.S.–Mexico border to commodities but reinforces its closure to people, the DoEAT tactic was truly site specific, situated both physically and socioculturally.⁴ Highlighting the disparity between the mobility of capital and the immobility of people, the signs continue to speak both to the conditions of labor (free market = wanted + now hiring + no benefits) and to the criminalization of border crossings (free market + now hiring + no benefits = wanted). The circulation of goods and capital has been enabled by the free trade agreement, the signs remind us, but border security practices, particularly walls and fences, continue to prohibit the circulation of people. At the new Iron Curtain, neoliberal market ideologies of liquid, free-flowing capital and open borders for commodities come up against new policing tactics to regulate the movements of people.

DoEAT’s border disturbance action thus raises a crucial question at the outset: in the new mode of Empire, have we in fact seen a fundamental shift from a territorial to a capitalist logic of power?⁵ We can start to address this problem with a critical look at the reinforcement of territory and national sovereignty along the U.S.–Mexico divide. There is a complex history of securitization along this border, particularly complex with respect to the calls to preserve or otherwise defend the sixty-six-mile stretch in San Diego County, but it is the post-Gatekeeper period that directly informs projects such as DoEAT’s.⁶ Beginning with the five-mile stretch of Imperial Beach, rows of fencing and surveillance technologies have been introduced on the San Ysidro–Tijuana border, pushing im-



DoEAT, "CAUTION," 2005.

migration further east into the more dangerous desert and mountain areas.⁷ More than 3,500 people are reported to have died attempting to cross into the United States since the implementation of Gatekeeper, far more than the dozens killed trying to cross the San Diego highways, the vagueness of both numbers speaking to the sense in which the migrants are not granted the dignity of singularity either in life or in death.⁸ Art-activist groups such as SWARM the Minutemen, which I will discuss further, have made a conscious effort to record the names of those killed, memorialization by naming such as one sees on the Vietnam Wall and with the chairs of the Oklahoma City memorial; others have commemorated and critically responded to the deaths by hanging replicas of coffins on the Mexican side of the fence.⁹ Criminalizing movement—the visible manifestation of which would be miles of double and triple fencing, barbed wire, concrete pillars, light towers, helicopter patrols, and video surveillance cameras—has also resulted in the Sisyphean task of capture and return. Surely this massive investment in border control and the assertion of territorial sovereignty, beginning again at precisely the

moment that NAFTA is signed, indicates if not a shift at least a complex imbrication of territorial and capitalist logics of power.¹⁰ Further, the development of a “virtual fence” with remote-detecting sensors, remote-controlled cameras, and unmanned autonomous vehicles (UAVs) along the U.S.–Mexico divide, along with recent anti-immigration initiatives in the United States and Secure Flight and other “trusted traveler” programs, reminds us of the intensification of both biometric and territorial borders.¹¹

The sheer numbers of those who do not register in biometric testing or otherwise “slip through the fence” can only suggest an intensification, rather than a true fortification or securitization, of borders.¹² The new Iron Curtain has hardly stopped migration north—indeed, by all accounts, the numbers appear to be at a historic high—so what other purposes does it serve? Étienne Balibar writes in a different context about the symbolic power of “obsessive and showy security practices” at the border, which are “designed, indeed, as much for shows as for real action.”¹³ What would be the sociocultural function of such “shows”? Peter Andreas’s important study *Border Games: Policing the U.S.–Mexico Divide* provides some answers.¹⁴ Noting that “‘successful’ border management depends on successful image management [which] does not necessarily correspond with levels of actual deterrence,” Andreas concludes that border control is a “public performance for which the border functions as a kind of political stage” (9). In other words, the performance of security is more important than actual security, and the theatrical serves as a substitute for the real. The miles of razor wire, the ubiquity of “boots on the ground,” the air support—they are all material entities, but they are also crucially part of what Andreas names as a “symbolic performance.” “Border control efforts,” he explains, “are not only *actions* (a means to a stated instrumental end) but also *gestures* that communicate meaning” (11). If indeed it is the case that border control is an “escalating symbolic performance,” then we would also have to understand the interventionist tactics of DoEAT and other art collectives in precisely the same terms. Their battle is at once material and symbolic, fought on the very “political stage” where power is exercised. Within a regime of signs, then, the gesture of renaming the migrant family as “Wanted” is as provocative and significant as it is clever.

Andreas's thinking about the inverse relation between the "escalating symbolic performance" of border control and "actual deterrence" resonates with Ulrich Beck's noted articulation of the central problem for world risk society, which is "how to feign control over the uncontrollable."¹⁵ As Beck notes, we have seen a shift from risks that can be calculated and controlled and about which one can make decisions to uncontrollable risks, which exceed rational calculation. The alarmist quality of mainstream media news may make us feel as if risk has increased, but in fact, Beck explains, risk has simply been spatially, temporally, and socially unbounded. Pollution, climate change, infectious diseases: these are risks that are no longer limited to region, territory, or nation-state and are now spatially unbounded. Risks have become temporally unbounded in that we are not able accurately to predict future damage or assess the long-term dangers of, for example, toxic materials or genetically modified foods. Last, responsibility for economic and environmental disasters can no longer be attributed with certainty to a single individual; in this sense, risk is socially unbounded. We have only to think of the *Prestige* oil spill off the coast of Spain in November 2002 as an instance of the three-dimensional debounding of risk. As a result of this debounding, Beck argues, "The hidden critical issue in world risk society is *how to feign control over the uncontrollable*—in politics, law, science, technology, economy, and everyday life."¹⁶ How, then, does a nation-state simulate control over the ultimately uncontrollable movement of people across borders? With "symbolic performances," military operations that double as public relations campaigns.

And now the stage is set for my reading of a selection of new media artworks and performances that critically respond to the securitization of the U.S.–Mexico border. For the crucial problem is not whether we can articulate an exclusive logic of power for our historical moment but how we can understand the critical response to the manifestation and material consequences of that power. As securitization procedures and policies intensify, so, too, does the art-activist response, which gains not only an urgency but also a critical sophistication. As symbolic analysts, these artists are particularly well positioned to think about the deployment and manipulation of signs. Recognizing that their project of socio-cultural and governmental critique is also "advertising," the "corporate

psychological warfare of perception management,” these artists, tactical media practitioners all, engage in nothing less than a full-scale “PR war” (Mediafilter.org). The Tactical Media Crew goes further to announce a “guerilla information war, with no division between military and civilian participation.”¹⁷ Who better to inform such a campaign than the Critical Art Ensemble, the preeminent tactical media practitioners who for two decades have used theory and performance to alter our perceptions of normalized social practices? CAE’s intervention is defamiliarization, to change the way we see the otherwise “transparent codes” of Empire. In an interview, CAE outlines the work of all socially engaged art practices: “Now domination is predominantly exercised through global market mechanisms interconnected with a global communications and information apparatus. Any type of resistant production of representation intervenes and reverse-engineers the displays, software, and hardware of this apparatus.”¹⁸ Reverse engineering is most obviously at work in the DoEAT highway sign performance and more subtly in the other new media art projects I will discuss. What I will work to demonstrate is the way in which these new media artists use the virtuality of their medium to critique the immobility of material bodies. Their critique of the neoliberal ideologies of free-flowing virtual capital is manifest in their tactical use of the very technologies, techniques, and tools that late capitalism itself employs.

There is a long-term discourse on the U.S.–Mexico borderlands/*la frontera* as a space of conflict but also of negotiation, exchange, mixture, and hybridity.¹⁹ As the border itself has become increasingly materialized as a fence, a wall, a line, there has of necessity been a shift to thinking of the border itself as a metaphysical binary. This is the point, then, to emphasize the situated aspect of my analysis. We can certainly see a more complex, integrative notion of borders at work in sites such as the Canary Islands or Melilla and Ceuta (Spanish enclaves in Morocco frequently used as passage from Africa to the EU), where a clear binary logic is not necessarily at work. Different media forms, notably narrative cinema, have intervened with regard to these other borders.²⁰ The new media art projects I address in this chapter are not about the borderlands as a space of hybridity; rather, we will see the insistence on the binary structure of the United States and Mexico. In this respect, they

perhaps indicate the extent to which tactical media in the United States, as Geert Lovink has suggested, even now remain wedded to the singular campaign, “rooted in local initiatives with their own agenda and vocabulary”; unlike the media artists of former Communist countries, their terrain is not that of the broad social movement or of revolution as such.²¹

Through an analysis of border disturbance actions initiated by the Electronic Disturbance Theater (EDT)—along with a succession of works situated on the line between artistic and political statements, particularly projects featured in the inSite_05 festival—we will trace the contours of a new front in the battle over immigration and mobile labor populations. Instead of celebrating the crossing of literal and figurative borders (of disciplinary boundaries, genre, language, gender, race, sexuality), as has been the case within cultural criticism in recent decades, these projects serve as a reminder of the material border’s irreducibility. No articulation of a space in between, of a third term, of any spatial or geometric metaphors for hybridity, can overcome the material fact of the new Iron Curtain. Reminiscent to some extent of the cultural nationalisms of Frantz Fanon and Aimé Césaire, such thinking marks a moment of anticolonial art practice: the aim is not to theorize liminality but to force a rupture in the binaries of interiority and exteriority, here and there, native and alien, friend and enemy. The radical dichotomies integral to the war on terror—“you’re either with us or against us”—find their counterpart in art practices that themselves depend on the solidarity of the “we” against the “them.” A fence has been built, binaries constructed, and these artists intend to overturn them. Their struggle, while embedded in a binary, rather than a hybrid, cultural logic, nevertheless suggests a reconfigured notion of oppositionality. As we will see, both the we and the them in these artists’ projects and practices are understood to be diffuse, networked, and temporarily, rather than territorially, situated.

The imaginary of the new world order maintains territorial divisions as metaphysical divisions, informed as it has been in the last few decades by texts such as Samuel Huntington’s *The Clash of Civilizations and the Remaking of World Order*, whose familiar thesis about civilizational identities and differences naturalizes the U.S.–Mexico border, demarcating the putatively archaic and primal divisions between Anglo and Latino.²² But we must push further to recognize that the articulation of

the U.S.–Mexico border in terms of friend versus enemy is a hallmark of our Schmittian moment. Friend and enemy are not for Carl Schmitt private, individual, emotional, or psychological categories. It is not *my* enemy but *our* enemy. That is, “the enemy is solely the public enemy,” and it is the defining of the enemy that unites “us” against “them.”²³ In times of crisis, in a state of emergency, Schmitt claims, a political community must decide who is different or threatening enough to warrant the designation “enemy”; enemies, then, are those who threaten a community’s security and economic prosperity. Friends are those who are sufficiently loyal and obedient to the commands of the sovereign, those who are willing to risk their lives in the defense of a community. It is in these morally absolutist terms that migrants, “illegals,” have been figured not only as a contaminant of the social body but as a sinister threat to the political community in the United States.

That citizens assume the responsibility of making sovereign decisions about the normal and abnormal, trusted and untrusted, is another hallmark of our current moment. It is not simply that citizens have been incorporated into the war on terror but that citizens assume the role of proxy sovereigns. As Judith Butler notes in *Precarious Life*, “when the alert goes out, every member of the population is asked to become a ‘foot soldier’ in the war on terror.”²⁴ And as Giorgio Agamben observes in his analysis of the “state of exception,” “every citizen seems to be invested with a floating and anomalous *imperium*.”²⁵ With the U.S.–Mexico border written under the sign of national security, we have seen paramilitary and vigilante organizations such as the Minutemen claim the right to make sovereign decisions about friend and enemy. We have also seen gubernatorial plans to broadcast live surveillance footage from the Texas border, allowing not just citizens but all Web users to report supposed illegal crossings to an emergency hotline.²⁶ It is in these terms that we can revisit the DoEAT intervention: their Wanted sign directly invites citizens to be proxy sovereigns insofar as illegals are enemies in the war on terror. It reminds us that we are all invited to become—at times it seems almost required to become—proxy sovereigns. In an updating of Cold War logics, we are invited to join the search for the enemy within.

How, then, are enemies contained and managed as the U.S. national security state evolves? In January 2006 the Department of Homeland

Security awarded a \$385 million contract to the Halliburton subsidiary Kellogg Brown and Root for the construction of new immigrant detention centers for future states of emergency: “The contract, which is effective immediately, provides for establishing temporary detention and processing capabilities to augment existing ICE Detention and Removal Operations Program facilities in the event of an emergency influx of immigrants into the U.S., or to support the rapid development of new programs. . . . The contract may also provide migrant detention support to other U.S. Government organizations in the event of an immigration emergency.”²⁷ It is not difficult to imagine parallels with the World War II Japanese internment camps or to guess at the countries of origin of possible future detainees. Moreover, we do not need to be excessively paranoid to recognize the great ambiguities of the phrase “new programs.” So let us call these planned detention centers what they are—camps—and thereby turn to Agamben’s articulation of the concept of *homo sacer*, that which can be eliminated or killed but not sacrificed. The war on terror has necessitated extensive critical commentary on *homo sacer*, particularly in relation to camps and other contemporary states of exception, so it is perhaps sufficient to note only that sacred life is the human body separated from its normal political circumstances. Immigrants become “sacred” in these terms at the moment of crossing the border, becoming “illegal” and “enemy.”

We might probe more deeply into the relation between *homo sacer* and the migrant by situating it within Butler’s commentary on violence and derealization. For Butler the migrant (which I address here as a representative instance of wretched, excluded, derealized life) cannot simply be restored to, or reinserted into, the category of the human. Rather, the migrant poses the question of the human not in the exclusion it suffers from the normative condition of the human (the category, which by its very exclusion, it helps to constitute), but by operating as “an insurrection at the level of ontology.”²⁸ The migrant, that is, forces on us the question of whose lives remain real in light of those who have already suffered the violence of derealization. Butler remarks: “If violence is done against those who are unreal, then, from the perspective of violence, it fails to injure or negate those lives since those lives are already negated. But they have a strange way of remaining animated and so must

be negated again (and again)” (33). The migrant, then, literalizes this spectral condition of negated life. Excluded both from the category of the human real and from life that deserves to live, the migrant nevertheless lives on, returning to haunt the very site of its exclusion. “Violence,” Butler asserts, “renews itself in the face of the apparent inexhaustibility of its object. The derealization of the ‘Other’ means that it is neither alive nor dead, but interminably spectral. The infinite paranoia that imagines the war against terrorism as a war without end will be one that justifies itself endlessly in relation to the spectral infinity of its enemy” (33–34). We might further generalize this condition of spectrality to the very institution of the border itself. Here I do not mean to erase or negate the “real” material border with its powers of exclusion but to insist that the border represents simultaneously a material space of violent exclusion as well as a space of exclusion that is haunted by the return of that which it has to exclude over and over again. This is to say, the border is that which becomes spectralized by the very return of the migrant. The border, then, functions as a space that is both real and yet made unreal. This leads us to a strange relation between the material border and network traffic, between flooding a material border and flooding a server. Flooding, pulsing, “apparent inexhaustibility”—this is the mode of the swarm, the paradigmatic mode of conflict for netwar and for the Electronic Disturbance Theater in their strikes against the Minutemen.

Swarm the Minutemen

On May 1, 2006, the Electronic Disturbance Theater partnered with activists in the Tijuana–San Diego area for a virtual sit-in particularly directed against the Web sites of California and Arizona Minutemen organizations, Save Our State initiatives, and congressional representatives supporting anti-immigrant legislation.²⁹ SWARM (South West Action to Resist the Minutemen) targeted Web sites with a distributed denial-of-service attack, specifically with a FloodNet application that is a hallmark of the Electronic Disturbance Theater. Emerging from the research environment at CADRE in 1998, FloodNet began as a SuperCard script that was used playfully to upload secret messages to the error logs.³⁰ In the hands of the Java programmer Brett Stalbaum, in collaboration

with Carmin Karasic, Stefan Wray, and Ricardo Dominguez, himself a former member of the Critical Art Ensemble, FloodNet evolved into a hacktivist tactic, an applet available to anyone wishing to support the Zapatista movement and social justice campaigns at the U.S.–Mexico border. The SWARM the Minutemen activists provide a succinct description of FloodNet’s operation:

The software we are using requests files from the servers of the targeted websites that are not found—files like Justice, Freedom, and the names of those who have died crossing the border. In effect you will see the error message—“files not found.” The sit-in will interfere with and slow down the servers of these various groups and individuals—much like a physical sit-in slows down the movement of people in buildings or on streets. In addition, the administrators of the servers will see logs of the action where the names of those who have died crossing, and the requested files like justice, appear repeated thousands upon thousands of times.³¹

The orthographic formulation “hacktivist” suggests that a denial-of-service attack, with its emphasis on interference and disturbance, can be considered a legitimate means of social protest, but such a claim has met with some resistance. For example, Oxblood Ruffin, a long-term member of the hacking collective Cult of the Dead Cow, from which the term “hacktivist” originated, has argued that the primary target of hacktivist actions ought to be Internet censorship. According to Ruffin, hacktivist networks are the “blue helmets” of the Internet and thereby ought to work toward open code and peace rather than war.³² Since access to information is in Cult of the Dead Cow’s terms a fundamental human right, it follows that a distributed denial-of-service attack is an assault on free speech and a violation of the principle of free flow. Distributed denial-of-service attacks have also been literally interpreted as assaults: at the time of FloodNet’s initial deployment in 1998, it generated a great deal of publicity and anxiety about possible terrorist applications.³³ More recently, Estonia was the target of high-profile distributed denial-of-service attacks apparently originating in Russia, an event that now informs the many cyberwar game scenarios between the United States and China. Thus we are seeing a massive private- and public-sector investment in monitoring and controlling risks related to computer use: InfoSecurity, especially data protection, is the currency of our moment.³⁴

In his analysis of Net-based activism, Michael Dartnell draws a distinction between hacking in the form of distributed denial-of-service attacks and Web activism to make the case for Web activism as the more powerful form of insurgency.³⁵ Since hacking aims to sabotage, Dartnell classifies it as “information terrorism,” understanding its disturbance of networks to be destructive, threatening, and thereby pejorative. On the other hand, he reads Web activism as productive and nonthreatening. Rather than interfering with the operations of infrastructure, Web activism aims to transform the social conditions in which that infrastructure is situated. In his three case studies of social movements in Ireland, Afghanistan, and Peru, Dartnell suggests that communication—for example, raising public awareness of gender politics of the Taliban regime—is the *prima facie* form of “insurgency.” His contribution to the discourse on Net-based activism notably shifts the focus from the state to engage nonstate actors and a nonterritorial politics; however, it is precariously based on an evaluative distinction between “good” and “bad” insurgencies. Moreover, it is not ultimately clear how visual and verbal images might not disturb or terrorize, how a public relations campaign might not itself be a form of sabotage.

Coco Fusco describes Electronic Disturbance Theater’s FloodNet operations as “nonmimetic theater,” with only “abstract representations of the ‘hits’ and textual descriptions of the purpose and/or motive for the actions,” and indeed that is an apt description of the visual record of the performances.³⁶ Though there is an element of play at work in a FloodNet virtual sit-in, and certainly there is no small amount of delight in reading the outbursts of *saveourstate.org* forum members when their server temporarily goes down, EDT is adamant: “This is a Protest. FloodNet is not a game.”³⁷ It is indeed not a game but in fact the primary weapon in EDT’s arsenal, over time targeting various institutions and symbols of Mexican neoliberalism, NAFTA, CAFTA, the School for the Americas, the U.S. Defense Department, Samuel Huntington, Representative Sensenbrenner, and others.³⁸ Though these targets appear focused, SWARM’s overall concern is not simply a set of antagonists but a “systemic logic,” which “‘others’ migrant people and people of color in general” and willfully erases the complex history of migration to the United States in order to posit a rightfully native population.³⁹

How is it that one battles a “systemic logic” rather than a clearly identifiable opponent, one that can be seen and therefore destroyed?⁴⁰ What is the critical rationale for FloodNet as a mode of protest? To understand the rationale, we must understand the swarm as it has been theorized by Rand Corporation researchers John Arquilla and David Ronfeldt in their work on the effects of information technologies on conflict. Put simply, swarming is a mode of conflict in what has been called, variously, “cyberwar,” “infowar,” and “netwar.”⁴¹ Such conflict has never been limited to traditional military warfare, nor does it necessarily need to be online; in fact, as Arquilla and Ronfeldt explain in *Networks and Netwars*, “we had in mind actors as diverse as transnational terrorists, criminals, and even radical activists” (2). Swarming, then, can be high-, low-, or no-tech (11). Regardless, it is a mode of attack, both a military tactic and a practice of political resistance: “Swarming is a seemingly amorphous, but deliberately structured, coordinated, strategic way to strike from all directions at a particular point or points” (12). And in the context of their analysis of the Zapatista movement, they write: “Swarming occurs when the dispersed units of a network of small (and perhaps some large) forces converge on a target from multiple directions. The overall aim is *sustainable pulsing*—swarm networks must be able to coalesce rapidly and stealthily on a target, then disperse and redisperse, immediately ready to recombine for a new pulse.”⁴² We can contrast the swarm with the wave-like structure of the phalanx: the swarm is the dispersion of force rather than its massification or concentration. It is also the paradigmatic figure for the CGI battle scene (*The Matrix Reloaded*, the Crazy 88s scene in *Kill Bill*), and as such its choreography—marked by convergence, “sustainable pulsing,” even “apparent inexhaustibility”—has been firmly ensconced in our cultural imaginary. That it would similarly be lodged in our political imaginary is indicated by the Electronic Disturbance Theater’s proposal for the development of “non-violent Electronic Pulse Systems (EPS).”⁴³ Themselves the kind of “radical activists” whose tactics Arquilla and Ronfeldt seek to describe, EDT in turn has recourse to the Rand papers on swarming to articulate their project of digital Zapatismo.

Dominguez and his fellow tacticians work with some of the core principles of Critical Art Ensemble: power is no longer centralized but has become networked and nomadic; the site of resistance has in turn shifted

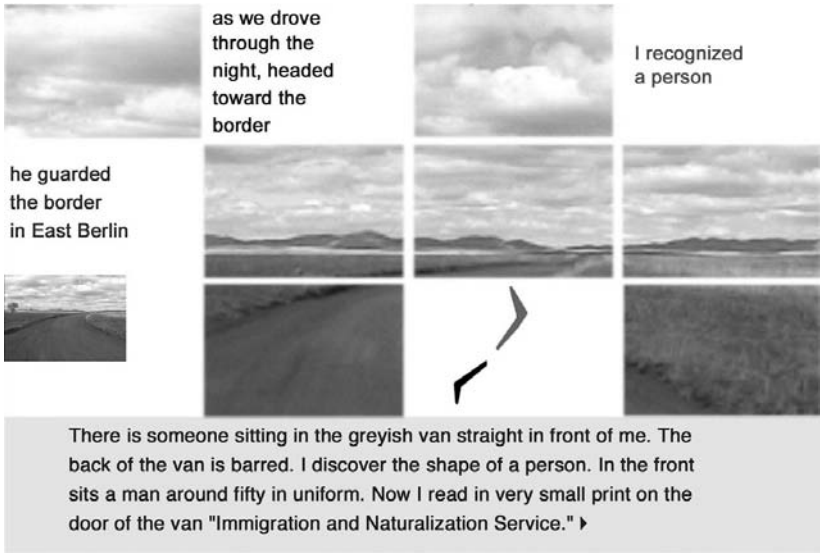
from the street to the network; the object of electronic civil disobedience (ECD) is disturbance and obstruction; and disturbance is necessarily temporary.⁴⁴ In their first book, *The Electronic Disturbance*, Critical Art Ensemble (with Dominguez on board) announces that power “has shed as many of its sedentary attachments as possible”; it is fluid, decentralized, capable of resituating itself.⁴⁵ For Critical Art Ensemble, then, revolution is no longer a matter of spatialized expression; there is no longer a Winter Palace to storm. That is, “the architectural monuments of power are hollow and empty, and function now only as bunkers for the complicit and those who acquiesce. . . . These places can be occupied, but to do so will not disrupt the nomadic flow” (23). The architectural monuments are defunct, and so, too, are the streets, which are “dead capital”; in fact, “the streets in particular and public spaces in general are in ruins.”⁴⁶ Or, as Hardt and Negri will put it later in *Multitude*, “basic traditional models of political activism, class struggle and revolutionary organization have become outmoded and useless.”⁴⁷ Resistance, then, must withdraw to the networks, for “to fight a decentralized power requires the use of a decentralized means.”⁴⁸ Power has become nomadic and, as such, “has created its own nemesis—its own image . . . in the barbarian hordes—the true nomads of cyberspace.”⁴⁹ In his 1998 paper on the futures of electronic civil disobedience, Electronic Disturbance Theater member Stefan Wray predicts that the site of resistance will shift as “more and more these acts will take place in electronic or digital form.”⁵⁰ He speculates that the wars of the future, our present, “will be protested by the clogging or actual rupture of fiber optic cables and ISDN lines—acting upon the electronic and communications infrastructure.” Such transgressive tactics shift the Internet “from the public sphere model and casts it more as conflicted territory bordering on a war zone.”⁵¹ Wray takes care to stress that street protests will by no means disappear; rather, “we are likely to see a proliferation of hybridized actions that involve a multiplicity of tactics, combining actions on the street and actions in cyberspace.” Electronic civil disobedience, then, will gradually develop as a “component” or “complement” to more established forms of civil and political protest. It may be the case that guerrilla action is limited, but, as Critical Art Ensemble notes, the “old school” of street protest “has plenty of currency in local affairs where problem institutions are present and concrete.”⁵² On this point, we would certainly need to acknowledge

both the street protests against proposed anti-immigration legislation in spring 2006, when the *Los Angeles Times* Web headline announced, “Wave of Dissent Grips U.S. Cities” (May 1), and the school walkouts coordinated by social networking tools and Web-to-SMS broadcasting.

The use of electronic civil disobedience to thwart the flows of information, to obstruct, block, and otherwise disturb has been extensively documented, but what bears reiterating here is the notion, again articulated by Critical Art Ensemble, that “blocking information access is the best means to disrupt any institution, whether it is military, corporate, or governmental.”⁵³ Again we see an adumbration and an echo of Arquilla and Ronfeldt’s thinking about electronic activism (they seem in some sense to produce each other): “It means disrupting if not destroying the information and communications systems, broadly defined to include even military culture, on which an adversary relies in order to ‘know’ itself.”⁵⁴ The Rand authors leave open the possibility of outright destruction, but CAE and EDT will insist this is not their aim.⁵⁵ Rather, the objective of a disruptive action or performance is the temporary reversal, not the cessation, of the flows of power.⁵⁶ FloodNet in particular is also, as Graham Meikle notes, “primarily a media event.”⁵⁷ On this point, too, we might remember that the threat of FloodNet applications is perhaps more symbolic than actual, however dangerous it may seem to disrupt server traffic for a few hours.⁵⁸ Dominguez acknowledges the difference between the symbolic and the real: “Electronic civil disobedience has a certain symbolic efficacy against power. With the Mexican government, no matter what you do to their website, you’re not going to disturb their tanks, their missiles. No matter how much you disturb Nike’s website, you’re not going to disturb their stores, because they have real exchange power on the ground.”⁵⁹ (We might certainly extend the point to include the Minutemen and NAFTA Web sites.) To put the inevitable question bluntly: what, then, is the point? The answer offered by Dominguez, EDT, and other tactical media practitioners is again informed by CAE, but to understand fully the investment in temporary provocations and disturbances, we need to return to Foucault, for whom “there is no single locus of great Refusal, no soul of revolt, source of all rebellions, or pure law of the revolutionary. Instead there is a plurality of resistances, each of them a special case: resistances that are possible, necessary, improbable; others that are spontaneous, savage, solitary, concerted, rampant, or

violent.”⁶⁰ After Foucault, then, we have CAE (“resistance can be viewed as a matter of degree; a total system crash is not the only option, nor may it even be a viable one”) and Dominguez himself: “There is only permanent cultural resistance; there is no endgame.”⁶¹

In what are we investing, then, if not a revolution or an endgame? In sum it is the “negation of negation”: “The hope is to try to maintain the open fields that already exist, and perhaps expand this territory and elongate its temporality, rather than insist that we can change the whole structure with some kind of utopian ideal.”⁶² In David Garcia and Geert Lovink’s manifesto “The ABC of Tactical Media,” we see a similar focus on an elongated temporality of the present, the provisional, the “here and now.”⁶³ “Tactical Media are never perfect,” never finished, Garcia and Lovink tell us. Rather, tactical media are “always in becoming, performative and pragmatic, involved in a continual process of questioning the premises of the channels they work with.”⁶⁴ In all we can see the recognition that “revolution” as such does not need to be a singular temporal or spatial event, that it does not need to be a moment of spectacle. Instead, we can think, as does Dominguez, in terms of “symbolic efficacy.” A temporary provocation, however momentary, can change the signifying field in which it occurs, though its material effects cannot be determined in advance. In this respect, the provocation has no necessary teleology; its outcomes are unpredictable and unforeseeable. Why else should the Amsterdam tactical media festivals be organized under the rubric “Next Five Minutes”? This is not to say that utopian vision is somehow bounded or curtailed but to observe that a practitioner of tactical media acts for the here and now with a fragmentary and hopeful vision of an ideal future, but one that may very well not, as Vilém Flusser reminds us, be “carried to completion.”⁶⁵ Dominguez speaks to the shifting quality of his vision of utopia, which is not fixed on a future horizon but ever in flux: “A difficult kind of hope because it’s not bound to a specific image of utopia. . . . [but] must be built without a prerecognition of what the endpoint will look like.”⁶⁶ Critical Art Ensemble, too, writes of the need to gamble on a tactical event: “All that is required is the ability to live with uncertainty, and the willingness to act despite the potential for unforeseen negative consequences.”⁶⁷ In other words, just DoEAT.



Trebor Scholz and Carol Flax, Tuesday Afternoon, 2001.

Crosser/La Migra

Much like the DoEAT performance with the San Diego highway Caution signs, Trebor Scholz and Carol Flax's hypermedia project *Tuesday Afternoon* (2001) speaks to the discontinuities in the movements of money and goods in our neoliberal moment. Superimposed on a low-contrast map of the U.S.–Mexico border are the following opening lines: "The right to navigate one's own geography is not shared by the migrant or the refugee. The borders or frontiers, which capital crosses with ease, are insurmountable for the poor or the dispossessed." The project description on Rhizome puts it succinctly: "In the process of globalization, international borders become increasingly easy to cross for capital. Corporations reach super-mobility, but borders are militarized against 'undesirable' populations."⁶⁸ From the outset, then, *Tuesday Afternoon* articulates one of the central demands not only of migrants, refugees, and asylum seekers but of all people: the right of free movement, the "right to navigate one's own geography." The call for freedom of movement has resounded from numerous activist organizations in Europe and North America. For example, the No Border Network cohered in late 1999 to

document and coordinate movements driven by the twin principles of free movement and settledness, “for the freedom for all to stay in the place which they have chosen.”⁶⁹ The call has also resounded from theorists embedded in antiglobalization movements and practices: most notably, Hardt and Negri have asserted the right to free movement as “the multitude’s ultimate demand for global citizenship.”⁷⁰ It is in these terms, too, that we can understand the importance of the audio in *Tuesday Afternoon*. From the map we move into the primary frame of the piece; on the left is a small QuickTime video shot from the perspective of someone walking along an unpaved desert road that curves toward the distant horizon. The primary audio track of the video, which is on a continual replay loop, is the sound of someone walking, of purposeful and solitary movement. No leisurely stroll through a pastoral landscape, this movement is insistent, its relentlessness suggesting a focused intensity. Like the project’s title, it captures the ordinariness, the noneventness, of migrancy. The audio does not represent an authentic “migrant experience,” but it does in some sense approximate it. It evokes a typological, categorical experience similarly evoked but then negated by the textual narratives.

A set of interlocking short stories of border crossings unfolds in basic hypertextual form: one follows a young couple traveling by bus for a family visit in Europe; somewhere in the Balkans, the young woman with the “outlandish looking” green passport imprinted in Cyrillic letters is stopped by border control and denied entry. Her travel visas are useless, she is told; Britain has not signed the Schengen Agreement. The first-person narrator of another, set in the border town of Nogales, Arizona, considers his compulsory army service on the East German border and wonders why someone would voluntarily serve as a border guard “on this so very different border.” Another outlines a marriage of convenience that unravels and is detected and nullified by the UK Home Office, which gives the woman thirty days to leave the country. A third poetically evokes the condition of an asylum seeker: “she does not want to leave”; “this safe place”; “why would she go back”; “and maybe be tortured.” This thread, which is not geographically or culturally specific, becomes even more sinister with the suggestion that the woman’s movements are being tracked: “I recognized a person / in the back of the van.” The “two broth-

ers” narrative indirectly recounts the death by dehydration of two brothers twenty miles outside of Tucson, Arizona. In its articulation not only of movement but also of the cessation of movement, *Tuesday Afternoon* is aligned with artist-activist projects such as SWARM, which takes pains to document northward migratory routes as well as the estimated sites of death during failed crossings.⁷¹ The background landscape for *Tuesday Afternoon* is not experienced as the pastoral; rather, it is figured as a “site of discrimination and even death.”⁷²

These stories are specific and yet also in some sense generalized. They all contain geographic and sociocultural markers, and yet a certain generality is preserved within them. To understand the full significance of this, we need to turn to the project description: “*Tuesday Afternoon*, made to be experienced online, is an easily accessible hypermedia project that contrasts issues of individually experienced border crossings. . . . Using sound, text and video, the game-like structure of *Tuesday Afternoon* makes each visitor’s interaction with the piece unique.” The assertion of the “unique” aspect of each visit dates the project somewhat, reminding us of a moment in which the discourse on interactivity made claims for the radically individual aspect of each textual encounter and a reading experience that was more singular than shared. Today this insistence on singularity also points us in a different direction. It is not that the piece suggests that the migrant experience is somehow substitutable—in fact, the project description insists the opposite by explaining that it “contrasts issues of individually experienced border crossings.” The apparent typological aspect of the text—“two brothers” or “she married”—instead speaks to the fundamental nonreproducibility of the migrant experience. Scholz and Flax’s decision to forgo literal representation and render the migrant and refugees’ stories only in the third person suggests a certain cognizance of the critical problems of “speaking for.”⁷³ If border crossings are understood to be “individually experienced,” then, absent a direct testimony, a witnessing of one’s own experience, one can only have recourse to the categorical. (It is in these terms that we will come to understand the game spaces as well.) Highlighting one final aspect of the project will lead us to a coterminous work set against a seemingly pastoral landscape and engaging issues of immigration and borders. Scholz and Flax emphasize the “easily accessible” aspect of their online

project, which introduces an inverse relation between the accessibility of the project and the migrant's lack of mobility, between open systems and closed systems, between free movement and restricted movement. This is the critical space of Heath Bunting and Rachel Baker's *BorderXing Guide* (2001).

BorderXing Guide set out to perform and document a set of walks that cross national boundaries within the European Union, often by the most difficult means possible.⁷⁴ Responding to the restrictions on movement of non-EU citizens, that is, less "trusted travelers," the project was staged at a moment of transition for the European borders, when the nation-state opened and the EU borders simultaneously closed, the moment when the line between interior and exterior was being resituated. The artists traversed nearly two-dozen international borders without papers and, in doing so, pointed to the ease of travel afforded to EU citizens. The project, however, might initially seem quite removed from the border crossings of asylum seekers, refugees, or *sans papiers*. But its nomadic pastoral aesthetic is interrupted by the documentary photographs of razor-wire fences and other material demarcations of borders. Particularly in the crossing of borders into the former Eastern Europe, Bunting and Baker highlighted the remnants of the security state in photographs of fences and crossing-guard stations. In keeping with Bunting's ongoing investment in maps and networks that are alternative and oppositional to the global network economy, *BorderXing Guide* put the pedestrian into dialogue with the asylum seeker and walking into dialogue with vagrancy. The project also resulted from Bunting's "drive to reduce my possessions to almost nothing and to replace them with techniques."⁷⁵ There is an aspect of the pilgrimage, then, in the shedding of possessions and the commencement of a long and arduous journey. The online slide show of the journey might also confirm this were it not for the "guide" component of the project, which provides maps and suggested routes for illicit border crossings. Bunting's recent collaborative work, *Status Project* (with Kayle Brandon, 2004), contains in this vein, offering as it does to "make visible . . . both street and institutional systems" and "to facilitate easy movement within them."⁷⁶ A review in the *New York Times* speaks to the tension between this project and the national security state: "In its final form, their project may be viewed as

the Homeland Security Department's worst nightmare: a road map enabling all sorts of undesirables to penetrate a nation's borders, banking systems, supermarket loyalty clubs.⁷⁷ But the more salient component of *BorderXing Guide* for my discussion here is the delineation of private and public use. Bunting notes that the work is "biased against private consumption," a literal statement about the restriction of site access to authorized clients. To gain access, viewers either have to travel to a public site with a static IP address—authorized clients include galleries such as the Tate and all servers in "developing" countries—or to make their own private terminal public. We might then see a clear parallel between trusted users and trusted travelers, with *BorderXing Guide* speaking to the relation between online access and the freedom of movement.

Judi Werthein's shoes—*Brinco (Jump)*—provide us with an entryway into the crossroads between migrancy and the global corporatization of goods and labor.⁷⁸ Designed for the inSite_05 show and manufactured in China, the shoes were equipped with the necessary tools for crossing borders on foot, including a compass and a flashlight for night crossings. A small pocket on the tongue of the shoe holds either money or painkillers, and the removable insole is printed with a map of documented safe crossing points on the Tijuana–San Diego route. The movement of the migrants who wore them—a set number of pairs were distributed along the border as part of Werthein's intervention/show/project—is marked at three points along the shoe. On the heel is an image of Santo Toribio Romo, the Mexican patron saint of migrants, their guide and protector. An Aztec eagle is embroidered on the side, and the eagle of the U.S. quarter appears on the toe, indicating or perhaps even propelling the migrant's movement toward the United States. The artist designed one thousand pairs for manufacture in China; after she distributed some along the U.S.–Mexico border, the remainder were sold in a high-end boutique in San Diego. The contrast between the Chinese production costs (\$17) and the resale costs in the boutique (\$215) not only brings issues of outsourcing and wage inequities to the fore but also points to the inevitable commodification of the experience of the other.

At this stage, the thematic significance of the shoe, of walking, of the visual and auditory representation of movement, should be clear, its connection to the demand for the freedom to control one's own movement

apparent. The canonical text on this issue of freedom of movement is Hardt and Negri's *Empire*. In their schema, Empire depends on a migrant labor force; it cannot then shut down the flows of autonomous movement without destabilizing itself. It is a bit of an understatement to say that Hardt and Negri have a more optimistic than pessimistic view of nomadism, of the "specter of migration" and the "irrepressible desire for free movement." On the issue of nomadism as a form of class struggle, they are unequivocal: "Mobility and mass worker nomadism always express a refusal and a search for liberation: the resistance against the horrible conditions of exploitation and the search for freedom and new conditions of life."⁷⁹ We might contrast their vision of the potentialities of free movement with the intensification of the biometric regulation of movement under the US-VISIT and related programs, with the division of the population into trusted and untrusted travelers. But we should not think that the calls for free movement are limited to one group or another. That the demand for freedom of movement is part of a more fundamental claim for the *droit de cité* (rights to full citizenship) is explained by Balibar in his extended review of an essay by the Italian sociologists Alessandro Dal Lago and Sandro Mezzadra:

I do not believe that the political "demands" of migrants (be they "refugees" or "workers," two not necessarily separate categories)—extremely powerful demands that are ever rejected but never obliterated and which are fundamental if we are to have democratic change—constitute a demand that mobility as such, "deterritorialized" mobility, be recognized. I believe that the relation of these demands to the construction of modern Europe is solely a relation to the "mechanisms of control" of capitalist globalization. Surely freedom of movement is a basic claim that must be incorporated within the citizenship of *all people* (and not only for representatives of the "powerful nations," for whom this is largely a given).⁸⁰

The demand for freedom of movement, as Balibar notes, is not a demand for movement as such; in fact, the freedom not to move might also be construed as expressive of a certain dignity. The withholding of movement is certainly a familiar practice of civil disobedience, wherein "I would prefer not to move" is a mode of refusal by withdrawal rather than confrontation.⁸¹ Like Bartleby's refusal, it is passive and dangerous, suggesting a certain decorum while also announcing that one is

subject to power. In the ceding of power, what is left is the power to withhold. What we might extrapolate from Balibar's reading, then, is that the *droit de cité* includes the freedom of movement for all, not simply for the "migrant" of the global South, and it also includes residential rights, the freedom not to move, to remain settled.⁸² This is to say that beyond Balibar's analysis, we must also recognize the capitalist forces that compel movement and be wary of the equation of freedom with the ability to become nomadic. Mobility per se by no means endows the subject with an unconditional freedom. In fact, it is precisely the migrant's separation from the nation-state as the guarantor of human rights that places her at risk.

Flusser similarly speaks to the unmitigated celebration of free movement or nomadism as he engages the question "Is a person free simply because he is able to flee?"⁸³ With Flusser's own story of forced exile from Prague to Brazil at the start of the Nazi occupation in mind, we might guess, correctly, that the answer would be in the negative: "When I leave the first contingency so that I may enter another one at the same level, I am a refugee. I have become neither outraged nor engaged but have allowed myself to drift. There is no dignity in such movement. However, if I leave the first contingency and enter into a state of irony, and then enter the second contingency out of this irony, then I am both outraged and engaged, and my decision has dignity" (22–23). Flusser has recourse to the Greek *nomad* in order further to counter the notion that "the strange dizziness of liberation and freedom" might be located in all movement. To read nomads, wanderers, as "outside the law," he explains, requires the perspective of one who is settled within, and afforded rights by, a political community (47).⁸⁴ Perhaps the most resounding critique of the discourse on nomadism, however, comes from Slavoj Žižek, who charges Deleuze and Guattari with having produced the "ideology of the newly emerging ruling class."⁸⁵

It is precisely the discourse on nomadism that informs Zygmunt Bauman's "liquid modernity" thesis, which holds that "we are witnessing the revenge of nomadism over the principle of territoriality and settlement. . . . It is now the smaller, the lighter, the more portable that signifies improvement and 'progress.' Traveling light, rather than holding tightly to things deemed attractive for their reliability and solidity—that is, for

their heavy weight, substantiality and unyielding power of resistance—is now the asset of power.”⁸⁶ Liquidity, in Bauman’s analysis, refers to social disintegration as both the precondition and the consequence of the new logic of power. “It is the mind-boggling speed of circulation, of recycling, ageing, dumping, and replacement which brings profit today” (14). This view of the opening up of nomadic traffic and the elimination of check or stoppage points comes at the end of the wired 1990s and extends the Kevin Kelly line of thinking to the notion that “heavy, Fordist-style capitalism” is over and a new epoch of “software capitalism” has begun (63, 116). But the liquid modernity thesis is also very much in the spirit of Hardt and Negri’s synopsis of *Empire’s* capitalist logic of power, with its assertion that the “hardware era, the epoch of weight and ever more cumbersome machines,” and “heavy modernity,” “the era of territorial conquest” is coming to a close (113–14). Liquidity suggests a temporal rather than spatial logic of power, a shift away from the management of material things to the management of mobility and speed. Antiliquidity, then, is the space of Electronic Disturbance Theater’s intervention, as Dominguez explains: “The goal of EDT’s disturbance is to block Virtual Capitalism’s race toward weightlessness and the social consequences a totalized immaterial ethics creates.”⁸⁷ Their object is not necessarily to emphasize the material basis of capitalism, as does Allan Sekula in his poignant photographs highlighting the sheer mass and weight of cargo shipping containers, but to disrupt the circulation and flow of virtual capitalism.⁸⁸ In fact, I will have occasion to wonder in subsequent chapters if the Society for Worldwide Interbank Financial Telecommunications (SWIFT), the computer network for global funds transfer messages, is not the logical next target for an EDT disturbance action.

The inSite_05 online exhibit, *Tijuana Calling/Llamando Tijuana*, will introduce further themes and questions.⁸⁹ The five artist teams selected were asked to construct a project that was strictly networked, though aspects of a physical installation made their way into many of the projects in spite of this mandate. Ricardo Dominguez and Coco Fusco’s *Turista Fronterizo* is, as its title suggests, an exercise in border tourism presented in the form of a Monopoly-like game. Players choose one of four characters, all border crossers, and proceed on “a virtual journey through the San Diego–Tijuana borderlands,” or, simply, around the board.⁹⁰ As



Ricardo Dominguez and Coco Fusco, *Turista Fronterizo*, 2005.

Gringa Activista, El Gringo Poderoso, El Junior, or La Todóloga, players encounter various obstacles and windfalls according to type, adding to or depleting the initial monetary stake as the case may be. So, for example, as the binational businessman, you bribe government officials to secure permits for refineries, buy drugs, pay lobbyists, and rebut negative press about your company's use of toxins and pollutants. If you play in Spanish as El Junior (characterized as *huevón*, politely translated as "lazy"), you often end up at a strip club in Tijuana, under suspicion by the DEA, or back in the Detention Center. Clichéd this may seem, and indeed that is the point for a game that works with types to destabilize types. That is, the general, categorical aspect of the gameplay alludes to the reduction of real material lives to one-dimensional, prescribed characters. The project does not aim to grant a voice to the migrant or the citizen; rather,

the project suggests that one cannot speak from within or outside the scripted gameplay. As with a role-playing game, players are addressed in the second person, allowing for a kind of pedagogical experience—what happens if you are caught with cocaine at the border?—limited by the absence of source or reference material; that is, players wanting concrete information about cocaine traffic, for example, must conduct their own research. Dominguez and Fusco also use the form of the game to thematize the migrant's perpetual search for work. This is most obvious in the case of *La Todológa*, a general worker whose profession is whatever she finds, the script for whom highlights the goal-oriented aspect of labor in the moment of neoliberal globalization. In this character's script, it is only the goal—money—that matters, rather than labor itself. As many have noted, it is this reduction of labor to an end that can partially explain why workers' rights claims no longer maintain the same force as they did under industrial capitalism; labor, that is, is no longer valued as an integral, socially significant activity. Rather, the job must be completed and the work economically compensated, in this case in order for the die to be cast for the player's next turn. Though inSite had wanted projects that were exclusively online, Dominguez also built a 1970s style Pac Man game box for the project and installed it at the Zapatista headquarters in Tijuana. The new computer that housed the game was also placed there to build up the local media lab, thus coordinating not only the material and "virtual" aspects of *Turista Fronterizo* but also *Turista Fronterizo* and digital Zapatismo. Moreover, the physical placement of the computer game at EZLN headquarters forecloses the presentation of Mexico as a stable object of border tourism.⁹¹

Turista Fronterizo is one of many "games with an agenda," and there are others directly concerned with the U.S.–Mexico border, two of which are Rafael Fajardo's *Crosser* and *La Migra*.⁹² Modeling the games on the 8-bit aesthetics of *Frogger* and *Space Invaders*, respectively, Fajardo works with basic game mechanics to stage the scene of border crossing as one of collision detection. Thus the crosser must avoid both air and land border patrol, highway traffic, and dead bodies and other obstacles in the river; and *la migra* uses a car to block the descending bodies (an incomplete "hit" results in death). While one might think this seems a bit macabre, Fajardo self-consciously employs the garish colors and avatars

particular to many games so as to preserve a game's basic antagonistic structure. Within these game spaces, border crossing is staged in unadulterated binary terms: U.S.–Mexico, crosser–*la migra*, good–evil. This is migrancy and territorial sovereignty starkly polarized—how else are we to understand the implications of rendering border crossing as a matter of obstacle avoidance? How, further, are we to understand that successful border crossers in *La Migra*—those not swatted back à la *Pong*—fall into a detention center for deportees? We might further address the use of a game, as Fajardo notes, to “create a subtle multi-level critique” by considering his statement on the matter: “I’ve come to understand that the games, any games that attempt to deal with the real, will be incomplete. The map is not the territory, the stakes are not life and death, and a player can walk away when the thrill is gone.”⁹³

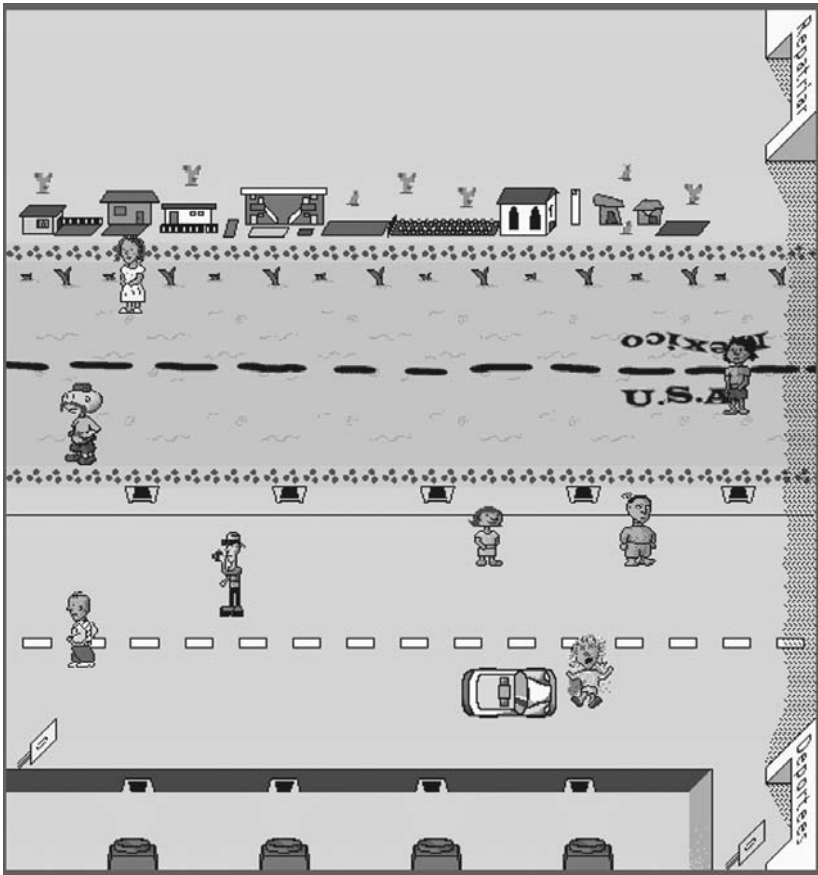
The games will be necessarily incomplete, so as a complement to the caricatured figures they present—migrants flee, and *la migra* hunts—we can consider instances of documentary self-representation produced within the Border Film Project (2005).⁹⁴ Project leaders distributed between four hundred and five hundred disposable cameras to both migrants and the Minutemen, asking them to take the photographs of their choosing and to return the cameras in a SASE (migrants had the incentive of an anonymous Wal-Mart gift card to prompt their return of the cameras once they reached the United States). For the most part, it is striking to see the extent that self-representation occurs within given narratives of subject formation: in the selected photographs, Minutemen sit and watch; migrants walk or show injurious effects of movement (one memorable shot is of horribly blistered feet). There are the requisite lone ranger shots of the Minutemen framed against the sky and the temporary camps established by migrants on their journeys. With the Border Film Project in mind, we can return to Fajardo's statement on the use of a game space as cultural critique: “Rather, I have come to understand *Crosser* and *La Migra* as poems, where the absences and silences are as important as that which is stated.”⁹⁵ Invoking Baudrillard on the simulacrum, Fajardo reminds us that the “map is not the territory,” that we should clearly not conflate the border games with the “real” border. We should attend to, play, *Crosser* and *La Migra* as games—this much is indicated by the design—but as poems they are intended to have a



Rafael Fajardo, *Crosser*.

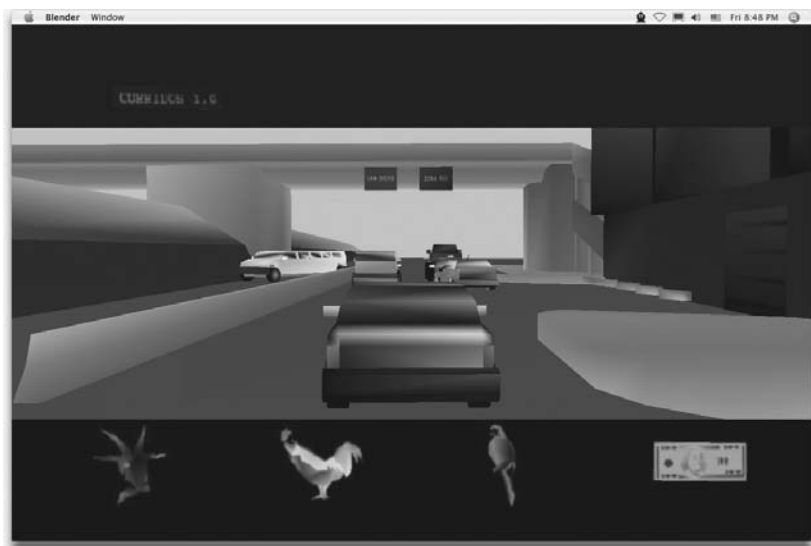
memorializing capacity as well. What they cannot capture or represent are the “absences and silences” that demarcate the difference between a game and a game of life and death.

Having examined new media art’s engagement with territorial borders, I want to move by way of a conclusion to an account of the complex entanglements of the territorial and the biometric brought to the fore by Anne-Marie Schleiner and Luis Hernandez’s *Corridos*, a 3-D open-source, cross-platform game also commissioned for the *Tijuana Calling* exhibit (2005). Taking its title from the *corrido*, a mestiza narrative ballad traceable to the early modern Spanish ballad form of the romance, *Corridos* maintains a parallel investment in fostering cultures of resistance. Since *corridos* functioned as a paradigmatic mode of itinerant



Rafael Fajardo, *La Migra*, 2003.

storytelling, these ballads played a significant role during the Mexican Revolution, their dispersal epitomizing the very decentralized modes of dissent that now inform Electronic Disturbance Theater. As Américo Paredes has shown, *corridos* are particular to the populations around the U.S.–Mexico border, where the “slow, dogged struggle against economic enslavement and the loss of their own identity was the most important factor in the development of a distinct local balladry.”⁹⁶ In the development of a resistant local balladry in the border regions geographically separated from Mexico’s centers of power, we can see a clear antecedent to digital Zapatismo and other tactical movements in the present.



Anne-Marie Schleiner and Luis Hernandez, *Corridos*, 2005.

The *corrido* has also traditionally been sung by migrants on the journey north, their narrative subjects outlaws and related legends. *Corridos* the project takes its thematic cue from narco-corridos, contemporary ballads that are often reverential toward drug traders. The designers outline the game scenario with respect to its title:

Corrido: Oral form of communication, deeply rooted in mexican culture, perfected during the revolution (1910), when the media was co-opted by the government, as an opensource, peer to peer efficient way of disseminating news from afar, mainly great battles and heroic gestures. In recent decades, this form has been retaken to sing about famous narcotraffickers and big trafficking operations. Narco-corrido songs tell the sometimes sad, cynical and romanticed adventures of narco traffickers who take great risks to deliver drugs across the mexican/us frontera, over a polka or waltz beat in the background. . . . Corridos are usually commissioned to norteño musicians by the traffickers themselves, who like to hear songs about their exploits, beginning at 500 USD and going up.⁹⁷

The game *Corridos* puts the player in the position of a drug smuggler along the Tijuana–San Ysidro border. As with the ballad, the game situates the outlaw or criminal in an idealized subject position but also

reminds us of the double figuring of people and drugs as undesirable. Peter Andreas notes that “the politics of opening the border to legal economic flows is closely connected to the politics of making it appear more closed to illegal flows.”⁹⁸ Indeed, both people and drug are lumped together under the rubric of “illegal traffic.” The language of drugs in the game also derives from the folklore of the ballad, wherein animals stand in for substances (the three animals, goat, rooster, and parrot, refer to heroin, marijuana, and cocaine, respectively). Invoking the complex and imbricated histories of the ballad and of drug trafficking, *Corridos* links both within the context of an open-source environment that allows for modification, somewhat in the way that ballad lyrics allow for musical variation.

More important for our purposes is the objective of the game, which is to find the secret tunnels—narco-tunnels—leading from Tijuana to San Ysidro and use them to run drugs and weapons between the two countries. Modeled on two area neighborhoods, or aspects of two area neighborhoods, *Corridos* has recourse to the material real in its presentation of secret tunnels that circumvent border controls, while nonetheless insisting that it is “just a game.” As the designers note: “*Corridos* is basically a computer game about driving and listening to music.” The putative discrepancy between a game and the migrant, material world collapsed in the Denver airport in November 2005. En route to visit his wife and collaborator, Anne-Marie Schleiner, Hernandez was detained by Homeland Security agents after a luggage search turned up copies of both the game and the inSite_05 brochure, which together rendered him an untrusted subject. Hernandez describes the incident in detail in a post to the inSite group:

In a luggage check at the Denver International Airport, the TSA/immigration found both a “Tijuana Calling” brochure and a copy of the game that Anne-Marie and me produced for inSite. They searched the inSite website and all of its links and loaded the game and made me play it for them, they found that the game as most of the projects were posing a threat to the U.S. national security and that they were “Anti-American,” in speaking about illegal crossings and traffic, in their own words. One officer even told me to watch out who we were working for. I explained that the game as well as the other pieces of art had been commissioned by an art institution whose objective is to gain deeper cross understanding about life in the Mex–U.S. border, for both the peoples of

Mexico and the U.S. They said they didn't believe it and discredited the festival, evidently ignoring what art is. When I told them that the organisation was run by U.S. citizens, they replied that not all U.S. citizens are prone to like the government and its policies and that actually a lot of them were working against it.⁹⁹

Were this to end in a spectacular confrontation and escape, it might even be the nonlyric text for a contemporary *corrido*, perhaps one might even call it a *ludo-corrido*. It is in fact both a story of a "great battle" and a story of risk but crucially lacks a romanticized ending. To wit: after a lengthy interrogation about Hernandez's knowledge of secret tunnels and terrorist activities in the border regions, he was deported back to Mexico, barred from reentering the United States for a period of five years.

From the speculation that the launch of the FloodNet applet in 1998 was a terrorist act to the charge that a computer game constitutes "a threat to the U.S. national security," we have begun outlining the evolving relations between socially engaged new media art and the security apparatus, more broadly between contemporary art practices and charges of terrorism.¹⁰⁰ Another installment must surely address the ongoing legal case of Steve Kurtz, the Critical Art Ensemble member investigated on suspicion of bioterrorism and eventually charged by a federal grand jury in June 2005 with mail and wire fraud.¹⁰¹ In their commentary on the Kurtz case, Rebecca Schneider and Jon McKenzie pose an important question: "Is CAE's general move away from *rhetoric* toward tactile *participation* pointedly what provoked the FBI to suspect terrorism?"¹⁰² We might well pose much the same question here: what is it about the game ("tactile participation") as opposed to the brochure ("rhetoric") that brought Hernandez under suspicion? In the quotidian exercise of risk profiling and threat assessment, it is *Corridos* the game that renders Hernandez a dangerous, untrusted subject.¹⁰³ The brochure and festival may be written under the sign of sedition, but the game is written under the sign of risk. I will hazard a generalization and say that our shared cinematic imaginary alone, much less the coverage of the Iraq war, ought to have made us all well versed in the use of games and simulations as training mechanisms for military activities. How else are we to understand the TSA officials' mandate that Hernandez play

the game in their presence? In this context, the game becomes the illegal substance, the undesirable, that which cannot cross the border, and the TSA mandate becomes part of a military operation. The newly amplified practices of state securitization and the issue of material border crossings come together in this complex instance of risk assessment.¹⁰⁴

InSite festival projects such as *Turista Fronterizo* might initially raise the question of a discrepancy between the migrant, material world and the computer game, but Hernandez's detention is a clear moment of conjunction between them. The distinction between Hernandez the artist and the first-person perspective of *Corridos* collapsed, and Hernandez in a sense became embedded in his own game, thrust into the world that his project portrays. The temporal, epistemological, spatial, and socio-cultural gap between the "illegal" and the artist-activist closed, the latter thrown into the world of the former. The artist himself becomes enclosed within restricted borders, indicating that the radical dichotomy between the game and the real is ultimately not sustainable. It is also important to take account of another aspect of risk embedded in the game. One of the risks run by hacktivist art projects is that they go unacknowledged, that their provocations are either unseen or dismissed as mere game playing. At the very moment that Hernandez is forced to play the game in the presence of TSA officials, the game succeeds in unfolding the very risk it was predicated on. It succeeds, that is, in displaying the activist political potential coded within it. This, after all, is the audience that the game would most especially aim to provoke. It is not only Hernandez who is forced to play the game, but the TSA officials also become implicated in its structure and rhetoric. Hernandez's detention and deportation demonstrates the danger that the game presents in the eyes of the TSA officials: without this double risk of banishment and provocation, the game would fail to register any political or activist potential.

It bears repeating that *Corridos*, like the narco-corridos, was a commissioned work, its expressed pedagogical purpose, as Hernandez recounts, "to gain deeper cross-understanding" about the U.S.-Mexico border, "for both the peoples of Mexico and the U.S." Even with the awareness that the insistence on an educational mission constitutes a kind of juridical defense, *Corridos*, and the festival of which it was a part, perform the very reverse engineering called for by Critical Art Ensemble.¹⁰⁵ Within

a regime of signs, when border control is a “symbolic performance” of security, the (temporary) provocation of tactical media is to reveal those signs to be mutable. What DoEAT and the other artists here present is a mutability of signs, symbolic performances, that speak to material conditions that are far less plastic and mutable.