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Politics of popular creativity and popular knowledge: on the case of adbusters and Harry Potter fans

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Abstract

My research looks at and investigates popular creativity and the politics involved in two different cases. I situate popular creativity and the politics involved in the context of cultural studies.

My first case looks at advertisements that are placed under attack, or busted. I investigate the different politics of defamiliarization between two specific busted ads. The politics of defamiliarization create moving images based on the Freudian uncanny and Brechtian *Verfremdung*. My second case involves Harry Potter fans and fan fiction writing. Specifically, I investigate the politics of closure or stereotyping involved in a copyright dispute over the publication of the so-called Harry Potter Lexicon.

Methodologically speaking, I am 'on the case'. In being 'on the case', politics happen too, which concern the production of knowledge over equality. I situate equality in the context of Jacques Rancière's understanding of it, alongside his understanding of people, politics, and what he refers to as police. In building my research cases, I offer a form of popular knowledge.

POLITICS OF POPULAR CREATIVITY AND POPULAR KNOWLEDGE: ON THE

CASE OF ADBUSTERS AND HARRY POTTER FANS

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Chapter 1

Introduction

What happened after all this time? Or, the road to hell is paved with good intentions

After all this time, my dissertation became an adventure, intellectually too. My dissertation became an adventure, notwithstanding the dissertation proposal, a map, and its theories to guide me, to tell me what to look out for and see. My dissertation became an adventure, risky, or the road to hell, which is paved with good intentions, to do what you set out to do. In-between the proposal and today, and in-between disciplines, I intended to stick to the map. An adventure is not to be overseen until the end, looking back. At the end, in hindsight, I start from the beginning to map the terrain on which my adventure took place, and which my method and research chapters open out into. Working backward, it is a terrain that I survey on the basis of, and from *in-between* the cases that make up my adventure, what connects them, *and* keeps them apart. In-between my research cases and what connects them, is popular creativity. Except that how it is practiced, by consumers who are not merely consuming, the form it takes, to what effect and the politics involved are different in both cases. In addition, different politics are also involved in how I make my research cases, the politics of knowledge production. Thus, what makes my research into an overall project is politics, as that which connects it, on a case-by-case basis, even though they are different across the chapters.

My research became a project about politics, *and* because I make cases, methodologically speaking. My research became a project about methods too, firstly, because I lacked an existing socially scientific one, and had to find an alternative way of doing empirical research. And secondly, because after starting off doing my research, doing it otherwise, empirically, I had to find a name for what I was doing, my 'method', which I

thought of as puzzling and piecing knowledge together. In the literature, I came across the case-method. Empirically, my 'case-method' is unlike the social science case study, and also unlike other disciplinary uses of the case as a method. Not only because I lack a discipline, but also because other disciplinary uses do not quite capture what I am doing, in which I have not been trained. In doing what I do, I am indebted to Lauren Berlant's thoughts on what it means to be 'on the case'. But because I lack training in my method, my research became a project too, to find grounds to allow for doing research without training in it, and speak up in the space of academia, and the social sciences specifically. The social sciences teach and train you in a method, and also reward you with the mark of qualification, a PhD, when you perform your method and hence research properly, a testimony to using tools skillfully. Lacking training in a method, know-how, in the next chapter, I identify myself as an intellectual or amateur instead, as understood by Edward Said. I identify myself as someone who takes the liberty to speak, in piecing knowledge together, and building her cases. In taking the liberty to speak, I presuppose my equality, as Jacques Rancière would say, whose thinking plays a significant role in my research.

So far, that is how I see what happened after all this time and as far as I can tell from where I am situated, which is between disciplines, suspended, like a bridge. And my project is about interdisciplinarity too, because of the politics of knowledge production, the politics of doing research without a proper method initially and lacking training in it still. In other words, rather than just refer to my research and position as interdisciplinary, it means something in particular: in-between disciplines, suspended, equality happens.

My research and what turned out to be my method, puzzling included, originate in detailed observations. Hence my adventure, and I find myself on the road to hell for 'the devil lies in the detail', as popular wisdom or folklore has it. I say my adventure, but by this time it is ours, like my interdisciplinarity, if you accept my invitation and join me on the road to hell.

Before we meet the devil however, I first sketch my research. My research is on consumers who do not do their duty and merely consume, among which so-called adbusters and Harry Potter fans. They are disorderly in practicing popular creativity, that is, by engaging creatively with mass cultural signs in which politics are involved. I then discuss the literatures into which my research and cases open out, in hindsight. I discuss the first set of literatures because my research is threaded through it. That is, these different literatures about consumer society and consumer capitalism make my cases relevant to wider scholarly concerns that resonate through my cases. These literatures also help me set the stage for my research, namely where they touch on modernization, doing things differently to advance social change. The second set of literatures I open my research out into is where I situate popular creativity and the politics involved, namely in the context of cultural studies. Before I summarize my research cases and arguments briefly, I discuss my method. At this point, in the introduction, I discuss my method not specifically as a case-method, of sorts, or the politics involved, which I do in the next chapter, but call attention to the epistemological underpinnings of what I am doing. I am what Avery Gordon (1997) refers to as a 'situated investigator' who builds her cases based on detailed observations, similar to the detective, and who offers 'situated knowledge' (Haraway 1988). I am not like Sherlock Holmes, although I do like to account for the unexplained, what remains a mystery, puzzling. However, I make my cases without the scientific method, without the power of positivist science. Furthermore, my cases are closed, but not solved, and open to contestation, based on the detailed observations of others. My research, performed by the detective, a popular culture favorite, offers popular knowledge. But my research also offers popular knowledge because I situate myself among people, again, as understood by Jacques Rancière. He appears in this chapter as well, but not until the next chapter, on methods, does he take centre stage. To be clear, he does not provide my research with an analytical framework, but helps me to

create space for it, and to make being in-between disciplines matter or count. According to Rancière, people, those unaccounted for and who do not count, are the ones who presuppose equality on the terrain of what he refers to as police. When they do, politics happen. People are the ones that start empirically from detailed observations, practice 'piecing knowledge together' as their 'method' or case-method, without training in it, and take the liberty to speak instead, in the space of academia. People are intellectuals who are amateurs too, as well as detectives.

Before I continue, I state the purpose and contribution of my research.

The purpose of my research is to investigate popular creativity and the politics involved, in two different cases. I situate popular creativity and the politics involved in the context of cultural studies, which frame the content of my research cases.

The purpose of my research is also to put equality, in the case of popular knowledge, on the map of cultural studies, in addition to popular creativity, and identify it as interdisciplinary, as opposed to having it on the horizon, as a promise to be delivered on or goal to be reached, to qualify for. In this case, such a qualification is embodied in the proper training and demonstration of methodological skills, or know-how.

The purpose of my research is furthermore to put the case method on the map, how I practice it, interdisciplinary. Empirically, I rely on detailed observations, what there is to see and observe, but not on the scientific method. I am moved to investigate what I am puzzled about, based on detailed observations, by wondering and wandering about, on which and for which I build my cases. In the interdisciplinary space, I propose and practice building cases and making sense, as opposed to common sense, which is 'situated knowledge'.

Ultimately, the purpose, and contribution of my research, and our adventure, is to do things differently, 'to do one more thing than what is being done', methodologically, which,

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given the politics involved, changes who counts as a body of knowledge, suspended, in-between disciplines, at the Social Science Program, at the Maxwell School, in 2014.

Research

At its most generic, broad, or basic, my research involves consumers who do not merely consume, and who, as such, do not stick to their role in the social order. Consumers who do not merely consume are instead being disorderly and creative with mass cultural signs and their meaning. They practice popular creativity. Disorderly consumers are creative, and to a certain extent, given how popular creativity is being practiced, they affect the form it takes. Thus, the consumers that are involved in both my research cases, and what they share, is that they are disorderly not merely in their consuming. What they also have in common is that they practice popular creativity, because they creatively engage with mass cultural signs, albeit differently, and to a different effect, given the politics involved. My research thus involves two different kinds of disorderly consumers who both practice popular creativity, and in which politics is involved.

More specifically, in one case, my research involves consumers that target and attack advertisements, which are increasingly everywhere, constantly reminding us to keep consuming. Placing advertisements under attack creatively results in different advertisements, the form they take aesthetically speaking, because after having been attacked they no longer look and feel the same as compared against typical advertisements, as we know them. Advertisements as we know them include both original and familiar advertisements, actual advertisements, which are being attacked too. Advertisements unlike we know them, after their attack, have different agendas, beyond interrupting the reminder to consume, and as constituted by how they are reimagined. How they are reimagined includes whether it involves the original and familiar advertisement as a point of reference. Attacking

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advertisements is referred to as adbusting, by those who first practiced and coined the term, and in the literature. The disorderly, creative and active consumers who practice adbusting are adbusters, who are unlike passive consumers.

My research also involves a story that enjoys widespread, mass or popular appeal: as a story that is widely distributed, read and consumed, as well as being retold otherwise, or creatively reimagined. The story is retold otherwise in relation to its characters, their storylines, and the setting in which it unfolds, by consumers who are fans too. In being retold, the story is no longer exclusive to the author, and alternative meanings proliferate that resist and undermine closure on it. The properties, the identity of the story and its characters are shared among fans who are storytellers too, and who join the author in the telling of the story, alongside her, creative and active as participants. Told and imagined otherwise, what is known as fan fiction, the stories written by fans are not widely distributed or spread, and hence read. They do not have a mass-audience. The stories are shared by the fan community, stored and contained in online archives, among thousands of other stories. The story is that of the boy wizard Harry Potter, written by the author J.K. Rowling. Specifically, my research, around which fans, their creativity and consumers in general orbit, involves a legal dispute over copyright. The author, together with Warner Brothers Inc., mobilized the law because of the publication, by a fan, of a dictionary, his, that accompanies the story. The dictionary is known as a lexicon into which the language of the world of Harry Potter is cut, copied and pasted.

Research Literatures

Consumer society & Consumer Capitalism

I think of the consumers that are involved in my cases as disorderly, not doing what they are supposed to be doing, their *duty*, namely consume. Thus, my qualification of consumers who

do not merely consume and who are disorderly instead situates it in the context of a view on consumer society that qualifies consumption as a duty. As the editors of *The consumption reader* (Clarke et al. 2003) propose, to refer to consumer society is to indicate that "'membership of society' is defined first and foremost by the fact of being a consumer" (Clarke et al. 2003, 20) who is supposed to consume as her "duty" (Clarke et al. 2003, 27). As a member of society, her role and obligation in the social order, which keeps the order, is to consume. Frank Trentmann (2006, 2) explains that historically speaking, consumption has happened throughout the ages, but it was not until "the modern period" that the consumer developed as an "identifiable subject and object". To identify as the role of the consumer her duty to consume, to keep the order, makes her into a quintessential modern phenomenon.

For to pursue, create and keep social order, Sam Binkley (2008) observes, with specific reference to the sociologist Zygmunt Bauman, is the mark of modernity. Modernity also sees community displaced by society, as a variety of social commentators argue in the attempt to come to terms with historical changes. These changes take shape, as for instance Chris Jencks (2005, 17) points out, as "capitalism, industrialization, bureaucratization, urbanization, and ever refined modes of the division of labor". In addition, he identifies as the project of modernity, and modernization, "progress", as well as "freedom and equality" (Jencks 2005, 17). Thus, in association with duty, any society, consumer society included, exists by virtue of a social order, of its members doing what they are supposed to be doing. In keeping to our place and part, or role in the social order, in the absence of traditional authority that held communities together, society sustains itself. Furthermore, ordering as a modern and on-going project in the absence of traditional authority aims to "reduce and eliminate the presence of uncertainty and ambivalence in social worlds" (Binkley 2008, 604). Ordering, putting and keeping people in place is thus at odds with advancing progress and social change, which involve doing things differently, and which upsets the social order. To

press ahead anyway, and create disorder, is to take the risk of upsetting the social order. We have become increasingly averse to taking risks, a sign, according to Ullrich Beck (1992, 61) of an "insecure society".

Specifically, Zygmunt Bauman (1989) points out, in his sociological attempt to come to terms with modernity at its extreme, namely in the context of the Holocaust, order and duty in combination with discipline and loyalty are also the hallmarks of bureaucracies. Bureaucracies are a most modern type of organization and command "obedience to organizational rules, and dedication to tasks defined by superiors" (Bauman 1989, 160), taking orders. In addition, obedience and dedication, doing one's duty, delivers a sense of righteousness, of doing the right thing, independently of the content of that which one is doing, which substitutes for a conscience. Doing one's duty, as a moral obligation, substitutes the means for the ends. Bauman (1989, 13) argues: "[T]he Nazi mass murder of the European Jewry was not only the technological achievement of an industrial society, but also the organizational achievement of a bureaucratic society." In other words, "[B]ureaucracy is intrinsically capable of genocidal action." (Bauman 1989, 106) Whether it results in such action depends on whether it meets with "another invention of modernity: a bold design of a better, more reasonable and rational social order –say a racially uniform, or a classless society –and above all the capacity of drawing such designs and determination to make them efficacious" (Bauman 1989, 106). In the aftermath of the Holocaust, Bauman (1989, 151) calls attention to the feeling that "we must now fear the person who obeys the law more than the one who breaks it", which was most urgently felt immediately after WW II. In addition, he argues that in the absence of traditional authority, "the only checks and balances capable of keeping the body politic away from extremities can be supplied by political democracy", which for Bauman refers to "life under conditions of pluralism" (Bauman 1989, 165). More broadly, democracy happens in the absence of uniformity and the

presence of conflict, disorder. My brief historicized detour on modernity, while disproportionate to the stakes involved in my research given the detour's concern with genocide, is to call attention to the fact that doing one's duty can feel like doing the right thing. Doing the *right* thing as one's duty, to consume, is a moral sentiment that adbusters leverage and challenge by making consumption into the *wrong* thing to do, and by associating it morally with feelings of shame and guilt instead to effect their respective politics. Furthermore, the detour also foreshadows the yoking together of interdisciplinarity, the suspension of discipline(s), which in the Maxwell school dates back to 1946, and democracy. I perform this yoking together to create a space for, and come to terms with what is also a bureaucratic demand, for qualification, and that asks for training in a method as a condition for the proper production of knowledge: based on know-how, to keep the order. However, rather than pluralism in relation to democracy, I have equality in mind. Equality is a disordering mechanism, because in my understanding and mobilization of it, it introduces onto the scene, as a surprise, the unaccounted for, people without a place in the social order, and that upset it. Such people are unidentified, and unidentifiable, until they appear.

Keeping order, acting properly as befits our duty and identity, which is 'a performance of approved categories' (Traber 2001, 53), following rules and obeying the law, acts as a constraint on and in our actions, and renders us social, and potentially 'undemocratic'. In addition to external constraints, Chris Jencks (2005, 144) in his discussion of subcultures, identifies internalized constraints such as "taboos" that "police" us, and hence 'functionalize' us for and maintain the social order. Yet, order, maintaining it, in providing stability, also discourages us and prohibits us from doing things differently, social change, which disorder, "the negativity of chaos" (Bauman 1991, 7) signals. Disorder, including interrogating and challenging constraints, duty and discipline, is therefore not mere negativity or chaos, but indicative and promising of change, which indeed intervenes in social

reproduction and continuity, society and the social relations that constitute it. Specifically, what is being safeguarded by order, social reproduction and continuity, as David Chaney (1994, 58) in *The cultural turn* points out, is "the recreation of … those aspects of collective experience which can be seen to act as stabilizing and confirming structural relationships of power, property and privilege". To prohibit change, and contain instability, both of which also "test and force authority and tradition – truth and certainty up for question" (Jencks 2005, 144), is to perpetuate these structures, and the social inequalities they give rise to. Nevertheless, these structures are struggled over, including on the terrain of culture, and symbolically. In the end, what disorder offers is a glimpse of the arbitrariness and artificiality of social order, and authority, which keeps us in our place, *subject to inequality*. As Jacques Rancière (1995, 83) puts it: "[S]ociety is ordered in the same way as bodies fall to earth. What society asks of us is simply acquiesce: what it demands is our consent." Society asks us to consent to inequality, which according to him is "inherent in the social bond" (Rancière 1995, 83). And, "[E]xisting without reason, inequality has an even greater need to rationalize itself at every moment and in every place." (Rancière 1995, 83) For instance, in the bureaucratic demand for qualification.

The emphasis on and embrace of disorder as opposed to order, according to Mike Featherstone (1991) in *Consumer culture and postmodernism*, temporally marks and signals postmodernism. Disorder goes hand in hand with a "de-hierarchizing impulse", or "the equalization and leveling out of symbolic hierarchies", a "general impulse towards cultural declassification" (Featherstone 1991, 65). In addition to disorder, Featherstone lists characteristics of postmodernism that are widely recognized, such as fragmentation, *as opposed to* totalization, society included, anti-foundationalism and relativism. As John Frow (1997, 16) points out in *What was postmodernism?* qualifications that distinguish between modernism and postmodernism "rely on a binary logic", to promote, nevertheless, "the very

things that appear to stand against binary logic", such as equalization. Among the kind of de-hierarchization Featherstone (1991, 109) has in mind, he includes the distinction between high art and mass/popular culture, which results in "images of cultural disorder" that present "symbolic specialists" with the opportunity to make sense of them. Overall, as a result of equalization, the deconstruction of symbolic hierarchies, "a more playful, popular democratic impulse becomes manifest" (Featherstone 1991, 109). 'Popular democratic', not only because Culture is no longer privileged at the expense of culture, but also because symbolic specialists in the context of equalization are no longer exclusively privileged to come to terms with 'cultural disorder'. Featherstone (1991, 127) credits "people" with the ability too, to "stabilize signs into classificatory schemes", which "possess a practical coherence and symbolic dimension". As such, people, and their classification schemes, do not seek and establish a "logical and rational consistency and plausibility that is more central to the practices of symbolic specialists" (Featherstone 1991, 127). Featherstone's appreciation of people resonates with academics that do not see people, consumers specifically, as cultural dopes, at the mercy of ideology, manipulated or passive. Instead, they see them as able and active instead. Such academics are most prominently present in cultural studies, which I discuss in my next section, in relation to politics. Featherstone's finer point is, however, that people know how to make meaning, albeit by doing it differently from symbolic specialists, yet nevertheless on equal footing, which meets with resistance on the part of specialists. For Featherstone (1991, 88) furthermore argues: "intellectuals will always seek to increase the autonomy of the cultural field and enhance the scarcity of cultural capital by resisting moves towards the democratization of culture", the democratization of meaning making, know-how. Except for "outsider intellectuals" who "may contemplate the threat to the established order with less than concern" (Featherstone 1991, 56). People in the figure of outsider intellectuals who, in the name of "democracy and equality", "attack" the system of classification that not

only disqualifies "popular, mass and postmodern culture", and proclaim its "virtues" instead, but also might attempt "a reconstitution of the symbolic hierarchy in favor of the outsider group" (Featherstone 1991, 56). Featherstone (1991, 56) argues that outsider intellectuals are not making the latter move yet, and which may be no longer even a "realistic possibility today" (i.e. 1991). Why not? And what about today? Is it because alongside postmodernism, postmodernity has surpassed modernity, and thus also its concern for modernization, progress and social change, equality included? Is it thus for instance no longer a challenge for cultural studies to democratize culture, after making popular creativity and culture worthy of study? Could cultural studies not embrace popular knowledge too? Does that knowledge have 'practical consistency and a symbolic dimension', instead of 'logical and rational consistency and plausibility'? Based on my methods chapter, I propose that the time of the 'outsider' intellectual (and amateur), de-hierarchization and equality is here, and now, in-between disciplines.

If, in consumer society it is thus our duty to consume, my dissertation became a project in part because of consumers who do *not* just consume, and do their duty, which the brief and earlier sketch of my research suggests: consumers who bust ads, write fan fiction and publish a dictionary. Disorderly consumers attracted my interest, specifically the popular creativity their disorderliness results in, and to what effect, which implicates politics too. What attracted my interest were consumers who were disorderly and creative in making meaning out of existing mass culture and signs, images like advertisements and stories, an activity that also creates forms of popular culture and around which consumers connect and cohere, share an identity, as subcultures of sorts. Rosemary Coombe and Andrew Herman (2001, 922) define popular culture, quoting John Fiske (1989), as follows: "activities that use the resources of mass-mediated commodity forms in alternative cultural and moral economies where new understandings, values, pleasures, protocols and proprieties are produced". Fan

cultures, unlike the popular culture of adbusters, are well researched (e.g. Jenkins 1992; Hill 2002; Hellekson & Busse 2006; De Kosnik 2009; Booth 2010; Veale 2013). While fans and their creativity often lack social and legal recognition their cultures receive scholarly recognition for instance for being non-hierarchical, a community infused with a "communal spirit" (Hellekson & Busse 2006, 6). In addition, fans receive recognition for embracing a gift culture and economy (e.g. Hellekson & Busse 2006), for 'sharing and reciprocity' (Veale 2013) around which they also cohere. In this context Bertha Chin (2010) refers to fans as 'textual gifters'. In this context, questions are also being asked about 'whether fan fiction should be free', or commercialized instead (e.g. De Kosnik 2009; Noppe 2011).

It is not only fans who create their own, popular culture. Douglas Holt (2002, 72) in relation to brands, specifically registers how consumers are "seeking out spaces in which they produce their own culture, apart from that which is foisted on them by the market", and apart from the cultural authority of marketers. Their authority, by critics of consumer society too, is strongly associated with and read into advertisements, and their authority to manipulate us. Brands are not associated with such manipulation, in part, it seems, because their meaning, and the context within which they find themselves, online included, is more difficult to control and manage on the part of those who have a commercial interest in them. Yet, there is potentially more at stake around popular culture than what Holt (2002, 72) identifies as "the pursuit of an alternative lifestyle", and "a reworking of identities", and as Coombe and Herman suggest, politics included, which I address in my next section.

Furthermore, while consumer and popular creativity is an activity, in both my research cases it is valued differently, among those doing it and those looking at it. In the case of adbusting, popular creativity is first and foremost critical. I argue that busted ads as critical are addressed at those of us, non-critical consumers, who are being duped by advertising, unlike adbusters that bust them. Furthermore, rather than the duty to consume, as

that which feels like the right thing to do, adbusters instead engage different moral sentiments, and their framing, as constitutive of the attempt to effect social change. In the case of fan fiction, popular creativity is first and foremost pleasurable. Disorderly consumers fully exploit consumption as enjoyment, making the object of consumption theirs to enjoy, in excess of what is considered to be proper and the legal property of others, and as opposed to consumption as a mere duty. During the lawsuit, the dictionary is dismissed as lacking any activity and creativity: it is based on copying, *lazy*. Critical popular creativity, the difference it makes to advertisements, can be sold, whereas as pleasurable popular creativity, the difference it makes to the original story cannot, and runs into the law. That is, the difference adbusters make to advertisements in busting them is published and sold in a magazine, *Adbusters*. The difference fans make to the story and world of Harry Potter, and their popular creativity is monitored closely, as well as filed away in online archives.

As critical creativity, adbusting creates meaning and symbolic value for the image of the rebellious consumer. Some trace 'the rebellious consumer' back to the 1950s and 1960s counterculture (Frank 1997; Heath & Potter 2004). At stake, then and now, is what Douglas Holt (2002) identifies as existential freedom and authenticity. Consumers who identify themselves as rebellious can buy *Adbusters*. Adbusting, its activity and creativity as images for rebellion, its value, is caught up in the "political economy of sign value" (Goldman & Papson 1996, 18). The commodification of disorder helps to contain its disturbing effect on the social order. As long as we buy the magazine as opposed to act on what the busted ads propose not much changes. Yet, whether the busted ads themselves could function as advertisements, for the products and brands involved, is open to debate. As Robert Goldman and Stephen Papson (1996, 19) ponder: "we are less convinced by the capacity of advertising to contain crisis tendencies", which busted ads potentially embody, or point towards. They

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cite Benetton's controversial advertising campaigns as testing the boundaries of what is permissible in advertising. Adbusting more likely and more promisingly crosses it.

As enjoyable, fan fiction creates meaning and symbolic value in excess, which is problematic, as the threat of legal action and the risk of being sued is a testimony to. The resort to the law is an attempt to restore authority and control over ownership of the original story. In addition, Rosemary Coombe and Andrew Herman (2001, 922) argue that intellectual property laws "shape forms of symbolic practice", and maintain the social order, by keeping consumers limited to doing their duty. That is, by keeping popular creativity, the meanings generated within the boundaries of archives, that are policed from the inside and outside, based on what is proper, property is also secured as private, and as sacred.

In relation to popular creativity, in both my research cases originality matters, to the author and Warner Brothers Inc., and to those disobedient and disorderly fans that dismiss their popular creativity as mere play, and practice, in preparation for writing more original stories of their own. As a kind of play in preparation for writing 'grown-up stories', which marginalizes fans and their fiction, and which is legally tolerated on fan fiction websites, it is not a direct threat to the social order. In fact, as play it validates the order. I overheard this kind of talk, when I was reading up around the copyright dispute, in commentaries on fan websites, and which recognize J.K. Rowling's story as (the) original. Originality matters also in relation to the busted advertisements I look at in particular that leverage it in combination with the sense of familiarity that originality also embodies, to pursue their critique of consumer society, to effect change, notwithstanding their commodification. Given the centrality of originality, the kind of postmodernism, such as Jean Baudrillard's, that proposes that reproduction is all that matters today, and that the real is hyper-real instead, seems premature (e.g. Baudrillard 1994; 1998). For instance, looking at adbusting and fans, I do not sense that 'people are willing to forget about originary resources and revel in cynical

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indeterminacy', for better or worse, and which is how Zeus Leonardo (2003) summarizes Baudrillard's 'simulation theory'. The collapse of a 'sense of reference', where the postmodern is concerned, also informs theories of the postmodern, such as Frederic Jameson's 'cultural logic of late capitalism' (1998). Jameson (1998, 135) argues that time has collapsed, which leaves us nowhere, 'schizophrenic', disabled to (aesthetically) map our relation to the social order, "unable to focus our own present".

However, there is an element of waste associated with the excess disorderly fans create in consuming beyond their duty, which Leonardo also associates with Baudrillard's position, in which waste and excess replace economic production. The emphasis on excess and waste also mark the theories of Marcel Mauss and George Bataille. Generally, excessive and wasteful consumption, including enjoyment, is an affront to disciplined, hard work, which Featherstone (1991, 21) identifies as "the 'inner worldly ascetic conduct' celebrated in nineteenth-century 'self-help' individualism and later twentieth century Thatcherism". As an "auxiliary to work", consumption should be "orderly, respectable and conserving" (Featherstone 1991, 21). Hence for instance also why 'conspicuous consumption' is frowned upon, a term Theorstein Veblen first referred to in 1899 in the *Theory of the leisure class*. In particular, according to Veblen ([1899] 1970, 64), conspicuous consumption refers to the consumption of "more excellent goods" – "in food, drink, narcotics, shelter, services, ornaments, apparel, weapons and accoutrements, amulets, and idols or divinities". These goods are "evidence of wealth" such that their consumption is "honorific" and the failure to consume them communicates "inferiority and demerit" (Veblen [1899] 1970, 64). And like conspicuous leisure, what makes conspicuous consumption reputable, what bestows honor on it, is that it is "wasteful" (Veblen [1899] 1970, 64). As Daniel Horowitz (1980, 302) points out, Veblen, like other "conservative moralists" of his time, is caught up in what he refers to as "the paradox of the Protestant ethic", that hard work, and savings, might lead to a "life of

leisure and consumption", turning "virtues into vices", and increasing "the possibilities of materialism". Today, Juliette Schor (1998) is a vocal critic of conspicuous consumption, which she refers to as status and competitive consumption. Overall, competitive emulation and spending makes for 'dysfunctional consumers' that 'live in denial': "[W]e spend more than we realize, hold more debt than we admit to, and ignore many of the moral conflicts surrounding our acquisitions." (Schor 1998, 83) The first principle Schor (1998) lists in tackling status consumption and competitive spending is 'to control your desire'.

Desire is the culprit for many who engage with and critique consumer society, which for some is closely associated with images. The emphasis on images also marks my cases, the seduction they embody as advertisements, and the desired control over the image of the world of Harry Potter to secure its brand identity, namely as stereotype, an image that is frozen in the imagination. Consumer society and consumer capitalism thrive on images, which is also a 'society of the spectacle', as Guy Debord (2002) puts it. Image-driven, consumer society and consumer capitalism mark what Mike Featherstone (1991, 68) identifies as "the end of the illusion of relief, perspective and depth", and 'the triumph of desire over distance'. Nevertheless, in my research, images do not matter exclusively, and independently of words, the symbolic, which are what makes them matter, and contribute towards effecting the politics involved: the framing or captioning of busted ads and the words spoken by the author, her life-story. Words, the symbolic, enact "strategies of distanciation" (Featherstone 1991, 68), which in the case of adbusting is also embodied in defamiliarization, of the original advertisement, which places us at a certain distance from what we are looking at. Furthermore, in restoring a sense of distance and propriety, desire is thwarted, such that consumption is situated and can proceed properly, namely in perspective, and with respect for property, which requires distance to be appreciated and safeguarded. To create distance, intervening in desire, is not only a critical gesture in the case of adbusting, but also an attempt

at creating the kind of audience, in the case of fans, that like the audience of Culture is able to control itself, does its duty, and just reads, i.e. consumes. In addition, to thwart desire, in the case of adbusting, is also to 'jam' the motor of consumer capitalism, insofar as desire embodies the impossibility of being satisfied that keeps it running, not because it is first and foremost morally apprehensible. Zygmunt Bauman (2007, 46-47) in *Consuming Life,* captures the dynamic of consumer capitalism as follows:

> It is precisely the non-satisfaction of desires, and the unshakeable, constantly renewed and reinforced conviction that each successive attempt at their satisfaction has wholly or partly failed, leaves much to be desired and could be better than it was, that are the genuine flywheels of the consumer-targeted economy.

If consumption were to actually deliver satisfaction, we would consume less, which would result in over-productivity that jeopardizes the dynamic of the system, its reproduction. Our duty is to consume, to *keep on* consuming, unquestioned, as befits a duty. Adbusters in busting ads 'jam' the desire for but the impossibility of reaching self-improvement via consumption, and aim to divert it towards change, in a different register of improvement instead, towards different ends. Fans, on the other hand, rather than jam the desire for more, take the desire for more as theirs to be satisfied, by writing their own stories, available for free to others who cannot get enough of Harry Potter, and his world, even, and especially if imagined otherwise.

The suspicion of desire in relation to consumption, insofar as it signals the lack of agency and surrender, goes hand in hand with the lack of agency and surrender consumers are suspected of when consumption is driven by false needs, our embrace of which is due to manipulation. As Herbert Marcuse states in *One-Dimensional Man* (1964), the pursuit and fulfillment of false needs is prompted by ideology or 'false consciousness'. Such fulfillment delivers "repressive satisfaction" (Marcuse 1964, 8), which is a form of 'social control' that

'keeps us incapable of being autonomous', it embodies 'servitude', and 'sustains our alienation'. Furthermore, true (economic) freedom, according to Marcuse (1964, 6) is "freedom from the daily struggle for existence, from earning a living", and in addition, "from being controlled by economic forces and relationships". Real power is our freedom to command all aspects of our lives, which is precisely what democracy means to him. After all: "free election of masters does not abolish the masters or the slaves" (Marcuse 1964, 7). It is this kind of radical freedom that a specific form, adbusting, and its politics of defamiliarization touch upon. At least that is how I see, and make sense of one particular busted ad and its politics, *what* the busted ad means. *How* the busted ad means, in relation to consciousness, false or otherwise, that is, whether there are politics involved, and whose, in the form popular creativity takes, I address and discuss next.

Cultural studies & politics

Are there politics involved in *not* doing your duty as a consumer, in not reproducing the social order, in disorder, in practicing popular creativity, and in the resulting forms popular culture takes, and is allowed to take? I first situate popular creativity and popular culture in relation to cultural studies. Francis Mulhern (2000, 129) identifies popular creativity as "the very principle of cultural studies". I then address the question of politics, as it has been debated in cultural studies.

Cultural studies as a field of study has as its domain the study of popular culture, which has its origins in the UK. Today it can be found across the world, although not necessarily as a discipline or in departments, to be taught and researched as a field of study, even though journals and professional organizations are dedicated to it. As an export product it travels the world, which changes it, over time too. Since the still early days, in the 1970s, cultural studies has included mass media audiences and popular culture in its study of "the

cultural aspects of society", and in which "different disciplines intersect" (Hall et al. 1980, 7), as the editors to *Culture, Media, Language* point out, among whom is Stuart Hall. Stuart Hall is most closely associated with the origins of cultural studies, specifically in his capacity of director of the Centre for Cultural Studies at the University of Birmingham, arguably 'where it all started'. 'Cultural aspects of society' are those aspects of society that involve meaning making, culture included. Thus, while culture, like cultural studies, is a widely debated and contested concept, it is (therefore) also, as the authors of *Doing Cultural Studies* (du Gay et al. 1997, 13) put it: "inextricably connected with the role of meanings in society". At the heart of culture lies meaning, which as shared, as a collective representation, constitutes a fabric. Furthermore, meaning making, culturally speaking, is a signifying practice that establishes an identity. Both fabric and identity, as shared, bind and hold people together. Identity is indeed the first word that comes to mind when thinking of cultural studies today, followed immediately by otherness, and the politics of representing others, the power and domination involved. As well as, consequently, the move by others to represent themselves, which cultural studies makes room for, the politics of representation, difference, and on that basis the inclusion of excluded histories and subjugated knowledge. Thus, contemporary cultural studies engages with and foregrounds identity and difference, as well as, on that basis, inclusion and exclusion. Exemplary of cultural studies in the latter regard is for instance Sarah Ahmed's (2000) look at 'strange encounters', our interface with strangers and how it shapes inclusion and exclusion, and who belongs in society, as part of communities specifically. Cultural studies deals with the consequences of modernity, of establishing social order, which treats those who do not fit its social categories, and do not belong, as a threat and suspicious, Other, as "the disorderly outsider" (Binkley 2008, 605). In its attention to and concern for disorderly outsiders, the field of contemporary cultural studies is also indebted to its historic and geographic origins. British cultural studies manifested itself in relation to

working class youths, those on the margins of society and that protest it, stylistically, as a politics of dissent. Such protest is constitutive of their subculture, which, in turn, 'on the surface', expresses "the tensions between dominant and subordinate groups" (Hebdige 1979, 2).

Dick Hebdige (1979, 17) in a classic study on subcultures, brings together outsiders and the question of politics, of style, which combined signal "the breakdown of consensus in the post-war period". Style is a "symbolic violation of the social order", and is also a form of "speech", "which offends the 'silent majority'" (Hebdige 1979, 19). Style challenges the "principle of unity and cohesion, which contradicts the myth of consensus" (Hebdige 1979 18). Thus, unlike contemporary cultural studies, and its concern for outsiders and strangers to be recognized as people who nevertheless belong, the issue at stake in early British cultural studies is social conflict, and, by extension, social change. While Hebdige (1979) identifies style as an expression of politics, notwithstanding its superficiality, in the context of (British) cultural studies the question of politics is complicated, or not, because it seems to be everywhere: if there is culture, there are politics. And if there are culture and politics, there is the question and matter of ideology, as John Storey (2001) points out in *Cultural Theory and Popular Culture*. He quotes James Casey, who suggests, "British cultural studies could be just as easily described and perhaps more accurately described as ideological studies" (Storey 2001, 2). Storey observes that many competing definitions of ideology circulate, and lists and briefly elaborates on those, among others, by Karl Marx, Louis Althusser and Roland Barthes, which are also included in Hebdige's appreciation of subcultures.

Ideology complicates the question of politics, which at its most basic involves what Stephen Duncombe (2002, 6) identifies as the politics of disobedience specifically, namely "rewriting a shared set of symbols and meaning, that we all abide by". We abide by them, for instance, and in my research cases, by the sheer fact of consuming them, unlike disorderly

consumers who do not merely consume. At its most basic, disobedience, its politics, undoes fixed meanings, which are fixed, imposed and circulate also as a matter of politics, that is, in the interests of particular groups, their power, property and privilege at the expense of others. Thus, to fix meaning and impose closure on meaning and meaning making is to exercise a politics, and to unfix meaning and contest closure, on meaning and meaning making is too, a politics of resistance. As closure goes, stereotyping is a particular and most rigid form of closure, because, as Rey Chow (2002) points out in her discussion of *Stereotyping and Cross-Ethnic Representation*, it involves objectification and stigmatization. To pursue and perpetuate stereotyping is to exercise a cultural politics, of the "control and management" (Chow 2002, 54) of others, and otherness. In both my cases stereotyping plays a role, and is mobilized to effect politics. In the case of the copyright dispute over the dictionary, stereotyping aims to control and manage otherness, that of Harry Potter and his world, which fans generate through the fiction they write. In the case of adbusting, one particular busted ad I am looking at mobilizes the stereotypical image of homelessness, a stereotypical homeless man.

While disobedience as undoing fixed meanings is to exercise a politics of resistance, against power, property, and privilege, the question is whether the rewritten meaning is politicized, testimony even to an oppositional and revolutionary consciousness. The subtitle of *Adbusters* suggests that adbusters act out their politics on the terrain of consciousness, as it is a *Journal of the Mental Environment* and that adbusters are politicized. The question about politicization asks whether an ideological meaning, or what Stuart Hall refers to as a 'dominant-hegemonic meaning' is struggled over, and opposed. Ideology thus complicates politics, because it asks after politicization, an oppositional consciousness, as well as after who is in charge of it. That is, whether people are capable of arriving at it on their own, as Hall assumes. Alternatively, the assumption is that people need to be shown by others what is

really going on, which they do not and cannot see, and which goes against their real interests and needs. The fact that people do not and cannot see it presupposes a false consciousness that inhibits them from seeing, and realizing an oppositional consciousness, and their interests. False consciousness explains why people act against their interests. Finally, rather than assuming that people do not know what is *really* going on, do not see it, the issue is whether people need to be led, initially, to *fully* understand what is going on, in theory.

The concept of false consciousness in relation to ideology is what Michèle Barrett (1991, 5) refers to as a "vexed idea" in Marxism and Marxist theory, especially given that "it seems that Marx never used the expression 'false consciousness'" and it originated with Engels ("its locus classicus is Engels' letter to Franz Mehring in 1893"). Barrett (1991, 7) identifies 'false consciousness' as "the strongest form of the 'epistemological' definition of ideology", because it is defined in opposition to knowledge, which Marx does talk about. That is, Marx talks about ideology in relation to knowledge, and in relation to vision specifically by means of, for instance, the reference to the 'camera obscura' in the *German Ideology*. Ideologically speaking, we are caught up in illusions and mystifications, which can be unmasked and unveiled, "by knowledge" (Barrett 1991, 9). Our eyes are not very trustworthy because what we see through them is the opposite of our interests. Thus, what matters most is our eyes when it comes to knowledge: their unreliability. False consciousness, in relation to sight, is also closely associated with Georg Lukács in his analysis of how class-consciousness fails to develop, which he attributes to partial seeing. Partial seeing in turn is the result of reification and prevents one from seeing the whole, which is necessary for a revolutionary consciousness (Eagleton 1994). Terry Eagleton (1994, 184) points out that the emphasis on and the appreciation of the whole is Hegelian, for it assumes that "'the truth lies in the whole'". False consciousness furthermore shades into Louis Althusser's definition of ideology. As Martin Jay (1994, 374) points out, Althusser

identifies ideology "with reliance on sight of any kind" and most of us, to him, are "trapped in a hall of ideological mirrors" (Jay 1994, 376). The reliance on sight in Althusser's definition of ideology and in which most of us are trapped manifests itself in the imaginary, a concept he borrows from the psychoanalyst Jacques Lacan. We live our lives in the realm of the imaginary, which as Terry Eagleton (1994, 215) puts it, "veils from our eyes the way subjects and societies actually work". Images, and appearances, and the ego (the I/eye), cannot be trusted. What we trust we see is false, "from the standpoint of theoretical knowledge" (Eagleton 1994, 221). Only theoretical knowledge can reveal the "concealed connections of society", which is available to the "dialectical reason of the philosopher only" (Eagleton 1994, 221). The rest of us have no true insight into it. Society, on the whole and as a totality, cannot be represented or grasped, which in class society ensures that people keep to their place in it, unaware of how they are exploited. After class society is abolished, and exploitation overturned, our eyes will still be veiled however, for 'social processes' are too 'complex' and 'opaque' for us to come to terms with. Ideology, even though it constitutes 'false insights', compared to true theoretical knowledge, helps us to 'find our way around in it [i.e. society]' (Eagleton 1994, 220).

Stuart Hall (1980) in *Encoding/Decoding* is of a different mind when it comes to ideology, our ability to make meaning, know the totality, and whose it is. He places meaning making, 'the politics of signification', in the context of a communications model, and in relation to different viewing positions among the audience. Hall (1980, 137) identifies a producer, or encoder, of meaning, and a receiver, or decoder, of meaning and puts forward the argument that "decodings do not follow inevitably from encodings", "they are not identical". Because while the audience can accept the message and meaning communicated, which as the given or proposed meaning is the dominant-hegemonic meaning, the audience can also negotiate, or unfix it. Or reframe it in an oppositional frame of reference, which is to

'detotalize' the message in the preferred code in order to 'retotalize' it in an oppositional one, which in his example is to substitute the reference to 'national interests' with one that identifies 'class interests'. The most significant moment politically speaking is when negotiation gives way to opposition, and we realize an oppositional consciousness when we are able to 'totalize the social order'. Terry Eagleton (1994) points out that not only from the perspective of class is it necessary to see and have insight into the whole, as a condition for class consciousness and class interests, emancipation from exploitation to materialize. Such a perspective is necessary for any group or class that is oppressed, for instance, "[I]f women are to emancipate themselves, they need to have an interest in understanding something of the general structures of patriarchy" (Eagleton 1994, 182). And as suggested by Hall's model, anybody is capable of his or her own accord, independently and individually, to arrive at such an understanding. Antonio Gramsci, from whom Hall borrows the reference to hegemony, does not offer quite such a viewing position for the realization of an oppositional consciousness. Instead, he makes a distinction between leaders and led, and identifies the organic intellectual as uniquely situated in terms of theory to come to terms with class-consciousness and class interests.

In rejecting ideology, Robert Miklitsch (1998) argues that Stuart Hall in *Encoding/Decoding* 'opens the door' to a kind of cultural populism that uncritically celebrates how people make alternative uses of meaning on offer by commercial culture, by enjoying it in ways that are unintended and unpredictable, as a form of politics. As Ernesto Laclau (2005, xi) points out, "the referent to 'populism' has always been ambiguous and vague", but implicates 'the masses' and 'the people'. Qualifications for that which is considered populist are "intellectually poor" (Laclau 2005, 16), "irrational" (Laclau 2005, 16) and "immature" (Laclau 2005, 18). Fans too enjoy commercial culture as unintended and as unpredictable, beyond mere consumption, which while it might lack an oppositional,

revolutionary, politicized consciousness, is a challenge for those who stake a claim on, and have an interest in ownership in culture: those in a position of power who seek to control signification, and inhibit or circumscribe participation in the creation of meaning, and its proliferation. Legal threats keep a lid on the activities of fans that, at times, are also willing to go along with the law, because they respect it and what it seeks to uphold. Miklitsch (1998) cites John Fiske as 'exemplary' of cultural populism. John Fiske (2000, 309) for example identifies "proletarian shopping", window-shopping with no intention to buy by (unemployed) youths in shopping malls, "cathedrals of consumption", as an "oppositional cultural practice". Fiske (2000, 309) cites Michel de Certeau in support, which makes the connection with his 'popular tactics', specifically how proletarian shopping is what "peasant and folk cultures" used to do too: 'exploit their knowledge of the rules of the game to mock and invert them instead, which frees them from their discipline'. The "young people" (Fiske 2000, 309) are supposed to be consuming, as their duty, instead they are just looking, defying it, and "offending real consumers" (Fiske 2000, 309), as well as "the agents of law and order" (Fiske 2000, 309), the security guards that police the malls.

The appreciation of folk, and peasant or popular culture as potentially subversive of the existing social order, and as ambiguous in relation to an oppositional consciousness, reaches back to the carnival, a form of "popular protest" (McNally 2001, 143), as David McNally (2001) explains in the context of Mikhail Bakhtin. Bakhtin's work demonstrates that "the masses" are not just "dominated" by "fear and superstition" (McNally 2001, 143), but neither are they "the common people" (McNally 2001, 149), as a form of "romantic populism", "forever subverting the dominant social order" (McNally 2001, 149). There are "tensions and contradictions" (McNally 2001, 149) that complicate their subversion, consciousness and politics, which is unsystematic, a point Gramsci also makes in coming to terms with what constitutes an oppositional consciousness. Nevertheless, carnival, popular

culture is two-sided, to be taken seriously, not only in harboring subversion *and* accommodation, but also because it holds a future promise and embodies "utopian aspirations", of "equality and abundance" (McNally 2001, 151).

In engaging the language of hegemony, as opposed to ideology, and in relation to an oppositional consciousness, Hall references the Italian intellectual Antonio Gramsci (1891-1937), whose writing, as *Selections from the Prison Notebooks* (1971), became available in English translation in the 1970s (Artz & Murphy 2000). Mark Rupert (2003, 181) points out that Gramsci's writing, its "legacy", is "rich if eternally inchoate", which might explain why it is open to interpretation, and different accentuations, among '(neo-) Gramscians'.

As Stuart Hall (1988, 53) explains and by adopting an outspoken and widely accepted Gramscian position, in a well known lecture on Thatcherism during the conference *Marxism and the interpretation of culture*, "[H]egemony is constructed, through a complex series or process of struggle." We are not coerced to accept certain meanings, nor are they imposed on us. Nor do we go along because we are deceived by certain meanings, and suffer from false consciousness. Hegemony as 'consent' has to be won and reproduced. Lee Artz and Bren Ortega Murphy (2000, 40) in their discussion of Gramsci, go beyond hegemony as limited to interpretative struggles, and point towards practices: "hegemonic apparatuses, to be found throughout society", "build consent by establishing accepted practices through sheer repetition ('this is the way we do things around here') then legitimizing them as valuable and natural ('this must be the best way to do things')". Legitimizing them as valuable and natural, as the way we do things around here, is to maintain "hierarchical relationships and vested interests" (Artz and Murphy 2000, 4). Hegemony as consent is consent to hierarchical relationships; consent to social inequality. Furthermore, accepted practices create a common cultural language that sustains them. To challenge how things are being done, including the language that is being used to institutionalize and sustain them, as well as 'hierarchical

relationships and vested interests', is thus to engage in a counter-hegemonic practice. A counter-hegemonic practice is only transformative of social relations, according to Mark Rupert (2003, 186), if it results in counter-hegemony, and not "simply" in "another hegemony rearranging occupants of superior/subordinate social positions".

In the context of 'counter-hegemony' Mark Rupert (2003, 181) argues that Gramsci's writing provides a "conceptual vocabulary", as well as a "critical pedagogy" (Rupert 2003, 186) for a "transformative politics" (Rupert 2003, 181), enacted by a "collective agency" (Rupert 2003, 186), and vis-à-vis "the historical relations of capitalism in particular times and places" (Rupert 2003, 186). He points out that politics, and the collective agency involved, is premised on a division between and a coming together of 'leaders and led'. Leaders, who are also organizers and intellectuals, make up a "group of people 'specialized' in conceptual and philosophical elaboration of ideas" (Gramsci 1971, 334). The led on the other hand, similar to student vis-à-vis teacher, and the masses vis-à-vis intellectuals (Gramsci), are in possession of a 'common sense' (Gramsci 1971), or "popular common sense" (Rupert 2003, 186). Gramsci (1971, 336) writes that the common sense of the led, the "principles and problems raised by the masses in their practical activity", is incoherent and unsystematic, potentially contradictory and as such "lacking in critical unity" in relation to their conception of the world, which requires theory. *However*, common sense, while it is not fully politicized at the level of consciousness, because under-theorized, or not fully theorized, is not false, even if it is not always progressive either. In fact, it is the problems that the led and their common sense identify that intellectuals, by making "contact" with the led, and "on a scientific plane" (Gramsci 1971, 330) should engage with. After all: "the philosophy of the part always precedes the philosophy of the whole, not only as its theoretical anticipation, but as a necessity of real life" (Gramsci 1971, 337). In the problems of the led, and in the contact made, leaders and led come and develop together: "[O]nly by this contact does a philosophy

become 'historical', purify itself of intellectualistic elements of an individual character and become 'life'." (Gramsci 1971, 330) In addition, for the problems of the led to be solved, it requires "acting as an organic totality" (Gramsci 1971, 327). Mark Rupert (2003, 187) identifies the coming together of leaders and led as 'initially asymmetrical', "in the context of capitalist modernity", a context which should explain how and why the division and asymmetry, specialization, exists in the first place, and continues to exist, as the means to address and overcome other relations of inequality. Initially asymmetrical, the social relation between 'leaders and led' becomes reciprocal eventually through "processes of transformative dialogue and the concomitant reconstruction of social relations and identities" (Rupert 2003, 187).

But, why not practice equality, symmetry, if that is the aim, rather than presuppose inequality? Does it make sense to argue that to overcome hierarchical relationships, we nevertheless have to rely on, and consent to them initially? Is it because inequality is inherent in the social bond, ever since capitalist modernity? Modernity puts people in their place to keep the social order: there are leaders and led. Can we politicize, or disagree with and contest the hierarchical distinction between leaders and led, which is also a distinction between theory on the one hand, and practice and common sense on the other hand? What happens?

In coming to terms with politics, what it revolves around, Jacques Rancière does away with hierarchical asymmetries, in epistemic authority, and theory from the start, and 'presupposes equality', in practice, instead. Rancière embeds his move, to presuppose equality, in his understanding of the relation between teachers and students, which he qualifies as one of the 'equality of intelligences', to be verified. Starting from 'the equality of intelligences', teachers give up on teaching pupils their knowledge, to be mastered, as well as on making knowledge into an object, according to a 'protocol', and become 'ignorant

schoolmasters instead'. Furthermore, Rancière's politics is not concerned with oppositional consciousness, or agency, collective or otherwise, as a prerequisite for politics. Because equality is presupposed, in relation to, and on the terrain of what he refers to as police, politics happen. Politics happen, on the terrain of the police, but are not counterhegemonic: society is not transformed, on the whole, but is more equal in some places, where it has been verified, and this counts as a democratic advance.

Specifically, for Rancière (2004, 8), politics "revolves around what is seen and what can be said about it, around who has the ability to see and the talent to speak, around the properties of space and the possibilities of time". He premises his understanding of politics on the move to "define subjects in terms of capacity and not in terms of incapacity" (Rancière 2008, 75). An understanding he made with specific reference to Althusser, and as his break with him. In other words, politics revolves around what is seen, and what can be said about it, and we all know how to see and say something intelligible about, and make sense of what we are looking at. He thus embeds politics in radical equality, and with reference to people, or the *demos*, "the power of whoever", whose "specific difference is the indifference to difference", "the indifference to the multiplicity of differences –which means inequalities-that make up a social order" (Rancière 2009, 10). For instance, the indifference to the rationalization of inequality as voiced by the demand for qualification by means of training in which bureaucracies excel, issued to keep the order, divisions and people in place. People, the demos, do not pre-exist their arrival on the scene, they are not a category of people, the people, with an identity, that can be attributed to them to identify them. According to Rancière, people, which is anybody or anyone, are the 'the unaccounted' for. When they, or someone who is unaccounted for arrive on the scene, it is a surprise.

Furthermore, Eric Méchoulan (2004, 5) writes that for Rancière not only must people and appearances be taken seriously, but also that "[A]ppearances must be trusted", which is

"to avoid the usual structure of modern thought –structure of mistrust", which seeks to 'unveil', expose. Rancière sounds close to Stuart Hall (1988, 61), who in the comments section to his talk on Thatcherism tries to get away from a distrust of appearances too: "The moment you say 'appears', everyone hears 'that's how it appears, but it is really something else'. The notion that appearances are real is something that English finds difficult, philosophically, to say." If appearances are real, then there is not really something else going on, behind the scenes, and we no longer have to be suspicious. To reject suspicion, and to embrace capacity in favor of incapacity, places in question who knows best or better, on what grounds, and what can be known. To reject who knows best or better, including the critical pedagogy that informs Gramsci's counter-hegemony, is to reject, or 'denounce' "[T]he division of labor that keeps apart the intellectual's science and ordinary consciousness" as a "counterproductive mistake that perpetuates the metaphysics of presence and therefore traditional relations of domination" (Jean-Philippe Deranty 2003, 140). Giving up on the division of labor between 'the intellectual's science and ordinary consciousness' allows for the embrace of what Helene de Preester and Gertrude van de Vijver (2005, 289) refer to as "the metaphysics of non-presence", informed by the "observer's or knower's perspective", interpretatively speaking, the moment when "points of interpretation need to be argued for".

Rancière rejects suspicion, and criticizes the kind of social critique, and oppositional consciousness associated with it as paternalistic. Instead, he embraces what he refers to as 'the emancipated spectator', who is an observer too. We all know how to see, and can come to learn and know the meaning of what we see, make sense of it. In *The Emancipated spectator* Rancière (2011, 49) states that "there is neither a reality concealed behind appearances, nor a single regime of presentation and interpretation of the given imposing its obviousness on all". What it means is that "every situation can be cracked open from the inside, reconfigured in a different regime of perception and signification" (Rancière 2011,

49), reconfigured around 'what can be seen and what can be said about it'. What happens is that the spectator, "like the pupil and the scholar", "observes, selects, compares, interprets" (Rancière 2011, 17). Furthermore, "[S]he links what she sees to a host of other things that she has seen on other stages, in other kinds of places." (Rancière 2011, 17) Effectively, the emancipated spectator, the pupil and the scholar, equals, proceed in the same way in making sense of what there is to see, behind which nothing is hidden, and without a method, beyond making connections, which is also an 'intellectual adventure', and performance, resulting in an interpretation. Among equals, there is no 'radical distance, roles or territories', such that "everywhere there are starting points, intersections and junctions that enable us to learn something new" (Rancière 2011, 17).

If we all know how to see, and take it from there, there is no cultural or symbolic capital to accumulate on the basis of qualified and/or critical skills, only a "collectivization of practices" (Rancière 2011, 49). If we all know how to see, and start from what we see or observe, theory as most insightful is displaced. If we all know how to see, and democratize culture as well as the world around us, what can we know, what is left is to argue, and disagree, about what we see, and to exchange and 'translate' our intellectual adventures among each other? Rancière qualifies his suggestions as "unreasonable hypotheses" (2011, 49). Are they? What are we giving up on, and is it unreasonable? Is it because we are giving up on knowledge of the system, in theory, and systematized knowledge, knowledge as system building? Or is it (also) because presupposing equality, among spectators, pupils and scholars, is so very hard to do, especially on the terrain of what Rancière refers to as police, which keeps the order, and organizes consent to inequality, such that scholars know best, which I elaborate on in the next chapter?

My selective engagement with the literatures on consumer society and consumer capitalism, as well as cultural studies, concludes the sketch of the terrain onto which my research opens out, and on which my adventure, in part and in hindsight, has taken shape. My research is threaded through the literatures on consumer society and consumer capitalism, wider intellectual debates, and I deploy how cultural studies specifically engage with and conceptualize politics directly in my research. Furthermore, the literatures I opened my research out into set the stage for modernization, the backdrop to equality, or the politics of knowledge production.

I next turn to my method, which is and is not a case-method, because I am not copying and practicing an existing one, and in which I received no formal training. Without training, but nevertheless empirically informed, I practice my method as what I refer to as a 'situated investigator' (Gordon 1997). I turn to my method at this stage to address and call attention to its epistemological underpinnings. In the next chapter I situate my method as (inter)-disciplinary, as well as in the context of the politics of knowledge production, which involve equality. Before I introduce the situated investigator however, we first meet the devil or the detail(s), because that is where my method originates. I end the introduction by summarizing my cases and arguments.

Setting off on the road to hell …

The devil lies in the detail

Starting out on my research, with a proposal, or map, but without a method, I familiarized myself with adbusting, fan fiction, as forms of popular creativity, and also with what was being written and said about the copyright dispute, to find an opening for having something to say, by means of doing original research. That is, by making a contribution to, and participating in existing discussions and debates on adbusting and fan fiction, to the extent

that they can be said to exist. For instance, apart from referring to each other on adbusting, academic participants otherwise seem to talk past each other, not necessarily discussing or debating anything, including and specifically the differences among busted ads, their particularities, in detail, which I notice by actually looking at busted ads. I am looking at actual busted ads given that, after all, they are what adbusting as a concept refers to. Those who write on adbusting, rather than debate or discuss adbusting in the concrete, apply interesting and provocative theoretical twists to it. In doing so, academic participants treat busted ads in theory and in general, as if they are all the same, equal, and identical, without discrimination. They speculate what adbusting is about, its politics and significance, in their mind's eye, as opposed to based on observations, also on behalf of those involved, and addressed at a specific disciplinary audience. Adbusters themselves also hardly discuss or debate their practice, and its aesthetics, for instance in the magazine dedicated to it, but participate in it instead, under the sign of détournement. Détournement is an avant-garde practice and aesthetic, for which the editor-in-chief of the magazine is a major spokesperson, a rebel or revolutionary, who advocates 'just doing it'. In part, he says, because analyzing what adbusting is about gets in the way of taking action, busting ads.

While I was reading up on fan fiction, the copyright dispute about the Harry Potter lexicon was making headlines and drew my attention. In familiarizing myself with the case and the copyright dispute in which it is embedded, I noticed that most people, including fans, take the words of the author involved for granted, in defense of copyright, and notwithstanding the presence of Warner Brothers Inc. by her side, for they sue together. Reading comments on fan fiction websites that debate the lawsuit, many fans turned against Steven Vander Ark, a fellow fan, who until he decided to publish his lexicon was well respected in the fan community, and by the author too for the lexicon. There is hardly any discussion or debate on the merits of the lawsuit, among fans and the wider public, and

among legal scholars, for instance whether copyright control is growing out of control, and how, or how copyright shapes what fans are allowed to do, which includes the future of fan fiction. There are also no questions about why Warner Brothers Inc. is involved in a dispute over copyright, which concerns the author and her publisher only. The presence of Warner Brothers Inc., specifically the alliance between the global media giant and the author, goes unnoticed and hence unquestioned, a detail that went missing in the reporting and (legal) commentary on it.

In doing my research, trying to find an opening for having something to say, I was reading widely, and being observant, reading and looking closely and carefully. I was being observant, out of necessity also, for I had nothing else to go on in terms of an established social science method, and hence empirically. I was not planning to interview adbusters, or fans, doing ethnographies or social science case studies of them. So, I was being observant because methodologically and empirically speaking I had nowhere else to start. Without a method, I could not contribute to what was being written and said, contribute or create a debate. Without a method, I looked closer and more carefully, at what was *there* to look at, not in theory or according to the literature, but before my eyes, trusting them, and me to see, and take it from there. Being observant, I *felt* that details insisted on being noticed and accounted for, because they are there, waiting to be noticed and seen, taken into account. Details make you look closer, unless you prefer the big picture instead. Being observant, I ended up making detailed observations. Details make you look closer and make you feel puzzled, about their place in a bigger picture. To be accounted for and made sense of, detailed observations require a willingness to wonder, and wander, about their significance and what is going on, which I did, with wonder shading into concern. To be accounted for and made sense of, details require intellectual imagination, and labor, to piece together what is going on, which I did, fitting together a puzzle. It felt familiar being observant, taking

account of details, making them count because of my affinity for close readings, as opposed to big pictures. I include close readings in my research and method too. In my close readings I go closely and carefully over the text of others. I trace, contemplate and pick apart their words and ideas, captured in concepts, which are sometimes pieces of the puzzle, that help me figure out what is going on. Some concepts I was familiar with, before my adventure started, and which came to mind, other concepts I learned about while wondering and wandering about. Putting them to use as pieces of the puzzle, I also rework some of them analytically, in light of what I am looking at and researching.

I first started taking my close and careful observations and details seriously, as legitimate and the empirical origins of what would become my method, piecing knowledge together, after reading about Theodor Adorno and Walter Benjamin in Susan Buck-Morss' (1977) *The Origin of Negative Dialetics. Theodor W. Adorno, Walter Benjamin, and the Frankfurt Institute*. Specifically, I started taking my observations and details seriously, after reading about the significance, for both Adorno and Benjamin, of the particular and concrete in relation to their methods, which set me off more confidently to find a name for my method that would approximate if not capture what I was doing. Adorno and Benjamin argued over their methods, but both wrote against the disappearance of the particular, and concrete, in the concept, which disregards them in favor of sameness, or identity and the abstract. How I translate what Adorno and Benjamin are saying is that the particular and concrete stand out and speak to us, as 'not-the-same' or different, and as such differentiate. Similarly, I would argue, the particular and concrete also stand out in detail(s), detailed observations, and as puzzling, which in our making sense of them, taking into account what they are trying to say, also makes a difference to what we are looking at. Without a method, I took confidence from the fact that starting from what is right in front me, there, before my eyes, to be observed, in particular and in the concrete, in detail, as a point of interpretation and as puzzling, might be

solid enough to build a research practice and method like piecing together knowledge on. If only I could find a better, proper name for my 'method'. For I did not recognize what Adorno and Benjamin were doing as puzzling and piecing knowledge together, even though what they did, what comes out of it at the end, resembled what I had in mind for how to make details count. Starting from the particular and concrete, they ended up making constellations, to get at the truth, whereas starting from observations in and of details, I ended up making cases, making arguments and sense. Both constellations and cases however I consider to be a "self-contained totality" (Buck-Morss 1977, 94). In my cases, what happens to the truth? As Stephen Duncombe (2007, 20) puts, "the truth must be told". To which he adds: "the most important thing, as any scientist will tell you, is making a convincing case" (Duncombe 2007, 19).

Detailed observations

Looking at the busted advertisements and their variety, closely and in detail, I observed differences among them, except when they copied the style of adbusting the magazine *Adbusters* practiced and popularized. I noticed a particular and nuanced difference between two busted advertisements that refer to the same original, and familiar advertisement, but differently, making it strange differently, which makes for a nuanced difference between them, compared against the familiar: one makes the familiar strange, and the other makes the familiar strangely familiar. The detail that stands out, on the whole, is the difference between the two ads that are busted. It is a detailed observation to notice the difference between the strangely familiar and the familiar made strange. Noticing the difference, I was puzzled and wanted to know what difference the aesthetic of making strange or defamiliarization, also as opposed to détournement makes to the busted ads, what they try to achieve.

Looking at the dispute over copyright, and observing the detail that went missing during the case, namely the alliance between the author J.K. Rowling and Warner Brothers Inc., I was puzzled, and wanted to know the difference it makes taking the alliance between the author and the corporation into account, their joint interest, in relation to the case and securing copyright: what copyright means, and does, for and against fans, when authors and corporations, their combined interests get involved. I wanted to know, independently of what the lawyers during the litigation argued was at stake in the dispute over copyright.

What *drives* and *animates* my research are a feeling of being puzzled and a desire to know and find out more, investigate as well as add to, or rather, create more of a debate, including disagreement, on adbusting, and on copyright, and the implications for fans. What *frames* both my research cases is popular creativity and the politics involved, when consumers act disorderly and practice popular creativity, such as adbusters and fans. In *doing* my research, I find out what I know by piecing knowledge together, building a case on, making a case for and sense of my detailed observations, for what is going on, and learning as I go along. While I use theoretical insights or concepts in piecing knowledge together, and compare and contrast among what is there to look at and read about, I start from somewhere in particular and in the concrete, and zoom out.

In piecing knowledge together, however, which is how I proceeded in processing my detailed observations, being puzzled, and having the desire to know, I ran into questions, about what my method was, and whether there was at least a name for it. I also had to find an answer to the observation and problem of not being trained in it, at least that is how interpreted it, my lack of training, practice, as a problem (case) to be solved. Piecing knowledge together became a problem, for me. My method, piecing knowledge together, is called making a case. Making a case, according to Laura Berlant (2007) in *On the case*, organizes, 'however fleetingly', a public for the difference my observations make. I found a

name for my method, but I make my cases, however, without any disciplinary practices, rules and norms to guide me, and that trained me in 'how to' make a case. I made it my own. Practices, rules and norms not only verify whether I am doing my research properly, systematically, and am being intellectually honest, but also whether I am doing it expertly and professionally, on the basis of which I am and qualify as an expert and professional social scientist, in this case specifically by obtaining a PhD.

Lacking a discipline and disciplinary training, my method also lacks a disciplinary language to make my cases in. Bruce Robbins (1990, 105), in *Interdisciplinarity in public*, identifies rhetoric as an interdisciplinary language among academics. In addition, he argues that practicing rhetoric, as opposed to 'high academic theory', moves "scholarship in the direction of the public", without, yet, 'conjoining' it with "common sense". As Catherine Belsey (1980, 3) in *Critical practice* reminds us, echoing the Italian intellectual Antonio Gramsci, common sense unlike "theory", lacks "any systematic approach or procedure" and is not "called on to demonstrate that it is internally consistent". To be convincing, as an argument, a case relies on rhetoric, but as a self-contained totality that makes sense, as opposed to common sense, it has to be internally consistent, *add up*, even if it lacks a systematic approach or procedure. Robbins considers a move, towards the public, which he associates with and pictures as a "bridge", an in-between, "politically desirable", because it goes beyond merely writing for the public. And writing for the public is how, he argues, academics understand, appreciate and legitimize what academia is about. Such a move, building bridges, a suspension of discipline(s) between academia and the public involves 'members of the educated public' specifically, for Robbins. Members: because 'the' public does not exist "as a single collective will", but rather "in irreducibly plural fragments" (Robbins 1990, 105). In-between disciplines, in between 'high theory' and 'common sense', building cases and making sense, I too find myself on a bridge, suspended.

The situated investigator

A book that has helped me along on my adventure after I first read it for a course in contemporary social theory is Avery Gordon's (1997) *Ghostly Matters. Haunting and the Sociological Imagination*. She too struggled with her method, and her work, like mine, is interdisciplinary, and difficult to practice, when like her you still (have to) call it sociology, and social science in my case. She also calls attention to how "the path to knowledge", including our accounts of it, are "shot through willy-nilly with power relations and personal cross-purposes" (Gordon 1997, 41). About her method she says that it "is everything and nothing much really" (Gordon 1997, 24). And "[I]t is a case of the difference it makes to start with the marginal, with what we normally exclude or banish, or, more commonly, with what we never notice." (Gordon 1997, 24)

I recognize the appreciation of her method, 'everything and nothing much really', as mine too, including calling attention to the common neglect of that which we never notice, until we do. We never notice details, until we do, because they insist on being accounted for. Detailed observations to me, as hitherto unaccounted for, represent people whose equality is unaccounted for, and who presuppose it instead, and politics happen. I also recognize myself in the situated investigator, who is a detective too: a detective investigates, and makes cases. I make cases, based on detailed observations, observations in detail and of details. I propose that my cases as such offer and constitute what Donna Haraway (1988, 584) refers to as "situated knowledge", the appreciation of and ambition for which is embedded in her hope for "transformations of systems of knowledge and ways of seeing". My cases offer 'situated knowledge', and is a way of seeing that starts from detailed observations, as the basis for a case, which makes it different from the social science case study. Situated knowledge steers in-between relativism, 'being nowhere while claiming to be everywhere equally', and

scientific objectivity, totalization as single vision, the God trick or 'seeing everything from nowhere'. My cases, as situated knowledge, sit in-between relativism and scientific objectivity. Cases do not come out of nowhere. They originate in detailed observations, which suggest that I can see something that is there, but that I cannot see everything at the same time, only one thing or detail, as a matter of fact, at a time. Furthermore, cases ask for an evaluation: do they, and the one making and arguing the case, make sense? In asking for an evaluation, cases are not relativistic, or subjective: not anything goes.

In addition, situated knowledge is knowledge from a location, which is about "vulnerability" (Haraway 1988, 590), and "resists the politics of closure" (Haraway 1988, 590). What is to be avoided is "simplification in the last instance" (Haraway 1988, 590). In making my cases I do not master, or simplify what I know, and am vulnerable to contestation. You can take my word that what I am saying is true, but I do not have the final word on the case, there is more going on, and the case is open for interpretation, based on the detailed observations of others. Its properties are public property. I cannot account for everything, all details, not at the same time, not without starting to sound paranoid.

I am a situated investigator, who builds cases on and for detailed observations, like a detective, and offers popular knowledge. When knowledge goes popular, what are the politics involved in building cases, like a detective, but without training in it? I came to terms with the questions about method and training rhetorically and performatively. As Edward Schieffeling (1985, 9) defines performance:

> Performance does not construct a symbolic reality in the manner of presenting an argument, description or commentary. Rather it does so by socially constructing a situation in which participants experience symbolic meanings as part of the process of what they are already doing.

I came to terms with the problem rhetorically, performatively, *and* provocatively, or polemically, not by presenting an argument, but by creating *the scene* of an argument: by making the question of method and training in a method one of inequality and discrimination, among 'speaking beings', based on having to have the qualifications to be heard. I came to terms with the problem by making another case, namely of equality. In making a case of equality, I place the French philosopher Jacques Rancière more firmly as one of the main characters on the stage of my research. I argue that, in hindsight and according to Rancière, I 'presupposed' equality, by taking the liberty to speak, in piecing knowledge together, building cases on and for detailed observations, a kind of case-method, but without training in it, and which sets in motion 'the verification of equality' in the space of the in-between. We occupy this space together already, for we are in-between disciplines, at the Maxwell School, since 1946. If equality is verified, in-between, it changes what is: making cases, piecing knowledge together, based on and for detailed observations, as a kind of case-method, without training in it or 'know-how', by a 'situated investigator', who is an amateur and intellectual too, is equally professional, in-between disciplines.

Equality, as Judith Butler (1997, 160) points out, belongs to the "political discourse of modernity". She advocates that despite the possibility that all its terms are "tainted", they can also be 'reappropriated'. Butler (1997, 161) singles out equality as exceptional, for it "turned out to be a term with a kind of reach that is difficult, if not impossible to have predicted on the basis of prior articulations". Equality has an "unexpected innocence" (Butler 1997, 161), and she points out that its properties, what it means, are not anybody's property, thankfully, for otherwise it would not have a future, which makes it, and the future for it, unpredictable. Its properties are public property. Equality belongs to people. Equality, for Rancière, is not the liberal kind. Claudia Arradau (2008, 304) argues that for liberalism, if and when it is at stake in politics, equality is "a goal to be achieved" such that while making a promise of

potential equality, liberalism also legitimizes existing inequalities". For Rancière, equality is presupposed. Equality, as Rancière puts it, is 'a word without a master' that 'diverts bodies from their destination', as do details, and the devil.

Before I turn to the next chapter, in which I stage equality, its presupposition, I conclude the introduction by means of a brief summary of my cases, their argument. I start with a summary of my next chapter, which is also my method chapter.

Summary of chapters: method, cases and their arguments

Chapter 2 Method & the politics of knowledge production: on the case of equality

My chapter on method involves the politics of knowledge production, the politics of producing knowledge that asks after methods, and training in it. A method, and training in it is 'how things are being done around here', in the social sciences, on the basis of which we can speak up, make knowledge claims, qualify and become of (e)quality. The means, know-how, are an end.

I practice my method, which turned out to be a case-method based on observations in detail, without training, and initially not as a method, but as puzzling instead. I argue that I 'presupposed equality', as Jacques Rancière puts it, by taking the liberty to speak on the terrain of what he refers to as police, hence why I was questioned, or questions were being raised, about my method, and training in it. I presupposed what I was doing could be done. Instead, I had to make what I was doing intelligible, where I was coming from, in doing what I was doing. I address my interdisciplinarity, as where I am coming from and situated, and what the possibilities are for doing things differently in this space, given its history, and in relation to equality. Furthermore, in making myself intelligible I identify myself as an

amateur and intellectual who takes the liberty to speak. I identify my method as a case-method by situating it vis-à-vis the social science case study and a broader understanding of what it means to be on the case.

I mobilize Rancière's thinking not as an intellectual choice, as Antonio Gramsci might put it. I mobilize his thinking because it helped me to understand my struggle of coming to terms with my method, of having to explain how I know what I know, and with the concern over training in a method: why these questions were being asked, and why they matter, and how to make room for doing what I do. I first met him and his thinking online, looking for answers.

Chapter 3 A case of 'moving images': the politics of adbusting and defamiliarization

The detailed observation or observation in detail that I investigate and on which my case of 'moving images' is built is the difference between the strangely familiar and the familiar made strange, two different forms of defamiliarization.

In the case of popular creativity as 'moving images', the politics of defamiliarization that some adbusters practice belong to the tradition of establishing oppositional consciousness, on the part of others, who do not see what is really going on. Consumers are trapped inside in the advertisement, seduced by appearances, their mirror image. Busted ads as no longer familiar, becoming distorted mirrors in which to recognize oneself. As distorted, and defamiliarized, they no longer reflect appearances. Their distortion of familiarity also makes them into 'moving images'. More specifically, 'moving images', by placing an original and familiar advertisement under attack, re-making and re-imagining it on the whole, create a critical distance by putting us as consumers, and consumption, in perspective. Perspective, depth, allows us to reflect on what we are being shown, and on ourselves, as opposed to seeing our reflection in the advertisement, what we appear and imagine ourselves

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to look like. We are in need of self-reflection, and a critical perspective on consumption, and adbusters 'retotalize' the advertisements for us. In other words, we lack the oppositional consciousness that adbusters have. We have to be shown, and moved instead, to take action. 'Moving (mirror) images' engage our perception, its lack of perspective, as a matter of politics, and in mobilizing our senses and feelings, they exercise a 'politics of aesthetic emotions' too, in this case, of shame and guilt, and their framing, by obsession and recession respectively. As such, they differently move us to take action, towards change: either to become more responsible members of society, and in doing so practice 'life politics', or to effect social change, and in doing so practice 'emancipatory politics', respectively. The distinction is one made by the sociologist Anthony Giddens (1991), situated in the context of his theorization of *Self and Society in the Late Modern Age*.

The distinction in detail between the two busted ads I am looking at is between what looks like and appears to be the Freudian uncanny in one case, and Brechtian alienation in the other. These concepts and references come to mind, because I know of them. I have learned about the uncanny, and Brechtian theatre. As references they are part of my vocabulary because of my education, and are also quite commonly used in everyday speech, to identify situations or cases that evoke feelings associated with them. The difference between the two is often collapsed, the uncanny being a kind of alienation, and vice versa. I put the difference to work by reading them together with what I am looking at, and with the help of theoretical concepts and insights from Lacanian psychoanalysis.

Chapter 4 'Arresting words': fans, the case of the missing detail, and its politics

The observation in detail that I investigate and on which my case 'arresting words' is built is a detail that went missing, namely the alliance between the author and Warner Brothers Inc.

In the case of 'arresting words', the politics involved of the alliance between the author and Warner Brothers Inc. aims to close down on popular creativity, the proliferation of meaning it generates as a politics of resistance. Specifically, the politics of 'arresting words' or closure in mobilizing the law makes it illegal, in public, to attribute a different meaning to Harry Potter and his world, and to practice popular creativity and our imagination in the interest of securing brand identity and trademark interests. The surplus or excess of meaning fans proliferate by means of their stories and put into circulation, the author aims 'to economize' on as 'the principle of thrift' (Foucault 1979). 'Arresting words' by means of the author as the principle of thrift and by law, results in an exclusive and reified meaning for the identity of the world of Harry Potter, namely as stereotypical that does not allow for differentiation. Stereotyping is a very economical way of meaning making, for it is closed to interpretation and differentiation. Stereotyping as secured by the law limits and circumscribes how fans, as well as consumers generally are by law allowed to engage with and practice their involvement in the story and world of Harry Potter.

Chapter 2

Method & the politics of knowledge production: on the case of equality

> Understanding a thinker does not mean coinciding with his centre. On the contrary, to
>
> understand a thinker is to displace him, to lead him on a trajectory where his
>
> articulations come undone and leave room for play.
>
> (Rancière 2004, 1)

My understanding of politics, and how I propose the politics of knowledge production are

happening in relation to my method, and research is informed and inspired by Jacques

Rancière's understanding of politics, and equality. I engage with his thinking as play. Play is

a childlike practice, an association I infer not to marginalize what I am doing, but to put up

for question 'how things are being done' to maintain social order, by requiring a method and

training in it. For as Terry Eagleton (1984, 88) argues, in *The Function of Criticism*, and in

the context of a 'faux naivety':

> (…) the child who retains its wonderment will grow into the theoretician and political
>
> radical who demands justification, not just for this or that practice, but for the whole
>
> form of material life –the institutional infrastructure- which grounds them, and who
>
> does not see why it may not be possible to do things differently for a change.

He also suggest that a child that retains its sense of wonder might grow up to become a

'Brechtian actor' who estranges how things are being done, to the point where its

"arbitrariness", and hence "transformability, becomes suddenly visible" (Eagleton 1984, 89).

While I put up a performance, I am not putting up on act, Brechtian-like, because

rather than making the familiar strange, I rely, in hindsight, on the element of surprise in what

I am doing, which does not place the familiar in a different perspective, but lacks a

benchmark against which to appreciate it, and seeks to make a difference on its own terms instead. But I too wonder, and do not see why it may not be possible to do things differently for a change. I am not driven by a theory of equality, but by its practice instead. Making a case of equality, that is, to propose that what is at stake concerning the politics of knowledge production is equality, also means taking a chance, which all cases do.

Politics & Police

I have only recently learned what follows, and which I have Jacques Rancière to thank for, his thoughts and words on equality and politics, expressed in articles, interviews and published lectures on which I mostly rely, in addition to the writings of his commentators, especially Samuel Chambers' (2013) book *The lessons of Rancière*, but also Jean-Philippe Deranty's writings. I have them to thank for providing a timely answer, on my part, to how to resolve the impasse or dilemma of lacking a method initially and lacking training in a method specifically, on which being eligible for qualification, obtaining a social science PhD, in part depends. I have them to thank for being able to rethink qualification based on doing what I was doing instead. Specifically, I have them to thank for being able to rethink qualification as based on "the verification of the equality of any speaking being with any other speaking being" (Rancière 1992, 59). Upon the verification of equality, together we take "democratic action" (Rancière 2009b, 120). I rely on Jacques Rancière in my answer to the question of qualification, although I am not an expert, in political 'theory', which Rancière does not suggests he offers anyway, and offers "political interventions" (Chambers 2013, 75), "direct political engagements" (Chambers 2013, 75) instead. Not being an expert is also the point, that is, it defines my method, namely the lack of professional or expert training in it and hence the lack of professional or expert knowledge on my part. My method offers something different instead, cases, without training in it. My cases offer detailed, and public knowledge,

its disclosure, which creates and is addressed at a public, inside, and from inside the academy, *if* what I think of as an experiment with democratic politics succeeds.

Rancière's work troubles the attempt at classification for it, as one commentator, editor and translator of Rancière's work observes, "inhabits unknown intervals" (Rockhill 2006, xi). Perhaps unsurprisingly, Rancière understands democratic politics in a very specific way. As defined by Rancière and earlier as well, *politics*, which he also identifies as an aesthetics or 'what is capable of being apprehended by the senses, perception' (Rockhill 2006, 89), "*revolves around what is seen and what can be said about it, around who has the ability to see and the talent to speak, around the properties of space and the possibilities of time*" (Rancière 2004, 8; my italics). As Richard Halpern (2011, 571) emphasizes, for Rancière "[P]olitics is not what happens in a shared discursive space; it is rather a dispute about who belongs in that space." It signals the "exclusion from (political) agency" because of the "supposed lack of qualification to be seen and be heard" (Halpern 2011, 571). The space in this case is the space of academia, and who belongs in it, can be seen and heard, on what grounds, or which qualifications, in terms of research practice, on the basis of which mastery is also assigned and expert and professional knowledge is circulated. Because of democratic politics, qualifications and how mastery is assigned involves their up staging. That is, politics displays how qualifying and mastery is assigned as staged, as a form of counting on the basis of which some (come to) count, as qualified and masters, and others do not. To stage and to police is to practice counting, which democratic politics as 'miscounting' or "miscount" upstages, as "a counting of those who do not count" (Chambers 2013, 102). As Halpern (2011, 571) argues in specifically connecting democratic politics to theatre, democratic politics for Rancière is "always about creating a stage" for the purpose of "this-worldly disclosure", or "profane illumination". Such disclosure, or illumination, in relation to

counting, constitutes a moment of impropriety, when the miscount, or unaccounted for appears on the scene, a surprise, which creates the scene.

However, I firstly rely on Jacques Rancière to situate my research and knowledge project, my lack of method and training in a method in doing what I was doing, based on his understanding of equality, which is not the liberal kind, but a presupposition, "a condition that only functions when it is put into action" (Chambers 2013, 29). Equality is a type of action rather than a consequence of that action. "Equality exists, and makes universal values exist, to the extent that it is enacted." (Chambers 2013, 29) When equality happens, it meets and conflicts with the logic of inequality, on which what Rancière refers to as 'an order of the police' is built, which is hierarchic. When equality and inequality meet, politics happen, which is "the demonstration of the assumption of equality" (Chambers 2013, 80), and which can be "*verified*" (Chambers 2013, 80; italics in original). However, equality is not the assumption of a political subject, because the political subject "emerges after the moment of politics, a subject that comes to exist only *through* the act of politics" (Chambers 2013, 43; italics in original). Equality is presupposed yet takes the subject by surprise too, and agency is complicated.

How can equality by verified, *and by whom?* Jean-Philippe Deranty and Alison Ross (2012, 2) in the introduction to a collection on *Jacques Rancière and the contemporary scene. The philosophy of radical equality,* point out that equality "is to be verified in action and in thought by finding the right sentences to be understood", "to find the right sentences to make oneself be understood by others". They furthermore apply this definition of sorts, which they base on a comment by Rancière in *The ignorant schoolmaster*, to Rancière's own writing which according to some commentators does not offer 'the right sentences to be understood by others' because it lacks "conclusions" and "categorical statements", and instead offers "probable assertions" (Deranty & Ross 2012, 2). Deranty and Ross (2011, 2) conclude

however that "[A] style of writing in which the emphasis falls on what is probable is one way of communicating the presupposition of equality." Eric Méchoulan (2004, 5) emphasizes, and in addition to 'finding the right sentences to be understood', that in democracy we also 'act as if our speech can be heard and understood', for equality is "the stuff of confidence".

Samuel Chambers foregrounds a point of contention in the secondary literature on Rancière (e.g. May 2008), that the meeting between the logic of equality and inequality occurs on the terrain, and within the terms of the police, within its order. Politics and police are "inherently opposed" (Chambers 2013, 63) such that there is no 'pure politics', or for that matter, and by implication, a 'pure police': "politics and police meet within the police order itself" (Chambers 2013, 62). Chambers (2013, 62) refers to Jean-Philippe Deranty's writings to call attention to the "non-dialectical nature of Rancière's thought", in support of his own reading of Rancière. Jean-Philippe Deranty (2003) in *Jacques Rancière's contribution to the ethics of recognition* nevertheless situates his reading of Rancière in relation to Hegel. He argues however, "Rancière does not operate with a dialectical, teleological logic" (Deranty 2003, 150; my italics):

> In his logic, the positive and negative are interconnected and reciprocally condition
> each other. ... It is a logic that truly gives the negative its full power. What makes this
> logic depart from Hegel is its refusal to assume the metaphysical edge of dialectics.
> The consequence is *a suspensive logic*, that is, a logic where difference is constantly
> called to disrupt the effects of identity and identification, without being assigned as a
> determination, in the subject, in the social field, and in the political.

Difference is the unaccounted for, which cannot be identified beforehand. Todd May (2008), on the other hand, in *The political thought of Jacques Rancière*, "the first secondary sourcebook on Rancière" (Chambers 2013, 75), ends up purifying politics, according to

Chambers (2013, 78), to develop "an anarchist account of democratic politics". For May, police and politics face each other, and (only) revolutionary social change is possible.

While I thus situate my research, and method in relation to democratic politics and equality, I did not set out to experiment with democratic politics by design, but by accident, the result of the presupposition of equality on my part, apparently, in hindsight. For Rancière (2010, 2), equality, its presupposition, is "the *mad presupposition* that anyone is as intelligent as anyone else *and* that at least one more thing can be done other than what is being done". That politics is happening, because of a presupposition of equality on my part, unbeknownst to me initially, I gauge from its effect, of creating a disturbance by being un-intelligible: because of what I am (not) doing as a researcher, hence what kind of research I am (not) doing, and how I am (not) doing it, namely without a method, and a name for it, initially, and still without training in one, which raises questions. Doing what I was doing was different, not what was expected, unfamiliar and surprising instead. "Intelligibility (Chambers 2013, 167) is also the voice of the logic of inequality, such that once intelligible I and my research and knowledge project become and prove to be (an) equal, of (e)quality, to academics and what they, or we do for a living, expertly and professionally. *Thus, I suggest, the logic of intelligibility, of inequality, of police operates by offering equality at the end of a police process, which confirms the status quo, what it already means to be equal and equals. The logic of politics, or the verification of equality, however, in the context of intelligibility, changes what is, what counts as intelligible, including what we do expertly and professionally, and who can do it.* The logic of politics makes a difference to inequality in favor of equality, and changes what it means to be equal, in each case, but does not eradicate inequality. It just means that one more thing can be done, given what could be done before.

I was not aware of being unintelligible, of being a 'political subject' in (not) doing what I did, of presupposing equality, until I met questions. Edward Said (1994, xiii) observes,

about the academic, and anybody else, "you do what you do according to an idea or representation you have of yourself as doing that thing", in relation to the social order of things, Rancière might have added. I was doing what I was doing to become an academic. I was thinking, being thoughtful. I was thinking, because I can and care, about what more is going on in the context of adbusting and the trial over the Lexicon, the copyright dispute, and which was not being spoken and written about. I wanted to know. I was being observant, seeing things and being thoughtful, *piecing knowledge together*, puzzling. Why not? But: *What are you studying:* where are the bodies of literature*?* Who, which research community are you talking to? *How do you know what you know?* Is it a body of knowledge? Am I? *What is your method and who trained you in it?* I identified bodies of literature. Concerning my method I have to profess, yet nevertheless, maybe piecing knowledge together, building cases, on and for detailed observations, without training in it, might be 'one more thing that can be done than what is being done', interdisciplinary, suspended, upon verification of equality.

According to Samuel Chambers (2013, 72), "[P]olice orders may make more or less space for the emergence of democratic politics." If so, then perhaps questioning what someone is doing, is not first and foremost articulating expectations and norms, rules and regulations, questioning as interrogative, but expressive of being puzzled and puzzling too. A wondering (and worrying) over what is being done and can be done, if it can be done differently, and which might be what makes the opening and space for democratic politics and equality available, within the police order, for police to practice politics, and the verification of equality too.

To make my research and knowledge project intelligible, to make myself and what I am doing understood, sensible, so perhaps one more thing can be done than what is being done, I have to 'argue my position', where I, and my 'method', are coming from, as part of

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"the scene of argumentation" (Rancière 2000, 116) that is taking shape. The scene of argumentation, "the topos of an argument" is the place for "the process of equality", "the enactment of equality", which is also the "process of difference" and of "emancipation", and as such "the verification of the equality of any speaking being with any other speaking being" (Rancière 1992, 59). The scene of argumentation is about 'the difference it makes to who is speaking', and what is seen and said; in this case, without training in a method, inside and from inside the university, from a position of interdisciplinarity, suspended, in-between, by the miscount or unaccounted for.

In a paper Michel Foucault gave in 1969, *What is an author?* during which Jacques Lacan was present, Michel Foucault (1977) quotes the playwright Samuel Beckett, *What matters who's speaking, someone said, what matters who's speaking*; "the murmur of indifference" (Foucault 1997, 29), which resounds in the echo of someone, anyone, speaking. Foucault (1977, 29; my italics) returns to the quote at the end of his paper, after he states that "We can easily imagine a culture where discourses would circulate without an author. Discourses, whatever their status, form or value, and regardless of our manner of handling them, would unfold in a pervasive *anonymity*." Consequently, what is of concern is, for instance, 'where the discourse is coming from, how it is circulated and who controls it'. Rancière (1992, 60) refers to the name of the "anonym', the name of anyone", or the one more, the power of the demos, as the name in which equality is enacted; "the power of the demos is the power of whoever" (Rancière 2009, 10). "It [the power of the demos] is the principle of infinite substantionality or indifference to difference ... inequalities that make up a social order" (Rancière 2009: 10). *What matters who is speaking, someone said, what matters who's speaking*: (in) equality.

If the, which is also our experiment succeeds, what will have happened? If I succeed in making my research and knowledge project intelligible, upon the verification of equality,

the position from which I am speaking and doing research, and thus as a consequence of democratic politics, what will be reconfigured is what is intelligible, as a body of knowledge, a re-arrangement of "the organization of the workplace" (Chambers 2013, 86) in terms of whose and what kinds of bodies of knowledge belong *qua* intelligibility. If the experiment succeeds, if I succeed in making my research, method and knowledge project intelligible, and one more thing can be done than is being done, upon verification of equality, because it makes sense, given where I am coming from, equality is no longer on the scene. Equality, the disturbance it embodies, doing things differently, in relation to the logic of inequality, which is also when democracy happens, is resolved, via democratic politics. It will have made a difference, and become part of police, a different police. As Jean-Philippe Deranty (2013, 153) puts it, "[D]emocratic advances", "locally situated", "can be both victories for democracy ... but also, as institutionalized moments, elements integrated in the police system, which denies their political value as such." My body of knowledge and method, to be practiced without training in it, will be part of police, which is more equal. Furthermore, and after all, in the end, democracy "is not be lived in" (Chambers 2013, 87), it is "not a regime or exercise of power" (Chambers 2013, 185).

Chambers, following Rancière, argues that 'politics happens very little or rarely'. My 'experiment in politics', which I suggest is what is happening, is then also an experiment in relation to whether politics is indeed happening, and not just because I think and sense it is. The experiment also creates the opportunity for learning about police, which are "nothing more or nothing less than the very social orders in which we all live" (Chambers 2013, 66). Unlike Chambers and Rancière, Jean-Philippe Deranty (2003, 153) argues that Rancière's "supple theory of the pragmatic verification of equality makes it well adapted to understand and analyze contemporary social, political and cultural struggles". It is the matter of adaption that Chambers would find questionable, among other things by using it as "a critical tool; to

leverage it for one's own argumentative purposes" (Deranty 2013, 43), which he points out Rancière himself does too, and I am doing too.

Nevertheless, that is, notwithstanding reservations, an indication that democratic politics might be happening, or is happening in this case, has to do with considering its timing, beyond in hindsight. If politics has to do not just with the 'properties of space' but also with the 'possibilities of time', in my case not only does it arrive on the scene belatedly but also and nevertheless as timely. As timely it feels opportunistic, a tactic, making do, or rather, in the language of the theatre, it feels like an improvisation, because it creates a scene. Both the logic of equality, mine, and of inequality, are taken by surprise, by impropriety, and politics presents itself as the improvised answer, which is itself then also taken by surprise, of being on the scene and creating one while also being kept there to make it intelligible. Furthermore, and yet, timing matters to democratic politics also, as Samuel Chambers as well as Jean-Philippe Deranty point out, in terms of history. Given the history of the social science program, my interdisciplinarity and democratic politics today is timely in relation to an earlier moment in time. If equality disturbs the police and social order and as such is a disordering mechanism, interdisciplinarity at Maxwell at its inception, 1946, was conceived as such, that is, in appreciation of disorder. To make an argument for my interdisciplinarity is to reanimate and reenergize the origins of the social science program, the democratic impulse that founds it, and to deliver on the meaning of disorder, and interdisciplinarity today as the verification of equality. When Richard Halpern qualifies the moment democratic politics appears on the scene as one of 'profane illumination', Walter Benjamin comes to mind, and his "dialectic at a standstill" (McNally 2001, 190) which is constituted by "disruptive gestures" that "are designed to jolt us into awareness of what we have forgotten" (McNally 2001, 190), and that can make a difference today.

I next turn to my interdisciplinarity, and the identification of the position from which I propose I am speaking, and presupposed equality, after which I make intelligible how I know what I know, my method. To make something intelligible is to trace where it is coming from, where I am coming from, where and how I am situated, doing what I do, which includes my interdisciplinarity, a space in which things can be done differently, democratically speaking, given its history. And also a space for the presupposition and verification of equality because equality happens in-between: in-between disciplines too. Things can be done differently, upon verification of equality, notwithstanding, or rather because of the questioning, wondering about method and training in it, the politics of police.

Interdisciplinarity: taking the liberty to speak

Disciplines "help us produce our world": "they specify the objects we can study", "they provide criteria for our knowledge (truth, significance, impact)" and "methods (quantitative, interpretation, analysis) that regulate our access to it" (Klein 1996, vii). "Disciplinary thought says: we have our territory, our objects, and the method which corresponds to them." (Rancière 2006, 11) *What does interdisciplinary thinking say and do for us;* the in-between disciplines*?* Does (my) interdisciplinarity help us produce our world? How? Does it specify objects we can study? Does it provide criteria for our knowledge? Does it have a method that makes knowledge into an object?

My research is interdisciplinary, because that is the designation that the *program* I am in would use to refer to it, assuming I follow its outlines, which the program as inter-disciplinary in shape literally speaking lacks, except by virtue of the boundaries, and borders of other disciplines. We are in-between: "The Maxwell School Social Science Program was established *in 1946* as the nation's first interdisciplinary doctoral program in the social sciences." (http://www.maxwell.syr.edu/socsci/default.asp; italics mine) Indeed, as Adrienne

Rich (1986, 212) puts it: "A place on the map is also a place in history." How does interdisciplinarity that dates back to 1946 relate to more recent forms of interdisciplinarity? Does it? W. Mitchell (1995, 540) in *Interdisciplinarity and visual culture* situates interdisciplinarity, the emergence and start of the widespread circulation of the term in the 1970s, as a "codeword" for "politically or theoretically adventurous work (feminism, and women's study, work in media and mass culture, deconstruction, semiotics, Marxist and psychoanalytic criticism)". He identifies its label as that of serving a "useful function" for making this new work professionally respectable and safe" (Mitchell 1995, 540). Rather than merely adventurous, Geoff Eley (2005, 496) in *Being undisciplined,* his contribution to *The politics of method in the human sciences*, identifies two periods in which interdisciplinarity happened, the 1960s-1980s and the 1990s, both during which "hidden and suppressed histories could be recognized and disempowered groups enter the profession", and during which, he argues, "social explanation and social causality lost their hold on the imagination". Instead, interdisciplinarity, in history and the social sciences, delivered on the "the desire for greater democratic inclusiveness" (Eley 2005, 496).

My program starts in-between disciplines, unlike much contemporary interdisciplinary research, which originates in a discipline and its training in addition to which faculty then try their hand at interdisciplinary knowledge projects, crossing the boundary that separates one discipline from another. Other forms of interdisciplinarity exist, that also typically start with disciplinarity and then cross boundaries into other disciplines, such as those between "academic (esoteric) and popular (everyday life) knowledge, science and non-science, explanation and interpretation, quantitative and qualitative, objective and subjective as well as normative" (Klein 1996, 4).

In-between disciplines and disciplinarity as a starting point is a suspension, which like a bridge allows for movement and travel, as well as for settling in-between disciplines. In-

between is a starting point that creates freedom of movement, and thought, and notwithstanding that all students in the program come from somewhere: we all have a disciplinary background, unless it is an interdisciplinary one, like mine. My disciplinary background, and academic movements, my somewhere is scattered on the map of disciplines, the traversing of which is also a 'travel story'. Caren Kaplan (1996, 130), in *Questions of travel. Postmodern discourses of displacement,* asks: "How do different populations, classes and gender travel? What kind of knowledges, stories and theories do they produce?" In which or what kind of language do they produce them? My travel story is possible because of what Aihwa Ong (1998, 136) in her contribution to *Cosmopolitics. Thinking and Feeling beyond the Nation* refers to as "flexible citizenship": "I use the term flexible citizenship to refer especially to the strategies and effects of mobile managers, technocrats, and professionals who seek to both circumvent and benefit from different nation-state regimes by selecting different sites for investment, work, and family relocation" (Ong 1998, 136). My flexible citizenship is not exactly mine, as I am not a manager, technocrat or professional. I am flexible by association. I am flexible because of a joint 'decision'. That is, insofar as being flexible as a "professional ideal" is a translation of insecurity, about job security, into an opportunism that as such rather than being of "potential social conflict and political antagonism" is the 'lubricant of the economic system', or the "contemporary post-Fordist organization of labor" (Ngai 2005, 4). Sianne Ngai (2005, 5) suggests that *feeling* opportunistic "[F]or all its pettiness calls attention to a real social experience and a certain kind of historical truth." Bruce Robbins (1998, 11) in his introduction to *Cosmopolitics* argues about flexibility in relation to citizens that flexible citizens are 'lacking in duties of a citizen'. Lacking because, as Edward Said (1994, 45) points out about the exile, once you start moving, "wherever you end up you cannot simply take up life and become just another citizen of the new place". *What can you do?*

Discipline-wise, my first four-year master's degree is in Mass Communication &

Mass Media, and my second in Business Administration. Both degrees are from Dutch

universities, located in Nijmegen and Rotterdam respectively. I met my husband at the

university in Rotterdam and we decided to move to the US, which getting married would

make easier. In the US he could gain academic experience in an American business school,

and I could start my PhD. After arriving in the US from the Netherlands, I spent a year at

RIT, where he got a job, and where I was able to take undergraduate courses in philosophy,

and some in art, because some fees were waived, and while I applied for a PhD placement.

When I applied at the social science program, my research interests revolved around

feminism and the politics of knowledge production. In doing my coursework, my interests

diversified. At the moment, and over recent years, I am a supervisor for courses in Marketing

and Organizational Behavior at the Judge Business School, Cambridge University, UK,

where my husband got a better job, and I am closer to my parents. I interact, in small groups,

with students from a wide variety of disciplinary, and national, backgrounds, because they

follow-up their disciplinary degree with a one year program at the business school.

Afterwards the majority apply for jobs as consultants, and in finance. Since the start of the

social science program, I have become more disciplined in settling down somewhat, and in a

way. Since the start of my program, I have gravitated towards sociology, in which I

completed most of my coursework, such as (contemporary) social theory and qualitative

methods, in addition to courses in geography, political science, the English department, and

rhetoric. My research and I are on the edge of sociology, supported by my supervisor.

The appeal of interdisciplinarity is not only the relative freedom it affords, but also, as

the program holds out, the opportunity to practice "creative scholarship" for "students whose

intellectual interests *do not fit easily* in the confines of a single discipline"

(http://www.maxwell.syr.edu/socsci/default.asp; my italics), for presumably *intellectual*

interests are not shaped by discipline(s). In the aftermath of fascism, which aims for an extremely ordered hierarchic social body, interdisciplinarity at its inception in 1946 testifies to a different ethos, where fitting in does not have to be perfect, because it is not easy to fit intellectual interests in place. Fitting in does not have to perfect notwithstanding the institutionalization of interdisciplinarity by means of a social science program, which regulates objects of study and bodies of knowledge. But you can read between the lines of a program: it is open to interpretation. Interdisciplinarity is for students with *unruly* thoughts *and ambitions*, or as Edward Said (1994, 11) would put it, those with "anarchical intellectual energy". Those with "a passion for thinking" (Said 1994, 11), which is "a mode of experiencing the world" (Said 1994, 11) that registers as "obstate and contrary" (Said 1994, 11), and which, among other things, qualifies the intellectual as he represents her. Interdisciplinary freedom, of movement and thought, in association with creativity and unruliness, is a challenge to rulers, rules, and order. Rather than confining students and allowing for unruly thoughts *and ambitions* instead, the social science program introduces dis-order into the order of disciplines and disciplining, and which makes for a less orderly order, notwithstanding its institutionalization. *Does a program make policing more or less effective?* "[T]here is a worse and a better police" (Rancière 1999, 30-31). The program is an invitation for the unruly who do not think in terms of disciplines and disciplining. It is also an opening for those who do not *work*, i.e. produce knowledge in terms of disciplines and disciplining: freedom to think and research differently as well.

In tandem with the appeal of interdisciplinarity, freedom of thought and movement, as well as creativity and unruliness is called for, according to the program, because "*answers* to many questions about the nature of society and its discontents *do not rest* in one discipline" (http://www.maxwell.syr.edu/socsci/default.asp; my italics). Unruly thoughts and ambitions meet restless answers. Thus, one needs freedom, of movement and thought, and the ability

and opportunity to be creative and unruly to come to terms with 'society and its discontents'. In addition to being interdisciplinary within the social sciences, which in the Maxwell school include the disciplines and departments of sociology, anthropology, political science, geography, and history, my program allows its students also to reach across, cross and bridge the divide between the social sciences and other disciplines and their departments, moving in-between them. Although it does not officially or publicly encourage it, or rather, it is not in writing, said in so many words. We are crossing boundaries and borders into different departments, and their disciplines, that, according to the program, should have a more or less strong 'social science component' to them, by virtue of their faculty, their specializations and (professional) interests. Crossing boundaries, we are welcomed by individual faculty members who, in accepting us into their classrooms, are equally appreciative of freedom of movement, and the freedom of thought it embodies as well as, potentially, of the potential for intellectual creativity and unruliness.

All this movement raises the question: what is the point of disciplines, boundaries and confinement, which restrict the search for answers to questions about society, and its discontent, and which is constituted by, belongs and is that of its members also? Why not just cross the border and boundaries to society too, given also that and if answers are that restless: how about embracing all thoughts, as a sign of unruliness and ambition? How about embracing members of society, (the) people and members of the public, their thoughts, how and what they (can) know, in-between disciplines? How about not just having a different ethos, but also room for the demos? Not to ask them research questions, or so as to merely include more people, but to rethink what counts as doing research and knowledge, given the space we find ourselves in. Melanie Klein (1996, 15) asserts that "boundary work is less a matter of defending a supposedly logical order of knowledge than it is the power to control institutional mechanisms and assets". After all:

For only two centuries, knowledge has assumed disciplinary form; for less than one it

has been produced in academic institutions by professionally trained knowers. Yet we

have come to see these circumstances as so *natural* that we tend to forget their

historical novelty and fail to imagine how else we might produce and organize

knowledge.

(Klein 1996, 15)

However, who exercises the power to control institutional mechanisms and assets, and

control boundaries? What influences the policing of order, including discipline(s)? Bill

Brown (2009, 1033) in *Counting (Art and Discipline)* argues that 'boundary work' or "the

cartographic drive" is "inseparable from the increasingly managerialized and

instrumentalized world of universities", its corporatization, and neoliberalization. Do such

neoliberal boundary work and policing make an adventure, which is risky and also an

experiment in democratic politics, more or less likely to succeed?

Neoliberalism, notwithstanding its pervasiveness, is an increasingly more widely

debated, and contested reality (e.g. Brown, 2008; Giroux 2008; Harvey 2005). Wendy Brown

(2008) in *Neoliberalism and the end of liberal democracy* argues that neoliberalism

'disseminates market values and a market rationality into every sphere of human activity'.

Neoliberalism redefines the meaning, and purpose, of what we (should) do, on the basis of a

"cost-benefit analysis and efficiency rationale" (Brown 2008, 43) and situated in the context

of "prudence" (Brown 2008, 43). Dimitros Akrivoulis (2010, 5) elaborates on Wendy

Brown's point by arguing that a market rationality eliminates alternatives, "through

sanctioning the sayable, the intelligible and the truth criteria", in the domains of "the

political, the social, and the subject". For instance, are equality and inequality say-able? Is

equality do-able? If we are too busy counting, costs, benefits and efficiency, the unaccounted

for will surely be a surprise. Furthermore, neoliberalism is often connected with fascism, a

connection either questioned or embraced. If neoliberalism resonates with fascism because both are deeply anti-democratic, in dismantling democratic practices and imaginaries, it puts democracy on the map too, like it did just after WW II. However, it is too often liberal democracy that is presented as its antidote, even if cautiously on the left.

Sociology is my interdisciplinary home, as opposed to my disciplinary home. Sociology is my home base, my home away from home, while I engage in interdisciplinarity. My research and knowledge project interferes with expectations, and norms, because it embodies what Robert Post (2009, 749), in the context of his *Debating disciplinarity* refers to as "an eccentric angle of vision of a "particular intellectual community", *qua* object of study, its "subject matter" and method or "methodology". Except that I do not have an intellectual *community*, or as Tony Becher (2001) refers to it, a 'tribe' as such that shares my object of study and method. What remains or is left is 'the eccentric angle of vision of a particular intellectual', which is a phrase that Edward Said (1994, 43) uses too, and who defines intellectual on his own terms. 'An eccentric angle of vision' creates what W. Mitchell (1995, 541) in *Interdisciplinarity and visual culture* identifies as "turbulence or incoherence at the inner and outer boundaries of disciplines". At least, that is what it feels like. W*hat are you studying,* where are the bodies, of literature, *and how do you know what you know,* given also that or especially because you are not expertly and professionally trained in your 'method'? Mitchell (1995, 541) continues: "This is the moment of interdisciplinarity that has always interested me. I think of it as an anarchist moment, and associate it with both public and esoteric or professional forms of knowledge." Furthermore, such interdisciplinarity "mediates public and professional discourses" (Mitchell 1995, 540).

Mitchell (1995) distinguishes 'anarchist interdisciplinarity' from the kind of interdisciplinarity cultural studies is, which he labels as 'bottom-up' compared against the anarchistic *moment* which he refers to as '*inside-out*' interdisciplinarity, and which he, unlike

the bottom-up kind does not elaborate on. Cultural studies as a movement is: a "compulsive and compulsory interdisciplinarity that is dictated by a specific problem or event ... which emerges on the shopfloor in response to emergencies and opportunities" (Mitchell 1995, 541). He identifies cultural studies as a "counterhegemonic marketing strategy" that has emerged with the American academy for an "array of knowledge projects that cluster around politics, identity, media and critical theory" (Mitchell 1995, 541). In comparison to sociology, cultural studies, a movement with momentum, is a home base suited to my knowledge project, in terms of content, namely popular creativity and its politics. But what kind of politics of knowledge production does it practice? Would my case-method suit it? Cultural studies seems a home base not only because of the 'keywords' Mitchell lists, but also in the context of some differences in (inter-)disciplinary identity that Gregor McLennan (2002) highlights in his argument in favor of a sociological cultural studies. For instance, whereas sociology, according to McLennan (2002, 632), wants to be "relevant" to politics and policy, cultural studies is "politically engaged"; sociologists are "cautious", about "the assertion of social and intellectual novelty", whereas cultural studies are "keen to embrace the new". Furthermore, McLennan (2002, 632) argues that:

> Sociologists are traditionalists in terms of the projects of knowledge that they recommend, and the intricate specification of authorities and sources that they expect; cultural studies are more riskier, more inclined to trigger a diversity of intellectual reference points in pursuit of a pressing question. Sociologists stick by the virtues of representational schemas and painstaking empirical substantiation, cultural studies stimulates performative and expressive articulations. Sociology seeks to know the representative character of phenomena, cultural studies encapsulates the emblematic.

While the one asking questions does not place disciplinary expectations, and norms beyond question, and accepts interdisciplinarity, she nevertheless has to negotiate the

eccentricity, and unruliness of my research and knowledge project. *How do you know what you know? What is your method, and who trained you in it?* She has to negotiate its eccentricity and unruliness with herself, and me and others in combination with my program's and the (inter) disciplinary expectations, and norms, of the others, out of a concern, ultimately of (everyone's) qualifications and professionalism, and which includes my future too. As the social science program also declares, it is committed to "rigorously *training* students for a *career* in the professoriate" (http://www.maxwell.syr.edu/socsci/default.asp; my italics), which is the language of disciplines and disciplining for the root concept of a discipline refers to "orderly conduct and action, which results from training" (Post 2009, 760). The program is committed to producing professionally trained knowers: knowers who produce knowledge orderly and orderly knowledge, because they have the know-how and are trained in a method. "[R]*igorous methodological initiations* in graduate training" (Post 2009, 754; my italics) secures respect and jobs. I lack such rigorous training in my case method but I received it in social science methods, which I do not employ in my research.

Mitchell (1995) proposes that both Edward Said and Jacques Lacan, their knowledge projects, are interdisciplinary, or rather, *in*disciplinary, which is also how Jacques Rancière (2006) refers to his way of thinking, and his method for doing research. According to Mitchell (1995, 541), Lacan's knowledge project is in(ter)disciplinary because he implodes the boundaries of his discipline, having "penetrated" so deeply into it and which "sends shockwaves into other disciplines and even into various forms of public life". Said's knowledge project is in(ter)disciplinary by "going public" (Mitchell 1995, 541): he "addresses a readership that is not confined to a single discipline or perhaps to any discipline in the academic sense". Mitchell (1995) seems to suggest that by virtue of such a readership, *a public* in relation to a public sphere or realm exists also within the university, alongside and

despite disciplinary tribes or communities, which also has implications for the position from which Said is speaking. That is, Said is not necessarily speaking from within his discipline when he goes public: the one who goes public identifies as a member of the public, not as a member of a tribe. *To go public is an alternative to going native.* He does not offer disciplinary knowledge, but public knowledge, knowledge addressed at and for a public, creating one, inside and from inside the academy, which is otherwise an "insider space controlled by experts and professionals" (Said 1994, 44). Furthermore, if there is a public in the academy, then the distinction between (an) academic (audience) and extra-academic (audience), where 'the public' otherwise resides, does not make sense, or rather, it suggests it is an artificial one: the public is everywhere. 'To go public', inside and from inside the academy: is it professional? Who goes public and is she allowed to speak, in public, inside and from inside the academy? What is her method for 'public speaking'? And does she need training in it?

Taking 'going public' to Edward Said (1994), his *Representations of the Intellectual* suggests that who 'goes public', rather than native, is the amateur or intellectual for she speaks up about 'broader matters', of concern too, informed by 'commitments' that go 'well beyond' a 'narrow professional career'. The aim for him is to maintain independence intellectually, while being a professional. Maintaining independence also involves, as "one of the main intellectual activities of our century", "the questioning, not to say undermining of authority" (Said 1994, 67). Furthermore, Said (1994, 15) points out that the advantage of being an amateur or intellectual is that it allows one to connect one's knowledge project with a "personal project and original thoughts". Said (1994, 15) also proposes that to be an amateur or intellectual is to be "skeptical and engaged", in "a process of discovery in which you do things according to your own pattern, as various interests seize your attention" (Said 1994, 46), and which is an "unsettled course" (Said 1994, 47), marked by "the provisional

and risky" (Said 1994, 47), "innovation and experiment" (Said 1994, 47), during which you learn "to make do" (Said 1994, 44), as well as "enjoy a unique pleasure" (Said 1994, 46).

Furthermore, the pleasure of research for the intellectual does not derive from know-how, that is from executing a technique well, for instance, because of the "sheer potential satisfaction of authoring first-rate literary criticism or an outstanding ethnography or an elegant mathematical paper", "'pleasure' that can accrue only to those who have fully internalized the standards by which success is measured", the "pleasure of excellence" (Post 2009, 768). The means have become the end. Do we do what we do because we know how to, or because we want to know? The pleasure of piecing knowledge together lies in figuring out what more is happening and the case. Raymond Williams (1976, 170) in *Keywords* observes, in relation to the keyword intellectual "[W]ithin universities the distinction is sometimes being made between specialists or professionals, with limited interests, and intellectuals with wider interests." Where do intellectuals, those with wider interests, the kind that seize your attention, *and who experiment*, with politics and equality, belong within the academy?

How does the amateur, the intellectual know what she knows? Said (1994, 15; italics mine) states that "*There are no rules by which intellectuals can know* what to say or do"; there is no 'how-to-do-it manual'; "what you do as an intellectual has to be *made up* because you cannot follow a prescribed path" (Said 1994: 46; italics mine). The amateur's method is *"the raw effort of constructing knowledge",* knowledge which *"like art"* results from "choices, decisions, commitments and alignments"*, not *"impersonal theories or methodologies"* (Said 1994, 57; italics mine). The amateur employs her method artfully, and for which she has not received any training by an expert or professional in knowing how to do it. The amateur, the intellectual learns what she knows, as opposed to masters what she knows, which is what professionals do, by training. The intellectual learns what she knows

through "rational investigation" (Said 1994, 15), through "research, probing, documentation" (Said 1994, 73), "asking questions" (Said 1994, 25), as well as "moral judgment" (15). Being an intellectual also involves "a sense of the dramatic" (xv), and an intellectual practices the "art of representing" (10), of putting on a "social performance" (11); she performs what she knows. Her aim is to "stir up debate, possible controversy" (52), as opposed to 'establishing reputations and intimidating non-experts'.

Said (1994, 61) proposes that the intellectual today "ought to be an amateur, someone who considers that to be a thinking and concerned member of a society one is entitled to raise moral issues at the heart of even the most technical and professionalized activity", which, as he repeatedly observes, academia itself also has become. He adds that one is also entitled to raise such issues, which more broadly speaking involve matters of concern and include matters of fact and interest, because it "involves *one's country*, its power, its mode of interacting with its citizens as well as other societies" (Said 1994, 61), whereby 'one's country', according to Raymond Williams' *Keywords*, can also designate "(the) people, in political contexts". As in this context, when people are the unaccounted for, indifferent to difference, and who are a surprise on the academic and socially scientific scene. In addition to addressing and considering matters of concern, the power of one's country, or of (the) people, the amateur and intellectual questions 'all justifications of power' (Said 1994, 16).

The member of society speaks up about matters of concern, interest and/or facts, and against "received ideas" and "insider knowledge" (Said 1994, 17). Speaking up against received ideas, and insider knowledge is not necessarily guided by suspicion, that is, the suspicion that something, the truth, and what is really real is hidden beneath the idea or knowledge. For 'going public' does not address appearances that need exposing: that which is hidden is hidden and protected inside, by expertise, not first and foremost veiled by ideology. Consequently, 'going public' is a disclosure, rather than an exposure, concerning matters of

concern, interest and/or facts, making different connections instead of accepting received ideas which it also challenges so as to create "*searching* debate" (Said 1994, 66; italics mine); 'going public' does not *expose* the truth in unveiling ideology. The member of society, amateur and intellectual, as 'outsider', thinks laterally, not vertically, guided also by a (writing) imagination that the technology of the internet allows for: making connections, and searching (debates).

Finally, in speaking up, 'going public' the member of society, amateur, intellectual, vis-à-vis the professional 'knowledge worker', *'presupposes her equality'*, I suggest Jacques Rancière would argue, because if not, she would never speak up in the first place, for supposedly, based on the distinction between amateur and professional, she does not *know* what she is talking about, because she is not a professional or an expert, with a method and 'licensed by training' to know and speak up, and hence should keep quiet. Thus, when Said (1994, 62) asks whether the amateur intellectual in addressing her audience, and authority, ought to satisfy it, as a professional would, or challenge it, as an amateur would and as its 'conscience', with the aim of mobilizing it into "opposition" or "greater democratic participation in the society", mobilization also potentially and already occurs by virtue of the fact that she is leading by example in challenging the distinction between professional and amateur on the basis of which some voices can be heard and others not, and public knowledge, that which is disclosed, is (dis-) qualified accordingly. In other words: the member of society and public, amateur and intellectual already, *and only* practices *democratic* 'participation' by what Jacques Rancière based on the presupposition of equality could refer to as 'taking the liberty to speak'. Taking the liberty to speak, and 'going public', is to construct a "case of equality" as well as "the place for the demonstration of equality" (Rancière 1992, 63): the demonstration of "the equality people are afforded when they are taken seriously, as valid partners in a dialogue, as people who make sense" (Deranty 2010,

x), with or without method, or training in a one. The amateur and intellectual are people too, people that are unaccounted for in a professionalized space that asks after a method and training in it, for the production of expert and professional knowledge. The amateur and intellectual, who take the liberty to speak, are people who produce detailed, public and popular knowledge instead.

In bringing together Edward Said and Jacques Rancière, their thoughts and practice intertwine. It 'radicalizes' Said's position, by re-thinking what Said thinks democratic participation is, and materializes, as an experiment, what Rancière argues politics is about, what he has 'in mind' about it, as a practice. For he aims to 'ground' it in practice only, without providing a theoretical outlook on and for it that informs an overall 'utopian' political project. As practiced, the effect of equality and democratic politics makes a difference. Yet, inequality still pervades society. There is no revolution on the terrain of democratic politics, no 'counter-hegemony' is taking shape, but equally, democratic politics is not mere inclusion or participation either: its politics cannot just be included, that is, without doing something to the existing social order, making it more equal, in certain cases and places. At least, that is how I see it.

'To take the liberty to speak' and 'go public' is also "taking a chance" (Rancière 2000, 124) because it takes place in a situation or context in which it, speaking up, is *not* (a) given, but 'policed' instead. That is, in a situation or context in which qualification or counting matters. In such a situation or context, the police aims to maintain social order, a "society" in which "the bodies", of its members, "have the perceptions, sensations and thoughts which correspond to them", i.e. to their classification, such that it is "well-ordered" (Rancière 2006, 9). Policing thus involves the distribution, and circulation, of bodies, in this case (what counts as) bodies of knowledge, of whose bodies count as bodies of knowledge, i.e. between the body of the amateur and intellectual, who are people too, and the body of the

professional. Furthermore, "[T]o challenge the police is not to undermine their enforcement of a given distribution but to disrupt it so radically as to create a new distribution." (Chambers 2013, 63) The challenge, *for all*, in the space of equality and the moment of democracy, the moment of conflict between police and politics, is to create a new distribution of bodies of knowledge, in its aftermath, because of what counts as 'one', a body of knowledge, has changed, not by adding the unaccounted for, but by differentiating; "politics will change what is, will alter what is given (Chambers 2013, 63).

In my research chapters 'I take the liberty to speak' and 'go public', without training in a method, inside and from inside the academy, in the space of interdisciplinarity, as a thinking member of society, the public, amateur, and intellectual who are people too in relation to detailed observations that are unaccounted for and that seized my intellectual interest, animated me, made me wonder. I take the liberty to speak as a member of society, the public, amateur, and intellectual inside and from inside the academy, someone who as opposed to relying on training in a (proven) method, pieces knowledge together. I practice and perform the 'raw effort of constructing knowledge', based on detailed observations on which and for which I build my cases. Does it make more sense now, doing what I am doing, even if unaccounted for, because I am doing what intellectuals and amateurs (make) do, constructing knowledge and who follow their own path, similar to what emancipated spectators do, when they go on an intellectual adventure, except they might not take the liberty to speak, yet.

Even though I lack training in it, I can put a name to piecing knowledge together, and thus make my method intelligible, after meeting with questions again. I make my method intelligible next, and in the language of disciplines.

Being on the case

The question, *what method have you adopted for this research?* This is a hard

question to answer and to be asked continually. It is a persistent question. One asked

with a certain tone of voice, an almost perceptible sigh of relief that the one asking is

not the one answering; the sound also of a powerful demand to know, a distanced,

usually firm utterance capturing in its delivery the authority of the interrogator.

(Avery Gordon 1997, 39)

Historians ask you: what is your historical method? You have to apply a historical

method. My question became, what is historical method. You try to understand

something; therefore you go to materials that may help you understand. Then you try

to make sense of them. *What kind of method is this? You use your brains.* You try to

find something and you use your brains to make sense of it.

(Jacques Rancière & Sudeep Dasgupta 2008, 71; italics mine)

What method have you adopted for your research? How do you know what you know, also

given or especially since you have not received any training in it. Tony Becher (2001, 39) in

Academic tribes and territories: Intellectual enquiry and the cultures of discipline, observes:

"Sociologists seem obsessed with methodology and scientific status while anthropologists

seems more relaxed on those issues." Robert Post (2009, 756) argues that 'what counts as

knowledge is more controversial in the humanities than in the sciences, because the

humanities do not solve problems in the same way as the sciences'. How do they solve

problems? With a method, and training in it? How do *they* know what they know? How do

they police the boundary between the academy and society if a method, training in it, and

scientific status is not all that matters, and what counts as knowledge is more controversial?

How is their problem solving, or puzzling exclusive?

Post (2009) is wary of but also concerned for the humanities. According to him, while they are a discipline they do not want to exercise discipline, beyond that "of the imagination" (Post 2009, 759), and which seeks to 'disturb and disrupt', 'the public realm', in the interest of 'politics', for an understanding of which he refers to Hannah Arendt. Politics is underpinned by 'persuasion, one citizen to another'. Post (2009, 759) argues that the humanities "are hostile to the prerogatives of disciplinary authority or professionalism", which means they refuse to produce knowledge as 'experts', and he indeed accuses them of being amateurs, mere alert citizens. Such a stance is nevertheless "in fundamental tension with the entire disciplinary apparatus by which humanities scholars are trained, hired, and evaluated" (Post 2009, 764). Furthermore, what they put at stake and at risk in rejecting discipline is "the protective shield of academic freedom", which grants 'autonomy from the control of external forces', and they render themselves "vulnerable to the ordinary political recrimination and reprisal that envelops all citizens who enter the public realm", and who engage in "unpopular public speech" (Post 2009, 764). Unlike knowledge produced by amateurs, if what is expertly produced turns out to be "unpopular", it cannot be prevented from 'going public', i.e. being published:

> (…) the *liberty* of the scholar within the university to set forth his conclusions, be they what they may, *is conditioned* by their being conclusions gained by a scholar's method and held in a scholar's spirit; that is to say, they must be the fruits of competent and patient and sincere inquiry.
>
> (Post 2009, 763; italics mine)

The question is whether expertly produced knowledge runs the risk of being 'unpopular', for 'properly' produced knowledge, knowledge produced by professionals, by proper research behavior, as Edward Said (1994) points out, also means 'not rocking the boat, not studying

outside accepted paradigms, making yourself marketable, and above all presentable, hence uncontroversial, unpolitical and objective.

What method have you adopted for your research? Who trained you in it? The one asking is not the one answering, but does not seem that relieved, and seems anxious and eager instead, about and for the answer, as I am. 'Interdisciplinarity is not the calm of an easy security.' It is risky. *How do I know what I know?* "[E]very question springs from an agenda that determines the range of acceptable answers." (Post 2009, 749) What if I were to reply that I know what I know because I used my brains, is that an acceptable answer? What if I were to reply that I know what I know because I made 'choices and decisions, commitments and alignments', is that an acceptable answer? What if I were to reply that I know what I know because I made the 'raw effort of constructing it'? What if I were to reply that I know what I know because I pieced it together? *How do you know what you know,* also, and especially *given that you lack training in* how to *know what you know; you are not trained, professionally and expertly in a method to know what you know; i.e. to know anything, knowledge, is the result of training by a professional and expert in a method.* Is the result of training, in a method, knowledge, or expertise? *How do I know what I know?* What is my method? Do I need training in a method? Given that I lack training, proper 'know-how', how did I master what I know? Did I master what I know? *I did not master what I know*, which does not mean I failed, even though knowledge is incomplete and it always fails us. Based on detailed observations, I constructed what I know, as an amateur and intellectual. I pieced it together. I fabricated what I know, given my lack of training in a method, and made a case of and for my detailed observations, made sense of and for them, which does not mean I am less sincere, dishonest or lying, or less competent or patient. "The university field, like any other, is the locus of struggle to determine the conditions and criteria of legitimate membership and hierarchy." (Klein 1996, 5) But is it also the locus of *democratic* struggle, as Rancière

understands it? When, where? Now? Here? I am told to be confident, or rather, to *stage* my confidence, specifically confidence in what I know and how I know what I know. I cannot be more confident than 'taking the liberty to speak', in piecing knowledge together, and making my cases, for which I have found a name, and hence method, which translates what I am doing as a 'case-method', 'being on the case', 'case-thinking'.

Disciplines stipulate what a case is, the form it takes, its purpose and how to proceed in making a case. I start by exploring the social science case study, a method for doing research, which resonates with my cases. The aim in exploring the social science case study is to demonstrate that it is less scientific than social scientists imagine it to be, and more like my cases, and my case method, which are therefore less objectionable, *more intelligible* to sociologists, social scientists and others.

The social science case study

Cases in the social sciences take the form of a case study, which can be shaped differently, and serves two purposes. For instance, in the introduction to *What is a case*, the editors Charles Ragin and Howard Becker (1992) identify four different kinds of case studies that result from the intersection between the understanding of cases on the one hand, either as empirical units or theoretical constructs, and case conceptions on the other, either as specific or as general. As empirical units, cases are found (specific) or objects (general). As theoretical constructs, they are made (specific) or conventions (general). In terms of their purpose, or as David Tacher (2006, 1631) puts it, 'what they are good for', case studies either "help to identify causal relationships", or they aim "to illuminate the subjective meaning that people's actions have for them". The 'causal case study' identifies "the consequences actions will have", hence also why something is happening, whereas the 'interpretative case study' identifies the motivations and worldview that inform social action" (Tacher 2006, 1631).

What qualifies all case studies, in terms of norms about how to make them, independent from form or purpose, is that they include data collection, which my cases lack. Unlike any case study that social scientists undertake, my labor, as a researcher, does not also involve going into 'the field', even though I practiced it. That is, I practiced going into 'the field', doing work gathering data, evidence or facts by means of a specific method particular to the social sciences, a scientific method. For instance, by means of interviews or participant observation, which then require making sense of, coding and theorizing, 'pattern recognition' and interpretation. Samuel Chambers (2013, 6) remarks that "coding allows social scientists to create an order to the phenomena they wish to study, and also to avoid surprises", and which he also attributes to liberal theory, the unwillingness to be surprised.

Despite and notwithstanding 'the empirical divide', the lack of data gathering according to a scientific method, which most obviously separates my cases from social science case studies, there are resonances, affinities or similarities between the two. Puzzling, to start research not knowing, resonates with the approach that Howard Becker (1992) encourages any social scientist to adopt in researching a case study. He argues that what the gathered evidence in a case is evidence of will become clear. The study is not a case until the researcher tries out ideas on the data gathered, which then becomes evidence. Only "working through the relation of ideas to evidence answers the question 'what is this a case of?' and the case will "coalesce gradually, sometimes catalytically" (Becker 1992, 205). In fact, "[R]esearchers will probably not know what their cases are until the research, including the task of writing up the results, is virtually completed" (Becker 1992, 205). Such uncertainty is a productive discomfort: at the end of the day, it keeps the researcher going, to want to get to the bottom of the case. Furthermore, building a case by trying out ideas and having to settle on an interpretation in the end, is taking a chance. For does the researcher who puts together a case by going back and forth between ideas, or theory, and data gathered, know for a fact

what is going on? Do I know for a fact what is going on in my cases? I only start from a fact, and speak for it by building a case and making one for it. As Charles Ragin (1992, 217) puts it, "cases", which are "imposed" on "empirical evidence, by pinpointing and demonstrating their theoretical significance", which is also their significance in theory, "are always hypotheses" that cannot do anything more than stake a "claim" that explains what is going on, that is, "*how* social forces take shape and produce results in specific settings".

Marjorie Garber (1996, 3; my italics) argues, "The structure of a question disciplines knowledge, frames discussion, and directs *the investigator* toward one answer rather than another". Then by connecting the case study as explanatory to 'how' questions, Ragin (1992) opens up space for doing social science case studies differently, given that explanations, in the social sciences, typically provide 'causal answers to *why* questions' as Robert McLennan (2006) points out in considering the differences between sociology and cultural studies. Rather than a narrow understanding of what it means to explain something, McLennan (2006) argues that 'what and how questions', its answers are just as explanatory as those to 'why questions'. In addition to opening up what it means to do explanatory research as a social scientist, McLennan (2006) argues that explaining, by means of any kind of method, case studies included, is not value-neutral and is a rhetorical activity. It is not value-neutral because evaluations inevitably enter into the picture and we develop variously 'nostalgic', 'utopian' or 'exposure' veins of writing in justifying explanatory work.

Drawing up hypotheses that explain what is going on, against the background of uncertainty, involves what Ricca Edmondson (1984, 10) in *Rhetoric and Sociology* describes as "deciding between alternative possibilities" because "solutions", that would solve the case, "are not self-evident". Furthermore, solutions are not self-evident, but take shape as likely in what she refers to as 'the area of the probable', also because sociologists deal with "situations in which certainties are particularly difficult to come by" (Edmondson 1984, 10), hence why

they argue over what is going on, 'what is seen and perceived'. 'Solving' cases relies on 'rhetorical induction'. Rhetorical induction is:

> (…) a guide to expectations in which an author goes from a limited number of observations to a statement of what can reasonably be anticipated in general. It is characteristically sociological not only in being subject to the limitations intrinsic to information about social situations, but also its strengths. It has the strength of enabling the reader to interpret situations which are not exactly like those described; it does not involve the artificial modesty of pretending that the author can only talk about what he or she has directly observed; nor does it imply excessive claims that the author can infer from the observations actually made to all possible cases of a comparable type.
>
> (Edmondson 1984, 106)

Cases, 'solving' them, and that in doing so rely on rhetorical induction, are constituted as symptomatic or diagnostic interpretations, and involve persuasion. Edmondson (1984) emphasizes reasonableness as the key not only to expectations, but also as a qualification of the rhetoric involved in making the case, namely to make a reasonable argument, as well as be confident, open, coherent and eloquent. She references Aristotle, who connects rhetorical reasoning with the use of rational speech "in order to negotiate acceptable and usable opinions" (Edmondson 1984, 10). For in the end, what matters most to the case is that "The reader must be able to believe what the analyst says in the absence of definite proof, which seldom if ever exists" (Edmondson 1984, 10).

Rather than make a reasonable argument as constitutive of any symptomatic or diagnostic interpretation, alternative strategies exist to make such a case. As McLennan (2006) puts it, there will be sociologists who 'agitate' as well as explain. Theodor Adorno, critical social theorist and scientist, abandons the conventionality of and rejects the call for

reasonableness, a measured argument, which also qualifies opinion and common sense. On the one hand, Theodor Adorno (2005, 72) states in one of the entries in *Minima Moralia,* that opinion and especially common sense are positively marked by "a freedom from dogma, narrow-mindedness and prejudice", and which suggests, in its "sobriety", that they constitute "a moment of critical thinking". Except: "its lack of passionate commitment makes it, all the same, the sworn enemy of such thinking" (Adorno 2005, 72). Furthermore, to exercise common sense, being reasonable, is to 'put things into perspective', to create 'a sense of proportion', except: "the sense of proportion entails a total obligation to think in terms of the established measures and values" (Adorno 2005, 72), the 'established order'. Similarly, opinion, "in its generality, accepted directly as that of society as it is, necessarily has agreement as its concrete content" (Adorno 2005, 72). Both support the status quo, which itself is often unreasonable, or lacks reason, for instance in maintaining inequality, and which places the demand for being reasonable in a suspicious light: "note at what times the bourgeoisie talk of exaggeration, hysteria, folly, to know that the appeal to reason invariably occurs in apologies for unreason" (Adorno 2005, 72). As opposed to measured thinking or reasoning, that puts things into perspective, reasoning marked by a lack of proportion makes the case, which might defy propriety and upset bourgeois sensibilities, but which is not the end in itself:

> Once it [the dialectic] has recognized the ruling universal order and its proportions as sick –and marked in the most literal sense with paranoia, with pathetic projection – then it can see as healing cells only what appears, by the standards of that order, as itself sick, eccentric, paranoia –indeed 'mad'.
>
> (Adorno 2005, 73)
>
> Shane Gunster (2000, 41) in *Revisiting the culture industry thesis*, that examines "in

greater detail precisely how the culture industry is supposed to work", identifies exaggeration

as the technique that Adorno, together with Max Horkheimer, "consciously employ" to theorize the culture industry. They employ it specifically to capture the "terrifying logic of commodification", which the "timid and cautious methods of conventional social science were simply not up to task" (Gunster 2000, 41) to come to terms with. Furthermore, and in addition, 'putting things in perspective' is not an option, because it is also what the culture industry does, that is, by putting things in perspective it does our thinking for us: "the data given to us by the culture industry have already been organized and classified for us" (Gunster 2000, 53). Alexander Garcia Duttmann (2006, 181; italics mine) argues that when Adorno exaggerates, his exaggerations "have to be taken seriously because they hit on *the facts of the case* more tellingly than the commensurate and consistent". For instance, reading through *Minima Moralia* in an entry on *Pseudomenos*, which is the Greek term for 'liar', and which diagnoses the "decay of logical evidence" because of the "power" that "the institutions of public opinion" bring to bear on "factual proof", Adorno (2005, 108) states not only that today "lying sounds like truth, truth like lying" but also more boldly, because consequently, that "Only the absolute lie now has any freedom to speak the truth." And, "lies have long legs, they are ahead of their time" (Adorno 2005, 108).

An alternative to the social science case study

While my cases resonate with the social science case study, share affinities by taking advantage of its nuances, complexities, openings and their possibilities *qua* form, purpose, and (unconventional) style, I did not collect data by means of social science methods and proceed accordingly, as prescribed, to generate results. To fully come to terms with the kind of cases my research chapters are, and the 'method' involved that explains how I know what I know, I turn to Laura Berlant's (2007) editorial that introduces a special issue of *Critical Inquiry*: *On the case*. Berlant, a professor of English, identifies as definitive of a case, and the

activities of what I would think of as the 'case worker' not knowing, puzzling, investigating. She also excludes including data collection in the case, embedding the case in it, as necessary to make it. Not all cases involve data collection, but all cases, ultimately, come together in 'judgment'. Berlant (2007, 663 -664; my italics) then defines the case as follows:

> The case represents a problem event that has animated some kind of judgment. Any *enigma* could do – a symptom, a crime, a causal variable, a situation, a stranger, or any irritable obstacle to clarity. What matters is the idiom of the judgment. This varies tremendously across disciplines, professions and ordinary life scenes: law, medicine, sports bar, chat shows, blogs, each domain with its vernacular and rule-based conventions for folding the singular into the general. ... It took aesthetic form in documentary and ficto-narrative genres (the detective story, the fictional autobiography, the medical mystery, the still life) and then in interpretative scholarship. ... *It organizes publics*, however fleetingly.

The enigma becomes a case by relating the singular to the general, by judging what is going on, which is motivated and informed by being animated in the face of, and tied into the qualities of the enigmatic, i.e. being puzzled and that which is puzzling (remains unexplained and raises questions). An event occurred, or is occurring, out of which a case is constructed: an event that results in judgment, which is also a decision on what the case is about. Judgments are not arrived at 'willy-nilly' but are guided by norms that stipulate *how to* make a case, such that "As a genre, the case hovers about the singular, the general and *the normative*." (Berlant 2007, 664) Anybody can make a or their case, organize and engage a public and be heard, as long as they know how to, given the expectations and norms that are in place, *qua* rule-based conventions, and use the right words, i.e. speak the right language, given the space they find themselves in. I am puzzling, but have no norms to guide me to make a judgment, or a specific disciplinary language that I speak.

Furthermore, an enigma or event can be as (in) significant as a "*detail* that captures the interpretative eye" (Berlant 2007, 670; my italics), *or ear*, and which, at times (e.g. in legal cases), suggests "interpretative recontextualization" (Berlant 2007, 670). Details attract attention and create focus by putting them 'in perspective', on the basis of a judgment of what else and more is going on and which brings an overall picture into relief, which makes the case. Alternatively, rather than putting the detail into perspective, its significance can also be blown up, by exaggerating it. In the detail, the detective story and interpretative scholarship overlap. Details, clues, animate the detective and ('solve') cases. As I already explained, detailed observations animate me, and my cases, as does the detective.

Berlant suggests that in English departments, her disciplinary background where interpretation thrives, making a case, the *how to* given the discipline, varies between relying on a department's "gut disciplinarity", or applying the opposite, 'the toolbox of theory', which she dismisses as "making reading merely instrumental and mechanical, and not an exercise of *reflexive self-cultivation*" (Berlant 2007, 667; my italics), which means what exactly? Opening the 'toolbox of theory' that Berlant references as an example, on its opening pages its authors, Jeffrey Nealon and Susan Sears Giroux (2003, 6; my italics) suggest that to apply theory, to novels, films, advertisements, and life as such, to make a case, is to start from a position in which "everything is suspect" and that in particular refuses and upsets "*natural* facts". To be suspicious seems innocent enough: it does not have to result in 'instrumental or mechanical readings', unless, I imagine, what is suspicious is known beforehand and pre-determined. We are suspicious, but we know what to look for because the evidence is planted in advance given the tools, theory, we already decided, and know how to use. With a hammer in hand everything looks like, or is *identified* as a nail.

Berlant (2007, 664) argues furthermore that in making a case, judging or "deciding what defines the surplus to singularity is the provenance of the expert, the expert who makes

the case". However, her 'expertise', which explains how she knows what she knows, ranges from being "casual", "deliberately *cultivated*" or "licensed by training" (Berlant 2007, 664). 'Casual expertise' is the most intriguing variety of expertise, not only because it sounds like a contradiction in terms, casual being the opposite of expertise, but also because in being designated casual it seems less or least authoritative, and the least policed, such that the resulting case is more open to public debate. Deliberately cultivated expertise suggests it can be acquired through study, whereas expertise that is licensed by training suggests that a professional is at work. Such expertise lends a certain gravitas and legitimacy to the case, that the one making it *knows* what she is talking about, because of her professional training, and which places it beyond questioning, as insider knowledge, except by those who have a similar training by virtue of which they are licensed to debate the case. In the context of the distinction I previously made between amateur and professional, the distinction Berlant makes can be reduced to amateur 'expertise' on the one hand, which includes both casual and cultivated expertise, and professional expertise, expertise licensed by training, that of the professional and the expert.

Berlant does not elaborate on the different *qualifications* she attaches to expertise. That is, she does not define and connect them to the different 'disciplines, professions, life scenes' that are populated by those who 'work the case'. For instance, what kind of expertise is involved in disciplines and professions: expertise licensed by training exclusively? How do you train 'gut disciplinarity', on the basis of which a license of expertise is awarded, compared against the expertise that learning how to use tools results in? How does *gut* disciplinarity relate to an open *mind*? Can you train reflexive self-cultivation, and what is it? On what grounds is a license extended as a testimony to having mastered it? Can you rely on casual expertise in a discipline? In-between disciplines? What kind of expertise is involved inter-disciplines?

Berlant (2007, 664-665) continues to argue "who counts as an expert is often an effect of the impact of the case the expert makes". If well made, the case bestows expertise on the one making it, assuming thus that the one making it is accepted somehow as someone who knows what she is talking about, despite not being an expert on it from the start. In addition, if well made, the case, Berlant (2007, 665) concludes, "is always pedagogical, itself an agent". According to her, overall, in making a case, the expert does not set out to prove something, but to teach something: "the question of what makes something a case, and not merely gestural instance, illustration or example, is to query the adequacy of an object to bear the weight of an explanation worthy of attending and taking a lesson from" (Berlant 2007, 666).

Berlant (2007) is ambitious on behalf of the case, which when done 'conventionally' typically intertwines realist claims with analytic claims. To be convincing, the case has to be realistic and reasonable. When executed *un*-conventionally, the case embodies an altered way of figuring, and feeling things out. To practice an altered way of figuring, and feeling things out, to execute a case unconventionally, also applies in the absence of a discipline that on the basis of its norms stipulates how to make a case, whether as realistic and reasonable or not. Berlant (2007, 666) hints at this when she observes that "cultural studies and new forms of interdisciplinarity continue to foment new norms", for folding the singular into the general, for being on, building and making the case, such as, as I am suggesting, based on detailed observations. For Berlant (2007, 666), "the case can incite an opening ... of falling out of line"; *one more thing can be done other than what is being done.* "[A]s everyone who writes on cases notes, the word case comes from the Latin casus, fall, chance, occurrence, and cassus, void, hollow." (Berlant 2007, 666) *Making a case is taking a chance*, on detailed observations. Taking the liberty to speak and do it is also taking a chance.

Berlant references, at the outset of her article *On the case,* a book review on 'case-thinking', which is in French and unavailable in translation. The reviewers, Philippe Lacour and Lucie Campos, identify as case-thinking "a continuous argument that proceeds through the exploration and the deepening of a singularity *accessible to observation* in order to found a description, an explanation or an evaluation" (Lacourt and Campos 2005). It involves "the operation of judgment" and also "revisable argumentation" (Lacourt and Campos 2005). Furthermore, "[R]eflecting on a case means inventing for it a path of generalization of its own." (Lacourt and Campos 2005) Like the intellectual and amateur who does not follow a path either, and constructs knowledge, builds cases. Reflecting on a case means figuring out what is going on in (the context of) the case. Furthermore, case-thinking "might [then] be another name for practical reason, a reason of *the probable*, the fragile, the temporary" (Lacourt and Campos 2005; my italics). Furthermore, using the case for "cross-observation", compared against other cases, "results can truly accumulate" (Lacourt and Campos 2005), and we know more, albeit not because we necessarily agree. Knowledge is not progressive or cumulative, a system. The reviewers quote the authors:

> Passeron and Revel consider its rebirth [that of the case] to be an effect of an underground epistemological revolution that has detached human sciences from positivist realism, thus paving the way for more flexible relations between world and language.
>
> (Lacourt and Campos 2005)

Situated knowledge embodies the lack of positivist realism too, and asks for an evaluation, whether or not it is probable, makes sense.

My research cases are an altered way of figuring, and feeling things out, based on detailed observations, in the absence of a discipline that stipulates *how to* make a case, and in the presence of interdisciplinarity instead. If my research cases have an idiom specific to it, I

am learning to speak it as I go along. I am not sure if I am speaking a language or dialect. According to Rancière (1992, 58; italics mine) , a dialect "carries no identification with any *group*", and which is spoken not by 'tribes', but 'in-between'.

In the cases I am making, I speak as a member of society, the public, amateur, and intellectual who 'goes public', who lacks training in a method, and who takes the liberty of speaking. 'I take the liberty of speaking' vis-à-vis legal experts and the official interpreters involved, academics and revolutionaries, the spokesperson for adbusters included, and which is also to practice a method of equality. Caroline Pelletier (2011, 311) explains in *Methodology as Theatre. Rancière and the poetics of social science* that a method of equality proceeds by "reading/producing words against the guarantees, or modes of legitimation offered by the social location of the speaker". A method of equality 'de-classifies words', by re-ordering the way in which words take on meaning by virtue of the category / body to which they are assigned in the social order" (Pelletier 2011, 311). To 'untangle words' "from social places" (Pelletier 2011, 311), as policed and protected by the social order is to "undo the partitions which divide people into territories of competence, or the territories by which people are assigned social (unequal) attributes" (Pelletier 2011, 312). Pelletier (2009, 143) in *Emancipation, Equality and Education: Rancière's critique of Bourdieu and the question of performativity* associates a method of equality with performativity, with the performativity of a method that "discriminates by trying to enact realities in and out of being", which she suggests applies to the social sciences too. Specifically, she points towards how "[method] operates to make certain (political) arrangements more probable, stronger, more real, whilst eroding others and making them less real" (Pelletier 2009, 143).

Rancière comments on a method of equality in *The aesthetic dimensions: Aesthetics, politics, knowledge* (2009a) and *Thinking between disciplines: an aesthetics of knowledge* (2006b). In the former article he addresses and disputes what is accepted about philosophy's

status, namely its status as a "superdiscipline that reflects on methods of the social sciences or provides them with their foundation" (Rancière 2009a, 19). Instead he proposes that what is philosophy is not "the name of a discipline or territory", but the name of a "practice'. Philosophy is a performance that sends the specificities of the territories back to *the common sharing of the capacity of thinking*" (Rancière 2009a, 19; my italics). In the latter article he argues that to think between disciplines is to practice a poetics of knowledge "which reinscribes the force of descriptions and arguments in the equality of common language and the common capacity to invent objects, stories and arguments. In this sense it can be called a method of equality." (Rancière 2006b, 10) My cases are premised on 'a method of equality', not only in relation to the question of training in a method, but also in relation to those who speak with authority on adbusting and the copyright case, rebels, academics and lawyers. I build my cases by means of detailed observations that are unaccounted for, and make them count instead, aided by casual expertise that is my own, and cultivated expertise. I make them count, because I want to know, how taking them into account makes a difference, in the context of and to adbusting, copyright and fans, including which politics are involved and what is at stake.

My starting point for piecing together a case for adbusting is based on being observant, an eye for detail, and 'casual expertise'. Rather than take the concept of adbusting for granted and assume all busted ads are the same, I actually look at busted advertisements, what they look like, in detail, and notice their differences. Firstly, I make a distinction between adbusting, and what I refer to as brandbusting. Adbusting remakes and reimagines existing advertisements, on the whole, whereas brandbusting inserts a brand into what looks and feels like an advertisement, a mock advertisement. Furthermore, busted ads differ among them, and which is being overlooked, in theory, and in gathering them together as directed at corporations, as issued by active consumers versus corporations, 'us versus them'. Looking at

a nuanced difference in particular, between two busted ads, that differ differently in relation to the same original, I reach for names, of concepts I know of, and which I read together with the busted ads that spoke to me. I have a name for the nuance between the two different ads I am looking at, a translation. The nuance is the difference between the uncanny, and Brechtian *Verfremdung* or alienation, both of which practice defamiliarization. The aesthetic of defamiliarization ties into and aims to involve our senses, that is, how we, consumers, are being sensitized to our place in society and our relation to consumption, moving us to take action. The difference between the two busted ads purposefully effect the withdrawal of meaning by taking advantage of the aesthetic of familiarity, the taken-for-granted, and in doing so most insistently insists on being taken into account, on not being taken-for-granted. On the basis of my translation, which is also a judgment on the difference between the two busted advertisements, I place Sigmund Freud and Bertolt Brecht on the scenes these busted advertisements create. I have encountered both Freud and Brecht and their writing during my (cultural) education: Brecht in Dutch high school, and Freud at the university, although both references, to the uncanny and *Verfremdung* circulate more widely too, as part of a shared vocabulary. I do not apply their thoughts and theories on the uncanny and *Verfremdung* to the busted advertisements, but read them together with the busted ads I am looking at, and together with a Lacanian informed theory about advertisements, how they work, their mechanics, in relation to consumers and in the context of consumer society. I perform a close reading of the Freudian uncanny and Brechtian alienation, in the context of two busted advertisements and Lacanian psychoanalytic theory. A close reading is what Sarah Ahmed (1998, 17) in *Differences that Matter* in the introduction *Speaking back* describes as "a reading which works against, rather than through, a text's own construction of itself (how the text 'asks to be read') and which can 'do' more", and which is performed by "the disobedient reader". I carefully document all the steps I take, making connections as I am reflecting on

and thinking through the difference in detail, particular and the concrete. I differentiate and discriminate among the busted ads, and want to know the differences defamiliarization makes, in the context of adbusting, its politics, which I make a case for and take a chance on. Rather than corporations, consumers among each other take centre stage, namely active versus passive consumers. Busted ads, by active consumers, hold up a mirror, to passive consumers, and aim to move us to take action, based on the different politics of aesthetic emotion they mobilize, and their framing, shame and guilt, which are embedded in different agendas. Shame is embedded in a call for personal change, and guilt in a call for social change.

In the case of copyright, or intellectual property rights, the detail that caught my eye concerns the presence of Warner Brothers Inc. during a trial that involves copyright, and during which the author takes centre stage. While Warner Brothers Inc. and the author sue together, this detail is (or *goes*) missing and is unaccounted for, enveloped in (a conspiracy of) silence. The detail is not hidden, but easily overlooked to the extent that only by familiarizing myself with the case, in detail, did I learn about the involvement of Warner Brothers Inc. in it. I downloaded the trial transcripts which are publicly available on the website of the *Centre for Internet and Society*, some of the lawyers of which were part of the case against the author and Warner Brothers Inc. Hardly anybody mentions the fact that Warner Brothers Inc. and the author sue together, let alone speculates or wonders about or debates and discusses, which is not that surprising, less of a conspiracy than what it feels like, but still a concrete detail and reality that insist on being accounted for. I situate the unaccounted for detail, of the unholy alliance between the author and Warner Brothers Inc., in an investigation that traces how the culture industry has changed, the place of branding in it, and in the context of which the Harry Potter dictionary or lexicon is of (symbolic) value. I furthermore engage with the law, not from the position of being a legal scholar, but by

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reading up on and learning about intellectual property rights, and the convergence between copyright law and trademark law the label has enabled according to legal scholars. I read up on the law, both in databases that I have access to as a student at Syracuse University, and on the internet, where much information on, and knowledge of the law is freely available, including articles by legal scholars who publish, and blog, more widely. I argue that the convergence between copyright and trademark law is further taking shape during the trial I am looking at, in the interest of both Warner Brothers Inc. and the author, who secure their combined interests by representing and making a case for the author as 'the principle of thrift in the proliferation of meaning', and which includes a worn-out story that portrays her as rising from 'rags to riches'. In the case made by the legal representation of the author and Warner Brothers Inc., 'the riches' remain unexamined, and the story is stuck on the author's difficult start as an author, who made it because of her 'hard work'. The emphasis on hard work allows her to disqualify the lexicon, copying, as lazy, a violation of copyright law. I turn the author's official story inside out, to get at the inside story, and complete the rags to riches story. As told, the story does not add up and as such has a hole in it. Adding the story up, through the hole, by turning it inside out, to get at the inside and whole 'rage to riches' story, is to take into account the riches the author has been able to accumulate, not due to work, hard or otherwise, but by renting out the world of Harry Potter as trademarks and brands, securing value for it as such, which is what the case, in terms of combined interests is about, because Warner Brothers Inc. licenses the trademarks as brands to others. I thus focus on the puzzling detail, its significance, and the politics of the unholy alliance to capture the symbolic value of stereotyping for brand identity, and which the verdict allows for. That is, the verdict, by implication, secures the properties of the meaning of the world of Harry Potter for the author, as her property, who is in a position to attribute and enact closure on the meaning of it, a reified and exclusive meaning, and on the meaning making by fans. A reified

and exclusive or stereotypical meaning translates into a strong and unique brand identity attractive for trademarking, such that more money can be collected.

I next turn to my first research case, or before it was a case, my first puzzle, the piecing together of which raised questions. I was making sense, but which did not make sense. In providing intelligibility for what I am doing, where I am coming from, the process of verifying equality is set in motion, but it also means that, on my part, where before I had presupposed my equality, without making sense, it is now gone, and what is left are democratic advances to be made, resulting in a more equal interdisciplinarity, upon verification of equality. For "when equality aspires to a place in the social, it turns into its opposite" (Chambers 2013, 28). Thus, in providing intelligibility, in working towards getting my method accepted, without training in it, I am working towards becoming part of police, inequality, upon verification of equality.

Chapter 3

A case of 'moving images': the politics of adbusters and defamiliarization

Artists have always held a mirror up to the face of society showing us what we have
become.

(*Adbusters* November/December 2008 issue)

(...) jammers 'create with mirrors'(...)

(Farrar and Warner 2008, 281)

(...) to my astonishment (...) the intruder was my own image, reflected in the mirror on the
connecting door.

(Freud [1919] 2003, 162)

If art reflects life it does so with special mirrors.

(Brecht 1964, 204)

This chapter is the first chapter I wrote, and my history with it reaches back to the classroom.
In this chapter I discuss and analyze two busted ads as a form of popular creativity and as
attacks on the same familiar original. I refer to them as 'moving images'. The politics
involved point toward an oppositional consciousness on the part of the adbusters who made
them. They also aim for an oppositional consciousness to take shape on the part of the
consumers addressed by them, to the point of moving consumers to take action. The politics
involved are the politics of defamiliarization, which I discuss and analyze in relation to the
Freudian uncanny and Brechtian *Verfremdung*, or alienation. A wide variety of busted ads

circulate and the two included, at the end, captured my attention and imagination, the nuanced difference in detail between the two that made me wonder and that insisted on being taken into account.

My first encounter with what a little later I came to understand to be 'busted advertisements' dates to a seminar I took in the English department on the politics and poetics of primitive accumulation. One of the other students in the class introduced what seemed like distorted images as the focus of her project, a paper on 'culture jamming'. My instant fascination was with what I perceived to be the artistic merit of the images, the avant-garde-esque feel to them. This feeling resonated, in terms of familiarity, not only with avant-garde art, but also with 'avant-garde sociology'. During a different seminar, in contemporary social theory, I had become acquainted with and excited about how social scientists can put to use the avant-garde artistic practices of montage and collage, as a way of 'performing social science (fiction)', to call attention to the relation with the social reality sociologists study and produce knowledge about. Similarly, the images that were handed out looked like they were artfully staged, some of them like a collage, a cutting and pasting, whereas others appeared more seamlessly put back together. In fact, they looked as if they had not been taken apart at all, similar to advertisements but different. Taken together the images had the look and feel of (certain) advertisements about them, yet they were not like any advertisement I had ever seen, despite the use of avant-garde techniques or aesthetics by the advertising industry, their commodification. The advertisements felt and were strange, but familiar, whereas some felt and were strangely familiar. In these initial moments of excitement and intrigue I did not register the content of what I was looking at as much. Not until I had a second, closer look at the images, in detail, did I realize that one of them featured a woman, naked, on her knees,

hugging a toilet bowl. What was the picture (she) made to tell me, by drawing me into the seen/scene with her, disturbing and animating me?

My attraction to adbusting happened more or less instantly, and spontaneously. I have somewhat picked it apart to translate and be able to re-present it as the case I am building and making in this chapter: *moving images*. Adbusting first spoke to me not in the language of a discipline, but in the language of art and feelings. Advertisements might be captivating, but so are attempts at subvert(is)ing them. Adbusting never let me go. For, while busted ads spoke to me, I was puzzled nevertheless. Susan Buck-Morss (1989, 161) refers to the combination or "montage" of "visual image and linguistic sign" as a "picture puzzle". Both advertisements and busted advertisements are picture puzzles. Except that advertisements are successful when as consumers we embrace the image they reflect without hesitation, without puzzling over them. If we feel 'spoken' to, by the image, there is no reason to be puzzled. Indeed, the image is a fantasy that does not require interpretation because I imagine myself to be the person in the advertisement, an idealization, that completes me as me, and which buying the branded product will realize. Adbusters intervene in these fantasies, and desire for wholeness, and propose alternative self-images that lack such completion, and thus perfection. They speak to consumers and hold a mirror up to us that shows us *not* what we imagined ourselves to be like. Our faces and bodies, rather than merge with our own, do not fit or suit us, exactly or otherwise. We look, and feel strangely familiar, or unfamiliar, strange even looking at ourselves.

Busted ads are advertisements, similar to as well as different from them. Thus, in between being the same as advertisements and being different from them lies the similar. In trying to figure out what busted advertisements mean, I *wonder*: why propose these images to consumers, confront consumers with them? Sarah Ahmed (2004, 179) suggests "we wonder when we are moved by that which we face". As such, she furthermore suggests, "wonder

involves learning" (Ahmed 2004, 180). That is, to be moved, to wonder is an opening and invitation to learn something. In this case, learning, being taught by being shown, how to see ourselves differently as consumers, as well as learning, by ourselves, to understand how busted ads work, what their aim is and what is at stake in learning to see ourselves differently, which includes identifying what moved us.

Busted ads mean because of how they mean, that is, because of their similarity to and difference from advertisements, which makes them, aesthetically speaking, look strangely familiar or strange: their differential strangeness matters, it is moving and makes us wonder, if we are observant. Sarah Ahmed (2004, 179) quotes René Descartes who regards wonder as "the first of all passions", which we experience before we know whether or not that which makes us wonder is "beneficial to us". Wonder is bait, once moved and on the move there is more, a proposed direction to follow. The aesthetic strangeness of busted ads moves us along beyond wondering, which complicates the emotional response expected from being confronted with them and directs our movement.

Sianne Ngai (2005, 5) argues that art that produces an emotional response, art that moves us, does a kind of politics: 'aesthetic emotions' "link up" with "models of social action and transformation". Ngai (2005, 5) however examines feelings that are "ambivalent sentiments of disenchantment" such as envy, irritation and anxiety, which are only weakly intentional. Their value lies in their diagnostic, as opposed to strategic or action-oriented nature. The reason why feelings other than those connected to action are more prevalent today is because, according to Ngai, the nature of the sociopolitical has changed, which asks for different kinds of 'subjectivity, collectivity and agency'. However, emotions can also be mobilized strategically with different aims for change in mind as indicative of changes in 'the sociopolitical'. In other words, rather than assume changes in the sociopolitical give rise to emotions that are no longer action oriented, but mainly diagnostic instead, changes in the

sociopolitical mobilize and engage emotions that are action-oriented towards different ends, not only towards social transformation, but also towards individual improvement. This distinction I derive from what Anthony Giddens (1991) refers to as the aims of 'emancipatory politics' on the one hand, and 'life politics' on the other, whereby Giddens', and New Labour's 'Third Way' politics is informed by the latter. 'Life politics' are about "self-actualization" (Giddens 1991, 213), and 'emancipatory politics' is concerned with, as a goal to be achieved, "the reduction or elimination or exploitation, inequality or oppression" (Giddens 1991, 214). My concern in analyzing busted ads is with the politics of aesthetic emotions, which kind of politics is at stake in circulating and framing them, mainly via Adbusters (the magazine) by making consumers look strangely familiar, ugly, or by making them look strange.

I rely in my analysis on Lacanian psychoanalytic theory, which lays bare structures of identification, such as those proposed by the mechanics of advertisements, and hence those of busted advertisements. Advertisements suggest that the other in the advertisement is the same, and invite consumers to identify and empathize with the other as the same, how I imagine myself to be. Understanding how advertisements are structured, and why as consumers we are likely to empathize and use our imagination to this end allows me to explore and suggest what is supposed to happen when advertisements, and consumers, are busted. Busting advertisements result in a different aesthetics, which not only transforms their structure of identification, but which, by intervening in empathy also bring different emotions into circulation as the basis for moving consumers to take action towards divergent politics, depending on their framing too.

The details of the different aesthetics involved I registered and derive from my first encounter with and impressions of busted advertisements, tracing the clues of what they reminded me of. It is from details and existing knowledge that the clues busted

advertisements offer start to make sense. Referring to something as strangely familiar is also to refer to it as uncanny, a common expression. The uncanny also captured Sigmund Freud's imagination, which is well known, for those who are familiar with his writings. When I registered the strangely familiar, and thus the uncanny, a turn to Freud was inviting. Similarly, when I encountered the strange *and* familiar in another busted advertisement, the turn to Brechtian theatre was only a matter of time. My familiarity with Brechtian theatre dates back to my high school education in the Netherlands. German was one of the subjects that I graduated in. During our final year, we read Bertolt Brecht's *the Good Person of Szechuan* as well as attended a staging of the play. In discussion, we debated the Brechtian pursuit of *Verfremdung*, making the familiar strange. In trying to put my finger on the nuanced, detailed difference between the strangely familiar and the familiar made strange, I remembered my early encounter with Brechtian theatre. I also remember thinking: why stage a play in China, which in 1991 was a foreign country in a way it no longer is today. Thus, by applying my reading of the Freudian uncanny and the Brechtian theatrics of *Verfremdung* to busted advertisements, I make sense of and work though the picture puzzles they are and the call for interpretation, and action they as such issue, resignifying what adbusting in particular and in the case of defamiliarization is about.

The remainder of this chapter is structured as follows. I first perform a literature review on adbusting. While busted ads spoke to me, my analysis of adbusting, making a case for a kind of adbusting helps create a debate on it along, also by proposing some answers to questions existing theories on it throw up. Following the literature review, I set out my argument and case in detail. In the next section I perform my analysis of and make my case for two different busted ads that reference the same original Calvin Klein advertisement. In the final section I summarize my argument.

Setting the stage for analysis

Adbusting is practiced by adbusters, and most well known among them, as well as credited with popularizing adbusting, is a magazine called *Adbusters*. *Journal of the Mental Environment*. On its website, the homepage tags *Adbusters* with the 'slogan' *create new ambiences and psychic possibilities*. The magazine has been in existence since 1989 and is based in Vancouver, British-Columbia, Canada. Its founder and one of the main editors still is Kalle Lasn, an Estonian immigrant in Canada via Australia and Japan. The magazine is for sale six times a year to the audience of what *Adbusters* online refers to as 'the English speaking world –America, Canada, India, South Africa, Australia, Britain, and a few other rebel outposts in Latin-America, Europe and Asia'. In North-America the magazine is for sale for $ 8.95. *Adbusters* is also partially published for free on the web, dating back from the current issue to 2007. Back issues are available to order. In the UK, one of the two archives that houses it, and only partially, is the British Film Institute in London, which is where I researched copies of the magazine. According to *Adbusters*, its circulation involves 120,000 issues worldwide. On its website *Adbusters* identifies itself as a 'global network of culture jammers and creatives' that aim 'to change the way information flows, corporations wield power and meaning is created'. The reference to 'creatives' is a nod to the jargon of the advertising industry and which refers to those who design advertisements as such. At the moment, the website, the network it embodies and spans has attracted more than 99,000 subscribers.

'Busting ads' is what *Adbusters* became and is still known for today, albeit in the shadow of its association with the Occupy movement. 'Busting ads' takes aim, as the name suggests, at advertisements. *Adbusters* however is put together as a collection of contributions from different sources, on a variety of topics. In addition to content written by its staff, as well as its readers, which is organized most prominently in the shape of a 'Letters' section,

the magazine references and quotes articles, books and insights from a variety of others, among which artists (including their artwork), activists and academics. Overall, the effect is one of a (dream-like) constellation, which lacks a critique and/or vision that unites the whole. *Adbusters* does not offer a plot, in terms of an overall political agenda. Instead, it offers what literary critic Catherine Belsey (1980, 97) in describing and defining the "writable" or "plural" text, exemplified by Roland Barthes' *S/Z,* refers to as "a number of points of entry, critical observations which generate trains of thought in the reader". As such, the magazine does not offer the reader a single subject position that allows her to state '*Adbusters* is about this', other than the one suggested by its title. *Adbusters* bust advertisements and also critiques them as a 'pollution' of the mental environment, the terrain on which their politics of popular creativity takes shape. In terms of subversive images, *Adbusters* offers creative resistance instead, which includes but is not limited to busted advertisements.

The mix and mixing of images and texts, the resulting appearance is professional and glossy. Over the years, *Adbusters* has become increasingly sophisticated in creating a high-end designer look about it. This look has attracted critique, as being too similar to, and hence complicit with commercial images and imagery, thus lacking in critical distance. The sophistication of its appearance coincides with the specific vision Lasn developed for the aesthetic of *Adbusters* and which he refers to as 'design anarchy'. In *Design Anarchy*, the book, Lasn (2006) sets out this vision and the politics of it. Furthermore, while contributions to *Adbusters* are not seemingly selected based on content, they are selected instead based on 'attitude and style'. Before submitting a contribution to the magazine, the guidelines for it suggest to familiarize oneself with its attitude and style, and, by implication, create a submission that suits these. In terms of its attitude and style, what *Adbusters* seeks to publish is 'the most provocative, emotionally stirring, heretical ideas in the geopolitical, psychological, activist and social arena' (www.adbusters.org/about/submissions). The

audience attracted to a stirring attitude ranges, according to *Adbusters*, from 'professors to students, from parents to their children as well as politicians and activists, media professionals and environmentalists, corporate watch dogs and industry insiders'.

Most recently, in 2011, *Adbusters* attracted attention not for its busted advertisements, but for its involvement in more or less spontaneously and radically transforming a different space, namely Wall Street, and revolutionizing its cultural or symbolic significance. On the current home page of its website, among the main categories to explore are 'occupy' and 'spoof ads'. Controversy exists over the role *Adbusters* played in 'occupying Wall Street'. The American media credit the magazine, and its editors Lasn and Micah White, with issuing 'the call to arms' or 'planting the seed' for it. An article in the *New Yorker* on November 28, 2011 by Mattathias Schwartz relates how Lasn and White make the decision between them to register the domain name OccupyWallStreet.org on the 9th of June 2011. The inspiration behind Occupy, the New Yorker quotes Lasn, is that 'America needs its own Tahrir'. In its July edition, *Adbusters* publishes a poster which reads '#occupywallstreet sept 17th Bring tent www.occupywallstreet.org'. The image is that of a statue of a bull, to be found near Wall Street, with a ballerina inserted and positioned on top and protesters in masks and smoke in the background behind it. NPR writes that Kalle Lasn, 'a disillusioned Canadian adman' is the one personally responsible for lighting the spark that ignited the movement. The above article in the *New Yorker* suggests that while Kalle Lasn, "long time editor of anticonsumerist magazine Adbusters" did not "invent the anger" that has been fuelling demonstrations, he did try to "brand" it by trying to stamp the *Adbusters* name on it as the originators of the Occupy Wall Street movement.

Even if the movement is an *Adbusters*' 'brand', *Adbusters* and the movement are similar or suit each other to the extent that both are open to interpretation in terms of what they are about, in theory, beyond what their names suggest they do. Similarly, the practice of

adbusting is also open to interpretation. A variety of studies on adbusting exist, a testimony to trains of thought, theorizations that end up circling familiar, disciplinary grounds. The following journals feature articles on adbusting: *Studies in Political Economy* (2001); *Critical Studies in Media Communication* (2004); *The Review of Education, Pedagogy & Cultural Studies* (2007); *Polity* (Northeastern Political Science Association 2008); *Curriculum Inquiry* (The Ontario Institute for Studies in Education of the University of Toronto) and *Journal of Consumer Culture* (2009). Writing for and publishing in these journals helps discipline the meaning of adbusting into existence. As a frame of reference, they allow academics to master adbusting by contextualizing and accentuating it to suit the purpose of their audience. In addition to journal articles, a number of books include references to adbusting as well, written by academics and non-academics, and more or less attractive to different audiences. I first discuss a number of books that feature adbusting. I start with the book Kalle Lasn wrote as a departure point that allows for a comparison among divergent trains of thought on what adbusting is about. After I connect books to journal articles, I raise a number of questions that I gather into an argument and case. That is, the argument I make on what some busted ads are also provides answers to some of the questions the publications on it raise. Thus, while busted ads spoke to me in a way that made me wonder, satisfying that curiosity contributes to a debate on adbusting.

Kalle Lasn (2000) wrote *Culture Jam. How to reverse America's suicidal consumer binge -and why we must*. The book is divided into four sections, the four seasons. The reference to culture jamming as subvertising or adbusting specifically appears in the third section, in *Spring*, under the heading 'the meme warrior' and within that under 'détournement'. In *Spring*, by busting ads those doing it deliver themselves from the seasonal affective disorder that otherwise plagues and depresses them. As 'meme warriors' adbusters take aim at 'mind polluters' by means of the application of direct action to 'leverage points',

"the fissure you can squeeze a crowbar into and heave", such that "memes start replicating, minds starts changing and in time, the whole culture moves" (Lasn 2000, 130). Subvertisements mimic "the look and feel of the target ad", "your opponent's campaign", thereby "détourning their own carefully worked out, button-pushing memes in your favor", using them as leverage against the brand (Lasn 2000, 131-132). Thus, the 'target ad' is not necessarily the target as such, but the brand in it is, which subvertising seeks to "uncool" (Lasn 2000, 128). Overall, culture jamming is concerned not just with brands in ads, but the branding of America as well as its inhabitants:

> *America is no longer a country. It is a multitrillion-dollar brand. ... A free authentic life is no longer possible in America™ today. We ourselves have been branded.* The human spirit of prideful contrariness and fierce independence has been oddly tamed. (Lasn 2000, xii-xiii; italics in original)

The *Consumer society reader* (2000) edited by Juliette Schor, who is currently a professor of sociology, and Douglas Holt, a professor of marketing, features an excerpt on culture jamming by Kalle Lasn in the seventh and final section *New critiques of consumer society*. Their introduction to the reader frames and samples what to expect from Lasn's inclusion by stating that culture jammers, "through their own sophisticated marketing, employing consumer culture itself", aim to "de-legitimize the premise of 'I consume, therefore I am'" (Schor and Holt 2000, xxii). They do so, Schor and Holt (2000, xxii) claim, by "building on the politics of the French Situationists who believed in staging dramatic social moments that would illuminate the alienating nature of the society of the spectacle".

In 1999, Naomi Klein, a journalist, publishes *No Logo* which features a segment on culture jamming framed as *ads under attack*, and includes and references *Adbusters* in this context as well. To attack advertisements is to subvert marketing as "a one-way information flow" (Klein 1999, 281) by exercising "semiotic Robin Hoodism" (Klein 1999, 280),

expropriating meaning. A culture jam is not just an "ad parody", but "an interception that hacks into a corporation's method of communication to send a message starkly at odds with the one that was intended" (Klein 1999, 280). Furthermore, Klein (1991, 281) claims, "the public is delighted to see the icons of corporate power subverted and mocked. There is, in short, a market for it." Klein suggests that in placing ads under attack, the aim is the brand that features in it, which the advertisement contextualizes and the busted ad re-contextualizes. However, Klein (1999, 293) also points out that those who bust ads are not exclusively motivated by an "anti-branding rage" but also bust out of "moral concern", given the focus on advertisements for "nicotine, alcohol and fast-food". As such, by engaging in "puritanical fingerwaving", adbusters have "much in common with the morality squads of the political correctness years" (Klein 1999, 293). She quotes Mark Dery, the author of the original culture jamming manifesto, as stating that the "anti-booze, -smoking and fast-food emphasis" is "patronizing", as if "the masses cannot be trusted to police their own desires" (Klein 1999, 292). The fingerwaving then is not at corporations, but at consumers. *Adbusters* does indeed feature numerous busted ads that recontextualize brands like Absolut Vodka and Marlborough cigarettes by pointing out health issues associated with their consumption, such as liver disease and lung cancer, which has inspired readers to send in more of the same to *Adbusters'* adbusting contest.

Both the *Cultural resistance reader* (2002), edited by Stephen Duncombe, professor in sociology with an interest in media and cultural studies, and the *Global resistance reader* (2005) edited by Louise Amoore, lecturer in international politics, include references to culture jamming. Amoore excerpts Naomi Klein's *Ads under attack* from *No logo* in the section *Cultures of resistance*. Amoore frames Klein's inclusion by suggesting that the gesture or act of placing ads under attack is not only an act of resistance, but also has "the purpose to encourage people to confront and reflect on the things they see habitually on a

daily basis" (Amoore 2005, 359). Thus, adbusting is designed to capture the attention of consumers. Duncombe (2002) refers to culture jamming in his introduction to an excerpt by Jerry Rubin and Abbie Hoffman, both 'pranksters' from the late 1960s. Culture jamming generally speaking is an act of so-called guerrilla warfare in hijacking dominant culture and "make it mouth your message" (Hoffman 2002, 327). A particular example would be "using advertising as model for radical propaganda" (Hoffman quoted in Duncombe 2002, 327). Rubin's lesson: "Every guerrilla must know how to use the terrain of the culture he is trying to destroy!" (Rubin 2002, 332) Lasn in his book refers to Abbie Hoffman in a chapter that identifies those who are culture jammers and those who are not. Culture jammers are not 'cool, slackers, academic, feminists, lefties' (2000, 113-121). Culture jammers are not academic because they don't exclusively use "the left cortex of our brain" (Lasn 2000, 117). Culture jammers are "unlike the dominant personality of affluent culture who is a 'logic freak'" (Lasn 2000, 117).   Thus: "Abbie Hoffman nailed it when, after being told that academics and experts were busy analyzing the subject of 'subversive activity,' he said: 'What the fuck you analyzin' for man? Get in and do it!'" (Lasn 2000, 117). Get adbusting. If it works for Nike, it works for the rebel, revolutionary and guerrilla too.

Duncombe, in *Re-imagining progressive politics in an age of fantasy* (2007) proposes a form of adbusting, without referring to it as such, which embraces the premise and mechanics of advertising, rather than critiques these, and retools them for progressive ends. Duncombe (2007, 90) argues that progressives can use advertisements, or persuasion "ethically and honestly". If advertisements address us individually by engaging us in fantasies, progressives should similarly interface with us as such in proposing an alternative fantasy reality to aspire to and strive towards. The example Duncombe (2007, 90-91) gives is that of a McDonald's advertisement or commercial that features a happy family. Rather than framing these images by the McDonalds brand and slogan, at the end of the commercial:

(…) there would be a tagline calling for a reduced workweek, a tax increase on the

wealthy to pay for safe and public parks, or even a plea to bring our troops home from

Iraq to be with their families. Which associations have more validity: ours or

McDonald's? The same utopian dream is being sold –not through painstaking

explanation but by using juxtaposition, editing, and association. But our associations

have an integrity to them which those of commercial advertising have not.

(Duncombe 2007, 90-91)

In addition to the inclusion of adbusting in books catered to different audiences, there

are numerous journal publications on adbusting in circulation. Among these, a number of

them, by accentuating the 'ad' in adbusting, approach the advertisement first and foremost as

a sign that embodies and communicates a message. The authors then celebrate adbusting for

subverting the message, a form of resistance, the result of which is that the advertisement

fails to communicate its meaning as intended (e.g. Morris 2001; Harold 2004; Farrar &

Warner 2008). But there is more at stake than mere sabotage of content as exemplary of

cultural resistance. In his article on culture jamming, Dery (1993, 53) defines advertising as

"the manufacture of consent through the manipulation of symbols" which is an attempt "to

turn the consumer's attention in a given direction". The aim of culture jamming is to deflect

this attempt and turn consumer attention in a different direction instead, towards "the truth in

advertising", which, to him, remains unspecified. Similarly, Farrar and Warner (2008, 284) in

their study of cultural resistance argue that a busted ad via its message aims to "jolt the

viewer into reexamining the premise underlying the original ads". And similarly, they fail to

specify what this premise is. Along the same lines, Christine Harolds (2004) claims that what

she labels as ad parodies attempt to perform 'rhetorical x-rays' revealing the 'true logic' of

advertising. Despite the emphasis on exposure, little is said on what is being exposed about or

in advertising, that is, little is said on what is wrong with advertising and its message, in

relation to consumers, beyond the stated fact that it is manipulative in its disguise of some truth. In addition to what adbusting is about as a form of resistance, subverting content or exposing a truth, about corporations, some (also) emphasize that the actual act of busting an ad is subversive, independently of the content. The argument is that rewriting the message and meaning of an advertisement is an "active reinterpretation" (Farrar and Warner 2008, 281) that constitutes a talking back to the "multi-media spectacle of corporate marketing" (Harold 2004, 190). Adbusting is an attempt, as Margaret Farrar and Jamie Warner (2008, 282) put it "to reclaim our identity from being passive pawns of consumer capitalism". Thus, adbusting as audience activity establishes the identity of the jammer, a producer of (subversive) meaning. As Martin Morris (2001, 21) observes about adbusting, the "counter-image has a long history in movements that integrate cultural identity as a form of resistance".

Pedagogically speaking, *Adbusters* in practicing adbusting, according to Jennifer Sandlin and Jennifer Milam (2008, 330), actively "seeks to foster participatory cultural production", for instance by inviting its (individual) audience members to (individually) submit their own attempts at adbusting organized in a 'spoof ad' contest. Culture jamming as "critical public pedagogy" fosters "human agency and democratic participation" (Sandlin and Milam 2008, 342). What the contest also demonstrates is what Kevin McDonnell and Kevin Robins (1980, 193), in the context of deconstructing cinematic images, refer to as leading to "the celebration of the self-cultivation of the aesthetically aware individual spectator". Yet nevertheless and furthermore, also pedagogically speaking, Sandlim and Millam (2008, 342) argue that for a consumer, her confrontation with a busted advertisement constitutes a "learning moment" and she/he "begins to (re)consider her/his role in society, both as an individual and in relation to others". The learning moment is a "transitional space", which they compare to "the Deleuzian 'in-between'" (Sandlin and Milam 2008, 342). Lasn (2000,

146), among the many things he states about culture jamming, claims something similar, except that he exclusively claims the learning moment for jammers, those doing it, rather than for the consumer or viewer-learner, those being confronted by busted ads and jammers: "You will begin with simple acts of resistance, but in the end you will change utterly the way you see your place in consumer culture."

One of the most recent studies on adbusting relates its relevance to emotion. According to its authors, Jennifer Sandlin and Jamie Callahan (2009, 105), consumers start jamming because they feel "frustration with or sadness about consumer culture", they feel they have to do something, and "as they jam, they are engaging in 'authentic acts' involving real emotion". On their own part, "culture jammers use emotion to resist consumerism" (Sandlin and Callahan 2009, 87), yet they also use emotion as "a tool to influence others for social change" (Sandlin and Callahan 2009, 87). Their main argument is that jammers "want to help audiences create authentic emotions to help consumers shake themselves free of inauthentic, emotionally scripted lives (Sandlin and Callahan 2009, 107)", with the ultimate aim to "reignite a 'collective effervescence", a term they borrow from Emile Durkheim via the work of Stepjan Mestrovich on post-emotionalism, which is a re-ignition "of genuine caring and empathy towards others" (Sandlin and Callahan 2009, 86).

Finally, all studies of and on adbusting include an acknowledgement of its creative if not artistic edge. The magazine *Adbusters* identifies their creativity as being indebted to the Situationists, for it labels it as 'détournement'. Détournement is a practice, both artistic and political, that constitutes, together with the 'dérive', the signature of the Situationist International. The SI was a group of mostly European avant-garde artists that formed in 1957 and published their journal *International Situationniste* until 1969 (Plant 1992). For the Situationists, détournement is an intervention that seeks to counter alienation, which qualifies all aspects of life, production and consumption, in what they refer to as 'the society of the

spectacle'. The reference to alienation is not an empty gesture in the sense that the Situationists borrow playfully from Marxist theory to put together their understanding and critique of contemporary capitalism. It is their Marxist accent that constitutes their revolutionary appeal for many. Yet as Sadie Plant (1992, 1) observes in the introduction to her study of the Situationists, "[T]he movement also stands in a less distinct line of pleasure-seeking libertarianism, popular resistance and autonomous struggle." In their appropriation of détournement, *Adbusters* situates it as a 'battle' at the 'symbolic front' of dismantling the society of the spectacle that is consumer society. Thus, consumer society is, among other things, for Adbusters, also a society of the spectacle. Literally translated by Lasn (2000, 104) as 'turning around', a rerouting, détournement aims to reclaim meaning not only from "spectacular images" like advertisements, but from "environments, ambiences and events" in association with consumer capitalism generally speaking (e.g. corporate telemarketing). Détournement also constitutes a 'change of perspective'. But more than that, reclaiming meaning is an "authentic gesture" that sets it apart from how consumers of/in the society of the spectacle go through life otherwise, namely as "clichés and stereotypes" (Lasn 2000, 104), whose "desires are manufactured" (Lasn 2000, xv) and whose "emotions are manipulated" (Lasn 2000, xv). For *Adbusters* and Lasn specifically the appeal of détournement is the appreciation of the act of détournement, the (gesture of) authenticity that informs and underpins it. The interest is not in the specifics of the (anti-) aesthetic per se that results from détournement. Thus, the variety in busted advertisements is not significant compared to their origin in and status as authentic, 'non-alienated' gestures vis-à-vis the society of the spectacle. Most analyses, even when the artistic or aesthetic is not their focus or concern, accept and quote the reference to détournement, in combination with the label 'cultural jamming' or not, and label adbusting as such. While referring to adbusting as détournement, these analyses do not necessarily embrace and commit to the agenda of the

Situationists, or consider the political context for détournement as relevant to it and their analyses. Max Haiven (2007), however, argues that in its appropriation of détournement, *Adbusters* makes a travesty of the Situationists' agenda. That is, he is not, he claims, "as interested in *Adbusters*' infidelity to the purer politics of the Situationists as in the ways in which *Adbusters*' deviations from the Situationists are indicative of a problematic political orientation that takes on dark dimensions within the cultural matrix of neoliberalism" (Haiven 2007, 93). Thus, Haiven does not wonder or worry for instance about how Marxist the Situationists really were, but investigates what happens to alienation and freedom in the hands of *Adbusters*. According to Haiven, *Adbusters* interprets and retools alienation and freedom to support its pursuit of an authentic life, which he also argues suits the demands of neoliberalism. Furthermore, Haiven situates adbusting in the context of a different artistic heritage, namely the tradition of Gestural Abstraction. This heritage, he argues, is more appropriate to 'appreciating' the poetics of adbusting. Gestural Abstraction applies to adbusting not because of its aesthetic per se, but because of the figure of the artist it celebrates, who also serves as a role model for consumers, namely as that of the "romantic individual as the site of radical human agency" (Haiven 2007, 101).

The above review proposes different answers to what adbusting is about, in practice and theory. Adbusting is either concerned with corporations or consumers. Its concern is either with what corporations do wrong, or what consumers do wrong, the implications of consumption. Directed at corporations, to get at them, adbusting aims to devalue their brand by implicating them via anti-advertisements in practices that are objectionable. Directed at consumers, by subverting advertisements and its aesthetic, they try to catch our attention. Beyond that, they direct consumers towards the role they play in consumer society, confronting and waving a finger at us. Adbusters themselves are guerrillas, resistance fighters, like Robin Hood, active rather than passive consumers. In taking on the status quo,

they reveal 'the' truth. Aesthetically, the consensus is that adbusting practices avant-garde collage/montage in the form of détournement.

However, the sample and examples I include in the review also raise questions. If advertisements are otherwise lying and manipulative, in terms of their content, what is the truth in advertising as proposed by adbusting and does busting them make them less deceitful and manipulative? Is there a truth to adbusting, or is it like advertising 'propaganda', except radically so? If so, is adbusting 'ethical and honest' propaganda? If not, what is adbusting trying to manipulate us, consumers, to do, or buy into? How? Merely not buying? If busted ads are not propaganda but a learning moment, what do they teach consumers, about their role in consumer society, and how do they go about teaching consumers? What role does the element of surprise play, in persuasion or teaching? How does the element of surprise relate to the aesthetics involved, instead of détournement? Why and how is the in-between a transformative place 'to be', for consumers? How do we get to occupy this space, or how does the confrontation with a busted ad create this space for consumer to occupy? If emotions play a role in adbusting, for instance as a tool to influence others for social change, which emotions are we talking about? How do busted ads bring emotions into play? How do they move consumers? These questions can be resolved in two ways. One way is by involving adbusters and consumers in qualitative research. For instance, by asking adbusters why they bust ads or asking consumers how they experience busted ads, emotionally or otherwise. Another possibility is by going into detail about how advertisements are put together and therefore work, or are supposed to work, technically speaking, hence why I can connect certain effects, captured by the politics of aesthetic emotions and their framing, to certain busted ads, those that engage our senses by drawing on the familiar.

In piecing together the politics of aesthetic emotions busted ads practice, including their framing, I argue that adbusting takes aim at the image advertisements portray, its

structure of identification, by defamiliarizing it, which also changes their aesthetic, into the strangely familiar or the unfamiliar which is alienating. The combined effect of defamiliarization, at the level of identification and aesthetics, is that consumers are addressed differently in an attempt to move them to change and take action.

Advertisements are image-driven, and the images like mirrors provide consumers with a reflection that is imaginary, an idealization, yet within reach. In this context, adbusting speaks to consumers who are otherwise invited and tempted to recognize themselves in and identify with the image on display, which is that of an idealized self they imagine (fantasize) themselves to be like and want to realize and become. Buying the product advertised promises to realize this transformation, except that it does not, hence why as consumers we keep consuming. Adbusting addresses consumers differently by sabotaging more or less obviously the mechanism of identification involved in advertisements which also results, aesthetically speaking, in either a strangely familiar, uncanny self-image or strange and alienating self-image. As opposed to advertisements that seduce consumers by suggesting we can transform our selves and realize our idealized imaginary self by consuming the product advertised, adbusting confronts consumers with an image of our selves, a reflection that shows us our ugly face, or alternatively, confronts us with an image that makes us look like a stranger to ourselves. In offering consumers a different self-image, in the realm of the imagination or not, adbusting, like advertising, also offers consumers a transformation, or 'transformative recognition' (Gordon 1997). However, in offering us a 'transformative recognition', the attempt is to persuade or move us to change and take action, as opposed to buying something. A confrontation with a defamiliarized and distorted self-image seeks to leave consumers moved and changed. In particular, in response to not liking what we see and learn about ourselves as consumers, and what it makes us feel like, ashamed or guilty, the transformation involved, its politics, steers consumers towards taking action in becoming

either a better person, or a person who holds herself socially accountable towards others and who ultimately takes action towards revolutionary social change.

Busted advertisements defy consumer expectation on purpose by suspending immediate identification with the person in the busted ad. In making the familiar either look strangely familiar or making the familiar strange, busted advertisements make consumers hesitate and wonder before their distorted mirror- or self-image, and ask for its adoption, which depends on a willingness, on the part of consumers, to recognize oneself in an unattractive or, alternatively, an unfamiliar image of who we also appear to be. Rather than appearing to be a perfect self, I am met and tainted with disapproval or accused of wrongdoing, as expressed through 'the eyes of others' or my conscience, hence why I feel ashamed or guilty. Rather than assume the image as mine, and for consumption to do its magic, a move driven by the desire to be someone, the challenge busted ads propose is to re-make myself in the image I am faced with, based on the feelings it generates, being moved by shame or guilt, and submit myself to the authorities they emanate from. Both kinds of busted ads problematize consumption in the sense that by delivering a verdict on it, what is at stake, and our role and participation as consumers in it, both signal that consumption is no longer a strictly private matter, but a matter of social concern. Consumption comes either with a moral responsibility, towards oneself, or a social accountability, towards others, in the image of which consumers are asked to transform themselves. These transformations, resolving shame or guilt, embody, politically speaking, the difference between what Anthony Giddens (1991) refers to as 'life politics versus 'emancipatory politics'. At stake in life politics is the demand to make something of yourself, to manage and pursue self-growth, which includes creating moral meaning for oneself. At stake in emancipatory politics is the transgression of impersonal norms, tied into one's conscience, which asks for social change. By implicating consumers in the transgression of social norms and creating a sense of social accountability,

it points towards or reaches for a transformation beyond consuming differently, beyond an individuated politics of consumption, given the framing involved.

I base my argument on the analysis of two busted advertisements, which I chose for the following reasons. Both busted advertisements are associated with *Adbusters*, the magazine that popularized the practice. Researching the archived issues of *Adbusters* at the British Film Institute in London, comparing them against each other and in detail, I identified two kinds of adbusting. The first kind takes as its starting point existing, *real* advertisements and modifies or re-imagines them through defamiliarization. A second kind takes as its starting point a brand around which an impromptu, mock advertisement is created. The 'advertisement' targets and aims to unsell the brand by inserting it into a context that provides associations and connections it otherwise does not want consumers to be aware of, relate to and know about, for it undermines the image, and dilutes the symbolic value the brand embodies and has accumulated. Rather than adbusting, 'brandbusting' seems a more appropriate label for this practice. Brandbusting targets corporations most obviously, as opposed to consumers, who are targeted by adbusting. Since my analysis is of adbusting, compared against 'brandbusting', I take its meaning literally by focusing on advertisements and their structure, their mode of address in relation to consumers, rather than brands. The effect that adbusting aims for, to move consumers, relies on a familiarity with the original advertisement. It is the betrayal of familiarity that is moving, in addition to the actual feelings that are being mobilized and framed specifically. To be in a position to be moved, consumers first have to pay attention, which being faced with the unexpected achieves. In other words, the impact of adbusting on consumers is intensified by the familiarity of the original. Given the importance of familiarity, I chose the Calvin Klein busted Obsession advertisement. According to a survey among 24000 consumers quoted by the *Los Angeles Times*, the CK ad for the original perfume Obsession is one of the 'most memorable' advertisements of the late

1980s, which is an indication of its familiarity among consumers, and whose familiar

aesthetic continues to shape contemporary CK perfume ads. Thus, given its familiarity,

singling out the Calvin Klein Obsession busted ads demonstrates more obviously the effect

that adbusting aims for. In addition, given their common point of origin, comparing the two

different busted ads against each other allows me to study different strategies in moving

consumers. That is, because both busted ads reference and take advantage of the familiarity

with the same original, I am able to focus on (dismantling) the defamiliarization strategies

only, the differences and their significance in relation to moving consumers. While I limit

myself to these two busted ads, between the two different kinds of defamiliarization strategies

involved, one is however more common among the busted ads published by and in *Adbusters*,

representative of their (trademark) style of adbusting. Furthermore, for the use of familiar

advertisements to heighten impact and move consumers is tied into the status of the familiar

in relation to passivity: the more familiar, the more complicit consumers are with making

sense of the advertisements involved, taking for granted its meaning. That is, an active

audience of adbusters addresses busted advertisements at an audience of consumers whose

passivity the familiar is representative of, such that defamiliarization of the most familiar

most acutely challenges passivity, and consumers are more likely to be moved. Lastly, in

terms of why these advertisements were chosen, the *Obsession* busted ad, which I

encountered early on in what became my research, never let me go, because the woman drew

me into the frame with her. I too have been hunched over a toilet bowl, throwing up. Like

her, I struggled with bulimia, after I struggled with anorexia. Framing and busting *her* for her

obsession, compared against *his* association with recession, demanded my attention in a way

that other busted ads did not.

In dismantling the different defamiliarization strategies, coming to terms with the

picture puzzles the busted ads are, and their aims, I rely, in part, on the use of

methodologically appropriate insights proposed by Lacanian psychoanalytic theory. Lacanian psychoanalytic theory speaks a language that, like any theory, or method, requires familiarity to appreciate, or not. Furthermore, its reputation, which hinders its appreciation, is that of being obscure, at worst, and complex, at best, puzzling, and requiring puzzling over in its own right. I committed myself to trying to learn to speak the language of psychoanalytic, Lacanian theory, because it allows me to come to terms with (busted) advertisements, how they are structured in addressing consumers, and their politics of identification. In addition, and first and foremost, I committed myself to trying to acquire a basic proficiency in speaking the language of psychoanalytic Lacanian theory because it allows me to come to terms with consumer capitalism, specifically the subject particular to it, which advertisements exploit. The problematic of desire and lack, of (impossible) wholeness and its pursuit via identification that captures the dynamic that sustains the Lacanian subject also marks the consuming subject. The advertisement and consumption of the (branded) product involved promises the consumer, and allows her to fantasize that she can realize a desirable ideal, an idealized image, in relation to which she is made to feel as if she is lacking. Fantasy compensates for and exploits the loss of a meaningful sense of community and identity, brought about by the transition from community to society. In society, we fit and are made to fit into impersonal categories, the social order, are part of structures, not groups. Fitting into place hardly compensates for the loss of community and identity, making it worse instead, such that we can cannot ever be recognized enough, i.e. what is lacking is lost, which explains why we keep on trying, and consuming (more frenzied).

Furthermore, in addition to why psychoanalytic theory is appropriate in the context of adbusting, psychoanalysis as a practice and its agenda resonate with defamiliarization. As a practice, as David McNally (2001, 194) points out, in relation to its relevance for Marxism, psychoanalysis aims to "touch the individual and assist her self-transformation", in the

interest of emancipation. Quoting Freud, he writes, "A psychoanalysis is not an impartial scientific investigation, but a therapeutic measure. Its essence is not to prove anything, merely to alter something" (McNally 2001, 194). In the moment of transformation, the analysis acquires 'truth value'. McNally adds that psychoanalytic knowledge is "palpable, corporeal": "the struggling individual can feel its truth because they both hurt and inspire" (McNally 2001, 194). Similarly, defamiliarization aims to touch the consumer, moving her by creating a knowledge that is corporeal, albeit a different knowledge depending on the particularities involved, in the attempt, ideally, to invite and encourage change on her part, towards transformative social change or not.

My analysis of the two advertisements, and the difference busting makes between them consists in two steps. The first step demonstrates how advertisements structure identification, and proposes that consumers identify with the person in the advertisement, her image. To perform this demonstration, I draw on Judith Williamson's *Decoding Advertisements* (1978) and her use of Jacques Lacan's *The mirror stage in the formation of the I*. The second step analyzes how adbusting sabotages identification and creates different structures of feeling, via a changed aesthetic, to move or emotionally mobilize consumers. In the first busted advertisement I analyze, I rely on what Sigmund Freud describes as uncanny allegory, which presents the consumer with an image of herself as strangely familiar. The emotion involved is constituted by shame. In the second busted advertisement, I rely on what in Brechtian theatre is known as the alienation-effect, or *Verfremdungs-effekt*, making the familiar strange, and which presents the consumer with an image of herself as a stranger. The emotion involved is constituted by guilt. Feeling guilty is balanced against insight into consumption and consumer society made available by the re-framing of the obsession as recession.

After my analyses, I summarize my argument.

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Analysis of Defamiliarization: the strangely familiar and the familiar made strange

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Insert Images 1 and 2 about here

All busted ads presuppose a familiarity with advertising in general. Busted advertisements look like advertisements, a framed image (an image, featuring a brand or branded product, accompanied by a sign, a word or slogan), except that they are not. In addition, some busted advertisements, like the ones I examine, take the particularities of a specific advertisement as their starting point, with which a familiarity is also assumed and which is also betrayed. The result is images that look more or less familiar compared to the original advertisement: some busted ads more than others exploit the specifics of the original and stay close to it, resulting in the strangely familiar, rather than those who to a lesser degree exploit those specifics resulting in the familiar made strange. The difference is also a matter of timing: the uncanny is both strange and familiar, at the same time. Compared to the original, the former looks similar –but different, and you have to look again to make sure it is different, whereas the other looks different –but similar, and you don't have to look again to make sure it is really different (test if your eyes have not deceived you). The technique of montage/collage, of cutting and pasting is also crucial to the nuance in the distortions involved. If the use of montage/collage is not obvious, the (first) impression is one of similarity that informs the experience of the strangely familiar, rather than difference that informs the experience of the familiar made strange. In addition, and simultaneously, the subject position that an advertisement otherwise proposes is made strange differently. In the original, this position is

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based on identification, between self and other, structured as empathy. Advertisements, in the register of what Jacques Lacan refers to as the Imaginary, by symbolically representing it, invite consumer to 'feel a sameness with' the (other) person in the advertisement, based on the qualities she symbolizes, as well as from her status as a symbol, an integrated, and therefore beautiful totality, completion and perfection, which makes for an attractive self-image. Busted advertisements defamiliarize the symbol differently: the strangely familiar advertisement replaces, in the register of the Imaginary the symbol with allegory, which is what makes the person in the busted ad look similar. The advertisement that makes the familiar strange exposes the advertisement as a symbolic representation of the Imaginary and offers an image of the other as Other, as opposed to the same or similar.

The German playwright and theatre director Bertolt Brecht (1964, 200) describes montage/collage in relation to his plays as a 'knotting together' "such that the knots are easily noticed". The elements to the play's exposition and communication, which involves a division of labor among actors, stage designers, composer, choreographers (among others), who, rather than complement and converge on each other (in harmony), are disconnected from each other. In the *Short Organum for the Theatre*, which dates back to 1948, Brecht (1964, 202) explains "the different elements unite their various arts for the joint operation, without of course sacrificing their independence in the process". For instance, the stage designer "gets considerable freedom as soon as he no longer has to give the illusion of a room or locality when he is building his sets" (Brecht 1964, 203), e.g. by inserting captions that frame and reach beyond the locale and events portrayed. Scenes, while a unit framed by the overall story, also maintain their independence. Similarly, within a scene, its different elements, e.g. music that accompanies the scene, are independent from each other. Music does not "accompany" a scene, but is a comment on it: "it cannot simply 'express itself' by discharging the emotions with which the incidents of the play have filled it" (Brecht 1964,

203). In other words, the commentary the music provides interferes with what is known as 'catharsis'. Furthermore, it is the framing of a scene, by putting a title on it, which creates "the social point" (Brecht 1964, 200). Thus, while all the different parts to the scene enjoy autonomy, they are 'reconciled', or rather, brought and kept together by their framing.

At the time, in terms of influence, the wider artistic context for Brecht's ideas about and method of 'knotting' is montage/collage as also practiced by Berlin Dada, which among the different Dada 'scenes' tied into a variety of locales (Berlin, Paris, Zurich) is considered to be the most political. Bartram argues, in connecting Brecht to Dada, that the "communist Dadaists of Berlin", their "politicization", "was unique in the Dada movement", which in its Swiss origins was anti-establishment, rebellious, rather than a politically committed art. As anti-establishment, Dada, as an act of "guerrilla warfare", sought to offend bourgeois norms, "the norms of industrial-age bourgeois culture" including the privileged position of art as Culture, or Art (xii foreword to the anthology *The painters and poets of Dada*). A key figure on the Berlin Dada scene, alongside Hannah Hoch and George Grosz, was John Heartfield, a stage designer, in which capacity Brecht knew and appreciated him. Heartfield is also an artist, known for his photomontages, which David Hopkins (2004, 77), in *Dada and surrealism: A very short introduction*, suggests is "the pre-eminent visual innovation of Berlin Dada." Heartfield's photomontages also met with Brecht's interest. Heartfield takes as his starting point for his montages an existing (familiar) image, which in his case –often- involved Nazi propaganda, and changes it by replacing some of its elements, and inserting new ones. Susan Buck-Morss (1999, 66) argues in her discussion of Heartfield and his connection to Walter Benjamin's Arcade project, that the purpose of this kind of montage was "moral and political instruction". What is distinctive about Berlin photomontage, observes Hopkins (2004, 77), is that it makes "the physical process of constructing the image ... manifest in the final work", unlike other related forms of photomontage. For instance, in

contrast, Max Ernst, in Cologne, also part of Dada and who also practiced photomontage, re-photographed his images to keep the surface of the images intact. In this context, Susan Buck-Morss (1989, 67) identifies and describes yet another form of montage:

> There is, of course, another use of montage that creates illusion by fusing elements so artfully that all evidence of artifice is eliminated –as in the falsified photographic element, as old as photography itself.

When an original advertisement, by busting it, is made into the strangely familiar, there is no sign of montage or collage: its heritage is that of falsification. The surface of the busted ad is smooth, yet it is able to create and cast a different reflection compared to the original advertisement, except not radically so. When an original advertisement, by busting it, is made strange, its heritage is that of a politicized collage/montage.

Compare and contrast two forms of adbusting based on the same original –making the familiar strangely familiar and making the familiar strange

The two busted advertisements I analyze in this section are both variations on an advertisement for a perfume: the Calvin Klein perfume Obsession, which was launched in 1985, for women, and 1986, for men. The first busted advertisement is created by *Adbusters*, the magazine. This busted ad has been published in *Adbusters*, as well as in the book by Lasn, *Culture Jam*. The second is a busted advertisement published in *Adbusters*, but sent in by a reader, as a contribution to *Adbusters'* so-called 'Bad ADitude Ad contest'.

Calvin Klein is one of *Adbusters'* 'signature' targets, that is, their busted advertisements regularly appear in *Adbusters*. Other 'signature' targets are iconic advertisements for Absolut Vodka, McDonalds fast food, Camel and Marlboro cigarettes. Overall, adbusting, as performed by *Adbusters*, tends to target familiar and popular advertisements, often of American origin, that circulate globally, such as Calvin Klein ads.

Calvin Klein ads first became noteworthy, or controversial, when in 1980 Brooke Shields, who was 15 years old at the time, advertised Calvin Klein jeans, speaking into the camera that 'nothing comes between me and my Calvins'. New York magazine states that the ad campaign (refused by CBS), its "m.o.", "encapsulates much of CK advertising to come: a certain coquettish crotch-centricity and an overtly hot-and-bothered way of representing youthful splendor" (http://nymag.com/nymetro/news/anniversary/35th/n_8554/). Not surprisingly then, an article in the *Los Angeles Times*, from 1989, headlines that "Obsession ads were voted the most memorable" (http://articles.latimes.com/1989-05-24/business/fi-639_1_calvin-klein-video-storyboard-tests-dave-vadehra):

> When 24000 consumers were recently asked to name the most memorable print advertisement of the past year more of them remembered Calvin Klein's sensuous ads than any others. ... The Obsession campaign has long walked a fine line between artistic nudity and pornography. Many of the ads show models nude or semi-nude with portions of their bodies hidden. ... sex still sells.

In 1992, the memorability of the Obsession ads, for men, was secured by featuring what would become a famous top model, Kate Moss, at the time 18 years old. The aesthetic of the ads changed little insofar as artistic nudity, bordering on pornography is concerned, as she, for instance, bears a breast in one of them. Rather than 'youthful splendor', however, the black-and-white image is one that portrays what became known as 'heroin chic', embodied, as one blogger describes it, in "emaciated, androgynous white girls" whose bodies are "skinny" and "childlike" (http://miista.com/fashion-backward-6/). The aesthetic of partial nudity, as opposed to 'heroin chic', continues to this day. Today, as with many perfumes, a variety on the Obsession original perfume is for sale under the name 'Secret Obsession', launched in 2008, which is advertised purposefully very similarly to the 'vintage' Obsession ads, thus recreating their 'look and feel', keeping it alive in the public's imagination.

Comparing the two busted advertisements that take as their starting point the Calvin Klein advertisement for its perfume Obsession, against the original (in broad strokes, as stored in (my) (cultural) memory) as well as against each other, the differences are vast. The only similarity they share is that they, like advertisements, are both addressed to consumers. In terms of a first impression, the busted advertisement by *Adbusters* could be an advertisement for Calvin Klein's perfume, because, however fleetingly, it has the look and feel of the original that similarly features nudity, a skinny, naked woman, in black and white. The sense of familiarity, on the basis of a first impression, of it being the actual original is heightened if not established by the fact that the busted ad carries the name of the well-known perfume. However, by taking a closer look, prompted by the image being 'unfocused' to begin with, familiar *and* strange, which registers through and as the act of wanting and having to do a double take, to make sure and focus, it becomes obvious that despite its first impression, the busted ad is not an advertisement for Obsession, the perfume. It features a naked woman, who while striking a pose, is struck down, hugging a toilet bowl, throwing up. Seeing double is precisely not seeing the same twice, a copy, but calls attention to similarity, a likeness, hence the need to look again, and to verify whether or not it, the copy is the same image. Having to look again creates a distance, and perspective. The second busted advertisement upon first impression does not suggest a likeness to the original Calvin Klein advertisement, it is different, yet references Calvin Klein, and the original. Its content is framed differently as well, yet in rhyme with Obsession. The person in the busted ad does not resemble a Calvin Klein model: he is fully dressed, older, unshaven, and not striking a pose either, seemingly slouching instead. It is a strange CK advertisement, rather than a strangely familiar one.

Both busted advertisements have at their centre stage the person in it, as similar or different to the person in the original ad, and who plays a different role compared to the

person in the original ad. Rather than offering consumers a point of identification, s/he is to make consumers confront someone: themselves, but not as the kind of person they *imagine* themselves to be, in the context of their relation to consumption and place in consumer society. Both busted ads, by making consumers face themselves, intervene in how advertisements otherwise address and position consumers. To be able to analyze and appreciate how busted ads address consumers differently, and to evaluate their proposed effect in terms of the emotional motivation for taking the action they propose, the politics involved, I rely on Judith Williamson's analysis of how advertisements work in *Decoding Advertisements* (1978). Williamson compares decoding advertisements to 'dismantling cars'. Like dismantling cars, Williamson takes apart the building blocks of advertisements, its mechanics, to be able to understand how they are supposed to work. Yet, hers is not just scientific curiosity limited to reverse engineering. It is also an attempt to understand how advertisements integrate consumers into consumer capitalism by selling us ourselves. To 'decode busted advertisements' serves a similar purpose: to come to terms with their agendas, out of a concerned curiosity about what (kind of self) we are being 'sold' instead, to distance us from consumption and consumer society, and to what end. To 'decode busted advertisements' finds itself at odds with Kalle Lasn's injunction against analysis and who, à la Nike, urges consumers to 'Just do it' and bust advertisements, to express 'our' "overwhelming rage against consumer capitalism" (Lasn 2000, 112).

William Leiss, Stephen Kline and Sut Jhally (1990, 150), in *Social Communication in Advertising*, identify "two major methodologies" for the study of advertising: "semiology and content analysis". They cite Williamson's *Decoding Advertisements* as exemplary of the former, and describe it as a typically "creative" "reading between the lines", unlike content analysis, which is an "objective, systematic and quantitative" (Leiss, Kline and Jhally 1990, 165) approach to the "manifest content of communication" (Leiss, Kline and Jhally 1990,

165). Content analysis is more reliable and consistent in its results, which are properly scientific. However, and notwithstanding their demand that any account of advertisements "should be limited to what is apparent to everyone" (Leiss, Kline and Jhally 1990, 165) they credit Williamson's analysis as "one of the best semiological analyses" available" (Leiss, Kline and Jhally, 1990 150). Williamson is good at what she does, which is *not* stating the obvious, but in a "simple and straightforward manner" (Leiss, Kline and Jhally 1990, 165). Other, "less skillful" analysts "can do little more than state the obvious in a complex and often pretentious manner" (Leiss, Kline and Jhally 1990, 165). Also, notwithstanding their praise of Williamson, the difference they identify between a content analysis and hers is not only a matter of science versus fiction in relation to establishing what an advertisement is about, but also concerns the object of analysis. A content analysis indeed targets the content of a message, which in this case is the content of an advertisement. But a semiotic analysis is not first and foremost a reading between the lines of the content of a message, but offers a reading of how its meaning is structured, and to what end. As Williamson (1978, 17) argues, advertisements are not "merely the invisible conveyors of certain undesirable messages", but a "system of creating meaning" (Williamson 1978, 19) that ultimately aims to sell us ourselves. In selling us ourselves, advertisements have an appeal and attraction as well as perpetuate, ideologically speaking, the economic function of this appeal: to make us buy things. Robert Goldman, for instance, in his *Reading ads socially* (1992), credits Williamson, along with John Berger and his *Ways of Seeing* (1972) as pivotal to the decodings he performs, which focus on structure, not content exclusively. In *Sign wars* (1996) he and his co-author Stephen Papson again insert Williamson's *Decoding Advertisements* into their readings to elaborate on how advertisements address consumers.

Williamson's analysis, while dated, nevertheless casts a long shadow. Her analysis is not outdated but a 'classic' in performing what is also referred to as a 'structural analysis' in

this case of advertisements, because of her reliance on *a combination* of semiotics, via Ferdinand de Saussure, psychoanalytic theory, via Jacques Lacan, as well as structural Marxism, via Louis Althusser. Throughout her analysis, she draws on insights from the work of these authors, not necessarily simultaneously and without integrating them into a framework, to address different aspects of how advertisements are put together and how they work. While structural analyses that rely exclusively on semiotics feel like they belong to 1970s and 1980s and perhaps even to the 1990s due to the decline in their popularity, both Althusser and especially Lacan, their writings, continue to inform textual as well as cultural analyses today. Among the most popular and most widely available analyses are those of Slavoj Zizek, whose Lacanian insights in addition to Williamson's also inform my analyses. In taking Williamson's analysis as exemplary and as the key and starting point for my own analysis, I accentuate her use of Lacanian theory as most helpful to coming to terms with busted advertisements.

The value of any structural analysis is, by definition, timeless, for it cannot allow for the passing of time to make a difference to its object of study. As a method of understanding, a structural analysis fixes its object of study in time. Thus, while advertisements today, their 'look and feel' are often different from the advertisements of the 1970s and 1980s, in addition to being everywhere, they, in particular the mechanism that explains their appeal, are still structured like a mirror. That is, advertisements represent what Williamson, following Lacan, refers to as 'the mirror stage' in symbolic form. Or as Goldman and Papson (1996, 91) put it, paraphrasing Williamson, "consumer ads appellate –hail and name- the viewer to step into the commodity mirror". What (all) advertisements as mirror stage embody, and which explains why consumers would want to step into the mirror they are, is the suggestion or promise that the desire for an idealized self can be satisfied and realized through consumption. Except that for Lacan technically speaking it cannot, for as subjects we are

constituted by a lack. Unaware of this lack and captivated by desire, advertisements, as Williamson (1978, 65) puts it, "ensnare us in a quest for the impossible" and consequently we keep on trying and buying, (starting) over and over again, in an attempt to realize our self.

Kirk Boyle (2008), in an article dedicated to *The four fundamental concepts of Slavoj Zizek's Psychoanalytic Marxism,* highlights, situates and explains the appeal of the trap that Williamson identifies as constitutive of consumer subjectivity and in which advertisements engage consumers. He references Zizek's argument that consumer subjectivity is constituted by a "permanent self-revolutionizing" (Boyle 2008, 11). According to Boyle, "Zizek's wager" is that the "micro libidinal economy of the consumer ... parallels the macro political economy of capitalism" (Boyle 2008, 11). Capitalism is a system "which can survive only by constantly revolutionizing its own conditions" (Boyle 2008, 11) for if it stays the same it does not generate surplus value. Consumer subjectivity does not just embody the same dynamic as capitalism, because capitalism also needs consumers that by revolutionizing themselves keep the system going. If desire and idealizations could be realized, nothing would be sold any more, and accumulation would grind to a halt. That we are readily and easily trapped in revolutionizing ourselves is according to Zizek not because we are misguided per se, 'duped', but because of the fact that we suffer from an identity crisis, which Williamson assumes too. For Williamson, advertisements cater to the desire to be someone, to have coherence and meaning in the eyes of others. We exist by virtue of our "external reflection" (Williamson 1978, 63), by virtue of others, whose eyes judge us, but also deliver recognition and self-acceptance when we get it right. These others, in consumer society, are those around me that matter to me, personally (e.g. neighbors, friends, family): what do they want and expect from me, and determine what it is appropriate for me to (aspire to) be like. Social anxiety informs consumption such that consumption delivers social approval, a kind which substitutes for an identity informed by tradition. As Stuart Ewen (1976, 31) emphasizes in *Captains of*

consciousness The social roots of advertising, "the determining factor for buying" is informed by being "self-critical" whereby consumers "ideally" ignore "the intrinsic worth of the product". Consumer goods, buying them and their possession in relation to what they represent, their image or sign value, promise to realize me and tell me and others who I am, what I am like, that I fit in and belong, whereas the advertisement allows me to say that is me!

According to Boyle, Zizek attributes the identity crisis that underpins and drives consumption to the demise of the Symbolic order, the efficiency of symbolic norms, the big Other, which he in turn attributes to the rise of industrial capitalism. Industrial capitalism undermines tradition as constitutive of the social bond in communities, and which assigns an identity to its members, a place among each other. Stuart Ewen (1984, 29) elsewhere refers to how industrial capitalism breaks up "the intricate web of obligation and power". Zizek argues furthermore that due to the disappearance of meaningful identifications, we are no longer sure of the answer to the question 'What does the Other want from me?' because the Other no longer exists, hence we become hysterical: "The hysteric is no longer able to rely on the symbolic order to structure his or her desire, but suffers from a so-called 'identity crisis'." (Boyle 2008, 11) As such, Zizek suggests, the hysteric, in search of an identity, is easily exploited by consumer capitalism: "[T]hrough purchases the hysteric begins to construct an identity, but this identity is provisional and always open to alterations" (Boyle 2008, 11). As hysterical consumers, we keep on buying stuff in an attempt to 'make and re-make ourselves' in the image of an imaginary ideal, likeable to ourselves and others. Likeable, we are part of a community once more. Likeable, as an imaginary ideal is exactly the image pertinent to the lure of the mirror stage, which the advertisement symbolically represents as suggested by Williamson. In other words, Zizek leads us back to Williamson's analysis of advertisements, validating the continuing relevance of the mirror stage, except that our desire to be someone

is according to Zizek combined with the duty to enjoy, hence the 'super-egoization of the imaginary ideal'. Zizek argues that consumers are being motivated or compelled to consume by the impossible demand to 'Enjoy' issued by the Lacanian superego, and captured in the well-known slogan circulated by Coca-Cola to 'Enjoy' it (e.g. in Sharpe and Boucher 2010, 99).

If advertisements are a mirror that allows consumers to imagine that they are someone they desire to be, modeled after an imaginary ideal, adbusting uses the advertisement as mirror to advance its own agenda, by showing consumers a different reflection. Because of our willingness to look in a mirror, hoping and expecting to find ourselves there, busted ads in general terms exploit our desire to be (some) one and offer us a different self-image instead. The reflections busted ads propose are created differently, in different Lacanian registers. One reflection betrays my imagination. The second reflection re-introduces the Other, specifically the Other of consumption. Traditional, local bonds may have been cut, but there are still social ties that bind insofar as we have a conscience that holds us accountable towards an Other. Furthermore, in busting advertisements, adbusting also specifically intervenes in hysterical consumption, and offers different kinds of reflexive consumption instead, associated with either what Anthony Giddens (1991) refers to as 'life politics' or 'emancipatory politics'.

Before analyzing and demonstrating how adbusting works, to what effect and thus what the politics of its aesthetic emotions are, I first elaborate on how advertisements work. Specifically, what the dynamics of identification are as constituted by the mirror stage into which adbusting intervenes to realize its agendas.

Decoding advertisements: images, Lacan and the mirror stage

In *The mirror stage*, Lacan describes how the child who looks at itself in the mirror develops a particular kind and sense of self, the ego. In the mirror stage, when the child assumes the image it is looking at in the mirror as its own, the other as the same, the moment it gives in to "the lure of spatial identification" (Lacan [1977] 2001, 5), is the moment it moves from feeling fragmented to being whole. Her mirror image is a totality, in the shape of a Gestalt that is a contrast "with the turbulent movements that the subject feels are animating him" (Lacan [1977] 2001, 5). Giving in to the lure of spatial identification, as Dylan Evans (1996, 116), academic and practicing psychoanalyst points out, "leads to an imaginary sense of mastery" because while assuming an outline, the child "anticipates a degree of muscular co-ordination which he has not yet actually achieved". Furthermore, as an ideal image as Bruce Fink (1995, 36) points out, it resembles "that of the child's far more capable, coordinated, and powerful parents". Thus, the image that the child adopts for itself is constituted by the identification of the ideal other, its parents, as the same. Identification of the ideal other as the same establishes mastery as well as an imaginary unity for the child, the ideal ego that houses and enables the ego to exist and to act. For when the child identifies itself with its image it is in possession of an ego by virtue of the fact that it has a body that contains her: "the formation of the I is symbolized in dreams by a fortress, or a stadium *–its inner arena or enclosure*" (Lacan [1977] 2001, 5; my italics). The ego is contained and fixed in place, and because of it, or as Dylan Evans (1996, 51) puts it, because of the ego's "imaginary fixity", the ego is resistant to all subjective growth and change, and to the dialectical movement of desire". Furthermore, the mastery and unity the child experiences are ambiguous, for they ultimately depend, as Yannis Stavrakakis (1999, 18) explains it in his understanding and summary of the mirror stage, on "the need to identify with something external, other, different, in order to acquire the basis of a self-unified identity".

What also happens in the mirror stage is what Williamson (1978, 62) refers to as "an apprenticeship into language", an introduction to a system of differences present in the form of the child's parents. The parents are thus not only an idealized ego, but also representatives of the symbolic, which the child thus also calls upon for the confirmation of its image as its own when he looks at his parents. However, rather than recognizing itself *in* its parents, the parents are representatives of the symbolic and which bestows recognition *on* the child. As such, the parents embody the ego ideal, which constitutes the child as a subject, *subject to* the Symbolic and language. As Williamson (1978, 63) argues, the 'apprenticeship' into language also opens up the possibility for the child to start referring to or signifying itself, to symbolically represent itself, which means that she, upon the use of language, can no longer *be* herself for she is what she represents: 'the child's image means herself, to herself, and she means herself, in relation to others'. Thus, upon the actual use of language, the mirror image reflects in Williamson's (1978, 63) terms the "Social-I": "[T]he mirror image now has a particular meaning in relation to the child, and so he can never merge with it completely." Yannis Stravakakis (1999, 29) observes that the subject is "doomed" to symbolize, yet "symbolization", unlike 'imagination', "cannot capture the totality and singularity of the real body", which is also that which captures the ego, as integrated and unique. Thus, Stavrakakis (1999, 29; italics in original) continues, "symbolization, that is to say the pursuit of identity itself, introduced lack and makes identity ultimately impossible", which means, in the Lacanian context *that "it remains desirable precisely because it is essentially impossible".* To give up on identity, desire and impossibility, and act otherwise, namely to imagine and *pretend* that the other in the mirror is, still, the same and merge with its image, and thus assume once again that I have a body that captures me (the ego), is a move that re-places it, the child, in the imaginary. In doing so, the child models herself after her parents as the ideal ego, not as representatives of the symbolic. This move is a form of a resistance, on the part of

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the ego, to becoming a subject, to 'be' of the symbolic order, which is a threat to the ego for it is the ideal ego, totality, coherence, singularity, as well as mastery, that is able to give it a home, however imaginary that home is.

According to Williamson (1978), what advertisements suggest we do is precisely to imagine and pretend that the other in the advertisement is the same: to identify the other in the advertisement as the same, as me. As such, advertisements "resemble the mirror stage in symbolic form" (Williamson 1978, 65): an advertisement "is able to *re*present to the subject his place in the Imaginary" (Williamson 1978, 65; italics in original), which is that of a unified self, modeled after the ideal ego that houses the ego, and which allows the subject to say 'I am'. What the advertisement 'capitalizes' on, which explains why consumers would go along, is what Williamson (1978, 60) refers to as "our regressive tendency" towards the imaginary unity of the ideal ego for it coincides with the "subject's own desire for coherence and meaning in him or herself", "the supply of power that drives the whole ad motor". Williamson (1978, 60) situates the combined desire, for coherence and meaning in oneself (an ego or *I*; an undivided, singular and autonomous self), ideologically: "the importance attached to these things varies in different societies so they cannot be taken as timeless and universal". As Zizek (in Boyle 2008) puts it, in consumer society we desire to be someone because of the identity crises we find ourselves in, in the absence of community.

The move, to identify with the other as the same, to go along with and accept that I am the idealized person in the picture before me who completes me, is strictly because it is structurally impossible, a self-deception. As someone who uses language, a subject, I can only ever represent myself, I do not have a referent: I cannot *be* someone, instead I 'merely' *have* an identity on the basis of which 'I am' lacking. As a subject I cannot say 'I am', but I have what Slavoj Zizek (1991, 131) refers to as a "symbolic mandate" to exist which has the status of a "performative" which is precisely why the image is alluring, because it does allow

me to say 'that *is* me'. The appeal of claiming 'that is me' and *to be* someone is ideologically determined: e.g. to think of myself as 'authored' by others (which is what it means to have a symbolic mandate to exist) suggests that I am not my own person (I am not my own point of departure). However, notwithstanding the appeal the advertisement holds out to me, namely to be me, because I can never be me, to make the move and to identify myself as the person in the picture before me is what Williamson (1978, 65) argues is "to ensnare us in a quest for the impossible", to chase after someone, me, that does not exist. As a subject I will fail me, and this quest is what keeps consumers consuming:

> The unity, which we desire with a symbolized self, is by definition only possible in the world of the Imaginary, which cannot be restored precisely because the self is symbolized.
>
> (Williamson 1978, 63)

Furthermore, Williamson (1978) argues, to make that move, to claim that the person in the picture is me, that is, to assume that that which the person represents, that the sign has a referent or signified that I am, is also to fail to understand the advertisement as system of differences that is of the symbolic order. I fail to understand the advertisement as being of the symbolic order because it disguises itself as such, which it achieves through the use of meanings that are already meaningful to me, by virtue of the fact that the person in the advertisement is what I imagine myself to be like, which collapses the sign with the referent. Except, of course, to realize the image I have of myself, I would have to buy the product involved. The purchase and the ownership of the commodity realize and validate me, in my own eyes and in the eyes of others. Advertisements present us with an image, a kind of person (a symbol), which we value because she symbolizes a quality (or qualities) we value, how we see ourselves, what we imagine ourselves to be like. We do not actively interpret the image and symbol as such, but recognize ourselves in it. In identifying with the other as the

same, and buying the product involved, we become the kind of person that we already (literally) imagine ourselves to be, and how we would like others to see us:

> (…) you do not simply buy the product in order to become a part of the group it represents; you must feel that you already, naturally belong to that group and therefore you will buy it. ... This is why it so crucial for the ad to enter you, and exist inside rather than outside your self-image (...).
>
> (Williamson 1978, 48)

Thus, insofar as we recognize ourselves in the other in the image, looking through their eyes at ourselves, seeing ourselves as the same, the symbolic is disguised by its taken-for-grantedness, our familiarity with ourselves, and we leave our self no room for interpretation. In leaving ourselves no room for interpretation, to wonder, we accept the suggestion that the symbolic, language, is transparent, a system of equivalences as opposed to differences. In recognizing the other as the same, identifying with her, "I become, I inhabit, I enter. Inhabiting someone at that moment I can feel myself traversed by that person's initiatives and actions." (Diamond 1993, 86). Thus, identification, to recognize and assume the other is the same, is also a structure of feeling known as empathy, which denies not only the other her difference, but in taking possession of her, I expropriate her feelings as mine as well. According to Williamson (1978, 65), I hardly need to be tricked into failing to understand the advertisements as a system of differences, because "desire" does not recognize that "the sign never is the referent"; desire embraces 'the illusion of referential meaning', without realizing it is an illusion. Driven by a desire to be someone, and belong to a group (of people (that) like me) by virtue of it, I am set ignore "the boundary between Imaginary and Symbolic".

The busted advertisements I look at differently disturb and play with the surface of the mirror that is the advertisement and intervene differently in the advertisement as 'the symbolic representation of the mirror stage'. The *Obsession* busted ad distorts the mirror, the

symbolic representation of the mirror stage, by offering a different kind of image/symbol, namely allegory to the consumer, in particular an uncanny allegory. The *Obsession* busted ad modifies the advertisement at the level of the Imaginary and imagination: it is a re-imagination rather than a re-figuration. Particularly, in making consumers uncomfortable in their skin, it shames us for consuming too much, and hence for lacking in moral character, and asks us to develop it, which contributes towards a more fully rounded self. Building such a self is constitutive of what Giddens (1991) refers to as a matter of 'life politics', a reflexive, on-going project, of making the right decision, for oneself, in 'post-traditional society'. The *Recession* busted ad leaves the symbolic representation of the mirror stage behind, breaks, or busts it open, and is of the symbolic. In doing so, the busted ad confronts the consumer with the other as an Other instead such that the image no longer offers the consumer a place in the Imaginary. The *Recession* busted ad, being of the symbolic, is a re-figuration of the advertisement. It alienates consumers, placing us outside our comfort zone, and turns us inside out, makes us, as subjects, an object for ourselves, which engages our conscience, and attributes guilt, over the lack of justice in which we are implicated. By framing our guilt with reference to a social point of view, namely recession, rather than 'us' versus an Other or 'them', 'we' come into existence, in relation to freedom, which needs to be done, and which raises the stakes of the emancipatory politics this busted ad proposes.

The mirror that is the advertisement can thus be distorted ON the surface, superficially, but the distortion can also be OF the surface, intervening in it. A distortion ON the surface leaves the surface of the mirror intact, smooth, yet able to create and cast a different reflection, a different likeness and which produces a strangely familiar image. A distortion OF the surface means that its surface is no longer smooth, but is cut-up and pieced together into a new and different whole. In front of this mirror, what I am faced with is difference, as opposed to

sameness (suggested by the original advertisements) and similarity (suggested by the

Obsession busted ad).

The Obsession busted advertisement – the strangely familiar

The scene looks strangely familiar. It is not an attractive image, yet designed to exercise an

attraction. What is the woman trying to, or made to tell consumers, who are being addressed

by it and are thus being shown an unattractive image of themselves, of who they are. *What*

does the busted advertisement frame her for (what is her obsession), and consumers too?

There are a limited number of reasons why the woman in my mirror image would, in reality,

and literally be throwing up: because she is ill, or perhaps sick from drinking too much.

Similarly, when we have eaten too much we might feel like we have to or want to throw up,

except that we don't, not typically or 'normally', which suggests that the scene cannot be

taken literally, and which points towards its allegorical nature.

Jan Mieszkowski (2004, 36), in the context of his discussion on Walter Benjamin's

appreciation of allegory, which he holds for a different reason, defines allegory

etymologically as 'speaking otherwise than one seems to speak'. It "names the fact that

language can signify two things at once, saying one thing, yet meaning something else". The

sign does not mean what it says, but it does have to say something and means something in

particular. Furthermore, other than referring to allegory in terms of how it means, and as a

characteristic of language, or in combination with both, allegory, poetically speaking, also

refers to 'didactic instruction'. *Cambridge Dictionaries Online* defines 'allegory' as follows

(http://dictionary.cambridge.org/dictionary/british/allegory):

> "(the style of) a story, play, poem, picture, etc. in which the characters and events
>
> represent particular qualities or ideas related to some moral, religious or political
>
> meaning"

The meaning of throwing up, what it means to throw up, while not immediately obvious, is not arbitrary. The sign has an agenda.

If the meaning of allegory, of throwing up, in relation to consumers and consumption is neither obvious nor arbitrary, the conclusion is that it requires a key to unlock it, or "code", as Rebecca Saunders (2004, 224) refers to it. A code enables us to interpret the sign properly and which places its meaning "within a coherent ideology" (Saunders 2004, 224). Without this key or code, the 'proper' meaning of allegory can be interpreted differently. Furthermore, Saunders argues, it is context which provides the key: what the sign refers to by association, except that one has to be familiar with this context to be able to make the association, which "both guarantees one's ability to read the allegorical sign and demonstrates one's inclusion in a code-knowing culture" (Saunders 2004, 224). To be a member of a group that understands provides access to the hidden or covert meaning. A member of the group can explain what the woman in the picture is trying to tell us about ourselves, as consumers.

Allegory, however, does not only refer to a speaking in secret, but also refers to keeping something a secret, which Sigmund Freud ([1919] 2003) recognizes in *The Uncanny*, in investigating that which is *unheimlich* or uncanny. Initially, he defines allegory as exemplary of '*heimlich'* in that it has a secret meaning (Freud [1919] 2003, 133) such that its use refers to a speaking in secret. Yet, *heimlich* also refers to a *concealed* meaning, something hidden is also something concealed, such that, by implication, applied to allegory, its meaning is "kept hidden so that others do not get to know of it or about it and it is hidden from them" (Freud [1919] 2003, 129).

Consequently, for Freud ([1919] 2003, 132), if *unheimlich* "applies to everything that was intended to remain secret, hidden away, and has come into the open", the uncanny allegory establishes a similar effect: it *reveals* a secret. The scene, of the woman throwing up, is not only an allegory of consumption, as an *uncanny* allegory, it is also a secret about

consumers that is brought out into the open and that constitutes a critical reflection and self-knowledge we are now faced with. Freud ([1919] 2003, 125) suggests furthermore that, in English, when descriptive of a person, uncanny refers to a "repulsive fellow". In a third and final note to the essay, he elaborates on the unsettling encounter with such a fellow:

> I was sitting alone in my sleeping compartment when the train lurched violently. The door of the adjacent toilet door swung open and an elderly gentleman in a dressing gown and travelling cap entered my compartment. I assumed that on leaving the toilet, which was located between the two compartments, he had turned the wrong way and entered mine by mistake. I jumped up to put him right, but soon realized that the intruder was my own image, reflected in the mirror on the connecting door. I can still recall that I found his appearance thoroughly unpleasant.
>
> (Freud [1919] 2003, 162)

The person is faced with an unpleasant appearance, which refers to his own appearance as elderly. The reality of aging constitutes a self-image and self-knowledge that he otherwise hides from himself. It shows him his ugly face, what he would rather keep secret. His self-image betrays him, making him ill at ease, ill at home with himself. He is not the man he imagines himself to be.

As Freud ([1919] 2003) points out in the opening page of *The Uncanny*, the uncanny concerns aesthetics insofar as aesthetics not only refers to a theory of beauty but is also descriptive of the quality of feelings involved in encounters with and feelings for the beautiful. Encounters with the beautiful and feelings for it are "of a positive kind" (Freud [1919] 2003, 123), and invite possession. Going by the description of the feelings that the uncanny evokes, "repulsion and distress" (Freud [1919] 2003, 123), as a theory of beauty, the uncanny refers to the opposite, a theory of ugliness. If the symbol is a beautiful totality, the uncanny allegory is an ugly one. To be confronted with the uncanny, in relation to a self-

image, evokes feelings of unpleasantness, feelings that we rather dis-own, like the ugly truth about our selves an uncanny allegorical image refers to. Via a theory of the aesthetic of allegory, Freud ([1919] 2003, 148) arrives at his psychoanalytic concern for the psyche: "for this uncanny element is actually nothing new or strange, but something that was long familiar to the psyche and was estranged from it only through being repressed". Thus, "the negative prefix un- is the indicator of repression" (Freud [1919] 2003, 151). Applied to the *Obsession* busted ad as a mirror held up to us, the uncanny shows us our ugly face, and confronts us with the ugly truth of consumption and being a consumer, what we keep a secret, from ourselves. When I experience the busted advertisement as strangely familiar, the suggestion is for me to recognize a disturbing likeness: my secret has come out in the open as well as delivers a verdict on me due to its allegorical nature, teaching me a lesson. She, the woman in the picture, in relation to me is strangely familiar. She embodies a likeness to me. She is like me, and as such brings my own secret out in the open. In that moment I mistook the busted advertisement for an advertisement I catch a glimpse of myself, a moment of recognition. Afterward, I am faced with an ugly truth that is a direct challenge to my sense of self, my ego.

As uncanny *allegory*, the context for the image of throwing up, by association and in association with consumption is an eating disorder known as bulimia nervosa, and mostly women suffer from it. The disorder and its symptoms are relatively well known in most Western societies, as is another one, anorexia. The British National Health Service (NHS), on its website (http://www.nhs.uk/conditions/bulimia/Pages/Introduction.aspx) describes bulimia nervosa not only as an "eating disorder", but also as a "mental health condition". They furthermore suggest that it is caused, among other things by "stress" and "low self-esteem". Throwing up or 'purging' as it is also referred to, is coupled with binge eating, which precedes it. According to the NHS, "people with bulimia purge themselves because they feel

"guilty" about binge eating, but the bingeing is an act that they feel they cannot control." The purging, which the NHS points out is "usually done in secret", is an attempt at "weight control". As such, as an attempt to take control purging confesses not only to the fear of gaining weight, but also to uncontrollability, the lack of control that started the binge eating off: weight control is only a concern because the lack of self-control is. I do not only feel guilty that I ate too much, and hence purge, but also, and first and foremost I feel ashamed because I have no control over myself, which the purging confirms, and hence why it is done in secret. Sarah Ahmed in *The cultural politics of emotion* (2004, 103) quotes Darwin: "Under a keen sense of shame there is a strong desire for concealment. We turn away the whole body, more especially the shame, which we endeavor in some manner to hide." According to Ahmed (2004, 103), shame is an "intense feeling of the subject 'being against itself', a "sign of its own failure". As opposed to guilt, which implies action (in this case, guilt over eating too much followed by purging), shame "implies that some quality of the self has been brought into question" (Ahmed 2004, 105). Furthermore, Ahmed (2004, 105; italics mine) continues, for shame to be felt requires a witness, but not as such, and not just any other: "it is the *imagined* view of the other that is taken on by a subject in relation to itself". The imagined view of the other is how others see me, the people around me that I love, care about and respect, and who love, care about and respect me: they would be disappointed to find out that I am not the person who they think I am, in control. Whereas in advertisements the expectations of others, the little other, modeled after the authority of parents, are what make consumers look good, in this busted advertisement their expectations are what make consumers look bad, because they failed them, and hence they failed themselves too.

The woman in the picture knows she has 'lost face', and tries to 'save' it, by hiding in the privacy of her bathroom, which is violated by intruding on her. Furthermore, in an attempt to save face, purging takes on added significance, not only as an attempt to take

control, but also as an attempt to confess to and make amends for the lack of it, which suggests that purging is cathartic or purifying. Purging is a cleansing. Yet, while the woman in the picture is ashamed of herself, at the same time she is also put to shame, beyond opening the door on her. Anthony Giddens (1991, 66) states "the experience of shame often focuses on that visible aspect of the self, the body". Furthermore, "[F]reud in fact specifically linked shame to fears of bodily exposure and nakedness: shame originates in being naked in front of the gaze of the onlooker." (Giddens 1991, 66) The fact that she is portrayed naked emphasizes how ashamed she should be: it adds insult to injury. She is also put to shame because her secret is exposed. 'To be busted' is to be caught in the act of doing something improper, an act that is meant to be and remain a secret. Busting someone, because it exposes their secret, puts them to shame. Lack of control is shameful: as allegory, it is moralized and uglified. (the) Key to the problem of bulimia nervosa, the practical solution, and to 'the moral of story' is control: self-control which guarantees weight control without the need to purge, in other words, the image as an allegory of consumption urges consumers to have a healthy appetite and consume only what we need, as opposed to excessively. To consume otherwise, beyond what we need, without self-control and overindulge instead, which is what consumers do today, is gluttonous. Gluttony, as a vice, is typically associated with overweight people, and class-biased: overweight people visibly have no control over their body weight and framing them also allegorizes overconsumption. Those who suffer from bulimia nervosa look an average weight yet have no control: their control is an illusion. It is easier to dismiss and dis-identify with images of overweight people as a warning against overconsumption and overindulgence, because they, and their bodies are 'grotesque'. Compared against them, I can still pretend to be in control, and pretend to heave a healthy appetite. That is, compared against overweight people, I can pretend I am not as bad.

While consumers are being shamed for consuming too much, made to feel uncomfortable in their own skin and thus about who they imagine themselves to be, which constitutes and imposes what Nicholas Rose (1989) refers to as a 'Puritan demand for self-inspection', the question is what resolving these feelings of shame is part of and results in. Resolving feelings of shame, in the context of consumption, is to participate in what Anthony Giddens (1991) in *Modernity and self-identity* refers to as 'life politics', and compares and contrasts with 'emancipatory politics'. Life politics has at its core the self as "a reflexive project" (Giddens 1991, 32), which is a dynamic project, i.e. ongoing, and which presumes a "narrative" that plots the building of a sense of self that is premised on the belief that "we are, not what we are, but what we make of ourselves" (Giddens 1991, 75). Making something of ourselves, developing (a) character, involves a 'politics of choice'. 'A *politics* of choice' makes itself felt most acutely, that is, it is at its most political, in situations of conflict over how we should live. The conflict arises because of the moral implications of 'life style politics', which is Giddens' translation of a politics of consumption that considers the moral implications of the choices we make as consumers, the causes of concern consumption gives rise to. To address the politics of consumption is to situate the consumer as a "political figure", specifically a "citizen-consumer" (Wheeler 2011: 494). The choices consumers make are no longer private but subject to public debate. For instance, cause for concern is the negative effect consumption has on the environment, its implication in what is called attention to as 'unfair' trade relations or the exploitative use of 'cheap labor' to produce consumer goods. Kathryn Wheeler (2011, 494) in her research on fair trade consumption in the UK, argues that "increasing attention has focused upon this figure [the citizen-consumer] since the 1980s, when the neo-liberal policies of the Thatcherite Conservative government in the UK and transatlantic New Right privatized public services". Thus, at the same as citizens are drawn into, or pushed onto the market, consumers are pushed into the public (eye). In the

case of overconsumption, gluttony, the moral conflict consumers are faced with is their lack of self-control, without regard for (the long term and/or impact on) others, among which those that produce that which is being consumed. By making the right choice, and acting responsibly, such as by choosing fair trade item when we consume for instance, we build moral character, which in the context of shame means that we can take pride in ourselves for doing so, even though, or especially because, at times, it benefits others as well. Thus, 'life politics' revolves around the attempt to create moral meaning for oneself, which secures our self-identity not only as "coherent", but as "rewarding" too (Giddens 1991, 75). To participate in life politics is to participate in "reconstructive endeavors" (Giddens 1991, 75), the reflexive process and management of a "building/rebuilding" (Giddens 1991, 75) of the self as its driving and hence constitutive force. Reconstructive endeavors are interventions into what we are making of ourselves, corrections prompted and informed by a concern for 'how we should live' (Giddens 1991, 215), in a 'post-traditional order', to sustain 'morally justifiable forms of life' (Giddens 1991, 215), yet individually practiced. Life politics is directed towards self-improvement: to become a better person, morally speaking, a person who bears the mark of "personal"- or "self-growth" (Giddens 1991, 209).

In replacing, in the realm of the image, or imaginary the symbol with allegory, the busted ad seeks to educate our imagination, as opposed to please it, like the symbol in the advertisement. A busted ad seeks to educate our imagination by means of presenting us with a strangely familiar, an uncanny or ugly reflection of ourselves, which makes us feel ill at home with ourselves, ill at home within our skin, different but not radically so. The busted ad places in question what we imagine ourselves to be like, without trying to alienate us. Thus, the busted ad, like the advertisements, asks us to identify with the other as the same, except that rather than experiencing pleasure by entering and inhabiting her, I feel discomfort instead. If the ego is enclosed and contained by the ideal ego by virtue of it being the ideal it

models itself after, that ideal, rather than smiling approvingly, expresses disapproval and calls attention to our perceived shortcomings, which makes our skin crawl. That is, we have to iron out our imperfections (of our ego) before we fit into the mould of our ideal ego. Specifically, feeling ill at home within our skin is a feeling of productive discomfort that takes the form of shame. As consumers we should feel ashamed of ourselves for consuming too much and being self-indulgent. Resolving these feelings, reflexively and individually, as part of the kind of self-management life politics aims to engage us in, is a first step in countering the power of consumerism as suggested by the adbusting thus performed.

The Recession busted ad – the familiar made strange

The *Recession* busted ad makes the familiar (original *Obsession* ad) unfamiliar, or strange. Aesthetically speaking, this move calls to *my* mind a concept and practice that is known as the alienation-effect or *Verfremdungs-effekt* (A-effect or V-effekt), the signature practice of Brechtian theatre, and which it employs together with avant-garde montage/collage techniques. Brechtian theatre comes to my mind, because I have encountered it through my cultural education, and in the context of making the familiar strange. The theatre derives its name from its director Bertolt Brecht who lived, in Germany and in exile, between 1898 and 1956.

Brechtian theatre is known under a number of names, which insert its aesthetics into different contexts that accentuate its relevance differently, that is, the stakes involved or what can be considered to be its (main) aim: e.g. theatre for instruction or pleasure, theatre of the scientific age, dialectical theatre. The most well known name, and also one of the earlier coined ones refers to Brechtian theatre as 'epic theatre'. As such, Brecht (1964, 37), in his reflections on it, situates it specifically in relation to and in conversation with (bourgeois) Aristotelian dramatic theatre, most 'dramatically' by means of juxtaposing the two, as a play

of opposites. Unlike Aristotelian theatre, Brechtian theatre, for instance, does not pursue empathy or catharsis, an emotional connection or release that puts the audience at the mercy of its feelings. Brecht (1964, 79) assumes that the audience "is a collective of individuals", "of mental and emotional maturity". He believes that "it wishes to be so regarded", as "capable of thinking and reasoning, of making judgments", as opposed to be regarded as a "collective individual" that has the "mental maturity and high emotional suggestibility of a mob" (Brecht 1964, 79). The other qualifications in circulation place Brechtian theatre, among others, in the context of political-didactic art, specifically in debates over Marxist aesthetics and (social) realism. For Brecht, a representation does not have to be realistic to be effective, but productive instead. It has to contribute towards changing the social relations that organize our life together. Rather than dismissing the avant-garde, whose art does not reflect reality, Brechtian theatre explores it to its advantage.

In bringing together the V-effekt, or defamiliarization and collage/montage techniques, Brechtian epic theatre seeks to move the audience to take action. That is, in combining both, Brechtian theatre pursues a definite aim: to give "a social stimulus to our audience (get them *moving*)" (Brecht 1964, 224; italics in original). Furthermore, to create a social stimulus is to rely on reason and emotion as constitutive of the attempt to move the audience to act on the world, as opposed to resist it, in favor of social change, upon leaving the theatre.

Defamiliarization involves the staging of the story, "the heart of the theatrical performance", "what happens between people" (Brecht 1964, 200). Defamiliarization is designed to be convincing intellectually speaking as well as to create an opening for the audience to reflect on what happens on stage, as observers, by estranging the acting to prevent empathy. Re-staging the story by making its familiar staging strange 'reveals' "*tangibly*" (Jameson 1977, 206; my italics), as Frederic Jameson (1977) argues, what happens

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between people as historically relevant and of historical significance as opposed to seeming "natural and immutable" (Jameson 1997, 206). If not inevitable, but historically situated, as well as being 'sensational', what happens between people becomes, Jameson 1977, 206) concludes, "the object of revolutionary change". In the closing paragraph of *A Short Organum for the Theatre*, Brecht's most theoretical writings, he states that what 'the' theatre portrays is "men's life together in society". What his *epic* theatre portrays instead is that "the rules" that govern it, "emerge" looking "imperfect and provisional" (Brecht 1964, 205): "In this way the theatre leaves its spectators *productively disposed* even after the theatre is over" (Brecht 1964, 205; my italics). Because they are flawed and not meant to be, the audience understands social relations to be changeable. For Brecht, the emphasis on and appreciation of the 'ethic' of productivity which the audience otherwise lacks, being consumed by their feelings instead, is with reference to science, not, for instance, with reference to a work ethic. As consumers, the audience is 'unscientific', not unproductive and thus passive or lazy. The ethic of "scientific productivity" is "to take pleasure in understanding things so we can interfere" (Brecht 1964, 193). It is in the spirit of a 'scientist' that the audience is meant to become productively disposed and enjoy the play. Enjoyment thus does not depend on feeling oneself into the skin of another and experience what she feels. In other places, in the *Organum*, rather than referring to rules in terms of what organizes 'men's life together', and more in tune with a scientific spirit, Brecht (1964, 192) argues that the organization of men's life together is "socially conditioned", governed by "laws of motion" (Brecht 1964, 193). From a 'scientific' Marxist point of view, contradictions and their resolution are the laws of motion that shape society. Brecht's relationship to Marxism is complicated. For instance, whereas he seems to support a scientific Marxist point of view, he also refers to dialectical materialism, which he also refers to as the "new social scientific method" (Brecht 1964, 193), as relevant to the technique of defamiliarization. Dialectical materialism is less deterministic

in its understanding of what makes social change happen. Indeed, the fact that Brecht seeks to enlist his audience in favor of it already suggests as much. According to Brecht (1964, 193), dialectical materialism and making the familiar strange converge in a shared aim, which is to approach "social situations as processes" and trace out their "inconsistencies". Dialectical materialism "treats nothing as existing insofar as it changes, in other words is in disharmony with itself" (Brecht 1964, 193). In the appendix to the short *Organum* (found twenty years after Brecht's death), Brecht (1964, 277) puts it like this:

> The bourgeois theatre's performances always aim at smoothing over contradictions, at creating false harmony, at idealization. Conditions are reported as if they could not be otherwise; characters as individuals, incapable by definition of being divided, cast in one block, manifesting themselves in the most various situations, likewise for that matter existing without any situation at all. ... None of this is like reality, so realistic theatre must give it up.

To defamiliarize the representation of men's life together, which is to re-present it realistically, productively, and scientifically is to present the audience with inconsistencies such as contradictions in what holds that life together, and which as its fault lines are thus also what can break it apart. It is their inconsistencies, which become representations, of men's life together, into situations. For Jameson (1977, 206), Brechtian theatre in what he labels as its emphasis on historicization provides "an outlet from the dead end of agitional didacticism in which so much of the political art of the past remains confined". The audience wants to change the world outside the theatre, men's life together, because it has learned that there is room for social change, which in a Marxist context is revolutionary social change. Suffering, to use Brecht's example, is *unnecessary,* yet, as he points out, also *upsetting*. Indeed, the revelation of inconsistencies is a tangible one such that it registers sensationally,

moving the audience to take action, combined with historical insight into any situation and as constitutive of a sense of agency.

While Brechtian theatre applies defamiliarization to the staging of men's life together, it also applies it to the acting involved in the staging. Actors take the stage to realize a staging that is strange, but they also estrange their acting, which places into question and unsettles the subject position the audience is in, namely that of a spectator. As spectators, the audience empathizes and identifies with the actor, feels what she feels and is, as such, consumed by the play as much as she is consuming it. Empathy is thus not a feeling, but a relationship, between self and other, as well as a medium for experiencing feelings, and as such a structure of feeling. Defamiliarizing acting, in intervening in empathy, disrupts the connection between actor and audience and creates a distance between them, which leaves audience members looking on instead. Disconnection and distance make up the space, an opening for the audience to reflect, as opposed to mirroring itself in the actor by empathizing and identifying with her. The alienation effect in Brechtian theatre acting aims to create a different point of view for the audience, an actual point of view, as already stated early on by Brecht (1964, 37), namely that of a "spectator [who] stands outside, studies", like an "observer", whose (thoughtful) point of view is informed by "an attitude of inquiry and criticism" (Brecht 1964, 136), so that she can see what is really going on 'between men': perceiving with perception. Brecht's practice of making the familiar strange is thus about representing situations, different from the status quo which would render them natural rather than open to change, but also aims for the audience to engage differently with that which is represented differently, which contributes towards creating a reflective awareness of the situation as opposed to its registration and consumption. The new position the audience is in enables it to observe and process, think through, for itself, what is happening and lacking between people and to appreciate and enjoy the play as 'food for thought'. Except, however, being an observer, like

being a spectator is a comfortable position to be in. In other words, as (scientific) observers, the audience objectively appreciates and as such is detached from what is happening on stage, that is, without necessarily being moved to act by it, however sensational it is. In fact, ideologically speaking "being a distant observer", Slavoj Zizek (1994, 5) points out, "delivers us from the responsibility to act". Thus, while the representation of men's flawed life together should, on its own terms, leave the audience productively disposed, ready to take action, whether or not the audience is likely to act on what it learns and sees, with new eyes, depends on how it is addressed, beyond being an observer and instead of through empathy. Indeed, when Brecht (1964, 37) proposes, by means of a series of oppositions between dramatic and epic theatre, that the epic theatre turns the spectator into an observer, he also suggests that the epic theatre makes the observer "face something". To ask someone to face something, unlike looking at it, deepens observation by changing it qualitatively. That is, to ask someone to face something interferes with the comfort of detachment, the peace of mind observation provides. To ask someone to face something, beyond observing it, appeals to a willingness and readiness to give up, sacrifice peace of mind and to be moved instead, to get involved and take action.

The part or role that emotions play in epic theatre then is to move the audience beyond the status of observers. As Brecht (1964, 37) states, the observer's "capacity for action" has to be "aroused" such that upon leaving the theatre she becomes an actor. The audience straddles the inside and the outside of the theatre, it is positioned to be both observer and actor, and as such it is dialectically engaged in the play. That Brecht allows for emotions to play a role in epic theatre is typically overlooked, in no small measure because of his rejection of empathy, and the emphasis on defamiliarization instead which as distanciation signals detachment. Yet, the rejection of empathy and the appreciation of distanciation are not an end in itself, but fit into and contribute towards the goal of moving

the audience. In his day, when Brecht (1964, 145) addressed the relevance of emotions to "non-Aristotelian dramaturgy", he suggests that a shying away from including emotions in the production of art/drama is due to "Fascism's grotesque emphasizing of the emotions" as well as the fact that they embody a threat to "the rational element in Marxist aesthetics", which makes them suspicious. Nevertheless for Brecht (1964, 190), despite the specter of Fascism and the importance of rationality, emotions are relevant to effecting social change, for to create an audience that not just participates as observers "we need a type of theatre", which "employs and encourages those feelings which help transform a particular historical field of human relations".

Unlike empathy, which collapses the distinction between actor and audience such that they become one and the same, a different structure of feeling at the identification level is needed and involved. This structure of feeling stimulates the experience of socially productive emotions such as "a sense of justice, the urge to freedom and righteous anger" (Brecht 1964, 227). For: "[T]he rejection of empathy is not the result of the rejection of emotions, nor does it lead to such. The crude aesthetic thesis that emotions can only be stimulated by means of empathy is wrong" (Brecht 1964, 145). The intervention in empathy, the structure of feeling involved in identification, is a negotiation between proximity and distance, a repositioning, with the aim to arouse observers to take action, outside the theatre. The audience has to be turned away before it can be asked to turn around and face something: it has to be desubjectivized and resubjectivized. Alienating the audience, by alienating the acting, creates a distance. Yet at the same time this distance is what allows the actor to get close to the audience and for it to be able to also face what goes on, on stage, in which it is implicated. What goes on, on stage, goes beyond food for thought and is cause for concern and involvement as well. Brecht does not elaborate on the structure of feeling that allows for these specific emotions to be stimulated. While Brecht does not elaborate on the structure of

feeling he replaces empathy with, and which allows for certain emotions to be felt, he does associate emotions with 'moral' objections, for instance against suffering. Suffering is unnecessary and unsettling. According to Brecht, we register pain at the sight of suffering, for it is painful to witness. But how are we made to feel and how do we experience this pain, as observers and witnesses, if not through empathy, and in such a way that we also feel a sense of injustice? Sympathy towards others, unlike empathy, maintains a distance such that we can experience pain as observers and witnesses. As a structure of feeling it limits reaching out to alleviating pain as its driving force, as opposed to resolving it out of a concern for justice. I suggest that the ability to register pain *and* feel a sense of injustice involves and refers to a conscience, hence why we can also raise moral objections against suffering, beyond feeling sympathetic towards those who are suffering. Suffering is unnecessary and unsettling, a social injustice, because our conscience lets us feel and know this. Our conscience is also a source of productive discomfort, and it nags, unlike empathy, which absorbs us. To appeal to our conscience leaves the feelings involved unresolved: suffering is indeed unsettling and therefore justice needs to be done, which requires me to take action, beyond actions informed by sympathy. However, I cannot do justice by myself or on my own: doing justice is not a matter of self-expression, of morally composing my character by adopting the appropriate values. It is embedded in and enacted by social institutions, changing them, which requires collective, political action.

The appeal to a social conscience, the sense of injustice being done, to others, as well as the experience of sympathy, is not represented without underscoring a social point of view, that is, how men's life together is organized, which includes us all, not just those suffering. Collage/montage frames the scene from a social point of view. The social point of view suggests that 'we' are in it together. In identifying with the social point of view, we mix our conscience with solidarity. Ultimately, while the (bourgeois) audience of Brechtian theatre

might be composed of those "who cannot imagine any improvement in conditions", for "they find the conditions good enough for them" (Brecht 1964, 72), the truth of the matter is that in effect social conditions are not good enough for anybody.

The *Recession* busted ad is Brechtian in applying the *V-effekt* to the original Obsession advertisement. As such, it intervenes in the structure of feeling that advertisements propose, namely empathy, to identify the other as the same. Furthermore, in doing so it aims to put our conscience into play, at the level of identification, vis-à-vis a man who embodies an Other of consumer society, albeit stereotypically so, and as such calls attention to its social imperfections as a matter of injustice. Finally, the frame of the busted ad suggests that unless we politicize and change the social conditions in which injustice is embedded, a just society cannot truly come into existence. Firstly, however, the *Recession* busted ad achieves the effect of distance at a basic level by being different from the original Obsession ad, which shows me a likeable and desirable image of myself that invites identification. The *Recession* busted ads presents me with a different image of myself, compared against the original, which creates a space or pause for reflection, wonder. Its subject is unfamiliar, not me. If the Calvin Klein advertisement features nudity, a body, which suggest 'belong to me' this advertisement features a body the presence of which, on the high streets of Western consumer societies, is more likely to evoke avoidance. We have seen him before. The man has a beard and unruly hair, wears bulky clothes, and is somewhat hunched over and slouched on a step, rather than sitting up. Perhaps a shopping cart in which he pushes his belongings around is not far off, for his appearance is shorthand, also in the vernacular of properly representing yourself publicly, for being homeless. Homeless people, rather than being in shops, are indeed 'in front of stores everywhere'. Furthermore, the *Recession* ad because it makes the familiar strange, as opposed to strangely familiar, and is different as opposed to similar to the original, no longer disguises the Symbolic: it no longer wears an 'invisibility cloak', it is

busted open. The busted ad, unlike the advertisement no longer means to me without me having to make sense of it, after all, it is no longer me in the image, but a stranger instead. Being different from the original, ads are exposed as a symbolic system, a signifying system that otherwise represents the imaginary, as well as represents the other as the same. Thus the *Recession* busted advertisement, unlike the *Obsession* busted ad, unveils the symbolic by the sheer and banal fact of being different from, rather than similar to the original advertisement. The busted ad is the same scene but different, me but different, familiar but strange, a dialectical image. As such, it points out or calls attention to the fact that the original advertisement can be made to mean something different, and thus that (its) meaning is always already produced. It calls attention to difference, contingency that makes signification possible, and on which it thus depends. Sign and referent do not make up a fixed unity. The *Recession* busted ad places the effect of meaning, and me into question. What this busted ad leaves consumers with is the (busted) ad as a symbolic system, a system of differences that is of the symbolic order, and which also, for Lacan, represents the law. The law is "the set of universal principles which make social existence possible, the structures that govern all forms of social exchange" (Evans 1996, 98).

The *Recession* busted advertisement exposes the symbolic by being different from the original. Consequently, it portrays the other as Other, as opposed to the same or similar, and interrupts the move towards identification. In doing so, it repositions us vis-à-vis the image and the person in it in a moment of suspension, which leaves us no-where. We might not exactly 'jump out of our skin', the 'surprise' or 'shock' of being confronted with a busted ad that makes the familiar strange, and presents the other as Other is more subtle than that. Nevertheless, upon our confrontation with it, we are no longer contained within our skin, as opposed to an uncanny confrontation with someone similar in which case we feel ill at ease within our own skin, ill at home with our self. This busted ad turns us inside out. 'Surprise' or

'shock' is an opening that desubjectivizes us, the first move to facilitate looking at ourselves differently. Similarly, unfortunately, when we encounter a homeless man, or woman on the street, we might not necessarily jump out of our skin, but cross the street instead and put a distance between our self and him or her.

In desubjectivizing us, the busted ad that makes the familiar strange places us in a position of what Joan Copjec (1989, 64) refers to as "extimacy", which is, for Lacan, how the subject is constituted, namely "as external to it itself" (Copjec 1989, 64). Consequently, Copjec (1989, 64) argues: "The subject will appear, even to itself, to be no more than a hypothesis of being", and "belief in the reality of representations will be suspended". I only ever imagined myself 'to be' someone and, on that basis, to know myself. Since I am no longer intimate with myself, I no longer am or seem to know myself. Extimacy is an alien, strange place 'to be'. 'I am' outside myself, a stranger to myself, alienated. To exist no-where is our place 'to be' for Lacan: once we enter the symbolic, once we use language, what defines us is "the impossibility ever coinciding with the real being from which representation cuts it off" (Copjec 1989, 70), and which brings desire into being. Furthermore and in addition, contrasted with and unlike the original advertisement, because it is different from what we expect ourselves to look like, familiar but strange, the Recession busted advertisement *actively* asks for a sense making on the consumer's part. In Zizek's (1998, 88) description of what he refers to as Hitchcockian "phallic montage", which applies in its effect to the Recession busted ad as well, he describes what happens: "the ground of the established, familiar signification opens up; we find ourselves in total ambiguity", which is the "driving force" (Zizek 1998, 91) to produce a new meaning. To not respond to the call of sense-making, which is also the call of interpellation is to be left stranded faced with the symbolic, or what Rey Chow (2002, 110) interpreting Zizek refers to as "the terror of a radically open field of significatory possibilities". She suggests, reading Zizek, that "what the subject always

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resists is this terror of complete freedom" (Chow 2002, 110), because it makes it impossible

"to function rationally in the modern world" (Chow 2002, 111). Zizek (1991, 137) indeed

suggests that "we are always forced to choose between meaning and ex-istence: the price we

have to pay for access to meaning is the exclusion of ex-istence". The busted ad banks to

capitalize on this terror, for us to choose 'meaning' and to not ignore it and 'be indifferent',

dis-identify, ex-ist. As Judith Butler (1997, 7) puts it, the desire "'to be'" is "a pervasively

exploitable desire". Any sense we provide for the busted ad, *based on the position we*

assume vis-à-vis the person, the Other in the busted advertisement is an appeal to a desire to

be, and on our part a response to interpellation, which makes sense: after all, the busted ad

aims to move consumers, and which requires we look at and understand ourselves, and our

place in consumer society differently, which is a condition for moving us to take action. That

is, this busted advertisement too, like the advertisement and the *Obsession* busted ad has an

agenda. It does not want to place us outside the symbolic order, the law, a system of

differences, which is also a system of indifferences, because we have to be (come) someone

(else) to be able to take action.

The busted ad turns us inside out, makes us strangers to ourselves, and alienates us.

The busted ad places us outside our self, *homeless*, and outside of our comfort zone which

stops at the boundary of our self, namely our skin, which we now only realize we had. In

doing so, the busted ad sets up an affective encounter, which is also an ethical encounter: we

look for who and what moved us, which is the moment we take up 'space' again. Belief in the

reality of the representation, the busted ad, its meaning, is no longer suspended but restored,

except that we experience its reality and its meaning differently. The busted ad is of the

symbolic, re-presents the other as Other, as opposed to the same, and thus requires the

consumer to make the scene hers, as opposed to allows her to assume that it is her in the

picture, such that "the observed picture is subjectivized" (Zizek 1991, 91). What or who

moved us is what Zizek (1991, 91) would refer to as "the point from which the picture itself looks back at us", which is my ego ideal, or "the guide governing the subject's position in the symbolic order" (Evans 1996, 52). Having been desubjectivized, turning me inside out, the busted ad also resubjectivizes me.

Having been moved, the place to return to and to be rather than a return to intimacy, which would be impossible given the realization that I only ever imagined 'to be' someone and to know myself, is literally in-between: our skin, neither intimacy, nor extimacy. Through our skin we take up space again, a precarious subject position. Our skin is the in-between where the symbolic meets the imaginary, where meaning, and we can exist, temporarily. Thus, although we have chosen meaning over ex-istence, we have also left behind the illusion of the mirror stage, that the sign has a referent, namely me, and on the basis of which we could assume the other as the same. Our skin captures, as opposed to denies us our freedom to be someone such that we can act. Furthermore, the importance of being a subject as captured *in*, as opposed to by our skin lies in the kind of relation it allows for between me and an Other. Our skin allows the man in the scene to make an impression on me, which also connects him to me, and vice versa. As Sara Ahmed (2004, 29) explains: "if we think of the skin surface not only as that which appears to contain us, but also as where others impress upon us", then the paradox is that "what separates us from others also connects us to others." Captivated, and *working through* this feeling, is made possible by the particular *impression* the man in the advertisement makes on me.

I identify the impression he, the Other, makes on me: not only what I think of him, but, most importantly, also what he thinks of me. He impresses on me: *his eyes are on me*. His eyes, the point from which the man is looking at me, are not just his, but also "the point in the big Other from which I observe and judge myself" (Zizek 2009, 89), the law. He makes me, a subject, into an object, *not* a project as in life politics for self-reflection, and which, as

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such, engages my conscience. My conscience is the authority that not only compels me to take notice, of his impression on me, but also informs and berates me when I am guilty. As Julie Ellison (1996, 356) in *A short history of liberal guilt* puts it: "When those who suffer gaze back at those who not, guilt is the consequence." As I reflect on myself, I am my judge and jury, which propose a self-correction. I impose and accept accountability in the face of the judgment coming from a stereotypically Other. The man in the busted ad, as a representative of the law, asks me whether or not I live up to my ego ideal, as constituted by the law, and at the same time holds me accountable for my failures, which is what it also means to be a subject. That is, to be a subject, as Dylan Evans points out, implies that I can be held accountable for my acts. Or, as Judith Butler (1997, 118; my italics) puts it, to be a subject is "to become an emblem of lawfulness, a *citizen* in good standing". Symbolic identification is with the position from which we are being seen and judged, in this case, as guilty. In symbolic identification we forfeit being the master of our own image. Or as Rex Butler (2005, 53; italics in original) puts it elsewhere, paraphrasing Zizek: "[I]n symbolic identification, we identify not with the image but with the look of the Other, not how we see ourselves *in them* but how we are seen *by them*." From the position that we are being seen, by an Other, we appear for instance caring or loving, qualities that sustain social life together, *except when we do not*, and transgress against social norms, which brings the social superego into play and which allows the voice of our conscience to speak up to inform us an injustice has been done. The ego ideal and the social superego are the same, that is, the social superego is the ego ideal 'in punishment mode' and which is addressed at our conscience. As Judith Butler (1997, 25) puts it: "Within psychoanalysis, we think of social sanction as encoded in the ego-ideal and patrolled by the superego." She furthermore suggests that it is our conscience that makes us available for the "subjectivizing reprimand" embedded in the law (Butler 1997, 115). Thus, the homeless man offers us a symbolic injunction for self-

reflection and its superegoization such that symbolic identification is to accept this offer. What, however, am I guilty of, of not caring about as an instance of social injustice being done?

The homeless man is an Other, stereotypically so, and the stigma he bears is that of a social outcast, who exists at the margins of consumer society, or, rather, as an outsider on the inside. He reminds consumers that society has failed him, which is a social injustice. Society has failed him, not only because he lacks a home: unemployment ranks high among the social causes of homelessness. We are all a part and member of society, so, if society has failed him, so have we, consumers. In the midst of choice and abundance, of consumer goods, in pursuit of an identity, that makes us –superficially- look good, basic conditions that should be in place such as shelter, food and employment are lacking. While as consumers we try to satisfy an appetite, the man might very well wonder where to sleep and whether or not he can afford a meal. He criticizes our desire 'to be' as purchased by consumption as an ethical betrayal that points towards a social injustice, with structural causes. There is no reason to be satisfied with ourselves, who we are, the image we have of ourselves for not the image is imperfect, but we are, as subjects. Thus, while we might no longer be tied up in a web of tradition and obligation that tells me what the Other wants, and therefore tells me who I am, and what I desire, insofar as society has a social fabric, there are impersonal ties that bind, embodied in ethics, and hold society together, such that what sustains the fabric is the voice of a conscience. Thus, I do not (have to) ask what the stereotypical Other wants, because I know: justice.

However, while the busted ad asks for social justice to be done, and thus for consumers to pursue an emancipatory politics, I cannot do justice on my own. The emancipatory goals at stake, the realization of these goals, social change requires politicization and collective political action. The only immediate course of action available,

informed by my conscience and guilt, is, in case he asks for it, to help the homeless man in the moment. This gesture only heightens my guilt, and it does not resolve it, for justice is not being done. Furthermore, the busted ad does not merely manipulate our emotions by invoking a sense of guilt, making us face our social conscience and on that basis move us. By framing the image as recession, it creates a social point of view, a knowledge that allows us to make sense of homelessness, beyond feeling guilty. Framing the homeless man by situating him in the context of a recession suggests that lack of employment explains his situation. During periods of recession, unemployment is typically high. However, the homeless man is not merely unemployed, looking for a job. That is, whereas homelessness is typically associated or even attributed to unemployment, the wider context within which unemployment occurs, the structural conditions that frame it are not necessarily always brought into focus. Finding a job is what matters in resolving homelessness, even if that just means selling a magazine that is published specifically for homeless people to sell on the street. To suggest that a recession explains homelessness raises the stakes in terms of the verdict the busted ad delivers on what Brecht refers to as 'men's life together'. 'The rules that govern it are flawed', not necessarily in terms of content, but because of the fact that we, none of us, are in a position to decide ourselves, together, what those rules are in the first place. The reference to recession suggests that we lack the power and freedom to organize and rule or govern our own lives. In recognizing ourselves in the homeless man framed by recession, in solidarity, we are a different person and realize how we, as people, are all un-free all.

Finally, to end my analysis with a perverse twist, strictly economically speaking, recessions are attributed to under-consumption. In other words, the busted ad, from a different point of view, and in disagreement, could be interpreted as encouraging consumers to consume *more*. By consuming more, consumers would contribute to creating 'economic growth' which would hopefully result in jobs that can help get the homeless off the street,

which is one way to resolve guilt, albeit in a rather perverse way. Thus, the critique of consumer society is that as consumers we do not consume enough.

In sum, in terms of its mode of address, the *Recession* busted advertisement does not confirm how I see myself, what I imagine myself to be like and how I appear likeable to myself. Instead, the busted ad turns me inside out and refigures me as an outsider, a stranger to myself. Being a stranger to myself not only motivates me to interpret the image and make it mine, via the Other as Other, but it also suggest that as a subject I have become an object for myself, which means I can reflect on myself, a condition necessary for engaging one's conscience. Set up to engage my conscience, I experience its presence as feeling guilty by means of the social demand the stereotypical Other in the image places on me: she is my ego-ideal that I try to impress with my ego image. Except for the fact that the reasonable framing of the homeless man contextualizes my guilt: the shortcomings to a society that denies power to us all. Faced with the *Recession* busted ad, I am invited not just to appease my guilt and act ethically, and pursue a politics that seeks to accomplish justice, but also to act towards changing society in the pursuit of radical change.

Conclusion

My cases suggest how busted advertisements address and reconstitute consumers, by restructuring or sabotaging identification as proposed by advertisements. Sabotage takes the form of defamiliarization, which also changes the aesthetic of advertisements, into the uncanny (Freud) and the alienating (Brecht). If advertisements try to sell us a perfect self, the challenge busted ads propose is to undo an imaginary perfection, and re-make ourselves in the transformative recognition we are faced with, based on being moved, by feeling shame or guilt. As such, busted ads try to 'sell' us our imperfection, in the register of the imaginary, by re-imagining ourselves, or in the register of the symbolic, by re-figuring ourselves. The

Obsession busted ad preaches its lesson by referring to my ideal ego: in shaming me it seeks to educate my imagination and is moralizing on the basis of which I appraise myself as bad. The aim then and which determines the politics of the *Obsession* busted ad as life politics is to become a better person, in more control of her self. The *Recession* busted ad tries to teach me a lesson by referring to my ego ideal and by appealing to my conscience. As such, it holds me, and my actions, ethically accountable towards the Other as Other, who is betrayed by them. Furthermore, the politics of the aesthetic emotions of the *Recession* busted ad are geared towards the emancipatory goal of justice. In addition, the framing of guilt by a social point of view urges consumers to transcend feelings of guilt, and not only pursue justice on behalf of the Other, but in solidarity, under the sign of power to the demos as self-rule.

In the context of life politics, reflexivity is tied into managing oneself in the lifetime attempt of making something of that self, morally speaking too. However, if reflexivity is the moment in which I am made other to myself, which asks for self-reflection, we are also, alternatively, being asked to exercise our conscience. We exercise our conscience when we make our self into an object to reflect on, and which allows us to pursue emancipatory goals instead.

Although both busted advertisements are moving and both try to sell me an improved version of myself, my cases argue that not all busted advertisements are similar in trying to create such a self. That is, unlike other analyses of adbusting that assume that all busted ads are the same, my cases point out that this is not the case. Furthermore, while all busted ads are trying to sell us an improved self, in the register of the imaginary or the symbolic, whether we are moved, accept the 'sales-pitch' and embrace a transformative recognition hinges on different issues. In the case of the *Obsession* busted ad, it is precisely the defensiveness of the ego that complicates any straightforward move towards building a

stronger ego. In the *Recession* busted ad, whether or not we have conscience to begin with and whether or not we listen to it determines its effectiveness.
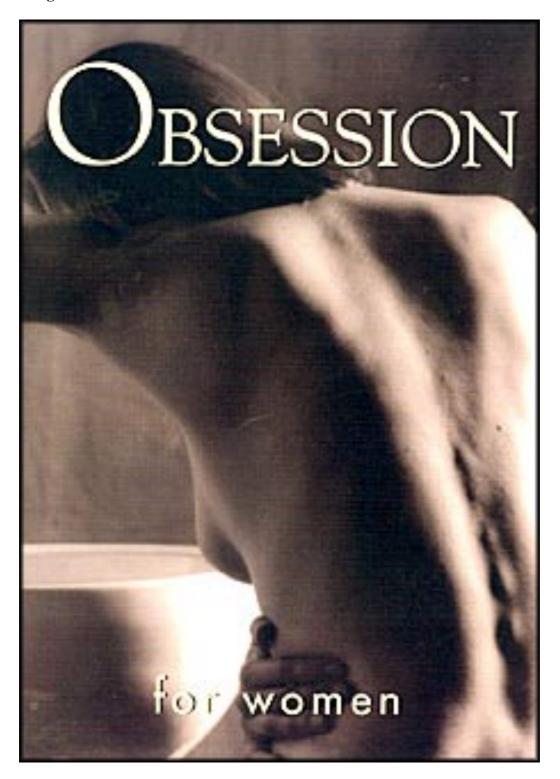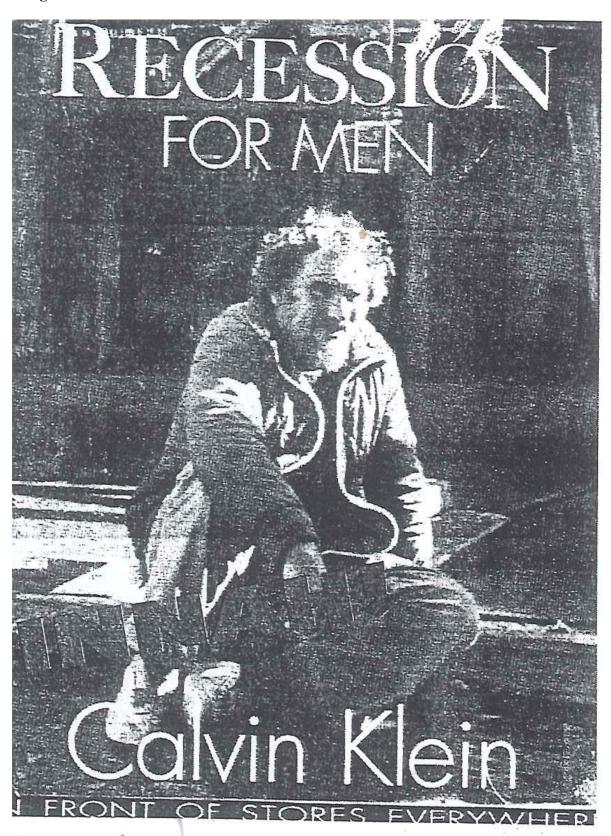
Image 1: The Obsession busted ad

Image 2: The Recession busted ad

Chapter 4

'Arresting words': fans, the case of the missing detail, and its politics

> To arrest the meaning of words once and for all, that is what *Terror* wants."
>
> (Jean-Francois Lyotard in Michel de Certeau 1984 : 165)

> 'In times of terror', he [Walter Benjamin] writes, when everybody has something of a
>
> conspirator in him, everybody also has the opportunity to play detective'.
>
> (Todd Herzog 2009, 16)

> The author is the principle of thrift in the proliferation of meaning. ... The author is
>
> therefore the ideological figure by which one marks the banner in which we fear the
>
> proliferation of meaning.
>
> (Michel Foucault 1979, 159)

This chapter looks at fans, and their popular creativity, specifically the politics involved, and as different from the politics involved in adbusting and defamiliarization. Adbusters, like fans, are consumers who do not merely consume. However, the popular creativity of defamiliarization, the politics of oppositional consciousness involved, aim to expose consumers in relation to their place in consumer society and consumption, as well as to move consumers to make changes. Fans are also consumers who do not merely consume mass cultural signs, but the resulting popular creativity is unlike that of adbusters. By making the signs their own, and creating their own meaning for them, fans fully enjoy and exploit the pleasure of consumption, for instance as embodied in fan fiction writing.

Writing fan fiction, fans use their creative imagination to make stories out of stories the rest of us merely consume, in one viewing or reading, onto the next story to consume, in the series or not. The stories fans stick to and creatively engage with involve TV-series, including but not limited to science fiction: e.g. Star Trek as well as the West Wing, the L word, and Xena. Fans also use their creative imagination on written fiction, including but not limited to serial writing like fantasy fiction, such as the Lord of the Rings and the Harry Potter story, both of which made it to the film screen too. In sticking and engaging with their favorite stories, fan communities come together, physically and increasingly online, and popular culture emerges. Online, fan fiction writing is widely available, in archives on fan fiction websites. In the meantime, fans also still consume, to the extent for instance that they buy the merchandise that the global media companies spin off from their favorite stories, those that produce the series and films. Commercial interests in fans allows for a measure of tolerance for them on the part of those who own intellectual property rights in the stories, and consider popular creativity a violation of their rights. They prefer fans that only watch, read and buy things, but cannot afford to alienate fans that are more involved in what they enjoy. Nevertheless, despite a measure of tolerance creative fans always practice their imagination in the shadow of the law, under the strain of legal restrictions and under the threat of being sued. Furthermore, while merchandise is on sale elsewhere, fan websites, including fan fiction websites sometimes sell merchandise too, as well as include advertisements for a variety of consumer goods. In other words, fans do not operate outside commercial interests, and sometimes stand to gain from it, such as from advertising revenues, even if fan fiction writing does not involve the exchange of money, on which there rests a taboo. For it seems that fans assume that as long as no money is exchanged, they will be left alone, by those who own intellectual property rights, and also because it is part of their popular culture. Fan fiction writing is non-profit writing, to be shared, and written for free, except there is an

expectation of reciprocity on many websites. After reading a fan fiction story, the request is to leave comments for the one who wrote it for her to improve on it. Rather than free, stories are exchanged in a circuit of gift giving.

While there are many fans out there, engaged in writing and other activities, it is nevertheless difficult to identify fans, online and from the literature: who are fans? Who writes fan fiction? Fans are typically being talked about as fans, indistinct in terms of specific identity markers. Online and in research they are anonymous. According to Karen Hellekson (2009, 113) and more broadly speaking "in media fandom women overwhelmingly make up this community". Abigail de Kosnik (2009) identifies those who write fan fiction as typically female. Heterosexual women make up the majority of those fans who write what is known as 'slashfiction', fiction that involves same sex characters that are otherwise, in the "parent narrative" (Falzone 2005, 244), "avowedly or assumedly heterosexual" (Falzone 2005, 244). That is, according to "anecdotal and ethnographic evidence" as "formal empirical survey proof does not exist", as Paul Falzone (2005, 244) points out.

The fans, popular creativity and the politics involved that I am concerned with in this chapter and case are fans of the world of Harry Potter. Harry Potter is the main character in a series of fantasy books, or novels. The author of the books is J.K. Rowling who wrote seven installments. The books are aimed at children, but their readership also includes (young) adults. The books tell a story that chronicles the life of Harry Potter, and that of his friends and enemies, as an apprentice wizard at a school for wizards called Hogwarts. The drama that unfolds across the different installments of the story is a drawn-out battle between Harry Potter and the dark lord Voldemort who aims to rule the wizarding world as well the ordinary (non-wizard) or 'muggle' world that exists alongside it. The publication of the first installment dates back to 1997 and the final one was published in 2007, with publications (in the UK) in 1998, 1999, 2000, 2003, and 2005 in between. Warner Brothers Inc.

Entertainment adapted them to screen. The series has been translated into 67 languages and as of June 2011 has sold 450 million copies worldwide. In 2010, Warner Bros. Entertainment together with Universal opened a theme park, 'The wizarding world of Harry Potter', in Universal's Orlando Resort, which features two theme parks already. The new theme park replicates the world of Harry Potter as it appeared on screen. In 2012, Warner Bros. Entertainment opened a studio, near London, that takes its visitors on a walking tour 'behind the scenes', of the films, and onto some of its sets. The success of the books has been due to a fan base that grew, worldwide, with each installment. Today the business success depends more heavily on the theme park and studio, as well as the merchandise that is being sold.

The politics involved in this chapter, and concerning popular creativity are about effecting closure on the meaning of the world of Harry Potter, which fans in writing their own stories about Harry Potter and his world resist and undermine. While fans also otherwise engage with the world of Harry Potter, the main stage for my case is fan fiction writing as it most obviously challenges what the story of Harry Potter and his world is about, through the surplus or excess meaning fans generate en-masse about it and embodied in their stories. For instance, at harrypotterfanfiction.com there are currently about 80000 stories available; at the Harry Potter section on www.fanfiction.com are over 63000 stories available and at www.mugglenet.com over 10000. Fans write different stories about the world of Harry Potter, its characters, their adventures and relationships, and create surplus meaning in excess of the original stories, as more of the same and different.

In this chapter, I look into and make a case for how copyright law is mobilized to contribute towards the politics of closure that the author J.K. Rowling and Warner Brothers Inc. seek to exercise. That is, I look into the arguments being made for and against the publication of the so-called *Harry Potter Lexicon* by RDR Books, which is authored by a fan and offer a scenario for what the copyright case is also about, in light of the interests shared

by the author and the global multi-media conglomerate. Thus, rather than what the lawyers argue is exclusively the case, and what is at stake, I make my own case, even though I am not a copyright lawyer. The question I ask is: what does the alliance have to fear from popular creativity like Harry Potter fan fiction writing, the surplus or excess of meaning, in the interest of which they pursue a politics of closure and seize the opportunity to sue the publisher of the Lexicon? For while fans fear being sued, the constant legal threat that hangs over them also testifies to the fear of those who issue it. Terror terrorizes but is also terrified, hence its resort to legal criminalization, which prevents an explosion of stories bursting onto the scene. Thus, what do the author and Warner Brothers Inc. seek to be in control of in pursuing ownership in a vocabulary and its properties by means of copyright law, given also that the culture industry has undergone some structural changes since Theodor Adorno and Max Horkheimer first referred to it? Furthermore, what is the role of the author, who takes centre stage during the trial in making their case for copyright to secure their interests? It is not just that fans, and Steven Vander Ark in this case, make money from what others consider their property, which is one scenario that explains the lawsuit, against RDR Books, for they are the ones who are being sued. There is more going on.

Before I go into the lawsuit, I first address why the copyright case captured my interest, in the context of a selection of the literature on fan fiction. I then situate fans, their popular creativity in the context of a politics of resistance that foregrounds as the stakes, in this and my case, closure on the meaning of the world of Harry Potter, against its excess, or proliferation, and as opposed to copying, which is considered to be the offense that Steven Vander Ark is guilty of. It is the proliferation of meaning that the alliance fears, and which the case against the publication of the Lexicon helps them prevent. Drawing attention to the proliferation of meaning at this point also allows me to situate the role the author plays during the lawsuit, namely as what Michel Foucault (1979) refers to as 'the principle of thrift in the

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proliferation of meaning'. In this role, it is not her creative genius that matters most to secure an outcome in favor of the alliance, but her life story that tells her rise from rags to riches, the hard work it took to write her stories. I furthermore sketch how the culture industry has changed over the years, the full significance of which will materialize during the case I am making.

The copyright dispute

> (...) there is often nothing subtle about the way the powerful deploy the legal system
> to keep themselves organized and their victims disorganized and scared.
> (Robert W. Gordon 1986, 75)

Fan fiction writing is widely available online, and online fan fiction websites are acutely aware of the law. For instance, at www.harrypotterfiction.com the owners of the site at the bottom of the first 'page' state in small print and in their interpretation of intellectual property rights that

> All stories remain the property of their authors and must not be copied in any form
> without consent. This is an unofficial, not for profit site, and is in no way connected
> with J.K. Rowling, Scholastic Books or Bloomsbury publishing or Warner Brothers.
> It is not endorsed by any of the aforementioned parties. Rights to characters and their
> images is neither claimed nor implied.

Furthermore: "All original administrative content is copyright of the site owner and must not be copied in any form (electronic or otherwise) without the prior consent of the site-owner." In addition, those who submit stories stipulate that the characters in their Harry Potter stories are trademarks that belong to Warner Brothers Inc. While I was exploring fan fiction writing

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online, gathering impressions and thoughts as well as looking for something to say and contribute to about fans and their popular creativity, a copyright dispute was making headlines that caught my attention: the case against the publication of the then so-called *Harry Potter Lexicon* by RDR Books and put together by Steven Vander Ark. The *Lexicon* is not a work of fiction, but that of a fan who by means of it organizes the language or vocabulary of the world of Harry Potter in alphabetical order. Furthermore, the *Lexicon* informs us about and defines in the references the meaning of the existence of the world of Harry Potter of everyone and everything in it. 'Who is who' and 'what is what' is captured in the words, sentences or language J.K. Rowling uses to make up and tell the story, which are cut, pasted and copied into it. The joint lawsuit by Warner Brothers Inc. and J.K. Rowling challenges the publication of the *Lexicon* as copyright infringement, which RDR Books deny on the basis of so-called fair use, which would allow for it.

The copyright dispute and the legal case captured my interest because it involved a fan, and the law. The interface is an opportunity to better understand how the law is actually set to work to shape what fans are allowed to do, creatively, beyond merely used as a threat that fosters insecurity about what is legal and what is not. Intellectual property owners regularly issue legal threats, sometimes embodied in official so-called 'cease and desist' letters that their lawyers issue when copyright infringement is said to be taking place, or other intellectual property laws are supposedly being violated, such as those that involve trademarks. Legal threats often suffice to re-establish control over popular creativity because hardly anybody can afford to get involved with the law. Except in this case, when the *Stanford Centre for Internet and Society* chose to represent RDR Books. The centre is also involved in the *Electronic Frontier Foundation* to monitor (premature) criminalization of any online activity, and to protect online rights. The foundation, together with a number of law schools, have set up a website (www.chillingeffects.com) dedicated to assessing the merit of

cease and desist letters as well as archiving them. Both "the First Amendment and intellectual property laws" determine whether or not a threat has merit. Fan fiction, which could be subject to "copyright *and* trademark infringement claims" (www.chillingeffects.com; italics mine), is a topic maintained and serviced by the Stanford Centre for Internet and Society. Even though fan fiction writing is increasingly more visible today and is 'moving away from the margins' (de Kosnik 2009), legally it takes place in a grey zone, in the shadow cast by the law, as a form of carnival-like 'licensed transgression'. The fear of being sued is real and always present as the disclaimer to the website and that fans issue indicate.

The case also captured my interest because Steven Vander Ark did not seem to receive much support from his fellow fans. Rather than support, fans distanced themselves from him, also online, by disconnecting the link to his lexicon, which first existed online, from other fan sites, including fan fiction sites. Even though before he published his Lexicon, he was highly regarded in the community, considered to be, and admired for it, one of J.K. Rowling's biggest fans. In turn, she appreciated the online lexicon for helping her write the installments of her story, to stay consistent throughout by making sure she got her story straight. Given that he and his lexicon were appreciated in the community, rather than take an interest in his case, and support him, the author and her case enjoyed widespread support instead. In addition, I was surprised fans were not wondering about the legal arguments on both sides to figure out under what conditions copyright and fair use might start to work in their interest or favor in terms of earning some kind of legal recognition, given how the case would be settled. For why settle for creating in fear of being sued? How creative and imaginative can you be if you have to be grey, wonder and worry first and foremost if what you do is legal? Nele Noppe (2011) for instance argues in favor of legal recognition, as well as social recognition, as signs of support for what fans do. She also raises the question that if legal recognition of any kind becomes a reality, then what will happen next in terms of fans

being able to commercialize what she refers to as their work. Money is by many fans considered a taboo, yet she thinks the commodification of fan work should be spoken about. Noppe (2011, [1.4]) wonders why not consider commodification as an option, once legalization is under way too: "[I]s it realistic (or fair) to expect that all fans will stick to exchanging works in a gift economy when they also have the option to cross back and forth between that gift economy and other economies, even money based ones?" Abigail de Kosnik (2009) also wonders whether fan fiction should be free or not, and whether the women that predominantly write it should get paid for their labor. In this case, is it fair to prevent Steven Vander Ark from making a living out of what he rather than work refers to as a 'labor of love'? Is it fair to prohibit the publication of the *Lexicon* as illegal, when the author merely tries to make a living, unlike the other author involved who by merely collecting rent from the Harry Potter trademark property she owns is supposedly richer than the Queen? If trying to make a living is potentially illegal, what exactly does 'fair' mean in 'fair use'?

Given my attraction to the case, I familiarized myself with it by downloading the transcripts of the trial that the Stanford Centre for Internet and Society made available online. In the end, the case did not let me go because as I realized and it turned out, a detail went missing, that of the alliance between the author and Warner Brothers Inc. A detail that as a matter of fact was being left unaccounted for during the trial, by both sides, as well as in media reports on it, its framing and the stakes involved. The alliance was not hidden, for the names of Warner Brothers Inc. and the author are on the transcripts of trial, and their attorneys were present in court, which was widely reported on. Nevertheless, the alliance went unnoticed. Thus, I am not looking to expose the alliance, or what they are really up to. I am not suggesting that we should be paranoid about the missing detail, and what is *really* going on, behind the scenes. It is only one missing detail, the significance of which is hardly enough to constitute a conspiracy theory, but it is enough to take up the role of detective, and

look closer into the case. Having noticed that the detail went missing and in being unaccounted for, the detail put me on the case. The missing detail put me on the case in an attempt to piece together the significance of the legal dispute for Warner Brothers Inc. and J.K. Rowling combined, not just for the author as a spokesperson for copyright, against its violation. The missing detail put me on the case to draw out the implications for fans and how they are allowed to practice their popular creativity. The case is about copyright and fair use, but it is also about something else, about something more, captured in my case. My case, its scenario, is about a politics of closure, in fear of and against the proliferation of meaning, and the aim to contain fan fiction stories in archives, not as licensed transgression but as strictly speaking illegal. Before I turn to the lawsuit, I next turn to a classic to situate fans in the context of the proliferation of meaning. In this context, I also introduce the role the author plays during the trial, as defined by Michel Foucault (1979): the principle of thrift in the proliferation of meaning.

Fans & the politics of resistance

Since popular creativity such as fan fiction and the pleasures it involves became of legitimate scholarly interest, in part because of scholars who are fans too, fan fiction writing is associated with resistance and the fan culture in which it is embedded as participatory, due to Henry Jenkins' (1992) *Textual Poachers. Television fans and participatory culture*, a classic. His classic is most relevant to my case. It foregrounds, via Michel de Certeau (1984), that fans in writing their own stories open the text up to a diversity of other stories and meanings, and resist the symbolic authority of the author. Fans resist that the story, everybody and everything in it, has a particular meaning only, on account of the author.

In terms of a politics of resistance and compared against a politics that requires an oppositional consciousness, for Jenkins (1992, 34) the emphasis and interest in readings

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performed by "the 'people'", such as fans, is less on and in manipulation, and the ability to resist or negotiate, and 'retotalize' dominant meanings. The emphasis is more on the "compatibility" (Jenkins 1992, 34) between text and reader, "between the ideological construction of the text and the ideological commitments of fans" (Jenkins 1992, 34). Jenkins argues furthermore that rather than being emotionally manipulated by the text, drawn close to it and therefore unable to resist ideological control, the fan draws the text close, which suggests her initial distance from it. In addition, "[T]he text is drawn close not so that the fan can be possessed by it but rather so that the fan may more fully possess it" (Jenkins 1992, 62). Thus, the fan draws the text close *not* to then (nevertheless) submit to it, and lose control, but 'to negotiate and master' it on her own terms which express her "pre-existing social commitments and cultural interests" (Jenkins 1992, 34), as well as her "pre-established values" (Jenkins 1992, 63). Her commitment, interests and values prompt her to not merely do her duty and consume, but to exploit the pleasure of consumption instead, by getting involved, in the text and story, which would otherwise just be a commodity gone in one reading.

Jenkins situates his understanding of fans as resistant and participatory in the context of Michel de Certeau's 'reading as poaching', which is a chapter in his *The practice of everyday life* (1984). Jenkins draws on 'reading as poaching' to argue that the text is open to alternative readings, by fans, and others too. Effectively, for de Certeau (1984), none of us when we consume necessarily merely consume, except that nobody would know because according to de Certeau we keep our alternative readings to ourselves. De Certeau (1984) argues that readers, "cultural consumers" (1984, 168) "put their own mark on and remake" (1984, 168) texts, and "invent in texts something different from what they intended" (1984, 169), something "unknown in the space organized by their capacity for allowing an indefinite plurality of meanings" (1984, 169). According to de Certeau (1984, 169), the readings

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"cultural consumers" perform are *tactical* and as such 'de-authorized', that is, they have no author: "The reader takes neither the position of the author, nor an author's position." What qualifies a tactical reading is a lack of ownership over it, of taking ownership of it. The reader is a "nomad", on the move, without an interest or stake in and ties to property, like those who rent, and "who know how to insinuate their countless differences into the text" (de Certeau 1984, xxii). As a nomad, or renter, the reader neither challenges the author, by taking or borrowing from what is hers, nor shapes her reading into a body of text by offering it as a reading to others, and as its author: reading "does not keep what it acquires" (de Certeau 1984, 174). In 'poaching meaning', readers transgress against the assumption, an effect of "social power" (de Certeau 1984, 171), that there is a meaning proper to the text, that belongs to it, by virtue of those qualified to come to terms with it. Most empathically, de Certeau points towards "socially authorized professionals and intellectuals" (de Certeau 1984, 171) that prevent the opening up of the text to its plurality of meanings. In the system, only professionals and intellectuals are allowed or can 'take the liberty' (de Certeau 1984, 172) of "encoding" (1984, 169), of attributing or 'divining' a proper meaning to the text, and which is a freedom "denied students (who are scornfully driven or cleverly coaxed back to the meaning 'accepted' by their teachers) or the public (who are carefully told 'what is to be thought' and whose inventions are considered negligible and quickly silenced)" (1984, 172). For de Certeau (1984, 171) there is no meaning proper, or a proper meaning to the text, whether to be 'divined' by 'official interpreters', or as "something deposited in the text, by an 'intention', by an activity on the part of the author".

Nevertheless, Michel de Certeau does not argue in favor of the publication, distribution or circulation of alternative meanings, which would openly, in public, put into question, and challenge the division of labor in place and the authority involved, put equality at stake instead, as well as proliferate and circulate alternative meanings. De Certeau (1984,

169) argues: "[W]hat has to be put into question is unfortunately not this division of labor (it is only too real), but the assimilation of reading to passivity." Rather than and as opposed to her reading, the cultural consumer herself moves around. While fans are active, as opposed to passive, or ideologically manipulated, and open up the text to their alternative readings, based on their commitments, interests and values, fans are not nomads. Fans, as Jenkins points out, are writers. Firstly, they are originally drawn to a certain text in which they move around exclusively, rather than move around among a large and changing number of texts. Secondly, fans produce 'a work of authorship' and they "get to keep what they produce from the materials they 'poach' from mass culture" (Jenkins 1992, 49).

De Certeau was not the only French theorist concerned with how texts mean and the practice of reading, or to question the position (of power) of the author and her interpreters in relation to it. Others, identified with what is known as post-structuralism in literary scholarship, proclaimed the 'death of the author', such as Roland Barthes. Barthes, in *The death of the author* (1977) similar to De Certeau, writes against the assumption that there is an 'ultimate meaning' to divine from a text, which 'the Author', as a God-like presence guarantees, to be discovered as her 'secret'. Rather, Barthes (1977, 147) argues, 'we', critics, should "refuse to arrest meaning", which "liberates" a "counter-theological, properly revolutionary activity" that refuses "God", as well as "his hypostases, reason, science, the law". Furthermore, 'the author dies to give birth to the reader' (Barthes 1977, 148), which puts up for question who the reader is: someone other than the critic too? In the meantime, critics find other ways to come to terms with a text without author, in theory, as Catherine Belsey (1980) points out. Michel Foucault, unlike Barthes, does not proclaim 'the death of the author', and subscribes to the author a different function. For Foucault (1969) the author safeguards against the proliferation of meaning: she is '*le principe d'économie* dans la prolifération du sens'. In translation: 'the author is *the principle of thrift* in the proliferation

of meaning' (Foucault 1979). The author is a certain "functional principle", a principle of economy, "by which in our culture ... one impedes the circulation, the free manipulation, the free composition, decomposition and recomposition of fiction" (Foucault 1979, 159). The proliferation, 'cancerous' (Foucault) growth and spread of un-authorised meaning, like rumors on the Internet, are not wanted. Hence, the function of the author is to 'economize' on meaning. The exclusivity of or monopoly on meaning making, against the proliferation of words, embodied in and by the author and/or other officials, makes sure that the rest of us do not waste (our) words and their meaning, in favor also of the pleasure of the text. To pursue a monopoly on meaning making is to pursue a politics of closure.

In the next section I stage the case, for the politics of closure to play its part, including the role the author plays as 'the principle of thrift in the proliferation of meaning' during the trial. I address and sketch the global culture industry and what is most valuable to the limited number of global conglomerates that administer culture today, and how the author in this case is embedded in it. The global culture industry, specifically the role of brands in it is what brings Warner Brothers Inc. and the author J.K. Rowling together. Having set the stage for their alliance and trial, I then turn to the trail, and what more is at stake, beyond copying and copyright.

Setting the stage for the trial: the global culture industry and branding
Theodor Adorno (1991, 98) observes in *Culture industry reconsidered* that "[T]he term culture industry was perhaps used for the first time in the book *Dialectic of Enlightenment*, which Horkheimer and I published in Amsterdam in 1947." What defines the culture industry, constituted, at the time, most prominently by film, radio and magazines, is the practice of transferring "the profit motive naked onto cultural forms" (Adorno 1991, 99).

Consequently, 'cultural forms', rather than being "also commodities", instead are "commodities through and through" (Adorno 1991, 100). Scott Lash and Celia Urry (2007) in *The global culture industry* argue that the culture industry has moved on. Specifically, the culture industry has moved on because, according to Lash and Urry (2007, 4-5)

> products no longer circulate as identical objects already fixed, static and discrete determined by the intentions of their producers. Instead cultural entities spin out of control of their makers: in their circulation they move and change through transportation and translation, transformation and transmogrification.

Ours is a 'culture of circulation' (Lee and LiPuma 2002). In addition, rather than through commodities, the brand defines what the global culture industry is all about: "If the culture industry worked largely through commodities, global culture industry works largely through brands" (Lash and Urry 2005, 5). The brand is more prominent than the commodity which Adam Arvidsson (2006, 75) in *Brands. Meaning and value in media culture* attributes to a "structural transformation" in the media and culture industries embodied in the consolidation of "global giants" such as "AOL-Time-Warner, Disney and Viacom because of "new technologies", among which "cable, satellite, VCR and internet", as well as a "new regulatory environment". Yet, while these mergers were driven by economies of scale, this transformation was "also driven by the increasing recognition that the key to future profits lay in marketing strategies that could reach across different media platforms" (Arvidsson 2006, 75). As Dan Schiller (2000, 99) puts it in *Digital capitalism: networking the global market system:* "[S]uch vertically integrated megamedia as Time-Warner, Disney and New Corporation were created to fulfill the strategic goal of cross-promotion and cross-media development." Lasch and Urry (2007, 6) also assume that the key to future profit lies in such crossings by suggesting that "the brand instantiates itself in a range of products, is generated across products". Arvidsson (2006, 6; my italics) refers to the kind of brand involved as a

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'brand of content': "[E]xtended across different media platforms, particular *brands of content* could be present in a plurality of circumstances (films, toys, fast food, games, candy and so on)". Arvidsson (2006, 6) explains:

> When a particular media product (or 'content') can be promoted across different media channels and sold in different formats, what is marketed is not so much films or books, as 'content brands' that can travel between and provide the context for the consumption of a number of goods or media products. Thus brands like *The Lion King*, *Harry Potter*, *the X-files* and *Britney Spears* involve music, film, books, games, McDonald's hamburgers, cosmetics, clothing and websites –to mention just a few possibilities.

These brands spawn what *The Economist* refers to as a 'global multi-media franchise', such as 'the Harry Potter economy', which goes beyond media and entertainment (http://www.economist.com/node/15108711). 'The Harry Potter economy' takes shape by carefully licensing the trademarks that he and his world are a source of to an exclusive number of companies that brand it on their consumer goods, at times to join their own brand, and for differentiation, to make it stand out. According to a Warner Brothers executive, who is the head of consumer products in Australia, "licensing is where the money is" (http://www.marketingmag.com.au/blogs/the-house-that-jack-built-warner-bros-brand-profile-9173/#.U0ASWRavu2w). He adds that at Warner Brothers "*we do everything in our power* to maintain the brand relevance and strength of our characters" (my italics). If, following Arvidsson, 'content brands' provide an overall context for the consumption of the commodity involved, by virtue of the content of the brand that the company provides for it, then in the case of Harry Potter and his world their content is 'ready-made' as it is based on and coincides with his story, on paper and on screen.

The yoking together of 'content' and 'brand' blurs the distinction, in relation to intellectual property rights, between copyright law and trademark law. Content is what the former has become protective of, and brands, in relation to trademarks, are the concern of trademark law. Joined together, both sets of law can be brought to bear on either. Whereas Arvidsson singles out brands that originate in an existing story to tell and sell across different borders, 'brands of content', 'content branding', embedding a brand, and the products involved in the sharing of information and 'storytelling', is increasingly popular. As Dechay Watts (2012), a marketing professional puts it on her blog *7 big brands are succeeding in content marketing, you can too* : "consider yourself a publisher and leverage online communities by creating interesting and shareable information for real people", which, presumably, is the copyright of the brand owner, or 'publisher'. Furthermore, by participating in the sharing of information, through the stories consumers tell, but under copyright control of the brand owners, value and an identity are being created for the brand.

'Harry Potter' is not just a content brand, but also what Douglas Holt (2004) in *How brands become icons. The principle of cultural branding* refers to as a cultural icon. Holt argues that certain brands are cultural icons, "worthy of admiration and respect, shorthand for important ideas" and which are told through "stories that consumers find valuable in constructing their identities" (Holt 2004, 2). Hence, he also refers to them as identity brands, which emerge as "various 'authors' tell stories that involve the brand" (Holt 2004, 3), converging in a collective, shared understanding of it. Arguably, Harry Potter and his world are culturally iconic, as heroic efforts to rid the world of evil typically are, except that rather than jointly told and agreed on, the story of his world, the characters and what happens in it, originates with its author. And, just as in all cases that involve iconic brands, as well as all content brands, those that own them are vigilant to rule out "inappropriate stories" that undermine the "distinctive and favorable associations" (Holt 2004, 64) the, and especially a

strong brand needs and has. Such vigilance translates into brand management, which employs "techniques to ensure consumers enact the intended brand identity" (Holt 2004, 64). Brand management makes sure the appropriate story is being told, repeatedly and consistently. Content and iconic brands are limited to openness in interpretation, to a plurality of alternative meanings. As Rosemary Coombs and Andrew Herman (2001) put it, concerning not just content and iconic brands, but concerning trademarks, which all brands are too: ideally their "circuit of meaning" is "closed" (Coombs and Herman 2001, 922). They add: "unauthorized appropriations" and "alternative forms of signification" that "disrupt this closed circuit must be monitored" and if possible "strictly prohibited" (Coombs and Herman 2001, 923). The law in this regard functions and is mobilized to shape the "appropriate use of commodity signs in mass-mediated commercial culture" (Coombs and Herman 2001, 923). The challenge, for those who have a stake in trademarks and brands is the Internet, or "digital contexts", which is a point Henry Jenkins (2013) also makes.

As Henry Jenkins observes in his blog entry dated February 13th 2009, 'if it doesn't spread, it is dead' (part 2), and vis-à-vis the Internet specifically: "[R]ight now, many companies fear the loss of centralized control over the circulation and interpretation of their brand messages." They fear that "the core message may be manipulated or turned against the original authors as it spreads across the internet", resulting in rising anxieties not just about the appropriation of content, but also over "miscommunication" and "brand equity" (henryjenkins.org). Elsewhere he observes, "[R]ight now, many companies hold on to the idea that a brand may carry a highly restricted range of meanings, defined and articulated by official brand stewards." (Jenkins, Ford and Green 2013, 202) Corporations do 'everything in their power' to manage their brands and anxieties, including mobilizing the law, and to keep the upper hand in dealing with consumers who do not just consume, but are creative instead, like fans, and who participate and circulate content, unlike fans, across the Internet,

as opposed to archived. As content circulates, it gets remade. Jenkins argues that rather than hold on to brand management that seeks to restrict the range of meanings, companies are better off to rethink their business models. The question and challenge, for those who produce branded, corporate, transmedia entertainment, is which forms of participation, and circulation are and are to be valued online, how and why (not), and how to manage, and transform surplus and excess (symbolic) value into 'added (symbolic) brand value'.

The global culture industry and the role of branding set the stage for the trial, and bring the author and Warner Brothers together, why they sue together. The world of Harry Potter as a content and iconic brand, as well as trademark to be licensed and branded onto a range of products is what J.K. Rowling and Warner Brothers Inc. share. Brand identity as a closed circuit of meaning underpins their desire to contain the meaning of the world of Harry Potter, and contain fan fiction as illegal in archives. In an online world of flux, including uncertainty about the status of fan fiction, brand identity is under threat. If fan fiction were to find its way onto the market, the world of Harry Potter would diversify and be less valuable for licensing. Hence, the turn to the law, and copyright law in this case, to secure a politics of closure.

It is to the trial I turn next, during which Warner Brothers Inc. remains invisible while being part of the lawsuit, or visible, and the author takes centre stage, as she does in the reporting and commentary on it. The alliance between the author and Warner Brothers Inc. is the detail that went missing, and I further investigate.

On the case of the missing detail: The unholy alliance between J.K. Rowling and Warner Brothers Inc. & the politics of closure

(...) the trait often turned against women: they pay too much attention to the odd little detail. However, this kind of attention, befitting the detective as well ... reopens the story to questions."

(Linda Orr 1988, 620)

(…) the sheer force of detail can be used to press the tribunal to rethink the situation ... the smoking gun ... the key fact that is inconsistent with one view of the situation ...

(Steven Winter 1989, 2268)

From nbcnews.com (31/10/2007)

"**J.K. Rowling sues to stop 'Harry Potter Lexicon'**"

From cbcnews.com (10/11/2007)

"**Rowling launches lawsuit against Harry Potter Lexicon**"

From nydailynews.com (29/2/2008)

"**J.K. Rowling files lawsuit against company trying to publish Potter 'Lexicon' book**"

From the Guardian (14/8/2008)

"**JK Rowling in court to fight fan's Harry Potter Encyclopedia**"

From the NYT (14/8/ 2008)

"**J.K. Rowling at court in Manhattan to sue author of Harry Potter Lexicon**"

From the NYT (16/8/2008)

"**Sued by Harry Potter's creator, Lexicographer breaks down on the stand**"

From the Guardian (8/9/2008)

"**Rowling wins copyright claim over Harry Potter Lexicon**"

From the BBC (8/9/2008)

"**Rowling wins book copyright claim**"

From the NYT (8/9/2008)

"**Rowling wins lawsuit against Potter Lexicon**"

Professor Tim Wu of Columbia Law School who specializes in copyright law argues and concludes in an article for the magazine *Slate*, published January 10th 2008, on the following point in terms of what is being settled in the case of Warner Brothers Inc. and J.K. Rowling versus RDR Books: "[I]n the end, this dispute is about the meaning of authorship." He continues: "[R]owling is the initial author and deserves the bulk of the credit, respect and financial reward. But she has all that. What she wants is a level of control over the Potter world that just isn't healthty". Control: to what end? And what does Warner Brothers Inc., a division of the world's largest media and entertainment conglomerate Time Warner Inc., also gain from (re) defining the meaning of authorship in favor of an 'unhealthy' level of control, for they are suing too?

Wu touches on the possible interests at stake for Warner Brothers Inc. by identifying the corporation as the 'publisher', which would go toward explaining their presence on the scene in a case about copyright infringement, that is, among other things, infringement of the right to reproduction. A publisher is most involved in the right to copy, which the author, 'the first owner' licensed or sold to get published, according to the *UK Intellectual Property Office*. As the *WIPO* (World Intellectual Property Organization) explains and emphasizes in *Understanding copyright and related rights*: "the right of the copyright owner to prevent others from making copies of his works without his authorization is the most basic right protected by copyright legislation" (www.wipo.net). This right, the WIPO adds, would not be of much "economic value" if it would not also involve the right to distribute copies, another copyright, which the author also places in the hands of a publisher. However, while Wu refers to Warner Brothers Inc. as the publisher, they are *not* the publisher of the books, which in the

USA is Bloomsbury Publishing. So, copyright infringement, of the right to reproduction, does not concern them, yet they are involved in a copyright case.

The question thus still remains, why is Warner Brothers Inc. involved in a copyright lawsuit, in addition to and together the author? Warner Brothers Inc. and the author sue in the interest of brand identity and trademark licensing, interests that they share. In the pursuit of these shared interests and in the process authorship, what it means to be an author, takes on meaning and significance. Centre stage, the author is *the principle of thrift against the proliferation of meaning*. How do I know that this is the case in this case, and for which I set the stage in the first half of this chapter? Because the official story the author tells during the trial has a hole in it, and thus does not add up. Her story is not the (w)hole story, and to which I turn next.

The (w)hole story that accounts for the missing detail

The lawsuit exists as the transcription of the three-day trial (D1, D2, D3 in my analysis; www.cyberlaw.stanford.edu), from April 14th until April 16th 2008 in New York, which registers the words spoken during it verbatim. The certified court transcriber participates in observation by 'capturing and reproducing' the words spoken, the 'spoken word' (www.aaert.org). The transcript reproduces the spoken words, captured in analogue or digital recordings, as written sentences, which include punctuation marks, but not quotation marks. In addition to the comma and full stop the transcript relies on the mark "- -", to indicate the interruption of the flow of the sentence that is taking shape.

My analysis of the lawsuit, the case I am making and that originates in the missing detail of the unholy alliance between the author and Warner Brothers Inc., places in question the official story about the *Lexicon* as the only story and one about copyright violation exclusively. The *Lexicon* that is on trial constitutes a body, of language, a vocabulary

particular to the world of Harry Potter and defines the meaning of its existence. By suggesting something more is going on, *in addition*, my analysis places in question why, as illegal and unfair, the body, of language should be arrested, on violation of copyright law, which it is in the end. Yet, which also legalizes the meaning of its vocabulary, the properties of the words that constitute it as the property of the author.

The official story about copyright violation or infringement, told by the author, does more than it says, even though, or precisely because it has a hole in it, which prevents it from adding up, but which is not made to count. The hole is what Slavoj Zizek (1992, 58) in his understanding of the detective story refers to as "a blank of the unexplained", "the unnarrated", except that he starts with a dead body, a murder, "a traumatic shock". The murder places in question everyday reality, takes it by surprise: things and people are not what they seem, and everything is possible, even the impossible. Zizek (1992, 58) furthermore compares the detective to the psychoanalyst: 'the subject supposed to know', who is as such situated to make sense of the impossible: "to demonstrate how the impossible is possible" and "resymbolize the traumatic shock" and "integrate it in symbolic reality" which reconstructs "what really happened", insight into which, the beginning, we reach "only at the very end". To reconstruct what really happened is 'to fill in the blanks'. Zizek (1992, 60) also makes a distinction between different kinds of detective: the classical and the hard-boiled one, which is not constituted by the difference between "intellectual versus physical activity", "reasoning versus chase and fight". The difference lies in the fact that the hard-boiled detective "as a rule disdains money and solves his cases with the personal commitment of somebody fulfilling an ethical mission"; "he has a certain debt to honor", an "account to settle", i.e. he owes somebody something (Zizek 1992, 60-61).

Starting from the hole, 'filling in the blank', the official story opens up into another story. In other words, there is more to the hole, another, untold story. My analysis of the

lawsuit tells an untold story, a story inside a story, an inside story. My analysis proposes a more complicated story about what is at stake, based on a different scenario that incorporates and explains the alliance between Warner Brothers Inc. and J.K. Rowling, the missing detail as also significant to the case, and what is at stake. My analysis proposes a more complicated story because, as Avery Gordon (1997, 3) opens and frames her book on 'haunting' by quoting Patricia Williams, a lawyer, "life is complicated", and which is a "fact of great analytic importance".

Furthermore, the official story, because of the hole, can be turned inside out. Turning the official story inside out points towards interests that contradict and invalidate the moral of the official story and the right to ownership and property it seeks to secure. The moral of the story is defined by hard work, embedded in the overall 'rags to riches' story. The hole turns the moral of the official story inside out, that is, into its opposite to identify what else is going on and being secured, in mobilizing copyright law, *yet consistent with* 'the rags to riches' story, the (w)hole story. In the end, (w)hole story adds up. It is to storytelling I turn next.

Stories and scenarios

'the very verb 'to narrate' originally is ... a term in law, which traditionally denotes
the initial statement of a case'
(Nicola Bradbury in the introduction to *Bleak House* (1853) 1996, xxiii)

My analysis of the (w)hole story starts with the storytelling contest between both sides during the trial, and thus includes the official story, of why the body, of language, the *Lexicon* should be arrested, as illegal and unfair. Laura Korobkin (1996, 227) in *Fieldwork. Sites in Literary and Cultural Studies* argues "narratives" are the "constitutive elements" of legal

process: "Like literary fiction, litigation is a thoroughly discursive enterprise powered at every point by the act of storytelling." Furthermore, she argues, "cases are won by whichever party can most successfully persuade the jury that this isn't a story about that, it is a story about this" (Korobkin 1996, 228). Success thus depends not only on whether one's story is convincing in and of itself, but whether it is more convincing, and compelling than the competing story one's opponent spins out of what happened or is going on, which, on the whole, is not available for verification as such. Each story has merit relatively speaking only, as "what if" proposed by its scenario as Diane Taylor (2007, 717) puts it, and in the context of "narrative battle" (Korobkin 1996, 228): "each story is constrained, hemmed in and de-formed by its need to disprove or counteract what the other side is expected to say" (Korobkin 1996, 228). Thirdly, Korobkin (1996, 228) argues that "the relative power of a particular story frame ... depends ... on its cultural currency". Stories are "fully historicized", embedded in a culture, its "values, fears and assumptions" (Korobkin 1996, 228). Taylor identifies scenarios, the content of *what if*, as that which determines whether a story is culturally convincing and compelling, for similar to stories they are "central to the efficacy and transmission of cultural fantasies, fears and values" (Taylor 2007, 728). Furthermore,

> Like narratives, they reveal the cultural repertoires of stories and cultural assumptions that communities draw on to explain themselves. But unlike narratives, they demand staging and embodiment –whether real or virtual.
> (Taylor 2007, 728)

In addition, scenarios, "from the Italian Commedia dell' arte instructions pinned to the scenery", differ in elaborateness, "enacting intricate plot twists with unexpected twists and complications" (Taylor 2007, 728). Finally, Taylor (2007, 729) argues that scenarios are "persuasive", not because they "make logical sense", but "thanks to the emotional force of accumulated repeats". In terms of persuasiveness, Korobkin concludes that the best stories, in

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the theatre of the courtroom, although she does not refer to it as such, are those that draw their listeners and viewers into it. Listeners and viewers thus become characters that play a role, a part on stage in what is now their story too, possibly by identifying with the protagonist, such that their decision affects them too: it either increases "security and self-esteem" (Korobkin 1996, 231), or it "destroys" (Korobkin 1996, 231) it. Taylor (2007, 729) attributes to scenarios a similar effect, that is, scenarios in "reducing complexity", "put us in the picture; we identify with, and are part of the drama". Or, as Steven Winter (1989, 2268) puts it, in aligning legal power with narrative meaning, cashing in on cultural currency as all good 'legal' stories do allows the storyteller to circumvent "the murky and confusing truth of how things are" and to confirm instead "our felt certainties about how we know they should be". In this case, there is only His Honor to address and feature in the story and to go along with either scenario, a preference for which the so-called 'opinion and order' he delivers reflects (i.e. the outcome is not labeled a verdict). On the outside, the public puts itself in the picture and on the scene by way of its opinion on what the outcome should be.

To suggest that the lawsuit is a storytelling contest premised on the culturally most convincing and compelling story and scenario, captured in and by opposing opening statements, and to suggest that the verdict is informed by the winning story is not to suggest that there is no legal expertise involved in arguing a case, and securing a verdict. However, Anthony Amsterdam and Randy Hertz (1992, 1) in their analysis of closing statements, argue that in cases that are "subject" to "divergent interpretation" such that they do not "compel" a decision, "lawyers can make a crucial difference", notwithstanding, indeed, "the substantive law" and "procedural rules" involved. They furthermore argue that what matters is not only what is being told, for instance, which story is culturally current or not, but the manner of its telling, such as its "linguistic microstructure", and its "dialogic structure", e.g. drama, which

further opens up the possibility of thinking of the courtroom as a theatre that involves the staging of a story and its scenario.

To associate the courtroom and what happens in it, its storytelling included, with a stage is, according to Chandra Mukerji and Michael Schudson (1986), to take the point of view of the anthropologist. According to Mukerji and Schudson, dramatization of public action happens in the courtroom, and for instance in an assembly of elders, when and where ritual and redress unfold. Robert Gordon (1992, 95) makes a similar point, about 'anthropological' critical legal scholars, who approach the law as 'symbols and rituals' and who, accordingly, see "much of what is going on in the legal system as theatrical or religious public spectacles that infuse ordinary social life with dramatic meanings and messages". Public actions, such as a trial and as social dramas become performances and which "express supposition, desire, hypothesis, possibility rather than fact" (Gordon 1992, 95). While storytelling and 'theatrics', including the performance of it, is part of identifying and establishing the legal merit of lawsuits, it is legal scholars nevertheless that typically engage in it, not members of different disciplines or the public. The public does not get involved beyond the terms set by the debate on both sides and their respective arguments, i.e. who has a point in case, about what is right or wrong, and who does not. As a detective on the case of the missing detail I take part in the theatrics too.

The author centre stage

The lawsuit aims to establish whether or not *a wrong* has been committed: whether the publication of the *Lexicon* is legal or illegal, specifically whether the publisher, RDR books, can make a case for fair use, even though copyright has been infringed, which his Honor establishes it has, and with the interest, ultimately, of the public in mind. During the lawsuit, at the end of the second day of the trial, his Honor reserved the moment to express his point

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of view and concern that the case is "not a clear case", specifically because the "fair use doctrine is a doctrine that is not at all clear" (D2 100). At the start of the third day, he situates his concern, about the lack of clarity, in the context of Charles Dickens' novel *Bleak House*, one among the novels from his childhood. "I was brought up, my father used to read to us Dickens novels and Shakespeare –tragedies, not comedies –and Sherlock Holmes" (D3 2). Because the law is unclear, his Honor argues that "litigation is not always the best way to solve things" (D3 2). His critique is leveled at the lawyers, on both sides, who according to him want to set a precedent, and their clients are merely 'baggage'. At a later point during the third day, he refers, again, to the case being "in a murky state of the law, it's not a clear statement of law" (D3 77). The murkiness that describes the law, also describes the fog that Dickens conjures in the opening pages of Bleak House, and which Terry Eagleton (2003) refers to as "the celebrated set piece" which "engulfs everyone" (viii). "Fog everywhere" (Dickens [1853] 1996, 13). The "foggy mist" of "stardom" (Adorno 1975, 15).

To establish fair use, or not, four factors have to be taken into consideration, the evaluation of which nevertheless is an "open-ended and context sensitive inquiry", and which calls for a "case-by-case" analysis "in light of the purposes of copyright" (stated in the opinion and order). Because unclear, and murky, open-ended and context-sensitive, the law, on fair use, is open to interpretation. The law is open to interpretation and thus embodies a lack or deficit of meaning, and which sets storytelling and (their) scenarios in motion. The stories on both sides create meaning for 'fair use', what is fair (use) in the case at hand, legally as well as culturally. His Honor has to be decisive, and validate or authorize, in the name of the law, the meaning, significance and relevance, of one story over another, which depends on the role he is being asked to play in it too. The role he is being asked to play either suits or conflicts with the role he has cast for himself. His Honor has to decide on the outcome of the 'gamble' the two sides take, on what can be considered fair use, which he is

reluctant to do, for rather than "possibly playing Russian roulette", he suggests the parties, "that is, RDR and *Ms Rowling* and Mr Vander Ark" should settle outside court, if only because a "settlement is better than a great lawsuit" (D 3 100; my italics). If the players are gamblers, in a matter of 'life or death', in what role does His Honor cast himself, in having to decide on their gamble?

Notwithstanding the suggestion that legal opinion in playing the odds is up for grabs, the centre of his Honor's attention, centre stage is the author, Ms Rowling, wedged in between RDR and Mr Vander Ark, and whose presence in the flesh was not required. To have her as the centre of his attention is to have a focus to navigate the murkiness, a beacon. As an author-star she emanates fog, but presented and talking otherwise, human-like, who cries on the stand, and as a former, struggling single welfare mother, she is relatable. His relation to her, how he relates to her, (given) the role she plays (in either/both story/stories) and how his decision affects him too, also given the role he has cast for himself, allows his Honor to be more convincingly decisive and honorable. More convincingly in relation to the Romantic bias copyright law already embodies and which favors him Romantically towards the author to begin with. Dickens states in his preface: "In Bleak House, I have purposely dwelt upon the romantic side of familiar things." Can we expect the same from his Honor?

The romance of copyright law & the work of authorship

Peter Jaszi (1991) explains that copyright law has an affinity for authorship, specifically its Romantic invocation, so the stage is the author's to take. In his article, *Toward a theory of copyright: the metamorphoses of 'authorship',* Jaszi argues that copyright law, as a doctrine or structure, in its protection of 'original works of authorship' seeks to negotiate a contradiction. A contradiction, that is, not (only) between "public benefit and private reward" or between "the collective interest and that of the individual", but, at bottom, a contradiction

between "the collectivism of the marketplace and the prerogatives of the autonomous individual" (Jaszi 1991, 463-464).

Jaszi traces the adoption of 'works of authorship' as the subject of copyright protection to a specific moment in time, after the passage of the first copyright statute in 1710. That statute is known as the English Statute of Anne, 'an act for the encouragement of learning, and which the US "copied", according to lawyer and professor of law Lawrence Lessig (2004, 130). Whereas at that time copyright was thought of mostly as in books and copies, which reflected a printer's mindset still, copyrights were also beginning to be thought of as in 'works', of authorship, the identity of which was "to become wholly independent from the physical manuscript". Jaszi argues that the moment of independence constitutes the moment when 'the objectification of the writers' labor and that of her alienation from that object' is complete. That is, a 'work', of authorship, embodies "depersonalization of creative endeavor" (Jaszi 1991, 502). To speak of a 'work *of* authorship', to refer to an object or abstraction, is to suggests that something that belongs to me as a subject, my creative labor, comes to stand over against me, taking on a life of its own and confronts me, as thinglike. Mark Rose (1988, 59) in *The author as proprietor* defines 'the work' as "the reified aesthetic object, unitary, closed". As a 'work *of* authorship', my creative labor is no longer part of me, but alien, and hence I can alienate it, that is, I can part with rights in my labor, such as copyright. Since my creative labor is no longer part of me, alienation "justifies the entitlement of others to benefit from its exploitations" (Jaszi 1991, 495). Exploitation first and foremost concerns publishers, i.e. copyright, but commercial interests, at the time, also already involve those who otherwise exploit (the content of) the work by 'adapting' it, as a whole and on the whole, the market in derivate works. Derivative works are a re-telling of essentially the same, original story in and adapted to a different medium, e.g. its dramatization on stage as well as its translation. Furthermore, as alienable, creative labor becomes a mere means of existence and which

degrades the author to what Terry Eagleton (1990) refers to in *The ideology of the aesthetic* as a 'petty commodity producer', who writes 'professionally', for a market in books, and escapes patronage. As petty commodity producers, authors can only pretend to still be intimately connected to their work, from which they are alienated, by suggesting it is original and inspired, the work of a genius. As Jaszi (1991, 480) comments, such Romantic invocation of authorship thus has the "ideological function ... to conceal the effects of objectification from the individual creative workers affected by it".

Jaszi argues that in addition to authors, insofar as their conception of what it means to be an author is Romantically informed, the Romantic understanding of and belief in authorship also has a grip on the legal imagination still, when it de-emphasizes the 'work of authorship', in favor of authorship per se, and the author's 'intimacy' with the work by virtue of its originality. That is, when the law does not protect the exploitative value of a creation, but supports the creator instead, "as the creative originator of a work that bears the imprint of his or her unique personality" (Rose 1988, 58). At times, the Romantic understanding of and belief in 'authorship' "expresses itself in ways that are inconvenient, to say the least, for the commerce of intellectual property" (Jaszi 1991, 501). Indeed, "some decisions represent the triumph of ideology over concrete economic and cultural interests" (Jaszi 1991, 496), which *seems* to be the case in the lawsuit over the *Lexicon* too. Copyright law, in deciding on whether or not the *Lexicon* is an 'original work of authorship' and fair use, is balanced on deciding whether it promotes commercial interests, 'the collectivism of the marketplace', RDR's publishing interests, or protects the author J.K. Rowling, 'the autonomous individual', from the publication of the *Lexicon* by RDR. Except, the author's interests, in the words and sentences she wrote, the language she uses to write up the content of the books, *not* the work on the whole and as expressive of a creative genius, are economic too. Consequently, in the defense against the publication of the *Lexicon*, originality and the author's unique personality

are not what are made to matter and count most, intentionally or not, but without giving up on 'the autonomous individual'. That is, the autonomous individual is made to matter and count via the actual work of authorship, the work involved in being an author.

Opening statements

The attorneys, for RDR books, or Defendant, include representatives of the Stanford Law School Centre for Internet and Society, or as his Honor at some point refers to them, 'the fair use people'. The attorneys for the Defendant open as follows, in response to the first cut, the opening statement of the attorneys from the other side, or Plaintiffs:

> Ms Rowling has indeed created one of the most enchanting and profitable worlds known to the history of literature. *The story of how she did it* is both remarkable and inspiring.
>
> (D1 13)

If their opening statement is, in part, a response to what the other side, in sum, argued, then the opening sentences indicate, recognize and validate that *the story of how she did* is pivotal to securing the opinion of his Honor in their favor, and the story to beat.

In response to *the story of how she did it* the attorneys for RDR Books propose a different story or story frame about the author, a different scenario that explains and criticizes her decision to sue, thus undermining her case against RDR Books. Their response draws attention to and situates the author's actions, the decision, 'her' decision to sue RDR Books in an unfavorable light, namely because she transgresses against the boundary between fiction and non-fiction, and in doing so abuses the power and control she enjoys as a creator of fiction exclusively:

> As the creator of the world of Harry Potter, she is used to exercising full power and complete control over what happens in that world. But the power she asserts here

today, your Honor, is very different. The question here today before your Honor is whether Ms. Rowling has the power to *make the Lexicon disappear* from our world, *never to be seen* in libraries or bookstores across the country.

(D1 13; my italics)

In the world of Harry Potter the author, as its creator, has power and control, which does not extend to what happens outside of it, in the world of non-fiction, and to be applied to works of non-fiction, such as the lexicon in this case. The lexicon is also referred to as a work, of authorship, that on the whole and as its merit provides information and facts about the world of Harry Potter. In crossing the line, between fiction and fact, the author no longer acts as a creator, whose power is that of the imagination, but as someone who seeks real power and control. *To disappear and never to be seen.* The opening statement sets a sinister tone and thus creates a sinister atmosphere that envelops the role of the author on stage. 'To disappear and to never to be seen' (again) suggests more than merely black magic or foul play. In its association with power and control, it hints at repression, and terrorization, of 'the people', characteristic of totalitarian state regimes, the kind associated, most recently, with Latin-America –as opposed to the kind associated with Stalinist Russia or fascist Germany and Italy, given that 'to disappear' resonates with (the) 'disappeared'. Michael Taussig (1989) in *Terror as usual* refers to 'disappeared' as "a strange new word-usage in English as well as in Spanish, as in El-Salvador or Colombia, when someone just vanishes of the face of the map due to paramilitary death squads", which makes for a "Nervous System" (4). Avery Gordon (1997) defines disappearance as "a state sponsored procedure for producing ghosts that haunt a population into submission" (115). Made to disappear, never to be seen, the *Lexicon* is the ghost that keeps others, 'the people', from trying to rewrite the books, the world of Harry Potter, into something more and different, stories included, not merely criminalizing our power of the imagination, but terrorizing it too, inhibiting our desire and

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freedom to exercise it, and imagine otherwise. In addition to disappearance, the attorneys

furthermore also call attention to the fact that the case "really is about one book" (D1 13), and

what "the public loses out on" (D1 17) if its publication by RDR Books is suppressed, and

thus when the market is not allowed to function properly, and the author is given to enjoy

unprecedented economic power. The cultural currency of the specter of totalitarianism,

however subtle, and the rule of the market, combined, resonates in a country that bundles

together and prides itself on democracy, freedom and competition, and from that point of

view is convincing and compelling as to why the *Lexicon* should get published and sold.

Convincing and compelling, especially if the alliance between the author and Warner

Brothers Inc. would have been made apparent and part of their story. For it is 'Big Media',

media concentration specifically that undermines a free market in cultural content, as

Lawrence Lessig (2004), who founded the Centre for Internet and Society and who defend

RDR Books, in *Free Culture* argues:

> It is not just that there are few powerful companies that control an ever-expanding
>
> slice of the media. It is that this concentration can call upon an equally bloated range
>
> of rights –property rights of a historically extreme form- that makes their bigness bad.
>
> (269)

The attorneys for RDR books conclude their opening statement by suggesting that

"there is simply no good reason, your Honor, to make the *Lexicon* disappear" (D1 17), which

seems to suggest, to his Honor, as a challenge, to find a good reason, and prove them wrong.

To prove them wrong would also allow his Honor *not* to have to conclude that the author, a

former welfare mother, is a dark force, *the evil stepmother*, as opposed to Cinderella who

dreams of a break from her miserable life as a servant, and who is unlike the mothers who

pursue justice for their disappeared and is complicit with terror instead. The final word in the

opening statement of the plaintiff's attorneys on the other hand suggests that his Honor puts

himself in the place of Professor Dumbledore, and like him argues, and thus decides, that what matters most is 'what is right, not what is easy'. The suggestion recognizes and confirms the authority of his Honor, his power to do the honorable thing. The 'slogan' (do what is right, not what is easy) also suggests that what is easy is wrong. What is right then, in the context of and which is key to their story, *the story of how she did it,* is what takes 'work', 'hard work' specifically and which is both inspiring and remarkable.

(Hard) Work

The story of how she did it, the (hard) work involved and its result, however, does not refer to the 'work of authorship', the books or the world of Harry Potter on the whole, but refers specifically to the words and sentences or phrases that constitute it, given the emphasis on how the *Lexicon* is put together. Namely on the basis of words and sentences or phrases from the books which now sit between the pages of another printed and about to be published book. The words and sentences or phrases that constitute the books, and that tell the story of Harry Potter and his world, are the result of hard work, and which are the keywords of the trial.

Work and hard work are keywords because they are key to the meaning of the story by constituting its moral. They are also what Raymond Williams (1976, 15) in *Keywords. A vocabulary of culture and society* refers to as words that invite and allow for "explicit but as often implicit connections" that people are making when they are mobilized in discussion and debate, and as "significant, indicative words in certain forms of thought". Keywords not only connect with other keywords, which piece together a form or way of thinking. As 'tacit' they also invoke unspoken but implied assumptions that as such can powerfully influence the discussion and debate that is taking shape because they resonate within 'culture and society', certain rationales, and of which the participants in it are a part. In *Keywords*, Williams (1976,

335) suggests that "the basic sense of the word" 'work' is to "indicate activity and effort or achievement", and which originates in the time "when agriculture was invented", which was the time when "real work, steady work, labor for one's livelihood came into being". As *hard* work, work relates to labor in that labor "in the medieval sense" embodied "pain and toil" (Williams 1976, 335). The author then worked hard, given her profession and by implication, on what Michel de Certeau (1984, 174) refers to as "the soil of language" in relation to what "writers", "heirs of the peasants of earlier ages" do. By extension, to work the soil, or the land, to 'mix one's labor with it' entitles one to ownership and property. Then, *the story of how she did it*, as hard to beat, is not just a morality tale about hard work, as virtuous, its own reward, and/or that reaps rewards, e.g. considerable success, and as an argument against *sloth* on the basis of which copying, as lazy is criminalized and 'fair use' dismissed. *The story of how she did it*, through hard work, is a difficult story to beat because it is tied into the right to ownership and property which resonates with the political theory of 'possessive individualism' (McPherson 1961), and which is a cornerstone of liberal democracy.

According to the council of Warner Brothers Inc. and J.K. Rowling, the author created 'one of the most enchanting and profitable worlds to the history of literature', *word for word*:

> Words that you will hear Ms Rowling explain she slaved over to craft the best way possible as only a fine writer can now appear in a book under the name of somebody else. (D1 2) Steven Vander Ark merely "repackaged the work somebody else worked to create" (D1 12). I think it is lazy, just very, very lazy. (D1 27) "(...) an alphabetical rearrangement is the laziest was to rearrange and sell my work. (D1 55) Now while it might be interesting to think of it that way, the Harry Potter books did not just magically appear. Rather they were the product of hard work and time and the true creative genius of Ms Rowling. The evidence will show that Ms. Rowling spent 17

years of her life working on the series, overcoming tremendous hardship before

achieving her well-deserved success. (D1 3)

"*Meanwhile*, Mr Vander Ark found himself unemployed and looking for a chance to move to

London*"* (D1 4; my italics). In the author's own words:

I believe this book constitutes wholesale theft of 17 years of my hard work. ... it

debases what I worked so hard to create. (D1 19) And I believe that the publication of

the Lexicon .... would protect ... would be to the advantage of plagiarizers, people

who are seeking to make a fast buck off the back of other people's hard work. (D1 41)

However, not all words are created equal, which became apparent in the debate over

what exactly is a lexicon, and what the *Lexicon* involved is like. Professor of literature at the

University of California at Berkeley, Janet Sorensen, an 'expert and professional', who

testified on behalf of RDR books, gave the following definition of a lexicon:

A Lexicon is an alphabetically ordered list of terms drawn either from a particular

language, sometimes a particular text, a particular field of specialization with

definitions of those alphabetically.

(D2 95)

A lexicon establishes a definition or identity, at and for each entry, what, or who the word

refers to. The professor argues furthermore, however, "many of the terms have been created

by the author but they're drawn from a very rich terrain of multiple languages" (D2 14).

Among its references, the *Lexicon* thus also provides etymological information on the origins

of certain terms, which the author coined. In addition, as reference guide, the *Lexicon* also

includes references that refer to the different cultural myths that certain characters derive

from originally. Finally, the *Lexicon* also traces references to other (fantasy) books, such as

the chronicles of Narnia. Overall, Sorensen argues, the *Lexicon* as a reference guide

demonstrates how the stories, the books, are embedded in and rely on "allusions, the

references to other texts" (D2: 22). At which point the question arises for the professor to answer: "In your judgment does Ms. Rowling herself borrow from other novelists?" (D2 22) To which she replies: "Yes, there is borrowing taking place." (D2 22) But, in the author's defense, done 'cleverly' (D1 3), which suggests a kind of inventive creativity, to compete against (the impossibility of) originality as definitive of 'genius'.

Many words in terms of their origin (ality) are embedded in textuality, and are inter-textual, they exist between languages and texts, which they invoke and refer to. They belong to nobody, as opposed to appearing from nowhere, created from nothing: the creator is not their author but is authored by them, to create, and demonstrate cleverness. What is put at stake, by the plaintiffs, as belonging to the author as her property, on the basis of 'hard work', are sentences or phrases, words tied together, the combination of words in a string that capture that which the words in the *Lexicon* refer to and in the context of the books they appear in. Furthermore, these sentences or phrases capture the meaning of the words they refer to in the author's language, what is identified as "definitive J.K. Rowling language" (D1 60), her personal, distinctive language, her typical phrasing which she created and crafted, perfected as a (trademark as opposed to signature) *style* over seven books.

He sat there and he took notes. She said a word and he would write down what it said.

(D1 6)

What *it* said, what the word said is effectively its meaning, and which is captured in "evocative beautiful phrases crafted by Ms Rowling", "memorable too" (D1 6), and which are "recognizably" hers, by the author's own account (D1 26), even though at times it seems to be 'merely' language:

'A long rectangular room,' my language.

'Low-hanging lamps,' my language.

'Huge tank of greenish liquid,' my language. (D1 60)

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While hard work, as a work ethic, is virtuous, ennobling, and inspiring, it is not necessarily remarkable, but expected even, the norm. *The story of how she did it*, through hard work, is remarkable given the author's circumstances, and which dramatizes the laziness that copying by Steven Vander Ark embodies, making it seem even worse, and more obviously wrong, grounds for being rightfully accused of copyright infringement. *The story of how she did it* is her real life story.

We are all encouraged to have and author a life story, a story with a plot and purpose that drives it forward; a story with a beginning, middle and end that makes us into who we are, somebody. Specifically,

> For modern people, fitting the narrative form entails seeing one's life as having a certain arc, as making sense through a life story that expresses who one is through one's own project of self-making.
>
> (Appiah 2001, 327)

In the context of (neo-) liberalism, we are all supposed to be self-authored and self-made, and notwithstanding the fact that formats exist that we rely on to give shape to our lives (e.g. 'life is a journey' during which we face many obstacles to overcome, as Harry Potter found out too). We are all trying to make something (better) of ourselves under circumstances that are more or less remarkable, which does not make the effort involved less worthwhile. The author's struggle to make something of her self is ours too. Among projects of self-authoring and -making, the most (melo-) dramatic stories are those that tell a most impossible story about how someone becomes who she is, a most impossible story that transforms nobody into somebody, and who comes to enjoy recognition, and success. The most impossible, (melo-) dramatic, and 'best' stories are not only appealing in terms of recognition and success alone, because of the transformation of nobody into somebody, but because of the connection between being nobody and becoming somebody. *How* we make

something of ourselves and thus *earn* recognition and success, namely by 'working hard', which also suggests that we all have within our reach the ability to become somebody, not just anybody, and successful. As such, on the basis of mere hard work, the story also proposes that society, and democracy, is a meritocracy, with equal opportunities for everybody. Any constraints are personal obstacles and challenges, for which we have to take personal responsibility in overcoming them, or so the story goes. The project of self-authoring, - making, and –improvement, that we are all encouraged to be involved in thus takes places in the shadow of the struggle that being self-made idealizes, and the rewards it delivers. The ideal self-made man is the typical North-American hero of 'the rags to riches' story. Alternatively,

> ... while human are historical beings engaged in the process of self-making, we can never entirely be understood in terms of self-creation. ... we are bound to processes and histories we did not authorize ... something always escapes our self-knowledge and our self-making ... we are never identical with life itself (and therefore ... we can never give birth to ourselves).

(McNally 2001, 75)

The media, in its reports on the success of the author, and by painting the background against which the trial takes place and shape, readily reach for the cliché or the 'rags to riches' format to give shape to the author's life story. The 'rags to riches' cliché is invoked during the trial as well, to situate the 'hard work' of the author as remarkable, albeit by accentuating her 'rags' over her 'riches'. For explicitly at stake is not a defense of the author's "business wealth and power", which the story, as Eyal Naveh (1991, 60) observes, explains and legitimates, but the question of ownership and to which the author's 'rags' matter most and specifically. Naveh (1991, 60-61) outlines the plot of the rags to riches story,

which has been "told in many ways, but the dominant form is through individual example", as follows, and as originating in the nineteenth century:

> The hero, usually coming from a foreign or rural background, started life in the abyss of poverty, but through sheer effort, hard work and virtuous behavior, cultivated his inner resources to the fullest and reached success, usually defined in material terms. Wealth is perceived in these stories more as an outcome of inner character, or a reward of virtue and moral conduct, than as an ideal in-and-of-itself. Its achievement is reflected in the perception of opportunities for upward mobility that existed in America's free and democratic society based on an abundance of resources, entrepreneurial spirit, laissez faire economy and audacious individual initiative.

The basics of the author's life story are as follows. J.K. Rowling was born in 1965, in the UK, and grew up in Chepstow, Wales. She is a white woman with a university education at Exeter University, in French and the Classics, who at the time of the publication of her first book in 1997 was divorced, with a daughter and lived with her sister in Edinburgh. During a limited period of time she was 'on welfare'.

Steven Winter (1989), in a special issue on legal storytelling, identifies the 'rags to riches' story as originating in the concept of an 'Horatio Alger story'. The heroes or protagonists are often orphans and the sons of drunkards that, in the context of industrialization, lived lives in poverty and on the street, and who thus have 'broken' or disrupted family lives. The protagonists in the Alger stories triumphed and achieved "success through honesty, cheerfulness, virtue and thrift" (www.horatioalgerjr.com), i.e. character pays off, whereby success, unlike in the rags to riches story, not necessarily refers to unprecedented wealth, but rather to middle-class life and comfort. Winter (1989, 2268) argues "[T]he American has thrived on the stories of individuals like Horatio Alger, whose examples offer the promise that success can be achieved through hard work." The philosophy

to 'strive and succeed' was read also into "the social experience of pioneers and immigrants in the nineteenth century" (Winter 1989, 2269), and for whom it also functioned as "an advertisement for immigration" (Naveh 1991, 60). It was "stylized into a cultural model", a "folk model that is a cultural template" (Winter 1989, 2268). As such, Winter observes, the story is readily mobilized in American courts across different cases. Horatio Alger was not the only one or the first to promote the association between thrift and success, and being self-made. Benjamin Franklin (1706-1790), one of the so-called founding fathers of the United States, can be credited with it too, specifically in his *Autobiography*, and his *Poor Richard's Almanack,* as the editors to *Franklin's Thrift. The lost history of an American Virtue* (2009) observe. More generally, in her contribution to *Franklin's Thrift* Barbara Defoe Whitehead praises thrift as "a value and practice embraced by a striving and aspiring people" (Defoe Whitehead 2009, 207). The aim, to strive for and aspire towards, is to become independent through effort and initiative. Thrift is central to "flourishing middle class societies" (Defoe Whitehead 2009, 207).

The author herself sums up her life story so far as follows, as evident from a speech she gave in 2008, titled *The fringe benefits of failure and the importance of the imagination*, delivered at the Harvard commencement, published in Harvard Magazine in June 2008. The speech is addressed at "President Faust, members of the Harvard Corporation, Board of Overseers, members of faculty, proud parents, and above all", yet lastly, "graduates". In it, she states that at the start of what became the Harry Potter series, she "by every usual standard" was "the biggest failure I knew" and had "failed on an epic scale", a realization she found nevertheless "liberating", constitutive of a new beginning. What enabled her to succeed, and write herself out of the (dependent) state her (family) life was in, was that she 'stopped pretending to herself' "that I was any*thing* other than I was" (italics mine), i.e. a failure, "and began directing all my energy into finishing the only work that ever mattered to

me". The story concludes, and opens up to the (well-deserved) success ahead, without referring to it as such: "And so rock bottom became the solid foundation on which I rebuilt my life."

The first step then in a project of self-making is to take personal responsibility for the lack of opportunity, and being nobody, or a failure even, on the basis of which you are thus also fully responsible for and deserving of the success hard work delivers. Success is a matter of working hard that requires a 'reality check' that suggests that you only have yourself to blame for the situation you find yourself in. In the context of failure, welfare, 'being on welfare' is a failure too, and notwithstanding the fact that thanks to the welfare the author received she was able to continue and devote time to writing in the first place. The association between welfare and failure is a belief that shapes not only US politics, but also UK politics today. If working hard is a healthy work ethic, and working yourself out of poverty is admirable, working hard *not to depend on welfare* is most admirable and rewarding, because most politically charged, not only in the US context, but also in the UK context. Dependency is worse than being poor, and your own fault and problem.

Nancy Fraser and Linda Gordon (1994, 309), in tracing the genealogy of dependency in relation to welfare dependency, observe: "all dependency is suspect". Furthermore, "Dependency is an incomplete state in life: normal in the child, abnormal in the adult" (Fraser and Gordon 1994, 309), Whether J.K. Rowling, as single and unemployed, ever was a poster child for the 'welfare mother', and whose life story thus unfolds from *rags* to riches, or simply to riches, is open to debate. Especially in the US context, where the welfare mother or 'queen' is stereotyped as black, unmarried, teenaged, as Fraser and Gordon (1994) point out. In the UK context, the welfare mother has a bad image and reputation too. Especially since her dependency on welfare is being redefined by New Labour, in the register of the moral and psychological, as opposed to poverty. Fraser and Gordon identify the question of character

definitive of what it means to be dependent today. To frame welfare dependency as such, as Chris Haylett (2001, 45) argues, effaces "the political-economics of welfare provision". She furthermore argues specifically in relation to UK politics that New Labour's 'third way' is "the discourse through which the meaning of welfare, work and labor are being remade" (Haylett 2001, 45). Third way welfare politics, its language stipulates that to be on welfare is to accept "a contractual notion of fairness in which an individual's welfare rights are matched with responsibilities". The aim of the 'contract' is to "invigorate those responsibilities and generate activity in place of passive recipience" (Haylett 2001, 45).

How J.K. Rowling became an author because of 'hard work', and re-invented herself by making failure, being a single mother on welfare, rags, a success, by becoming a published author*, and a successful business woman*, is a compelling story, and difficult to beat. It is compelling and difficult to beat because it is culturally valid, beyond the current political moment, on either side of the ocean, given that in the United States it is also tied into its history, its existence as a nation and the image it has of itself. When the author first takes the stand, in New York City, (against the backdrop of the Statue of Liberty, so to speak, a symbol for laboring, hardworking, first generation immigrants), she states:

> I worked very hard, and I made sacrifices for my work. And *if,* when I had been literally choosing between food and a typewriter ribbon, *I had been told* I did not own these words, *these words were not mine,* they could be taken, lifted by anyone and resold under a different author's name, so-called authors name, I would have found that quite devastating. (D1 41 – italics mine)

The author addresses his Honor directly, involving him in her story, relying on his authority, to do the right and honorable thing by her, and leave the murkiness of the case behind. It is not completely clear, whether, in the past, she has or has not been told that she does not own these words. Either way, you, your Honor, are not going to tell me now that I, after all (*the*

hard work), do not own these words, are you? Her life story places special value on 'her' words. They are not just words. They inaugurate and embody her re-invention or her re-birth. 'Her' words made her who she is today, a published author. Furthermore, the moment she decided to stop denying that she was any*thing* other than she was, and took control of her life, an act of discipline, of self-discipline and self-help, to face and overcome her failure and state of dependency, she became an and its author, a person in possession of a self, herself. Some*body*, writing and working (hard) towards full (economic) independence, towards the moment when she could also financially support herself and her daughter.

More specifically and importantly, the moment the welfare mother re-directed her life towards finishing the work she started, and became a person in her own right, self-possessed, she also became entitled to 'the fruits of her labor', a rationale derived from John Locke's theory of appropriation and property right, which also is the basis for C.B. Macpherson's (1962) political theory of 'possessive individualism'. To be in possession of a self, your own person is the condition from which property rights derive, that is, to be in possession of a self entitles *one* to property, and property testifies to one's self-possession. As MacPherson (1962, 200) explains, Locke's theory of property right has its basis in the following "postulate":

'Every Man has a *Property* in his own *Person.* Tis no Body has any right but himself.

The Labor of his body, and the Work of his hands, we may say, are properly his.
The self-possessing subject, man, who owns his body and thus his labor, is the foundation of all other property rights. MacPherson continues, quoting Locke, that furthermore, "Whatever a man removes out of its natural state, he has mixed his labor with. By mixing his labor with it, he makes it his property, 'at least where there is enough, and as good left in common for others'." (MacPherson 1962, 201) Thus, men can appropriate "the fruits of the earth" (MacPherson 1962, 201). But man is also entitled to the land that he mixed his labor with,

assuming that to yield fruits, the earth has to be cultivated. The harvest belongs to me, because I harvested it, but the land that I harvest from belongs to me too:

> As much Land as a Man Tills, Plants, Improves, Cultivates, and can use the product of, so much is his property. He by his Labor does, as it were, inclose it from the Common.
>
> (MacPherson 1962, 202)

Applied to literary works in the eighteenth century, as Margreta di Grazia (1991, 183) indicates in *Shakespeare Verbatim*, which traces the emergence of Shakespeare, the author, the argument went that: "[T]he product of mental rather than physical work, a literary composition belonged as much to the man who wrote it as a cultivated field belonged to the man who cultivated it." Thus, "Words belonging previously to nobody are then, through the construction of unique combinations, removed from the common domain and converted into private possessions" (di Grazia 1991, 183). The whole literary composition was the unique combination, which removed words from the common.

In this case, because the author too became a person in her own right, who owns herself, the assumption is that the words she worked so hard for, on the soil of language, are hers, the fruits of her labor, and which excludes others from using them. By working the soil of language, the author has cultivated a language that is her own and which constitutes the meaning of the words in the *Lexicon*. Both, her language and thus the meaning of the world of Harry Potter should be removed from the common domain and converted into private possessions, as exclusive. As property, because of the result of hard work, and hence exclusive, others can be legally prevented from wasting her language, using it in excess and by proliferating the meaning of the world of Harry Potter, telling more, too many stories, of the same, and different ones too. The author is indeed the principle of thrift in the proliferation of meaning. But to what end?

The hole and the inside story, or (w)hole story

> A judge decides for ten reasons / nine of which nobody knows
>
> (Steven L. Winter 1989, 2225; Chinese proverb)

In the 'Opinion & Order' his Honor rules and concludes, on fair use, or the lack thereof:

> Ultimately, because the Lexicon appropriates too much of Rowling's creative work for its purposes of a reference guide, a permanent injunction must issue to prevent the possible proliferation of works that do the same (*) and thus deplete the incentive for original authors to create new work. (66)
>
> (*) See Tr. (Murphy) at 419:24-2 (stating her opinion that publication of the *Lexicon* would open doors to widespread creation of works that copy too much from the Harry Potter works).
>
> Additionally, because the Lexicon engages in considerable verbatim copying of the Harry Potter works, publication of the Lexicon would diminish Rowling's copyright in her own language. (65)
>
> The *Lexicon*, on the whole, compiles and is a body, of language, a vocabulary that

alphabetically organizes words and what they refer to, their meaning, which is expressed in the language of the author, her own language, that she worked hard to create or cultivate. Her language and words are cut and pasted into the *Lexicon*, from the books, copied by hand, *and* digitally. In prohibiting the publication of the *Lexicon*, because it copies too much of the creative and hard work, "the distinctive original language" (Opinion 49) of the author into it, the law recognizes and secures 'the distinctive original language' of the author as hers, as bearing her mark and because she worked hard for it, and therefore as her property, as

"copyrighted expression" (Opinion 33). But it does more. For what does her language effectively constitute, in the context of the *Lexicon*? It constitutes the references to the words included in it, what they refer to, and as such it expresses the meaning of the words included in it. Words, the entries in the it, which are characters too, have a reference, a meaning, and identity, captured in and expressed by the 'distinctive original language' of the author, which is protected as property by copyright. *The implication of the verdict* is that the words and characters defined by the 'distinctive original language' of the author cannot be taken out of context: they belong in the original stories by virtue of the fact that what they refer to, their meaning and identity, the expression of their properties, is the property of the author, which as exclusive limits their appropriation and circulation. Words have a meaning, properties, the expression of which is the property of the author and which empowers the author to make their circulation exclusive, limited, and belonging to the original context they appear in. Furthermore, as property, the meaning of her words is exclusive to them: the words have an exclusive meaning. The author is in the possession of their exclusive meaning, and thus controls the meaning and identity of the words and characters, because she owns the expression of their properties. The author is legally in a position to enforce a proper meaning and identity for the world of Harry Potter, as the official, authorized meaning. *Technically, legally, fanfiction, and any borrowing of words from the world of Harry Potter can be considered illegal, because in creating different stories, it takes words out of their context, changes their properties, which attributes a different, improper, unauthorized meaning to them, and because words have an exclusive meaning to begin with.* The law constitutes us as an audience of consumers that can only ever tell the same story, over and over again. The story of Harry Potter is a reified, frozen story, alive and dead at the same time, stuck on a particular meaning, which is arrested.

A frozen, arrested body, of language. We know who did it, and why? Or do we? Can we take the author's word for it, of why she did it? Can we take her word for it, why she wants to prohibit the publication of the *Lexicon*: because it is lazy, and an offence to her hard work? The success she earned? Is it the whole story? Who benefits? What about Warner Brothers Inc.? Where do they come in? Through a hole in the author's official story of how she did it, and which also explains why she repeats herself.

His Honor translates the presence of Warner Brothers Inc. on the scene into an expression of doubt or suspicion about the motivation behind the lawsuit, which he evaluates as being "lawyer driven": "you have the fair use people on one side, the lawyer group, and a large company with a lot of money on the other side" (D2 101). What is a large company with a lot of money trying to achieve, except and beyond spending money on a lawsuit, I wonder? Should we follow the money? Council for the Plaintiffs asks the author: "Ms Rowling, is this case being driven by Warner Brothers?" (D3 79) To which the author answers: "Absolutely not. Any representation that Warner Brothers has in this case is for entirely, - - *I don't even know* the correct legal terms, but they are licensees. I have licensed them certain rights in the Harry Potter property to enable them to make their film adaptations." (D3-79; my italics) The author is tongue-tied. Her answer falters. It stumbles, in looking for the right word to fill in the blank and complete the sentence. The word that fills in the blank, and which indicates a hole in her story is an opening to find out what more is at stake in the case, because it, *licensees*, does not explain the representation or presence of Warner Brothers Inc. in a case about *copyright* and fair use. Unless, of course, the stakes involved in the publication of the *Lexicon* do not involve copyright and fair use but licensing too, which is in both their interests. *What better place to hide the truth than in plain sight*, knowingly or not, (un)consciously or not, where nobody looks, unless one looks, and listens attentively.

Given their joining forces or alliance, as a matter of the missing detail, both the author and Warner Brothers Inc. are united in a certain interest that they share in common, and for the protection of which they both rely on copyright law. In other words, the question of copyright infringement, and fair use that is at stake involves the combined interests of the author and Warner Brothers Inc., notwithstanding the emphasis, the blinding spotlight on the author, who is the centre stage of attention and interrogation. Warner Brothers Inc. and the author mobilize copyright law to protect their shared interest in the *Lexicon*, its content, and which is being decided on alongside, together with and in the guise of an answer to the question of whether or not the *Lexicon*, in terms of copyright law, is fair use. For to be able to limit the circulation of words, out of context, and to be able to control their meaning as exclusive, to the author, and hence control the proliferation of meaning, out of a concern for an official, proper meaning is in the interest of licensing, and concerns the use, or exploitation of the characters and everything else as trademarks or brands, which is how money is being made. However, money is being 'made' not as profit, but as rent, by renting out trademarks to those licensed to brand them on their products, mass-produced consumer goods. J.K. Rowling is not just an author, but she is a business woman too, a clue which the rags to riches story embodies and points towards all along too, and we can consider as relevant too, to the trial, by refocusing from rags to *riches*, placing her role as an 'author' in a different light:

> Ms Rowling signed a contract in 1998 with Warner Brothers, part of AOL Time Warner, giving the studio exclusive film, licensing and merchandising rights for what now appear a steal: some $ 500,000. Warner licenses other firms to produce goods using Harry Potter characters or images, from which Ms Rowling gets a big enough cut that she now is wealthier than the Queen –if you believe the Sunday Times Rich List.

(http://www.economist.com/node/1863035)

Renting out the characters, by Warner Brothers, and getting a percentage of sales, the author, allows both to make money, without having to do any work, making any effort, without having to be productive, that is, improve on that which exists already: no new wealth is being created by either of them. The repeated emphasis, anxious repetition of 'hard work' throughout the trial (a smokescreen which explains the fog too) is (reassurance) to hide its absence, in securing what is at stake, trademark interests, and riches the author/business woman has been able to accumulate. There is no work, hard or otherwise, involved in collecting rent. Furthermore, in the context of Locke's theory, collecting rent betrays "the essence of rational conduct", namely to "subdue and improve the earth" (MacPherson 1962, 233). As Clayton Rosati (2007, 561) puts it in his analysis of the production of culture, firstly, rent is "a method of control through the legal alienation of property, particularly so for those forms of property that may be easily reproduced and circulated". Secondly, "monopoly rent", in this case licensing the Harry Potter brands as trademarks, "is an accumulation strategy and the ethos of capitalist culture" (Rosati 2007, 561).

As it states on all their websites, 'Harry Potter characters, names, and related 'indicia'' are trademarks –and copyright- of Warner Brother Ent.' which the author has signed off on as such, collecting money via the rent Warner Brothers charges its licensees. 'Indicia' is plural of 'indicium', from indicare. It refers to a 'distinctive mark' or indication. Anything that is and has a distinctive mark and/or is indicated, referred to, in the books, is a trademark. Harry Potter himself being the prime and obvious example: his distinctive mark is the lightening flash on his forehead, which foreshadows his fate as a trademark. Among those licensed to use Harry Potter trademarks are Lego and Mattel. Two venues that sell Harry Potter merchandise are the Harry Potter theme park and the WB studio near London, UK. The kinds of products that are branded a Harry Potter trademark involve toys and sporting goods products, mostly geared towards children. Furthermore, the Harry Potter trademark or

brand name is tied into the Warner Brothers trademark or brand name, by means of what

Kyle Edwards (2006) refers to as a 'corporate reading' of the books by Warner Brothers Inc.

in their adaptation to the screen.

Generally, and legally, the label 'intellectual property' facilitates the convergence

between copyright and trademark law, which is an umbrella term that includes law on

copyright, trademark *and* patents. Richard Stallman, an advocate of free software, in *Did you*

say 'Intellectual Property? It's a mirage (www.gnu.com) observes that the use of the term

'intellectual property' became a "fashion" in the 1990s. The widespread of use the term

follows the founding in 1967 of the *World Intellectual Property Organization* (WIPO). The

WIPO is formally a UN organization, and originates in the Bern Convention, of 1886. The

Berne Convention is concerned with the moral rights of authors, which enable authors,

creative workers, to object to how others exploit, and otherwise engage with their work. The

bureau attached to the Convention administratively became, in 1967, what is known as

WIPO. Stallman argues that the 'tossing together' of copyright, trademarks and patents, "into

one pot and call it intellectual property" is "distorting and confusing" and "did not come

about by accident": "Companies that gain from the confusion promoted it." (www.gnu.org)

More specifically, in terms of a convergence, and mixing of interests, as Rosemary

Coombe (2000, 1) points out, the label 'intellectual property' designates as its concern, not

just the question of ownership or property, but also questions of propriety, "the proper

signification with words", which is the concern of trademark law. Trademark law establishes

a "proprietary right in a cultural commodity –the trademark- and demand that holders of these

rights maintain dominion over its interpretation and thus its potential to assume alternative

meanings." (Coombe 2000, 1) As trademark owners of Harry Potter, and all other indicia,

Warner Brothers Inc., and the author are invested in and have a vested interest in limiting the

potential of the trademark to mean something different: "unauthorized appropriations and

alternative significations must be monitored and ideally prohibited", so as "to constrain *surplus meaning* and *prevent dilution* of the symbolic value" (Coombe 2001, 1; italics mine). The characters that attract interest to become trademarks, as Neil Harris (1985, 242) argues, are what are made out to be "modern mythic heroes", "formula heroes" of a "powerful postindustrial folklore" that "represent a fundamental collective consciousness" who are sourced by "merchandisers" in their "search for profits" and "franchised on a for-profit basis, rented out to sell products, experiences or values". Michael Helfland (1992, 623) suggests that the trend towards the convergence between copyright law and trademark concerns is underwritten and motivated by the "creative and financial value of fictional and pictorial characters", which has "skyrocketed". Licensing characters and selling products featuring these characters, as trademarks, generates "billions of dollars every year" (Helfland 1992, 623). Warner Brothers Inc. together with Walt Disney have played leading roles over the years by bringing on lawsuits in establishing convergence. To be able to "oversee any and all character related uses", "*owners and creators* seek to wrap their fictional characters in a net of invulnerability, a net created through an artful interweaving of copyright, trademark and unfair competition laws" (Helfland 1992, 623; my italics). Furthermore: "[T]he stronger a trademark a character becomes, the less interest an owner has in tolerating uses that copyright alone otherwise allows" (Helfland 1992, 623). Rather than instead relying on trademark law, in this case, which involves a brand of content, copyright law is being infiltrated with trademark interests.

As the previous observation suggests, trademarks are brand names, brands, whose brand, sign or symbolic value develops over time. Marketing courses (like the one I supervise for) and marketing manuals teach that s*trong* trademarks, brand names or brands are those that have a unique identity, an identity that is distinct and that represents or means something in particular. Further, this identity, for it to be able to mean something in particular, is

repeatedly, consistently communicated, or reproduced, *by consumers too*, within a limited and circumscribed range of creativity and within the boundaries of propriety, such that the particular meaning, as the kernel, becomes reified, as the only meaning imaginable, and as the only meaning imaginable in the first place, unquestionable. Consistent repetition makes the trademark resistant to interpretation, by leaving as little room as possible for it, in the imagination. A strong trademark, brand name becomes associated with an image, that is, an image that comes to mind, or as Walter Lippman, political columnist and writer (quoted in Pickering 2001, 19) defines the concept of the *stereotype* in the 1920s, 'pictures in our heads', 'mental pictures'. If the trademark and brand is not communicated repeatedly, consistently, i.e. in different contexts, or out of context, by the owner and/or consumers, it accumulates *surplus meaning*, which thus either prevents it from representing something in particular, and accumulating symbolic value for the brand, or *dilutes* its more or less established, imagined meaning, softening or melting its reification (blurring the picture in our head). In both cases it undercuts the accumulation of and diminishes its symbolic value, brand equity, which is the financial bottom line.

Strong trademarks evoke images that are resistant to interpretation, if need be by appealing to the law. When 'we' think of Harry Potter an image comes to mind, more or less literally: because we have read the books, and/or seen the films. 'We' expect him to look a certain way, and to act a certain way, do certain things, which qualifies him as a strong trademark, and also as more or less stereotypical. A stereotype is the result of repetition. A stereotype has its etymological roots in the vocabulary of printing and typography where it refers to as a "text cast in rigid form for purposes of repetitive use" (Chow 2002, 52), except that today, repetitive use casts the trademark rigid, as stereotype. Furthermore, stereotyping, repetition, creates the original in retrospect, which nevertheless makes it seem as if it is the original all along. Harry Potter is an orphaned, white boy, English, wears glasses and has a

lightning flash on his forehead. His immediate family is mean to him, because they are small-minded. He has a girlfriend, but not until he is older. He is a wizard, and he tries to do the right thing, together with his friends. In any other appearance, he does not seem to be, or is not himself, non-original such that he compels to be seen as originally, stereotypically imagined, which Rey Chow (2002) refers to as 'coercive mimeticism'. That is, Harry Potter, his world, everything and everybody in it, as stereotypes and stereotypical, are expected to "resemble and replicate the very banal preconceptions that have been appended to them, a process in which they are expected to objectify themselves in accordance with the already seen and thus to authenticate [their] familiar imaginings" (Chow 2002, 107). In mobilizing the law and securing the verdict in their favor, Warner Brothers Inc. and the author are legally in a position to enforce stereotyping, rigidity and resistance to interpretation, protecting accumulated symbolic value against surplus meaning and dilution, which helps propping up the image of (the cinematic, Warner Brothers Inc.) Harry Potter as the original. The kind of image, Warner Brothers Inc. is keen to have its brand, or image associated with too. Legally, words and characters cannot be taken out of their context, and their meaning and identity is the property of the author, who can make sure they are used properly. The story can only be repeated, wholesale and Harry Potter and his world stay who they are, which coincides with his visualization on screen. In 1979, Michèle Barrett (1979, 23; italics mine), the editor of *Representation and Cultural Production,* writes: "*Totalitarianism* within culture practices always remains the limit case – never reached." Today, the 'unholy alliance' between J.K. Rowling and Warner Brothers Inc. realizes a legal prohibition on the variety of meanings to be made from the work, in principle total in reach, so as to be able to exercise monopoly control over the production of meaning and institute stereotyping to safeguard the symbolic value of trademarks, and the collection of monopoly rent. By making Harry Potter into a stereotype, and having stereotyping protected by law as well as made into a legal imperative

for consumers, fans included, the unholy alliance between Warner Brothers Inc. and the author prevent consumers, and fans from proliferating meaning creatively, outside the boundaries of the archive, circulating around the internet. Given that he and his world are now legally cast as stereotypical, officially, 'in public', he can only be acted towards and related to in ways that involves repetition, lacking in imagination and popular creativity and in support of propriety and distinctiveness.

As long as Harry Potter, as well as everybody and everything else stay in character, approaching their roles in the story as told by the author, brand identity is maintained and symbolic value created for it, *even if* that means turning against Warner Brothers Inc., which contributes towards his iconic status as a brand and trademark. There exists a network of fans who call themselves 'the Harry Potter Alliance' (thehpalliance.org), inspired by the student organization 'Dumbledore's army', drawn up in one of the books (*Harry Potter and the Order of the Phoenix*) and founded by its main characters: Harry Potter, Ron Weasley and Hermione Granger. The fictional, and real army takes aim at Voldemort, Harry's nemesis, but also, for instance at the Ministry of Magic. The real, and fictional army, or rather alliance, tackles such issues as global warming, poverty, illiteracy and genocide, by 'acting like the heroes we love'. The alliance is made up by chapters, which are either high school, university of community based. The chapters are concentrated in the United States, but a number of international chapters exist, among which in countries as diverse and scattered as Brazil, Australia, Belgium & the Netherlands, Vietnam, and the United Arab Emirates.

On a recent occasion the HP alliance accused Warner Brothers of using Harry Potter's name in vain, beating Warner Brothers at their own (copyright/trademark) game and 'shaming' them for their failure to live up to the ethical standards their property is lives by. They state on their website (http://thehpalliance.org/2012/01/wheres-the-proof-that-child-slavery-is-not-being-used-in-harry-potters-name/):

> We in the Harry Potter alliance only want to see Harry Potter's name used to promote values that Harry Potter, the members of Dumbledore's army and the order of the Phoenix would stand by.

Warner Brothers had failed to live up to Harry's and Dumbledore's values, which is also what Steven Vander Ark is accused of, by using a company to produce the chocolate frogs, which feature in the world of Harry Potter, that employs un-ethical ways to source their coca. Warner Brothers denied the charges, and based on its own, 'internal investigation' argued that the company is ethically sound. The HP alliance creates brand value for Harry Potter by sticking to a reading of the story that meets with approval from the brand owners, Warner Brothers Inc. and J.K. Rowling, given that they are not being sued. These fans confirm what suits them, and what they imagine him to be like, which converges in an agreed image.

Combined, in my research cases on 'moving images' and 'arresting words' I have looked at and investigated consumers who do not merely consume, and practice popular creativity instead, as well as the politics involved. I next turn to the conclusion to gather from the beginning to the end what remains to be said.

Chapter 5

Conclusion

After all that has been said and done, what to gather from it? How to gather it? And how to end? Where to end? Conclusions are about coming to an end. I know where I want to end. I get there, in the end. But conclusions also summarize findings, which are answers to research questions. I have to return to the beginning to explain what happened.

In the introduction, I referred to what had happened since the proposal as an adventure, intellectually too, because of the devil, and the detail. Because of the devil and the detail, I lost my bearings on the map, and perspective, of the big picture. For a while I was wondering and wandering about, not going anywhere, sideways, not forward, and sometimes in circles. I found a way, without a map, making connections, and my bearings, a big picture. Different politics connect my cases, and (in) equality is the big picture for my research, in hindsight. If a story has to have a plot that drives it forward, how we get where we are today, and in the end is not straightforward, but maybe that is what adventures are really like.

Making connections, my research cases came together in consumers who do not merely consume, and who practice popular creativity instead. I looked at the different politics involved. In the case of popular creativity as 'moving images', I situate adbusters and their politics of defamiliarization in the context of the critically driven tradition of establishing oppositional consciousness on the part of others who do not see what is really going on. Adbusters practice a politics of unmasking, unveiling or exposure. However, in mobilizing our senses and feelings, they exercise a 'politics of aesthetic emotions' too, shame and guilt, and their framing. As such, they differently move us to take action, towards change. Because busted ads are a distortion of our mirror image, the exposure they practice also implicates us directly in what we are being shown. The unveiling not merely asks for critical reflection on

our part, at a safe distance of what we are being shown, of what is wrong with consumer society and consumption, but implicates us in it, as well as aims to direct us towards taking action to come to terms with it. In the end, critical reflection in this case is not detached or unfeeling, unlike critical distance which provides the comfort of observation, of looking on.

Bertolt Brecht, the director behind one of the busted ads, is celebrated for his epic theatre and its rejection of empathy in favor of critical distance, by making the familiar strange. He and many of his commentators argue it does so by neatly separating reason and feeling. However, upon closer reading, in the context of adbusting, Brecht's writings do not sustain the strict division between the two. In his writing, Brecht acknowledges that emotions are suspect, in the wake of fascism and the context of a Marxist aesthetics that is rational, but he nevertheless does not dismiss them, merely empathy. Thus, making the familiar strange is not just an intellectual exercise for the audience to engage with, food for thought during the performance, but appeals to a social conscience too. In the end, Brecht's politics of defamiliarization involve feelings too.

More recently, Stephen Duncombe (2007) argues explicitly that politics should take feelings into account, which I touched on in my discussion of the literature on adbusting. Specifically, progressive politics should embrace the irrational, desire and enjoyment, not concede it to conservatives to engage and mobilize. Politics should be enjoyable and spectacular for the audience to be persuaded to take action, because reason, the staple of progressives, does not persuade, and notwithstanding the shadow of fascism that hangs over the use of emotions as manipulative and excessive. In addition, politics should be branded. In the end, politics should provide brand identities for us to adopt, just as brand identities provide politics for us to adopt, as the Harry Potter fans and Dumbledore's army demonstrate.

In the case of the missing detail, the author and Warner Brothers Inc. seek to close down on popular creativity, the proliferation of meaning it generates as a politics of

resistance. The politics of 'arresting words' or closure in mobilizing the law makes it illegal, in public, to attribute a different meaning to Harry Potter and his world, to practice popular creativity and our imagination, in the interest of securing brand identity and trademark interests. The surplus or excess of meaning, the excess of words fans proliferate by means of their story and put into circulation, the author economizes on as the principle of thrift. 'Arresting words', by means of the author as the principle of thrift and by law, results in images that are stuck, frozen, stereotypes. In the end, stereotyping is a very economical way of meaning making, for no words have to be wasted when the image like a stereotype speaks for itself, repeatedly.

In the meantime, words and their meaning continue to accumulate in archives. Archives contain an excess of value, as well as enjoyment and imagination. The excess (symbolic) value is not brand value for the world of Harry Potter, but symbolic value nevertheless, which is going to waste. That is, it is not being capitalized on, made into money. Also in the meantime, fan fiction grows in popularity, because of its widespread online presence and increased visibility. The popularity of their fiction draws fans towards the mainstream, social recognition. In moving towards the mainstream, commercialization becomes more attractive, for those outside the fan community, but also for fans themselves. It would be a shame to let good value go to waste. It would be criminal not to be able to make a living. It would be a shame to let good value go to waste, also because what is going to waste is hard work: the hard work fans dedicate to their writing, and to improving on it by exchanging writing advice for the pleasure of reading. In the end, the future of fan fiction is uncertain, hence why I return to it, when I address my future research, at the end.

In both my research cases, I identified those involved as consumers who do not merely consume. In the end, it is difficult to sustain the assumption that most other consumers thus merely consume, just because there is no evidence such as popular creativity

to suggest otherwise. Other consumers are making do, in private. Because of new technologies, what else consumers do creatively too is seen as puzzling: "[W]ho knows what consumers are hearing and seeing –much less doing- anymore." (Grindstaff 2008: 213) Online, consumers are more difficult to situate as consumers. As such, they are not readily available for critique, because consumed by consumption and in need of critical reflection, to be moved. As such, they are not as easily legally constrained, arrested as consumers, to only do their duty and consume. Online, consumers, what they are up to, are more difficult to situate, because they move around, from site to site. Online consumers move around, but increasingly walk into the embrace of participation while doing it. Online, consumers are invited to participate, which requires rethinking older business models, beyond consumption. Furthermore, participation feels empowering, not like being duped, as consumers. Participation also speaks to the democratic imagination, which makes it feel good, like consumption should. Everybody can participate, online, in online participatory democracies. Jodi Dean (2009) argues however that participation online is a Freudian fetish, which allows us to acknowledge yet deny what we know: that democracy in the real world has failed. To let ourselves believe that participation online matters, as democratic, or to enjoy it as such, is to ignore the failures of democracy today, and hence ignore the lack of 'justice, equity and solidarity' (Dean 2009, 42) in the world. She also underscores that online participation feels democratic, but is without politics. In the end, for politics and democracy to happen, divisions are necessary.

Politics and democracy are about divisions. In the case of the politics of knowledge production, the division is between having to know how to, on the one hand, and wanting to know, on the other hand, which also includes the pleasure of going on an intellectual adventure, an adventure that knows no boundaries, between disciplines, but takes place in-between disciplines or interdisciplinary. Apparently, interdisciplinarity since the 1970s is a

'codeword' (Mitchell 1995) for doing adventurous work, politically and theoretically speaking. The politics of knowledge production make (in) equality the big picture for my research and our adventure, not in theory, but as practice. I argued that I 'presupposed equality' as Jacques Rancière puts it, by taking the liberty to speak on the terrain of what he refers to as police, hence why I was questioned, or questions were being asked, about my method, and training in it. Rancière's writing and thinking on equality, politics, police and people helped me to understand the struggle of coming to terms with my method, of having to explain how I know what I know, and with the concern over training in a method. He helped me to understand why the questions were being asked, and to make room for piecing knowledge together as my method, by presupposing equality. My method ends up as building cases, but without training in it. There is a big picture, a whole: (in) equality. Does the truth lie in the whole after all, in hindsight, in the end? I arrived at and discovered inequality, as that which constitutes society, the social order, by presupposing equality.

In the end, there is a big picture for my research, not just different politics. 'There is such a thing as society': society is constituted by inequality, and its rationalization. What is missing from society, as a whole and on the whole, is equality. Equality is "the *mad presupposition* that anyone is as intelligent as anyone else *and* that at least one more thing can be done other than what is being done" (Rancière quoted in Chambers 2013, 28 (his, and my emphasis added). In the end, equality is 'the stuff of confidence' (Méchoulan 2004). But equality today is not a grand narrative, a modern and big story, about emancipation, progress and social change on a revolutionary scale. It is not even a little story. It is not a story, big or small, with a plot that drives it forward. It is not a story that people tell to themselves, each other and insert themselves into, or so it seems. Stories that people tell to enable action, because they are characters and agents in it, historical agents. In the end, or beginning rather, people who are unaccounted for until they arrive on and upstage the scene presuppose

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equality. They upstage the scene by taking the liberty to speak, speaking out of place. In the end, equality happens (still), surprisingly.

Equality involves the stage, or theatre, as opposed storytelling. Equality is embodied and performed. Equality is embodied and performed, like scenarios are too, and unlike stories. Equality is a scenario that explains what is happening, when questions are being asked. To presuppose equality is to perform it and create a scene. Equality is not a story or a strategy either, on the part of people, or a tactic, a making do. The language of war and battle do not seem to suit it, and that typically capture theories about social change. Social change is on the agenda still, except it is not revolutionary, or counter-hegemonic. Equality happens on a case-by-case basis, when different people, who are unaccounted for, presuppose it, upset the social order, the rationalization of inequality and consent to it, and democratic politics happen. In the end, the truth lies in the whole, but each case is different.

Furthermore, in the moment that equality is presupposed, meets with police and democratic politics happens, democracy is constituted, ephemerally. Democracy is not to be lived in. Is that good enough, in the end? Compared against participatory democracy online? Rather than demand the impossible? Rather than demand, as Herbert Marcuse demands, radical freedom. Does it include equality? For freedom without equality will be inegalitarian, in the end.

Equality, the politics of knowledge production, is the big picture for my research, in practice. Presupposing equality is taking the liberty to speak, doing things differently, building cases and making sense, without training in a method, by an intellectual who is an amateur too. Presupposing equality is producing popular knowledge. In the end, what are the implications for politics as discussed in and by cultural studies, where I situate the politics of popular creativity? Cultural studies is 'politically engaged', but does it engage itself with equality beyond making popular culture equally worthy of study? Is it politically engaged

beyond the politics of identity and difference? Would it include a different form of knowledge, and that challenges the symbolic hierarchy? A form of knowledge that has a 'practical consistency and a symbolic dimension'. A form of knowledge that makes sense and that also represents the unaccounted for, people, because it is built on observations in detail that are similarly unaccounted for, in support of the big picture, inequality. In the end, the devil and the detail are people. The devil lies in democracy. Mike Featherstone (1991) argues that the moment of de-hierarchization has passed for cultural studies, but today because of neoliberalism, the language of equality circulates more prominently, among those who are politically engaged. Wendy Brown (2012, 69) observes "there is an effort to reclaim democracy that has to do with more equality than it has been used to signify in recent neoliberal decades and also more control by the people". She puts up for debate 'what levels of equality we should have', and 'who we are as a people'. In the end, as (a) people: are we leaders and led? Where and when to start? If more equality is indeed on the agenda, and does not only refer to material inequality, would cultural studies return to the agenda of equalization and democratize culture once more? Or is our interdisciplinarity better suited to offering an opportunity for equality to happen, given its history, and the space we find ourselves in? For police to practice politics, and make it more likely that equality, its presupposition happens again, in-between, in-between disciplines. How might we rethink the in-between as a more permanent space for the unaccounted for, the presupposition of equality? After all: "[P]olice orders may make more or less space for the emergence of democratic politics." (Chambers 2013, 72)

In the end: by using a different language. Consent is the word Jacques Rancière refers to when he explains how inequality is sustained. Gramsci teaches us that consent is built by creating a common cultural language. To allow for the presupposition of equality as more likely to happen, and together with it for 'one more thing to be done than what is being done'

is to engage a different language, and image, than the language that is institutionalized to maintain discipline(s). A language that is not informed by mapping, and borders to come to terms with discipline(s). A language with only a keyword, so far.

The keyword I have in mind, and that has come up a few times, is a bridge, an in-between, and its logic, suspension. A bridge is a suspension, to travel on, to meet each other and for people to come together. A border lacks suspension, it does not take us anywhere and it does not bring people together. A bridge is an inviting space, directed outwards, and that reaches out, as opposed to creates exclusivity, like borders do. A bridge is not an enclosed space. A bridge is not about fitting in, and it is not embedded in a language of belonging, community and identity. Identity is not at stake, to be included within boundaries as different. Equality is at stake, and doing things differently.

On a bridge we are suspended, up in the air. Our world is up in the air, anything can happen. We can expect surprises, the unexpected. On a bridge, we are suspended, up in the air, in suspense … whether one more thing can be done that is being done. In the end.

Future research

After all that is said and done, I also look ahead, to the future, with some brief thoughts, on where I want to go next and first.

I plan to return to fan fiction and investigate how fans negotiate the taboo on commercialization that seems to police to fan community. The taboo on commercialization also helps to contain the proliferation of meaning, the excess symbolic value. Furthermore, when Steven Vander Ark tried to publish his *Lexicon*, he became taboo, for many fans. According to Freud, however, a taboo not only polices and prohibits, but also embodies an unconscious desire for that which is prohibited. And, even though there rests a taboo on

commercialization, fan fiction writing is approaching the mainstream, with opportunities for it.

I plan to investigate the taboo on commercialization in relation to the kind of economy fans imagine themselves participating in. Specifically, whether and how a gift economy interacts with the taboo, and its complexity, because it too embodies ambivalence towards commercialization. While gift economies emphasize reciprocity and sharing, what is being exchanged, for free, is writing and 'career' advice: how to become a better writer. Among newly successful writers, some of them are former fan fiction writers. In addition, while writing advice is being exchanged, copyright is being upheld, which communicates exclusivity, as opposed to sharing or reciprocity. To uphold copyright is also to acknowledge and communicate that a work has been created in which rights can be exploited, when the time comes.

The complexities of the taboo, the gift economy, and the reality that many fan fiction writers are women, make for an interesting research dynamic worth exploring, in search of a new intellectual adventure.

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